

## Delegated Report

**Planning Ref:** 25/00374/OUT  
**Applicant:** Mr Sahota  
**Ward:** Groby



Hinchley & Bosworth  
Borough Council

**Site:** Land adjacent to Home Farm, Groby

**Proposal:** Erection of a two custom build dwellings (outline application with all matters reserved except landscaping and access)

---

### 1. Recommendations

- 1.1. **Grant planning permission** subject to the conditions at the end of this report.

### 2. Planning Application Description

- 2.1. The application seeks outline planning permission for the erection of two custom built residential units, with all matters reserved except landscaping and access.
- 2.2. The proposed dwellings are to be 'custom built', within the definition provided in the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016). They are to be occupied by people from the Self-Build/Custom Housebuilding Register held by HBBC.
- 2.3. The submitted Parameter Plan outlines the developable area of each plot, with trees framing the site to the north, west and south. The Parameter Plan includes green frontages to achieve a setback distance from the access road.

### 3. Description of the Site and Surrounding Area

- 3.1. The application site is located off Markfield Road (A50), south west of the core area of Markfield and north east of the village of Groby. The existing built form includes a loose cluster of established and recently constructed residential development. The site lies approximately 2km to the southern edge of Markfield and 1km to the centre of Groby and outside of any defined settlement boundary and is therefore in the open countryside.
- 3.2. The site comprises the former storage yard used during the construction/conversion of the farm buildings previously associated with Home Farm. Home Farm is a collection of traditional 19th century farm style buildings in a courtyard arrangement. The buildings are largely stone with brick detailing to the window and door openings. The roofs are slate and vary in height, however most of the buildings are 1 - 2 storeys. The buildings are currently undergoing conversion and renovation to dwellings many of which are now occupied. Planning permission 15/00743/FUL and subsequent S73 applications secured the renovation and conversion of the farm buildings to provide three new residential dwellings, as well as extensions to the two existing dwellings on site.
- 3.3. The landscape around the site is synonymous with its location within Charnwood Forest and the wider National Forest. The site is bordered to the north, west and south by mature woodland. The area to the east of the access road is open and the site is visible from the A50. Access to the site is achieved via an existing access onto the A50 (Markfield Road). Markfield Road is a dual carriageway road, subject to a speed limit of 40mph. The site is not within a Conservation Area and there are no

known heritage assets in the vicinity. The site lies within flood zone 1 meaning that it is at low risk of flooding.

#### **4. Relevant Planning History**

- **15/00743/FUL** - Conversion of agricultural buildings to 3 dwellings and extensions and alterations to 2 existing dwellings - Approved 11/11/2016
- **20/00683/CONDIT** - Variation of condition 2 (plans) of planning permission 15/00743/FUL to alter the design of plot 1. - Approved 22/09/2020
- **20/00845/CONDIT** - Variation of condition 2 (plans) of planning permission 15/00743/FUL to alter the design of plot 2. - Approved 26/11/2020
- **21/00788/CONDIT** - Variation of condition 2 (plans) of planning permission 15/00743/FUL to alter the design of plots 3, 4 and 5 - Approved 10/09/2021
- **22/00532/CONDIT** - Variation of condition 2 (approved plans) attached to planning permission 15/00743/FUL by making changes to plot design and the extent of demolition required. - Approved 23/12/2022

#### **5. Publicity**

5.1. The application has been publicised by sending out letters to local residents, and a site notice was erected at the site access.

5.2. One objection has been received making the following comments:

- Concerns regarding road safety due to additional traffic.

#### **6. Consultation**

- LCC Highways – no objections subject to conditions.
- HBBC Pollution - No objection.
- National Forest – The site area is below the threshold requiring National Forest planting.
- LCC Ecology – No objection subject to conditions.
- HBBC Drainage – No objection – notes to applicant.

