



Planning Statement

Land to the south of Station Road, Market Bosworth

On Behalf of Miller Homes

August 2024

nineteen47
CHARTERED TOWN PLANNERS
& URBAN DESIGNERS

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Client:

Miller Homes

Project:

Land to the south of Station Road, Market Bosworth

Report Title / Version:

Planning Statement

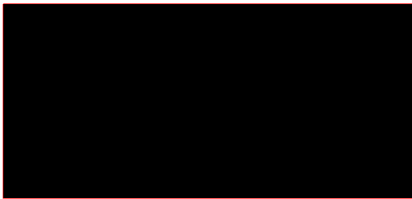
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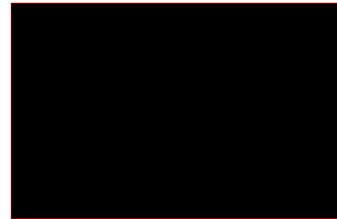
August 2024

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Section 1 | Introduction

- 1.1 nineteen47 Ltd is instructed by Miller Homes [the Applicant] to prepare and submit a hybrid planning application [the Application] to Hinckley and Bosworth Borough Council [the Council or the LPA] seeking full planning permission for residential development of 138no. dwellinghouses along with landscaping, public open space, drainage infrastructure and new access following demolition of 2no. existing dwellinghouses; and outline planning permission (all matters reserved except for point of access) for 0.55ha of employment uses (Classes E (g) (i, ii and iii), B2 and B8) [the Proposed Development] on land to the south of Station Road, Market Bosworth [the Application Site or the Site].
- 1.2 Miller Homes was established in 1934 and is one of the UK's largest, privately-owned national homebuilders with a focus on creating great places where 'people and planet prosper' by building homes and developments that create communities with an emphasis on placemaking and design. This has been recognised with the maximum 5-star rating for customer satisfaction in the HBF National New Home Customer Satisfaction Survey for the 11th time in 12 years.
- 1.3 The preparation and submission of the Application follows pre-application discussions with the LPA and key stakeholders as well as engagement with the Town Council and community, as summarised in the accompanying Statement of Community Involvement [SCI].
- 1.4 The Application Site is allocated for mixed-use development within the adopted Development Plan, namely in the Council's Site Allocations & Development Management Policies DPD (adopted July 2016) as site reference MKBOS02 under Policy SA5, and in the Market Bosworth Neighbourhood Plan (made September 2015) under Policy BD2. The LPA is progressing the Hinckley and Bosworth Local Plan 2020-2039 ["the Emerging Local Plan"] which is currently subject to a Regulation 18 consultation, which is due to end on 27th September 2024. The Site is also included as a draft allocation for mixed-use development under reference BD2 in the draft Market Bosworth Neighbourhood Plan, which was the subject of a Regulation 14 consultation in October 2023.
- 1.5 In addition to this Planning Statement, the Application is supported by a comprehensive suite of documentation, plans and drawings, as set out in the Submission Schedule.
- 1.6 This Statement is structured as follows:
 - Section 2 provides an overview of the Site context;
 - Section 3 provides an overview of the Proposed Development;
 - Section 4 outlines the relevant planning policy context;
 - Section 5 assesses the proposals within that planning context and provides an overall planning balance; and
 - Section 6 draws together a summary and conclusions.

Section 2 | Site Context

- 2.1 The Application Site, as edged red in Figure 2.1 below, extends to approximately 7.12ha and is located to the western edge of the village of Market Bosworth, approximately 18km to the west of Leicester city centre. The Site comprises a parcel of 2no. agricultural fields, with employment land and a cluster of employment buildings to the north. The topography of the Site is generally flat, with site levels falling from the east towards the south-western corner, away from the existing adjacent residential properties.



Figure 2.1 : Aerial image of the Application Site (Source – Google Earth)

- 2.2 In terms of existing landscape features, the Site includes an expanse of mature hedgerow along its southern boundary which intersects the land south to north demarcating the boundaries between the 2no. agricultural fields. There is a sporadic presence of mature trees also found within the Site, the most prominent of which can be found centrally within the western field. A number of existing field drainage ditches can also be found to the southern boundary of the Site.
- 2.3 The Site is currently accessed from Station Road, a main arterial route through the settlement which is well-connected to the local highway network. To the west of the Site, Station Road becomes Wellsborough Road and then Bosworth Road before connecting to the A444 which enables access to the M42 to the north and A5 to the south. Further east, the road network connects to the A447 and B585 Bosworth Lane. These networks provide connectivity to Ibstock and Coalville in the north and to Hinckley and the M1 to the south.

Site Surroundings

- 2.4 The Site is surrounded by a mix of residential, employment and agricultural land uses. Station Road runs east to west along the Site's northern boundary with residential properties located

adjacent to the north-eastern corner on Heath Road and Station Road. Along the western boundary and to the north-western corner, the Site abuts employment land and a cluster of employment buildings, alongside a heritage railway line. To the south are a number of expansive agricultural fields and a Severn Trent Water pumping station adjacent to the Site at its south-western corner.

Wider Context

- 2.5 Market Bosworth's town centre is located less than 1km to the east of the Site and offers a number of services and facilities including a medical practice, a pharmacy, a library, Post Office, several places of worship, in addition to a nursery and both primary and secondary schools. The local centre also has an attractive retail offer with convenience stores, independent retailers and a broad selection of pubs, cafés and restaurants. Additionally, The Bosworth Hall Hotel to the east of the town centre has a spa and gym complex which is open to members of the public.

Connectivity

- 2.6 Station Road is classified as an on-road leisure cycle route enabling connectivity to Barton in the Beans and Congerstone to the north and Hinckley to the south. To the west of the Site, Station Road connects with National Cycle Network Route 52, which extends to destinations such as Nuneaton and Coalville. In addition to these cycle links, a continuous footway on the northern side of Station Road forms part of an interconnected system of public footpaths towards the settlement's centre. Hourly bus services are available from the town centre and provide access to nearby towns and villages as well as to Leicester city centre. This provides access to Leicester Railway Station which offers regular services to cities across the country.

Site Designations

- 2.7 The Site is identified as comprising Grade 3 agricultural land – Good to Moderate.
- 2.8 In terms of flood risk, the Environment Agency's Flood Map for Planning shows that the Site falls within Flood Zone 1 and as such, is at a low risk of flooding from rivers or the sea.
- 2.9 In terms of ecological designations, the Site does not include any statutory designated nature conservation sites, nor are any located adjacent. The nearest designated site is the Ashby Canal Site of Special Scientific Interest (SSSI) which is located approximately 1.5km northwest of the Site.
- 2.10 In terms of heritage designations, there are no designated or non-designated built heritage assets located within or adjacent to the Site. There are a number of Listed Buildings within Market Bosworth, most of which are located within the Market Bosworth Conservation Area. The Ashby Canal Conservation Area is located to the west of the Site beyond the former railway line.

Planning History

- 2.11 The Site itself has no previous planning history of relevance to the Proposed Development.
- 2.12 A number of applications have previously been granted on land in the vicinity of the Application Site:

- Planning permission was granted in April 2024 for the erection of a 50-bedroom golf and facility at the former Kyngs Golf and Country Club to the north of the Site(LPA ref: 24/00019/FUL) and with this representing a partially-revised scheme to that previously approved under LPA ref: 19/01437/FUL.
- Planning permission was granted in October 2023 for the erection of an industrial building with offices and associated infrastructure on land adjacent to the west of the Site (LPA ref: 23/00646/FUL). This development is yet to commence on site.
- Planning permission was granted in March 2022 for 73no. dwellings with associated access and public open space on land off Sedgemere Road to the west of the railway line (LPA ref: 21/00379/FUL).

Section 3 | Proposed Development

- 3.1 This Hybrid Application seeks full planning permission for residential development of 138no. dwellinghouses along with landscaping, public open space, drainage infrastructure and new access following demolition of 2no. existing dwellinghouses; and outline planning permission (all matters reserved except for point of access) for 0.55ha of employment uses (Classes E (g) (i, ii and iii), B2 and B8). The Application is supported by a comprehensive Design & Access Statement, which provides a detailed description and analysis of the Proposed Development, which is summarised below.

