

August 2024



PLANNING AND AFFORDABLE HOUSING STATEMENT

LAND OFF YORK CLOSE, MARKET BOSWORTH



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1 INTRODUCTION

1.1 Scope of the Statement

- 1.1.1 This Planning and Affordable Housing Statement has been prepared in support of an outline planning application made by Gladman Developments Ltd (Gladman) for development of land off York Close, Market Bosworth. The description of development is as follows:

“Outline planning application for the erection of up to 100 dwellings (including 40% affordable housing) with public open space, landscaping, sustainable drainage system (SuDS) a vehicular access point and the demolition of one residential dwelling. All matters reserved except for means of access”

- 1.1.2 The application site is well located to the existing built-up area of Market Bosworth and represents a suitable and sustainable location for housing.
- 1.1.3 The application site is located in the administrative area of Hickley & Bosworth Borough Council (HBBC) and comprises of two agricultural fields. The site area is 5.61ha and its topography gradually slopes downwards from the south-eastern boundary along Shenton Lane to the north-western point of the site boundary. The two fields are self-contained and bound by hedgerows on all sides and the site sits adjacent to the current settlement boundary.
- 1.1.4 The outline planning application is seeking approval in principle for the development proposals. This Planning and Affordable Housing Statement is one in a suite of documents submitted to support the application and comprehensively demonstrates the suitability and sustainability of the site for housing development.

1.1.5 The following plans and documents have also been submitted in support of the outline planning application:

- *Location Plan*
- *Access plan*
- *Development Framework Plan*
- *Socio Economic Report*
- *Design and Access Statement*
- *Landscape and Visual Impact Assessment*
- *Ecological Impact Assessment*
- *Arboricultural Impact Assessment*
- *Heritage Assessment*
- *Phase I Site Investigations*
- *Minerals Resource Assessment*
- *Flood Risk Assessment*
- *Waste Management Statement*
- *Air Quality Screening Assessment*
- *Noise Screening Assessment*
- *Transport Assessment*
- *Travel Plan*
- *Statement of Community Involvement*
- *BNG calculator*
- *Demolition Statement*

1.1.6 The information contained within the application documents is summarised in Chapter 4 and provides the framework for future detailed reserved matters applications.

1.1.7 This Planning and Affordable Housing Statement explains why development is needed and appropriate in this location and the significant social, environmental and economic benefits that the proposal will bring to the area. It also confirms that no unacceptable adverse impacts would arise because of the development that would 'significantly and demonstrably' outweigh these benefits.

1.1.8 The Planning and Affordable Housing Statement further explains the policy context and how the proposed development is appropriate, having regard to the statutory development plan and other material considerations including the Framework. It demonstrates how the proposed development complies with national policy set in the Framework and why it is appropriate to bring forward development on this site.

1.2 Relevant Planning History

1.2.1 Gladman previously submitted an application on the site in February 2022 (application ref: 22/00167/OUT). An appeal was filed in April 2023 (appeal ref: APP/K2420/W/23/3317090) against non-determination. Following the submission of the appeal the Council set out 5 putative reasons for refusal at Committee. The appeal was subsequently dismissed by the Inspector in August 2023. The Inspector dismissed the appeal on the basis of, the effect on the character and appearance of the area, and the impact on the setting of the conservation area by taking access from Shenton Lane being stated as the main reasons for dismissal.

1.2.2 After taking into account the Inspector's decision, Gladman have now prepared a new application for the site which looks to remedy the previous reasons for refusal through revising the access point to now come through York Close and remove development from the parcel on Shenton Lane. These updates to the application would address the Inspector's concerns given the Inspector did not raise concern over the location of development, and the impact on character and heritage on the parcel on the site off York Close. More details of the work undertaken can be found in Section 4 of this statement which outlines the technical work that has been undertaken.

1.3 EIA Screening

- 1.3.1 As the application proposals are for urban development on a site of more than 5 hectares, the proposals fall under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Such projects only require an Environmental Impact Assessment (EIA) if the development is 'likely to have significant effects on the environment by virtue of factors such as its nature, size or location.' Projects which are wholly outside sensitive areas and do not exceed the screening thresholds are not Schedule 2 development do not require EIA screening.
- 1.3.2 The location does not present any environmental constraints and nor is it in a 'sensitive area'.
- 1.3.3 The Local Planning Authority will be required to screen the proposals as part of its legal requirements however the applicant does not consider that an Environmental Statement is required.

2 THE PROPOSALS

2.1 The Proposal

2.1.1 The drawings submitted as part of this outline planning application for approval are:

- Site Location Plan (drawing number: 10352-FPCR-L-01)
- Proposed Site Access Layout (drawing number: 1764/17)

2.1.2 The application proposal includes the following:

- Up to 100 residential dwellings (including 40% affordable housing delivered in accordance with current adopted planning policy);
- Structural landscape planting and the retention and positive management of key landscape features;
- 2.71ha of formal and informal open space including a LEAP;
- Vehicular access onto York Close;
- Create a new walking and cycling route between York Close and Shenton Lane; and
- A Sustainable Drainage System (SuDS).

2.1.3 It is proposed that the site will be accessed from York Close, via a 'T' junction that would operate under priority control. The access would require the demolition of 35 York Close. It has been confirmed that the required visibility splays can be achieved and that the site access junction will operate comfortably within capacity in both the morning and evening peak periods

with the proposed development traffic as demonstrated by the Transport Assessment prepared by Ashley Helme Associates.