#### **7. Policy**

7.1. Core Strategy (2009)

- Policy 7: Key Rural Centres
- Policy 8: Key Rural Centres Relating to Leicester
- Policy 16: Housing density, mix and design
- Policy 21: National Forest
- Policy 24: Sustainable design and technology

- 7.2. Site Allocations and Development Management Policies DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
  - Policy DM7: Preventing Pollution & Flooding
  - Policy DM10: Development and Design
  - Policy DM17: Highways and Transportation
  - Policy DM18: Vehicle Parking Standards
- 7.3. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2024)
  - Planning Practice Guidance (PPG)
- 7.4. Other relevant guidance
- Good Design Guide (2020)
  - Leicestershire Highway Design Guide (2024)

## **8. Appraisal**

- 8.1. Key Issues
- Assessment against strategic planning policies (including Housing Land Supply Custom & Self-Build housing)
  - Design and impact upon the character of the area
  - Impact upon neighbouring residential amenity
  - Impact upon highway safety
  - Planning balance

### Assessment against strategic planning policies

- 8.2. Paragraph 11 of the National Planning Policy Framework (NPPF) and Policy DM1 of the Site Allocation and Development Management Policies Development Plan Document (SADMP) set out a presumption in favour of sustainable development, and states that development proposals that accord with the development plan should be approved unless other material considerations indicate otherwise. The development plan in this instance consists of the adopted Core Strategy (2009) and the Site Allocations and Development Management Policies DPD (2016).
- 8.3. The spatial distribution of growth across the Borough during the plan period 2006-2026 is set out in the adopted Core Strategy. This identifies and provides allocations for housing and other development in a hierarchy of settlements within the Borough.
- 8.4. The Planning Policy team are currently reviewing the revised NPPF and implications for the Council's Five-Year Housing Land Supply. A revised position will be published by May 2025 once the monitoring for the 2024/25 year has been completed. It is however likely that, with the revised need figure of 682 dwellings per annum from the Dec 2024 NPPF (649dpa + 5% buffer as per Para 78a), that the Council will be unable to demonstrate a Five-Year Housing Land Supply once the revised position is published.
- 8.5. Therefore, the application should be determined against Paragraph 11(d) of the Framework whereby permission should be granted unless adverse impacts would

significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

- 8.6. Groby is identified as a Key Rural Centre in Policy 7 of the Core Strategy. Key Rural Centres are those villages with larger populations and a good level of facilities and employment opportunities which provide localised provision for everyday needs. That being said the development site is located out of the settlement boundary of Markfield and is classified as development in the countryside.
- 8.7. The site lies outside of the settlement boundary within the countryside, therefore the proposal is assessed against Policy DM4 of the SADMP. Policy DM4 of the SADMP seeks to protect the intrinsic value, beauty, open character and landscape character, to safeguard the countryside from unsustainable development. Development in the countryside is considered sustainable where;
- a) It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or
  - b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or diversification of rural businesses; or
  - c) It significantly contributes to economic growth, job creation and/or
  - d) It relates to the provision of stand-alone renewable energy developments in line with Policy DM2: Renewable Energy and Low Carbon Development; or
  - e) It relates to the provision of accommodation for a rural worker
- 8.8. Importantly, Policy DM4 also requires that development meets five further requirements to be considered as sustainable development, these are discussed in detail further in the response.
- 8.9. The proposal does not satisfy any of the criteria set out within Policy DM4 (a-e) and as such the development would present conflict with both policies.
- 8.10. It is acknowledged that, through its intentions to implement the Core Strategy through its approach to the countryside and settlement boundaries, Policy DM4 is considered out-of-date. Nevertheless, the emphasis of Policy DM4 is to promote sustainable development proposals within the countryside and to safeguard it from unsustainable schemes. In this regard, Policy DM4 is consistent with, and accords with, the NPPF, and therefore it can be afforded significant weight within the planning balance. However, an assessment would need to be made as to whether the development does truly represent unsustainable development in the countryside.
- 8.11. Whilst the site is located out of the settlement boundary, the site is bound by existing residential development to the north, west and south, as well as an A Road to the north. Therefore, as explored fully below, the impact on the countryside would be limited due to the proposal's location.
- 8.12. In terms of locational sustainability, the site is approximately 2km from the centre of the villages of Markfield and Groby. The footpath to Markfield is narrow and not lit in some areas thus future occupiers are unlikely to utilise this to access everyday services. However, the footpath to Groby is well maintained and lit in its extent and provides a suitable walking route for future occupiers. Furthermore, there are bus stops opposite the site (into Groby), and 140m to the east (into Markfield). The bus

routes operate regular services to Coalville and Leicester for higher order services and further employment opportunities. Given there is some choice of public transport and that the site is within the maximum walking distance to services, as well as the surrounding urban physical context, the site is not considered to be located in a wholly unsustainable location, thus reducing the negative weight attributed to the conflict with Policy DM4.