Full Planning Application (residential)

Quantum of Development

- 3.2 The Proposed Development includes the delivery of 138no. new dwellings at a net density of 35no. dwellings per hectare (dph) across the Site. The dwellings will comprise a range of sizes, from 1-bedroom properties to 4-bedroom properties, across a mixture of house types. Additionally, the housing mix will include a policy-compliant 40% provision of affordable housing across the Site.
- 3.3 The housing mix has been established as a product of the Applicant's understanding of current market demands, which, in this area, is focused towards the delivery of two and three-bedroom properties. The housing mix is summarised in Table 3.1 below:

Type of Dwelling	1 Bed	2 Beds	3 Beds	4 Beds	Total
Market	1	29	37	16	83
Affordable (Rent)	8	17	14	2	41
Affordable (Shared Ownership)	2	6	4	2	14
Total	11	52	55	20	138

Table 3.1 : Housing Mix

Layout

- 3.4 The layout of the development responds positively to the constraints and opportunities of the Site and to the Development Brief which forms part of the Development Plan. There are no prominent topographical changes which have influenced the layout - the Site being generally flat, with site levels falling from the east towards the southwestern corner, away from the existing residential properties on Heath Road.

- 3.5 Within the Site, a simple hierarchy of streets is defined which will create a legible place, form the basis of a permeable movement framework and contribute to a recognisable character. Street typologies have been created that are intentionally different, so that residents and visitors are able to understand where they are.
- 3.6 To create an efficient and defensible layout, a perimeter block has been formed around the north-eastern section of the Site, with properties having rear gardens that use the existing boundaries as their rear garden boundaries. Within this, appropriate separation distances are achieved between both new and existing homes along Heath Road and Priory Road.
- 3.7 Across the Site, the existing landscape features will be incorporated into new green corridors with ensuing benefits for biodiversity and to differentiate between the different uses on the Site.
- 3.8 The placement of the public open space has been carefully chosen to soften the impact of the development on the wider landscape, which has influenced the layout of both the residential and employment aspects of the Proposed Development. In this regard, the proposed dwellings will be located in proximity to the existing residential land to the east, whilst the employment land provision connects to the existing industrial estate to the west, separated by a green corridor and a pedestrian/cycle link.
- 3.9 A key feature within the Proposed Development will be an internal pedestrian walking loop, which links to a new pedestrian access point from Heath Road, providing access for local residents to take advantage of the public open space which will be delivered. Another key feature of the Proposed Development is the entrance to the Site, consisting of a tree-lined street with a number of houses acting as a welcoming gateway feature, leading to a central feature open space.
- 3.10 Within the Site, the proposed dwellings have been orientated to address vistas within the scheme, and have active elevations facing the adoptable highways and the private drives. The layout of the dwellings along the southern boundary have been positioned to create an outward facing edge. Whilst dwellings on the western edge of the residential areas are orientated to respond to the noise constraints of the adjacent employment use and are arranged in short terraces with few gaps between them.

Scale

- 3.11 The proposed dwellings are predominantly two storeys in height, with the exception of 2no. bungalows which are proposed adjacent to the northern boundary as a direct response to corresponding scale of existing adjacent buildings. A small number of 2.5 storey dwellings have also been placed throughout the development.
- 3.12 The garages provided throughout the Site are detached from the dwellings they serve and are set back in the plots so they are not prominent features within the street scene.

Appearance

- 3.13 The dwellings are proposed to be constructed in a variety of quality external materials and will be of a traditional character. Smaller dwellings will feature arched window heads and simple apex porches, with front doors replicating a cottage-style vision. To create interest and to enhance their status in the streetscene, some larger dwellings feature contrasting brickwork courses, brickwork soldier window heads and flat door canopies paired with front doors that feature larger glazing panels. with elevations of properties in a variety of red bricks with stone

accent window trim and some with white rendered walling, paired with slate grey tiles on the dual pitched roofs of the properties. The roofscape includes gable-ended, hipped and street-facing gabled forms that have been carefully distributed to provide variety in the street scene.

- 3.14 A range of brick types will also be used across the development, with different brick and tiles used at nodal spaces to provide emphasis, and rendered street-facing gables proposed to some houses on the main street to provide variation. Another brick type will feature at the edges of the scheme, which will tie the proposed dwellings to the appearance of the existing houses along Heath Road and Priory Road.

Landscaping

- 3.15 The Proposed Development incorporates extensive areas of new public open space. The overarching principles for the proposed landscape strategy aim to:
- Conserve and enhance landscape character in the local context;
 - Retain and make best use of existing landscape elements and features where these can be retained across the Site;
 - Optimise protection and screening for visual amenity receptors (including in relation to the interface with the countryside to the south); and
 - Avoid loss or damage to retained landscape elements and features, maintaining, and enhancing the existing green infrastructure framework.
- 3.16 Together these principles place a particular emphasis on green infrastructure across the Site (including landscape planting and open space) and the role that landscape characteristics and green infrastructure have in determining the spatial parameters of the proposed development.
- 3.17 The Proposed Development will also provide a range of habitats that will provide a greater than 10% uplift in biodiversity value. This includes the planting of species-rich grassland, scrub planting and a network of tree-lines and species-rich hedgerow.

Access (and Parking Provision)

- 3.18 The main point of access into the Proposed Development will be via a new priority-controlled simple T-junction on Station Road. Further to this, the scheme includes the introduction of new speed control measures along Station Road and the relocation of speed limit signs. Footpath improvements are also proposed in the vicinity of the new access, connecting to the existing provision along the northern side of Station Road.
- 3.19 Leading into the Site from Station Road, the arrival road is designed with a wide carriageway to accommodate larger vehicles which will likely be used within the employment area. A footpath accompanies the arrival road on both sides of the carriageway. Serving the employment area, the 'employment road' is also designed with a wide carriageway and accompanying footpath.
- 3.20 Beyond the vehicular access, a new pedestrian link will be established between the Proposed Development and Heath Road to the north-east of the Site, which will encourage local use of the public open space that will be provided within the scheme. Internally, a pedestrian footpath will feature along the outwards-facing edge of the Site, with an additional link provided through the centre of the Site.

- 3.21 Car parking provision will be delivered in accordance with the Hinckley and Bosworth parking standards, namely 2no. car parking spaces being provided for dwellings with 3-bedrooms or less, with 3no. car parking spaces provided for the 4-bedroom dwellings. On-plot parking will feature to the front and side of the dwellings.

[Outline Planning Application \(employment\)](#)

- 3.22 The Proposed Development includes the delivery of employment land as required by Policy SA5 of the Local Plan.
- 3.23 The employment land, which is approximately 0.55ha, is logically situated to the western part of the Site as an appropriate response to the neighbouring industrial estate and partially acts to replace the existing employment use buildings which will be lost from the formation of the new access corridor from Station Road.
- 3.24 A central access road, from the priority T-junction off Station Road, will provide access to the employment land. With a 7.3m wide carriageway, this road will be capable to accommodate the vehicles likely to be associated with use of the proposed employment land. Just off the central access road is a separate carriageway which leads directly to the employment area. This carriageway has also been designed with a 7.3m wide carriageway to ensure access for those employment-related vehicles. A pedestrian footpath is proposed on the southern end of this carriageway.
- 3.25 At this stage, layout is reserved for future consideration, though, the employment area will be surrounded by a number of features which form part of the element of the hybrid application seeking full planning permission for the proposed residential development, including a new earthwork bund to the west, which will mitigate the noise impact from the existing adjacent industrial estate upon the residential area. To the east, a new green corridor will provide a buffer between the employment site and the residential dwellings. Access to the employment land will be provided from the north, whilst a surface water attenuation basis will be located to the south.
- 3.26 It is anticipated that the employment buildings could be orientated to mitigate noise-related impacts to the proposed dwellings by being arranged as short terraces in a north-south alignment, though this will be a matter for consideration at the appropriate time as part of a subsequent application for reserved matters consent.
- 3.27 It is anticipated that the employment buildings will be no more than 10m in height, which is informed by the height of the existing (and approved) buildings in the adjacent industrial estate. This will limit their massing, such that it is not overbearing on adjacent residential uses or areas of open space.
- 3.28 Whilst a matter for a subsequent reserved matters application, it is anticipated that the employment buildings will be designed with a consistent approach to materials, form and detailing. There may be some benefit to the use of a colour palette which responds positively to that of the buildings in the adjacent industrial estate that use colour to add interest through feature bands and to doors and windows and texture to break up facades.
- 3.29 Whilst also a matters for a subsequent application for reserved matters consent, it is anticipated that the proposed employment area will be enclosed by security fencing and potentially gates.

