

Planning Committee Report 7 April 2026
Report of the Assistant Director Planning and Regeneration

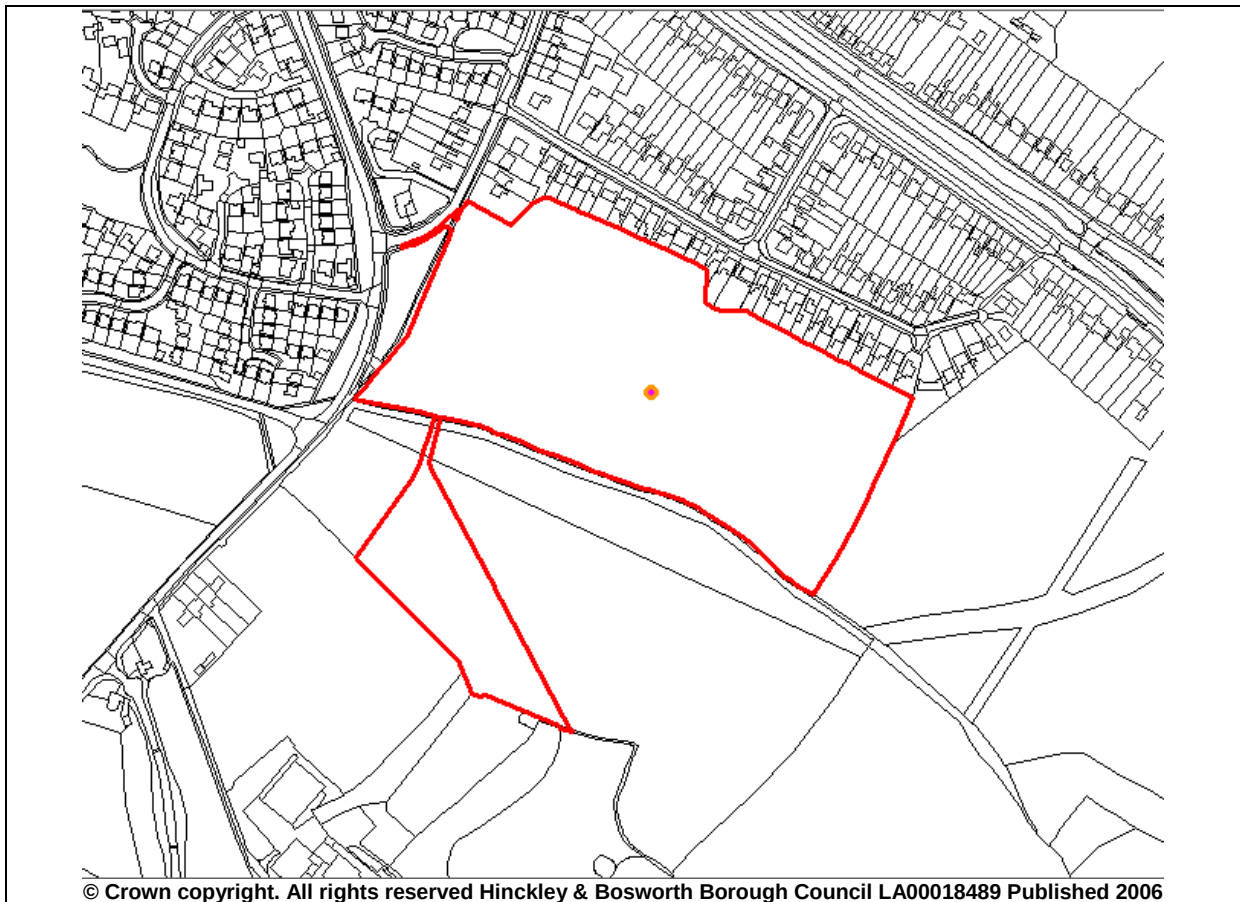
Planning Reference: 25/00676/OUT
Applicant: C/O Agent
Ward: Markfield Stanton & Fieldhead



Hinckley & Bosworth
Borough Council

Application Site: Land South Of Jacqueline Road Field Head

Proposal: Outline planning application for the erection of up to 135 dwellings, amenity space, areas for outdoor play, landscaping and all associated infrastructure (all matters except access reserved)



1. Recommendations

1.1 Grant planning permission subject to:

- The entering into of a S106 Agreement (as per the Heads of Terms set out in paragraph 8.113)
- Planning conditions outlined at the end of this report (para 8.98);
- The removal of the holding objection from LCC Ecology in relation to Great Crested Newt mitigation; and
- That the Assistant Director Planning and Regeneration be given powers to determine the final detail of planning condition and obligations (including trigger points and claw back periods).

2. Planning application description

- 2.1. The planning application seeks outline permission for the erection of up to 135 dwellings. Matters surrounding the proposed access are to be considered in detail with matters relating to layout, appearance, landscaping and scale to be deferred to and considered in detail in the context of future reserved matters submission(s).
- 2.2. The submission package makes reference to the following features:
- 135 dwellings, including a mixture of dwelling types and sizes, ranging from bungalows to family homes;
 - Vehicular access from Ratby Lane via a new priority junction in the northwest corner of the site;
 - Provision of public open space to the south of the proposed layout, extending along the site's east and west boundaries;
 - The open space will accommodate new recreational routes and an outdoor play area;
 - Drainage infrastructure and two large SuDS features (attenuation ponds); and
 - Enhanced native landscaping planting throughout the site.

3. Description of the Site and Surrounding Area

- 3.1. The application site comprises 6.39 hectares of agricultural land which is bounded by the rear boundaries of the dwellings located along Jacqueline Road to the north, and Ratby Lane to the west. A well-defined woodland belt is located to the south of the application site. An existing public footpath also runs adjacent to the southern boundary through the woodland on an east/west axis. The application site slopes towards the south west and is bounded by mature hedgerows and woodland planting to the east, south and west. The centre of Markfield is located approximately 900 metres from the site. The site falls outside of, but adjacent to, the settlement boundary of Markfield and Field Head.

4. Relevant planning history

15/00889/OUT

- Residential development of up to 140 dwellings and associated infrastructure (outline - access only)
- REFUSED
- 21.03.2016

25/00392/EAS

- EIA Screening Request - Erection of up to 135 dwellings
- REPLIED
- 16.05.2025

20/00848/FUL

- Residential development of 48 dwellings with associated infrastructure, access and areas of open space.
- REFUSED
- 15.02.2022

21/01159/TGDO

- Proposed 16 metre high monopole with wraparound cabinets and associated ancillary works
- APPROVED
- 09.11.2021

5. Publicity

5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.

5.2. **47 objections** have been received as a result of the publicity surrounding the planning application. The areas of concerns can be summarised as follows:

- Village has already accommodated “extensive housing growth”
- Houses not needed – unsold homes in nearby developments
- Loss of countryside, greenspace and farmland
- Loss of habitat
- Impact on wildlife/“rare” species
- Pressure on services (doctors, pharmacy, schools, dentists, waste management etc...)
- Loss of privacy
- Loss of outlook
- Impact on water pressure
- Congestion and highway safety – traffic surveys not accurate
- Flood risk
- Concern contamination report is ten years old
- Landscape sensitivity report is out of date
- Impacts on Groby Parish – S106 contributions should be distributed fairly
- Incompatible with Markfield Neighbourhood Plan
- Very small gardens proposed
- Light pollution
- Noise and disturbance
- Air pollution
- Risk of Unexploded Ordnance

6. Consultation

6.1. The section below provides a summary of the consultation responses received. Where appropriate, the responses have been expanded upon in the body of this report.

