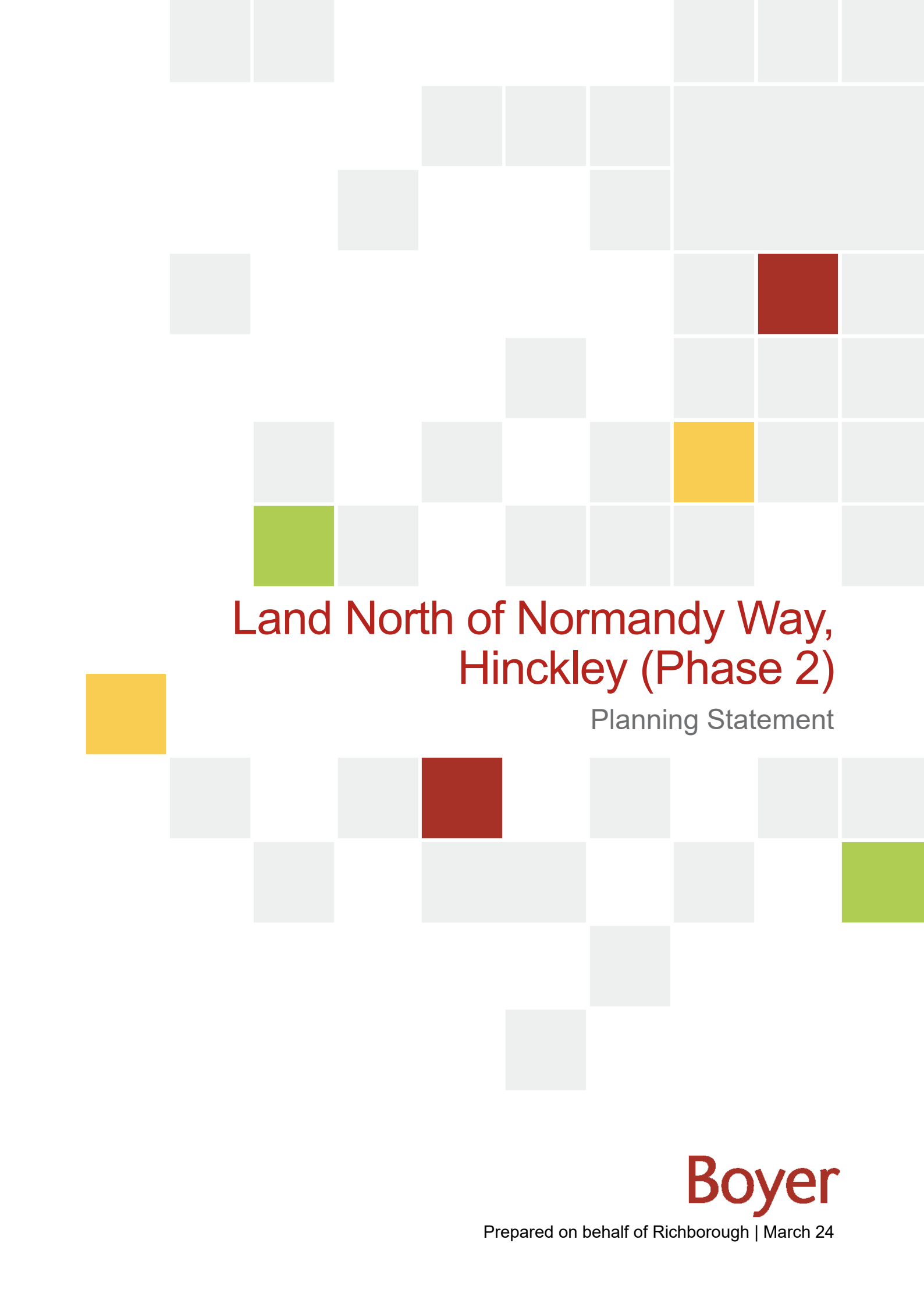




Land North of Normandy Way, Hinckley (Phase 2)

Planning Statement

Boyer

Prepared on behalf of Richborough | March 24

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1. INTRODUCTION

1.1 This Planning Statement has been prepared by Boyer on behalf of Richborough ('the Applicant') in support of an outline application for the residential development of up to 415 dwellings, with landscaping, drainage, open space and infrastructure at land north of A47 Normandy Way and west of A447 Ashby Road, Hinckley ('the Site'). All matters are reserved except for access which is proposed to be taken from Normandy Way (A47).

1.2 The description of the proposed development is as follows:

Outline planning application with all matters reserved except for access, for the erection of up to 415 dwellings, associated open space, drainage, landscaping and infrastructure

1.3 The proposed application would form Phase II to the outline planning consent at Land North of Normandy Way and East of Stoke Road, Hinckley (Application Reference: 22/00318/OUT) which was allowed at appeal in January 2024.

1.4 An EIA Screening Request was submitted on behalf of the Applicant in November 2023 (reference number: 23/01082/EAS). Hinckley and Bosworth Borough Council confirmed in their response dated 27th November 2023 that an EIA would not be required.

1.5 This Statement should be read in conjunction with the following plans and documents listed below:

- Illustrative Layout (dwg no. 006 Rev C) prepared by Nineteen47
- Development Framework Plan (dwg no. 100 Rev B) prepared by Nineteen47
- Site Location Plan
- Parameters Plan (dwg no. 004 C) prepared by Nineteen47
- Illustrative Landscape Masterplan (dwg no. ZLA_1467 L-200) prepared by Zebra Landscape
- Built Heritage Statement prepared by RPS
- Archaeological Desk-Based Assessment prepared by RPS
- Mineral Resource Assessment prepared by Fisher German
- Noise Impact Assessment prepared by BWB
- Air Quality Assessment prepared by BWB
- Biodiversity Net Gain Baseline (dwg no. ZEL_477_02) prepared by Zebra Ecology
- Geophysical Report prepared by MOLA
- Sustainable Drainage Statement prepared by BWB
- Hydraulic Model Technical Note prepared by BWB

- Flood Risk Assessment prepared by BWB
- Agricultural Land Classification and Considerations prepared by Kernon Countryside Consulting
- Landscape Visual Appraisal prepared by Zebra Landscape
- Transport Assessment prepared by Hub Transport
- Travel Plan prepared by Hub Transport
- Breeding Bird Survey Report prepared by Zebra Ecology
- Bat Transect Activity Map July 2023 (dwg no ZEL_477_Trans1) prepared by Zebra Ecology
- Bat Transect Activity Map October 2023 (dwg no) prepared by Zebra Ecology
- Great Crested Newt Report prepared by Zebra Ecology
- Preliminary Ecological Appraisal prepared by Zebra Ecology
- Riparian Mammal Survey Report prepared by Zebra Ecology
- Site Context Map (dwg no. ZLA_1467 L-101 Rev A) prepared by Zebra Landscape
- Theoretical Visibility (dwg no. ZLA_1467 L-102 Rev A) prepared by Zebra Landscape
- Landscape Character (dwg no. ZLA_1467 L-103) prepared by Zebra Landscape

1.6 Section 2 of this Planning Statement provides a description of the Site and surrounding area along with the relevant planning history; Section 3 provides a description of the proposed development; Section 4 details the relevant local and national planning policy; Section 5 provides a planning assessment of the proposed scheme against the planning policy; and Section 6 sets out a summary and conclusion of this Planning Statement.

