

Development Management
Hinckley & Bosworth Borough Council
Hinckley Hub
Rugby Road
Hinckley
Leicestershire
LE10 0FR

20th February 2024

Planning Portal Ref: PP-12764893

Dear Sir/Madam

RE: Reserved matters (appearance, landscaping, layout and scale) application for 82 dwellings, car parking, open space, children's play area and associated infrastructure pursuant to outline permission 22/00192/OUT

Land at Lychgate Lane Burbage, LE10 2DR

Introduction

Avant Homes East Midlands ("Avant Homes") seeks approval from Hinckley & Bosworth Borough Council for the reserved matters relating to Outline Permission 22/00192/OUT, allowed at appeal on 30th October 2023 under Appeal Reference APP/K2420/W/23/3321670, which permits the following development at Land at Lychgate Lane, Burbage, LE10 2DR:

"Residential development of up to 85 dwellings alongside associated site infrastructure and open space, with all matters reserved except for the means of access."

Reserved Matters Details

In accordance with Condition 2 of the Outline Permission, this application seeks approval for the reserved matters relating to appearance, landscaping, layout and scale. The proposed description of development is therefore as follows:

"Approval of reserved matters (appearance, landscaping, layout and scale) pursuant to outline permission 22/00192/OUT comprising 82 dwellings, car parking, open space, children's play area and associated infrastructure."

The submitted drawings accompanying this application are prepared in accordance with the following details pursuant to Condition 3 of the Outline Permission:

- Site Location Plan (Ref: n1456-001-Rev A) received 25 February 2022
- Proposed Habitat Plan (Ref: Figure 2) received 11 November 2022
- Proposed Access Junction Layout (Ref: ADC2167-DR-001 P3)
- Proposed Relocation of Speed Limit Change (Ref: ADC2167-DR-003 P1)

The application submission comprises the following:

Drawing Title	Reference / Drawing No.	Prepared by
Application Form	PP-12764893	Avant Homes
Proposed Site Layout	EM-LLB-200	Avant Homes
Proposed Materials Plan	EM-LLB-201	Avant Homes
Location Plan	EM-LLB-202	Avant Homes
Affordable Housing Layout	EM-LLB-206	Avant Homes
Street Scenes	EM-LLB-207	Avant Homes
Design and Access Statement	January 2024	Avant Homes
Planning Sheet – Floor Plans – Kinsbury – End	KIN/END/0-001.5 REV A	Avant Homes
Planning Sheet – Elevations – Standard – Kinsbury – End	KIN/END/0-002.5 REV A	Avant Homes
Planning Sheet – Floor Plans – Kinsbury – Mid	KIN/MID/0-001.5 REV A	Avant Homes
Planning Sheet – Elevations – Standard – Kinsbury – Mid	KIN/MID/0-002.5 REV A	Avant Homes
Planning Sheet – Floor Plans – A2 – End	A2/END/0-001 REV A	Avant Homes
Planning Sheet – Elevations – Standard – A2 – End	A2/END/0-002 REV A	Avant Homes
Planning Sheet – Floor Plans – D2 – End	DEN/END/0-001 REV A	Avant Homes
Planning Sheet – Elevations – Standard – D2 – End	DEN/END/0-002 REV A	Avant Homes
Planning Sheet – Floor Plans – D2 – Mid	D2/MID/0-001 REV A	Avant Homes
Planning Sheet – Elevations – Standard – D2 – Mid	D2/MID/0-002 REV A	Avant Homes
Planning Sheet – Floor Plans – E3 – End	E3/END/0-001 REV A	Avant Homes
Planning Sheet – Elevations – Standard – E3 – End	E3/END/0-002 REV A	Avant Homes
Planning Sheet – Floor Plans – Askern – End	ASK/END/0-001 REV A	Avant Homes
Planning Sheet – Elevations – Standard – Askern – End	ASK/END/0-002 REV A	Avant Homes
Planning Sheet – Floor Plans – Baildon – End	BAI/END/0-001 REV A	Avant Homes
Planning Sheet – Elevations – Standard – Baildon – End	BAI/END/0-002 REV A	Avant Homes
Planning Sheet – Floor Plans – Baildon – Mid	BAI/0-001 REV A	Avant Homes
Planning Sheet – Elevations – Standard – Baildon – Mid	BAI/0-002 REV A	Avant Homes
Planning Sheet – Floor Plans – Fernlee – End	FER/END/0-001 REV B	Avant Homes
Planning Sheet – Elevations – Standard – Fernlee – End	FER/END/0-002 REV A	Avant Homes
Planning Sheet – Floor Plans – Leyburn – Det	LEY/DET/0-001 REV A	Avant Homes
Planning Sheet – Elevations – Standard – Leyburn – Det	LEY/DET/0-002 REV A	Avant Homes
Planning Sheet – Floor Plans – Maltby – Det	MAL/0-001 REV A	Avant Homes
Planning Sheet – Elevations – Standard – Maltby – Det	MAL/0-002 REV A	Avant Homes
Planning Sheet – Floor Plans – Ripon – End – Alt	RIP/ALT/0-001 REV A	Avant Homes
Planning Sheet – Elevations – Ripon – End – Alt	RIP/ALT/0-002 REV A	Avant Homes
Planning Sheet – Floor Plans – Ripon – End	RIP/END/0-001 REV A	Avant Homes