### *Housing Land Supply*

- 8.13. Chapter 5 of the NPPF requires planning policies and decisions to deliver a sufficient supply of homes to support the Government's objective of significantly boosting the supply of homes without unnecessary delay. The overall aim should be to meet an area's identified housing need, including an appropriate mix of housing types for the local community.
- 8.14. Paragraph 73 of the NPPF states that small and medium sized sites, such as windfall sites, can make an important contribution to meeting the housing requirements of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes, and are often built out relatively quickly.
- 8.15. Paragraph 11(d) of the NPPF states that planning decisions should apply a presumption in favour of sustainable development where there are no relevant Development Plan policies, or the policies which are most important for determining the application are out-of-date.
- 8.16. Footnote 8 of Paragraph 11 of the NPPF highlights that housing policies are considered to be out-of-date where local planning authorities cannot demonstrate a five-year supply of deliverable housing sites.
- 8.17. The Planning Policy team are currently reviewing the latest revisions to the NPPF within the 2024 version of the document and its implications for the Council's Five-Year Housing Land Supply. A revised position will be published by Winter 2025 once the monitoring for the 2024/25 year has been completed.
- 8.18. It is however likely that, with the revised need figure of 682 dwellings (649dpa + 5% buffer as per Paragraphs 62 and 78(a) of the NPPF), that the Council will be unable to demonstrate a Five-Year Housing Land Supply once the revised position is published.
- 8.19. In light of this, and due to the age of relevant housing policies within the adopted Core Strategy, the 'tilted' balance in Paragraph 11(d) of the NPPF is triggered in accordance with Footnote 8 and Paragraph 11 of the NPPF.
- 8.20. For decision-taking, Paragraph 11(d) of the NPPF requires planning permission to be granted unless:
- 8.21. The application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or ny adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

- 8.22. When the 'tilted' balance is engaged, Footnote 9 of the NPPF highlights eight key policy paragraphs to support the determination of planning applications. Key Policy Paragraphs 115, 129, 135, and 139 of the NPPF are applicable to the current development proposal in these site-specific circumstances.
- 8.23. Although it is unlikely that the Council are unable to deliver a five-year supply of land for housing, the benefit of providing two dwellings within this application site towards the Council's supply of housing is considered to attract limited weight in the planning balance.
- 8.24. In summary, the 'tilted' balance of Paragraph 11(d) of the NPPF is engaged whereby planning permission should be granted unless 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.

#### *Self-Build and Custom Housebuilding*

- 8.25. Paragraph 63 of the NPPF states that the need, size, type, and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include, but are not limited to, people wishing to commission or build their own homes.
- 8.26. Section 1 of the Self-Build and Custom Housebuilding Act 2015 defines self-build and custom housebuilding as the building or completion of houses by individuals, associations of individuals, or persons working with or for individuals or associations of individuals, to be occupied as homes by those individuals.
- 8.27. The Applicant states that the proposed development is classified as a self-build and custom house-build development in accordance with the definition provided within the Self-Build and Custom Housebuilding Act 2015. This is a material consideration within this planning application. To support this, the Applicant has submitted a Self-Build Need Assessment on 7 April 2025.
- 8.28. To secure this proposal as a self-build and custom house-build development, the Local Planning Authority require a Unilateral Undertaking (UU) to be agreed between the Applicant(s) and the Council.
- 8.29. Section 2A of the Self-Build and Custom Housebuilding Act places a statutory duty on the Local Planning Authority to give permission to a sufficient number of self-build and custom housebuilding developments on serviced plots to meet the demand for self-build and custom housebuilding in the Authority's area.
- 8.30. The demand for self-building and custom housebuilding arising in an authority's area in a base period is evidence by the number of entries added during that period to the authority's Self-Build and Custom Housebuilding Register. At the end of each base period, the Local Planning Authority have three years in which to approve an equivalent number of plots of land for self-build and custom housebuilding on serviced plots of land as there are entries for that base period. However, there is no duty for the Local Planning Authority to grant permission for land that specifically meets the requirements expressed by those on the Register.
- 8.31. Currently, the Council has supplied less suitable cumulative permissions than the cumulative required demand for self-build and custom house-build dwellings at the

end of Base Period 10, which results in a shortfall of 17 self-build and custom house-build dwellings.