Natural England – **No objection** – “*Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes*”

Leicestershire Police – Requests **Planning Obligations**

NHS Leicester, Leicestershire and Rutland ICB– Requests **Planning Obligations**

Parish Council – Groby Parish Council **Objects**

LCC Planning Obligations – Requests **Planning Obligations**

HBBC Affordable Housing Officer – **No objection** subject to Legal Agreement to secure **Affordable Housing**

HBBC Arboricultural Officer – **No objection subject to condition(s)** to secure an Arboricultural Method Statement

LCC Archaeology – **No objection subject to conditions** to secure programme of archaeological mitigation

LCC Ecology – **Holding Objection** – additional information provided awaiting consultation response. Further information will be reported on the Late Items report

LCC Highways (LHA) – **No objection subject to conditions**

HBBC Landscape Advisor – **Supports** judgements contained in submitted LVIA

LCC LLFA – **No objection subject to conditions**

HBBC Drainage – **No objection subject to conditions**
Forestry Commission – **No objection subject to conditions**
National Forest – **No objection** subject to scheme to secure **forest planting**
HBBC Environmental Health – requests **conditions** and **clarification** regarding asbestos
MOD – **No objection** – site is outside any safeguarding area

7. Policy

7.1. Core Strategy (2009)

- Policy 7: Key Rural Centres
- Policy 8: Key Rural Centres Relating to Leicester
- Policy 15: Affordable Housing
- Policy 16: Housing Density, Mix and Design
- Policy 19: Green Space and Play Provision
- Policy 20: Green Infrastructure
- Policy 21: National Forest

7.2. Site Allocations and Development Management Policies DPD (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 DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM13: Preserving the Borough's Archaeology
- 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)
- Design Guide (2019)

7.4. Other relevant guidance

- HBBC Affordable Housing Supplementary Planning Document (2011)
- HBBC Good Design Guide (2020)
- HBBC Housing Needs Study (2024)
- HBBC Local Development Scheme (LDS) (2025)
- HBBC Playing Pitch and Outdoor Sport Strategy and Action Plan 2025
- HBBC Open Space and Recreation Study (2025)
- Landscape Character Assessment (LCA) (2017)
- Landscape Sensitivity Assessment (2017)
- Leicestershire Highway Design Guide (LHDG) (2024)

- 7.5 Whilst it is noted that Markfield is subject to a neighbourhood plan that forms part of the development plan, only land that is relied on for drainage within the site is located within the neighbourhood plan area such that the majority of policies contained within the neighbourhood plan are not relevant to the determination of this planning application.

8. Appraisal

8.1. Key Issues:

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Housing Mix & Affordable Housing
- Impact upon highway safety
- Drainage & Flood Risk
- Trees & Ecology
- Archaeology
- Public Open Space
- Amenity Standards
- Planning Obligations
- Other Matters

Assessment against strategic planning policies

- 8.2. Paragraph 2 of the National Planning Policy Framework (NPPF) identifies that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 2 of the NPPF also identifies that the NPPF is a material planning consideration in planning decisions. Paragraph 12 of the NPPF states 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. Where planning applications conflict with an up-to-date plan, development permission should not usually be granted unless other material considerations indicate otherwise.
- 8.3. 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 state 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) (SADMP).
- 8.4. The Emerging Local Plan for 2024-45 previously reached Regulation 18 stage in July-September 2024. Since that consultation, revised affordability ratios have been published, the Standard Housing Method housing figure for the Borough has changed, and the plan period has been extended. As set out in the Local Development Scheme, the Borough Council has conducted a further Regulation 18 consultation in October and November 2025, with Regulation 19 Consultation taking place March/April 2026 with submission to the Secretary of State being November 2026. Given the previous two Regulation 18 plans have not been tested through examination in public, little weight can be attached to them,
- 8.5. The application site is within the designated open countryside outside of the identified settlement boundary of Markfield and Fieldhead.

- 8.6. Key Policy Paragraph 110 of the NPPF confirms that the planning system should actively manage patterns of growth in support of promoting sustainable transport. Significant development should be focused on locations which are, or can be made, sustainable through limiting the need of travel and offering a genuine choice of transport modes. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.
- 8.7. Chapter 15 of the NPPF requires planning policies and decisions to conserve and enhance the natural and local environment. Paragraph 187(b) specifically highlights that this should be achieved by, *“Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services.”*
- 8.8. This is supported by Policy DM4 of the SADMP, which states that the Council will protect the intrinsic value, beauty, open character, and landscape character of the countryside from unsustainable development. Policy DM4 of the SADMP only considers development in the countryside 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
 - (c) It significantly contributes to economic growth, job creation and/or diversification of rural businesses; 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 in line with Policy DM5 - Enabling Rural Worker Accommodation.
- 8.9. Policy DM4 of the SADMP also requires that development meets five further requirements to be considered as sustainable development. These are discussed in detail further in the report. The proposal is offered no support by Policy DM4 of the SADMP and represents new development in the designated open countryside. As such, the application does not accord with the current Development Plan Policy, however, that does not mean that the site is unsustainable.
- 8.10. The site has been identified as an allocation in the emerging Local Plan for 130 dwellings. Whilst the draft allocation tempers the conflict with the current Development Plan, owing to the draft and early stage of the Local Plan, the allocation can only be attributed limited weight at this time.

Housing Land Supply

- 8.11. The Council will soon publish an updated 5-year housing land supply calculation. It is estimated to have up to 3.95 years supply as of April 2025 and therefore the Council cannot demonstrate a 5-year housing land supply.

- 8.12. For decision taking, a 5yr housing land supply is a material consideration in all relevant applications for dwellings in the Borough. In accordance with paragraph 11d) of the NPPF, the Council should 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 otherwise.
- 8.13. Under these circumstances, the NPPF sets out, in paragraph 11d) that, for decision makers:
- “where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date , granting permission unless:*
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, 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.”*
- 8.14. Footnote 7 of the NPPF confirms that areas and assets of particular importance include habitat sites (and those listed in Paragraph 189 of the NPPF) and/or designated as Sites of Special Scientific Interest (SSSI); land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in Footnote 75 of the NPPF); and areas at risk of flooding or coastal change.
- 8.15. Footnote 9 of the NPPF confirms that these key policies including Paragraphs 66 and 84 of Chapter 5 (Delivering a Sufficiently Supply of Homes), 91 of Chapter 7 (Ensuring the Vitality of Town Centres), 110 and 115 of Chapter 9 (Promoting Sustainable Transport), 129 of Chapter 11 (Making Effective Use of Land), and 135 and 139 of Chapter 12 (Achieving Well-Designed Places).
- 8.16. In this instance, Key Policy Paragraphs 66, 110, 115, 129, 135 and 139 apply in the determination of this planning application.
- 8.17. Paragraph 61 of the NPPF sets out that *“it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay”*.
- 8.18. 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.

Design and impact upon the character of the area

- 8.19. Chapter 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. Key Policy Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.

- 8.20. Key Policy 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 (as contained in the National Design Guide and National Model Design Code), taking into account any local design guidance and supplementary planning documents such as design guides and codes.
- 8.21. Key Policy Paragraph 129(d) and (e) of the NPPF confirm that planning decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area's prevailing character and setting (including residential gardens) or of promoting regeneration and change, and the importance of securing well-designed, attractive, and healthy places.
- 8.22. Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. The NPPF requires the creation of high quality, beautiful and sustainable buildings.
- 8.23. The application will be assessed against the relevant criteria of SADMP policy DM4 which is as follows. Development in the countryside will be considered sustainable where:
*"It does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside; and
It does not undermine the physical and perceived separation and open character between settlements; and it does not create or exacerbate ribbon development; and if within the National Forest, it contributes to the delivery of the National Forest Strategy in line with Core Strategy Policy 21"*
- 8.24. By the nature of its form and location, the development proposals cannot be said to undermine the physical and perceived separation and open character between settlements or create or exacerbate ribbon development. It therefore remains to be assessed whether the development would have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside and if the development contributes to the delivery of the National Forest Strategy. The latter is assessed later in the report at paragraph 8.85.
- 8.25. To assist in the assessment of the scheme the application has been accompanied by a Landscape Visual Impact Assessment (LVIA) to assess the impacts of the development proposals. The submitted LVIA has been reviewed by the Council's Landscape Consultants, in accordance with the best practice guidance set out in Reviewing Landscape and Visual Impact Assessments (LVIAs) and Landscape and Visual Appraisals (LVAs) Technical Guidance Note 1/20, published by the Landscape Institute.
- 8.26. The review has found that the LVIA provides a transparent and objective analysis of the landscape and visual effects of the proposed development at Markfield and that it has been completed based on best practice guidance as set out within GLVIA 3. A number of matters were the subject to some additional clarification. The response to the matters for clarification has confirmed that the judgements made within the LVIA have been completed in a transparent, objective, and professional

manner and have been informed by a comprehensive baseline assessment of landscape and visual matters.