Planning Sheet - Elevations – Ripon – End	RIP/END/0-002 REV A	Avant Homes
Planning Sheet – Floor Plans – Saltaire – End	SAL/END/0-001 REV A	Avant Homes
Planning Sheet - Elevations – Saltaire – End	SAL/END/0-002 REV A	Avant Homes
Detailed Soft Landscape Proposals – Sheet 1 of 4	P24-0282_EN_0001_A_0001	Pegasus
Detailed Soft Landscape Proposals – Sheet 2 of 4	P24-0282_EN_0001_A_0002	Pegasus
Detailed Soft Landscape Proposals – Sheet 3 of 4	P24-0282_EN_0001_A_0003	Pegasus
Detailed Soft Landscape Proposals – Sheet 4 of 4	P24-0282_EN_0001_A_0004	Pegasus
Detailed Soft Landscape Proposals – Composite Plan	P24-0282_EN_0001_A_0005	Pegasus
Play Area Design (LEAP)	P24-0282_EN_0001_A_0006	Pegasus
Implementation and Maintenance Guidelines	24-0282_EN_0002_A_0001	Pegasus

Condition 17 of the Outline Permission requires the submission and approval of a Building for a Healthy Life assessment as part of the reserved matters submission, which consequently forms part of this application included within the Design and Access Statement.

Site Context and Planning History

The site is located on the eastern edge of Burbage and comprises a single agricultural field with boundary hedgerows and trees. It is bound:

- To the north by Lychgate Lane, beyond which lies an area benefitting from permission for the stationing of caravans for residential occupation;
- To the east by Lychgate Horse Riding School;
- To the south by open fields; and
- To the west by existing housing off Flamville Road.

The site is itself generally flat but does gently slope from east to west.

As earlier referenced, the site benefits from permission under allowed appeal dated 30th October 2013 Reference APP/K2420/W/23/3321670 following refusal 22/00192/OUT dated 24th January 2023.

Development Proposals

Reserved matters approval is sought for the erection of 82 dwellings pursuant to outline permission 22/00192/OUT, comprising 11 different house types:

House Type	Size/Type of Dwelling	Height (Storeys)	No. of Dwellings
Kinsbury	1 Bedroom Semi-Detached/Terraced	2	4
D2	2 Bedroom Semi-Detached/Terraced	2	4

House Type	Size/Type of Dwelling	Height (Storeys)	No. of Dwellings
A2	2 Bedroom Semi-Detached	2	2
E3	3 Bedroom Semi-Detached	2.5	7
Askern	2 Bedroom Semi-Detached	2	9
Fernlee	3 Bedroom Semi-Detached	2	7
Ripon	3 Bedroom Semi-Detached	2	8
Maltby	3 Bedroom Detached	2	12
Leyburn	3 Bedroom Detached	2	9
Baildon	3 Bedroom Semi-Detached	2.5	14
Saltaire	4 Bedroom Semi-Detached	2.5	6
Total	-	-	82

Proposed House Types

In summary, the mix of dwelling sizes is proposed as below.

House Size	No. of Dwellings	Proportion of Dwellings
1 Bedroom	4	5%
2 bedroom	15	18%
3 bedroom	57	70%
4 bedroom	6	7%
Total	82	100%

Proposed Housing Mix

The proposed development will have a net density of circa 44 dwellings per hectare (dph) across a net area of 1.84 hectares and a mix of appearances to align with the character and appearance of the existing street scene along Lychgate Lane.

