
Planning Statement

Land off Barlestone Road, Newbold Verdon

Outline Planning Application (All Matters Reserved
Except Vehicular Access)

Planning Statement

Land off Barlestone Road, Newbold Verdon



Contents

1.	Introduction	1
2.	Site Description and Proposed Development	6
3.	The Proposed Development	11
4.	Planning Policy and Material Considerations	14
5.	Presumption in Favour of Sustainable Development and Planning Assessment	28
6.	Design and Technical Considerations	43
7.	Planning Obligations	58
8.	Overall Planning Balance	60

Appendices

- Appendix 1 – Policy Weight Assessment
- Appendix 2 - Economic Benefits Infographic
- Appendix 3 – Appeal Decision APP/K2420/W/23/3331081 (May 2024)
- Appendix 4 – Appeal Decision APP/K2420/W/23/3330774 (February 2024)
- Appendix 5 – Letter Newbold Medical Practice Market Bosworth Surgery

1. Introduction

1.1. Scope and Purpose

- 1.1.1. This Planning Statement has been prepared by Savills (UK) Limited ('Savills') on behalf of our client, David Wilson Homes East Midlands ('DWH'), hereafter referred to as 'the Applicant' or 'DWH'.
- 1.1.2. It supports an outline planning application with all matters reserved except vehicular access submitted to Hinckley and Bosworth Borough Council ('HBBC') for a residential development of up to 240 dwellings, land safeguarded for a cemetery and health centre and significant public open space on approximately 13.9 hectares (34.35 acres) of land off Barlestone Road, Newbold Verdon (the 'Site').
- 1.1.3. The description of development is as follows:

Outline planning application (all matters reserved except vehicular access) for the erection of up to 240 residential dwellings (Use Class C3), retention of the existing accesses off Barlestone Road and the creation of new accesses off Barlestone Road, land safeguarded for a cemetery and a health centre (Use Class E(e)), public open space and associated infrastructure.

- 1.1.4. The outline planning application seeks to establish the principle of development for the Site along with the main points of vehicular access. Matters relating to appearance, landscaping, layout and scale are reserved for future determination.

1.2. The Applicant

- 1.2.1. DWH is a '5 star' housebuilder and is well known for its beautifully designed houses that are built to the highest quality. DWH is part of Barratt Redrow Plc and has a vision to lead the future of housebuilding by putting customers at the heart of everything they do.
- 1.2.2. DWH have delivered a number of developments in the Borough over the last decade, most notably Sketchley Gardens, Burbage, as well as smaller schemes on Britannia Road, Leicester Road (Hinckley) and Higham on the Hill.

1.3. Overview of Pre-Application Discussions with HBBC

- 1.3.1. Paragraph 39 of the National Planning Policy Framework ('NPPF') stresses the importance of entering into early engagement with relevant parties at the pre-application stage. In light of this advice, pre-application engagement has been entered into with HBBC.
- 1.3.2. A pre-application submission was made to HBBC in September 2023. A separate highways pre-application request was also submitted to Leicestershire County Council ('LCC') in October 2023 and response received in November 2023.

Planning Statement

Land off Barlestone Road, Newbold Verdon



- 1.3.3. A pre-application meeting with HBBC took place in October 2023 and a written response was received in November 2023 which included statutory consultee responses. A separate landscape pre-application meeting was also held in December 2023 with HBBC, HBBC's Landscape Consultant (Node) and the Applicant's Landscape Consultants (Pegasus).
- 1.3.4. The table below summarises the meetings / key dialogue held with HBBC and the key matters that were discussed and actioned.

Table 1 – Summary of Pre-Application Meetings and Dialogue

Date	Subject Matters Covered	Outcome
October 2023	<u>Pre-Application Meeting and Written Response</u> - Principle of development. - Confirmation from HBBC on weighting of the emerging policy. - Feedback from HBBC on the quantum of development and the draft Illustrative Masterplan. - Advice in relation to access and highways safety. - Initial discussion around consultation and engagement. - Discussion on proposed scheme benefits. - Confirmation on the documents required to support a planning application.	- The Site is within the 'countryside' so development of the Site would be contrary to the adopted Development Plan (Policy DM4). However, HBBC, confirmed that they do not have a 5YHLS, so paragraph 11(d) of the NPPF will be triggered. - Any future application would need to justify why development in this location would be sustainable, in both terms of its accessibility and wider planning merits. The proposed benefits of the scheme will need to be clearly presented within the Planning Statement. - The inclusion of the Cemetery was accepted by HBBC. The need was recognised and inclusion of this would be given additional positive weight. - It was agreed that a lower quantum of development than the proposed 340 dwellings is better suited to the existing settlement. - Landscape was considered to be the key technical issue to address as part of the application. A separate meeting relating to landscape would be arranged.
December 2023	<u>Landscape Pre-Application Meeting</u> - Review of the proposed Landscape strategy and draft Illustrative Masterplan - Review and agreement on the proposed viewpoints / visualisations that would be assessed within the LVIA.	- Changes were made to the Illustrative Masterplan to address Node's comments: - Supportive of the cemetery being moved to the western part of the Site with access from the existing equestrian centre access – this is considered to be more sensitive from a landscape perspective so Node were supportive of it being kept undeveloped. - The eastern part of the Site is considered to have lower landscape sensitivity so built development was added to this part of the Site. - Proposed landscape buffers between built development and Barlestone Road retained. - Wider buffers to the northern edge of the Site to accommodate wet attenuation ponds. - Wider buffers to the existing hedgerows and Harry's Lane (c10m both sides) to incorporate swales etc. - Wider buffer to the remaining section of the footpath through the development area (c30m

Planning Statement

Land off Barlestone Road, Newbold Verdon



Date	Subject Matters Covered	Outcome
		both sides). - Wider tree lined verge along the main route north of the road. - Node confirmed that the Site was a good location for residential development – subject to sensitive landscape-led design and providing links across Barlestone Road with the existing settlement. - Additional viewpoints were agreed to be included within the LVIA.
January 2024	Dialogue between HBBC and DWH's to agree the proposed public consultation strategy.	HBBC confirmed acceptance of the proposed public consultation and engagement strategy.

1.4. Engagement with the Parish Council

- 1.4.1. Meetings have been held with Newbold Verdon Parish Council in relation to the Site on 4th September 2023 and 5th February 2024. Throughout the application preparation process, the Parish Council has been kept up to date on DWH's intentions to submit a planning application on the Site and the proposed consultation and engagement strategy was discussed with the Parish at the meeting on 5th February 2024.

1.5. Pre-Submission Public Consultation

- 1.5.1. Paragraph 39 of the National Planning Practice Framework (NPPF) states that 'early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community'.
- 1.5.2. The Statement of Community Involvement ('SCI') for HBBC was adopted in July 2019. The SCI sets out who HBBC will engage with on the preparation of planning documents, and how and when they will be engaged. The SCI states that the level of consultation carried out for planning applications will vary depending on the type and scale of the planning application being determined. However, the SCI does not contain specific guidance on what type or level of community consultation should be undertaken by the applicant and this is therefore open to the applicant to determine.
- 1.5.3. In accordance with the NPPF and the SCI, a comprehensive public engagement programme was developed by Savills and DWH, which utilised a range of methods to engage with key political and community stakeholders and the local community.
- 1.5.4. Meetings were held with the Newbold Verdon Parish Council in relation to the proposed development and proposed public consultation strategy on 4th September 2023 and 5th February 2024. HBBC also agreed to the consultation strategy. An in-person public consultation event was subsequently held on 27th February 2024 with the local community, Ward and Parish Councillors and the MP invited to attend to share feedback on the proposals. Feedback received from the event was used to amend the proposals and inform the submission.

Planning Statement

Land off Barlestone Road, Newbold Verdon



1.5.5. Additional details relating to the public consultation event and a review of responses received are detailed in the accompanying Statement of Community Consultation and Engagement (November 2024) which was produced by Savills.

1.6. Application Fee

1.6.1. The application fee payable is based on the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended). This has been paid via the Planning Portal.

1.7. Environmental Impact Assessment (EIA) Screening

1.7.1. A request for a Screening Opinion was submitted to the Local Planning Authority on 16th November 2023 in accordance with Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. HBBC issued its Screening Opinion on 7th December 2023 which confirmed that an EIA is not required.

1.8. The Planning Application Submission

1.8.1. This Statement draws upon the findings of various technical information and should be read in conjunction with the accompanying application material to provide a comprehensive understanding of the proposal and its associated benefits.

1.8.2. The planning application submission comprises the following plans for approval:

- Site Location Plan
- Site Plan
- Parameter Plan (P22-3085_DE_13_G_03 PARAMETER PLAN)
- Vehicular Site Access Plan (Appendix E of the Transport Assessment)

1.8.3. The following illustrative plan is also provided. This is indicative and further details will be provided at reserved matter(s) stage.

- Illustrative Masterplan

1.8.4. In addition to this Planning Statement, the following documentation is submitted with the planning application:

- Application Form and Certificates
- Design and Access Statement
- Heritage/Archaeological Assessment
- Geophysical Survey
- Contaminated Land Assessment
- Flood Risk Assessment
- Drainage Strategy
- Transport Assessment (including access drawings)

Planning Statement

Land off Barlestone Road, Newbold Verdon



- Travel Plan
- Noise Impact Assessment
- Air Quality Assessment
- Lighting Impact Assessment
- Landscape and Visual Impact Assessment
- Ecological Assessment
- Biodiversity Net Gain Assessment
- Tree Survey
- Arboricultural Impact Assessment
- Utilities Assessment
- Agricultural Land Classification Report
- Statement of Community Consultation and Engagement
- Minerals Assessment

1.9. Planning Statement Structure

1.9.1. The remainder of this Planning Statement is set out as follows:

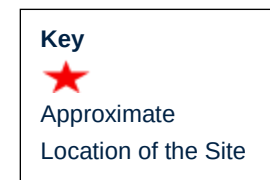
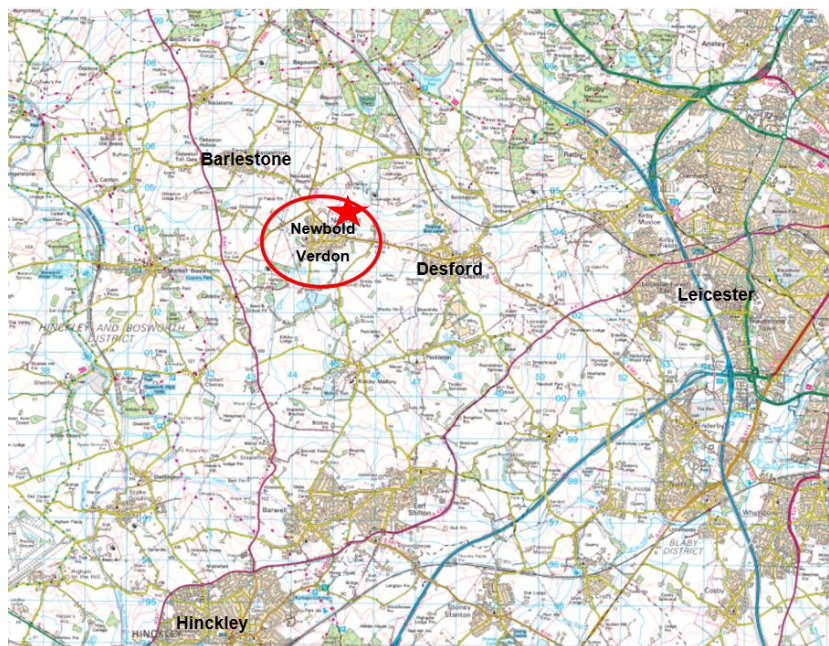
- Section 2 – Site Description and Proposed Development
- Section 3 – The Proposed Development
- Section 4 – Planning Policy Assessment and Material Considerations
- Section 5 - Presumption in Favour of Sustainable Development and Planning Assessment
- Section 6 – Planning, Design and Technical Considerations
- Section 7 – Planning Obligations
- Section 8 – Overall Planning Balance

2. Site Description and Proposed Development

2.1. Site Location

- 2.1.1. As shown by Figure 1 below, the Site is located immediately adjacent to the settlement boundary of Newbold Verdon in the administrative area of HBBC. Newbold Verdon is circled in red and the approximate location of the Site marked by the red star.
- 2.1.2. Newbold Verdon is approximately 8 miles to the centre of Hinckley to the south, approximately 9 miles to the centre of Leicester to the east, approximately 2 miles from Desford to the east and approximately 1.5 miles from Barlestone to the north west. The plan demonstrates how close Newbold Verdon is to adjacent settlements including Hinckley and Leicester and the range of services and facilities they provide.

Figure 1 – Site Location Plan 1



- 2.1.3. Newbold Verdon is categorised as a 'Key Rural Centre' in the adopted Local Plan (Policy 7: Key Rural Centres). A Key Rural Centre is defined as providing a range of services to meet most of the day to day needs of residents and act as a focal point to help meet the needs of the surrounding rural communities.
- 2.1.4. Within the 'District Local and Neighbourhood Centre Review' (January 2015), Newbold Verdon is the 3rd best performing Key Rural Centre due to the amount of services and facilities provided within the settlement. In the Settlement Hierarchy Review (December 2021), Newbold Verdon scores 110 in the quantitative settlement scoring. The Site is located immediately adjacent to Newbold Verdon Medical Practice and within walking distance of the shops, services and facilities provided along Main Street within the centre of Newbold Verdon.

Planning Statement

Land off Barlestone Road, Newbold Verdon



2.2. The Application Site

- 2.2.1. The Site comprises 13.9 hectares (circa 34.35 acres) of agricultural (grazing) land with two existing access points into the Site from Barlestone Road. As shown by Figure 2 below, the Site is bound by Barlestone Road, residential properties and Newbold Verdon Medical Practice to the south, and agricultural fields and residential and agricultural properties to the north, east and west.

Figure 2 – Site Plan



Planning Statement

Land off Barlestone Road, Newbold Verdon



- 2.2.2. There are two Public Rights of Way ('PRoW') through the Site. One runs across the western corner of the Site (reference: S11) and the other runs across the eastern half of the Site (reference: R88). There are also PRoWs that run along part of the northern and eastern boundary of the Site.
- 2.2.3. The Site is also accessible via two surfaced access roads - Newbold Verdon Equestrian Centre access road and Harry's Lane, which leads to a single dwelling adjacent the Equestrian Centre.
- 2.2.4. The Site lies beyond the settlement boundary, as defined on the adopted Local Plan Proposals Map. However, it is immediately adjacent to the settlement boundary.
- 2.2.5. The Site is not subject to any specific environmental or landscape designations such as Special Protection Area (SPA), Special Landscape Area (SLA), Area of Outstanding Natural Beauty (AONB) or Site of Special Scientific Interest (SSSI).
- 2.2.6. The Site is not located within the Green Belt.
- 2.2.7. In flood risk terms, the Site is located within Flood Zone 1, having the lowest probability of flooding. A Flood Risk Assessment accompanies this application and sets out the proposed drainage strategy for the Site. The majority of the Site also has very low / low risk from surface water flooding.
- 2.2.8. There are no designated heritage assets (Listed Buildings, Scheduled Monuments, Conservation Areas, Registered Battlefields or Parks and Gardens) within the Site. Data from the Historic Environment Record contains one non-designated heritage asset within the Site and a number of other findings which are discussed further in Section 6 of this Statement.