- 2.1.4 The application site is located on the edge of Market Bosworth. The site is made up of two agricultural fields currently used for arable crop. Residential development is located to the north of the site along York Close, Stanley Road and Northumberland Avenue. The southern part of the site is bound by Shenton Lane while the western edge abuts more agricultural fields.
- 2.1.5 The application proposes development on the larger parcel to the north along with SUDs and utilises the southern field for public open space, local equipped area of play (LEAP) and biodiversity net-gain (BNG) requirements.
- 2.1.6 It is proposed that 40% of the units will be affordable, in accordance with Policy 15 of the Council's Core Strategy DPD. The affordable housing provision will be secured by a Section 106 Agreement.
- 2.1.7 An assessment against the up-to-date provisions of the Development Plan and the Framework, where relevant, demonstrates the scheme comprises sustainable development because:
- The proposals will offer a range of benefits, including making a significant contribution towards meeting the objectively assessed market and affordable housing needs within the administrative area of Hinckley & Bosworth.
 - There are no adverse impacts that would significantly and demonstrably outweigh the benefits.
 - Benefits arising from development include the delivery of up to 100 new homes, 40% affordable homes to help meet the affordable housing needs, approximately 2.71ha of public open space, with new footpaths, £15.4m construction spend, £2.7m of potential household expenditure and 87 FTE jobs in construction.

3 PLANNING POLICY FRAMEWORK AND MATERIAL CONSIDERATIONS

3.1 Background

- 3.1.1 This section sets out the planning policy framework relevant to the site and the proposed development. Consideration of the proposed development within the context of the relevant Development Plan policies is undertaken in Chapter 4 of this Statement.

3.2 The Development Plan

- 3.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a statutory duty on local planning authorities to determine planning applications in accordance with the development plan unless material planning considerations indicate otherwise. Section 39 of the Act requires decision makers to exercise their functions with the objective of contributing to the achievement of sustainable development.
- 3.2.2 The Framework is a material planning consideration but does not change the statutory status of the Development Plan as the starting point for decision making. The planning application should be considered in this context.

3.3 Adopted Local Plan

- 3.3.1 Development proposals should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan applicable to this planning application comprises of:

- Hinckley and Bosworth Core Strategy (2009)
- Hinckley and Bosworth Site Allocations and Development Management Policies DPD (2016)
- Market Bosworth Neighbourhood Plan (2015)

- Leicestershire Minerals and Waste Local Plan (2019)

3.3.2 The policies relevant to the application are listed in Appendix 2.

3.3.3 The Hinckley and Bosworth Core Strategy (HBCS) was adopted in 2009, and covers the period 2006-2026. The HBCS was prepared in the context of the now revoked East Midlands Regional Plan (EMRP), including its proposed housing requirements. The housing requirement of the HBCS aims to deliver 9000 new homes over the plan period.

3.3.4 It is accepted that the proposals conflict with the Development Plan as a whole, given that the site sits outside of settlement boundaries which are defined in policy DM4 of The Hinckley and Bosworth Site Allocations and Development Management Policies DPD (SADMP).

Hinckley and Bosworth Core Strategy

3.3.5 The HBCS was adopted in 2009 and is working to a housing target of 9000 dwellings over the plan period (450 dwelling per annum). This housing requirement was set in a different context to today, and does not plan to meet the current housing needs.

3.3.6 The HBCS identifies Market Bosworth as a Key Rural Centre, which is set out within Policy 7. Key Rural Centres play a role in supporting the rural hinterland. These Key Rural Centres have a good level of services and facilities, and Policy 7 sets out the types of developments which will be supported within these locations. Residential developments will be supported at these locations when inside the settlement boundary.

3.3.7 The application proposals are in conflict with these policies given that development is located outside of the settlement boundary. However, the settlement boundary policy (DM4 of the SADMP) is deemed to be out of date,

given that the boundaries were drawn to meet a housing requirement, which does not meet the housing needs in the district now.

- 3.3.8 Policy 11, Key Rural Centres, Stand Alone, identifies a need for 100 dwellings to be allocated within Market Bosworth to support the local services and maintain a rural population.

Hinckley and Bosworth Site Allocations and Development Management Policies DPD

- 3.3.9 SADMP sits alongside the HBCS, and makes allocations in accordance with the requirements as set out within the HBCS.
- 3.3.10 Market Bosworth was allocated a minimum of 100 new homes, an allocation at Land South of Station Road and Heath Road is allocated for 100 new homes, employment and community facilities.
- 3.3.11 Policy DM1: Presumption in Favour of Sustainable Development, states that proposals that accord with the development plan will be approved without delay, unless material considerations indicate otherwise. When there are no policies, or the relevant policies are out of date then the borough will approve unless material considerations indicate otherwise.
- 3.3.12 It is considered that the relevant policies for the determination of this application are out of date. Therefore, the application should be looked at in the context.

Market Bosworth Neighbourhood Plan (2015)

- 3.3.13 The Market Bosworth Neighbourhood Plan includes policies specific to the Parish of Market Bosworth.

3.3.14 The Neighbourhood Plan Allocates one site for mixed use development off Station Road, and Heath Road, the allocation (Policy BD2) includes 55 new dwellings.