2. THE SITE AND SURROUNDINGS

The Site

- 2.1 The Site is located to the north of Normandy Way (A47) and west of Ashby Road (A447), being northwest of the junction where the A47 meets the A447, with Hinckley town located to the south of the Site.
- 2.2 The Site has an overall area of approximately 16.10 hectares. The Site is currently within agricultural use with Sunnyside Farm and Westfield Farm being located adjacent to the Site boundaries. The parcels on the Site are separated by mature hedgerows, interspersed with mature trees. The topography of the Site rises up from the south west gradually to the north east boundary which is the highest part of the Site.
- 2.3 To the north of the Site are further agricultural fields and open countryside. To the north east is Hinckley and Bosworth Community Hospital. East of the Site are the rear gardens of residential dwellings along the A447 Ashby Road. To the south of the Site across the A47 Normandy Way is a residential housing estate, on the edge of the town of Hinckley. To the west of the Site is an unnamed watercourse which forms the boundary with the consented Phase 1 scheme. This land to the west has been granted outline planning permission through Appeal (reference: APP/K2420/W/23/3323113) for the development of up to 475 dwellings with all matters reserved except for access, as is summarised in the below Planning History section.
- 2.4 There are no designated heritage assets located within the Site boundary. There are two non-designated heritage assets in the form of Westfield Farm and surviving areas of Medieval ridge and furrow that runs across the central land parcels. Westfield Farm is of limited historic significance.
- 2.5 There are no Public Rights of Way within or that run across the Site area.
- 2.6 As identified on the Government's flood map for planning, the Site is situated within flood zone 1, meaning that the land has a low probability of flooding from rivers and the sea. In relation to surface water, there is a medium risk of flooding to the west of the Site adjacent the watercourse.
- 2.7 The primary access to the Site is proposed through the creation of a new roundabout off Normandy Way A47 on the southern boundary of the Site, between Nelson Drive and Drake Way.
- 2.8 A Mineral Resource Assessment has been produced to support the application. The Assessment found that the Site falls within a sand and gravel Mineral Safeguarding Area identified by Leicestershire County Council. It was concluded that there is little scope for the Site to contain economically viable deposits of sand and gravel.

Surrounding Area

- 2.9 The settlement boundary of Hinckley is located immediately to the south of Normandy Way. This is primarily residential dwellings with employment and retail use further west along Normandy Way, including a McDonalds, Morrisons, Halfords and the Fields Health Fitness Club.
- 2.10 There are good existing public transport links available close to the Site. Along Ashby Road there are 2 bus stops for the 148 and 158 (Sapphire) which provides transport between Leicester and Nuneaton on a frequent basis, every 15 – 30 minutes. There is also a train station within Hinckley providing regular services to Leicester and to Birmingham New Street.
- 2.11 Hinckley provides key amenities for residents, including several churches, schools for children of all ages, supermarkets, retail outlets, doctors, and a hospital, including retail provision. Furthermore, there are cinemas, hotels, spas and a golf course. The Site lies approximately 1.5km walking distance from Hinckley Town Centre, which is within cycling distance from the Site. The Site is accessible to the wider transport network, with the A47 providing access routes to surrounding towns and Leicester and the A5, as well as being within proximity to the M69, connecting to the M1 and M6.

Relevant Planning History

- 2.12 23/01082/EAS: Land North of A47, Normandy Way, East of Stoke Road, Hinckley – EIA Screening request for proposed residential development of up to 400 dwellings and associated infrastructure on a gross development area of 11.5ha (Phase 2 Hinckley North) – EIA not required – 27/11/23.
- 2.13 22/00318/OUT: Land North of Normandy Way and East of Stoke Road (Phase 1) – Outline planning application for the erection of up to 475 dwellings, including public open space, land reserved for a primary school with future expansion land, drainage, landscaping and associated infrastructure. Refused 02/05/23 – Appeal (reference: APP/K2420/W/23/3323113) allowed 18/01/24.
- 2.14 23/00432/OUT: Land North Of A47 Normandy Way And East Of Stoke Road Hinckley - Outline planning application for the erection of up to 475 dwellings, including public open space, drainage, landscaping and associated infrastructure – pending determination.

3. PROPOSED DEVELOPMENT

- 3.1 This Planning Statement accompanies the submission of an outline planning application for the residential development of up to 415 dwellings, with drainage infrastructure, landscaping and access works at land north of Normandy Way, Hinckley. All matters are reserved except for access.

Illustrative Layout

- 3.2 This application is accompanied by an Illustrative Layout (dwg. no. 006C) which has been prepared by Nineteen47. The drawing shows a potential layout for the development of the Site in combination with landscaping features, Sustainable Urban Drainage systems (SUDs), and formal and informal public open spaces.
- 3.3 The proposed layout demonstrates an indicative hierarchy of a primary streets with secondary and tertiary streets from which the proposed built form will extend. A continuation of the primary route extending from Phase 1 of the development to the west of the Site will be provided through into Phase 2. The streets within the layout will result in the provision of a legible and active street scene.
- 3.4 The Illustrative Layout indicatively shows how the scheme could be developed to accord with the requirements and aspirations of local planning policies. However, as layout is not a matter for determination at this outline stage and is reserved a subsequent future reserved matters application, it should be treated only indicatively.
- 3.5 A Parameters Plan (dwg. no. 100B) and a Development Framework Plan (dwg no. 004C) have also been produced to support the application to highlight the areas of proposed residential development, open space, access, and connectivity.
- 3.6 Further information regarding the design and the evolution of the proposed scheme can be found within the accompanying Design and Access Statement which has been prepared by Nineteen47.

Scale & Density

- 3.7 The adopted Core Strategy requires a density of 40 dwellings per hectare for developments within and adjoining Hinckley. Based on the provision of up to 415 dwellings shown within the Illustrative Layout, the anticipated density is expected to be 34 dwellings per hectare (gross).
- 3.8 The density is considered appropriate for the Site and makes efficient use of the land that is available. The proposal conforms with requirements as set out within the Core Strategy.
- 3.9 It is anticipated that the dwellings will generally be two storeys in height. If appropriate or required, there is also the potential to include some taller dwellings at 2.5 storeys in height which would be appropriately located to improve the variety of the streetscene as well as massing to landmark buildings. This would be considered further at the reserved matters stage.