2.3. Accessibility

- 2.3.1. Existing vehicular access into the Site is taken off two access points on Barlestone Road; a byway (known as Harry's Lane) and the access into the Newbold Verdon Equestrian Centre.
- 2.3.2. The Site is within approximately 0.2 miles (5 minute walk) of Newbold Verdon Village Centre. Services and facilities available in Newbold Verdon include the following:
- Primary School;
 - Convenience Stores (including a co-operative and a village store);
 - Cricket Club;
 - Play Parks;
 - Public House;
 - Takeaways;
 - Hairdressers;
 - Pharmacy;
 - Doctor's Surgery;
 - Places of Worship;
 - Bus Stops;
 - Day Nursery;

Planning Statement

Land off Barlestone Road, Newbold Verdon



- Library;
- And a Working Men's Club.

- 2.3.3. In addition to the shops and services in Newbold Verdon, the Site is approximately 1.5 miles from the village of Barlestone which has the following services: primary school, a convenience store, a playgroup, takeaways and places of worship. The Site is also approximately 8 miles from the centre of Hinckley which has a train station and a significant number of facilities and services. The Site is also approximately 9 miles from Leicester which is the largest and most sustainable settlement in the County. It offers a wide range of services and facilities and can be accessed by public transport from Newbold Verdon
- 2.3.4. The Site is served by Public Transport. There are existing bus stops within close proximity to the Site on Dragon Lane and Main Street. The bus stops are served by route 153 which is an hourly service between Leicester and Market Bosworth (Monday – Saturday).
- 2.3.5. Table 4.2 of the Transport Assessment includes an Accessibility Assessment demonstrating the distance and approximate journey time (for walking and cycling) from the Site to key facilities within the village. An extract of this is provided below:

Table 4.2: Accessibility Assessment

Facility	Approx Distance (m)	Approx Journey Time (minutes)*	
		Walking	Cycling
Education			
Newbold Verdon Primary School	750	3	9
De Verdun Nursery & Preschool	850	10	4
Health			
Newbold Verdon Medical Practice	300	4	1
Heartbrook Pharmacy	850	10	4
Retail			
Nisa Local	750	3	9
Newbold Verdon post Office	750	3	9
Liberteas Coffee Shop	650	8	3
Co-op Food	850	10	4
Public transport			
Health Centre' Bus Stop	300	4	1
Leisure			
Newbold Verdon Sports & Social Club	850	10	4
Newbold Verdon Cricket Club / Playing Fields	1100	13	5

*Assumes a walking speed of 1.4m/s (3.2mph or 5.0kph) taken from the Guidance for Providing for Journeys on Foot (IHT, 2000) and cycling speed of 4m/s (9mph or 14.4kph), taken from Local Transport Note 1/86.

Planning Statement

Land off Barlestone Road, Newbold Verdon



2.4. Planning History

- 2.4.1. From a review of HBBC's Planning Application History Website, there are no relevant planning applications submitted or approved / refused on the Site.

3. The Proposed Development

3.1. The Proposal

- 3.1.1. The planning application is made in outline, with means of vehicular access only to be determined (i.e. matters of scale, layout, appearance and landscaping are reserved for future determination). The development proposes up to 240 dwellings together with substantial areas of landscaping and public open space as well as safeguarded land for a cemetery and health centre. Access for the Site is proposed to be taken from Barlestone Road a new priority control ghost island T-junction with a dedicated right turn lane (RTL) on Barlestone Road.

3.2. The Parameter Plan and Illustrative Masterplan

- 3.2.1. The Parameter Plan (drawing reference P22-3085_DE_13_G_03 PARAMETER PLAN) sets out the proposed development and green and blue infrastructure parameters and is submitted for determination. The proposed development parcels and open space total 6.8ha and 4.8ha respectively with 0.45ha safeguarded for a community facility and 1.1ha safeguarded for a cemetery.

- 3.2.2. An Illustrative Masterplan (drawing reference P22-3085_DE_13_M_ INDICATIVE MASTERPLAN) has been prepared which, although not submitted for determination at this stage, shows how the development could be accommodated on Site. The Illustrative Masterplan depicts the following but the final layout will be determined at reserved matters stage:

- Up to 240 dwellings (mixture of market, affordable and self-build / custom build housing);
- New Primary Vehicular Access Point from Barlestone Road (this is a fixed point of access) and retention of the existing site access to serve the Equestrian Centre and proposed cemetery;
- Opportunity for community open space,
- Safeguarded land for a cemetery;
- Safeguarded land for a new health centre;
- Retention and enhancement of existing Public Rights of Way within the Site;
- Provision of attenuation ponds to provide both a sustainable drainage strategy as well as biodiversity and recreational benefits;
- Public transport connectivity and active travel improvements including potential new Barlestone Road crossing points and downgrading the northern part of Harry's Lane to pedestrian / cycle access; and,
- Retained, enhanced and new vegetation;

3.3. The Proposed Built Form

- 3.3.1. The Parameter Plan and technical work have tested the potential delivery of up to 240 dwellings. The Parameter Plan demonstrates the key land use areas across the Site and is expected to be conditioned to the outline scheme. The Illustrative Masterplan has been produced purely for illustrative purposes to demonstrate how the scheme could be delivered. Further information is provided in the Design and Access Statement.
- 3.3.2. It is proposed that 40% of the dwellings will be affordable housing. The precise mix and tenure split of the affordable dwellings will be finalised at the Reserved Matters application stage.
- 3.3.3. The final housing mix will be determined at the Reserved Matters stage, however it is anticipated that a range of house types will be provided across the Site, ranging from 1 - 4 bedrooms and from 1 – 2.5 storeys in height.
- 3.3.4. The Illustrative Masterplan allows for the provision of a 2 storey health centre of circa 1,100 sqm with associated parking and landscaping within the 0.45ha of land safeguarded. Access would be taken off the new Barlestone Road junction. A future Reserved Matters Application will be submitted to agree the detailed design of this facility.
- 3.3.5. 1.1ha of land has been safeguarded for the delivery of a cemetery with associated parking and landscaping. Access to the cemetery will be taken off the existing retained access off Barlestone Road. Detailed design will be agreed at Reserved Matters stage.

3.4. Access and Connectivity

- 3.4.1. Planning permission is sought for main vehicular access points. Details for the main vehicular and indicative pedestrian access onto Barlestone Road are shown in Appendix E of the TA.
- 3.4.2. The TA confirms that the Site will be served by a single point of access in the form of a T-junction with a dedicated right turn lane on Barlestone Road, circa 90m southeast of the Newbold Verdon Equestrian Centre access (paragraph 5.1) which will be retained as part of the proposals. The main access road will be 6.75m in width with 2m footpaths.
- 3.4.3. The proposals also incorporate a number of proposed pedestrian / cycle crossing points. These include a new toucan crossing to provide safe access for pedestrians and cycles across Barlestone Road, footway improvements between the crossing and Dragon Lane will be provided on the southern side and a pedestrian/cycleway will be provided on the northern side between the existing PRow and Site access. Crossing points as part of the Newbold Verdon Equestrian Centre and proposed Site Access will be provided.
- 3.4.4. The TA (paragraphs 5.24-5.28) notes that car and cycle parking provision will be confirmed at Reserved Matters stage but will be provided in accordance with DCLG calculation as per stated in the Leicestershire Highways Design Guide (LHDG).

3.5. Landscaping and Open Space

- 3.5.1. The Parameter Plan (ref P22-3085_DE_13_C_03- PARAMETER PLAN) shows the proposed green and blue infrastructure across the Site. Existing trees and hedgerows will be retained wherever possible, particularly along the existing field boundaries on Site. 4.8ha of public open space ('POS') (excluding the cemetery land) in a range of typologies is proposed. Typologies provided include two Local Equipment Area for Play ('LEAPS'), casual/informal play space across the Site, accessible natural green space, new tree and hedgerow planting, and the PRoWs within and adjacent to the Site will be retained and enhanced as part of the proposals.
- 3.5.2. The submitted Design and Access Statement and Strategic Landscape Masterplan set out the indicative proposed locations of the landscaping and open space typologies. The landscape strategy will be finalised at Reserved Matters stage.

3.6. Flooding and Sustainable Drainage

- 3.6.1. Sustainable Urban Drainage Systems (SUDS) are proposed as part of the drainage strategy. Indicative locations of attenuation basins have been provided on the Parameter Plan, however final details of their location will be subject to agreement at Reserved Matters stage.

3.7. Ecology and Biodiversity

- 3.7.1. The Application proposals include a range of habitat, ecological and biodiversity enhancements including a Biodiversity Net Gain (BNG) significantly over 10% (15.37%). The final BNG will be agreed at Reserved Matters application stage.

4. Planning Policy and Material Considerations

4.1. Introduction

- 4.1.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 directs Local Planning Authorities to determine planning applications in accordance with the policies of the Development Plan unless material considerations indicate otherwise. Section 38(3) of the Act provides that the Development Plan includes the “*development plan documents (taken as a whole) which have been adopted or approved in relation to that area*”.
- 4.1.2. The adopted statutory Development Plan for the Site comprises the following documents:
- Core Strategy DPD ('CS DPD') (adopted 2009); and,
 - Site Allocations & Development Management Policy DPD ('SADMP DPD') (adopted July 2016).
- 4.1.3. As the Site is within a Minerals Safeguarding Area, the Leicestershire Minerals and Waste Local Plan (September 2019) is also considered to be relevant. This is discussed further in Section 6.
- 4.1.4. Material considerations also include national policy, which is primarily expressed through the National Planning Policy Framework and national Planning Practice Guidance, the Council's emerging Development Plan, as well as additional guidance produced by the Council in the form of Supplementary Planning Documents (SPDs). These are considered further below in sections 4.3 – 4.7.

4.2. The Adopted Development Plan

- 4.2.1. The Site is not allocated for specific use in the adopted development plan. The Site is located outside but immediately adjacent to the Newbold Verdon settlement boundary in the 'countryside'.

Core Strategy DPD ('CS DPD') (December 2009)

- 4.2.2. The adopted development plan supports housing development in the Borough. Some of these references have been extracted from the Core Strategy and are highlighted below:
- 4.2.3. Pages 20-21 of the Core Strategy identifies 13 Spatial Objectives to ensure the Borough's vision is achieved. Spatial Objective 5 seeks *'to ensure sufficient housing is provided to meet the requirements of the East Midlands Regional Plan to enable all residents of the borough to have access to a suitable home which they can afford in a range of sustainable locations, tenures and house types. The focus of development will be in and around the Hinckley urban area, with more limited development in the rural areas to meet local needs. All housing will be high quality, locally distinctive, sustainable developments'* [Savills Emphasis]. It is considered that the proposed development will provide much needed housing in a sustainable location as identified by HBBC in the settlement hierarchy (Policy 7 – Key Rural Centres).
- 4.2.4. The following policies included within the adopted CS DPD (December 2009) considered to be relevant to the proposed development are as follows:

Table 2 – Core Strategy DPD Policies (December 2009)

Policy	Policy Summary
Policy 7: Key Rural Centres	This policy seeks to support Key Rural Centres to ensure they can provide services to their rural hinterland. The policy states the council will: • Support housing development within settlement boundaries that provides a mix of housing types and tenures as detailed in Policy 15 and Policy 16. • Support development under Policy 17: Local Needs. • Require transport improvements in line with Policy 14. • Require development to be of the highest environmental standards in line with Policy 24..
Policy 11: Key Rural Centres Stand Alone	This policy seeks to support local services in Newbold Verdon and maintain rural population levels. The council will: • Allocate land for the development of a minimum of 110 new homes. Developers will be required to demonstrate that the number, type and mix of housing proposed will meet the needs of Newbold Verdon, taking into account the latest Housing Market Assessment and local housing needs surveys where they exist. • Support the improvement of the GP facilities in Newbold Verdon to support the increase in population, to be delivered by the PCT and developer contributions. • Address the existing deficiencies in the quality and accessibility of green space and play provision in Newbold Verdon as detailed in the council's most up to date strategy and the Play Strategy. • Deliver the strategic green infrastructure network. To achieve this, the following strategic interventions relating to Newbold Verdon will be required: Earl Shilton to Newbold Verdon Multifunctional Corridor, Redevelopment of Extraction Sites and Tourism Support. • Deliver safe cycle routes, in particular from Newbold Verdon to Bosworth Community College. • Seek improvements in the quality of the community centre as supported by the Hinckley & Bosworth Cultural Facilities Audit. • Support the provision of a car park for the church and cemetery to address the current parking problems that occur when the church is in use. • Require new development to respect the character and appearance of the Newbold Verdon Conservation Area by incorporating locally distinctive features of the conservation area into the development.
Policy 14: Rural Areas: Transport	To support accessibility within the rural areas, the policy states that the council will:

Planning Statement

Land off Barlestone Road, Newbold Verdon



	• Support the delivery of a viable, high quality public transport network between the Key Rural Centres and their nearest urban centre and between the Rural Villages and their nearest Key Rural Centre or urban centre. • Support the provision of accessible transport services for mobility impaired and rurally isolated residents. • Deliver safe cycle paths as detailed in the Hinckley & Bosworth Council's Rural Parishes Cycling Network Plan. This will deliver safe routes to school, to residential and employment areas, Key Rural Centres/urban areas, community and leisure facilities and into the countryside. • Developers will be required to contribute towards these initiatives through developer contributions and/or land where they meet the tests set out in national guidance. New development that would prejudice their implementation will not be permitted.
Policy 15: Affordable Housing	The policy requires Sites of 4 dwellings or more or 0.13 hectares or more to deliver 40% affordable housing on Site. The policy also states that for all Sites, the tenure split will be 75% social rented and 25% intermediate housing. The target will be monitored regularly and may be revised to reflect changes in the housing market and local circumstances. The policy recognises that these figures may be negotiated on a Site by Site basis taking into account identified local needs, which will now need to include First Homes provision.
Policy 16: Housing Density, Mix and Design	The council requires a mix of housing types and tenures to be provided on all Sites of 10 or more dwellings, taking into account the type of provision that is likely to be required. All developments of 10 or more dwellings are required to meet a 'very good' rating (16 or more positive answers out of 20) against the Building for Life criteria, unless it can be demonstrated that this is not viable on the particular Site. In Newbold Verdon, proposals for new residential development will be required to meet a minimum net density of at least 30 dwellings per hectare.
Policy 19: Green Space and Play Provision	The policy states that the following standards will be used in relation to green space and play provision in the Borough to ensure all residents have access to sufficient, high quality, accessible green spaces and play areas: • Equipped Children's Play Space - A minimum of 0.15 ha/1000 population (excluding buffer zones). • Casual/Informal Play Space - A minimum of 0.7 ha/1000 population Outdoor Sports Provision – A minimum of 1.6 ha/1000 population Accessible Natural Green Space. • A minimum of 2 ha/1000 population in areas with populations under 1000 people, a pro-rata approach will be used. Accessibility District Parks and Green Spaces.