- 8.27. The LVIA notes that the site is designated within Charnwood Forest within the HBBC Landscape Character Assessment. The Charnwood Forest Landscape Assessment (2019) identifies that the site lies at the most westerly edge of the landscape character area classified as Area 5: Groby Estate Woodland, which is a discreet parcel of land predominantly comprising a mature estate landscape with grassland, ancient woodland and former quarrying and large waterbodies. The site lies beyond the woodland and it is the only field which abuts Markfield/Fieldhead's settlement edge. Field observations indicate that there is a degree of inconsistency between the description of the character area and the character of the application site.
- 8.28. The LVIA acknowledges that any development of greenfield locations for new housing will give rise to landscape and visual change. The fact that change will occur is not in itself harmful or adverse, such change has created the existing settlements and street scenes that are valued by communities and the people that already live in them. It is inevitable that some of the most appropriate location for new homes, of the scale required, will be in the 'open countryside', abutting settlements across the district. This is a matter which HBBC has explored in order to direct growth to the most appropriate locations on the edge of Markfield. In this instance, the majority of the application site has been identified by HBBC as a suitable and appropriate location for new housing.
- 8.29. The permanent (post implementation and establishment of the landscape measures – year 5 onwards) significant landscape effects identified by this assessment process relate to:
- Changes to the landscape character of the area;
 - Beneficial addition to the landscape through the proposed provision of SuDS on site; and
 - Creation of a new footpath network throughout the open space proposed by the site.
- 8.30. The landscape effects will be localised and not experienced beyond the application site and local landscape. The effect on the character of the site, through the development of the settlement expansion, is balanced against the creation of a character of townscape. The extent to which it draws from and complements the local context would be assessed at reserved matters stage if permission is granted.
- 8.31. In terms of the significance of landscape effects, the LVIA sets out that during the construction phase of the development programme, there will be continuous change to the landscape (in terms of both construction on site and construction movements in the local area). It is generally recognised that this is the most disruptive phase of development. To mitigate such impacts, existing vegetation on site will be retained as far as is practicable to ensure that the site, and the construction activities within, is screened as far as possible. The work will also be carried out in strict accordance with a Construction Management Plan, which will be produced to evidence and inform a future reserved Matters application.
- 8.32. Turning to the significance of visual effects, during the construction phase of the development programme there will be continuous change to the views experienced by residents and those moving around the area. It is generally recognised that this is the most disruptive phase of development. The views will include incongruent

elements, such as scaffolding, construction vehicles and plant. The viewers will experience frequent change on a daily basis; however, the duration of this change during the construction phase is temporary and short-term, not understood to continue for more than four years once granted planning permission.

- 8.33. The degree of change diminishes with distance, so the greatest effects are experienced from those places in close proximity to the application site. Significant, adverse, and permanent visual effects will occur in respect of those residents adjoining or in close proximity to the site.
- 8.34. There will clearly be harm arising from the development associated with the change of the site from fields to houses, yet this harm will be weighed into the planning balance. In order to be compliant with Policy DM4 there should be no significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside overall. Given the assessment provided in the LVIA, referred to above, and the fact that the site is well contained with defensible boundaries it is a reasonable site to be considered for development. Whilst there are effects arising from the development, they are localised impacts and not considered to amount to significant adverse effects overall such that the policy threshold is not considered to be exceeded. The residual harm is considered in the planning balance at the end of this report.
- 8.35. Compliance with policy DM10 would be assessed at Reserved Matters stage if planning permission is granted.

Housing Mix & Affordable Housing

- 8.36. The NPPF at paragraph 60 requires that the needs of groups with specific housing requirements are addressed and that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (paragraph 62).
- 8.37. Core Strategy policy 16 requires a mix of housing types and tenures to be provided on all sites of 10 or more dwellings, taking into account the type of provision that is likely to be required. Core Strategy policy 8 relates to the key rural centres and makes specific reference to Markfield. Developers are required to demonstrate that the number, type and mix of housing proposed will meet the needs of Markfield, taking into account the latest Housing Market Assessment and local housing needs surveys. The precise quantum and mix of housing proposed will be assessed at reserved matters stage if permission is granted.
- 8.38. Sites in key rural centres, such as Markfield, are required to provide a minimum density of 30 dwellings per hectare. Accordingly an average density of 37 dwellings per hectare. This accords with the approach to the minimum density set by this policy and section 11 of the NPPF which is concerned with making effective use of land. The site is to be split into two character areas. Development within CA1, which corresponds with the northern section of the site, will accommodate higher densities compared to CA2 in the south. This is considered to be an appropriate response to the site's edge of settlement context.
- 8.39. Core Strategy, policy 15, states that in settlements other than Hinckley, Barwell, Earl Shilton and Burbage, sites of 4 dwellings or more or 0.13 ha + require 40% of the housing to be offered as affordable housing. This quantum of development proposed exceeds this threshold and the ten dwelling threshold set out in the NPPF. This would equate 54 dwellings being provided in the form of affordable

housing. The Housing Officer notes that the tenure should be split between 75% social rent (40 dwellings) and 25% intermediate tenure (14 dwellings).

- 8.40. The application submission indicates that the full 40% affordable housing will be delivered on site. A mix of all dwelling sizes should be considered for the rented element of the affordable housing, whereas shared ownership properties are commonly a mix of 2 and 3 bed roomed houses. All properties should meet the Nationally Described Space Standards, and the properties for rented accommodation should meet the larger bed space sizes, e.g. 1 bed 2 person, 2 bed 4 person, 3 bed 5 person and 4 bed 6 person. The affordable housing should be spread in clusters across the site rather than being concentrated in one area.
- 8.41. The HBBC Affordable Housing Officer has indicated that any legal agreement should include a cascade for the rented accommodation to be offered in the first instance to households with a connection to Markfield and in the second instance to households with a connection to the Borough of Hinckley and Bosworth. With a S106 Agreement to secure the affordable housing elements detailed above, the Housing Officer raises no objection to the development proposals. With a legal agreement the development proposals comply with Core Strategy policy 15 and the advice contained in the NPPF.
- 8.42. Overall, with a legal agreement to secure affordable housing and the housing mix being refined at reserved matters stage, the development proposals would accord with Core Strategy policies 15 & 16 and the advice contained in the NPPF in respect of meeting the housing needs of different groups of the community.

Highways Matters

- 8.43. Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 requires new development to provide an appropriate level of parking provision to serve the development proposed. Policy 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the cumulative impacts on the road network would be severe.
- 8.44. Access is a matter to be considered in detail in the determination of this application.

Site Access

- 8.45. The Local Highway Authority (LHA) previously advised the access arrangements shown on DTA drawing number 22052-01 Rev. H were acceptable. The Applicant has however submitted DTA drawing number 22052-01 Rev. I, which shows an increased visibility splay to the northeast which accounts for bonnet length. The LHA has indicated that they remain satisfied with the proposed site access arrangements.

Highway Safety

- 8.46. The LHA previously advised it accepted that the development is unlikely to exacerbate an existing highway safety concern, namely Personal Injury Collisions (PICs) on the A50. Following the additional information provided by the Applicant in respect of trip distribution, the LHA is satisfied no further PIC analysis is required.

Trip Generation

- 8.47. The trip generation arising from the development, as derived from TRICs data, is indicated below:

	Trip Rates			Traffic Generation		
	Arrivals	Departures	Total	Arrivals	Departures	Total
08:00-09:00	0.253	0.503	0.756	34	68	102
17:00-18:00	0.466	0.283	0.749	63	38	101

Table 1: Proposed vehicular trip rates, 135 dwellings (extracted for the Applicants TA).

- 8.48. The LHA is satisfied that this is an acceptable account of the level of traffic arising from the development during peak hours.

Trip Distribution

- 8.49. The LHA initially queried the applicant's approach to the assessment of trip generation, namely not referring to the Pan Regional Transport Model (PRTM). The applicant has highlighted anomalies within the PRTM and provided reasoned justification for the approach taken in the TA which relies upon census data. Having assessed the census data against the PRTM the LHA is satisfied with the robustness of the approach.

Junction Capacity

- 8.50. The Applicant has studied junction capacity at the following junctions:
- Site Access/ Ratby Lane priority junction
 - Ratby Lane/ Ratby Lane/ Launde Road priority junction
 - Ratby Lane/ London Road priority junction
 - A50 Field Head Roundabout
- 8.51. Automatic traffic counts were undertaken at each junction on Tuesday 31st October 2023 and the LHA holds survey permits for each junction. The 2023 traffic flows were subsequently factored up to the future year of 2031 using TEMPro traffic growth factors. A number of planning applications have been considered as part of a sensitivity analysis.
- 8.52. Ratio of Flow to Capacity (RFC) is a term used in Transport Modelling to assess the operation of a junction. The result provides an indication of the likely junction performance, with a value of 1 implying that the demand flow is equal to the capacity. Typically a value of 0.85 is seen as the threshold of practical capacity, with results higher than this more likely to experience queuing or delay.
- 8.53. The RFC of junctions 1 and 2 is not predicted to exceed 0.85 with the development in place in 2031. The LHA is satisfied these junctions will operate within capacity.