- 8.32. If secured by a UU, this development as a self-build and custom house-build would contribute to the current unmet demand and the cumulative need for permissions by the end of Base Period 11 (31 October 2025 to 30 October 2026).
- 8.33. Whilst the Local Planning Authority are not meeting their statutory duty to permit a sufficient number of self-build and custom house-build schemes, the current proposal would only provide two additional dwellings to this supply.
- 8.34. If secured by a Unilateral Undertaking, the benefits of this small contribution in addressing the current shortfall in the Council's provision self-build and custom housebuilding developments would be considered to attract moderate positive weight in the planning balance.

#### Design and impact upon the character of the area

- 8.35. Section 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.
- 8.36. Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.
- 8.37. Policy DM10(c), (d) and (e) of the SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and the use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the area generally and incorporates a high standard of landscaping.
- 8.38. Policy 21 of the Core Strategy supports proposals that contributed to the delivery of the National Forest Strategy provided that:
  - The siting and scale of the proposed development is appropriately related to its setting within the Forest
  - The development respects the character and appearance of the wider countryside and
  - The development does not adversely affect the existing facilities and working landscape of either the Forest or the wider countryside
- 8.39. The site is also located within Charnwood Forest, Policy 22 states that within Charnwood Forest proposals will be supported that:
  - Maintain the traditional working landscape of the forest, particularly those which involve rural diversification and sustainable tourism, including green tourism initiatives
  - Provide new recreation facilities around the fringes of the area

- Provide access to and from the rural areas into and within the regional park by non-vehicular means, provided that they:
  - Retain local character and complement the local landscape
  - Enhance open spaces, including the treatment of built edges
  - Enhance woodland and habitat provision and connectivity
  - Manage and enhance the cultural heritage of the area
- 8.40. This is an outline application with all matters reserved except for access and landscaping. Therefore, the detailed layout and appearance considerations are not being assessed at this stage, however, they will form details at the Reserved Matters stage. Notwithstanding this, the indicative plans illustrate that the development will consist of two detached dwellings with access into the site from Home Farm.
- 8.41. The proposed development site falls within the open countryside and does not meet any of the criteria outlined in Policy DM4. However, it is also acknowledged that the site lies within a semi-rural context, and is characterised by neighbouring dwellings to the north and south, as well as the A50 road to the northeast. The site is bound and well screened by dense trees and foliage to the west (rear) of the proposed dwellings and would also benefit from screening by the proposed comprehensive landscaping scheme which would introduce native infrastructure planting on the land to the east of the access road, along with additional tree and hedge planting within the site. It is therefore considered on balance, that two dwellings could be developed on the site without causing significant adverse harm to the character of the countryside and wider area, subject to the forthcoming outstanding details to be agreed at Reserved Matters stage.
- 8.42. Overall, whilst the proposal is not in accordance with Policy DM4 of the SADMP, it is considered that the dwellings would not cause significant or unacceptable harm to the intrinsic character/appearance of the countryside.

#### Impact upon neighbouring residential amenity

- 8.43. Policy DM10 of the SADMP states that development should be permitted providing that the development 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, noise, vibration and visual intrusion.
- 8.44. Paragraph 135 of the NPPF states that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 8.45. Paragraph 14.2 of the SADMP states that new development should be located and designed in such a way that the amenity of both existing residents and occupiers is fully considered when assessing planning applications. The Good Design Guide requires the way buildings to relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity.
- 8.46. There is one residential dwelling to the northeast (The Cottage), separated from the northern boundary of the site by approximately 18m. It is considered that the proposed dwellings could be designed to prevent any unacceptable harm to the amenity of this neighbour.



- 8.47. The neighbouring dwellings to the south form the rest of the “Home Farm” complex approved under permission 15/00743/FUL. The closest dwelling is sited approximately 38m to the south, and it is therefore considered that the proposed dwellings could be designed to prevent any unacceptable harm to the amenity of this neighbour.
- 8.48. In summary, it is considered that the proposed development would provide sufficient private amenity space and would not lead to any neighbouring amenity issues and would be in accordance with Policy DM10(b) of the Site Allocations and Development Management Policies DPD paragraph 135 of the NPPF.