		- All households should be within 5 kilometres of an open space of at least 10 hectares which provides general facilities for recreational activity within a landscaped setting Neighbourhood Parks and Green Spaces. - All households should be within 600 metres of an open space of between 1 and 10 hectares which provide general facilities for recreational activity within a landscaped setting Local Parks and Green Space. - All households should be within 400 metres of an open space of between 0.2 - 1.0 hectare which provide facilities for recreation within a localised area, catering for the specific informal needs of the local community Incidental/Amenity Green Space. - All household should be within 300 metres of a small formal or informal area of open space.
Policy 24: Sustainable Design and Technology		Residential developments to meet the Code for Sustainable Homes at the following levels: - Minimum of Code Level 3 to 2013 - Minimum of Code Level 4 from 2013 – 2016 - Code level 6 from 2016 onwards Residential developments in Key Rural Centres and Rural Villages will be expected to meet the sustainability targets set out in Building a Greener Future.

Site Allocations & Development Management Policy DPD ('SADMP DPD') (July 2016)

- 4.2.5. The following policies included within the Site Allocations & Development Management Policy DPD are considered relevant:

Table 3 – Site Allocations & Development Management Policy DPD Policies (July 2016)

Policy	Policy Summary
DM1 - Presumption in Favour of Sustainable Development	Planning applications that accord with the policies in the Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Borough Council will grant permission unless material considerations indicate otherwise, taking into account whether: a) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or b) Specific policies in that Framework indicate that development should be restricted
DM3 - Infrastructure and Delivery	Where development will create a need to provide additional or improved infrastructure, amenities or facilities, developers will be expected to make such provision directly or indirectly through the appropriate funding mechanism.

	Where current viability is proposed as a justification to deliver a reduced level of infrastructure provision than that required by policy, developers are required to provide the appropriate evidence to support this justification.
DM4 – Safeguarding the Countryside and Settlement Separation	To protect its intrinsic value, beauty, open character and landscape character, the countryside will first and foremost be safeguarded from unsustainable development. Development in the countryside will be considered sustainable where: a) It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme. c) cannot be provided within or adjacent to settlement boundaries; or d) The proposal involves the change of use, re-use or extension of e) existing buildings which lead to the enhancement of the immediate f) setting; or diversification of rural businesses; or g) It significantly contributes to economic growth, job creation and/or h) It relates to the provision of stand-alone renewable energy i) developments; or j) It relates to the provision of accommodation for a rural worker and: k) It does not have a significant adverse effect on the intrinsic l) value, beauty, open character and landscape character of the m) countryside; and n) It does not undermine the physical and perceived separation o) and open character between settlements; and p) It does not create or exacerbate ribbon development; and q) If within a Green Wedge, it protects its role and function in line r) If within the National Forest, it contributes to the delivery s) of the National Forest Strategy
DM6 - Enhancement of Biodiversity and Geological Interest	The policy states that development proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long term future management. Major developments in particular must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services. On Site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term. The removal or damage of such features shall only be acceptable where it can be demonstrated the proposal will result in no net loss of biodiversity and where the integrity of local ecological networks can be secured. If the harm cannot be prevented, adequately mitigated against or appropriate compensation measures provided, planning permission will be refused. This policy also states that Internationally and Nationally Designated sites will be safeguarded. It also states that proposals which are likely to result in the loss of deterioration of an irreplaceable habitat is only acceptable in certain circumstances. For locally important sites, the policy states that development proposals affecting them should also seek to contribute to their favourable management in the long term and where a proposal is likely to result in harm to locally important sites (including habitats or species of principal importance for biodiversity), developers will be required to accord with the following sequential approach:

Planning Statement

Land off Barlestone Road, Newbold Verdon



	i) Firstly, seek an alternative site with a lesser impact than that proposed; ii) Secondly, and if the first is not possible, demonstrate mitigation measures can be taken on site iii) Thirdly, and as a last resort, seek appropriate compensation measures, on site wherever possible and off site where this is not feasible.
DM7 - Preventing Pollution and Flooding	The policy states that adverse impacts from pollution and flooding will be prevented by ensuring that development proposals demonstrate that: a) It will not adversely impact the water quality, ecological value or drainage function of water bodies in the borough; b) Appropriate containment solutions for oils, fuels and chemicals are provided; c) All reasonable steps are taken through design, siting and technological solutions to ensure the abatement of obtrusive light to avoid sky glow, glare and light intrusion; d) It would not cause noise or vibrations of a level which would disturb areas that are valued for their tranquillity in terms of recreation or amenity; e) Appropriate remediation of contaminated land in line with minimum national standards is undertaken; f) It will not contribute to poor air quality; g) It will not result in land instability or further intensify existing unstable land; and h) The development doesn't create or exacerbate flooding by being located away from areas of flood risk unless adequately mitigated against in line with National Policy.
DM10 - Development and Design	The policy states that developments will be permitted providing that the following requirements are met: a) It would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting, air quality (including odour), noise, vibration and visual intrusion; b) The amenity of occupiers of the proposed development would not be adversely affected by activities in the vicinity of the Site; c) It complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features; d) The use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the local area generally; e) It incorporates a high standard of landscaping where this would add to the quality of the design and siting; f) It maximises opportunities for the conservation of energy and resources through design, layout, orientation and construction in line with Core Strategy Policy 24; g) Where parking is to be provided charging points for electric or low emission vehicles are included where feasible; h) An appropriate Sustainable Drainage Scheme is submitted to and approved by the relevant Authority. Schemes should incorporate wildlife areas, ponds, swales and permeable paving where appropriate; i) It maximises natural surveillance and incorporates the principles of Secured by Design and has considered the incorporation of fire safety measures.
DM 11 - Protecting and Enhancing the Historic	The policy states that the 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.

Planning Statement

Land off Barlestone Road, Newbold Verdon



Environment	All development proposals which have the potential to affect a heritage asset or its setting will be required to demonstrate: a) An understanding of the significance of the heritage asset and its setting; and b) The impact of the proposal on the significance of the asset and its setting, including measures to minimise or avoid these impacts; and c) How the benefits of the proposal will outweigh any harm caused; and d) Any impact on archaeology in line with Policy DM13.
DM 12 - Heritage Assets	The policy states that all development proposals affecting heritage assets and their setting will be expected to secure their continued protection or enhancement, contribute to the distinctiveness of the areas in which they are located and contribute to the wider vibrancy of the borough.
DM 13 - Preserving the Borough's Archaeology	The policy states that where a proposal has the potential to impact a Site of archaeological interest, developers should set out in their application an appropriate desk-based assessment and, where applicable, the results of a field evaluation detailing the significance of any affected asset. Where applicable, justified and feasible the local planning authority will require remains to be preserved in situ ensuring appropriate design, layout, ground levels, foundations and Site work methods to avoid any adverse impacts on the remains. Where preservation of archaeological remains in situ is not feasible and/or justified the local planning authority will require full archaeological investigation and recording by an approved archaeological organisation before development commences.
DM17 - Highways and Transportation	The policy states that development proposals will be supported where they: a) Seek to make the best use of existing public transport services and, where appropriate, provide opportunities for improving and sustaining the viability of those services; b) Seek to ensure that there is convenient and safe access for walking and cycling to services and facilities; c) Demonstrate that there is not a significant adverse impact upon highway safety; and in the case of development that generates significant movement; d) That the development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised; e) Where it can be demonstrated that the residual cumulative impacts of development on the transport network are not severe; f) Where appropriate, improvements will be required to be undertaken to the highways and transportation network to limit any significant impacts arising from the development (taking into account cost effectiveness). All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highways authority.
DM18 - Vehicle Parking Standards	The policy states that all proposals for new development will be required to provide an appropriate level of parking provision justified by an assessment of the Site location, type of housing, other modes of transport available (e.g. public transport and cycle provision) and appropriate design. Any development will be expected to provide disabled parking provision.

DM25 Community Facilities	-	The Borough Council will seek to support the formation of new community facilities across the borough. To reduce reliance on the private car, where new facilities are to be established it should be demonstrated that they are accessible to the community which they intend to serve by a range of sustainable transport modes.
---------------------------------	---	--

4.3. Supplementary Planning Documents

- 4.3.1. The following adopted Supplementary Planning Documents ('SPD') and Guidance ('SPG') are considered relevant to the Application and have been reviewed by the consultant team when producing their outputs. These documents are material considerations when determining applications.

Affordable Housing SPD (February 2011)

- 4.3.2. This document expands upon policies contained within the Core Strategy (2009).
- 4.3.3. Section 6 of the SPD sets out the Council's overall expectations in terms of affordable housing which applicants should consider when submitting a planning application. It states that developers will be expected to engage with the Housing Strategy and Enabling Officer at pre application stage, so that detailed plans and proposals will reflect the affordable housing requirements of the area and the Borough.
- 4.3.4. Section 6.2 of the SPD defines the threshold of where affordable housing will be required. This confirms that in rural areas (which includes Newbold Verdon) affordable housing is required on Sites of 4 dwellings or more or on Sites of 0.13 hectares or more. Section 6.5 defines the onsite target of 40% on Sites in rural areas.

The Good Design SPD (2020)

- 4.3.5. This SPD aspires to substantially raise design quality in HBBC whilst ensuring that the local identity and heritage of the Borough is preserved and enhanced.
- 4.3.6. Chapter 2 of the SPD sets out the design objectives and states that 'the guidance found within this chapter must be reflected in the design of all forms of development in the Borough'. It states that well designed places should:
1. Be Functional
 2. Support mixed uses and tenures
 3. Include successful public spaces
 4. Be adaptable and resilient
 5. Have a distinctive character
 6. Be attractive
 7. Encourage ease of movement

- 4.3.7. The detailed design of the scheme will be decided at Reserved Matters application stage, however this SPD has been considered when developing the Illustrative Masterplan (ref P22-3085_DE_13_M_INDICATIVE MASTERPLAN).

Rural Needs SPD (February 2011)

- 4.3.8. The aim of this SPD is to set out the Council's approach to considering development in the rural areas of the Borough. This relates to Key Rural Centres (adopted Policy 7). Newbold Verdon is identified as a Key Rural Centre in the adopted plan.
- 4.3.9. Paragraph 4.1 of the SPD highlights the following issues in rural areas:
- There is a smaller stock of affordable housing in rural areas;
 - High house prices mean that people cannot exercise their choice to purchase property, so that affordable housing stock has lower turnover;
 - There is often a shortage of entry level properties so that people who could potentially afford to buy cannot find smaller homes to fit their needs;
 - There is a smaller stock of private rented properties so people's choices are reduced; and
 - People employed in rural areas tend to have lower wages than those in urban areas, so people in villages may not have the same purchasing power as higher waged urban people who aspire to move to the country.
- 4.3.10. Paragraph 4.3 of the SPD states that 'it is...important for any affordable housing developed in rural areas is specifically to meet the need of local people, who have a desire to stay in their local area and a commitment to contribute to the life of the local community'. The proposed development will provide 40% affordable housing (approximately 96 dwellings) in accordance with the adopted Core Strategy Policy 15.
- 4.3.11. Paragraph 4.14 provides a suggested tenure split of affordable housing.
- 4.3.12. Key Policy Principle RN5: Local Choice Market Housing states that 'where there is evidence that there is a need for entry level market housing in a parish, a developer wishing to develop open market housing in the parish must :
- Demonstrate how their development will aim to meet those local needs; and
 - Undertake to market those properties, in the first instance, to people with a local connection'.

4.4. The Emerging Hinckley and Bosworth Plan and the Borough's Emerging Housing Need

4.4.1. HBBC are currently in the process of undertaking a Local Plan Review which is expected to cover the period 2020-2041. To date the following consultations have been undertaken:

- Growth Workshop (Spring 2016)
- Scope, Issues and Options Consultation (January – February 2018)
- New Directions for Growth (January 2019)
- Sustainability Appraisal (November 2020 to January 2021)
- Local Plan Regulation 19 Consultation (February 2022 to March 2022)
- Local Plan Regulation 18 Consultation (July 2024 – September 2024)

4.4.2. In February 2024, HBBC published a revised Local Development Scheme which stated that the plan would be amended and another Regulation 18 would be undertaken. This was due to the gap of time that had passed from the Regulation 19 consultation. The Regulation 18 document was made publicly available in the Council Papers for meeting held on the 9th July. The consultation was agreed by members and took place for 8 weeks from 31st July to 27th September 2024. The Plan is not expected to be adopted until January / February 2026 at the earliest (HBBC Local Development Scheme February 2024).

4.4.3. HBBC confirmed at the pre-application meeting held in October 2023 that the emerging Local Plan will be given no weight in the determination process at this stage. However, as the adopted Development Plan is over 5 years old, we have reviewed the draft policies as they are considered to offer the most up to date position on the likely policy position going forward. The relevant draft policies from the July 2024 Regulation 18 Consultation Plan are listed below:

- SP01 Sustainable Development
- SP02 Development Strategy
- SP05 Mitigating and Adapting to Climate Change
- SP06 Flood Risk
- SP07 Renewable and Low Carbon Energy
- SP08 High Quality Design
- SP10 Preventing Pollution
- SP11 Health and Well-being
- SP20 Green Infrastructure
- SP12 Green Wedges
- SP24 Protecting Biodiversity
- SP25 Enhancing Biodiversity and Habitat Connectivity
- SP26 Development in the Countryside and Settlement Separation
- SP27 Landscape Character
- SP29 Transport, Movement and Access
- SP31 Infrastructure and Delivery
- SP32 Water Supply and Wastewater Management
- SP33 Telecommunications Infrastructure

4.4.4. DWH has sought to go beyond the adopted planning policy requirements, some of which were outlined in the Regulation 19 Consultation Plan from 2022, (which included more detailed policies) for instance in relation to space standards, M4(2) compliance, self and custom build provision and bungalows in the development proposals. These are outlined in the Scheme Benefits Table (section 5.11 of this document).

4.5. Emerging Newbold Verdon Neighbourhood Plan

4.5.1. Newbold Verdon is in the process of producing a Neighbourhood Plan. A pre-submission version (Regulation 16) was published in October 2021 however due to the issues which arose from the examination process in 2021 and the Covid-19 delays, the Parish Council were told another Regulation 14 consultation was required. As part of the Regulation 14 process, a Housing Needs Assessment report had to be completed and this required all proposed sites to be reassessed. This took place in early summer (2022). A Site Options and Selection Report was also produced in July 2022. These are discussed further in Section 5.8 of this Statement.

4.5.2. The revised Regulation 14 consultation is currently expected to be held in Winter 2025, however, dates are still to be confirmed. Given the early stage of the plan, no weight should be given to it in the decision-making process.