Junction 3: Ratby Lane/ London Road priority junction

- 8.54. The results of the Applicant's modelling show that junction 3 is currently approaching its design capacity in the morning peak, with an RFC of 0.80 recorded on the London Road approach. The junction is shown to be overcapacity in the future because of background traffic growth in 2031 Baseline (TEMPro growth and committed development) AM peak, with a RFC of 1.03.
- 8.55. The "2031 Baseline + Development" scenario shows that with the proposed development, queuing would increase by one vehicle on the London Road to Ratby Lane North and London Road to Ratby Lane South streams. Delays would increase by approximately 10 seconds on each stream respectively and the RFC would increase to 1.04.

- 8.56. Within the sensitivity test, which includes traffic associated with the proposed draft allocation adjacent to the “Land adjacent to the London Road site” (ref: 20/01283/FUL), there is a worsening in junction operation because of the movements generated by the potential site allocation.
- 8.57. The LHA accepts that the proposed development would not have a material impact on the operation of the junction and it would be difficult to justify the Applicant implements an improvement scheme, particularly given the significant impact of the development at Junction 4 (discussed below) and the scale of development proposed.

Junction 4: Field Head Roundabout

- 8.58. The results summarised in Table 15 of the TA show that the roundabout is currently operating over capacity in the morning peak on the A50 (north) approach with an RFC of 1.00. The analysis indicates that the operation of the junction will deteriorate in the future because of background traffic growth and that it would be impacted further by the proposed development. For example, the “2031 Baseline + Development” scenario shows that with the proposed development in place, queueing would increase by approximately 25 vehicles on the Launde Road arm of the roundabout in the AM peak and the RFC would increase from 0.97 to 1.06. Queue times would also increase by approximately 150 seconds on this arm during the AM peak.
- 8.59. The LHA has a preferred mitigation scheme for the Field Head junction and has sought a financial contribution towards its delivery as part of each of the applications included in the sensitivity testing. This enables a complete approach to be taken to providing the required capacity enhancements to accommodate the associated demand and growth.
- 8.60. The LHA requests a contribution of £659,340 (£4,884 per dwelling) to be directed towards improvements to the Field Head roundabout as part of the extended Coalville Transport Strategy and in mitigating, what would otherwise be, a severe highways impact. The methodology used for the calculation of the required highway contribution is consistent with the residential applications and is based on the proportionate development impact against background growth over the modelled period. The Applicant has indicated that they would be willing to provide a financial contribution towards the delivery of the works. This contribution will be included in a legal agreement if permission is granted.

Off Site Implications

A511 Growth Corridor

- 8.61. As detailed above, the Applicant has confirmed they are willing to contribute towards the A511 Growth Corridor works, which includes the A50 Field Head Roundabout.

Proposed Pedestrian Refuge

- 8.62. The Applicant has proposed a new pedestrian refuge on Launde Road close to the junction of Countryman Way. Whilst the Applicant has undertaken further design work in respect of this refuge, the LHA have some outstanding comments that remain to be addressed. They have, however, indicated that further details could be agreed at detailed design stage if planning permission is granted.

Transport Sustainability

- 8.63. The applicant has provided a revised Travel Plan (TP) in response to comments made by the LHA. The LHA welcomes the changes made but request the submission of an initial travel survey 'within three months of first occupation' as opposed to the six months suggested by the applicant.
- 8.64. The Applicant would be required to provide one travel pack per dwelling (currently £52.85 per pack, if supplied by LCC) which contains an application form for two six-month bus passes to encourage sustainable travel to and from the site. Currently, the cost of a bus pass for an Arriva service is £632.50 per pass. In addition, a Travel Plan Monitoring Fee would be required at a cost of £6,000.
- 8.65. The above measures would be secured by legal agreement if planning permission is granted.
- 8.66. Overall, the site is judged to be locationally sustainable with access to services and public transport within a reasonable walking distance.

Public Rights of Way

- 8.67. The LHA require enhancements to Footpath R21 within 0.5 miles from the site and where possible replace stiles with gates. This is reflective of government policy (derived from the Equality Act 2010) that barriers on public rights of way should be the "least restrictive option" and accessible to users with reduced mobility. Stiles can be awkward even for otherwise able walkers, such as older people, who have mobility limitations such as hip or knee problems that make it more difficult to climb over barriers. These improvements can be delivered through a legal agreement if permission is granted.

Internal Layout & Car Parking

- 8.68. These matters and assessment against policy DM18 of the SADMP are deferred for consideration at reserved matters stage.

Conclusion on Highways Matters

- 8.69. The LHA has indicated that the impacts of the development on highway safety would not be unacceptable and, when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the assessment above and subject to the conditions listed at the end of this report and/or planning obligations, the development does not conflict with paragraph 116 of the National Planning Policy Framework (2024) or policy DM17 of the SADMP.

Drainage & Flood Risk

- 8.70. Policy DM7 of the SADMP seeks to ensure that development does not create or exacerbate flooding. Paragraph 170 of the NPPF also requires Local Authorities, in determining planning applications, to ensure that flood risk is not increased elsewhere.
- 8.71. Leicestershire County Council as Lead Local Flood Authority (LLFA) has confirmed that the 6.39ha greenfield site is located within Flood Zone 1 being at low risk of fluvial flooding and low risk of surface water flooding. The proposals seek to discharge at 28.1l/s via attenuation basins in the southern portion of the site, with approximately 50% of their footprint to be permanent wet with appropriate low flow channels before discharging to the watercourse south of the site. Consideration

should be given to removal of low flow channel in order to assist with meeting the 5mm rainfall retention requirement.

- 8.72. The LLFA would expect any future reserved matters application to include additional source control SuDS such as pervious paving, swales etc. These source control SuDS can assist in reducing the volume of surface water leaving the site, while also providing additional attenuation and treatment benefits. Infiltration testing results show the proposed basin should be designed to promote infiltration as much as possible. This will be reviewed at reserved matters application stage, should planning permission be granted. Source control SuDS will require to be implemented unless clearly demonstrated that they would not be reasonably practicable.
- 8.73. The LLFA has noted that the outfall from the basin is shown to be via an area of dense trees. The removal of these trees is noted in the "Arboricultural Impact Assessment" and has been accepted by the HBBC Arboricultural Officer.
- 8.74. The application has considered a 10% urban creep as a sensitivity test. The LLFA advise that this should form part of the design parameters, rather than being tested against the design as part of a sensitivity test, to be presented at reserved matters stage.
- 8.75. Emerging local policy will require a 20% reduction in discharge rate over the greenfield QBar rate. The new National Standards for SuDS additionally required discharge rate to be at the 1 in 2 year. The NPPF gives weight to emerging policy and as such, this should be catered for at reserved matters application stage.
- 8.76. One of the proposed ponds is shown to require bunding above existing levels. As the outfall is at a significantly lower elevation than the basin outfall, the LLFA would expect the basin to be lowered as much as possible to avoid above ground bunding. This will reduce the risk of bund failure and associated flood risk.
- 8.77. Infiltration testing has been undertaken however limited details have been submitted at this stage. The details provided show that infiltration is likely to assist in draining this site. Full infiltration testing details should be submitted at reserved matters stage to support the layout sought for approval. Every effort should be made to minimise surface water volume leaving the site.
- 8.78. Notwithstanding any surface water drainage details submitted under this application, as the proposals are for outline permission, no specific drainage elements are fixed at this stage. As such, the LLFA would require that later reserved matters and detailed design fully comply with the new National Standards for SuDS and to any other amended local or national policy/guidance relevant at the time of submission of those details. This includes (but is not limited to) a re-assessment of discharge rates, contributing areas, attenuation scale and the retention of the first 5mm of rainfall on-site. An updated drainage strategy should be submitted to support any future reserved matters application.
- 8.79. While the LLFA has noted several items above, the application is for outline approval and as such these can be addressed at reserved matters stage. The LLFA is satisfied that matters of drainage are acceptable in principle with the outstanding matters, outlined above, being considered in detail at reserved matters stage.

