

Our Ref: MB/Burbage  
Your Ref: PP-12439168

22<sup>nd</sup> December 2023



Chris Brown  
Planning Manager (Development Management)  
Hinckley and Bosworth Borough Council  
Hinckley Hub  
Rugby Road  
Hinckley  
Leics  
LE10 0RF

Dear Chris,

**Pre-Application Request – Provision of Additional 23 Residential Dwellings Including Vehicular Access, Landscaping, Drainage and all other Associated Works  
Land to the East of Lutterworth Road, Burbage  
Davidsons Developments Ltd**

This covering letter has been prepared to accompany a pre-application request for written advice and a meeting relating to Land to the East of Lutterworth Road, Burbage for the following proposals:

*“Full Planning Application for the Provision of Additional 23 Residential Dwellings Including Vehicular Access, Landscaping, Drainage and all other Associated Works”*

This covering letter is accompanied by the following documents to support the pre-application request:

- Site Location Plan.
- Proposed Site Layout Plan.
- Approved Layout under Reserved Matters 22/00636/REM.

The pre-application fee of £2,596 has been included with this submission.

Site Context

The site is part of the approved Lutterworth Road, Burbage site which is currently under construction and is providing 135 dwellings. The proposed application site for 23 units is currently existing grassland which is shown as such on the approved planning layout for 22/00636/REM. It is proposed that this area, which contributes towards the wider site's BNG strategy would be built on to provide the additional 23 dwellings, however this offset will be offset again through the use of BNG credits ("offsetting the offset").

The following schedule of accommodation is proposed:

| Plot No.                    | House-Type | No. of Bedrooms | Tenure     |
|-----------------------------|------------|-----------------|------------|
| <i>Market Dwellings</i>     |            |                 |            |
| 6                           | DH200GE-4  | 2               | Market     |
| 7                           | DH200GE-4  | 2               | Market     |
| 8                           | DH200GE-4  | 2               | Market     |
| 9                           | DH200GE-4  | 2               | Market     |
| 10                          | DH302GE-4  | 3               | Market     |
| 11                          | DH302GE-4  | 3               | Market     |
| 12                          | DH302GE-4  | 3               | Market     |
| 13                          | DH318B-4   | 3               | Market     |
| 14                          | DH313B-4   | 3               | Market     |
| 15                          | DH301GE-4  | 3               | Market     |
| 16                          | DH301GE-4  | 3               | Market     |
| 17                          | DH318B-4   | 3               | Market     |
| 18                          | DH409GH-4  | 4               | Market     |
| 19                          | DH409GH-4  | 4               | Market     |
| 20                          | DH425G-4   | 4               | Market     |
| 21                          | DH430B-4   | 4               | Market     |
| 22                          | DH425G-4   | 4               | Market     |
| 23                          | DH501G-4   | 5               | Market     |
| <i>Affordable Dwellings</i> |            |                 |            |
| 1                           | AH21BE-4   | 2               | Affordable |
| 2                           | AH21BE-4   | 2               | Affordable |
| 3                           | AH31BE-4   | 3               | Affordable |
| 4                           | AH16G-4    | 1               | Affordable |
| 5                           | AH16G-4    | 1               | Affordable |

A copy of the current approved site layout plan has been included in this pre-application submission.

#### Assessment of the Principle of Development

The NPPF (December 2023) states:

*“where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>8</sup> 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<sup>7</sup>; 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.*

Footnote 7 of the NPPF does not apply to the site, therefore limb ‘i’ is not triggered.

Footnote 8 of the NPPF confirms that policies are considered out of date where:

- i. The Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites (or 4 years supply where an Authority has an emerging Local Plan which has been submitted for Examination or has reached Regulation 18 or 19 stage where the emerging Plan includes a policies map and proposed allocations towards meeting housing needs, as set out at paragraph 226).

- ii. The above limb (i) applies where the Authority does not benefit from the provisions of paragraph 76.
- iii. Where the Housing Delivery Test indicates that the deliver of housing was below 75% of the housing requirement over the previous three years.