4.6. National Planning Policy Framework ('NPPF')

4.6.1. The NPPF was most recently updated in December 2023 and is a material consideration when considering planning applications. The overriding principle of the revised NPPF is to achieve sustainable development, which has three key dimensions: economic, social and environmental.

4.6.2. Paragraph 7 confirms that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 states that in order to achieve sustainable development a key social objective is to foster *"well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs"*.

4.6.3. The presumption in favour of sustainable development is set out in Paragraph 11d. This states 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."

4.6.4. Further analysis of the application of the presumption in favour of sustainable development is set out in Section 5 of this statement.

- 4.6.5. Paragraph 38 of the Framework, states that local planning authorities should approach decisions on proposed development in a positive and creative way.
- 4.6.6. Paragraph 60 identifies that in order to support the Government's objective of significantly boosting the supply of homes it is important that: a sufficient amount and variety of land can come forward where it is needed; the needs of groups with specific housing requirements are addressed; and that LPAs provide a minimum of five years' worth of housing supply against their housing requirement.
- 4.6.7. Paragraph 71 presents clear guidance in respect of small and medium-sized Sites and recognises that these can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.
- 4.6.8. Paragraph 76 states 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 year' 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'.
- 4.6.9. 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'.
- 4.6.10. As explained in Section 5.6 of this Statement, HBBC do not consider that the transitional arrangements of paragraph 226 currently apply to the Borough and therefore they are required to identify a minimum 5YHLS.
- 4.6.11. Paragraph 79 of the Framework states that: "To maintain the supply of housing, local planning authorities should monitor progress in building out Sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority's housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance, to assess the causes of under delivery and identify actions to increase delivery in future years."
- 4.6.12. Paragraph 96 seeks to promote healthy and safe communities. This states that "planning policies and decisions should aim to achieve healthy, inclusive and safe places" and that such places should: 'promote social interaction; be safe and accessible; and enable and support healthy lifestyles". Paragraph 104 states that planning policies and decisions should also seek to protect and enhance public rights of way and access.
- 4.6.13. Paragraph 109 seeks to promote sustainable transport and travel. Opportunities for walking and cycling, and public transport use should be provided. Paragraph 112 states that applications for development should give priority to pedestrian and cycle movements; address the needs of people with disabilities and reduced mobility; create places that are safe, secure and attractive; allow for the efficient delivery of goods and access by emergency services vehicles; and enable charging of plug-in and other ultra-low emissions vehicles.

- 4.6.14. In terms of highways impacts, paragraph 116 of the Framework 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”.
- 4.6.15. Paragraph 123 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses. Paragraph 128 also states that policies and decisions should make efficient use of land taking into account a range of matters, including the identified need for different types of housing, and the availability of land for accommodating it and the importance of securing well-designed, attractive and healthy places.
- 4.6.16. Paragraphs 131-141 set out in more detail the requirement to achieve well-designed places and specifically states that “the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”. These paragraphs express the importance of planning positively for the achievement of high quality and inclusive design for all development, including: individual buildings; public and private spaces; and wider development schemes.
- 4.6.17. Paragraph 157 states that the planning system should seek to “shape places in ways that contribute to radical reductions in greenhouse gas emissions; minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of listed buildings; and support renewable and low carbon energy and associated infrastructure”. Additionally, paragraph 165 states that inappropriate development in areas at risk of flooding should be avoided. Where development in these areas is necessary, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 4.6.18. Paragraph 180 of the Framework states that planning policies and decisions should contribute to and enhance the natural and local environment. This paragraph seeks to conserve and enhance the natural environment, including through: protecting and enhancing valued landscapes; minimising impacts on biodiversity; providing net gains in biodiversity where possible; and preventing new development from contributing to, or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution.
- 4.6.19. Paragraph 200 states that, when 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. Paragraph 208 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

4.7. Emerging National Planning Policy Framework

- 4.7.1. The new Government recently consulted on a draft National Planning Policy Framework (NPPF) (launched on 30th July 2024). The standard method calculation is proposed to be amended which will result in some Local Planning Authorities having to provide significantly more dwellings per year. The NPPF consultation document also drops the 4YHLS requirement. If the draft NPPF is implemented, HBBC’s minimum housing need could increase from 432 dwellings per annum to 689 dwellings per annum. Due to the transitional

arrangements set out at paragraph 226 of the consultation version of the NPPF, it is expected that HBBC will have to adhere to the new NPPF once it is implemented as they are not expected to be at Regulation 19 stage and therefore additional housing will be required to meet the increase housing needs of the Borough as well as those still arising from Leicester City.

4.8. Planning Practice Guidance 'PPG'

- 4.8.1. The Planning Practice Guidance (PPG) resource was launched online on 6th March 2014 and collates guidance previously published in a number of separate documents. The guidance in the PPG has been taken into consideration in formulating the proposals.

5. Presumption in Favour of Sustainable Development and Planning Assessment

5.1. Introduction

- 5.1.1. This section of the planning statement provides a planning policy assessment, commencing with the principle of development dealing with the presumption in favour of sustainable development.
- 5.1.2. S38(6) of the Planning and Compulsory Purchase Act 2004 (as amended), provides the starting point for the determination of all planning applications and requires that decisions must be made in accordance with the adopted development plan unless material considerations indicate otherwise. Section 4 of this Statement sets out the Development Plan policies and relevant material considerations which should be considered in the determination of this proposed development.

5.2. Presumption in Favour of Sustainable Development

- 5.2.1. Paragraph 11 of the NPPF confirms that:

“Plans and decisions should apply a presumption in favour of sustainable development. 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.” [Savills emphasis]

- 5.2.2. There are therefore three separate tests to decision-taking and the presumption established by Paragraph 11d. This Statement first establishes whether:

1. The presumption is engaged (test 1); and if so
2. Whether the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (test 2); and
3. Whether the adverse impacts would significantly and demonstrably outweigh the benefits (test 3).

5.2.3. Each of these tests are considered below.

5.3. Whether the presumption in favour of sustainable development is engaged (test 1)

5.3.1. On the basis of the above and in the first instance, it is important to consider whether the most important policies for determining the application are 'out of date' and whether there are policies contained within the Development Plan which would provide a clear reason for refusing permission. A conclusion as to whether the presumption in favour of sustainable development applies can then be drawn.

5.3.2. In relation to whether the most important policies of the Development Plan for determining the application are out of date (NPPF Footnote 8), the CS was adopted in 2009 and SADMP DPD in 2016, and so is significantly beyond its 5 year anniversary. HBBC is claiming to have a 5.6 year housing land supply according to its most recent assessment (Residential Land Availability Monitoring Statement 1 April 2023 – 31 March 2028). However, Emery Planning have undertaken a review of this Monitoring Statement and consider that the 5YHLS in reality equates to 4.86 years.

5.3.3. Due to the increase in housing need from the amended Standard Method calculation expected to be published by the end of 2024, it is considered by the time the application is determined, the 5YHLS will have decreased even further. This is explained further at section 5.3.13 below.

5.4. The “most important policies”

5.4.1. The policies contained within the adopted Development Plan provide the starting point for the consideration of the Application. Relevant policies for the Proposed Development are detailed in Appendix 1 and the consideration of how the proposals comply with the relevant policies and the weight to be attributed to these “relevant policies” is considered in the assessment section below and in Appendix 1.

5.4.2. The Site lies outside of the settlement boundary for Newbold Verdon in the countryside and therefore, the following adopted policies are considered to be the most important:

- CS DPD Policy 7 - Key Rural Centres
- CS DPD Policy 11 - Key Rural Centres Stand Alone
- SADMP Policy DPD DM1 – Presumption in Favour of Sustainable Development
- SADMP DPD Policy DM4 – Safeguarding the Countryside and Settlement Separation

- 5.4.3. These policies address the location and quantum of development. As the Local Plan is out of date, only limited weight should be applied to CS Policies 7 and 11 and SADMP DPD Policy DM4 as they do not align with the NPPF and increased housing needs.
- 5.4.4. It is acknowledged that the proposed development does not accord with SADMP DPD Policy DM4. In the appeal decision on a site adjacent to Ratby (ref APP/K2420/W/23/3330774 dated 28 February 2024) (Appendix 4), the Inspector concluded that although *'residential development on the appeal Site would run counter to it [the spatial strategy] and would therefore conflict with policy DM4...that policy conflict only attracts limited weight because the policies which quantify and distribute housing growth in the development plan are out-of-date'*. Furthermore, the Inspector in the appeal decision (ref APP/K2420/W/23/3331081 dated 17 May 2024) (Appendix 3) concluded at paragraph 15 that the adopted Core Strategy *'is in broad accordance with the Framework, by focusing development in the most accessible locations. However, this is reliant on an out-of-date housing requirement that is highly likely to increase. I therefore place limited weight on the conflict I have identified with Policy DM4 of the SA DPD'*.
- 5.4.5. The appeal decision (ref APP/K2420/W/23/3331081) also concludes that Policy DM4 is out of date, the report states *'There is conflict with Policy DM4 of the SA DPD because the proposal is for development defined by that policy as being unsustainable in the countryside. However, this only carries limited negative weight because the spatial strategy of the Development Plan is based on an out-of-date housing requirement'*.
- 5.4.6. Although the most recent 5-year housing land supply report¹ claims the Council can demonstrate a marginal 5 year housing land supply (5.6 years), Emery Planning's review (August 2024) concluded that the deliverable supply against the current local housing need actually equates to 4.86 years. The Development Plan is more than 5 years old, and in the context of paragraph 11d of the Framework this policy is out of date and therefore carries little weight. It is considered that there is a clear need for the Council to bring forward deliverable Sites in the short to medium term.

Housing Land Supply and Delivery

- 5.4.7. As discussed in Section 5.3 above, HBBC is currently claiming they can demonstrate a 5YHLS which Emery Planning and the Applicant dispute this and consider it is actually just 4.86 years.
- 5.4.8. In their review, Emery Planning also concluded the following:
- HBBC have used the local housing need of 433 dwellings per annum. However, this is based on the projected household growth for 2024-2034, and the affordability ratio published in March 2024. Emery Planning consider that average annual household projections over the period 2023-33 and the affordability ratio which was published in March 2023 should be used and there are appeal decisions that support this position. Therefore, the local housing need at 1st April 2023 is 468 dwellings per annum;
 - HDT results for 2022 state that HBBC's result was 89%; and
 - The Council's calculations relies on windfall which would exceed past trends based on past

¹ Hinckley & Bosworth Borough Council Residential Land Availability Monitoring Statement 1 April 2023 – 31 March 2028

trends, only an additional 32 dwellings can be expected to be delivered on windfall sites (i.e., 435 – 403). This results in a reduction of 142 dwellings from the Council's supply.

5.4.9. Emery Planning has also undertaken a review of HBBC's housing position in relation to the proposed changes to the NPPF and standard method calculation. Emery Planning's consider that against the revised standard method, HBBC can only demonstrate 3.34 years supply according to its own figures. Based on the deductions considered above, the Council could have a supply as low as 3.15 years against the revised standard method.

5.4.10. As the Council does not have a 5YHLS, and is likely to decrease further once the consultation version of the NPPF is implemented, the Applicant considers that paragraph 11d of the NPPF applies. This Planning Statement and supporting documents set out how the impacts arising from the development can be mitigated and the benefits arising significantly and demonstrably outweigh the impacts and therefore planning permission should be granted. This approach is in line with the NPPF which is set out in further detail below.

5.5. Whether the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (test 2)

5.5.1. It is now important to consider whether any of the policies contained within the NPPF provide a clear reason for refusing the development proposal. Footnote 7 sets out the policies whereby development should be refused, including: *"habitat Sites (and those Sites listed in paragraph 187) and / or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broad Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 72); and areas at risk of flooding or coastal change."*

5.5.2. In addition, Paragraph 188 confirms that *"the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on habitats Site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats Site."*

5.5.3. The Site is not subject to any of the constraints identified in Footnote 7, or subsequent references and is not expected to have a significant adverse impact on habitats Sites. As a result, there are no policies in the NPPF that indicate permission should be refused or that the presumption cannot be engaged.

5.6. Whether the adverse impacts would significantly and demonstrably outweigh the benefits (test 3)

5.6.1. The second limb of Paragraph 11d that must be considered where the policies which are most important for determining the application are out-of-date and permission is to be granted, is whether *"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."*

5.6.2. In the context of the proposed development, the Applicant considers that the presumption in favour of sustainable development applies (regardless of whether such a proposal accords with the Development

Plan, taken as a whole) for the following reasons:

- The most important policies for determining the application are over seven years out of date and unlikely to be replaced by new housing allocations and adopted policies until January / February 2026 at the very earliest according to HBBC Local Development Scheme;
- HBBC is unable to demonstrate a five year housing land supply even though it is claimed to be 5.6 years (as set out in section 5.44 above). In reality, the Applicant considers the supply to currently be 4.86 years;
- Once the revised NPPF is implemented (expected by the end of this year), the Applicant considers that HBBC will have a 5YHLS of 3.15 years;
- Regardless of the housing position, the LPA does not have a Plan which is capable of supporting development needs, as derived from the Standard Method for calculating Local Housing Need; and
- There are no policies in the NPPF which provide a clear and overriding reason for refusal.

5.6.3. The question is therefore whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF Framework taken as a whole.

5.6.4. Having concluded that paragraph 11d is engaged and there is no impediment to the application of the presumption in favour of sustainable development, it is necessary to consider the third component of the test in paragraph 11 of the Framework and establish whether the “*adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits*”. The technical work submitted in support of this Application has assessed all of the impacts arising from the proposed development, and provides mitigation to address any adverse impacts. Harms arising from the scheme are identified in section 6.17 of the statement. In addition to technical and design mitigation proposed, a range of economic, social and environmental benefits are proposed (see 5.10) and, when combined, these are considered to outweigh any harm arising from the adverse impacts.

5.7. NPPF Transitional Arrangements

5.7.1. Paragraph 226 of the NPPF states that if an authority has an emerging Local Plan at Regulation 18 stage, they only need to demonstrate a 4YHLS if a policies map and proposed allocation have been included². HBBC published a revised Local Plan Review for Regulation 18 consultation which ended in September 2024. This document includes a policies map and proposed allocations for sites over 100 dwellings. HBBC have however confirmed to the Applicant that they are not a 4YHLS authority.

5.7.2. The draft NPPF is seeking to remove the 4YHLS provision included in the 2023 NPPF. However, even if the tilted balance was not triggered, the proposed benefits of the proposal are significant and are considered to outweigh any limited identified harm.

5.8. Emerging Housing Need

5.8.1. In the Regulation 18 Consultation Draft Plan (July 2024), draft Policy SP02 states that HBBC will seek to

² It is important to note that in the draft NPPF (July 2024), the 4YHLS transitional arrangement is proposed to be removed.

deliver 13,862 dwellings during the period 2020-2041 (660 dwellings per annum) which includes a 187 dwelling per annum contribution to meeting the Leicester City shortfall.