Access

- 3.10 As demonstrated within the Transport Assessment provided by Hub Transport Planning the access for this scheme will primarily be from the A47 (Normandy Way). A new three arm roundabout junction is proposed between Nelson Drive and Drake Way and would tie in with the existing ghost-island right turn junctions either side of the proposed access. The new roundabout will also feature provision for a shared footway/cycleway which will connect with the existing network. The Transport Assessment concludes that the roundabout junction is predicted to operate within capacity and will provide an appropriate access solution for the development. Additionally, after reviewing Personal Injury Accident data, the proposed development is not predicted to result in an unacceptable impact on highway safety.
- 3.11 The TA has considered the cumulative impact of the development on the local highway network, which has been assessed using standalone junction models, with traffic flows being derived via the PRTM outputs from the Phase 1 planning application. The modelling undertaken has demonstrated that the proposed development will not have a material impact on the local highway network or can be mitigated through schemes proposed by LCC with regard to the A47/Ashby Road signal junction. In reaching this conclusion, consideration has been given to traffic flows from both Phase 1 and Phase 2 developments.
- 3.12 The access is located in a sustainable location, providing access for pedestrians to a range of facilities and amenities that are within walking distance of the Site, as well as access to nearby bus stops to provide transport to the wider area.

Landscaping & Open Space

- 3.13 As shown within the Illustrative Masterplan prepared by Nineteen47, it is proposed that there will be a number of high quality landscaping features included within the Site. To support the proposals, an Illustrative Masterplan prepared by Zebra Landscape has been prepared. Informed by the LVIA, the Illustrative Landscape Masterplan demonstrates how the site could be assimilated into the surrounding settlement edge of the town, whilst respecting the open countryside to the north.
- 3.14 It is suggested that attenuation basins will be included to mitigate the risks caused by flooding, particularly to the west of the Site where the water course borders the Site. Areas of open space, play areas (LEAP & LAP) and community orchards are proposed to provide additional landscaping and open space for residents. The proposed open spaces and areas of community orchards will also aid in enhancing the biodiversity across the Site.
- 3.15 It is also proposed that there will be allotments included in the Site. In addition to the orchards and allotments, a neighbourhood park is also proposed to provide formal play space for local residents.

Heritage & Archaeology

- 3.16 RPS have produced a Built Heritage Statement. The Statement confirms the presence of two non-designated heritage assets, one of which is Westfield Farm which holds only negligible significance. The report identifies listed buildings within the study area, but only the Isolation

Hospital, Ashby Road will have the potential to be affected by the development through changes to its setting, which is considered to be of limited significance. The assessment concludes that the proposed development will have no impact on the relationship of the Isolation Hospital and its understanding within the immediate setting of the hospital complex. It is concluded that given the limited significance of the Isolation Hospital and the low contribution the Site makes to its rural setting, the overall impact of the proposal is minimal from a built heritage perspective.

- 3.17 There is existing ridge and furrow that runs across the Site and is defined as a non-designated heritage asset. To enable the preservation of part of the ridge and furrow, a section is proposed to be retained as part of the landscaping across the scheme. In addition retention of part of the ridge and furrow, will also create a green link connecting through the centre of the Site.
- 3.18 An Archaeological Desk Based Assessment has also been produced by RPS. The site is assessed to have a negligible to low potential for significant, non-agricultural remains of all periods and therefore no archaeological potential has been identified that would be a constraint.

Flood Risk & Drainage

- 3.19 BWB have produced a Flood Risk Assessment and Sustainable Drainage Strategy to show the constraints and opportunities that the Site presents from a flood risk and drainage perspective.
- 3.20 The FRA demonstrates that the proposed development is not at significant flood risk and is located in flood zone 1. To ensure the development is safe for its lifetime, the FRA recommends that finished floor levels are raised a minimum of 600mm above the modelled 1 in 100-year +22%CC peak flood level.
- 3.21 To mitigate the development's impact on the current runoff regime, it is proposed to incorporate surface water attenuation and storage as part of the development proposals. It is proposed to drain foul water from the development separately to surface water. The proposed Drainage Strategy shows the incorporation of the watercourse to the west that runs along the western boundary of the Site and includes an 8 meter easement from the top of the banks, to reduce the risks of flooding and pressure on the water course. Moving east into the Site, the Drainage Strategy shows detention basins, as well as swales across the Site to reduce the risk of flooding.

Noise

- 3.22 A Noise Impact Assessment has been carried out by BWB. As the details of this scheme are reserved for later approval, the noise assessment assumes dwellings will be located within the residential land use parcel at the closest point to the dominant source of noise (i.e. Normandy Way). The report assesses all the dwellings within the site plan and concludes that the results of the assessment demonstrate that the Site is suitable for residential development.

- 3.23 Potential mitigation measures are set out, with any properties that border Normandy Way having external living spaces located furthest from the road, and where this is not possible, acoustic barriers and plot specific mitigation proposed.

Air Quality

- 3.24 BWB have produced an Air Quality Assessment to support this application. The Site is not located within, or in the vicinity of, an existing Air Quality Management Area. BWB carried out a qualitative construction phase dust assessment and recommended measures to minimise emissions during construction. With these mitigation measures, it was concluded that the construction phase dust emissions was considered to be 'not significant' in accordance with Institute of Air Quality Management guidance.
- 3.25 Additionally, a detailed operational phase road traffic emissions assessment was also carried out. The modelling assessment was carried out in accordance with Defra Local Air Quality Management Technical Guidance as well as Institute of Air Quality Management & Environmental Protection UK Guidance. The proposed development is not predicted to result in any new exceedances of the current relevant air quality objectives, and the impact on local air quality is predicted to be 'negligible'.

Land North of Normandy Way and East of Stoke Road – Phase 1

- 3.26 This proposal will form the second phase to a previous application to the west of the Site, which has sought outline planning permission for up to 475 dwellings, including open space, drainage, landscaping and land reserved for a primary school with future expansion land, with all matters reserved except for access:

22/00318/OUT: *Land North of Normandy Way and East of Stoke Road – Outline planning application for the erection of up to 475 dwellings, including public open space, land reserved for a primary school with future expansion land, drainage, landscaping and associated infrastructure. All matters are reserved except for access.*

- 3.27 The above application was previously refused by Hinckley and Bosworth Council on the 2nd May for the following reasons:
- Failure to demonstrate safe and suitable access for all users
 - Failure to demonstrate any significant impacts from the development on the transport network
 - The Applicant has not entered into a signed Section 106 agreement for the delivery of affordable housing, public open space, and other identified financial contributions
- 3.28 This application was the subject of an appeal (Reference: APP/K2420/W/23/3323113) which was allowed on 18/01/24.
- 3.29 This application will provide a continuation to the first phase, through the connection of the road layout to the north west of the Site (north east of phase 1. In addition to the road

connection, it is proposed that a footpath will also be provided further south along the western boundary of the Site connecting the phases together.

4. PLANNING POLICIES

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, section 70(2) of the Town and Country Planning Act 1990 and paragraph 2 of the revised National Planning Policy Framework, states that planning law requires applications to be determined in accordance with the Development Plan, unless material planning considerations indicate otherwise.
- 4.2 In this case, the Development Plan consists of the adopted Hinckley and Bosworth Core Strategy which runs from 2006 to 2026 and was adopted in 2009. The Council are in the process of preparing a new Local Plan and the draft Local Plan 2020-2039, as well as completing their evidence base prior to Regulation 19 consultation currently scheduled to take place in May 2024.
- 4.3 The National Planning Policy Framework (December 2023) is a material consideration to be taken into account in all decision making. Accordingly, the following and relevant local plan policies have been considered in respect of this planning application.