Paragraph 76 of the NPPF states:

*“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.”*

Paragraph 226 states:

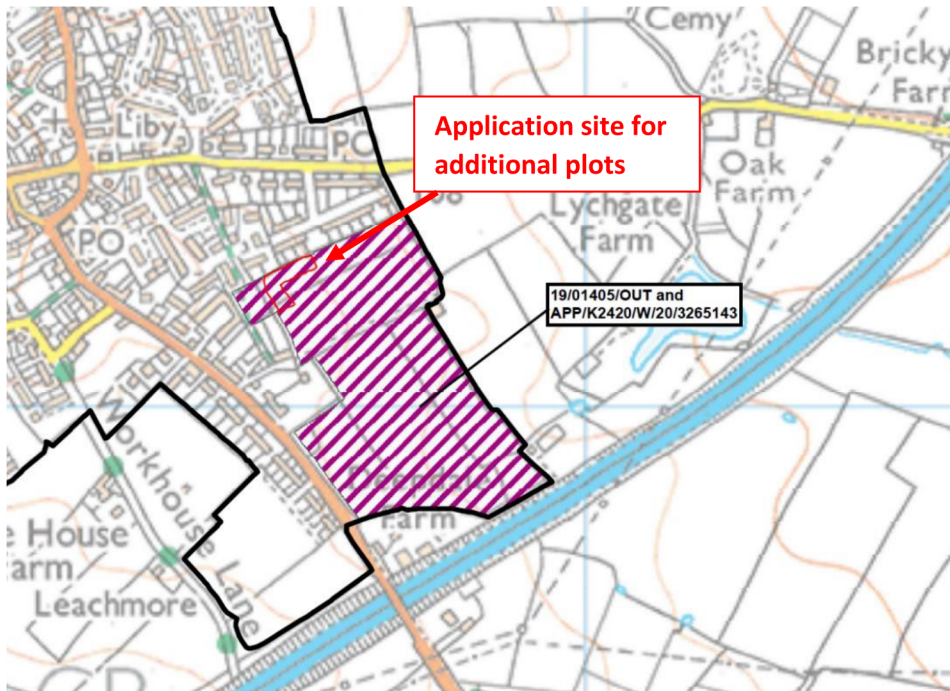
*“From the date of publication of this revision of the Framework, for decision-making purposes only, certain local planning authorities will only be required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of four years’ worth of housing (with a 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<sup>80</sup>, 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 Framework.” **[emphasis added]**.*

The latest appeal decision (ref: 3321670) for 85 dwellings at land at Lychgate Lane, Burbage confirmed that the Authority cannot demonstrate a 5-year housing land supply. Appeal decision ref: 3311038 (40 dwellings at land of Workhouse Lane, Burbage) also noted that the position acknowledged by the Council was wither a 4.89- or 4.76-year supply. Whilst this is a lack of 5-year housing land supply, as Hinckley and Bosworth Borough Council have progressed a new Local Plan which has reached Regulation 18 and 19 and includes a policies map and proposed allocations in Burbage, the requirement to demonstrate a 4-year housing land supply (rather than 5 years) applies at the time of writing.

Notwithstanding the fact that the Council can demonstrate in excess of 4 years of housing land supply, the site will make a modest contribution towards the rolling supply in the District on a site which already benefits from planning permission for 135 units and is being built out.

The provision of an additional 23 dwellings on the site (including a further 5 affordable dwellings) should be seen as a substantial benefit and the proposals constitute sustainable development.

The emerging Local Plan shows the site as an existing site with residential planning permission. 135 dwellings are currently being built out at the site under appeal ref: 3265143 and subsequent reserved matters approval ref: 22/00636/REM. An extract of the emerging policies map is shown below (with the site area for the additional 23 plots outlined in red:



The site is considered to be an infill site being immediately surrounded by development on three sides in total with public open space associated with the Lutterworth Road scheme to the immediate east. Further to the east lies the approved Lynchgate Lane site which benefits from permission for 85 units. The site will therefore be almost fully enclosed by residential development and resonates with the general acceptance of infill development set out within the adopted Core Strategy. The site is therefore acceptable in principle and would contribute towards the rolling supply of housing in the Borough.

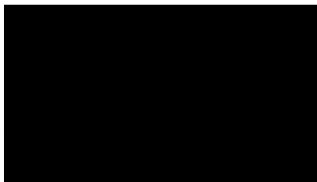
#### Conclusion

I look forward to receiving confirmation that this pre-application has been received and I trust that the enclosed information enables you to validate the application shortly.

Should you have any questions regarding the submission, or require any further information, please do not hesitate to contact me.

Yours sincerely,

**Melissa Balk MRTPI**



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