Impact upon highway safety

- 8.49. Policy DM17 and DM18 of the SADMP require development to accord with the adopted highway design and vehicle parking standards to ensure that there is adequate highway visibility for road users and adequate provision of off-street parking and manoeuvring facilities. Paragraph 32 of the NPPF states that development should only be refused on highway grounds where the cumulative impact of the development is severe.
- 8.50. The LHA have no objection subject to conditions. The site would be served via the existing access arrangement serving five dwelling under permission 15/00743/FUL. The LHA have reviewed drawing 24-463-SK01 A (Proposed Site Access & Visibility Splays) within the Transport Note and note a width in excess of this guidance, which is therefore acceptable to the LHA. The site access operates as a left-in, left-out nature due to Markfield Road being a two-lane dual carriageway with a central reservation. Given the nature of the road, visibility to the southeast only is required to be demonstrated.
- 8.51. The Applicant has undertaken a speed survey to determine the recorded 85th percentile speeds and demonstrate appropriate vehicular visibility at the site access in accordance with the LHDG. The Applicant has provided a speed survey that shows 85th percentile speeds of 38.2mph south eastbound and 40.5mph north westbound. The survey was conducted in October 2024 for one week. The LHA confirm that the Applicant obtained the appropriate permit prior to undertaking the survey. Given these recorded speeds the 120m visibility splays shown to the south east on drawing 24- 463-SK01 A would be acceptable and the LHA will seek to secure this by way of condition. The Applicant has advised that existing bin collection points for dwellings permitted under 15/00743/FUL will be used for this development.
- 8.52. Regarding trip generation, the LHA note the previous extant use of the whole site was as farmland, which would have generated trips in its own right, including slow-moving vehicles. The LHA is therefore satisfied that this proposed development is unlikely to cause a significant increase in trip generation when compared with the previous use.
- 8.53. On the matter of transport sustainability, the site is located on the outskirts of the village of Groby which offers access to some key services such as shops, schools and opportunities for leisure. There is a bus stop approximately 30m from the site, offering regular services to Leicester. Another bus stop, located approximately 140m from the site, offers services to Coalville.
- 8.54. As such the proposal satisfies the requirements of Policy DM17 & DM18 in regard to appropriate levels of parking provision & highway safety.

Impact on ecology and biodiversity

- 8.55. Policy DM6 of the SADMP 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. Paragraph 180 of the NPPF states that development proposals should contribute to and enhance the natural environment by minimising impacts on and providing net gains for biodiversity.
- 8.56. As a self-build development, the application would be exempt from securing mandatory Biodiversity Net Gain. A preliminary ecological assessment has been submitted, as well as a presence/absence survey for bats.
- 8.57. LCC Ecology have been consulted and have no objections subject to conditions. Therefore, the proposal is considered to comply with policy DM6 of the SADMP.

#### Planning Balance

- 8.58. The Council cannot demonstrate a 5-year housing land supply, therefore the housing policies in the adopted Core Strategy and the housing policies of the adopted SADMP are considered to be out of date as they focused on delivery of a lower housing requirement than is now required. It is necessary therefore to consider that the 'tilted' balance in paragraph 11(d) of the NPPF applies and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 8.59. The site is located outside the settlement boundary, and the proposed development does not meet any of the criteria as part of Policy DM4 of the SADMP and is therefore in conflict with the development plan in terms of the principle of development.
- 8.60. When considering the locational sustainability of the application site, whilst future residents would still be somewhat reliant on private cars to meet day-to-day needs, there are alternative transport options available close to the site and the settlements of Groby and Markfield would be easily accessible.
- 8.61. The proposal represents new residential development in the open countryside, and there would be some degree of harm in this regard. However, due to the individual characteristics of the site and the proposed landscape proposals, the proximity to neighbouring dwellings and the A50, as well as the well-screened nature of the site, it is considered that the proposal would not result in significant harm to the intrinsic value, beauty, open character, and landscape character of the designated open countryside. The conflict and negative weight assigned to the conflict with policy DM4 is therefore limited in this specific case.
- 8.62. There are social benefits associated with the erection of two dwellings such as providing housing for a range of occupants including families, and economic benefits associated with the construction of the dwellings, and the future occupier's opportunity to act as new customers and employees for local businesses and services. The proposal would also make a minor contribution towards the LPAs identified 5YHLS shortfall and a moderate contribution towards the LPAs custom and self-build shortfall. Notwithstanding this, as the application proposal is for the provision of two dwellings, these social and economic benefits are afforded limited weight, and the provision of two custom self-build dwelling is afforded moderate weight.

- 8.63. In summary, whilst there is some conflict with Policy DM4 of the SADMP and Paragraph 14 of the NPPF, it is considered that the proposed dwelling would result in a development which would respect the character and appearance of the area, whilst also protecting residential amenity for both the prospective and existing residents. The provision of two custom self-build dwellings would help towards the Council's housing land supply shortfall and self-build shortfall, and the combination of these benefits are considered to outweigh the identified harm in this case, which is conflict with policy DM4 of the SADMP and paragraph 14 of the NPPF.