- 8.80. It should be recorded that the HBBC Drainage team have raised no objection to the proposals and requested a condition to secure full details of a drainage scheme underpinned by sustainable drainage issues.
- 8.81. With the use of the conditions outlined in section 11 of this report the proposals comply with Policy DM7 of the SADMP and the advice contained in the NPPF that is relevant to drainage and flood risk.

Trees & Ecology

- 8.82. Policy DM6 of the SADMP requires development proposals to demonstrate how they conserve and enhance features of nature conservation. Paragraph 187 bullet "d" of the NPPF requires planning decisions to contribute to and enhance the natural and local environment by (inter alia) minimising impacts upon and providing net gains for biodiversity.
- 8.83. In addition to the above, the site is located in the Charnwood and National Forests. In this location, proposals are normally expected to contribute to woodland cover at a proportion of 20% of the site. Core Strategy policies 21 and 22 also contain requirements to ensure that the siting and scale of the development is appropriately related to its setting within the Forest and that character and appearance of the wider countryside is respected.
- 8.84. Based on the red line area of 6.39ha, policy 21 of the Core Strategy expects that 20% of the site, or 1.28ha of the site to be National Forest planting. The current layout does not demonstrate that the required quantum of National Forest planting can be achieved on site.
- 8.85. Full details of woodland and tree planting, however, would be provided at the reserved matters stage to determine which elements contribute to the National Forest planting requirement, and any shortfall made up in the form of a financial contribution. As such the applicant should enter into a legal agreement which requires 1.28ha of National Forest planting to be provided on-site with any shortfall being met by a financial contribution. Subject to a legal agreement to achieve the same, the requirements of Core Strategy policies 21 and 22 will be met.
- 8.86. It should also be noted that the Tree Officer raised no objection to the development proposals subject a condition to secure an Arboricultural Method Statement.
- 8.87. To consider ecological matters, Natural England raised no objection to the development proposals. With a condition to secure a Biodiversity Gain Plan, prior to the commencement of development, the County Ecologist is satisfied that the scheme will achieve the mandatory net gains in biodiversity. Additional details were provided in respect of the use of the site by badgers. A license from Natural England will be secured by condition. Similarly, the applicant has also provided additional details about the approach to mitigation in respect of the use of the site by Great Crested Newts (GCN). The suggested approach is currently being considered by the County Ecologist and an update on this matter will be provided to members in advance of the committee.
- 8.88. Subject to matters regarding GCN being resolved and conditions to secure BNG and mitigations to ensure other priority species are protected, the development proposals would accord with SADMP policy DM6 and the advice contained in the NPPF.

Archaeology

- 8.89. Policies DM11 and DM13 of the adopted SADMP and Section 16 of the NPPF seek to protect and enhance the historic environment, including archaeology. Where proposals have the potential to impact a site of archaeological interest, full archaeological investigation and recording by an approved archaeological organisation will be required before development commences.
- 8.90. The County Archaeologist has responded to the application consultation by confirming that the Leicestershire and Rutland Historic Environment Record (HER), the submitted desk-based assessment (RPS DBA Ref.: 794-PLN-HER-01595) and geophysical survey (Stratascan Report ref.: J7860), combine to indicate that the site possesses a significant archaeological interest. As yet the site investigation has failed to clarify the extent and character of any archaeological remains, but the topography (ridge top, southerly aspect) and surrounding archaeological records indicate a particular potential for prehistoric remains to be present.
- 8.91. In accordance with the NPPF, Section 16, paragraph 207, the development area is of archaeological interest and also has the potential for further unidentified archaeological deposits. Based upon the available information, it is anticipated that these remains whilst significant and warranting further archaeological mitigation prior to the impact of development, are not of such importance to represent an obstacle to the determination of the application (NPPF paragraph 208).
- 8.92. While the current results are sufficient to support the planning decision, further post-determination trial trenching will be required in order to define the full extent and character of the necessary archaeological mitigation programme.
- 8.93. NPPF paragraph 218, states that Local Planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact of development, and to make this evidence (and any archive generated) publicly accessible. In this the County Archaeologist raises no objection to the proposals on archaeological grounds subject to conditions to secure an appropriate programme of archaeological mitigation, including an initial phase of exploratory trial trenching, followed, as necessary by intrusive and non-intrusive investigation and recording.
- 8.94. With the use of the conditions indicated above, the development proposals would accord with Policies DM11 and DM13 of the SADMP and the advice contained in the NPPF.

Public Open Space

- 8.95. Policy 11 of the adopted Core Strategy asserts that the Council will address the existing deficiencies, quantity and accessibility of green space and play provision within Newbold Verdon. New green space and play provision will be provided where necessary to meet the standards set out in Policy 19 of the adopted Core Strategy.
- 8.96. Policy 19 of the Core Strategy identifies standards for play and open space within the Borough. Developments should accord with this Policy and provide acceptable open space within the development, or if that is not possible contribute towards the provision and maintenance of open space off site.

- 8.97. The Open Space and Recreation Study (OSRS) (2025) has been published during the latter stages of consideration of this application and updates the open space standards and identifies the costs for off-site and on-site contributions.
- 8.98. The proposed development includes 1.71 hectares of public open space. This will include approximately 637 sq m of casual informal open space, located around the equipped play area, and represents a shortfall of 1,631 sqm of usable casual open space on site. Whilst the site provides a considerable amount of accessible natural green space, as this incorporates the balancing ponds, forest planting etc, there is no other functional casual open space area.
- 8.99. Based on the new Open Space Study the following provision is sought:

Typology	Quantum Sought
Allotments	0.1134 ha
Amenity Green Space	0.432 ha
Equipped Play	0.081 ha
Parks & Gardens	0.1161 ha
Provision for Young People	0.0945 ha
Natural & Semi Natural Greenspace	0.648 ha

- 8.100. The application was submitted and pre-application engagement took place before the publication of the current open space strategy. Accordingly the applicant will have relied on the previous standards.
- 8.101. The current approach in this scenario is for shortfalls against the OSRS (2025) to be made up through contributions, particularly in respect of equipped play and provision for young people, which normally takes the form of a MUGA (Multi Use Games Area).
- 8.102. Notwithstanding the above, as the application is in outline form, the broad typologies of open space will be secured through a legal agreement, if planning permission is granted, and provision will be made for either on or off-site provision as necessary.

Amenity Standards

- 8.103. Policy DM10 of the adopted SADMP seeks to ensure that development does not adversely affect the amenity of occupiers of neighbouring properties. Similarly paragraph 130 of the NPPF (inter alia) requires development proposals to create places which promoted health and well-being, with a high standard of amenity for existing and future users.
- 8.104. The matters referred to above cannot be assessed at this stage and will be matters for consideration in the context of a future reserved matters application. The approach to the development of the site, outlined in the Design & Access Statement, in principle would appear to set the tone for the site being developed to offer acceptable standards of amenity.

- 8.105. The amenity levels of future occupiers of the development will also be considered in the assessment of a future reserved matters planning application. The Nationally Described Space Standards should be adhered to and all dwellings should enjoy appropriate levels of daylight/sunlight; enclosure and no undue overbearing impacts. Levels of privacy enjoyed by future occupants will be expected to be commensurate to this edge of settlement location. A condition is also recommended requiring the submission of a scheme for protecting proposed dwelling from noise from road traffic.
- 8.106. To protect the residential amenity of neighbouring dwellings, the Council's Environmental Services team requested that a Construction Environmental Management Plan (CEMP) and restrictions on site preparation and construction hours are secured via planning condition. A development of this scale is likely to cause some noise, dust and disturbance at construction stage, however, securing an appropriate CEMP by condition will allow for this to be mitigated to an acceptable degree.
- 8.107. As noted in the consultation section of this report, the Environmental Health Officer has queried the possible presence of asbestos on the site. The applicant has provided a Phase 2 Site Investigation and the EH Officer has been consulted. The committee will be updated on the consultation response in the form of a committee update, although it is expected that this matter can be dealt with through an appropriately worded condition if permission is granted.

Loss of Agricultural Land

- 8.108. Paragraph 187 of the NPPF requires planning decisions to "recognise" the economic and other benefits of the best and most versatile agricultural land. Footnote 65 of the NPPF notes that "Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality."
- 8.109. The site predominantly (92%) comprises land with an Agricultural Land Classification ("ALC") as 3a. In accordance with the NPPF, such a ALC grade would constitute the Best and Most Versatile ("BMV") agricultural land.
- 8.110. In this instance the development is recognised to be necessary – e.g. to provide houses to meet future housing need sites in the countryside have to be considered – yet the development proposed is not "significant", it does not exceed the 20 hectares that would require further assessment in accordance with footnote 65. Nonetheless, the loss of an area of BMV agricultural land should be weighed into the planning balance.