3.3.15 The following policies of the Neighbourhood Plan are as follows:

- Policy CE1: Character and Environment
- Policy CE5: Landscape of Wider Parish
- Policy BD1: Affordable Housing

3.4 The Emerging Local Plan

3.4.1 The emerging local plan is a material consideration within the decision making process. The Hinckley and Bosworth Local Plan Review 2020-2041, is currently at regulation 18 stage. The Plan has been through a couple of iterations, and did stall following the initial regulation 19 consultation in spring 2022. A further regulation 18 consultation is now taking place in August 2024.

3.4.2 NPPF paragraph 48, states that weight can be given to emerging plans according to the stage of preparation, to the extent that objections have been resolved and the degree of consistency with the Framework.

3.4.3 Based upon the NPPF July 2024 consultation version, the emerging plan would need to reach regulation 19 stage a month after the adoption of the revised NPPF. If the plan does not reach regulation 19 by this point the council should base the emerging plan upon the policies within the revised Framework. The Council would need to consider the updated Local Housing Need figure and plan for the additional dwellings.

3.5 National Planning Policy Framework

3.5.1 The NPPF is an important material consideration in planning decisions. The NPPF sets out the Government's approach to sustainable development and core planning principles. A revised NPPF was published by the Government in December 2023.

3.5.2 The new Labour Government have published a consultation draft of the revised NPPF, which reverts some of the changes made within the December 2023 version. However, the version to consider within the material considerations is the December 2023 version.

Presumption in Favour of Sustainable Development

3.5.3 Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development, which can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

3.5.4 The NPPF sets out three overarching objectives towards achieving sustainable development under paragraph 8, which includes ensuring that sufficient land is available in the right places to support growth; making sure that a sufficient number and range of homes can be provided to meet the needs of present and future generations supported by well-designed environments and accessible services; and ensuring that land is used effectively to improve biodiversity, use resources prudently by minimising waste and pollution, mitigating and adapting to climate change and moving towards a low carbon economy.

3.5.5 At the heart of the Framework is the 'presumption in favour of sustainable development'. Paragraph 11 sets out how planning applications should be determined in this context:

"11. 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-date⁸, 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 proposed⁷; 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.*

3.5.6 Footnote 7 of the Framework identifies a closed list of potential restrictive policies that may in a particular case cause the presumption to be disapplied. The application site is not the subject of any of the designations cited within footnote 7 and therefore policies do not apply which indicate the presumption should be disapplied.

3.5.7 Footnote 8 provides further guidance on when policies may be considered 'out of date'. It confirms that when a local planning authority (LPA) cannot demonstrate a five-year housing land supply, the policies which are most important for determining an application involving the provision of housing should be considered to be out of date.

- 3.5.8 Paragraph 12 of NPPF reiterates that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making.

3.6 Written Ministerial Statement

- 3.6.1 The Written Ministerial Statement (WMS) published on 30th July 2024 by Angela Rayner is a material consideration. This statement titled '*Building the homes we need*' sets out the vision of the new Government and how growth should be driven.
- 3.6.2 The WMS sets out that the Government's aim to build 1.5 million homes over the next 5 years to drive down affordability and make home ownership achievable.
- 3.6.3 The WMS sets out that the Government is reverting the changes made in the December 2023 NPPF which loosened the need for Local Authorities to meet the housing needs. The Government is mandating that the standard method is used as a basis for determining local authorities housing requirements in all cases.

3.7 The Need for Housing

- 3.7.1 The growing population and household formation rates alongside too few houses being built has resulted in a housing crisis in this country.
- 3.7.2 Whilst there is often great debate about the delivery of both market and affordable housing, in reality it is about meeting a very basic human need of local people. People wish to be able to live in suitable accommodation which they can afford and in a place that they want to live. Where sufficient housing of a suitable type is not available, this has a real, negative impact upon society.

- 3.7.3 This development would provide up to 100 market houses and up to 40 (40%) affordable homes, helping to address the local housing issues in Hinckley and Bosworth.

3.8 Five-Year Housing Land Supply

- 3.8.1 The supply of available and deliverable sites for housing in Borough is an important material consideration in determining the weight to relevant policies for the supply of housing.
- 3.8.2 Paragraph 11 of the NPPF states that where there are no development plan policies or the policies most important to determining the application are out of date, the presumption in favour of sustainable development applies (unless any of the restrictive policies in Footnote 7 apply). Footnote 8 makes it clear that this includes when a local authority cannot demonstrate a five-year supply of deliverable housing sites.

Housing Land Supply in Hinckley and Bosworth Borough

- 3.8.3 HBBC claim a supply of 5.6 years in the 1st April 2023 – 31st March 2028 Housing Land Supply document published alongside the regulation 18 Local Plan consultation. This housing Land Supply figure is based upon the Local Housing Needs figure of 433.
- 3.8.4 Gladman believe that HBBC cannot currently demonstrate a five year housing land supply.
- 3.8.5 Within recent planning committee reports HBBC have stated that:

'For decision taking, a 5yr housing land supply is a material consideration in all relevant applications for dwellings in the Borough. Despite being able to demonstrate a housing land supply, due to the age of relevant housing policies in the Core Strategy, in accordance with paragraph 11d) of the NPPF, the

Council should still grant permission for housing unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole. Therefore, sustainable development should be approved unless other material considerations indicate otherwise¹

3.8.6 Therefore, notwithstanding the position on five year housing land supply the tilted balance at paragraph 11 of the NPPF should be engaged.