Planning Policy Context

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was updated on 19th December 2023 and maintains the legal requirement that applications for planning permission must be

determined in accordance with the Development Plan, and that the NPPF is a material consideration in planning decisions (paragraph 2).

It states that the purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 7) which is comprised of three dimensions; economic, social and environmental which are interdependent and need to be pursued in mutually supportive ways (paragraph 8).

The Development Plan

The Development Plan for the Borough comprises:

- Core Strategy (adopted December 2009)
- Site Allocations and Development Management Policies DPD (adopted July 2016)
- Burbage Neighbourhood Plan (made May 2021)

The Policies considered relevant from each document are referenced in the Planning Assessment section below.

Other Material Considerations

Other material considerations relevant to the determination of this application include:

- Burbage Village Design Statement (June 2006)
- Affordable Housing SPD (February 2011)
- The Good Design Guide SPD (March 2020)
- Leicestershire Highway Design Guide (2022)
- Five Year Housing Land Supply (1 April 2021 – 31 March 2022)
- Draft Local Plan Regulation 19 (Publication) (February 2022)

Planning Assessment

Principle of Development and Access

Outline planning permission for the site has been granted under application 22/00192/OUT (allowed at appeal reference APP/K2420/W/23/3321670) which has established the principle of development.

At outline stage, all technical matters relating to highway safety, flood risk, and the impact on local and strategic infrastructure, were assessed in detail and found to be acceptable, subject to the imposition of various conditions on the approval.

Additionally, the proposed access siting and arrangement was considered at the outline stage and approved in accordance with the following drawings:

- **Proposed Access Junction Layout (Ref: ADC2167-DR-001 P3)**
- **Proposed Relocation of Speed Limit Change (Ref: ADC2167-DR-003 P1)**

Consideration of Reserved Matters

As a result of the above, only matters relating to appearance, landscaping, layout and scale are to be considered under this proposed application, and each will be assessed in turn.

Appearance and Scale

As earlier set out, the proposals comprise the use of 11 different house types including detached, semi-detached and short terraces to provide a varied and mixed appearance across the development.

In terms of appearance, a mix of building materials including mainly red brick and render are proposed, with the occasional use of blue feature brick detailing, with the palette informed by Zone 2 characteristics of the Burbage Village Design Statement, of which the site adjoins.

In terms of scale, the house types utilised are generally two storey in height with around a third comprising 2.5 storeys in order to add variety to the street scene.

Overall, the proposed appearance and scale seek to respond to the established character and appearance of the locality along Lychgate Lane in accordance with Core Strategy Policy 16, Burbage Neighbourhood Plan Policy 2 and the Burbage Village Design Statement.

Landscaping

As the site proposes to retain existing landscape features such as the northern boundary Hedgerow, retain the field boundary structure including the dogleg form of the southern boundary, provide additional planting and attenuation basin, the site would not result in unacceptable long-term harm to local landscape character and visual amenity.

In particular to the retention of the existing hedgerow along Lychgate Lane, this feature directly responds to Burbage Neighbourhood Plan Policy 2 which seeks to *“retain existing important natural features on the site, such as trees, hedgerows and streams”*.

A landscaping strategy forms part of this reserved matters submission setting out a detailed planting plan which seeks to incorporate landscape mitigation and enhance sense of place.

Overall, the landscaping proposals are in accordance with Core Strategy Policy 20 and Burbage Neighbourhood Plan Policy 2 and 11.

Layout

The structure of the proposed layout responds to the sites constraints and works with the numerous easements running through the scheme.

The layout is largely prescribed by the Proposed Habitat Plan (Ref: Figure 2), being an approved drawing under Condition 3 of the Outline Permission, as this dictates the areas of built development and vegetated garden alongside areas of grassland and ponds.

The block structure seeks to provide a strong frontage to Lychgate Lane with buildings sat behind the existing hedgerow. On entry into the scheme a small triangular green is proposed creating the opportunity for the planting of a feature tree, with a strong backdrop of buildings enclosing the space from all sides.

The southern edge is outward looking onto the open field, allowing the existing hedgerow to stay in the public realm and not placed within back gardens of dwellings.

The easement creates some challenges in creating development cells, this has been resolved by introducing a north south pedestrian link through the centre of the scheme over the combined sewer easement which forms part of a recreational route around the site with buildings facing onto it.

The proposed play area and largest area of open space is located in the eastern corner of the site and these features are naturally surveyed by new houses which front this space.

The road pattern and arrangement is informed by requirements of the Leicestershire Highway Design Guide.