Planning Obligations

- 8.111. Policy DM3 of the adopted SADMP requires development to contribute towards the provision and maintenance of necessary infrastructure to mitigate the impact of additional development on community services and facilities. As set out above Policy 19 of the Core Strategy identifies standards for play and open space within the borough. Developments should accord with the policy and provide acceptable open space within the development, or if that is not possible contribute towards the provision and maintenance of open space off site. The Open Space and Recreation Study 2025 updates these standards, and the 2016 standards, and also identifies the costs for off-site and on-site contributions

- 8.112. The request for any planning obligations (infrastructure contributions) must be considered alongside the requirement contained within the Community Infrastructure Levy Regulations 2010 (CIL). The CIL Regulations and paragraph 58 of the NPPF state that planning obligations must only be sought where they meet all of the following tests:
- A) Necessary to make the development acceptable in planning terms;
 - B) Directly related to the development; and
 - C) Fairly and reasonably related in scale and kind to the development.
- 8.113. The following planning obligations are sought:
- HBBC POS Contributions comprising (to be detailed on the Late Items report)
 - Allotments
 - Amenity Green Space
 - Equipped Play
 - Natural & Semi Natural Green Space
 - Provision for young people
 - HBBC Outdoor Sports/Playing Pitch Provision Contributions (to be detailed on the Late Items report_
 - National Forest Planting
 - 1.28ha of National Forest planting on-site with any shortfall being met by a financial contribution. The financial contribution is currently £35,000 a hectare
 - HBBC 40% Affordable Housing comprising
 - 75% social rent
 - 25% intermediate
 - Affordable home ownership properties are usually a mix of 2 and 3 bedroomed houses. All properties should meet Nationally Described Space Standards where possible. A cascade should be included in the section 106 legal agreement to require the affordable rented housing to be offered in the first instance to people with a local connection to Markfield/Field Head, and in the absence of applicants with a local connection, to people with a connection to the Hinckley and Bosworth, as defined in the council's Housing Allocations Policy.
 - Highways Contributions comprising:
 - A contribution of £659,340 (£4,884 per dwelling) towards the Coalville Transport Strategy. To mitigate the otherwise severe impact of the development on the A511/ A50 corridor.
SUGGESTED TRIGGER POINT: Payment of the CTS shall be based on:- 25% prior to first occupation of the development 25% prior to occupation of the 34th dwelling of the development; 25% prior to occupation of the 67th dwelling of the development; and 25% prior to occupation of the 101st dwelling of the development.
 - Travel Packs; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack per plot). If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which will involve an administration charge of £500. To inform new residents from first occupation what sustainable travel choices are available in the surrounding area.
SUGGESTED TRIGGER POINT: Prior to the occupation of the first dwelling.
 - Six month bus passes, two per dwelling (two application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at an average of £632.50 per pass for an Arriva

service). To encourage new residents to use bus services as an alternative to the private car to establish changes in travel behaviour from first occupation. SUGGESTED TRIGGER POINT: Payment of 25% of total obligated contribution paid prior to the occupation of the first dwelling. Remaining 75% of total obligated contribution paid prior to occupation of 25% of total dwellings, except payment may be deferred by agreement with the County Council.

- STARS for (Sustainable Travel Accreditation and Recognition Scheme) monitoring fee of £6,000. To enable Leicestershire County Council to provide support to the appointed Travel Plan Co-ordinator, audit annual Travel Plan performance reports to ensure that Travel Plan outcomes are being achieved, and to take responsibility for any necessitated planning enforcement. SUGGESTED TRIGGER POINT: Prior to the occupation of the first dwelling.
- A contribution (to be confirmed) towards improvements to Footpath R21 outside of the site including replacing stiles with gates. Justification: To improve the accessibility of Footpath R21 between the site and Main Street, Newbold Verdon. SUGGESTED TRIGGER POINT: Prior to occupation of the first dwelling.
- HBBC Monitoring fees of £558 per obligation payable prior to commencement of development and £219 site inspection fee payable prior to arranged visit (min 2 inspections of open space areas)
- Council's Legal Fees
- NHS England - Markfield Medical Centre, Groby Surgery & Ratby Medical Centre -£130,680.00
- LCC Planning Obligations
 - Libraries - Markfield Library - £4,076.69
 - Waste - Coalville HWRC - £8,826.30
 - Early Years - Mercenfeld Primary School - £210,635.10
 - Primary Education - Mercenfeld Primary School - £743,418.00
 - Primary SEND Education - Forest Way School- £32,178.64
 - Secondary SEND Education -Forest Way School - £44,026.74
 - LCC Monitoring Fees - £300.00 or 0.5% depending upon which is the greatest per obligation.

8.114. There is a policy basis for each contribution and the method of calculating each contribution shows that the obligations are directly related, fairly and reasonably related in scale and kind to the development proposed and subsequently meet the skills tests. The obligations set out above, shall form the basis for the Heads of Terms for a legal agreement that the applicant shall enter into to secure the necessary obligations

8.115. Contributions totalling £61,252.27 have been requested by Leicestershire Police for police equipment, infrastructure and crime reduction initiatives. HBBC are not currently satisfied that the requests meet the planning obligations tests of para 58 of the NPPF and Regulation 122 of the CIL Regulations 2010 as it has not been demonstrated that they are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development. Therefore, at this time, these contributions are not requested.

Other Matters

8.116. Concern has been raised by interested parties regarding the possible presence of Unexploded Ordinance (UXO) within the site. The applicant has provided an

additional site survey aimed at identifying any possible buried UXO ahead of any ground-intrusive works if permission is granted.

- 8.117. The survey recommends that any groundworks undertaken within in the top 4m of soils may proceed without any further proactive UXO risk mitigation. A safety briefing, to be delivered to the site management team of the principal contractor, would be prudent. This would further appease the “As Low As Reasonably Possible) (ALARP) risk mitigation principle, whilst raising awareness to the leadership team for the site.
- 8.118. Any ground intrusions deeper than 4m will still require further proactive site-based mitigation. These activities would likely comprise blind ground intrusions, such as piling or foul pump station wet well installation(s). The undertaking of an intrusive magnetometer probe survey, which is designed to scan deep buried columns of soil that relate specifically to the proposed pile and wet well locations, is recommended. The survey suggests a condition that can be applied, if permission is granted to manage the potential risk.

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. Planning Balance & Conclusion

- 10.1. The ‘tilted’ balance is engaged whereby in accordance with Paragraph 11(d)(ii) of the NPPF, 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, 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.

Policy Weighting

- 10.2. Policy 7 and 8 of the adopted Core Strategy and Policy DM4 of the SADMP are out of date as housing requirement figures have been updated. However, this does mean that these policies do not attract weight in the planning balance in light of their consistency with the NPPF in accordance with Paragraph 232 of the NPPF.
- 10.3. Whilst Policy 8 of the adopted Core Strategy highlights a minimum provision within Markfield of 80 new homes within the Plan Period, this is not a maximum and does

not restrict further residential development coming forward. Therefore, Policy 8 of the adopted Core Strategy is consistent with the NPPF and is afforded full weight in the planning balance.

- 10.4. The emphasis of Policy DM4 of the SADMP is to promote sustainable development proposals within the countryside and to safeguard it from unsustainable schemes, rather than to apply a blanket protection. In this regard, Policy DM4 is consistent with, and accords with, the NPPF, a view which has been supported by a number of Planning Inspectors such as within the appeal decisions for planning applications 17/00531/OUT, 18/00279/OUT, 19/00947/OUT, 19/01324/OUT, and 20/00102/OUT.
- 10.5. Due to this strong conformity with the NPPF, Policy DM4 of the SADMP can therefore it can be afforded full weight within the planning balance.