Section 4 | Planning Policy Context

- 4.1 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.2 The Development Plan for the purposes of determining this Application consists of the Core Strategy DPD (adopted December 2009) [the Core Strategy], the Site Allocations & Development Management Policies DPD (adopted July 2016) [the SADMP] and the Market Bosworth Neighbourhood Plan (adopted September 2016) [the Neighbourhood Plan].
- 4.3 In addition to the Development Plan, applications should have regard to the National Planning Policy Framework (2023) [the Framework] and National Planning Practice Guidance [the PPG], which are material considerations in any decision. These should be considered alongside the LPA's various Supplementary Planning Documents [SPDs] and Supplementary Planning Guidance [SPGs] which are also a relevant material planning consideration in any determination.
- 4.4 The emerging Hinckley and Bosworth Local Plan 2020-2041 [the Emerging Local Plan] has previously been the subject of a Regulation 19 consultation undertaken in February/March 2022. However, a further Regulation 18 consultation has since been considered necessary due to concerns regarding the deliverability of the previous spatial strategy and to align with changes to national planning policy that have since taken place. The latest Local Development Scheme [LDS] was approved at Full Council on 8th February 2024 which revises the timetable for production of the Emerging Local Plan and establishes key milestones for public consultations. Therefore, some limited weight can be afforded to the Emerging Local Plan in the consideration of this Application.
- 4.5 The Neighbourhood Plan has also been the subject of a major review, with a Regulation 14 consultation undertaken in October 2023 to ensure that it aligns with the changes to national policies since the made Neighbourhood Plan was originally made in September 2015. It is understood that the Parish Council and the Bosworth Vision Planning Group are continuing to review the consultation responses received, and with no date yet set for a referendum such that, in its present time, the emerging Neighbourhood Plan can be afforded only limited weight in the determination of the Application.

Development Plan

Core Strategy DPD (2009)

- 4.6 The Core Strategy is the key document in the Development Plan and sets out the overarching strategy and core policies to guide the long-term vision for Hinckley and Bosworth whilst other Development Plan Documents implement the strategy and vision contained within the Core Strategy.
- 4.7 Table 4.1 below sets out the planning policies considered to be relevant to this Application. These policies are considered further in Section 5 of this Statement.

Policy No.	Topic	Comments
7	Key Rural Centres	States Market Bosworth is a 'Key Rural Centre' in which housing development will be supported within settlement boundaries

		that provides a mix of housing types and tenures. The policy also states that the enhancement of allocated employment sites in Key Rural Centres will be supported, as will the development of employment uses.
11	Key Rural Centres Stand Alone	Sets out that in Market Bosworth land will be allocated to provide a minimum of 100no. new homes. Developers will be required to demonstrate that the number, type and mix of housing meets the needs of Market Bosworth, taking account of other policies and the most up-to-date evidence base documents. In terms of employment land, Policy 11 states that the LPA will support additional employment provision to meet local needs in line with Policy 7.
15	Affordable Housing	States that in rural areas, the on-site affordable housing target starts at 40% provision, split between 75% social rented and 25% intermediate housing.
16	Housing Density, Mix and Design	Seeks a mix of housing types and tenures to be provided on all sites of over 10no. dwellings. In terms of density, residential development will be required to meet a minimum density of 30no. dwellings per hectare.
19	Green Space and Play Provision	Sets out the standards against which green space and play provision in the borough should adhere to.

Table 4.1 : Relevant Core Strategy Policies**Site Allocations & Development Management Policies DPD (2016)**

- 4.8 The SADMP allocates land to deliver the development requirements set out in the Core Strategy, such as housing, employment, recreation, green spaces, community and leisure uses. It also includes development management policies which apply across the Borough and which are used when determining planning applications.
- 4.9 The Allocations Map associated within the SADMP designates the Site for mixed-use development under reference MKBOSO2, an extract of which is included in Figure 4.1 below, as detailed within Policy SA5.

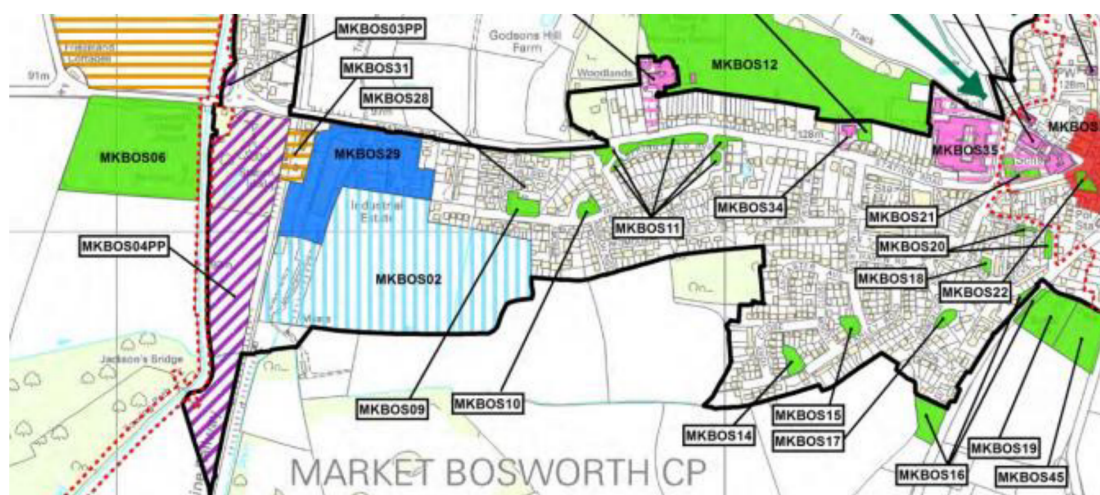


Figure 4.1 : SADMP Allocations Map

4.10 Policy SA5 refers to the allocation MKBOS02 on the Application Site. The policy states that proposals for the Site should:

- Provide between 0.5 hectare to 1 hectare of additional B1, B2 or B8 employment land;
- Provide approximately 100 no. dwellings with a density, mix and design in line with Core Strategy Policy 16;
- Create a safe pedestrian access off Station Road and alternative pedestrian access into the site;
- Provide some allotment provision on site with associated car parking facilities;
- Provide open space and play provision in line with Core Strategy Policy 19; and
- Provide affordable housing in line with Core Strategy Policy 15.

4.11 Table 4.2 below sets out the planning policies considered to be relevant to this Application. These policies are considered further in Section 5 of this Statement.

Policy No.	Topic	Comments
DM1	Presumption in Favour of Sustainable Development	Sets out the LPA's presumption in favour of sustainable development which reflects the presumption set out in the NPPF.
DM3	Infrastructure and Delivery	Seeks developers to provide additional or improved infrastructure, amenities or facilities directly or indirectly through the appropriate funding mechanisms, where a development will create a need for such provision.
DM6	Enhancement of Biodiversity and Geological Interest	Requires development proposals to demonstrate how they conserve and

		enhance features of nature conservation and geological value including proposals for their long term future management. Major developments must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services.
DM7	Preventing Pollution and Flooding	Requires development proposals to demonstrate that, inter alia; it will not adversely impact the water quality; ecological value or drainage function of water bodies in the borough, it will not contribute to poor air quality, it will not create or exacerbate flooding by being located away from areas of flood risk.
DM10	Development and Design	States that development will be permitted provide that a number of requirements are met, which includes, inter alia: • There would be no significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings; • The development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features; • The scheme incorporates a high standard of landscaping where this would add to the quality of the design and siting; • The development includes an appropriate SuDS and is approved by the LPA. These should incorporate wildlife areas, ponds, swales and permeable surfacing where possible.
DM11	Protecting and Enhancing the Historic Environment	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.

DM13	Preserving the Borough's Archaeology	Requires a desk-based assessment to be undertaken where a proposal has the potential to impact a site of archaeological interest.
DM17	Highways and Transportation	States that development proposals will be supported where they make the best and maximum use of sustainable transport modes, ensuring there is convenient and safe access to services and facilities. Proposals should also demonstrate that there is not a significant adverse impact upon highway safety and that the residual cumulative impacts of the development on the transport network are not severe.
DM18	Vehicle Parking Standards	Requires all proposals for new development 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.

Table 4.2 : Relevant SADMP DPD Policies**Market Bosworth Neighbourhood Plan 2014-2026 (2015)**

- 4.12 The Neighbourhood Plan builds upon local and national planning policies, taking into account the views of the local population. The document has resulted directly from community feedback via public events, community groups, stakeholder meetings, questionnaire responses and other means of communication.
- 4.13 The Neighbourhood Plan identifies that future residential growth should be allocated on the south side of Station Road and will include some redevelopment of the industrial estate to provide access and improve and expand existing facilities for employment. The Plan puts forward policies to shape and influence how the Site should be developed – those of relevance to the Application being set out in Table 4.3 below.

Policy No.	Topic	Comments
CE1	Character and Environment	Sets out that all new development within Market Bosworth should be in keeping with its Character Area with regards to scale, layout and materials to retain local distinctiveness and create a sense of place. The Application Site does not fall within a Character Area as set out in the made Neighbourhood Plan, therefore consideration should be given to the adjacent Character Area D.
CE4	Trees	States that mature trees and woodland should be protected wherever possible.