3.8.7 There is a pressing need throughout the country to deliver more housing to solve the housing crisis. Hinckley and Bosworth Council has a responsibility to deliver the homes needed within the Borough.

¹ Land West of Clickers Way, Earl Shilton – Planning committee report 27th August 2024 paragraph 8.13

4 PLANNING APPRASIAL

4.1 Introduction

- 4.1.1 This section of the Statement assesses the proposed development against the relevant policies of the Development Plan, and other material considerations. The overall planning balance is considered in Chapter 6.

4.2 Decision-Making Approach

- 4.2.1 The Development Plan is the starting point for the determination of planning applications.
- 4.2.2 The Core Strategy was adopted in 2009 and is aimed to guide development in Hinckley and Bosworth until 2026.
- 4.2.3 Paragraph 11 of the NPPF requires development proposals that are in accordance with an up-to-date Development Plan to be approved without delay. Where there are no relevant Development Plan policies, or the policies most important for determining the planning application are out of date, planning permission should be granted unless policies within the Framework which seek to protect assets of importance are applicable; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

4.3 Sustainability

- 4.3.1 The revised NPPF was published in 2023 and its key objective is to deliver sustainable development. Paragraph 8 sets out the three overarching objectives of the planning system; economic, social and environmental that are required to achieve sustainable development. At the heart of the NPPF there is a presumption in favour of sustainable development (paragraph 11).

Sustainable location

- 4.3.2 The majority of the site comprises a single field currently used for pasture. The site is located on the edge of Market Bosworth. Market Bosworth is identified as a Key Rural Centre within the settlement hierarchy. As a settlement, Market Bosworth is considered a suitable location for development.
- 4.3.3 The town centre is located to the north east of the site and offers excellent local facilities with a number of shops, cafes and essential services available on the high street.
- 4.3.4 There is a wide network of public footpaths within the town, which provide good connections to the wider countryside. There are regular bus services, from bus stops at Market Place. This provides an hourly service to Leicester Monday to Saturday.
- 4.3.5 A plan showing the services and facilities can be found at page 15 of the Design and Access Statement and Figure 6.1 in the Transport Assessment.
- 4.3.6 The development would sit adjacent to the existing built-up area of Market Bosworth and as such represents a logical extension to the settlement.
- 4.3.7 Through the previous appeal the Appellant and Council agreed that Market Bosworth was a suitable place for development, given there is a variety of services and public transport connections. It was also agreed that the site itself is located within walking distance of the facilities.
- 4.3.8 The application site presents an opportunity for the sustainable growth of Market Bosworth because:
- The land to which the development proposals relate is not of high environmental value;
 - The site is suitable for residential development in terms of its sustainable location and characteristics;

- The site is well contained within the landscape and the majority of important landscape features, such as hedgerows, that are to be retained and improved; and
- The local highway network has capacity to accommodate the additional traffic associated with the development, without adverse impact on the local network.

4.4 Provision of Affordable Housing

4.4.1 Policy 15 of the Core strategy requires 40% of affordable housing to be delivered on developments such as the proposed application. The affordable housing statement at Chapter 5 covers the importance of affordable housing provision in more detail.

4.5 Design Strategy

4.5.1 Good quality design is a key principle of the NPPF. It states

*"...high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve."*²

4.5.2 This application has been submitted in outline; design and layout are to be agreed through a reserved matters planning application. However, key design principles have been used to inform the Development Framework Plan and Illustrative Masterplan to show how the development could be designed. These design principles are explained in the Design and Access Statement (DAS) supporting this application.

² Paragraph 131.

4.5.3 The SADMP also requires a high-quality design to be achieved, this is set out within policy DM10.

4.5.4 As mentioned above, the DAS sets out how the proposed development will meet the design requirements of the NPPF and the criteria set out with the Local Plan. The DAS demonstrates that the development will provide a choice of housing to meet the needs of the area, whilst respecting and enhancing the site's environmental and landscape character. It will also promote the use of sustainable transport.

4.6 Landscape

4.6.1 Policy DM4 of the SADMP outlines that the countryside should be protected for its intrinsic values and beauty. However, with regard to the NPPF, proposals should seek to recognise the intrinsic character and beauty of the countryside rather than protect.

4.6.2 A LVA prepared by FPCR, submitted as part of the application, assesses the potential landscape and visual impacts of the proposed development. The development framework plan introduces and retains landscape features that reflect the landscape character of the site and its surrounding area.

4.6.3 The LVA concludes that the development would not result in unacceptable landscape or visual effects over the long term.

4.6.4 The Inspector in the previous appeal decision considered the impact on character of the site. It was stated at paragraph 18 that *"... the development of the larger field would result in development that is well contained and would not intrude significantly into the countryside surrounding the town. Moreover, the development of the larger field would have a negligible effect on the character and appearance of Market Bosworth"*

4.7 Transport and Access

- 4.7.1 The NPPF at paragraph 108 notes that transport issues should be considered early in development proposals. The proposals should consider any potential impacts on the transport network and how these can be addressed, opportunities from existing and proposed transport infrastructure, opportunities to promote sustainable transport, environmental impacts of transport, patterns of movement and how transport fits into the design of schemes.
- 4.7.2 Paragraph 117 of the NPPF requires all developments that will generate significant amounts of movement to provide a travel plan and to be supported by a transport statement or assessment so that the likely impacts of the proposal can be assessed.
- 4.7.3 SADMP policy DM17 states that developments will be supported where developments make the best use of public transport, seek safe and convenient walking and cycling routes, no adverse impacts on highways, developments are located where the need to travel is minimised and that the cumulative impacts would not be severe.
- 4.7.4 The application is supported by a Transport Assessment.
- 4.7.5 The application proposes an access point off York Close, in the form of a priority junction. A proposed emergency access point has been identified off Shenton Lane.
- 4.7.6 The application seeks to promote the use of sustainable transport, the site has good pedestrian connectivity to existing facilities, there are existing footpaths along both sides of York Close and into the surrounding residential area.