Benefits of the Development

- 10.6. In light of the latest revisions to the NPPF and Hinckley and Bosworth Borough's inability to demonstrate a five-year supply of land for housing, the provision of up to 135 dwellings to the Borough's supply of land for housing is considered to attract significant weight within the planning balance.
- 10.7. The scheme will provide a policy compliant level provision of affordable housing in accordance with Key Policy Paragraph 66 of the NPPF and Policy 15 of the adopted Core Strategy. It is therefore considered that this provision towards affordable housing attracts significant weight in the planning balance.
- 10.8. The development would provide economic and social benefits during construction of the development and through longer term expenditure impacts generated by residents of the scheme each year. Social benefits arise through the provision of housing for a range of occupants and the positive impact on services. Owing to the scale of the development the economic and social benefits attract moderate weight in the planning balance.
- 10.9. The development would result in BNG just above the 10% mandatory requirement, this is afforded limited positive weight in the planning balance.
- 10.10. The development would result in a significant amount of Public Open Space. However, as a result of the updated OSRS there is currently under provision of some typologies of open space compared to the latest evidence. It is considered this can be satisfactorily mitigated against through off-site provision which will be secured through a legal agreement and the on-site provision will be refined at reserved matters stage. At this stage limited positive weight is apportioned to this element of the scheme.
- 10.11. The financial contributions that the scheme is required to provide are needed to mitigate the impact of the development on local services and facilities. Therefore, the benefit of the planning obligations that the scheme is required to provide attract neutral weight in the planning balance.
- 10.12. It is considered that the scheme, subject to the detailed matters to come forward at Reserved Matters stage, could be designed such to have a suitable relationship with the nearby residential units and shall protect the residential amenity of the future occupants of the scheme. Subject to conditions/reserved matters the proposal is considered to be policy compliant in highways, drainage/flooding, ecological, archaeological and mineral safeguarding terms. These impacts therefore make no material change to the existing situation in the area and as a result these elements are considered to attract neutral weight in the planning balance.

Harm of the Development

- 10.13. Notwithstanding the above, the proposal represents new development in the open countryside. The potential allocation in the emerging Local Plan can only be attributed limited weight at this time to counter the existing policy conflict in that regard.
- 10.14. Based on the indicative information submitted as part of this application, the scheme is considered to result in some harm to the character of the site, the surrounding area, and the intrinsic value, beauty, open character, and landscape character of the designated countryside. Ultimately, this harm is considerable, experienced over a long period of time, and non-reversible. This is attributed moderate negative weight in the planning balance. The harm is tempered due to the localised nature of the impacts that could be considered significant and the fact that an overall significant adverse effect is not identified.
- 10.15. The loss of BMV Agricultural Land is held in limited negative weight. The harm is tempered due to the scale of the loss.

Conclusion

- 10.16. By virtue of these factors, moderate harm of the development of the character of the surrounding area must be weighed against the significant benefits associated with the provision of residential properties towards the Council's shortfall in housing, the provision of affordable housing, the social and economic impacts, and the limited benefits of BNG provision and provision of public open space.
- 10.17. In light of the above, and the 'tilted' balance required by Paragraph 11(d) of the NPPF, it is not considered that the adverse impacts of the development significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF when taken as a whole. As a result, it is recommended that, in accordance with Paragraph 11(d) of the NPPF that planning permission is granted.

11. Recommendation

Grant planning permission subject

- The entering into of a S106 Agreement (as per the Heads of Terms set out in paragraph 8.113)
- Planning conditions outlined at the end of this report
- The removal of the holding objection from LCC Ecology in relation to Great Crested Newt mitigation; and
- That the Assistant Director Planning and Regeneration be given powers to determine the final detail of planning condition and obligations (including trigger points and claw back periods).

Recommended Conditions and Reasons:

1. Approval of the details of layout, scale, appearance, landscaping and internal access (hereafter called the reserved matters) shall be obtained from the local planning authority in writing before development commences. Thereafter the development 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).

2. Application for approval of the first reserved matters shall be made within 18 months of the date of this permission.

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

3. The development hereby permitted shall begin not later than 3 years from the date of this permission or not later than 2 years from the date of the approval of the last of the reserved matters to be approved, whichever is later.

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.

4. The development hereby permitted shall be carried out in accordance with the details within submitted application details received by the Local Planning Authority as follows:

- Site Location Plan Dwg no. CSA/2550/122 Rev H

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

5. The development shall be in general accordance with the submitted application details received by the Local Planning Authority as follows:

- Illustrative Masterplan, Drg No. CSA/2550/118 Rev O
- Illustrative Landscape Strategy Plan, Drg No. CSA/2550/128 Rev B

Each reserved matters application shall include a statement identifying how the proposals are in general accordance with the above plans.

Reason: To ensure a satisfactory form of development and to ensure the quality of the proposed development is not materially diminished between permission and completion in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 140 of the National Planning Policy Framework (2024).

6. The first reserved matters application relating to housing shall be accompanied by a scheme which details the proposed housing mix for the development which should be in accordance with the Council's adopted Development Plan or the most up to date Housing Needs/Market Assessments for the area.

Any subsequent reserved matters applications in relation to housing shall accord with the approved details and shall be accompanied by a statement which demonstrates compliance with the approved mix.

Reason: To ensure an appropriate housing mix to meet the housing needs of the locality is provided in accordance with Policy 16 of the Core Strategy 2009 and Paragraphs 61 and 63 of the National Planning Policy Framework (2024).

7. Each reserved matters application for housing, shall include a 'Building for a Healthy Life' assessment for the development which shall be submitted to and approved in writing by the Local Planning Authority. The details of the development shall incorporate the 12 considerations set out within the 'Building

for a Healthy Life` document (Homes England). The development shall be implemented in accordance with the approved details and retained thereafter.

Reason: To ensure the development is appropriate to the local area and meets amenity standards in accordance with Policy DM10 of the Site Allocations and Development Management Policies DPD, Policy 16 of the Core Strategy, and the Good Design Guide SPD.

8. Prior to or in conjunction with the first Reserved Matters application, details of infiltration testing having been carried out (or suitable evidence to preclude testing) to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy. To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and to accord with Policy DM7 of the Site Allocations and Development Management Policies DPD.

9. Prior to or in conjunction with the first Reserved Matters application a surface water drainage scheme, in accordance with the Flood Risk Assessment and Drainage Strategy dated June 2025, shall be submitted to and approved in writing by the Local Planning Authority. Surface water shall not drain into the Public Highway. Thereafter, the surface water drainage development must be carried out in accordance with these approved details and completed prior to first occupation of any dwelling.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and to reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users and to accord with Policy DM7 and DM17 of the Site Allocations and Development Management Policies DPD.

10. No development shall commence until details in relation to the management of surface water on site during construction of the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of the development must be carried out in accordance with these approved details.

Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase and to accord with Policy DM7 of the Site Allocations and Development Management Policies DPD.

11. No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system shall then be maintained in accordance with these approved details in perpetuity.

Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable

drainage systems) within the proposed development and to accord with Policy DM7 of the Site Allocations and Development Management Policies DPD.

12. If during development, contamination not previously identified is found to be present at the site, no further development shall take place in the relevant phase until an addendum to the scheme for the investigation of all potential land contamination is submitted in writing to and approved in writing by the Local Planning Authority which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the first dwelling being occupied in the relevant phase.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

13. Upon completion of the remediation works required by conditions 12, and prior to first occupation of any dwelling on site a verification report shall be submitted to and approved by the Local Planning Authority. The verification report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

14. Prior to, or in conjunction with, the first reserved matters application relating to housing a scheme for protecting the proposed dwellings from noise of traffic on Ratby Lane shall be submitted to and approved by the Local Planning Authority. All works which form part of the scheme shall be completed before any of the permitted dwellings are first occupied.

Reason: To protect the amenities of the future occupiers of the scheme from unsatisfactory noise and disturbance in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

15. Prior to commencement of development a Construction Environmental Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall detail how, during the site preparation and construction phase of the development, the impact on existing and proposed residential premises and the environment shall be prevented or mitigated from dust, odour, noise, smoke, light and land contamination. The plan shall include site preparation and construction hours. The plan shall detail how such controls will be monitored. The plan will provide a procedure for the investigation of complaints. The agreed details shall be implemented throughout the course of the development.

Reason: To protect the amenities of the occupiers of neighbouring residential properties and the occupiers of the proposed residential properties throughout the course of the development in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

16. Prior to the commencement of development details of external lighting (including on any non-adopted highways and footpaths) shall be submitted to and approved by the Local Planning Authority. This information shall include a layout plan with beam orientation, a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles), and details of its maintenance and operation.

The external lighting shall then be installed, maintained, and operated in accordance with the approved details prior to the first occupation or use of development within that phase.

Reason: To ensure a satisfactory form of development and to create places that are safe, inclusive, and accessible, which promote health and well-being, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience, and in order to protect the protected wildlife species and their habitats that are known to exist on site in accordance with Policies DM1, DM6, and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Paragraph 135 of the National Planning Policy Framework.