BD1	Affordable Housing	Seeks all residential developments of 11no. dwellings or more to provide 40% affordable homes on-site where: a) All on-site affordable housing is prioritised for those with a local connection as prescribed by the Local Connection Criteria. b) Affordable housing is evenly spread across a development site in small clusters of four to six dwellings.
BD2	Site allocation south of Station Road and Heath Road	States that the Application Site is allocated for mixed-use development. In this respect, the development shall provide: 1. Between 0.5 hectare to 1 hectare of additional B1, B2 or B8 employment land; 2. A minimum of 55 dwellings with overall housing density, mix and design in line with Core Strategy 16; 3. An area of open space. The inclusion of a community facility within the development will also be encouraged.
BD3	Design Guidelines for site allocation south of Station Road and Heath Road	Sets out a number of criteria against which development proposals should take into account when bringing forward a scheme on the site. These include, inter alia: • The main vehicular access being through the industrial area on the south side of Station Road; • The overall design approach should minimise the visual impact of the development and relate sensitively to the surrounding area; • The incorporation and enhancement of existing landscape features and the creation of green space within and on the boundaries to provide a buffer against the surrounding areas; • The provision of a mix of housing types and sizes to meet current and future needs of households in Market Bosworth; • The inclusion of pedestrian and cycle links to adjoining residential areas to the east to reduce reliance on the private car; and

		The retainment of a publicly accessible space between the development and the open countryside.
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Table 4.3 : Relevant Neighbourhood Plan Policies

Other Material Considerations

National Planning Policy Framework (2023)

- 4.14 Paragraph 224 of the NPPF makes it clear that the policies contained within it are material considerations to a particular decision or determination.
- 4.15 Section 2 seeks to achieve sustainable development, with Paragraph 7 of the NPPF stating that the purpose of the planning system is to contribute to the achievement of sustainable development. Further to this, Paragraph 8 details that there are three overarching objectives to achieving sustainable development which are interdependent. These objectives are:
- an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 4.16 Paragraph 9 provides that these objectives should be delivered through the preparation and implementation of plans and the application of the policies in the NPPF; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 4.17 Paragraph 10 states that at the heart of the NPPF is a presumption in favour of sustainable development, with Paragraph 11 detailing that, for decision-taking, this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission 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. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

4.18 In the context of the above, Footnote 8 of the NPPF states that where the policies are considered to be out-of-date, this includes:

"... situations where the local planning authority cannot demonstrate a five year supply (or a four year supply, if applicable, as set out in paragraph 226) of deliverable housing sites (with a buffer, if applicable as set out in paragraph 77) and does not benefit from the provisions of paragraph 76 or where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous three years."

4.19 Section 4 relates to decision-making, with Paragraph 38 stating that local planning authorities should approach decisions on proposed development in a positive and creative way and that decision-makers at every level should seek to approve applications for sustainable development where possible.

4.20 With regard to the determination of planning applications, Paragraph 47 reaffirms the statutory requirement for decisions to be made in accordance with the development plan, unless material considerations indicate otherwise.

4.21 Section 5 focuses on the delivery of a sufficient supply of homes, in this respect, Paragraph 60 details that the overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community. With regard to affordable housing, Paragraph 66 notes that where major residential development is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership.

4.22 Paragraph 76 sets out that local planning authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision making purposes if the following criteria are met:

- a) their adopted plan is less than five years old; and
- b) that adopted plan identified at least a five-year supply of specific, deliverable sites at the time that its examination concluded.

4.23 Further to this, Paragraph 77 states that, in all other circumstances, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing if the provisions in Paragraph 226 apply. The supply should be demonstrated against either the housing requirement set out in adopted strategic policies, or against the local housing need where the strategic policies are more than five years old. Where there has been significant under delivery of housing over the previous three years, the supply of specific deliverable sites should in addition include a buffer of 20% (moved forward from later in the plan period).

4.24 Paragraph 226 of Annex 1 sets out that, from the date of publication of this revision of the

NPPF, for decision-making purposes only, certain local planning authorities will only be required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of four years' worth of housing (with a buffer, if applicable, as set out in Paragraph 77) against the housing requirement set out in adopted strategic policies, or against local housing need where the strategic policies are more than five years old, instead of a minimum of five years as set out in Paragraph 77 of this Framework. This policy applies to those authorities which have an emerging local plan that has either been submitted for examination or has reached Regulation 18 or Regulation 19 (Town and Country Planning (Local Planning) (England) Regulations 2012) stage, including both a policies map and proposed allocations towards meeting housing need. This provision does not apply to authorities who are not required to demonstrate a housing land supply, as set out in Paragraph 76. These arrangements will apply for a period of two years from the publication date of this revision of the NPPF.

- 4.25 Section 6 promotes the building of a strong, competitive economy. In this respect, Paragraph 85 states that significant weight should be placed on the need to support economic growth and productivity. In relation to sites for employment uses, Paragraph 89 sets out that for rural area, the use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.
- 4.26 Section 9 seeks to promote sustainable transport modes. When considering development proposals, Paragraph 114 outlines that 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;
 - c) The design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
 - d) 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.
- 4.27 Paragraph 115 states 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.
- 4.28 Section 11 promotes the effective use of land with Paragraph 123 explaining that 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.
- 4.29 Paragraph 129 acknowledges that area-based character assessments, design guides and codes and masterplans can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places.
- 4.30 Section 12 seeks to achieve well-designed places, stating that the need for good design is a key aspect of sustainable development and being clear about design expectation is fundamental to achieving acceptable and adaptable communal spaces. Paragraph 131 states that the creation of high-quality buildings and places is fundamental and furthermore, good

design is key to sustainable development.

4.31 Paragraph 135 states that planning 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
- e) 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.

4.32 Paragraph 137 asserts that design quality should be considered throughout the evolution and assessment of individual proposals. Furthermore, Paragraph 139 states that significant weight should be given to:

- a) Development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) Outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

4.33 Section 14 focuses on meeting the challenge of climate change, flooding and coastal change. Paragraph 157 states that the planning system should support the transition to a low carbon future in a changing climate and can help to do this by, inter alia, encouraging the re-use of existing resources and supporting the use of renewable and low carbon energy.

4.34 Paragraph 162 states that, in determining planning applications, local planning authorities should expect new development to:

- Comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- Take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

4.35 Paragraph 173 details that when determining any planning applications, local planning

authorities should ensure that flood risk is not increased elsewhere and that applications should be supported by a site-specific flood-risk assessment, where appropriate. Paragraph 175 provides that applications for major developments should incorporate SuDS unless there is clear evidence that this would be inappropriate.

4.36 Section 15 seeks to conserve and enhance the natural environment. Paragraph 180 states that planning policies and decisions should contribute to and enhance the natural and local environment by, inter alia:

- Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils;
- Recognising the intrinsic character and beauty of the countryside;
- 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;
- Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

4.37 When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

4.38 Paragraph 189 states that planning policies and decisions should ensure that a site is suitable for its proposed use, taking account of ground conditions and any risks arising from land instability and contamination.

4.39 Section 16 seeks to conserve and enhance the historic environment with Paragraph 200

stating that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

- 4.40 Paragraph 200 goes further to state that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Consultation on the NPPF (July 2024)

- 4.41 In July 2024, the Government commenced consultation on its proposed approach to revising the NPPF in order to achieve sustainable growth in the planning system. As well as revised wording to the NPPF, a new Standard Method for assessing housing needs was also proposed.
- 4.42 Most notably, the proposed revisions to the NPPF restore (at Paragraph 76) the requirement for LPAs to demonstrate a 5 year housing land supply [YHLS], even when the adopted plan is less than 5 years old. This change reflects the need for LPAs to adapt and respond to changes in delivery (or lack thereof) after the adoption of a plan, to ensure that they continue to meet their need. As a result of this proposed revision, the need for an LPA to demonstrate only a 4 YHLS as set out in Paragraph 226 of the current NPPF would be removed.
- 4.43 The new Standard Method proposed in the consultation on the NPPF increases the housing requirement for Hinckley and Bosworth from 432dpa in the current Standard Method to 689dpa in the revised Standard Method - an increase of 257dpa, which does not take into account the Duty to Cooperate with Leicester City Council (currently 187dpa).
- 4.44 In terms of the transitional arrangements, the Consultation on the NPPF states:

"... those plans that have reached Regulation 19 publication stage but not yet been submitted for examination one month after the revised framework is published, with a gap of no more than 200 dwellings per annum between the local planning authority's revised LHN figure and its proposed housing requirement (as set out in the Publication version of the plan), should also progress to examination under the version of the NPPF it has used when preparing the plan thus far. However, those with a more significant gap of over 200 dwellings per annum between the local planning authority's revised LHN figure and the emerging housing requirement will need to revise its plan in line with the revised NPPF before submitting the plan for examination no more than 18 months after the publication of the revised NPPF.