- 4.7.7 There is a good level of public transport within walking distance of the site. The bus service number 153 operates an hourly service Monday to Saturday to Leicester.
- 4.7.8 Through the appeal decision concerns were raised over highways safety through the proposed highways safety measures made along Shenton Lane, and Warwick Lane. The Inspector deemed the safety measure acceptable in highway safety terms, however, to remove this concern from the Council the access has been changed to come through York Close. With the change in access there would be no safety concerns relating to Shenton Lane and Warwick Lane.
- 4.7.9 The proposal fully accords with the NPPF on highways matters and policies DM17 of SADMP.

4.8 Green Infrastructure and Public Open Space

- 4.8.1 The proposed development includes 2.71ha of green infrastructure, including informal and formal public open space, an equipped children's play space, structural landscape planting and three attenuation basins.
- 4.8.2 The green infrastructure will enhance the landscape and provide a community benefit through the provision of public open space and equipped children's play area.
- 4.8.3 The landscape features of merit within the site include existing hedgerows and trees along the site boundaries. The majority of these features will be retained where possible and enhanced as an integral part of the development, and reinforced through additional tree and shrub planting and grassland areas.

4.8.4 Policy 19 of the HBCS identifies the proposed standards for green space and play provision which should be provided to ensure that there is access to sufficient, high quality green space and play provision within the borough.

4.8.5 The proposals fully accord with policy 19 of the HBCS.

4.9 Ecology

4.9.1 An Ecological Appraisal has been submitted as part of the application; this assesses the potential impact on ecology of the proposed development. The application site would not impact upon any ecological designations.

4.9.2 The SADMP requires that where possible developments should conserve and enhance biodiversity and geodiversity at policy DM6.

4.9.3 The application proposes to improve the ecology on site through additional planting, inclusion of an attenuation basin, and open space. The proposal will not achieve a Biological Net Gain (BNG) on site however a net gain could be provided through off-site credits through a 3rd party, or statutory biodiversity credits.

4.10 Historic Environment

4.10.1 An aim of the NPPF is to conserve and enhance heritage assets. Paragraph 200 requires applicants to describe the impact of developments on heritage assets and their setting.

4.10.2 Policies DM11, DM12 and DM13 of the SADMP policies set out that heritage assets and their setting should be preserved. Where there is a potential effect to a heritage asset a balancing exercise should be undertaken to understand whether the benefits outweigh the harm.

4.10.3 The submitted Heritage Statement finds that the proposed development would have a less than substantial impact and would fall at the lowest most

end of the spectrum in regard to the impact on the Market Bosworth Conservation Area.

4.10.4 Given that less than substantial harm has been identified the harm should be weighed against the public benefits of the scheme as set out within paragraph 200 of the NPPF. This balance is undertaken within Chapter 6 for the statement.

4.10.5 Furthermore, the loss of the ridge and furrow has been considered and the site would represent a small part of the overall non-designated heritage asset of lower significance. There is only a minor level of harm identified to the non-designated heritage asset of the lower significance. This is considered within the overall planning balance.

4.10.6 There was no significant below ground archaeology recorded. A trial trenching report has been submitted with the Heritage Statement.

4.11 Flood Risk and Drainage

4.11.1 The site is located within Flood Zone 1 and does not propose a risk from flooding from rivers and seas. There is a small area of surface water flood risk located on the north of the site. The surface water flood risk is mitigated through the design of the sustainable drainage system.

4.11.2 Policy DM7 of SADMP requires a Flood Risk Assessment to be submitted as part of a planning application. The flood risk assessment demonstrates that the proposed development will not increase Flood Risk downstream.

4.11.3 Three attenuation basins are being proposed on the site, to ensure that the surface water is mitigated and there will be no increase in Flood Risk downstream.

4.11.4 Through the design evolution of the drainage strategy, the impact of climate change has been taken into account.

4.12 Noise

4.12.1 A noise assessment has been submitted as part of the application, to understand the impact of the development on the amenity of the surrounding properties. The access to the site will be through York Close, which is an existing residential cul-de-sac.

4.12.2 Through the noise assessment it is considered that the noise caused by the increase in traffic on the adjacent properties would not cause a significant adverse effect.

4.13 Air Quality

4.13.1 An Air Quality assessment has been submitted as part of the application. The report concludes that the proposed development will not result in an unacceptable risk from air pollution.

4.14 Minerals

4.14.1 The proposed development is located within a sand and gravel minerals safeguarding area. Given this, a Mineral Resource Assessment has been submitted as per policy M11 of the Leicestershire Minerals and Waste Local Plan (2019).

4.14.2 The Mineral Resource Assessment concludes that it would not be economically viable to extract the sand and gravel from the site due to proximal sterilisation and environmental constraints. The proposed development complies with policy M11 of the Minerals and Waste Local Plan.