- 5.8.2. The revised Standard Method being consulted on could see HBBC's minimum standard method increase from 433 dwellings per annum to 689 dwellings per annum. This excludes any contribution towards Leicester City's shortfall. The transitional arrangements in the draft NPPF (Annex 1) will require new plans which are not at Regulation 19 stage to be produced in accordance with the new NPPF. Given HBBC are not expecting to consult on the Regulation 19 plan until early 2025, it is likely that the emerging plan will need to be amended to align with the new NPPF and standard method and therefore new residential sites will need to be identified in order to meet the increased housing needs. Subsequently, by the time this Application is being determined, Emery Planning expect that the presumption will apply as HBBC's 5YHLS figure will be worsened as explained in section 5.3.14.

5.9. Housing Growth in Newbold Verdon

- 5.9.1. The adopted CS identifies that a 'minimum' of 110 new homes should be delivered in Newbold Verdon up to 2026 (Policy 11). This is not a maximum amount and the level of growth directed to the settlement should be determined by the suitability of the sites, proposed scheme benefits and infrastructure capacity rather than a housing requirement figure which is now significantly out of date. This was acknowledged by the Inspector in a recent appeal (APP/K2420/W/23/3331081).
- 5.9.2. The Regulation 18 Local Plan Review has not proposed to allocate any additional dwellings in Newbold Verdon above those already committed. The Regulation 18 plan proposed to allocate sites in the Key Rural Centres of a significant scale which demonstrates that HBBC is not adverse to allocating large sites in these settlements. Given Newbold Verdon is one of the most sustainable rural settlements in the Borough, as set out in the Council's own evidence base, it should be subject to more growth than identified within the emerging plan to ensure that the upcoming increase housing requirement from the new standard method is directed to sustainable settlements which have the infrastructure capacity and public transport connections to Leicester City.
- 5.9.3. The Council's Settlement Hierarchy Review (December 2021) (page 20) recognises that Newbold Verdon has a number of key primary facilities and Newbold Verdon is ranked the 5th most sustainable Key Rural Centres out of the 10 identified (page 14). A 'Spatial Options for Housing Strategy' document was also published with the Regulation 18 consultation.

5.10. Suitability of the Site for Development

- 5.10.1. Having established above that HBBC will need to identify additional residential sites and that Newbold Verdon is identified as a sustainable settlement in the adopted and emerging plan and a suitable location for housing growth, we now look to assess the suitability of the Site for development. HBBC and the Newbold Verdon Parish Council's own evidence base considers that the Site is suitable for development.

HBBC Evidence Base

- 5.10.2. In HBBC's Strategic Housing and Land Availability Assessment ('SHLAA') (2022), the Site has been assessed as being suitable, available and achievable and is concluded to be developable in 6-10 years

(2022 SHLAA reference: LLPR98). The detailed assessment proforma demonstrates that the Site has limited constraints.

5.10.3. HBBC consulted on a preliminary Site Selection Paper (February 2022) with their Regulation 19 consultation. The document contains a preliminary summary of how all the sites submitted for development consideration were assessed by HBBC to determine whether to take them forward as allocations in the Local Plan. The document is extremely high level and no detailed assessments of the sites was provided. The justification provided for why the Site was discounted from further consideration to be allocated in the Local Plan Review was that *“although the site has some merits for housing development, there are other suitable alternatives available”*.

5.10.4. No additional site specific assessments were published with the Regulation 18 consultation (July 2024).

Newbold Verdon Parish Council Evidence Base

5.10.5. Newbold Verdon Parish Council have prepared two evidence base documents to support their emerging Neighbourhood Plan: Housing Needs Assessment (April 2022) and the Site Options and Assessment (July 2022) which we have summarised below.

5.10.6. The Housing Needs Assessment does not set out a proposed market housing need for Newbold Verdon but it confirms that the affordable housing need up to 2039 is ‘roughly’ 78.2 units of affordable rented housing and 44.2 units of affordable home ownership.

5.10.7. The Site Options and Assessment report assesses sites being promoted within the neighbourhood plan area to explore which, if any, have potential for development and could therefore be allocated in the neighbourhood plan to meet the identified need. 15 sites were promoted for development through the HBBC Call for Sites (2020) process and the Newbold Verdon Neighbourhood Plan Call for Sites (2022). 5 out of the 15 sites assessed were considered unsuitable.

5.10.8. The DWH Site is split into 4 parcels (with 4 site references) within the Site Assessment report. The references used are: LRP98 A, LRP98 B, LRP98 and LPR99. In the assessment LRP98 A, LRP98 B, LRP98 and LPR99 are ‘RAG’ assessed as amber (potentially suitable for allocation). The assessment concludes that *“the Site is currently adjacent to the settlement boundary. Adopted Local Plan Policy 7 supports development within the settlement boundary, whilst Policy 17 is supportive of affordable housing for local needs adjacent to the boundary. The site is potentially suitable for allocation, but it is likely to be more appropriate for consideration in combination with the other SHELAA sites along the B582 to create a more coherent extension to the settlement”*.

5.10.9. The Site Options and Assessment also states that the sites which lie north of B582 would create an uncharacteristic northwards extension of Newbold Verdon if allocated on their own. A more coherent extension to the settlement is likely to be possible if a number of these sites were allocated together. This Application combines parcels LRP98 A, LRP98 B, LRP98 C and LPR99 as a coherent and logical extension to the north of Newbold Verdon.

5.10.10. In light of the above, both HBBC and the Parish Council evidence demonstrate that they consider the Site could be suitable for development subject to technical work. This Application is supported by a range of technical work which demonstrate that the proposed development is deliverable and it should therefore be approved.

5.11. Scheme Benefits

5.11.1. The proposed development will result in a number of substantial benefits over and above national and local policy requirements. Table 4 sets out a summary of the benefits as well as the weight which is considered should be applied in the planning balance.

Table 4 - Scheme Benefits

	Benefit	Weight to be applied	Summary
1	Provision of much needed market housing in the short term	Significant	Provision of up to 144 market dwellings which could be delivered in the short term. The Applicant will seek to submit a Reserved Matters Application within 12 months from the date of the outline permission. This requirement can be conditioned to ensure the Site is meeting immediate housing needs.
2	Provision of self-build.	Significant	Provision of up to 12 self-build plots. The headline demand data published on HBBC website (updated September 2024) ³ suggests that there are 50 individuals on the self-build register and 39 individuals are without an existing plot.
3	Provision of 40% affordable housing	Significant	Provision of up to 96 affordable dwellings, representing a policy-compliant position. There is a clear need for affordable housing and Newbold Verdon is ranked within the 20% most deprived in England, suggesting that affordability for many locals will be tight. Newbold Verdon's Housing Need Assessment (April 2022) also states 'There is almost certainly a backlog of households in need currently in the Needs Assessment, with Hinckley & Bosworth Borough Council providing a Housing Register waiting list figure of 24 households with a local connection to Newbold Verdon NA. This figure of 24 should be viewed as a minimum, with Hinckley & Bosworth Borough Council also providing a figure of 253 households on the Council's waiting list with an interest in being housed in Newbold Verdon'.

³https://www.hinckley-bosworth.gov.uk/info/200074/planning_and_building_control/1246/the_self-build_and_custom_housebuilding_act_2015/3

Planning Statement

Land off Barlestone Road, Newbold Verdon



4	Safeguarded land for a cemetery	Significant	Provision of circa 1.1 hectare of land for a cemetery and associated landscaping and parking. This was identified as a local requirement in the draft Neighbourhood Plan (Regulation 16 version).
5	Safeguarded land for a health centre	Significant	Approximately 0.45 hectares of land is proposed to be used to relocate the existing Newbold Verdon Medical Practice. The need for the Medical Practice to be expanded to cope with demand was highlighted during the consultation event and as a result of this DWH revised the masterplan to include this community facility land. Further conversations have been undertaken with the Medical Practice following the event and it was confirmed that the Practice would welcome land to enable a full relocation of the existing facility. This is discussed further in section 5.12 below and their letter of support is appended to this Statement (Appendix 5).
6	National Described Space Standards	Moderate	DWH are committed to all dwellings complying with National Described Space Standards. This is not an adopted policy requirement and can be conditioned to the outline.
7	Accessible Housing	Moderate	DWH are committed to all dwellings meeting M4(2) standards and at least 10% to meet M4(3) standards. This is not an adopted policy requirement and can be conditioned to the outline.
8	Bungalows	Moderate	DWH are committed to provide at least 5% of bungalows on Site to meet the needs of the elderly. This is not an adopted policy requirement and can be conditioned to the outline.
9	Significant on-Site Public Open Space	Moderate	5.87 ha of POS (including Cemetery Land) is proposed which is circa 3.31 ha over what is required by adopted CS DPD Policy 19: Green Space and Play Provision.
10	Childrens Play Areas	Moderate	Two Local Equipment Area for Play ('LEAPS') are to be provided on Site which is above policy requirements.
11	On-site Biodiversity Net Gain in excess of 10%	Moderate	The enhancements are over and above the 10% mandatory BNG requirements which came into force in February 2024. The exact BNG will be determined at RM Application stage but the outline assessment shows at least 15.37% BNG on-site could be achieved.
12	Footpath and pedestrian links across	Moderate	Increased public access via new footpath networks and safe crossing points across Barlestone Road to link the Site and the

Planning Statement

Land off Barlestone Road, Newbold Verdon



	Barlestone Road, including retention of existing Public Rights of Way		village centre.
13	Bus Service Improvements	TBC once discussions held with LCC	DWH are investigating with LCC Highways and Arriva local bus improvements which could be delivered to support the proposals and wider community.
14	Adapting to Climate Change	Moderate	DWH intend to build some, if not all of the dwellings as timber frame. The dwellings will also meet building regulation standards and will be fitted with solar panels and electric vehicle charging points.
15	Job creation and economic benefits	Moderate	The development will support 218 indirect and induced jobs elsewhere in the economy each year of build. This includes 160 direct full time equivalent (FTE) construction jobs and 11 direct FTE construction hobs generated by the build filled by apprentices. An infographic highlighting the economic benefits of the proposals is included at Appendix 2.

5.12. Safeguarded Land for a Cemetery

- 5.12.1. Within the Regulation 16 Version of the Newbold Verdon Neighbourhood Plan, it notes that the Parish Council are actively seeking land to expand the existing cemetery in the village. Parish Council Minutes dated 1st July 2024 confirm that Newbold Verdon are still looking for Cemetery expansion. The minutes state that this will be a permanent agenda item due to the limited capacity of the existing cemetery. To date, the Parish Council has not identified any land. This Application proposes to safeguard circa 1.1ha of land for a cemetery. The cemetery is proposed to be delivered in the eastern part of the Site adjacent to Dragon Lane which connects the Site to the existing cemetery at The Church of St James.
- 5.12.2. The Parish Council has not been able to confirm the area of land required for the cemetery. Savills has undertaken an assessment of likely demand and consider that when considering the mortality rate and current population of Newbold Verdon, the population increase as a result of committed developments as well as this proposed development, a cemetery equating to 0.4 hectares would be appropriate. This figure does not include any associate associated infrastructure such as car parking and landscaping. Therefore, the land being offered for this Application is considered sufficient amount of space to meet future cemetery needs.

5.13. Safeguarded Land for a Health Centre

- 5.13.1. During the community consultation event in February 2024, it was apparent that there was local concern that Newbold Verdon Medical Practice and Newbold Verdon Primary School could not accommodate

additional development and they are not able to expand within their existing Sites (please refer to the submitted Consultation and Engagement Statement).

- 5.13.2. Following the consultation event, Educational Facilities Management Partnership Ltd ('EFM') undertook a review of both education and healthcare position in Newbold Verdon. Their review confirmed that there is existing capacity in Newbold Verdon Primary School which could accommodate additional development. Should other residential schemes be approved before this Application which will reduce existing capacity, then there may be a requirement to contribute towards future expansion of the school. EFM consider that the existing school site is large enough for the school to expand to 2FE if required. Financial contributions towards school places will be agreed with the Local Education Authority during determination.
- 5.13.3. In regards to the medical practice, EFM confirmed that although it is still accepting new patients, the size of the building is too small to cope with the current number of patients on its patient list. In light of this assessment, DWH has been engaging with the Medical Practice since the consultation event to discuss future needs of the practice and requirements for relocation. The Medical Practice confirmed that the existing practice is at capacity and not fit for purpose. There is also limited land available to be able to expand the facility. As a result, given the close proximity to the existing facility, the proposed development was amended to include land safeguarded for the relocation of Newbold Verdon Medical Practice.
- 5.13.4. Given the number of existing patients and likely future demand, EFM consider that a health centre of circa 1,100sqm will be sufficient to meet needs. Therefore, 0.45ha of land has been safeguarded on the Site to deliver the health centre and associated parking and landscaping.
- 5.13.5. A letter of support has been provided by the Medical Practice which demonstrates the practice's need for the relocation of the facility (Appendix 5). The letter confirms that the proposed land to be safeguarded would be sufficient to accommodate the needs of their patients and is supported in principle by the practice and its partners.
- 5.13.6. This Application seeks permission for the principle of a medical practice (Class E(e)) on the Site, the provision of which would be of significant social benefit to the local community and wider catchment of the Newbold Verdon Medical Practice. The provision of the safeguarded land aligns with the requirements of CS Policy 11 which requires development to support improvements of to the GP facilities in Newbold Verdon. Detailed design of the medical centre will be agreed with HBBC at the Reserved Matters stage.

5.14. Emerging Policy Requirements and Benefits Assessment

- 5.14.1. As explained in Section 4.4, the Regulation 18 Local Plan Review will be given no weight in the decision-making process. However, as the adopted Development Plan is over 5 years old, we have reviewed the draft policies below as they are considered to offer the most up-to-date position on the likely policy requirements going forward. There were more detailed requirements included in the March 2022 Regulation 19 Consultation document so these have also been reviewed and incorporated into the scheme benefits (Table 4). The table below sets out how a number of the above benefits align with the emerging policies.