## **9. Equality Implications**

- 9.1. Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-  
(1) A public authority must, in the exercise of its functions, have due regard to the need to:  
(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;  
(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;  
(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2. Officers have taken this into account and given due regard to this statutory duty in the consideration of this application. The Committee must also ensure the same when determining this planning application.
- 9.3. There are no known equality implications arising directly from this development.

## **10. Conclusion**

- 10.1. Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission is approved.

## **11. Recommendation**

- 11.1. **Grant planning permission** subject to the following conditions:

1. An application for the approval of reserved matters shall be made within 2 years from the date of this permission, and the development of each individual plot shall commence not later than one year from the date of approval of the last of the reserved matters to be approved for that plot.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. Development shall not commence on each plot until details of the layout, scale and appearance for that plot have been submitted to, and approved in writing, by the Local planning Authority. Thereafter the development of each plot shall be implemented in accordance with the approved reserved matters.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM4 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

3. Notwithstanding the indicative details on the submitted plans, the development hereby permitted shall not be carried outside of the designated red line boundary detailed on the following plans:
  - Site Location Plan – A-E10-001 – received 07/04/2025
  - Parameter Plan – SK-240708-3 Rev A – received 27/05/2025

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM4 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

4. The scheme of soft landscaping works shall be carried out in full accordance with the submitted “Detailed Landscape Proposals – Drawing No. 25.1918.001” received 18.02.2025. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or are seriously diseased shall be replaced by trees or shrubs of a similar size and species (native) to those originally planted at which time shall be specified by the Local Planning Authority. Details of the proposed hard landscaping proposals shall be submitted as part of any forthcoming Reserved Matters Proposal.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies DPD (2016).

5. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 120 metres have been provided to the southeast of the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

Reason: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies DPD (2016) and the National Planning Policy Framework (2024).

6. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Proposed Site Access & Visibility Splays drawing number 24-463- SK01 A have been implemented in full.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies DPD (2016) and the National Planning Policy Framework (2024).

7. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any

Order revoking and re-enacting that Order) no gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access.

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies DPD (2016) and the National Planning Policy Framework (2024).

8. The development hereby permitted shall not be occupied until such time as the access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

Reason: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies DPD (2016) and the National Planning Policy Framework (2024).

9. All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Wildlife Consultants Limited, March 2025) as submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended), and in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies DPD (2016).

10. Prior to any works above floor plate level for each plot, a Biodiversity Enhancement Layout for biodiversity enhancements listed in the Preliminary Ecological Appraisal (Wildlife Consultants Limited, March 2025) report for that plot, shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Layout shall include the following:

- a) detailed designs or product descriptions for biodiversity enhancements; and
- b) locations, orientations and heights for biodiversity enhancements on appropriate drawings.

The enhancement measures shall be implemented in accordance with the approved details prior to first occupation of the plot to which it relates and all features shall be retained in that manner thereafter.

Reason: To enhance protected and priority species & habitats and allow the Local Planning Authority to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended), and in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies DPD (2016).

11. Prior to the installation of any external lighting a lighting design strategy for biodiversity in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be

submitted to and approved in writing by the local planning authority for the plot to which it relates.

The strategy shall:

a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended), and in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies DPD (2016).

### Informatives

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at [buildingcontrol@hinckley-bosworth.gov.uk](mailto:buildingcontrol@hinckley-bosworth.gov.uk) or call 01455 238141.
2. The suitability of the ground strata for soakaway drainage should be ascertained by means of the test described in BRE Digest 365, and the results approved by the Building Control Surveyor before development is commenced. The soakaway must be constructed either as a brick or concrete-lined perforated chamber with access for maintenance or alternatively assembled from modular surface water storage/soakaway cell systems, incorporating silt traps. Design and construction of all types of soakaway will be subject to the approval of the Building Control Surveyor.
3. Any proposed access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. On low-permeability sites surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet (See Environment Agency guidance on the permeable surfacing of front gardens).
4. Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately, and a suitably qualified ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the

contact details of a relevant ecological consultant. If a Bat is found during the works the ecological consultant or National Bat Helpline should be contacted for advice on: 0345 1300 228.