4.15 Planning conditions and obligations

- 4.15.1 Gladman is committed to and willing to discuss any requested planning conditions with officers at HBBC, to ensure that they satisfy the six tests set out in paragraph 003 of the PPG³ and paragraph 56 of the NPPF respectively.
- 4.15.2 The applicant is also committed to engaging with the Council in relation to securing planning obligations that satisfy the requirements of Regulation 122 of the Community Infrastructure Levy Regulations and paragraphs 57 and 58 of the NPPF.
- 4.15.3 A draft set of heads of terms for a Section 106 agreement are set out at Appendix 1 of this Statement.

4.16 Summary of the Planning Appraisal

- 4.16.1 In light of the above, the application proposals are not compliant with the HBBC Development Plan as a whole given that the site lies outside of the settlement boundary.
- 4.16.2 There has been identified less than substantial heritage harm at the lowest most end of the spectrum. This harm will be balanced against the public benefits.
- 4.16.3 The site is well located on the edge of Market Bosworth, with good sustainable transport links. There would not be any unacceptable effects on landscape and visual impacts and any impacts on ecology will be mitigated.

³ ID: 21a-003-20190723

5 AFFORDABLE HOUSING STATEMENT

5.1 Context

5.1.1 It is widely acknowledged at all levels that there is a housing crisis in this country, which has arisen as a direct consequence of too few houses being completed to keep pace with a growing population, increasing life expectancy and household formation rates.

5.1.1 In May 2021, the housing charity Shelter published 'Denied the Right to a Safe Home – Exposing the Housing Emergency', which sets out in stark terms the impacts of the housing crisis. Shelter estimated that over 17 million people face the effects of high housing costs and notably concludes that *"we will only end the housing emergency by building affordable, good quality social homes⁴".*

5.1.2 One effect of the national housing crisis is a profound effect on housing affordability. This crisis is recognised by the new Labour Government with Prime Minister Sir Keir Starmer recently stating:

"We will build 1.5 million homes over the next parliament. We will increase overall supply – that is crucial for long-term affordability. And we have an ambitious plan to deliver the biggest boost to social and affordable housing in a generation."

5.1.3 This commitment is enshrined in Labour's manifesto for the 2024 General Election. Clearly then, providing affordable housing has long been established as, and remains, a key national priority for the incumbent Government and a fundamental element in the drive to address the national housing crisis.

⁴ Denied the Right to a Safe Home. Shelter (2021) page 10.

- 5.1.4 As such all local authorities are tasked with working towards addressing this national priority. Each local authority has its minimum number of homes required identified through its Local Plan or Local Housing Need assessment, but they are all working collectively towards the targets established by the Government.
- 5.1.5 The NPPF makes clear that affordable housing should be delivered, and it is essential that sufficient housing is delivered to ensure that *"needs of groups with specific housing requirements are addressed"*.
- 5.1.6 According to the most recent Department for Levelling Up Housing & Communities (DLUHC) statistics⁵, there are 1.29 million households on local authority social housing waiting lists across the country, the highest figure since 2014. This equates to approximately 3 million people in need of an affordable home.
- 5.1.7 Further data published by DLUHC in November 2023 confirmed that in the monitoring period 2022/23 only 63,605 gross affordable homes were built and just 71,046 starts on site were recorded⁶. At this level of delivery, it will take roughly 20 years to address the current waiting list. This is before factoring in future housing need, loss of affordable homes through demolition, or the Right to Buy programme.
- 5.1.8 At a national level the direction of travel to address housing need and supply, including affordable housing, is abundantly clear. With 47% of affordable homes in 2022/23 funded through s106 agreements⁷ (i.e. entirely funded by

⁵ DLUHC March 2024, Social Housing lettings in England, tenants: April 2022 to March 2023

⁶ DLUHC November 2023, Affordable Housing Supply April 2022 to March 2023, England

⁷ DLUHC November 2023, Affordable Housing Supply April 2022 to March 2023, England.

developers with nil grant from the public sector), political promises rely quite significantly on delivery by the planning system.

5.2 Affordable Housing Delivery & Need in Hinckley and Bosworth

- 5.2.1 The adopted HBCS sets out a minimum affordable housing target, with the aim of ultimately delivering 2090 affordable homes by the end of the plan period (2006-2026).
- 5.2.2 Table 3 in the Council's most recent Residential Land Availability Monitoring Statement (RLAMS) September 2023 demonstrates that 1,813 affordable homes have been completed in the authority since 1st April 2006. This is an average of 106 affordable homes each year.
- 5.2.3 The latest evidence produced on affordable housing need in the Borough is the 2022 HENA which sets out a net need of 498 affordable dwellings each year for the plan period 2020-2036. This need is more than four times the average of 106 affordable dwellings per annum delivered over the last 16 years.
- 5.2.4 Table 1 highlights that there is already a significant shortfall in delivery of affordable housing of some 148 affordable dwellings against the most up-to-date identified need for affordable housing in 2022 Leicester & Leicestershire HENA. This equates to an average shortfall of 323 affordable dwellings per annum.

Table 1: Affordable Housing Completions compared to identified affordable need in 2022 Leicester & Leicestershire HENA.

Year	Affordable Housing Completions	Affordable Housing Need (2022 HENA)	Shortfall / Surplus
2020/21	102	498	-396
2021/22	73	498	-425
2022/23	350	498	-148
Totals	525	1,494	-969

5.2.5 Assessed against the most recent assessment of affordable housing need for the Borough, the performance of Hinckley and Bosworth Borough Council is falling short in delivering the affordable housing required to meet the needs of its residents, resulting in an accumulated shortfall of 969 households over the last 3 years not having their housing needs met.