Table 5 – DWH Proposal and Emerging Policy Requirements

Key Item	Emerging Policy Requirement (Hinckley and Bosworth Local Plan 2020-2041- Regulation 18 Consultation July 2024)	DWH Proposal
Market Housing	SP02 Development Strategy Development in the borough will be in accordance with the spatial strategy set out below: 1. New housing development will be directed to the most sustainable locations based on the Settlement Hierarchy. The majority of new homes will be located in the urban areas of the borough, followed by the identified Key Rural Centres and Rural Villages to maintain the vitality and viability of those centres settlements and the role they play in the rural area of the borough. New housing growth will be limited in other locations. 2. Provision will be made for a minimum of 13,862 dwellings during the period 2020-2041.	The housing requirement included in the Regulation 18 Draft Plan is the minimum and therefore is likely to increase. When the amended standard method is adopted it could see HBBC's minimum housing need increase from 433 to 689 dwellings per annum (59% increase). This does not include contributions towards Leicester City's housing shortfall which is still expected even with the City's reduction. The Applicant considers that the LPA cannot currently demonstrate a 5YHLS. Up to 240 dwellings are proposed which could make a significant contribution towards meeting the significant housing needs within the LPA. DWH are committed to delivering the Site quickly. A condition can be applied to the Application to require the RM application to be submitted within 12 months of the outline permission.
Energy Efficiency Standards	SP05 Mitigating and Adapting to Climate Change Mitigating and adapting to the impacts of climate change, including by: • Use layout, building orientation, design, and materials to ensure properties are not susceptible to overheating and include open space and vegetation for shading and	It would be DWH's intention to build some, if not all, of the dwellings as timber frame. The Site is in Flood Zone 1 and so is at low risk of flooding.

	cooling, and to detain surface water run-off; - Managing flood risk associated with higher peak river flows and more extreme weather events, and relocating vulnerable uses where appropriate; - Ensuring high levels of energy and water efficiency - Creating a better linked habitat network by conserving, creating or enlarging existing habitats and delivering a biodiversity net gain; - Demonstrate that flood risk from all sources has been mitigated, including use of Sustainable Drainage Systems (SuDS) and nature based solutions where appropriate; - Incorporating recycling and waste reduction both during construction and occupation; and - Inclusion of high speed broadband to facilitate home working.	The development will meet building regulations as a minimum. BNG above the 10% national requirement will be delivered on Site and proposals seek to enhance habitats on Site. Two attenuation ponds are proposed on Site. A Construction Environmental Management Plan will be conditioned to manage recycling and waste reduction. All DWH homes will provide the facilities to have high speed broadband.
BNG	SP25 Enhancing Biodiversity and Habitat Connectivity Biodiversity Net Gain shall be secured and delivered in accordance with the statutory framework and shall maximise opportunities for the enhancement of ecological networks within the Borough and where appropriate support nature based solutions to climate change.	The outline BNG assessment shows an on-site net gain of around 15.37% which is significantly more than the 10% requirement. This will be confirmed at RM Application stage.
Pedestrian Access	SP29 Transport, Movement and Access Major developments should demonstrate that there is convenient and safe access for walking and cycling to local services and facilities.	Proposed on and off-Site improvements to improve pedestrian connectivity across Barlestone Road.

5.15. Sustainable Development Objectives

- 5.15.1. Table 6 below demonstrates that the proposals will result in a scheme that responds positively to the core objectives for sustainable development; economic, social and environmental (NPPF Paragraph 8). It is considered that site is in a sustainable location and the proposals will provide significant economic, social and environmental benefits.

Table 6: Sustainable Development Objectives

Objective	Response
Social	• Delivery of much needed market and affordable housing (first homes, social rented and intermediate tenures) and self-build/custom plots. • Provision of new public open space and play areas. • Land safeguarded for a cemetery as the existing cemetery is close to capacity. • Land safeguarded for a relocated Newbold Verdon Medical Practice. • Provision dedicated pedestrian and cycle access points with footpath and cycle route enhancements linking the Site into the centre of Newbold Verdon.
Environmental	• Significant areas of public open space, landscaping and planting. • A range of ecological and biodiversity enhancements which deliver a Biodiversity Net Gain well in excess of the mandatory 10% net gain. • A sustainable extension to Newbold Verdon, which is recognised in the adopted plan as one of the most sustainable villages in HBBC.
Economic	• Generation of jobs and investment during the construction period. • New residents contributing to the local economy each year.

5.16. Planning Assessment Summary

- 5.16.1. In summary, the Applicant does not consider that HBBC can currently demonstrate a 5YHLS and HBBC has also repeatedly failed to deliver a sufficient number of homes (HDT results 2019 – 2022). Therefore NPPF paragraph 11d is triggered and the presumption in favour of sustainable development applies.
- 5.16.2. The Applicant acknowledges that there will be a level of harm to the landscape (moderate adverse with mitigation) and loss of Grade 2 agricultural land as a result of the development (discussed further in Section 6) but it is considered that the provision of much needed housing and the significant number of scheme benefits will clearly outweigh any harm to the landscape and conflict with adopted policies (where they are still considered to have weight) CS Policies and 11 and SADMP Policies DM1 and DM4. A full review of the proposal against the various policies and weight that should be applied is set out in Appendix 1.
- 5.16.3. Should HBBC only need to demonstrate a 4YHLS during the determination period, then it is still considered that the provision of housing should be given substantial weight given HBBC has failed the HDT over the past few years. However, it is expected that the revised NPPF will remove this provision and HBBC will need to demonstrate a 5YHLS against an increased housing need as the emerging Local Plan is not expected to be adopted until February 2026 at the earliest. In any event, the proposed benefits of this scheme, which exceed adopted requirements and provide a range of social, economic and environmental benefits, will still outweigh any harm even if a flat balance is taken.
- 5.16.4. As one of the most sustainable settlements in the Borough, more housing growth should be directed to Newbold Verdon. The Site has previously been assessed by both HBBC and Newbold Verdon Parish Council as deliverable and is therefore considered to be a suitable and sustainable location for housing.
- 5.16.5. In light of the above, it is considered that this Application should be approved without delay.

6. Design and Technical Considerations

6.1. Introduction

- 6.1.1. As stated in Section 5, paragraph 11d)ii of the NPPF (2023) requires an assessment of whether ‘*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits*’, as part of applying the tilted balance. Section 5 of this Statement set out the significant number of benefits proposed. This section of the Planning Statement considers where there are any potential adverse impacts of the proposed development, based upon the findings of the technical and environmental assessments which accompany this application.
- 6.1.2. This section reviews specific considerations relating to design and key technical matters (landscape, highways, flood risk / drainage, agricultural land, ground conditions, trees, noise, air quality and ecology). It summarises the findings of the relevant accompanying submission documents and also includes reference to the weight to be applied to relevant policies, as set out at Appendix 1.

6.2. Design

Housing Mix and Tenure

- 6.2.1. CS Policy 16 requires a mix of housing types and tenures to be provided on sites of 10 or more dwellings. No specific mix is required by the policy. Whilst not presented in this application submission, it is expected that the Reserved Matters submission will include a mix and types of market and affordable housing in line with the latest evidence, in accordance with CS DPD Policy 16 (Housing Density, Mix and Design), subject to the latest market signals.
- 6.2.2. The Application proposes to deliver 5% of dwellings as self/custom build plots. There is no adopted policy requirement to provide self/custom building plots. However, paragraph 87 of the NPPF identifies that planning policies should reflect the housing needs of different sectors of the community including, but not limited to people wishing to commission or build their own homes. The proposed development will assist HBBC in meeting their requirements.
- 6.2.3. The headline demand data published on HBBC website (updated September 2024)⁴ suggests that there are 50 individuals on the self-build register and 39 individuals are without an existing plot. It is considered that the application site could make a significant contribution towards the self-build requirements that have been registered in HBBC.

Space Standards

- 6.2.4. As set out in table 4, the proposed development will meet Nationally Described Space Standards (‘NDDS’), this is not a requirement in the adopted development plan and therefore is an identified benefit.

⁴https://www.hinckley-bosworth.gov.uk/info/200074/planning_and_building_control/1246/the_self-build_and_custom_housebuilding_act_2015/3

Density and Heights

- 6.2.5. Buildings will be kept to 2.5 storeys, but predominantly 2 storey, to limit the impact on the landscape and the density shown on the illustrative masterplan (P22-3085_DE_13_M_ INDICATIVE MASTERPLAN) is shown at circa 35 dwellings per hectare. This is in accordance with CS DPD Policy 16 which states that in Newbold Verdon proposals for new residential development will be required to meet a minimum net density of at least 30 dwellings per hectare. The Parameter Plan (ref P22-3085_DE_13_G_ 03- PARAMETER PLAN) has been landscape-led and proposed built development areas have been targeted to areas of lesser landscape sensitivity.

Public Open Space

- 6.2.6. Based on the requirements of the CS DPD Policy 19, assuming a maximum total of 240 dwellings, 2.56 hectares of Public Open Space is required on Site.
- 6.2.7. The proposed parameter plan (ref P22-3085_DE_13_G_ 03- PARAMETER PLAN) currently provides 4.87 ha of public open space including drainage, and land set aside for the cemetery and orchard. This is circa 3.31 hectares more open space being provided than required in the adopted policy. A mix of typologies have been tested as part of the outline process but this will be defined at reserved matters application stage.

6.3. Agricultural Land

- 6.3.1. An Agricultural Impact Assessment has been undertaken by Land Research Associates (November 2023) in accordance with paragraph 180 (b) of the NPPF. The Assessment concludes that the land has two main soil types and a combination of Grade 2 and Subgrade 3a agricultural quality. Grade 2 and Grade 3a is regarded as the best and most versatile land agricultural land.
- 6.3.2. Paragraph 3.6 of the report confirms that Grade 2 land makes up most of the Site (77%). Table 1 sets out the land grade areas in terms of hectareage and percentage of the land. It is considered that the need to conserve best and most versatile land should be weighed against the need for development and the other sustainability criteria for this Site and alternative development locations.
- 6.3.3. From the Natural England Agricultural Land Classification Map for the East Midlands Region⁵ it is evident that the majority of HBBC is within Grade 2 and 3 agricultural land. Therefore, we consider that as the proposed development land is proposing an extensive range of benefits (these are set out in section 5.11 of the Report), the loss of agricultural land is outweighed.

6.4. Arboriculture

- 6.4.1. An Arboricultural Impact Assessment (AIA) has been produced by FPCR Environment and Design Limited ('FPCR') in accordance with NPPF Paragraph 180 which states that decisions should recognise the wider benefits from trees and woodland and NPPF paragraph 136 which states that '*existing trees should be retained wherever possible*'.

- 6.4.2. The Tree Survey assessed 22 trees across the Site including 6 Category A, 4 Category B, 12 Category C and 0 Category U trees. The survey also assessed 25 tree groups and hedgerows across the Site including 0 Category A, 3 Category B, 21 Category C and 1 Category U.
- 6.4.3. Whilst the AIA identifies that there will be some loss of trees and hedgerows within the Site as a result of the proposed development, this is limited and will be confined to some category U (removed to facilitate access and landscaping), category B (partial removal to facilitate the installation of the outfall pipe) and category C (3 removed in full and the part removal of 8). The summary of the impact on Tree Stock is included in Table 2 of the AIA. FPCR confirm at paragraph 5.10 that *'the impact of the proposed development upon the existing tree cover should not be seen as detrimental to the overall value of the surveyed tree stock. The vast majority of trees are retained and no moderate to high specimens are impacted upon'*.
- 6.4.4. Tree loss will be compensated for by significant replanting within the Site as part of the landscape strategy which will be confirmed at reserved matters stage.

6.5. Landscape and Visual Impact

- 6.5.1. In accordance with SADMP DPD Policy DM2 and NPPF Paragraph 180(a), a Landscape and Visual Impact Assessment (LVIA) has been undertaken by Pegasus. NPPF Paragraph 180(a) states that planning decisions should contribute to and enhance the natural environment by *'protecting and enhancing valued landscapes'*.
- 6.5.2. A significant proportion of the Site will be dedicated to landscape, green infrastructure, public open space, play and habitat related proposals⁶ and recognises the various mitigation that is proposed. Pegasus advise that *'these landscape ecological and public open space proposals will assimilate the new built development into the landscape setting and will establish an appropriate landscape edge to this part of settlement'*⁷.
- 6.5.3. Paragraph 4.4 of the LVIA acknowledges that *'the proposed development during all phases would inevitably result in a high magnitude of change through the removal of grassland use within much of the Site'*. The Landscape Strategy Plan (Appendix 1 of the LVIA) however includes extensive areas of semi-natural greenspace and species rich grassland particularly along the PRoW corridors and around the perimeter of the Site. Pegasus concluded that once the proposed landscape proposals have been implemented the operation phases of the proposal would have some beneficial effects upon the land cover.

⁵ <https://publications.naturalengland.org.uk/publication/143027?category=5954148537204736>

⁶ Landscape and Visual Impact Assessment Paragraph 3.8

⁷ Landscape and Visual Impact Assessment Paragraph 3.13

Trees and Hedgerows

- 6.5.4. The proposals would involve the limited loss of hedgerow and trees along Barlestone Road and within the Site to accommodate the development. The landscape proposals will provide native trees and shrubs planting reflecting species of local provenance in the locality. Pegasus therefore consider that, on balance, the magnitude of change would be low and this would translate to minor beneficial effects upon the hedgerow resource within the Site.

Public Rights of Way (PRoW)

- 6.5.5. The proposals will retain the existing PRoW across the Site by retaining the routes on their current alignments and enhancing them through incorporating them into a robust green infrastructure framework within green corridors or areas of public open space. However, the LVIA acknowledges (Paragraph 4.15) that a high sensitivity and medium magnitude of change results in an overall major effect for PRoW crossing the Site.

Effects of Landscape Character

- 6.5.6. The Site is located within 'National Character Area ('NCA') 71: Leicestershire and South Derbyshire Coalfield'. The NCA, on the whole, is considered by Pegasus to have a medium susceptibility, which when combined with a medium value results in a medium sensitivity. At this higher level, it is considered that the proposals would bring about negligible change to the key characteristics of this NCA beyond the site, and the overall effect would also be negligible.
- 6.5.7. Within the HBBC Landscape Character Assessment (September 2017), the Site is within the 'Landscape Character Type ('LCT'): Rolling Farmland'. The built-up area of Newbold Verdon is covered by 'Urban Character Area ('UCA') 7: Newbold Verdon' defined by the study. Pegasus consider that the proposals will contribute to HBBC' landscape strategies for the LCA by maintaining and enhancing 'pedestrian access between adjacent villages including the recreational and ecological corridor of Rotherley Brook', which also addresses the UCA sensitivity to protect the numerous public footpaths that are used recreationally linking to "*the wider landscape and adjacent villages in all directions.*" New pedestrian routes are proposed from south to north throughout the site, linking to existing PRoW and Barlestone Road. The magnitude of change arising from the proposed development is considered to be low in the context of the wider LCA.
- 6.5.8. Pegasus conclude that the value of the landscape in and around the site is considered in relation to the HBBC study as medium as it is undesignated rural fringe landscape and the susceptibility of the site to the type of development proposed is medium as it is located immediately adjacent to the settlement edge.

Landscape Value and Sensitivity

- 6.5.9. The Site is not within a national or local designated landscape area which are protected through NPPF Paragraph 180(a). Pegasus therefore consider that the Site falls at the lower spectrum of the landscape value continuum. Public access to the Site, intact hedgerows, small enclosures and a number of mature trees mean that the Site and immediate landscape are of medium landscape value (paragraph 5.24 of LVIA).

- 6.5.10. Pegasus conclude that *'given the settlement edge location, adjacent to an existing, and developing rural centre, the susceptibility of the Site's landscape to the type of development proposed is considered to be medium, therefore – combined with a medium landscape value – overall sensitivity is assessed as medium'* (paragraph 5.42).