All plans at earlier stages of preparation - (i.e. plans that have not yet reached Regulation 19 stage one month after the revised NPPF is published) - should be prepared against the revised version of the NPPF and progressed as quickly as possible."

- 4.45 As referenced earlier in this Statement, the Council is currently undertaking a Local Plan Regulation 18 consultation on its Emerging Local Plan which is due to end on 27th September 2024. It is therefore unlikely that the Emerging Local Plan will progress to Regulation 19 publication stage prior to those timescales as set in the aforementioned transitional arrangements i.e. one month after the revised NPPF is published. As such, it is likely that the Emerging Local Plan – once adopted - will be subject to the provisions of a revised NPPF and

an increased housing figure as per the proposed new Standard Method, resulting in the Council having to find supply for 689dpa as a minimum. Further to this, the Duty to Cooperate would add additional housing requirements to this figure, in accordance with the wording of Paragraph 62 of the Consultation on the NPPF, which states:

"62. To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for."

- 4.46 The Consultation on the NPPF is supported by a Ministerial Statement made by the Deputy Prime Minister and Secretary of State for Housing, Communities and Local Government on 30th July 2024. With respect to restoring and raising housing targets, the Ministerial Statement states:

"RESTORING AND RAISING HOUSING TARGETS"

Planning is principally a local activity, and it is right that decisions about what to build and where should reflect local views. But we are also clear that these decisions should be about how to deliver the housing an area needs, not whether to do so at all, and these needs cannot be met without identifying enough land through local plans.

We are therefore reversing last year's changes which loosened the requirement for local authorities to plan for and meet their housing needs, and we are going further still, by mandating that the standard method is used as the basis for determining local authorities' housing requirements in all circumstances.

A mandated method alone is, however, insufficient to deliver on our scale of ambition and the current 'standard method' is not up to the job. It relies on decade-old population projections, an arbitrary 'urban uplift' that focuses too heavily on London and it lacks ambition across large parts of the country. We are therefore updating the standard method and raising the overall level of these targets – from around 300,000 to approximately 370,000. The new method provides a stable and balanced approach. It requires local authorities to plan for numbers of homes that are proportionate to the size of existing communities, by taking 0.8 per cent of existing stock as a floor, which is broadly consistent with the average rate of housing growth over recent years. It also then incorporates an uplift based on how out of step house prices are with local incomes, using an affordability multiplier of 0.6 per cent, up from 0.25 per cent in the previous method.

This approach means that there is no need for any artificial caps or uplifts: the previous cap will no longer apply, and the urban uplift will be removed. With a stable number, reflective of local needs and the way housing markets operate, we will stop debates about the right number of homes for which to plan, ensure targets reflect the way towns and cities actually work, and support authorities to get on with plan making."

- 4.47 The Court of Appeal in Cala [2011] EWCA Civ 639 held that *"the prospect of a change in planning policy is capable of being a material consideration"* and that *"the weight to be given to any prospective change in planning policy will be a matter for the decision-maker's planning judgement in each particular case"*. The consultation on the NPPF (and the associated new Standard Method and Ministerial Statement) is therefore capable of being a material consideration in planning decisions, meaning that weight can be given to its proposed

revisions in the assessment of planning applications.

Supplementary Planning Document – HBBC The Good Design Guide (2020)

- 4.48 This SPD aims to raise design quality in Hinckley and Bosworth borough, all while ensuring that the local identity and heritage of the area is preserved and enhanced. In relation to the Proposed Development, the document sets out design guidance for new residential development.

Supplementary Planning Document – Market Bosworth – An Opportunity South of Station Road Development Brief (2021)

- 4.49 This document was prepared on behalf of Hinckley and Bosworth Borough Council and St Peter's Parochial Church Council to inform the development of the Application Site. The SPD reflects the aspirations of the LPA to assist in the delivery of the mixed-use development of the Site.

- 4.50 In light of the allocation requirements and wider planning policies, the SPD sets out a number of development requirements that proposals will be required to deliver. This includes, inter alia:

- Approximately 100no. dwellings (taking into account local needs and other local evidence);
- A minimum of 40% affordable housing units;
- 0.5 to 1 hectare of employment land;
- 1.08 hectares of green space and play provision.

- 4.51 The SPD also sets out a number of design principles which proposals should consider when being developed, these include creating a new access off Station Road; using trees to define the entrance road; providing focal spaces within the layout and locating public open space on the southern edge.

Supplementary Planning Document – Market Bosworth Neighbourhood Forum's 'Station Field Design Brief' (2016)

- 4.52 Alongside its Neighbourhood Plan, Market Bosworth Parish Council has also adopted a Design Brief for the Site, which sets out to guide developers through planning policies, key considerations and best practice design principles in order to aid the development of proposals that comply with the policies and aspirations of the Neighbourhood Plan.

- 4.53 The Brief provides design principles for the mixed-use development of the Site providing guidance on matters such as layout, landscaping, parking, and accessibility.

Supplementary Planning Document – Affordable Housing (2011)

- 4.54 The Affordable Housing SPD expands upon the policies outlined in the Core Strategy, particularly Policy 15, with the aim to provide additional guidance in order to assist developers.

Emerging Local Plan - The Hinckley and Bosworth Local Plan 2020-2039

- 4.55 The Hinckley and Bosworth Local Plan 2020-2039 is the Emerging Local Plan for the District and will set out the vision and objectives for the future development in the borough up to 2039. The Emerging Local Plan was the subject of a Regulation 19 consultation in February/March 2022, though with a Regulation 18 Consultation currently ongoing and due to end on 27th September 2024.
- 4.56 The policies of the Regulation 18 Emerging Local Plan, which are considered to be the most relevant to this Application are listed in Table 4.4 below.

Policy No.	Topic	Comments
SP01	Sustainable Development	Re-iterates the Council's positive approach to development, which sets out that applications which accord with the Development Plan will be approved without delay, unless material considerations indicate otherwise.
SP02	Development Strategy	Market Bosworth remains to be a 'Key Rural Centre' within the Settlement Hierarchy.
SP05	Mitigating and Adapting to Climate Change	Sets out that proposals will be supported which, inter alia, minimise carbon emissions by being located sustainably, encourage active travel, and make the most efficient use of land.
SP08	High Quality Design	States that the Council will support development which positively takes into consideration the adopted Good Design Guide (SPD), the National Design Guide and the National Model Design Code, etc.
SP20	Green Infrastructure	States that development proposals are required to create high quality places people can enjoy living and working in and which contribute positively to healthy lifestyles and wellbeing, nature, climate resilience and prosperity for disadvantage neighbourhoods through the growth and enhancement of the borough's multi-functional green infrastructure network.
SP25	Enhancing Biodiversity and Habitat Connectivity	Sets out 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 and how the scheme is pollinator friendly. All development should provide a measurable 10% net gain in biodiversity on site in the first instance, through biodiversity enhancement off-site, or through off setting where appropriate.

Table 4.4 : Relevant Emerging Local Plan Policies

- 4.57 In accordance with NPPF Paragraph 48, the weight afforded to the Emerging Local Plan should be determined given the stage of its preparation - the more advanced its preparation, the greater the weight that may be given. The Emerging Local Plan is currently subject of a Regulation 18 consultation, which is due to end on 27th September 2024. Thereafter, the LDS anticipates a Regulation 19 consultation will be undertaken in January 2025 with Submission of the Emerging Local Plan to the Secretary of State set for May 2025. The LDS did, however, anticipate the Regulation 18 consultation being undertaken in June / July 2024 and its overall timescales are therefore running slightly behind those anticipated. In this context, the Emerging Local Plan can be afforded only limited weight.

Section 5 | Planning Assessment

- 5.1 On the basis of the policy framework set out in Section 4 of this Statement and in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Proposed Development is considered below within the context of the Development Plan and national planning policy and guidance including the NPPF, along with other material considerations.
- 5.2 The Proposed Development will be considered in respect of the following key issues, before undertaking a planning balance exercise to weigh its benefits against any residual adverse impacts:
- The General Principle of the Proposed Development;
 - Housing and Employment Land Supply;
 - Design;
 - Landscape and Visual Impact;
 - Heritage;
 - Transport and Highways;
 - Flood Risk and Drainage;
 - Ground Conditions;
 - Ecology and Biodiversity;
 - Arboriculture;
 - Impact on Amenity;
 - Other Material Considerations.