5.3 Hinckley and Bosworth Affordability Indicators

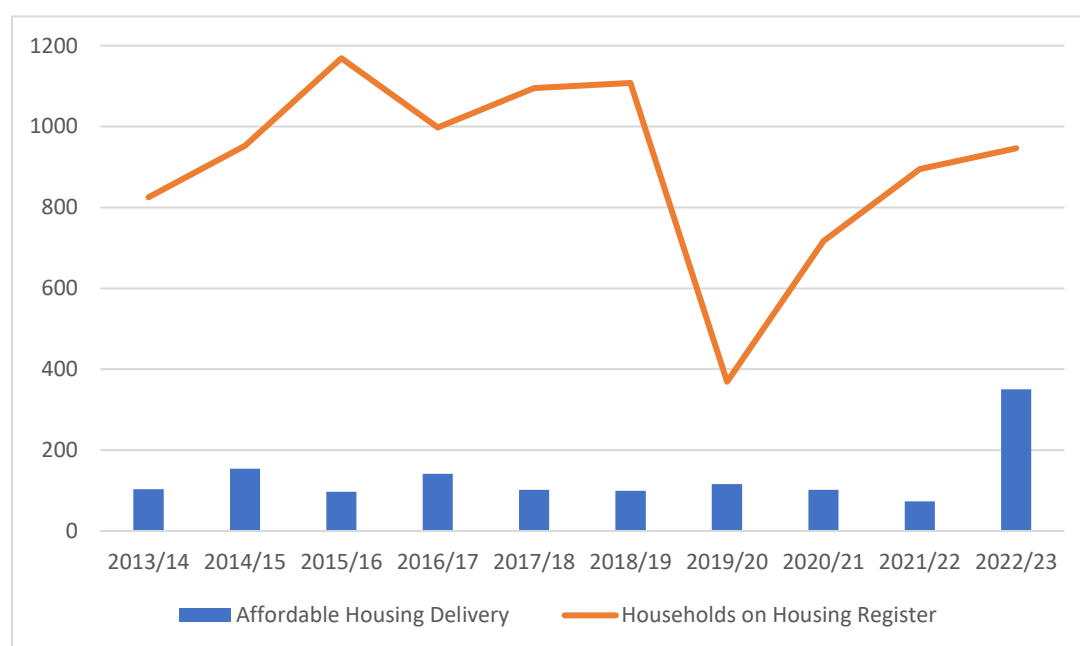
5.3.1 The PPG recognises the importance of giving due consideration to market signals as part of understanding affordability.

5.3.2 The number of households listed on the Council's housing register as of 2022/23 is 946 (Live Table 600). This represents a 5.7% rise from the previous year's figure of 895 households. This is a stark number and represents a significant number of individuals and families in need.

5.3.3 The graph below details the number of households on the Housing Register in Hinckley and Bosworth, in comparison to affordable housing delivery. It

clearly shows that there remains a substantial proportion of households who cannot be effectively accommodated in the borough. Moreover, it is a proportion of households that has remained unacceptably high over several years.

Figure 1: Number of Households on Hinckley and Bosworth Council Housing Register compared with Net Affordable Housing Delivery



5.4 Affordable Housing as a Material Consideration

5.4.1 The increasing unaffordability of housing in the borough and the continuous high numbers of households on the housing register in housing need clearly indicates that by any measure of affordability, Hinckley and Bosworth is in the midst of an affordable housing crisis, and urgent action must be taken to deliver more affordable homes.

5.4.2 At both a national and local level, it is clear that there is an urgent and pressing need to deliver as much affordable housing as quickly as possible. There is clear under provision in the Borough and need is growing.

5.4.3 The provision of 40% affordable housing equating to 40 homes on this site will contribute significantly towards the borough's affordable housing supply requirements and will provide people with a local connection to the area an affordable property to call their own. This will help alleviate the affordability issue and is a considerable benefit to be weighed positively in the planning balance.

6 PLANNING BALANCE AND CONCLUSIONS

6.1 Conclusions

- 6.1.1 The approval of this application will assist in addressing the persistent problem of inadequate housing supply across the country and will meet the very basic human need of real people in real need of market and affordable housing.
- 6.1.2 The development proposal would be deliverable in the short term and increase the supply and choice of housing within Market Bosworth and Hinckley and Bosworth Borough Council. It would also contribute towards economic growth and offer wider social and environmental benefits for the local community. The design principles outlined within the Design and Access Statement provide assurance that a high-quality scheme can be delivered.
- 6.1.3 The Framework policies on the delivery of sustainable housing development carry significant weight; the delivery of the proposed development would support housing and economic development objectives and meet the aims and objectives of sustainable development, securing net gains across all three strands of sustainable development (economic, social and environmental).
- 6.1.4 Within the Heritage Statement less than sustainable harm has been identified in relation to the impact on Market Bosworth Conservation Area. This harm has been identified as being at the lowermost end of the spectrum. In accordance with paragraph 208 of the NPPF this harm must be weighed against the public benefits. When considering this less than substantial harm the public benefits would outweigh this harm at the lowest most end of the spectrum.
- 6.1.5 The overall planning balance should be undertaken on a tilted balance as set out within paragraph 11 of the NPPF. The tilted balance is engaged given the most important policies are considered to be out of date.