17. Each Reserved Matters application relating to housing shall include details for the adequate provision for waste and recycling storage of containers and collection across the site. The details should address accessibility to storage facilities and confirm adequate space is provided at the adopted highway boundary to store and service wheeled containers. Provision for waste and recycling storage and collection shall be implemented prior to first occupation of the dwelling to which they relate.

Reason: To ensure that there is adequate provision of waste and recycling storage so that the amenity of the occupants of the proposed development are not adversely affected in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016, Section 46 of the Environmental Protection Act 1990 and Waste Storage and Collection Guide for New Developments & Property Conversions.

18. All mitigation measures and/or works shall be carried out in accordance with the submitted details contained in the Ecological Impact Appraisal (May 2025) ref CSA/2550/01 and the Great Crested Newt Mitigation Strategy (Feb 2026) prepared by CSA Environmental.

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 to accord with Policy DM6 of the Site Allocations and Development Management Policies DPD.

19. No development approved by this planning permission shall take place until a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.

- a) Risk assessment of potentially damaging construction activities.
- b) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- c) The location and timing of sensitive works to avoid harm to biodiversity features.
- d) The times during construction when specialist ecologists need to be present on site to oversee works.
- e) Responsible persons and lines of communication.
- f) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. The appointed person shall undertake all activities, and works in accordance with the approved details.
- g) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority

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 to accord with Policy DM6 of the Site Allocations and Development Management Policies DPD.

20. Prior to the commencement of development, a Habitat Management and Monitoring Plan (HMMP) for significant on-site enhancements shall be submitted to and approved in writing by the Local Planning Authority. The HMMP shall be submitted concurrently and in accordance with the Biodiversity Gain Plan. It shall include:

- a) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- b) the planned habitat creation and enhancement works to create or improve habitat to achieve the on-site significant enhancements in accordance with the approved Biodiversity Gain Plan;
- c) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
- d) the monitoring methodology in respect of the created or enhanced habitat to be submitted to the local planning authority; and
- e) details of the content of monitoring reports to be submitted to the LPA including details of adaptive management which will be undertaken to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

Notice in writing shall be given to the Council when the:

- initial enhancements, as set in the HMMP, have been implemented; and
- habitat creation and enhancement works, as set out in the HMMP, have been completed after 30 years.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Unless otherwise agreed in writing, monitoring reports shall be submitted in years 1, 2, 5, 10, 15, 20, 25, and 30 to the Council, in accordance with the methodology specified in the approved HMMP.

Reason: To satisfy the requirement of Schedule 7A, Part 1, section 9(3) of the Town and Country Planning Act 1990 that significant on-site habitat is delivered, managed, and monitored for a period of at least 30 years from completion of development.

21. No demolition/development shall take place/commence until a programme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. The programme will comprise an initial phase of trial trenching to inform a final archaeological mitigation scheme. Each stage will be completed in accordance with a written scheme of investigation (WSI), which has been submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed mitigation WSI, which shall include the statement of significance and research objectives, and

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

The Written Scheme of Investigation (WSI) must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of this written scheme of investigation has been secured the applicant must provide a signed contract or similar legal agreement between themselves and their approved archaeological contractor.

The Historic and Natural Environment Team, as advisors to the planning authority, will monitor the archaeological work, to ensure that the necessary programme of archaeological work is undertaken to the satisfaction of the planning authority.

Reason: To ensure satisfactory archaeological investigation and recording To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policies DM11, 12 and 13 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

22. No development shall take place until an Arboricultural Method Statement, in accordance with BS 5837:2012, for the site as a whole, including details of the position, species, size and condition of each existing tree and hedgerow on and adjacent to the site, and identifying those trees and hedgerows to be retained, has first been submitted to and approved in writing by the local planning authority. This shall include full details of measures for the protection of trees and hedgerows to be retained during the course of development. Thereafter the development shall be carried out in accordance with the approved Arboricultural Method Statement.

Reason: To ensure that the trees on site are to be retained and adequately protected during and after construction in the interests of the visual amenities of

the area and biodiversity in accordance with Policy DM4 and DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 187 of the National Planning Policy Framework (2024).

23. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD and the National Planning Policy Framework (2024).

24. No part of the development shall be occupied until such time as the offsite works (pedestrian refuge) shown on DTA drawing number 22052-04 Rev. B have been implemented in full.

Reason: To mitigate the impact of the development, in the general interests of highway safety and in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

25. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on DTA drawing number 22052-01 Rev. I 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 Site Allocations and Development Management Policies DPD and the National Planning Policy Framework (2024).

26. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 46.1 metres to the southwest and 2.4 metres by 46.7m to the northeast have been provided at 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 Site Allocations and Development Management Policies DPD and the National Planning Policy Framework (2024).

27. The new vehicular access hereby permitted shall not be used for a period of more than one month from being first brought into use unless the existing vehicular access on Ratby Lane that becomes redundant as a result of this proposal has been closed permanently and reinstated in accordance with details first submitted to and agreed in writing by the local planning authority.

Reason: in the interests of highway and pedestrian safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD and the National Planning Policy Framework (2024).

28. No part of the development hereby permitted shall be first occupied until an amended full Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

REASON: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD and the National Planning Policy Framework (2024).

29. No development shall take place until a scheme for the treatment of the Public Right of Way R21 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include management during construction (including proposed temporary route(s)); ensuring plans reflect the correct legally-recorded PRow alignments, or any legal diversion order to ensure they do so in future; and any new construction works. Physical construction should address width, surfacing, drainage, structures, signposting, and impacts of any landscaping and boundary treatments in accordance with the principles set out in the Leicestershire Highway Design Guide annex on Development and public rights of way at: <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/public-rights-way>. Thereafter the development shall be carried out in accordance with the agreed scheme and timetable.

Reason: To protect and enhance Public Rights of Way and access in accordance with Policy DM10 and DM17 of the Site Allocations and Development Management Policies DPD 2016 and with Paragraph 105 of the National Planning Policy Framework (2024).

30. No development shall take place until the following has been submitted to and approved, in writing, by the Local Planning Authority:
A Detailed Risk Assessment and Intrusive UXO Survey where required,
(1) to characterise the site and; provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. Following the results and outcomes of the Detailed Risk Assessments, a Risk Mitigation Plan giving full details of the mitigation measures required and how they are to be undertaken. This requires the provision of both a Mitigation Implementation and Verification Plan.
(2) Details attaining to Operational UXO Emergency Response Plan; and UXO Safety & Awareness Briefings – must also be provided. The identified mitigation must be carried out in accordance with the approved details. On completion of the above (2) a final Verification Report is required to demonstrate that the works set out in (3) have been completed, along with any requirements for longer-term monitoring of risks, maintenance and arrangements for contingency action

Reason: In the interests of public safety in accordance with Construction (Design Management) Regulation (2015): Health and Safety at Work Act (1974) and Management of Health and Safety at Work (1999)

Notes to applicant

BNG

Biodiversity Net Gain Condition Requirements.

Drainage

The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations.

Full details for the drainage proposal should be supplied including, but not limited to; construction details, cross sections, long sections, headwall details, pipe protection details (e.g. trash screens), and full modelled scenarios for event durations up to the 24 hour (or longer where required) for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods with results ideally showing critical details only for each return period.

Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.

Details of the surface water Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the surface water drainage system that will not be adopted by a third party and will remain outside of individual property ownership. For commercial properties (where relevant), this should also include procedures that must be implemented in the event of pollution incidents.

The results of infiltration testing should conform to BRE Digest 365 Soakaway Design. The LLFA would accept the proposal of an alternative drainage strategy that could be used should infiltration results support an alternative approach. Where infiltration is deemed viable, proposed infiltration structures must be designed in accordance with the National Standards for SuDS and CIRIA C753 "The SuDS Manual" or any superseding version of these guidance.

Highways

Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further

information please refer to the Leicestershire Highway Design Guide which is available at <https://www.leicestershirehighwaydesignguide.uk/>.

To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).

All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://www.leicestershirehighwaydesignguide.uk/>.

Planning Permission is required for any construction access onto a classified road, unless it is in strict accordance with the development access planning approval. To carry out off-site works associated with a construction access onto a classified road, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit. However, if planning consent has not been secured in respect of the construction access, the section 184 application will be refused.

A Public Right of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.

If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.

Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Local Highway Authority.

No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Local Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and Leicestershire County Council as Local Highway Authority may be obliged to require its immediate removal.