The proposed amenity standards, including separation distances and garden standards, seek to accord with the Good Design Guide SPD where possible.

In terms of density, the provision of 82 dwellings across a net area of 1.84 hectares amounts to a net density of circa 44 dph, which accords with Core Strategy Policy 16 seeking a minimum net density of at least 40 dph in areas adjoining Burbage.

Overall, the proposed layout accords with the approved outline permission drawings and more generally with Core Strategy Policy 16, Burbage Neighbourhood Plan Policy 2, the Good Design Guide SPD and Leicestershire Highway Design Guide.

Other Matters

Others matters falling outside of the reserved matters require consideration as part of the determination of this application.

Building for a Healthy Life

Condition 17 of the Outline Permission requires the submission and approval of a Building for a Healthy Life assessment as part of the reserved matters submission, which consequently forms part of this application included within the Design and Access Statement.

Affordable Housing

Schedule 2 of the Section 106 agreement (S106) dated 11th October 2023 prescribes the Affordable Housing Mix pursuant to the outline approval:

- **x9 Affordable Rented Dwellings**
- **x4 Shared Ownership**
- **x4 First Homes**

A total of 17 affordable houses are proposed, with the proposed tenures according with the above mix, amounting to an overall affordable housing provision of 20.7%.

Paragraph 1, Schedule 2 of the S106 requires the submission and approval of an Affordable Housing Scheme which is defined as:

"the plan to be submitted to the Borough Council indicating the location of the Affordable Dwellings on the Site and indicating the distribution of the Affordable Dwellings across the Development including tenure types and bedroom sizes"

Consequently, this application includes an Affordable Housing Plan (Dwg. Ref: EM-LLB-206) which is duly submitted for approval as per the S106.

Market Housing Mix

Core Strategy Policy 16 requires a mix of housing types taking into account the most up-to-date Housing Market Assessment and other local evidence such as a housing needs survey or parish plan.

Burbage Neighbourhood Plan does not contain a specific policy on preferred housing mix but merely states that *"should include an appropriate mix of units, in terms of size and tenure, to meet the needs of the community"* (13.4).

With regards to the Core Strategy requirement, the most up-to-date local evidence on housing needs is contained within:

- Housing & Economic Development Needs Assessment – Leicester & Leicestershire Authorities and the Leicester and Leicestershire Enterprise Partnership (January 2017) (HEDNA) – Table 55
- Hinckley & Bosworth – Housing Needs Study (2019) (HNS) – paragraph 5.49

The proposed market mix as below seeks to accord with the recommendations of the above evidence documents as far as possible.

Bed	Proposed Mix	HNS (2019)	HEDNA (2017)
1 bed	0%	5%	0-10%
2 bed	14%	30%	35-45%
3 bed	77%	45%	45-55%
4+ bed	9%	20%	5-15%

Proposed House Types

Whilst the proposed mix includes a relative under-provision of 2 beds and over-provision of 3-beds, it is considered such provision is generally acceptable on the grounds that both the HEDNA (2017) and HNS (2019) both caveat that their recommendations should not be applied prescriptively, at paragraph 8.37 and 5.50 respectively.

It is also noteworthy that such evidence was prepared prior to the 2020 Covid pandemic and general macroeconomic difficulties affecting interest and mortgage rates.

The mix is also informed by feedback from Avant Homes' sales departments which draws upon local sales data and market analysis to best respond to local market conditions and requirements. This evidence suggests a greater demand for predominantly 2-3 beds.

Lastly, in order to provide a greater and varied offer, a variety of smaller and larger 3-beds, in terms of overall floorspace, are proposed.

Optional Technical Standards

It should be noted that neither the Development Plan or adopted planning policy require the imposition of optional technical standards.

However, Schedule 3, paragraph 5.1 of the S106 requires that all First Homes shall comply with the Development Standard which includes both Nationally Described Space Standards (NDSS) and M4(2) standards.

Consequently, the Kinsbury house types are allocated for the First Homes which comply with both NDSS and M4(2) standards.

Application Submission

The submission is being made electronically via the Planning Portal and is accompanied by this letter and the application fee of £38,876 (with Planning Portal Reference: PP-12764893) being the required fee in this instance.

If you have any questions relating to this submission, please contact me in the first instance. We look forward to receiving confirmation of the validation of this application in due course.

Yours faithfully

Wayne Worsdale
Technical Manager

Mob

Email: [\[redacted\]](#)