Hinckley and Bosworth Core Strategy 2006-2026

- 4.4 The Core Strategy in Hinckley and Bosworth was adopted in 2009 to set out the policies of where and how development should take place in the borough up to 2026.
- 4.5 **Policy 1: Development in Hinckley** states that to support Hinckley as a sub-regional centre, land will be allocated for a minimum of 1,120 dwellings including a range of house types.
- 4.6 **Policy 15: Affordable Housing** provides the required affordable mix for development, stating that in Hinckley, developments consisting of 15 or more dwellings have a target of 20% affordable housing on Site. Of this 20%, 75% will be social rented and the remaining 25% will be intermediate housing.
- 4.7 **Policy 16: Housing Density, Mix and Design** on developments of 10 or more dwellings, the Council requires a mixture of housing types and tenures to be provided within the scheme, as well as achieving a 'very good' rating against the Building for Life Criteria (minimum of 16 positive answers out of 20), unless it can be shown that this is not viable. Additionally, in Hinckley, new residential developments are required to provide at least 40 dwellings per hectare, unless Site characteristics dictate otherwise.
- 4.8 **Policy 19: Green Space and Play Provision** sets out the requirements of developments to provide towards Green Space as well as Play Provision, to ensure that all residents have access to sufficient high-quality play and green spaces. Standards will be assessed according to their geological context.
- 4.9 **Policy 24: Sustainable Design and Technology** sets out the Councils requirement of all developments in Hinckley to meet the Code for Sustainable Homes. Residential developments are required to meet Code Level 6 from 2016 onwards. Developments are also expected to meet the sustainability targets set out in Building a Greener Future.

Site Allocations and Development Management Policies DPD

- 4.10 In 2016, Hinckley and Bosworth Borough Council adopted the Site Allocations and Development Management Policies, which sets out the specific proposals and policies for development taking place in the Borough.
- 4.11 The document states that within the Core Strategy there is a minimum requirement of 1,120 housings to be built in Hinckley. However, since the adoption of the Core Strategy in 2009 steps have been taken to increase the number of housing and in September 2015, it was confirmed that the residual housing requirement for Hinckley is 779 dwellings.
- 4.12 **Policy DM1: Presumption in Favour of Sustainable Development** outlining that development that accords with the policies within the Local Plan will be approved without delay unless material consideration indicates otherwise.
- 4.13 **Policy DM2: Delivering Renewable Energy and Low Carbon Development** asks for development to be appropriately designed and inclusion of renewable energy and low carbon measures to reduce the environmental impact.
- 4.14 **Policy DM3: Infrastructure and Delivery** developments will need to make provisions for infrastructure, amenities or facilities through the appropriate funding mechanism.
- 4.15 **Policy DM6: Enhancement of Biodiversity and Geological Interest** states that applications must demonstrate how the scheme will conserve and enhance nature conservation and geological value. Major developments must also deliver a biodiversity gain.
- 4.16 **Policy DM7: Preventing Pollution and Flooding** outlines that developments must prevent pollution and flooding to the natural environment.
- 4.17 **Policy DM10: Development and Design** states that developments will be permitted where they are in keeping with the local character, would not have an adverse effect on the privacy of existing residents, a high level of landscaping is provided, and maximising opportunities for the conservation of energy and being sustainable.
- 4.18 **Policy DM11: Protecting and Enhancing the Historic Environment** requires applications that may have an effect on a heritage asset, or its setting will need to demonstrate the impact on the heritage asset, mitigation or avoidance of the impacts, how the benefits will outweigh any harm to the asset caused.
- 4.19 **Policy DM13: Preserving the Borough's Archaeology** asking for an appropriate desk-based assessment to be submitted where a proposal has the potential to impact of a Site of archaeological interest.
- 4.20 **Policy DM17: Highways and Transportation** sets out the Council's support for proposals that seek to make the best use of existing public transport services, safe active travel provisions, need for travel is minimised and there will be no significant adverse effects upon highway safety. Additionally, new developments should reflect the highway design standards that are adopted by the highway's authority.

- 4.21 **Policy DM18: Vehicle Parking Standards** requires new developments to provide appropriate parking provision, including provision of disabled parking.

National Planning Policy Framework (2023)

- 4.22 The revised National Planning Policy Framework was updated on 20th December 2023. The Framework sets out the Government's planning policies for England and how it expects them to be applied. It is a material consideration in the determination of all planning applications.

- 4.23 Chapter 2 sets out the Government's aims for achieving sustainable developments and in accordance with paragraph 8, there are three 'overarching objectives' which are as follow

Economic Objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land on the right types is available in the rights and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

Social Objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs, and support communities' health, social and cultural well-being; and

Environmental Objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 4.24 Paragraph 11 outlines the presumption in favour of sustainable development. For decision making this means approving development proposals that accord with an up-to-date development plan without delay
- 4.25 Chapter 4 sets out the Government's aims for decision making, stating in paragraph 38 that decision makers should take a positive and creative approach, and at every level should seek to approve applications for sustainable development where possible.
- 4.26 Within Chapter 5, provided is the support of the Government's objective of significantly boosting the supply of homes, so that housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 4.27 As stated in paragraph 60, the Government is committed to boosting the supply of homes through ensuring that there is a sufficient amount, and a variety of land can come forward where it is needed.
- 4.28 Paragraph 77 sets out that LPAs should set out a minimum of a five year supply of housing supply or minimum of 4 year supply if the provisions of para 226 apply.
- 4.29 Paragraph 226 would apply to Hinckley and Bosworth as the LPA has an emerging plan that has reached Regulation 19 stage and proposes new allocations and a policies map. The

authority is therefore only required to demonstrate a minimum of a 4 year supply of deliverable housing Sites.

- 4.30 Chapter 8 states that planning policies and decisions should aim to achieve healthy, inclusive and safe places, which details in paragraph 96, planning policies should promote social interaction, are safe, accessible, enable and support healthy lifestyles.
- 4.31 Chapter 9 provides the Government's commitment to promoting sustainable transport, with Paragraph 108 stating that transport issues should be considered from the earliest stages of plan-making and development proposals. Paragraph 115 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.32 Paragraph 116 states that within this context, applications for development should:
- a. give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
 - b. address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
 - c. create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
 - d. allow for the efficient delivery of goods, and access by service and emergency vehicles; and
 - e. be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations
- 4.33 Chapter 11 sets out the Government's aims for making effective use of land stating that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 4.34 Chapter 12 sets out the Government's aims to achieve well-designed and beautiful places. Furthermore, paragraph 139 states 'development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, considering any local design guidance and supplementary planning documents such as design guides and codes. Significant weight should be given to:
- a. Development which reflects local design policies and government guidance on design, taking into account any local guidance and supplementary planning documents; and/or

- b. Outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally within an area, so long as they fit in with the overall form and layout of their surroundings.
- 4.35 Chapter 14 sets out the Government's aims to meeting the challenges of climate change, flooding and costal change. Paragraph 159 states that new development should be planned in ways that:
- Avoid increased vulnerability to the range of impacts arising from climate change. When new developments are brought forward in areas that are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and
 - Can help reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect on the Government's policy for national technical standards.
- 4.36 Paragraph 167 explains that all plans should apply a sequential, risk-based approach to the location of developments – considering all sources of flood risk and the currently and future impacts of climate change – to avoid, where possible, flood risk to people and property.
- 4.37 Chapter 16 outlines the Government's commitment to the conservation and enhancement of the historic environment, with paragraph 200 stating that where a Site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and where necessary, a field evaluation.