The General Principle of the Proposed Development

- 5.3 The Application Site is identified in the SADMP as a mixed-use allocation site under reference MKBOS02 (Land South of Station Road and Heath Road). SADMP Policy SA5 sets out the criteria for the development of the Site in line with its allocation and the Proposed Development meets these as follows:
- It delivers 0.55ha employment land, which is within the requirement for between 0.5 and 1.0ha as required by the policy;
 - It delivers 140no. dwellings, which, whilst greater than the “*approximately 100no. dwellings*” referenced in the policy, aligns with the density, mix and design requirements of Core Strategy Policy 16.
- 5.4 Policy SA5 also references a requirement for allotments with associated car parking to be provided on the Site as part of the mixed-use development but with this being a matter that was not requested by officer’s during pre-application discussions and which is therefore not being included as part of the Proposed Development.
- 5.5 The Proposed Development also aligns with other criteria of SADMP Policy SA5, including in terms of affordable housing, access and open space requirements as demonstrated under the relevant sub-headings below but it is clear from the above that the Proposed Development accords with those ‘in principle’ criteria relating to the allocation of the Site in the SADMP.
- 5.6 In addition to the allocation of the Site in the Development Plan, Market Bosworth is identified as a Key Rural Centre in Core Strategy Policy 7 and with the Site being located within the defined settlement limits on the Allocations Map of the SADMP. Core Strategy Policy 7 is

supportive of the delivery of new housing development within settlement limits which provide a mix of housing types and tenures in general accordance with local housing need and a requirement for a 40% yield of affordable housing. Core Strategy Policy 7 is also supportive of the enhancement of allocated employment sites in Key Rural Centres.

- 5.7 With regard to development in Market Bosworth, Core Strategy Policy 11 states that a minimum of 100no. new homes will be delivered in the area, with developers required to demonstrate that the number, type and mix of housing proposed will meet the needs of Market Bosworth, taking into account the most recent Housing Market Assessment and local housing needs surveys. This is in alignment with Policy 16, and is discussed below. In respect of the total number of properties, 140no. dwellings are proposed which meets the requirement to deliver a minimum of 100no. new homes. The number of properties has been maximised to ensure efficient use of land, and to deliver a greater number of affordable dwellings across the Site.
- 5.8 Furthermore, Policy 11 states that, inter alia, additional employment provision will be supported in alignment with Policy 7; and that deficiencies in the quality, quantity and accessibility of green space (as detailed in the most recent green space strategy. The Proposed Development will deliver the outline permission for additional employment provision through this Application, and provides public open space as well as a 'trim-trail' type provision across the Site.
- 5.9 In addition to the above, Policy 16 requires residential development proposals to provide a mix of housing types and tenures which reflects the most recent local needs assessments. In this respect, the Housing Needs Study (2019) is the most up-to-date document, and sets out that 2-bedroom properties are the most in demand (40%), shortly followed by 3-bedroom properties (35%), 1-bedroom properties (13%) and 4+-bedroom properties (12%). The proposed mix aligns with the identified needs by way of 2-bed and 3-bed properties comprising the majority of the provision, albeit with slightly more 4-bed properties than 1-bed properties. In terms of affordable housing, the Proposed Development will provide 40% provision, split between 25% shared ownership and 75% affordable rented. This aligns with the requirements of Core Strategy Policy 15, and with Neighbourhood Plan Policy BD1 in that 40% of the provision is affordable housing.
- 5.10 With respect to density, Policy 16 sets out that a minimum net density of at least 30no. dwellings per hectare should be delivered on sites within and adjoining Key Rural Centres. The Proposed Development results in a density per hectare of 35no. dwellings, which is considered appropriate for the Site and makes an efficient use of the available land. This is therefore in accordance with Core Strategy Policy 16.
- 5.11 The Site is also allocated for mixed-use development within the Neighbourhood Plan. In this respect, Policy BD2 sets out a number of criteria against which the Proposed Development should adhere to. This is as follows:
- The Proposed Development includes the provision of 0.55ha of employment land for a number of uses (B2, B2, E (gi, gii, giii)), which aligns with the requirement to deliver between 0.5 to 1ha of employment land for B1 (now defunct), B2 or B8 use.
 - A total of 140no. dwellings are proposed, which exceeds the minimum requirement to deliver 55no. dwellings as outlined in the policy. However, this is considered to be an appropriate number of properties as influenced by the size of the Site, making an efficient use of land, and the requirements of Core Strategy Policy 16. The Proposed Development also accords with the overall housing density, mix and design in line

with Core Strategy Policy 16 as outlined throughout this Section, which is also required by Policy BD2.

- The scheme incorporates a large area of public open space, including the provision of 'trim-trail' style equipment across the Site. This accords with the requirement to deliver an area of open space.
- The provision of a community facility within the development is also stated to be encouraged. This has been explored during the evolution of the proposals; however, it has been established that the provision of public open space and additional employment land will result in public benefits which outweigh the provision of a community facility. These have therefore been prioritised.

- 5.12 The general principle of the proposed mixed-use residential and employment development on the Site has therefore already been established within the adopted Development Plan. The Proposed Development is in accordance with the SADMP Policy SA5 in that it is allocated for mixed-use development under reference MKBOS02 and Neighbourhood Plan Policy BD2. Furthermore, the Proposed Development is in accordance with Core Strategy Policies 7 and 11 with the delivery of both residential and employment development being supported within the defined settlement limits of Key Rural Centres and Core Strategy Policy 16 with the residential element of the scheme comprising an appropriate density and mix. The Application also accords with Neighbourhood Plan Policies BD1 and BD2, as outlined previously.

Housing and Employment Land Supply

- 5.13 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.14 The Council's most recent 5-Year Housing Land Supply Statement (1 April 2023 – 31 March 2028) states the Council can demonstrate a 5.6 YHLS. This is based on a local housing need of 433dpa using the current Standard Method.
- 5.15 The Council's housing land supply calculations do not, however, take into account the Duty to Cooperate with Leicester City Council. The Statement of Common Ground confirms that the additional apportionment for Hinckley & Bosworth as 187no. dwellings per annum. This is in addition to the local housing need for the District and results in a total annual housing requirement of 620no. dwellings per annum. When considering the 620no. dwellings per annum figure against the supply set out in the 5-Year Housing Land Supply Statement (1 April 2023 – 31 March 2028), the Council would be able to demonstrate only a 3.89 YHLS.
- 5.16 As discussed in Paragraph 4.44 of this Statement, the new Standard Method currently being consulted on alongside proposed revisions to the NPPF, would increase the local housing need to 689dpa. When considering the 689no. dwellings per annum figure against the supply set out in the 5-Year Housing Land Supply Statement (1 April 2023 – 31 March 2028), the LPA would be able to demonstrate only a 3.5 YHLS.
- 5.17 Therefore, whilst on the basis of the most recent 5-Year Housing Land Supply Statement (1 April 2023 – 31 March 2028) the Council is able to demonstrate a 5YHLS, there are significant doubts that this will remain the case if the apportionment with the Duty to Cooperate or the new Standard Method are taken into account.

Design

- 5.18 The Design and Access Statement supporting the Application, demonstrates that the Proposed Development is of a high-quality and will deliver a variety of housing typologies – comprised of a mix of sizes and styles with a consistent material palette used throughout.
- 5.19 In terms of layout, the Proposed Development responds positively to the constraints and opportunities of the Site, and is informed by the adopted Station Road Development Brief documents. With regard to the residential area, the dwellings have been arranged in a perimeter block layout formation, with dwellings orientated to address vistas within the scheme and to terminate views across the development at the main elevation of a dwelling, rather than a blank side gable or parking area. Along the southern facing boundary, homes are also located to create an outward facing edge. Dwellings on the western edge of the Site are orientated to minimise noise impact by being arranged in short terraces with few gaps between them. Across the Site, appropriate separation distances are achieved both between new homes and existing ones along Heath Road and Priory Road.
- 5.20 In terms of scale, the large majority of dwellings are proposed to be 2 storeys in height, with a small number of properties proposed to be 2.5 storeys in height, and with the exception of 2no. bungalows, which have been positioned adjacent to the northern boundary of the Site as a direct response to the scale of adjacent existing residential properties.
- 5.21 In terms of appearance, the proposed dwellings are of a traditional character comprised of a variety of brick types, with smaller homes featuring arched window heads and simple apex porches to front doors that are of a ‘cottage’ style. To create interest and enhance their status within the street, some of the larger houses feature contrasting brickwork courses, brickwork soldier window heads and flat door canopies paired with front doors that feature larger areas of glazing. The roofscape includes gable-ended, hipped and street-facing gabled forms that have been carefully distributed to provide variety in the street scene.
- 5.22 In terms of access, active building frontages are position along the entrance road and main street to provide a gateway feature, which is supplemented by the proposed tree lining of this access. A central feature space also lies at the entrance to the residential land. Furthermore, the Site is intersected by a number of green corridors, which incorporate the existing landscape features supplemented by new tree and hedgerow planting. These corridors are designed with pedestrian footpaths throughout, which are used to encourage pedestrian movement across the development.
- 5.23 The employment land is defined by a number of features to all its boundaries, including a new earthwork bund to the east, a surface water attenuation basin to the south, a green corridor to the east and a separate access to the north. At this stage, the layout, scale and appearance of the employment land have been shown indicatively to demonstrate its acceptability though, it is anticipated that the buildings could be arranged in a short terrace formation in a north-south alignment, to provide mitigation for the potential impacts of noise being emitted associated with their operation. In terms of scale, it is anticipated that the employment buildings will be no more than 10m in height, which is informed by the heights of existing adjacent employment use buildings. Their potential arrangement in a short terrace formation, would also help to ensure that their scale and massing is not overbearing on nearby residential uses or open space. In terms of appearance, there may be some benefit in the use of a colour palette which responds to that of existing adjacent employment buildings that use colour to add interest through feature bands and texture to break up facades.