- 6.1.6 The supporting material, assessments and reports demonstrate that there are no technical or environmental constraints that would significantly or demonstrably outweigh the substantial benefits of the proposal and no specific policies of the Framework and Development Plan indicate that development should be restricted.
- 6.1.7 As with any greenfield site, the development will inevitably introduce changes to the area resulting in some urbanising effects and will involve the loss of some agricultural land. However, the LVA demonstrates that the scheme can be delivered without unacceptable landscape and visual impacts.
- 6.1.8 The harm with the conflict with the development plan, and the heritage harm is weighed within the balance.
- 6.1.9 The proposed development would deliver a large number of benefits. These include:

BENEFITS
Provision of 100 market and affordable homes . Given the Government's objective is to significantly boost the supply of home to address specific housing requirements. The delivery of housing should be given significant weight.
The provision of affordable housing (40% or up to 40 units) in a borough where there is an existing unmet need unlikely to be delivered through alternative means.
New footpaths to be incorporated into the areas of public open space, improving public access to green spaces.
2.7ha of public open space.
Provision of 48% green infrastructure , much of which will be publicly accessible and which would link the footpath network both into the town and out to the countryside.
Additional landscape planting.

The **build cost of the development is expected to be around £15.4m**. Calculations suggest that this construction expenditure would support around **87 Full Time Equivalent (FTE) construction jobs** over the period of the build.⁸

The development of new homes in the proposed development could help to address local unemployment in the industry and provide apprenticeship and training opportunities for young unemployed people.

Household expenditure from the 100 new homes would be circa **£2.7m per year**. This will benefit the local area.

Over the four years following the completion of the development, the Councils will benefit from **circa £842,000 via the New Homes Bonus**.

The new residents will **increase demand for and use of local services and businesses** and increased spending will help to protect, maintain and enhance the services available and accessible within the town and surrounding area.

- 6.1.10 Significant weight should be given to the delivery of both market and affordable housing, the delivery of housing is a significant benefit.
- 6.1.11 In accordance with paragraph 11 of the Framework, the development proposal clearly constitutes 'sustainable development'.
- 6.1.12 The development of the site, as proposed, would be both suitable and sustainable, and there is justification to grant planning permission in accordance with the presumption in favour of sustainable development within the borough. The significant benefits arising from the development must be taken into consideration when assessing the application.
- 6.1.13 Accordingly, it is clear there are significant material considerations in favour of approval, and therefore the planning application should be approved.

⁸ The economic benefits of the development are set out in full in the Socio-Economic Benefits Statement submitted as part of the planning application.

APPENDIX 1



APPENDIX 1: DRAFT SECTION 106 HEADS OF TERMS

Gladman will seek to enter into constructive dialogue with Hinckley and Bosworth Borough Council to agree obligations which, in accordance with the CIL Regulations (2010) (as amended) are necessary, directly related to the development and fairly related in scale and kind to the development.

The following Heads of Terms are suggested:

AFFORDABLE HOUSING

- i. The Agreement will provide for 40% affordable housing with a tenure split to be agreed with the Local Planning Authority.

OPEN SPACE

- i. The Agreement will require the Developer to provide on-site informal open space and an equipped children's play area.
- ii. Appropriate phasing requirements will be specified together with the requirement to agree with the Council an appropriate scheme for the long term maintenance and management of these areas, including any off-site commuted sums as applicable.
- iii. The Agreement will require the Developer to provide, as necessary, an offsite sports provision.

HIGHWAYS AND PUBLIC TRANSPORT

- i. The Agreement will require the Developer to provide, as necessary, the improvements identified to improve the public highway, sustainable and public transport provision within the vicinity of the site.

OTHER

- i. Other contributions may be identified through the planning consultation process, and subject to meeting the appropriate tests of necessity and reasonableness, consideration will be given to their inclusion.

APPENDIX 2



APPENDIX 2: LIST OF RELEVANT POLICIES

Hinckley and Bosworth Core Strategy (2009)

Policy 7 – Key Rural Centres

Policy 11 – Key Rural Centres – Stand alone

Policy 14 - Rural Areas: Transport

Policy 15 – Affordable Housing

Policy 16 – Housing Density, Mix and Design

Policy 19 – Green Space and Play provision

Policy 20 – Green Infrastructure

Hinckley and Bosworth Site Allocations and Development Plan Policies (2016)

Policy DM1 – Presumption in Favour of Sustainable Development

Policy DM3 – Infrastructure and Delivery

Policy DM4 – Safeguarding the Countryside and Settlement Separation

Policy DM6 – Enhancement of Biodiversity and Geological Interest

Policy DM10 – Development and Design

Policy DM11 – Protecting and Enhancing the Historic Environment

Policy DM12 – Heritage Assets

Policy DM13 – Preserving the Borough's Archaeology

Policy DM 17 – Highways and Transportation

Policy DM18 – Vehicle Parking Standards

Leicestershire Mineral and Waste Local Plan (2019)

Policy M11 – Safeguarding of Mineral Recourses

Market Bosworth Neighbourhood Plan (2015)

Policy CE1 – Character and Environment

Policy CE4 - Trees

Policy CE5 – Landscape of the Wider Parish

Policy BD1 – Affordable Housing



PLANNING AND AFFORDABLE HOUSING STATEMENT