The Good Design Guide: Supplementary Planning Document (SPD) 2020

- 4.38 The Council adopted Good Design Guide Supplementary Planning Document (SPD) in March 2020. The Guide aspires to substantially raise design quality in Hinckley and Bosworth whilst ensuring that the local identity and heritage of the Borough is preserved and enhanced.
- 4.39 The Guide sets out seven core design objectives for new development, which advise that development should:
- (1) Be functional.
 - (2) Support mixed uses and tenures
 - (3) Include successful public spaces.
 - (4) Be adaptable and resilient.
 - (5) Have a distinctive character.
 - (6) Be attractive.
 - (7) Encourage ease of movement

5. ASSESSMENT

- 5.1 Having set out the description of the Site, its context and the identification of the relevant local and national planning policies in the previous sections, this next section of the Planning Statement sets out an appraisal of the key considerations of the proposed development. These key considerations will be assessed against the identified local and national planning policies.
- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act, 2004 requires the determination of this application to be made in accordance with the development plan, unless material considerations indicate otherwise.
- 5.3 The NPPF does not change the statutory status of the development plan as the starting point in decision making. However, the Framework constitutes an important material consideration in determining applications. The Framework constitutes the Government's view of what sustainable development means in practice for the planning system.
- 5.4 The NPPF requires local planning authorities to approve development proposals that accord with the development plan without delay and, where the plan is absent, silent or policies are out of date, approving planning permission unless the adverse impacts would significantly and demonstrably outweigh the benefits, or specific policies indicate that development should be restricted (paragraph 11).
- 5.5 For the purposes of this application, the development plan comprises the Hinckley and Bosworth Core Strategy (December 2009) and the Site Allocations and Development Management Policies DPD (July 2016). Due weight is to be given to relevant policies according to their degree of consistency with the NPPF (paragraph 225) and the extent to which they can be considered out of date (paragraph 11(d)).
- 5.6 The proposals raise the following considerations that require assessment:
- Principle of Development
 - Access & Transport
 - Landscaping & Open Space
 - Archaeology & Heritage
 - Drainage & Flood Risk
 - Air Quality
 - Noise
 - Mineral Deposits
 - Agricultural Land Classification

Principle of Development

- 5.7 Paragraph 11 (d) of the NPPF states that 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.
- 5.8 The Core Strategy was adopted in 2009. The policies that are most important for determining the application, namely relating to the delivery of housing and housing requirement are considered to be out-of-date. Furthermore, the SADMP DPD was adopted in 2016 and the policies relating to the new allocations are also considered to be out-of-date as they are based on an out-of-date housing requirement.
- 5.9 Within the Core Strategy (2009), the housing requirement and dispersion of growth for Hinckley is primarily directed by Policy 1: Development in Hinckley. This policy having been adopted in 2009 is significantly out of date due to being adopted 15 years ago. The development within the Hinckley area is reliant on the direction of Policy 1 of the Core Strategy, however, this policy has not been updated to reflect the economic, social or environmental changes that have happened, such as changes in population and migration patterns and increased housing requirement.
- 5.10 In addition to this, the Core Strategy and policies within it were adopted prior to the publication of the 2012 Framework and are not consistent with the requirements of the NPPF. Paragraph 225 of the NPPF requires that due consideration be given to policies created prior to the publication of the Framework according to the degree of consistency with the Framework. Policies which are closer to the policies within the Framework will be given greater weight. Therefore, as the strategic policies of the Core Strategy relating to the provision of housing are not consistent with the Framework, and are considerably out of date, the 'tilted' balance would apply under paragraph 11(d). This means planning permission should be granted under the 'tilted' balance.
- 5.11 Further to the above, in addition to the age and consistency of development plan policies with the NPPF when ascertaining whether the presumption in favour of sustainable development applies, the Council's housing land supply position is an important consideration.

Five Year Supply

- 5.12 Paragraph 77 of the NPPF requires LPAs to identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years' worth of housing or a minimum of four years' worth of housing if the provisions of para 226 apply.

- 5.13 A recent appeal decision at Land off Desford Lane, Ratby (APP/K2420/W/23/3330774) was determined on 28th February 2024 following a public inquiry. The Inspector noted in relation to the Council's emerging Regulation 19 Local Plan the following:-

'56. In this case, the Council does have an emerging plan that has reached the Regulation 19 stage, and which does have a policies map showing housing allocations, albeit that map is incomplete because it does not show the geographical expression of other policies in the plan. However, the plan has not progressed to examination, and the Council has recently published a revised local development scheme⁸ which indicates that it intends to consider an alternative development strategy, extend the plan period to 2041 and carry out new Regulation 18 and 19 consultations before submission for examination by June 2025, with adoption expected in early 2026.

57. Although the present Regulation 19 plan has not been formally withdrawn, it is apparent that there is no intention to progress it in its current form. The purpose of the revised requirement in the Framework is to recognise those authorities which are progressing with plan making. Since the current Regulation 19 plan has stalled, and a revised version is not envisaged to be adopted for at least two years, I consider that the provisions of paragraph 226 do not apply in this case. That position is accepted by both main parties, including the Council, which is not seeking to rely on the provisions of paragraph 226.'

- 5.14 This appeal decision is clear that the Council does not benefit from protection afforded by paras 77 or 226 of the NPPF and the Council are required to demonstrate a five year housing land supply.
- 5.15 As determined through the above appeal decision, the Council are in the regrettable position of being able to demonstrate a housing land supply of only 4.76 years.
- 5.16 As such the absence of a five-year supply leads under footnote 8 of para 11 (d) of the NPPF, that the policies most important for determining the proposal are automatically out-of-date. Under such a scenario, the 'tilted balance' is reaffirmed as being engaged and planning permission should be granted unless specific policies within the NPPF provide a clear reason for refusal or any adverse impacts of the development would significantly and demonstrably outweigh the benefits.
- 5.17 The development proposals will assist in providing a demonstrable and meaningful quantum of much needed market and affordable housing which is a material consideration that should be afforded significant weight in favour of the proposals.