- 5.24 In terms of design-related considerations, therefore, the Application is in accordance with Core Strategy Policy 16, SADMP Policy DM10 and Neighbourhood Plan Policies CE1, BD1, BD2 and BD3. The Application is also in accordance with NPPF Sections 2, 4, 11 and 12 in terms of delivering a high-quality and well-designed place which responds positively to and respects the character of the Site and its context.

Landscape and Visual Impact

- 5.25 The Application is supported by a Landscape and Visual Impact Assessment [LVIA], which includes an assessment of the existing Site and assessments of the visual effects and landscape character effects of the Proposed Development on the Site. The Assessment then proposes a landscape mitigation strategy that culminates in the preparation of an Indicative Landscape Masterplan, which has helped to inform the layout of the Proposed Development.
- 5.26 In terms of visual effects, the Assessment demonstrates the positive influence of mitigation that is inherent in the Proposed Development, with the various assessments between Year 1 and Year 15 demonstrating a reduction in impact and effect for the majority of locations. The ability to successfully mitigate potential impacts is a key consideration in respect of potential visual effects.
- 5.27 With regard to landscape character effects, overall, for LCA C: Bosworth Parkland, the LVIA finds a negligible magnitude of impact in the long term (Year 15), combined with the medium to high sensitivity of the landscape, which will result in an overall significance of effect of negligible adverse in the long term. For the local landscape character, the LVIA finds a low magnitude of impact in the long term (Year 15), combined with the low to medium sensitivity of the landscape, which will result in an overall significance of effect of minor adverse in the long term.
- 5.28 The proposed landscape mitigation strategy is included as an inherent part of the scheme and when combined with the limited visibility of the Site from within and across the local and wider landscape, will minimise potential adverse effects.
- 5.29 In terms of landscape and visual impacts, therefore, the Proposed Development is in accordance with SADMP Policy DM10, Neighbourhood Plan Policies CE1 and BD3 and Sections 2, 4 and 12 of the NPPF.

Heritage

Built Heritage

- 5.30 The Application is supported by a Built Heritage Statement. The Assessment finds that the Site comprises a neutral element within the setting of the closest heritage assets, namely Listed Buildings of Coton Priory Farm, the Ashby Canal Conservation Area and the non-designated heritage assets of the Ashby and Nuneaton Joint Railway. The Statement finds that the Proposed Development will result in negligible to small visual changes within the settings of these heritage assets but that it will be seen within the context of existing development and will not affect how their respective significance is appreciated or understood, concluding that the Proposed Development will not cause harm to the significance of any of the designated and non-designated heritage assets.

Archaeology

- 5.31 The Application is supported by an Archaeological Desk-Based Assessment. The Assessment finds that, based on the available archaeological data for the Site and the surrounding area, as well as negative results of intrusive fieldwork within the vicinity of the Site, it has a low/negligible potential for significant (i.e. non-agricultural) remains of all periods, with any surviving remains likely to be of local interest only and significant only for their archaeological interest and potential to contribute to local research agendas.
- 5.32 In terms of heritage impacts, therefore, the Application is in accordance with SADMP Policies DM11 and DM13 and with NPPF Sections 2 and 16.

Transport and Highways

- 5.33 The Application is supported by a Transport Assessment. The Assessment finds that the proposed priority-controlled simple T-junction on Station Road will comprise an acceptable and safe form of access to the Site by vehicles associated with both the residential and employment elements.
- 5.34 The Assessment details how the Proposed Development is designed to encourage pedestrian movement, with a significant network of footpaths being created across the Site. The Assessment also confirms that discussions have been made between the Applicant and Arriva, the latter of which has confirmed its interest in providing a bus stop closer to the Site and potentially also routing the service through the Site should future development come forward on land to the south.
- 5.35 The Assessment calculates that, in terms of trip generation, the Proposed Development will generate 113no. pedestrian trips, 19no. by cycle and 29no. by public transport during a typical weekday, with the existing and proposed infrastructure concluded to have the capacity to accommodate that level of increase in demand. The Assessment also concludes that the additional traffic can be accommodated on the local road network and that there are no accident problems at the junctions within the study area. As such, the operation of those junctions will not be compromised in terms of capacity, congestion or highway safety as a result of traffic generated by the Proposed Development and with no mitigation measures therefore necessary.
- 5.36 In addition to the Transport Assessment, the Application is supported by 2no. Travel Plans which separately relate to the residential and employment elements of the Proposed Development and which seek, generally, to reduce the proportion of car borne trips associated with the Proposed Development, particularly those with a single occupancy vehicle driver. Both Travel Plans are proposed to be monitored for a period of 5 years.
- 5.37 In terms of transport and highway related impacts, therefore, the Proposed Development is in accordance with SADMP Policies DM3, DM17 and DM18 and NPPF Sections 2, 4, and 9 in terms of ensuring that safe and suitable access can be achieved for all users and that any impacts on the transport network can be effectively mitigated.

Flood Risk and Drainage

- 5.38 The Application is supported by a Flood Risk Assessment and Drainage Strategy, which sets out that the Site is located in Flood Zone 1, which is considered appropriate in terms of flood risk vulnerability for the Proposed Development.

- 5.39 In terms of surface water drainage, underlying ground conditions suggest soakaways are not a viable method for managing surface water at the Site. However, a watercourse is located along the Site's southern boundary and therefore surface water from the Proposed Development will drain into this watercourse. Given that drainage to an existing watercourse is a viable option, the use of surface water sewers is not given further consideration. The proposed drainage strategy will comprise a piped network with an outfall to the watercourse located along the Site's southern boundary. Attenuation for the site will be provided in an online detention basin in the south-western corner. Surface water associated with the commercial element of the proposals will be attenuated within that parcel of the development, and outfall to the online detention basin, prior to a single outfall to the watercourse located along the Site's southern boundary.
- 5.40 In terms of foul water drainage, the proposed strategy requires a diversion of the existing foul water sewer which crosses the Site, and with the outfall made to the existing foul water sewer to the Site's southern boundary – this being subject to agreement with Severn Trent Water.
- 5.41 In terms of flood risk and drainage impacts, therefore, the Proposed Development is in accordance with SADMP Policies DM7 and DM10, as well as NPPF Sections 2, 4 and 14 in terms of demonstrating that the flood risk vulnerability of the Site is appropriate for the Proposed Development and that appropriate means of surface and foul water disposal have been considered.

Ground Conditions

- 5.42 The Application is supported by a Phase I Desk Study Report, which identifies possible contamination sources on the Site, comprising residual contamination associated with long-term agricultural use, potential for contamination around the depot buildings in the northern end of the Site as well as the potential to encounter limited volumes of made ground soils, albeit with the risk of encountering such contamination considered to be low.
- 5.43 The Report also identifies a number of possible off-site contamination sources in the form of engineering works, depots and sewage works, albeit with the risk of those off-site sources impacting the Site considered to be low.
- 5.44 The Report proposes the undertaking of a Phase II Ground Investigation, covering the footprint of the Site with laboratory testing to quantify these potential sources and risk and with this to be secured by means of a planning condition, requiring its submission and approval prior to the commencement of development.
- 5.45 The Application is also supported by a Mineral Assessment, due to its location within a sand and gravel mineral safeguarding area, which concludes that the designated sand and gravel mineral resource is only likely to be present beneath a small parcel of land to the north-east of the Site and that the small area of mapped sand and gravel deposits is considered to already be sterilised by the existing residential dwellings that surround the Site, such that the Proposed Development will not result in any further mineral sterilisation.
- 5.46 In terms of ground conditions and contamination related impacts, therefore, the Proposed Development is in accordance with SADMP Policy DM7 and Section 15 of the NPPF in that the Site has been assessed with regard to such impacts and that further investigation will be undertaken to establish the full extent of any such impacts and any necessary mitigation prior to the commencement of development.