Effect on the Landscape Character of the Site

- 6.5.11. Overall, on balance, Pegasus consider that the magnitude of change is assessed as high, and when combined with a medium sensitivity translates into major effects upon the character of the site itself. With the establishment of the soft landscape buffers to the site perimeters this will be reduced to moderate adverse over time.

Effects on Visual Amenity

- 6.5.12. The LVIA includes a number of viewpoints which have been assessed around the Site. Pegasus explains at paragraph 6.1 that for the purposes of this assessment, a series of publicly accessible views from the area surrounding the Site have been identified through desktop and field studies. These Viewpoints are not intended to cover every possible view of the Site, but rather they illustrate a range of receptor types at varying distances and orientations to the Application Site. The full Visibility Assessment is included in Section 6 of the LIVA.
- 6.5.13. Paragraph 8.38 concludes that despite the inevitable adverse effects of built development upon the local landscape character and on a limited number of visual receptors immediately adjacent or overlooking the site it is considered that there would be no unacceptable adverse effects that should preclude the sensitively designed proposed development in landscape and visual terms.

6.6. Biodiversity

- 6.6.1. An Ecological Appraisal (EA) has been undertaken by FPCR Environment and Design Ltd Consultants ('FPCR'). Policy DM6 of the SADMP DPD 2016 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. In summary, the proposed scheme will protect ecology and so therefore accords with Policy DM6 and paragraph 185 (b) of the NPPF.
- 6.6.2. The EA confirms that the Site itself is not covered by any statutory ecological designations. There are 7 non-statutory Local Wildlife Sites ('LWS') and Potential Local Wildlife Sites ('pLWS') within 1km of the Site. Table 6 in the EA includes further details on the LWS/pLWS. FPCR have concluded that the proposed development would not impact on the status of any statutory or non-statutory Sites.

Flora

- 6.6.3. The Site primarily comprises improved grassland and is used for horse grazing. There is a single pond present in the Site which comprises shallow hollow surrounded by grassland. There are also areas of scrub, hedgerows and broadleaved trees as well as hard standing associated with the tracks. There are 23 individual native hedgerows within or bounding the Site. Table 7 of the EA sets out a summary of their ecological value. All hedgerows were classified as 'Habitats of Principal Importance' but are species poor. Two hedgerows (H15 and H17) qualified as important under the wildlife and landscape criteria of the Hedgerows Regulations 1997 due the number of associated features identified adjacent to or as part of the hedgerow.
- 6.6.4. The majority of existing hedgerows will be retained within the proposed green corridors to strengthen their function as wildlife corridors allowing movement for species through the Site. The small amount of hedgerow removed for the access will be replaced with new species rich hedgerow planting across the Site. The pond will be removed but this is not considered by FPCR to be an irreplaceable habitat and new pond creation is proposed as part of the drainage strategy for the Site. FPCR do not consider that the loss of grassland will have a significant impact on local wildlife populations but a number of recommendations were made (paragraph 4.9 of the PEA) which were used to inform the development proposals. These including: retaining existing boundary hedgerows; incorporating green corridors; creation of new attenuation ponds and species rich grassland; and, planting additional trees and additional scattered native scrub.

Protected Species

- 6.6.5. **Bats:** A Tree Roost Assessment was undertaken which identified that 1 tree (T1) has low potential to support roosting bats and 3 trees (T2-T4) have moderate potential to support roosting bats. Transect surveys were undertaken in August 2022 and September 2023. Further surveys were also undertaken in May and August 2024. Surveys undertaken have identified that the Site currently utilised by common and widespread bat species predominantly using the hedgerow network and around pond P1. The Site is considered to have moderate to good suitability to support commuting and foraging bats due to the presence of the hedgerow network. As part of the proposed development, all trees with bat roosting potential will be retained and a range of bat boxes will be installed on selected dwellings and trees. At Reserved Matters stage, a sensitive lighting strategy can be agreed in order to limit any impact on bats using the Site.
- 6.6.6. **Great Crested Newts (GCN):** No records for GCN were returned during the desk study but there are records from licence returns approximately 1.8km southwest of the Site available on www.magic.defra.gov.uk. Further survey of the existing pond were undertaken in Spring 2024. This confirmed that GCN are considered very unlikely to be present within the Site. The habitat creation proposed as part of the development will provide new breeding and terrestrial habitat for GCN and other amphibians. Additional opportunities to provide enhancement for amphibian species in Site include the installation of log piles and hibernacula throughout the green space.

- 6.6.7. **Badger:** Badger records from the local area found that the Site provides suitable foraging and sett building habitat for the species. No active setts were identified within or bounding the Site or within a 30m radius of the Site. Ten inactive setts were identified within or bounding the Site or within a 30m radius of the Site. The habitat creation proposed will retain links across the Site for badgers and the use of native fruit and seed bearing plant species within open space will provide new foraging opportunities for them. No impacts on badger are anticipated as a result of development at the Site.
- 6.6.8. **Breeding Birds:** Several bird species records were returned during the desk study. Paragraph 3.38 of the report concludes that given the dominance of intensively grazed, short sward improved grassland and its management, the Site is unlikely to support overwintering populations of birds or ground nesting birds. The habitat creation opportunities proposed will provide enhanced nesting opportunities for a range of bird species in the form of any additional trees and scrub habitats. New wetland creation and the recommended planting of a variety of fruit and seed-bearing trees and shrubs will enhance food sources and provide greater diversity throughout the year.
- 6.6.9. **Other Notable Mammals:** Records for brown hare *Lepus europaeus* hedgehog *Erinaceus europaeus* were returned during the desk study. Log piles and hedgehog holes in fencing could be incorporated into the proposals if required.
- 6.6.10. **Reptiles:** the hedgerows and scrub lines on Site make suitable habitat for grass snake and common lizard.
- 6.6.11. **Invertebrates:** A small number of notable invertebrate species were returned during the desk study, as shown on Figure 1 of the Appraisal. FPCR however advise that *'the Site largely comprised managed and short sward improved grassland and thus is unlikely to support a significant invertebrate assemblage'*.
- 6.6.12. The report finds (paragraph 4.53 and 4.54) that the initial desk and field based investigations have demonstrated that the habitats and species present within and around the Site should not pose an 'in principle' constraint to the proposed development. However, there are a number of habitat features and protected species that should be considered within the scheme, with relevant mitigation embedded into any future applications. Measures to avoid impacts on the protected/notable habitats and species likely to be on the Site can be accommodated within on-site green space through careful and sensitive site design.

Biodiversity Net Gain

- 6.6.13. In accordance with paragraph 180 (d) and 185 of the NPPF a Biodiversity Net Gain Plan has been produced by FPCR. The assessment used the Biodiversity Metric 4.0 to calculate the level of biodiversity net gain which can be achieved.
- 6.6.14. There is a national requirement to achieve at least 10% net biodiversity gain in terms of habitats and hedgerows. The assessment concludes that the Site has the potential to provide a net gain to biodiversity of 4.02 habitat units (15.37%) and the habitat trading rules have been satisfied. The provision of 0.53km² of native species rich hedgerow planting would ensure a 10% net gain in hedgerow habitat on-Site (trading rules satisfied). The final BNG uplift will be confirmed at Reserved Matters application stage but it is expected that significant biodiversity improvements could be achieved through the proposed development.

- 6.6.15. The Ecological Appraisal and Biodiversity Net Gain assessment confirms that with the mitigation identified the proposed development will have no ecological harm and significant biodiversity net gain improvements will be provided. This is in accordance with NPPF paragraph 8 (c) and 190 (a).

6.7. Archaeology

- 6.7.1. In accordance with adopted CS Policy 11 and SADMP DPD Policies DM11, DM12 and DM13, a Archaeological Desk Based Assessment (November 2023) has been undertaken by RPS Group ('RPS') in order to identify and provide a description of the significant of archaeological assets on the Site and the likely effects to the proposed development.
- 6.7.2. The desk based Assessment confirms that there are no designated heritage assets within the Site. The data provided by the Historic Environment Record ('HER') contains one non-designated heritage asset within the study Site; the findspot of one Neolithic scraper, one Bronze Age thumb nail scraper, one retouched flake, four flakes, seven struck fragments, two Roman and 35 Medieval pottery sherds (MLE6358) recorded during fieldwalking. No other non-designated heritage assets are recorded on Site. Based on the HER data for the Site and the surrounding area, the Site is considered to have an enhanced potential for Prehistoric activity. Any such finds would likely be of local significance. The archaeological potential for significant (i.e. non-agricultural) remains of all other periods is considered by RPS to be low/negligible.
- 6.7.3. Paragraph 6.10 of the assessment states: *'there are no fundamental heritage constraints to the Site's residential development'*. The assessment also recommended that a geophysical survey was carried out to support the application and to understand whether further archaeological work was necessary.
- 6.7.4. The Geophysical Survey was subsequently undertaken by MOLA (Museum of London Archaeology) in December 2023. A potential archaeological feature in the west of the Site was detected measuring c32m wide, as well as a few possible ditches near the centre of the Site. Paragraph 5.4 of the Assessment states that the feature identified in the survey is located in an area proposed for residential development in the indicative masterplan, it is anticipated that development in this area will impact on surviving buried archaeological features associated with this enclosure. However at paragraph 5.6 RPS confirm that *'the impact on buried remains can be appropriately mitigated through a programme of further archaeological investigation and recording of surviving buried remains and dissemination of information derived from the recording work. This can be secured through a suitably-worded condition attached to planning permission'*.
- 6.7.5. The proposals could lead to potential harm to a non-designated archaeological heritage asset as a result of development groundworks. However, the potential harm can only be confirmed by trial trenching and it is likely that mitigation measures, such as construction options to limit groundworks, could be implemented should any heritage assets be identified. It is considered that the social, economic and environmental benefits identified in Section 5.8 above provide public benefits which outweigh any harm to below ground assets.

6.8. Flood Risk and Drainage Strategy

- 6.8.1. As required by NPPF paragraph 173 (footnote 59) and Policy DM7, a Flood Risk Assessment (FRA) and Drainage Strategy have been produced by MEC Consulting Group Ltd (MEC) and submitted to assess the impact of the proposed development on flood risk and ensure it is sufficiently attenuated.
- 6.8.2. The FRA confirms that the Site lies within Flood Zone 1. This means that the Site has a chance of flooding each year less than 0.1%. There are no requirements to provide any further mitigation at the development Site.
- 6.8.3. The Environment Agency 'Flood Risk from Surface Water Map' indicates that the majority of the Site is at very low risk from surface water flooding. Figure 3.2 of the FRA shows a small area at low risk of surface water flooding in the north eastern part of the Site, likely caused by a localised low point on Site. In the proposed development and parameter plan (P22-3085_DE_13_G_03 PARAMETER PLAN), this area of the Site at very low risk from flooding is proposed to be public open space. Permeable paving will be utilised to avoid any ponding of surface water above ground. The risk of flooding will be managed the Site so the remaining surface water flood risk will be very low.
- 6.8.4. The proposed Surface Water Management Strategy is set out in Section 5 of the FRA and Drainage Strategy. The NPPF paragraph 173 and SADMP DPD Policy DM7 require proposed developments to not increase flood risk within or adjacent to the Site. MEC have followed the SuDS hierarchy when assessing drainage options for the Site. Infiltration testing was undertaken in November 2023 which confirmed that soakaways would not be a viable drainage solution for the Site.
- 6.8.5. The proposed development will include a surface water drainage systems that will intercept runoff generated within the development. This will minimise the risk of flooding to the new buildings and also reduce the incidence of overland flows. Three attenuation ponds equating to circa 6.12ha are proposed. Details on the ponds are set out in Section 5 of the FRA and Drainage Strategy (paragraphs 5.16 – 5.22). Additional drainage features such as permeable paving and multiple swales will be used across the Site and will provide extra storage on-Site. No drainage strategy has been proposed for the land safeguarded for the cemetery given the limited impermeable areas which are likely to be generated from this use. Further design of this area can be considered at the detailed design stage once a more detailed layout for the space is available.
- 6.8.6. In relation to foul water drainage, the strategy proposes at paragraph 6.3 of the report to connect to the nearest existing sewer along Barlestone Road.
- 6.8.7. In conclusion, MEC consider that with the proposed drainage strategy, the proposed development will not create any flood risk issues to the wider area and is therefore in accordance with NPPF paragraph 173 and SADMP DPD Policy DM7.

6.9. Transport and Access

- 6.9.1. A Transport Assessment ('TA') has been prepared by MEC Consulting Group Ltd (MEC) in accordance with NPPF paragraph 109, 114 and 117 and SADMP DPD Policy DM17. Paragraph 117 of the NPPF requires all developments that will generate significant amounts of movement to be supported by a transport assessment. MEC has engaged with Leicestershire County Council to agree the scope of works and input into the County highways model. This work is ongoing, and a TA Addendum will be submitted to HBBC once the modelling work is completed.

Existing Highways Network

- 6.9.2. Barlestone Road is a single two-way carriageway with a width of approximately 6.5m and subject to a 40mph speed limit. Barlestone Road links the Site directly to the villages of Barlestone to the northwest, and Desford to the East. Barlestone Road provides a continuous footway approximately 1.5m in width along the southern side of the carriageway lit by street lighting.
- 6.9.3. Over a 5 year period, 6 collisions (3 slight accidents and 3 serious accidents) occurred within 500m of the Site. The 3 collisions at the Barlestone Road / Dragon Lane junction occurred for varying reasons with no clear patterns or safety issues apparent. MEC therefore consider that there is not a highway safety issue associated with the junction.

Accessibility

- 6.9.4. The entirety of Newbold Verdon can be accessed within a 1.2km walk, the village centre is within 800m from the centre of the Site. The local area also has an extensive PRoW network, most notably providing off-carriageway walking routes to the villages of Desford and Barlestone. 3 PRoW cross the Site. These will all be retained and incorporated into the proposed development. MEC consider that the Site is supported by a good level of existing pedestrian infrastructure.
- 6.9.5. The villages of Barlestone, Desford, and Market Bosworth, the three largest villages nearest to the application Site, are accessible within a 5km cycle. Figure 4.7 of the TA shows the Hinckley and Bosworth Cycle Map and Barlestone Road is identified as a 'quieter route'.
- 6.9.6. The closest bus stops are situated a 300m walk west of the proposed Site access on Dragon Lane. A second set of bus stops are situated on Main Street circa 30m from its juncture with Barlestone Road. Both stops are served by the 153 service which connects the Site to Leicester and Market Bosworth. The majority of the proposed development would be within 400m of the existing bus stops.
- 6.9.7. The accessibility assessment in Table 4.2 of the TA shows there are multiple key amenities and services within 10 minutes' walk from the Site. MEC has also assessed the Site against Active Travel England's 'Planning Application Assessment Toolkit'. The Site scored 19 out of 22 applicable points. The Site is therefore considered to be in a sustainable location and accords with paragraph 109 of the NPPF and SADMP DPD Policy DM17.