Policy 1: Development in Hinckley

- 5.18 Whilst the Council are seeking to pursue a new development strategy for the emerging Local Plan as per the LDS published in February 2024, the presently published evidence base seeks to create 8,436 dwellings between 2020-2039. The majority of future development is presently anticipated to be directed to the urban locations, with Hinckley, Burbage, Barwell, and Earl Shilton to receive 70% of this figure (approximately 5,905 dwellings). This is an

increase from the adopted Core Strategy (2009), where Hinckley had been allocated 1,120 dwellings to be created throughout the plan period (2006-2026).

- 5.19 Hinckley is a sub-regional centre and key market town as identified in the emerging Local Plan (2020-2039) and is therefore an ideal location to accommodate this growth. Hinckley, however, is constrained to the south due to the proximity to Nuneaton and West Midlands Green Belt. Additionally, development to the east is also constrained due to Burbage and Barwell, including the 'Green Wedge'. The logical place for expansion of the town is to the north which is relatively unconstrained for new growth.
- 5.20 Whilst the Council may wish to now pursue a new development strategy from that presently proposed in the published Regulation 19 Local Plan, the evidence base is clear in its rationale for Hinckley as the sub-regional centre being central to the provision of new growth within the borough.
- 5.21 Hinckley provides facilities including schools, health facilities, shops and other services to meet social needs, in addition to there being excellent public transport connections available within the town.
- 5.22 Affordable housing is also proposed as part of the development. Policy 15 of the adopted Core Strategy requires 20% of housing on the Site to be affordable housing (75% social rented and 25% intermediate housing). The Applicant is committed to providing the required 20% affordable housing within the application Site and this is detailed further in the Affordable Housing Statement section below.
- 5.23 Chapter 2 of the NPPF sets out the Government's aims for achieving sustainable developments and in accordance with paragraph 8, there are three 'overarching objectives', Economic, Social and Environmental. The development will work to achieve these objectives as set out below:
- Economic Objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land on the right types is available in the rights and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - Social Objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs, and support communities' health, social and cultural well-being; and
 - Environmental Objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 5.24 In addition to this, due to its location being within Hinckley, the proposed scheme is in accordance with Policy 1: Development in Hinckley. This Policy of the adopted Core Strategy

identifies Hinckley as a sub-regional centre and as a location for housing to be focused to and is further supported by Policy 15 (Affordable Housing) and Policy 16 (Housing Density, Mix and Design). Chapter 5 of the NPPF looks to significantly boost the supply of homes of which this proposal looks to contribute towards, and thus is in accordance with national planning policy.

- 5.25 Overall, the principle of development is considered to be acceptable and due to the 'tilted' balance being engaged under Paragraph 11 (d) the proposals should be granted planning as there are no material considerations that would outweigh the benefits of the delivery of much needed market and affordable housing.

Access & Transport

- 5.26 Paragraph 108 of the NPPF requires that transport should be considered from the earliest stages of development proposals. The NPPF continues in paragraph 116 to ask for development to give priority to pedestrian and cycle movement, whilst maximising public transport. Within subparagraph c, the highway network will need to be designed in a safe manner whilst being secure and attractive.
- 5.27 Policy DM17 Highways and Transportation of the SADMP DPD seeks for safe active travel provisions as well as ensuring developments do not have significant adverse effects on highway safety. A Transport Assessment carried out by Hub Transport Planning sets out how the access to the Site will be taken from the A47 Normandy Way in the form of a new three arm roundabout junction. The junction will include provision for shared use footways/cycleways connecting to the existing network in the form of crossing points at the junction and toucan crossing point to the west.
- 5.28 The TA has considered the cumulative impact of the development on the local highway network, which has been assessed using standalone junction models, with traffic flows being derived via the PRTM outputs from the Phase 1 planning application. The modelling undertaken has demonstrated that the proposed development will not have a material impact on the local highway network or can be mitigated through schemes proposed by LCC with regard to the A47/Ashby Road signal junction. In reaching this conclusion, consideration has been given to traffic flows from both Phase 1 and Phase 2 developments.
- 5.29 Personal Injury Accident data has been reviewed and no accident clusters or highway safety issues in the vicinity of the Site were identified. It is concluded that the proposed development is not predicted to result in an unacceptable impact on highway safety.
- 5.30 As also required by Policy DM17, the development will also provide access to the nearby public transport network which connects to Hinckley town centre as well as providing frequent services to Nuneaton and Leicester.
- 5.31 This proposal is thus in accordance with Policy DM17 as there will be provision made to connect active travel routes from the development to the existing network and public transport network, whilst resulting in no unacceptable impacts on the highway safety. In addition to this, the development is in accordance paragraph 104 of the NPPF by

considering this element at the outline application stage. Furthermore, the access has been designed to be in keeping with paragraph 116 by creating a junction which provides for safe active travel means.

Landscaping & Open Space

- 5.32 In accordance with national and local planning policy, the Site will provide high quality landscaping and open space across the scheme. Policy 19 of the adopted Core Strategy requires the provision of green space and play space within the Site. This is further supported by Policy DM10: Development and Design of the SADMP DPD. Whilst landscaping is a reserved matter, the Illustrative Layout proposed demonstrates how the proposal could deliver the inclusion of two neighbourhood parks as well as allotments to the east of the Site, meadows to the west of the Site, and through the provision of a green corridor to the north of the Site.
- 5.33 Zebra Landscape have produced a Landscape and Visual Appraisal that demonstrates that the proposal would not harm the natural environment, and is not reliant on proposing new landscape mitigation measures. The proposed residential development represents an appropriately scaled feature, which is designed to preserve the landscape setting across the Stoke Golding Rolling Farmlands Landscape Character Area. This would take place through effective mitigation measures, and the enhancement of the landscape by responding to the landscape management guidelines published within the Hinckley and Bosworth Borough Landscape Character Assessment (September 2017).
- 5.34 The NPPF encourages within the social and environmental objectives well designed built environments with open spaces. This proposal has been designed with consideration towards the needs of the local area and community and provides policy compliant levels of play and open space, amenity space and landscaped areas.
- 5.35 It is considered that this proposal is in accordance with the NPPF, Policy 19 of the Core Strategy, and Policy DM4 and Policy DM10 of the SADMP DPD in relation to the landscape impact and open space requirements.

Ecology & Biodiversity Net Gain

- 5.36 Policy DM6: Enhancement of Biodiversity and Geological Interest of the Site Allocations and Development Management Policies DPD seeks to enhance and protect both biodiversity and geodiversity, with major schemes providing a biodiversity net gain.
- 5.37 Zebra Ecology have used the DEFRA Biodiversity Metric Calculation Tool to calculate the impact the development will have on biodiversity across the Site area. Their calculations concluded that overall, the Site will see a net increase of 15.11% in hedgerow creation, however, there will be a -45.15% or -29.7 unit loss in habitat on the Site. All habitat losses fall within the low distinctiveness grassland A1 tier.
- 5.38 Although the development would present an overall net loss to biodiversity on the Site, in order to compensate for the loss in biodiversity and deliver a gain of 10%, provision for biodiversity enhancements will be made as part of the landscaping and the applicant is

working with offsite providers to deliver the required biodiversity credits that the development is unable to deliver onsite to achieve an overall gain of 10%. This approach will accord with Policy DM6 of the SADMP DPD and the NPPF.