Ecology and Biodiversity

- 5.47 The Application is supported by a Preliminary Ecological Appraisal. The Appraisal finds that, other than for a single potential Local Wildlife Site (pLWS) consisting of a hedgerow within the Site, there are no other statutory sites of nature conservation interest that would be affected by the Proposed Development. Any minor losses to the on-site pLWS can be suitably mitigated through appropriate hedgerow planting and subsequent management.
- 5.48 With regard to habitat impact, the vast majority of habitat, poor semi-improved grassland, was found to provide a sub-optimal community and foraging resource and unsuitable sheltering resource for great crested newts. Overall, great crested newts are considered to be reasonably unlikely to disperse into the Site. In terms of bat impact, no significant impact on the local bat population is anticipated and the Proposed Development was considered to have scope to provide a greater commuting and foraging resource to the local population than currently provided. Furthermore, no active or inactive badger setts were identified within a 30m radius of the Site, and there is no significant impact anticipated on the breeding bird assemblage.
- 5.49 The Application is also supported by a Biodiversity Net Gain Statement, which finds that the Site has a baseline score of 15.32 Habitat Units and 3.93 Hedgerow Units and which calculates that the Proposed Development will result in a post-development score of 16.86 Habitat Units and 6.13 Hedgerow Units, equating to an 10.1% and 56.07% gain respectively.
- 5.50 In terms of ecological and biodiversity impacts, therefore, the Proposed Development is in accordance with SADMP Policies DM6 and DM10 and Neighbourhood Plan Policy BD3 in that a high-quality environment incorporating green corridors is created and, overall, biodiversity is enhanced. The Proposed Development is also in accordance with Sections 2, 4, 12 and 15 of the NPPF in terms of delivering new green infrastructure and minimising impacts on biodiversity.

Arboriculture

- 5.51 The Application is supported by a Tree Survey and Arboricultural Assessment, which finds that there are no Tree Preservation Orders on or near the Site. A total of 25no. individual trees, 8no. groups of trees and 3no. hedgerows were surveyed in the Survey, which found that existing tree cover on the Site is typical of an arable setting with maintained and unmaintained hedgerows forming field boundaries and mature tree stock largely being restricted to the Site boundaries and present within field boundary hedgerows.
- 5.52 The Tree Survey confirms that there are 2no. Category A trees within the Site that are considered to be of high quality – these considered to be prominent features in the Site and, as such, are proposed to be retained as an integral element of the landscaping within the Proposed Development. Other trees were found to be a mix of Categories B and C of moderate and low quality respectively. The Site also includes 2no. Category U trees, located along its northern and eastern edges and with these being unsuitable for retention and therefore proposed for removal.
- 5.53 The existing mature hedgerows and trees to be retained will help assimilate the Proposed Development into the landscape and with these supplemented by new tree planting and landscaping within areas of proposed public open space to be located along the southern and eastern edges of the Site.

- 5.54 In terms of arboricultural impacts, therefore, the Proposed Development is in accordance with SADMP Policy DM10 and Neighbourhood Plan Policies CE1 and CE4 and NPPF Section 15 in that existing trees and hedgerows of significance have been protected and enhanced.

Impact on Amenity

- 5.55 The Application is supported by a Noise Impact Assessment, which finds that the existing acoustic environment of the Site is dominated by road traffic noise from Station Road and noise impacts from the existing (and approved) industrial estate to the west.
- 5.56 The Assessment proposes mitigation measures to limit the impacts of noise on future occupants of the Site and residents of existing adjacent properties. These measures include a 3m high bund plus 2m high acoustic barrier to the western/northern boundary of the Site to mitigate noise from the existing adjacent industrial estate; and a 2m high acoustic barrier on the eastern side of the new access road to mitigate noise from vehicles accessing the development. The NIA also sets out noise-related parameters for the proposed employment uses.
- 5.57 The Assessment concludes that the Site is appropriate for the Proposed Development in terms of noise-related impacts and that, with the proposed mitigation measures in place, no dwellings will require acoustically upgraded features and that the overall noise levels in their external amenity areas are not expected to exceed the British Standard guideline values.
- 5.58 In summary, in terms of impact upon amenity, the Proposed Development accords with SADMP Policy DM10 and NPPF Sections 2, 4 and 15 in terms of having due regard to, firstly, impacts from the existing (and approved) operations on the adjacent industrial estate to the west of the Site and, secondly, to the amenity of the future occupants and existing neighbouring dwellings.

Other Material Considerations

- 5.59 In accordance with NPPF Paragraph 8, the benefits arising from the Proposed Development and the weight to be afforded to each of these is provided below for the purposes of applying the overall planning balance.

Social Benefits

- 5.60 The Proposed Development will result in the delivery of a broad mix of housing types, sizes and tenures for both market and affordable housing to help deliver current and future housing needs within the District. The Site is available and subject to the granting of planning permission, the Applicant anticipates a start on-site following the subsequent discharge of conditions with the first completions likely to follow within the ensuing 10 to 12 months and with the entire residential element of the Proposed Development likely to be completed approximately 3 years from its commencement, with a build rate of approximately 60 units per year. There is therefore a real possibility that the majority of the proposed residential development – or at least a significant extent of it – can be delivered on-site within the current 5-year period.
- 5.61 The Proposed Development will deliver a policy-compliant amount (40%) of affordable housing, resulting in 55no. new affordable homes. The delivery of this affordable housing is considered to constitute a social benefit of significant weight in the planning balance particularly in the context of the Council's target of 2090no. affordable homes to be provided by 2026 as set out in its Core Strategy.

- 5.62 The Proposed Development will result in the creation and maintenance of publicly accessible natural green open space and landscaping on the Site, which is currently private with no public access or recreation value, which will be accessible to existing residents as well as future occupants of the Proposed Development. The delivery of this new open space is considered to constitute a social benefit of moderate weight in the planning balance.

Economic Benefits

- 5.63 In operational terms, the Proposed Development will unlock new job opportunities through the granting of outline planning permission for 0.55ha of employment development for uses in Classes E (g) (i, ii and iii), B2 and B8 uses, which is considered to constitute a benefit of significant weight in the planning balance.
- 5.64 The Proposed Development as a whole will also help to meet economic objectives through job creation during its construction phase, with other indirect jobs also being created as a result, including in terms of contractors and suppliers. This is considered this to constitute an economic benefit of moderate weight in the planning balance.
- 5.65 Once completed the additional population generated by the Proposed Development will help to support existing shops and facilities in the locality, helping to ensure their viability and helping to indirectly create new employment opportunities in the retail and leisure services. This is considered to constitute an economic benefit of moderate weight in the planning balance.
- 5.66 The Proposed Development will also result in the generation of increased Council Tax receipts and New Homes Bonus payments for the Council. This is considered to constitute an economic benefit of moderate weight.

Environmental Benefits

- 5.67 The Site is in a sustainable location, with good access to local services and facilities and with good public transport linkages, therefore reducing the need for future residents of the new housing to rely on the private car for travel. This is considered to constitute an environmental benefit of moderate weight.
- 5.68 The Proposed Development will result in a biodiversity net gain of 10.1% Habitat Units and 56.07% Hedgerow Units, which is considered to constitute an environmental benefit of significant weight in the planning balance.

Section 6 | Conclusions

- 6.1 This Hybrid planning application seeks full planning permission for residential development of 138no. dwellinghouses along with landscaping, public open space, drainage infrastructure and new access following demolition of 2no. existing dwellinghouses; and outline planning permission (all matters reserved except for point of access) for 0.55ha of employment uses (Classes E (g) (i, ii and iii), B2 and B8).
- 6.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan in this instance comprises the Core Strategy DPD (adopted December 2009), the Site Allocations & Development Management Policies DPD (adopted July 2016) and the Market Bosworth Neighbourhood Plan (made September 2015).
- 6.3 The general principle of the Proposed Development is in accordance with the allocation of the Site in the Development Plan. It will deliver new residential and employment development and associated public open space and infrastructure as required by the Site's allocation for a mixed-use development in the Council's Site Allocations & Development Management Policies DPD (2016) as site reference MKBOS02 under Policy SA5 and in the Market Bosworth Neighbourhood Plan (2015) under Policy BD2.
- 6.4 The comprehensive suite of documentation supporting the Application demonstrates that the Site can accommodate the Proposed Development in a technically appropriate and sustainable manner.
- 6.5 Also weighing in favour of the Proposed Development are a range of social, economic and environmental benefits, which, overall, are considered to constitute significant benefits and which any residual limited harms.
- 6.6 In conclusion, therefore, any limited harms arising from the Proposed Development do not significantly and demonstrably outweigh the benefits – particularly the delivery of new housing and affordable housing and employment opportunities on an allocated site – and the Application should therefore be granted in accordance with the relevant policies of the Development Plan and the policies of the NPPF taken as a whole.



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