Proposed Site Access and Highways Improvements

- 6.9.8. The Site is currently accessed via two points off Barlestone Road; a byway (known as Harry's Lane) (single access track between 2.5m-4.5m) and an access to serve the Newbold Verdon Equestrian Centre (6.5-4.5m wide).
- 6.9.9. The proposed vehicular access will be a single point of access in the form of a T-Junction with a dedicated right turn lane on Barlestone Road. The existing equestrian centre access will be retained. The main access road will be sized to 6.75m in line with a 'major residential access road' as stated in Table DG1 of Leicestershire Highway Design Guide. This road category enables up to 400 dwellings can be served from a single point of access.
- 6.9.10. Harry's Lane is an adopted highways and will therefore be retained. The byway will cross the proposed internal primary road. Appendix H of the TA outlines a proposed design for the byway to ensure it is not a development access.
- 6.9.11. The proposals will also incorporate a new toucan crossing to provide safe access for pedestrians and cycles across Barlestone Road. Footway improvements between the crossing and Dragon Lane will be provided on the southern side and a pedestrian/cycleway will be provided on the northern side between the existing PRow and Site access. Crossing points as part of the Newbold Verdon Equestrian Centre and proposed Site access will be provided. Additional pedestrian / cycle crossings are also shown at Appendix I of the TA.
- 6.9.12. Two automated traffic count speed surveys were undertaken which showed that speeds of 42.5mph were reported for both north and southbound traffic. Junction visibility splays have been adjusted accordingly. The proposed development seeks to reduce the speed limit on Barlestone Road from 40mph to 30mph.
- 6.9.13. Swept Path Analysis of the proposed access is shown in Appendix G of the TA and a Stage 1 Road Safety Audit is included at Appendix J.
- 6.9.14. As well as the proposed pedestrian and cycle connectivity improvements, MEC will liaise with LCC in regards to improving bus access to the Site.
- 6.9.15. Detailed proposals for car and cycle parking within the proposed development will be set out at Reserved Matters application stage but the proposals will accord with local policy. DWH is committed to providing Electric Vehicle Charing Points for all the proposed dwellings.

Highway Impact

- 6.9.16. The proposed highway impact is set out in Section 6 of the TA. Table 6.1 sets out the total of 163 expected AM peak trips and 166 PM peak trips. MEC consider that trips to the cemetery land are likely to be sporadic and will generate negligible levels of traffic within the peak hours.
- 6.9.17. For the Health Centre, the doctors surgery is estimated to generate 46 vehicle movements during the AM peak hour, and 38 during the PM peak hour.

- 6.9.18. In regards to total trip generation, the development is estimated to generate 209 vehicle movements during the AM peak hour, and 204 during the PM peak hour.
- 6.9.19. Highways modelling work has been commissioned to assess the proposed development against existing junctions. Meanwhile, the TA includes an overview of capacity assessments with an aim to inform the need for any mitigations. The mitigation proposed is included in the Travel Plan and listed in paragraph 7.2-7.11 of the TA. This includes pedestrian and cycle improvements, speed limit change on Barlestone Road and re-routing the 153 bus service.
- 6.9.20. The NPPF (paragraph 115) is clear 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"*. The TA demonstrates that the proposals will not result in an unacceptable impact on highway safety and so development should not be prevented on highways grounds.

6.10. Travel Plan

- 6.10.1. In accordance with NPPF paragraph 117 and SADMP DPD Policy DM17, a Travel Plan has been prepared by MEC Consulting Group Ltd (MEC). Paragraph 117 of the NPPF states *'all developments that will generate significant amounts of movement should be required to provide a travel plan'*. The plan focuses on a 10% reduction in single occupancy trips with a range of measures outlined which are summarised below:
- Travel Plan Coordinator ('TPC') – A TPC will be active on Site prior to 1st occupation and offer Personalised Travel Planning to all residents to help plan journeys and encourage a reduced need to travel.
 - Steering Group – The TPC would seek to set up a resident steering group to discuss travel issues associated with the Site once a year, who will help ensure the Site targets are representative and in line with the on-Site travel conditions and allow any barriers/concerns regarding sustainable travel to be discussed, helping to identify possible additional measures to help certain users to adopt more sustainable travel choices.
 - Sales Staff Training – Members of the sales team will be educated on the principles of sustainable travel prior to 1st occupation to ensure the residents and future users of the Site are made fully aware of alternative travel means to and from the Site area.
 - Welcome Packs – To be provided to all new dwellings from 1st occupation and to include key information of walking, cycling and public transport along with offers and discount vouchers.
 - Sustainable Travel Offers and Awareness – the TPC would liaise with the local bus operator to obtain discounted bus pass tickets and make residents aware of useful sustainable travel related smartphone apps
 - Promotion of Car Share Websites/Datasets – Residents will be encouraged to register with websites such as <https://liftshare.com/uk>.
 - Pedestrian and Cycle infrastructure, Groups, & Events – Pedestrian and cycle improvements proposed as part of the development along with creating links to nearby walking and cycle groups.

- Provision of High-Level Broadband, Internet Access, and Home Working Infrastructure - All dwellings to be provided with high-speed broadband where feasible, will deliver high quality, suitable space for home working to support flexible working patterns and reduce the need to travel.
- EV Charging Points – To be provided for all dwellings.
- Cycle Parking – To be provided in line with Local Plan requirements.

6.11. Noise

- 6.11.1. An Acoustics Assessment has been undertaken by MEC in accordance with SADMP DPD Policy DM2 and DM7 and NPPF paragraph 191 (a). Paragraph 191 (a) of the NPPF states that planning decisions should ensure that new development is appropriate for its location and in doing so they should *'mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life'*.
- 6.11.2. The Acoustics Assessment concludes that the Site is suitable for residential development. Section 7 of the report sets out suggested mitigation measures which have been considered when producing the parameter plan and will be detailed further at RM application stage. In relation to external sound levels in paragraph 8.1, MEC explains that *'the Site follows a good acoustic design process whereby dwellings provide screening from dominant noise sources to the gardens behind'*. For Internal Sound Levels, table 8.1 in the assessment provides suggested mitigation measures in order to demonstrate compliance with the internal sound criteria. In regards to the proposed land for the health centre, some initial advice has been provided to help ensure the impacts from the community facility are minimised (section 7). The report provides some acoustic design features which could be used to minimise impacts. In conclusion, the development is considered to be in accordance with the adopted policy requirements (SADMP DPD Policy DM2 and DM) and NPPF paragraph 191 (a) relating to noise.

6.12. Air Quality

- 6.12.1. An Air Quality Assessment ('AQA') has been undertaken by MEC in accordance with SADMP DPD Policy DM2 and DM7 and NPPF paragraph 109. Paragraph 109 of the NPPF states that the planning system should *'help to reduce congestion and emissions, and improve air quality and public health'*.
- 6.12.2. The AQA concludes that the impact on local air quality will be 'negligible' and that since the AQA indicates that annual mean air quality objectives are met at the most exposed receptor locations, it can be concluded that the air quality over the Site is acceptable for residential development. The results do not indicate a requirement for more detailed dispersion modelling.
- 6.12.3. The AQA recommends mitigation measures minimise the potential effects associated with increased air pollutant concentrations. These measures will be considered further as part of any future RM Application and Construction Management Plan. The development is therefore considered to be in accordance with the adopted policy requirements and the NPPF relating to air quality.

6.13. Lighting

- 6.13.1. A Lighting Assessment has been undertaken by MEC in accordance with SADMP DPD DM7 which requires development proposals to demonstrate that the development all reasonable steps are taken to ensure the abatement of obtrusive light to avoid sky glow, glare and light intrusion. NPPF Paragraph 191 (c) states that planning policies and decisions should *'limit the impact of light pollution from artificial light on local amenity'*. Paragraph 8.2 of the Assessment concludes that the proposed development will not exceed the recommended [Institute of Lighting Professional] ILP pre- and post-curfew criteria. Paragraph 8.3 states that lighting levels along the light sensitive ecological areas surrounding the development will be low and therefore lighting is not anticipated to have a significant impact on any light-sensitive species using this space.
- 6.13.2. The final lighting scheme will be agreed at the reserved matters application stage.

6.14. Ground Conditions

- 6.14.1. A Geo-Environmental Desk Study has been undertaken by MEC in accordance with NPPF paragraph 189 which 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'*. The Study concludes that based on the findings of the desk study it is considered that the environmental risk at the Site is generally low, locally low to moderate.
- 6.14.2. MEC concluded that it is not anticipated at this stage that extensive remediation will be required for the proposed development although there may be a requirement for the localised removal and/or capping of contaminated Made Ground or near surface materials, if encountered.
- 6.14.3. Given the findings of this Desk Study, it is recommended by MEC that a Phase II Intrusive Investigation is undertaken to confirm; the underlying geology and the extent of any contamination, the completion of a ground gas risk assessment and clarification of civil engineering design requirements. The investigation should be designed considering detailed development proposals and required performance criteria.

6.15. Minerals

- 6.15.1. A Minerals Assessment has been produced by MEC this is in accordance with Policy M11: Safeguarding of Mineral Resources in the Leicestershire Minerals and Waste Local Plan (up to 2031). Policy M11 requires applications for non-minerals development in mineral safeguarding areas to be accompanied by a Minerals Assessment.
- 6.15.2. The Minerals Assessment explains that the Site is located within a Mineral Safeguarding Area relating to sand and gravel within the superficial and glaciofluvial and concludes (paragraph 6.2) that *'any proposal to extract the minerals, either in full or as a proportion, would result in unacceptable environmental impacts on the residential properties in the surrounding area and require the import of a significant volume of material to raise Site levels to support the development platform. Environmental impact would be exacerbated given the absence of transport networks other than roads'* [Savills Emphasis].

- 6.15.3. In light of the above, MEC consider that since the sand and gravel is unlikely to be subject to commercial extraction (based on both limited economic viability and potential environmental impact of the operations adjacent to residential properties).

6.16. Energy and Sustainability

- 6.16.1. CS DPD Policy 24: Sustainable Design and Technology requires residential developments to meet certain standards. The standards included are considered to be out of date and have replaced by new building regulations. SADMP DPD adopted policy DM10 requires development to maximise opportunities for the conservation of energy and resources through design, layout, orientation and construction. DWH are required at a minimum to meet all building standards. The DWH Site will also include features such as solar panels on roofs, EV Charging Points and waste water heat recovery systems. DWH is committed to building sustainably and that all its new homes will be zero carbon by 2030.

6.17. Harms arising from the scheme

- 6.17.1. In summary, there are limited environmental and heritage constraints identified. The adverse impacts arising from the development are localised and limited to the following:
- the provision of housing development outside the existing settlement boundary;
 - moderate landscape and visual effects (with the proposed landscape mitigation);
 - loss of Grade 2 and 3a agricultural land.
- 6.17.2. As set out in Section 5, it is considered that the proposed scheme benefits outweigh any harm of the development.

7. Planning Obligations

7.1. Draft S106 Heads of Terms

- 7.1.1. This section sets out the S106 Agreement Draft Heads of Terms. The items identified are **without prejudice and subject to contract**. The draft Heads of Terms are considered to be in accordance with CS DPD Policy 14 and SADMP DPD Policy DM3 which require developers to meet the reasonable cost of new infrastructure required as a consequence of a proposal.
- 7.1.2. The Applicant is willing to enter into a Section 106 Agreement to deliver the relevant and necessary planning obligations arising from the application proposal, subject to appropriate justification being provided and agreed, and subject to viability. Details will be agreed with officers once the Application is submitted and are expected to include the following.

Table 7 – Potential Contributions to be Considered During Determination

Item	Potential Contribution to Be Considered During Determination
Affordable Housing	40% affordable housing contribution. Commitment to provide policy compliant affordable housing on-Site subject to the list of s106 obligations cumulatively sought being viable. CS DPD Policy 15 requires 40% affordable housing for residential developments of 4 dwellings or more. This would equate to up to 96 affordable units for a scheme of up to 240 dwellings.
Self and Custom Build Housing	Provisions for the delivery of 5% self and custom build plots, subject to being appropriately evidenced.
Public Open Space	Provision of public open space and management provisions. HBBC to confirm whether any off-site contributions towards sports provision is required.
Cemetery	Commitment to provide safeguarded land for a cemetery in location identified on the parameter plan.
Health	Commitment to provide health centre facility land for the relocation of Newbold Verdon Medical Practice. Discussion required with the NHS Trust and CCG on whether any additional financial contributions are required.
Transport	A financial contribution towards off-Site highway works.
Education	A financial contribution towards primary, secondary and SEN education.
Biodiversity Net Gain	Biodiversity Net Gain (in excess of 10%) to be provided on-Site.

Planning Statement

Land off Barlestone Road, Newbold Verdon



7.2. S278 Works

- 7.2.1. Planning permission is sought in detail for the new vehicular access point to the Site. The Applicant has proposed a package of improvement works required to deliver the access points required for vehicles and / or pedestrians and cyclists, as set out in the submitted access drawings. There may be further additional works (e.g. zebra crossing on Three Springs Road) and enhancements sought by LCC Highways under s278 of the Highways Act 1980.

7.3. Community Infrastructure Levy (CIL)

- 7.3.1. HBBC does not have an adopted CIL.

8. Summary and Overall Planning Balance

- 8.1.1. Outline planning permission (all matters reserved except vehicular access) is being sought for the development of 13.9 hectares (circa 40 acres) of land off Barlestone Road, Newbold Verdon for up to 240 dwellings, a new vehicular access point off Barlestone Road, safeguarded land for a cemetery and relocated health centre, public open space and associated infrastructure.
- 8.1.2. The Applicant considers that HBBC cannot currently demonstrate a 5YHLS and therefore the presumption in favour of sustainable development applies (NPPF Paragraph 11d). HBBC has also repeatedly failed to deliver a sufficient number of homes (HDT results 2019 – 2022). Savills acknowledge that there will be a level of harm to the landscape (moderate adverse with mitigation) and loss of Grade 2 agricultural land as a result of the development but it is considered that the provision of much needed market and affordable housing in a sustainable location and the significant number of scheme benefits will clearly outweigh any harm to the landscape and conflict with adopted policies (where they are still considered to have weight).
- 8.1.3. Should HBBC only need to demonstrate a 4YHLS during the determination period, then it is still considered that the provision of housing should be given substantial weight given HBBC has failed the HDT over the past few years. However, it is expected that the draft NPPF will remove this provision and HBBC will need to demonstrate a 5YHLS against an increased housing need as the emerging Local Plan is not expected to be adopted until February 2026 at the earliest. In any event, the proposed benefits of this scheme, which exceed adopted requirements and provide a range of social, economic and environmental benefits, will still outweigh any limited harm even if the title balance is not engaged.
- 8.1.4. As one of the most sustainable settlements in the Borough, more housing growth should be directed to Newbold Verdon. The Site has previously been assessed by both HBBC and Newbold Verdon Parish Council as deliverable and is therefore considered to be a suitable and sustainable location for housing.
- 8.1.5. In light of the above, it is considered that this Application should be approved without delay.