Archaeology & Heritage

- 5.39 Chapter 16 of the NPPF outlines the commitment of the Government to the protection of the historic environment. Paragraph 200 requires proposals that have the potential to impact heritage assets to submit an appropriate desk-based assessment. In addition to the NPPF, local policies also recognise the importance of heritage assets within Policy DM11 of the Site Allocations and Development Management Policies DPD.
- 5.40 RPS have provided a Built Heritage Statement to support this application. It was found that there are no listed buildings or any scheduled monuments on the Site or located within 100 meters of the Site. There are two non-designated heritage assets within the Site in the form of areas of surviving medieval ridge and furrow earthworks and Westfield Farm, particularly the farmhouse. There are also two listed buildings and seven non-designated assets within the study's search area, with only the Isolation Hospital, Ashby Road to have potential of being affected by development, however, it is found that the Isolation Hospital is to have limited significance.
- 5.41 The Built Heritage Statement concludes that therefore, the impact of the development on the Isolation Hospital is a small consideration within the planning balance, and that the proposed development is in line with the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as the local requirements set out by Policy DM11 and the national requirements of the NPPF.

Drainage & Flood Risk

- 5.42 A Flood Risk Assessment was carried out by BWB. The assessment found that the Site is located with Flood Zone 1 and the proposed development will not present a significant flood risk.
- 5.43 The Sustainable Drainage Strategy produced by BWB outlines the approach that is suggested towards drainage across the Site. The Drainage Strategy has been designed in accordance with the prevention of flooding and requirements of the borough as outlined within local policy in Policy DM1 Preventing Pollution and Flooding of the SADMP DPD, as well as national policy as the NPPF looks to meet the challenges of climate change and flooding within Chapter 14. The scheme proposes the use of rain gardens, swales and attenuation basins that would form part of best SuDS practice. The Strategy found that the development will improve the run off rate from the current rates which are present on the Site.
- 5.44 To ensure the development is safe for its lifetime, the FRA recommends that finished floor levels are raised a minimum of 600mm above the modelled 1 in 100-year +22%CC peak flood level.

- 5.45 The Drainage Strategy concludes that the drainage design will accord with relevant local and national policies specifically the hierarchy of discharge, runoff rate and volume criterion. The details of the Drainage Strategy will be considered further at the detailed stage.
- 5.46 It is considered that the proposed development will not have an adverse impact on the surrounding area in regard to drainage and flood risk, and is in accordance with Policy DM1 and the NPPF.

Air Quality

- 5.47 An Air Quality Assessment has been undertaken by BWB. The assessment states that the Site is not located within, or in the vicinity of an existing Air Quality Management Area. The assessment undertook a qualitative construction phase dust assessment in accordance with Institute of Air Quality Management guidance. The assessment concluded that with mitigation measures, the impact of construction phase dust emissions was considered to be 'not significant' in accordance with Institute of Air Quality Management guidance.
- 5.48 Additionally, a detailed operational phase road traffic emissions assessment was undertaken at identified existing receptor locations. Road traffic emissions were modelled in accordance with Defra Local Air Quality Management Technical Guidance and Institute of Air Quality Management & Environmental Protection UK guidance, using the dispersion model ADMS-Roads. Concentrations of nitrogen dioxide and particulate matter were predicted at sensitive receptor locations and across the Site.
- 5.49 The suitability of the Site for residential use was considered with regard to air quality, and it is concluded that pollutant levels were predicted to be below the current relevant air quality objectives for England, and therefore, the Site is considered suitable for the proposed development. Furthermore, no mitigation measures are required however, the proposed development includes measures such as the implementation of a Travel Plan.
- 5.50 This is in accordance with Policy DM10 of the Site Allocations and Development Management Policies DPD, which requires proposals to maximise opportunities to be sustainable. Furthermore, this will be in accordance with Chapter 8 of the NPPF aiming to achieve healthy, inclusive and safe environments for residents in addition to Chapter 14 of the NPPF which requires developments to meet the challenges of climate change. This development will assist in this by providing a good air quality, which will in turn create a healthy environment for new and existing residents.

Noise

- 5.51 BWB have produced an Environmental Noise Assessment to assist this proposal. The assessment was carried out in accordance with the current standards and guidance. At this stage of the process, the assessment demonstrates the feasibility of the Site for residential use. The assessment recommends to significantly reduce the road traffic noise in external living areas within the vicinity of Normandy Way, gardens should be placed on the opposite side of the dwelling to Normandy Way, and that dwellings are set further back from the road.

The assessment concludes that the results demonstrates that the Site is suitable for residential development.

- 5.52 This approach is in accordance with local policy DM10 of the Site Allocations and Development Management Policies DPD setting out the need for well-designed development. The design of this proposal will be in accordance with the findings and recommendations of the assessment to create a high quality living environment for all.
- 5.53 The development will also be in accordance with national policy within Chapter 8 and Chapter 12 of the NPPF by taking into consideration the noise levels and mitigation measures that are outlined within the report throughout the design process, to create a well-designed space for future residents that provides a healthy, inclusive and safe environment.

Mineral Deposits

- 5.54 A Mineral Resource Assessment has been produced to support the application. The Assessment found that the Site falls within a sand and gravel Mineral Safeguarding Area identified by Leicestershire County Council. The assessment concludes that there is little scope for the Site to contain economically viable deposits of sand and gravel.
- 5.55 The proposed development would accord with paragraph 216 of the NPPF and would not pose an impact to safeguarded mineral deposits.

Agricultural Land Classification

- 5.56 As detailed within the report by Kernon Consulting an Agricultural Land Classification has been carried out over the Site. The Site is recorded as a mixture of Grade 2, Subgrade 3a and Subgrade 3b together with some non-agricultural land.
- 5.57 The land has been classified as comprising 1.6 ha (8.9%) of Grade 2, 5.3 ha (29.6%) Subgrade 3a, 9.7 ha (54.2%) Subgrade 3b, and 1.3 ha (7.3%) of non-agricultural land. Therefore, the Site contains only 6.9 ha of the best and most versatile agricultural land.
- 5.58 The NPPF (December 2023) requires that economic and other benefits of BMV land be considered. The economic benefits of the Site are modest at under £2,000 per annum. Footnote 62 to paragraph 181 sets out that that availability of land used for food production should be considered, alongside other policies of the Framework, when deciding what Sites are most appropriate for development.
- 5.59 In terms of the NPPF, this is not a significant development of agricultural land. Accordingly, poorer quality land does not need to be considered in preference. Accordingly based on the small amount of BMV quality land that has been found it is concluded that only limited weight should be given to the loss of this small area of BMV agricultural land.

6. AFFORDABLE HOUSING STATEMENT

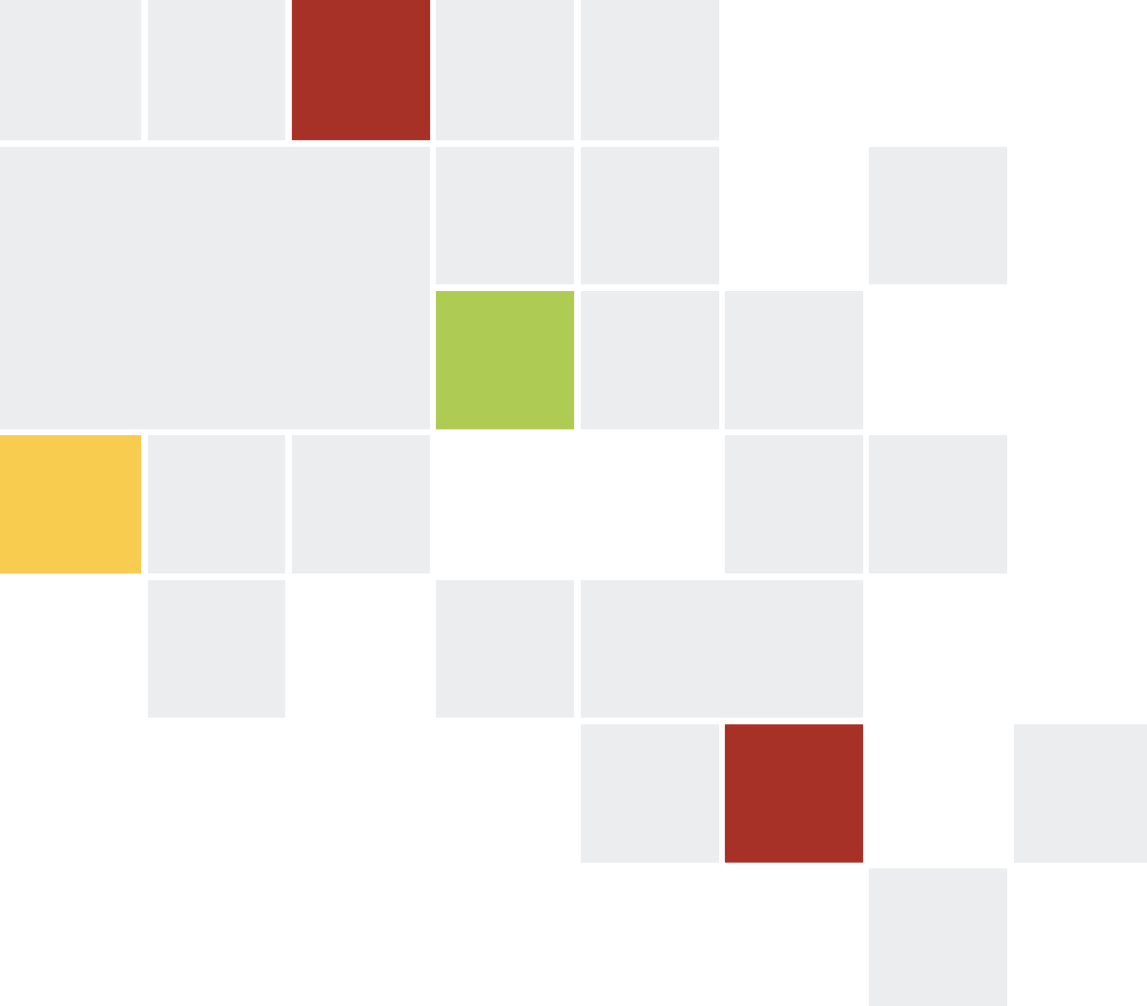
- 6.1 Policy 15 of the adopted Core Strategy sets out the policy position in relation to affordable housing. Policy 15 confirms that a minimum of 2,090 affordable homes will be provided over the plan period. For the Urban Areas of Hinckley, Barwell, Earl Shilton and Burbage, on Sites of 15 dwellings or more, there is a 20% target for onsite affordable housing, with a tenure split of 75% social rented and 25% intermediate housing.
- 6.2 The policy states that these figures will be kept up to date through an Affordable Housing Supplementary Planning Document which the Council is yet to produce.
- 6.3 Richborough are proposing to provide 20% onsite affordable housing provision, in accordance with adopted policy. Tenure split will be agreed with the Council's Affordable Housing Officer with the starting point 75% social rented and the remaining 25% will be intermediate housing provision.

7. HEADS OF TERMS

- 7.1 The applicant is agreeable to enter into a Section 106 agreement to ensure delivery of such requirements as are reasonable and which accord with the legal tests set out in Regulations 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended).
- 7.2 The following Heads of Terms are expected to be requested and detailed contribution amounts will be provided for and agreed following the statutory consultation process:
- 20% affordable housing provision;
 - Any necessary contributions towards early years, primary, secondary education, post 16 and SEND education facilities;
 - Any necessary contributions towards waste management/civic amenity.
 - Contributions to any necessary, off site highway improvements, public transport improvements/Travel Plan measures;
 - Contributions towards off Site open space for formal recreational provision; and
 - Contributions to library facilities.

8. CONCLUSION

- 8.1 This Planning Statement supports the submission of an outline application for the residential development of up to 415 dwellings, with drainage infrastructure, landscaping, open space and associated works at the land north of Normandy Way, Hinckley. All matters are reserved for subsequent approval except for access.
- 8.2 The previous section of this Planning Statement has considered the principle of development as well as providing an overview of the technical information and plans that have been prepared in support of this application.
- 8.3 The application Site lies immediately to the north of the existing Hinckley settlement edge. The Site is in a sustainable location that can facilitate sustainable travel modes with easy access by walking, cycling and public transport to existing facilities close to the Site, and also the wider opportunities available in Hinckley Town Centre.
- 8.4 Hinckley is the most sustainable settlement in the Borough, with a wide range of facilities and services, together with employment opportunities, and is a sustainable location to accommodate further growth. The development strategy within the emerging Local Plan confirms that the majority of new housing development will be directed to the urban area of the Borough, as the most sustainable location for growth. The urban area is the key focus for key facilities and services in the Borough, providing the widest retail offer, jobs, education, leisure, and health care, as well as key transport links. This strategy follows the approach within the adopted Core Strategy, which focused housing development to Hinckley to support its role as sub-regional centre.
- 8.5 The Council is unable to demonstrate a five-year housing land supply (4.76 years), and its housing policies are out of date. This application should be determined in accordance with paragraph 11(d) of the Framework, whereby permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 8.6 The development being proposed achieves each of the three overarching objectives of sustainable development which are defined by the NPPF within paragraph 8.
- 8.7 There are no technical constraints which cannot be mitigated against to prevent the delivery of this development. The Site is readily available and deliverable and would make a meaningful contribution to the Council's housing supply.
- 8.8 Having regard to the necessary test set out at paragraph 11 of the Framework, there are no adverse impacts that would outweigh the clear and demonstrable benefits of the development. In accordance with section 38(6) of the Planning and Compulsory Purchase Act (2004), and the presumption in favour of sustainable development, the application should therefore be approved.
- 8.9 In view of the above, we respectfully request that the Council consider the proposal favourably and grant planning permission for the proposed development.



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