

Delegated Report

Planning Ref: 23/00573/FUL
Applicant: Bloor Homes East Midlands
Ward: Hinckley Trinity



Hinckley & Bosworth
Borough Council

Site: Land To the West Of Normandy Way, Hinckley

Proposal: Full planning application for 153 dwellings with a vehicular access from the factory access road and existing roundabout on the A47, drainage, landscaping, public open space, ground remodelling and supporting infrastructure and utilities.

1. Recommendations

1.1. Grant planning permission subject to

- The completion of a S106 agreement to secure the following obligations:
 - 20% Affordable Housing (31 dwellings) with a split of 25% First Homes, 25% Shared Ownership, and 50% Affordable Rent
 - £4,620.25 for library facilities at Hinckley Library
 - £7,578.09 towards improving existing waste facilities at Barwell HWRC
 - £118,483.20 towards Health Care Provision (GP Practices)
 - On-site Open Space 0.43ha provided across the Normandy fields development (requirement of 0.34ha for a development of 1,003 dwellings (850 dwellings in Normandy Fields, and a further 153 dwellings within the application site); 0.25ha of Casual/Informal Play Space which meets the standard and Accessible Natural Green Space: 0.62ha.
 - £238,628.00 towards Early Years Education at Battling Brooke Primary School
 - £456,749.68 towards secondary school education at Redmoor Academy
 - £97,582.02 towards post 16 education at The Hinckley School
 - £86,366.10 towards SEND education at Dorothy Goodman School
 - Travel Packs – one per dwelling (can be supplied by LCC at £52.85 per pack)
 - 6-month bus passes – one per resident – can be supplied through LCC at (average) £490.00 per pass.
 - Residential Travel Plan monitoring fee of £6,000.
 - Appointment of a Travel Plan Co-ordinator from commencement of development until five years after the occupation of the last unit.
- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The proposal seeks full planning permission for the construction of 153 dwellings with associated accesses, public open space, landscaping and infrastructure. The site has an area of approximately 5.6 hectares and is irregular in its shape, wrapping around an adjacent parcel of land subject to permission 23/00574/REM for 97 dwellings and effectively forming one parcel. The proposed vehicular access is from the factory access road and existing roundabout on the A47 in the southernmost part of the site.

- 2.2. The housing mix proposed comprises 30 2-bedroom dwellings, 73 3-bedroom dwellings and 50 4-bedroom dwellings. 20% of the dwellings (31 dwellings) are to be provided for affordable housing, with a tenure split of 8 properties as First Homes, 15 properties for affordable rent and 8 for shared ownership. 14 of the proposed affordable dwellings are 2-bedroom dwellings, and 17 dwellings 3-bedroom dwellings. The properties proposed are of traditional construction comprising predominantly facing bricks with roofing tiles. Most of the properties would be built to a height of two-storeys, with ten 2.5-storey dwellings ("Makenzie" house type).
- 2.3. The site layout plan shows the development would be predominantly arranged into six perimeter blocks along with ribbon development along the A47 on the eastern boundary, and clusters of development towards the southern part of the site.

3. Description of the Site and Surrounding Area

- 3.1. The site is located to the west of Hinckley, approximately 2km from the town centre. The outline application site is 5.6 hectares of agricultural land. The application site comprises phase 4 of the development and relates to a parcel in the south eastern corner of the wider outline site.
- 3.2. The site is mostly flat and level, and hedgerow lies to the northern boundary and part of the western boundary, otherwise there are few landscape features on the site.

4. Relevant planning history

23/00574/REM

- Approval of reserved matters (appearance, landscaping, layout, and scale,) pursuant to condition 2 of outline planning permission 15/00188/OUT for the residential development of 97 dwellings (Phase 4).
- Planning Permission
- 22.03.2024

15/00188/OUT

- Erection of up to 850 dwellings, 500m² of retail units, a primary school, community facilities including sports pitches, parkland, children's play areas, allotments, sustainable urban drainage systems, a new access and associated infrastructure (outline - access only)
- Outline approval
- 26.08.2020

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. 1 letter of objection has been received raising the following concerns:
- a) Traffic congestion
 - b) Noise and air pollution.
 - c) Insufficient policing in the local area
 - d) Lack of infrastructure
 - e) Likelihood of 5G masts being required in future, and associated health concerns.

6. Consultation

6.1. No objections have been received from:

HBBC Environmental Services (Pollution) – subject to conditions
LCC as Local Lead Flood Authority – subject to conditions
LCC as Highway Authority – subject to conditions
LCC Ecology – subject to conditions
HBBC Waste Services
HBBC Drainage – subject to conditions.
Leicestershire Police
LCC Archaeology
Environment Agency
Active Travel England – subject to conditions.
National Highways – subject to conditions.
HBBC S106 Monitoring Officer

6.2. No comments have been received from:

Severn Trent Water Ltd

6.3. HBBC Affordable Housing Officer - The full 20% affordable housing requirement will be provided on site, consisting of 14 x 2 bedroomed 4 person houses and 17 x 3 bedroomed 5 person houses. A small number of 1 bedroomed quarter houses for rent would have been desirable on this site as the greatest demand on the housing register is for 1 bedroomed properties. All properties should as far as possible meet the Nationally Described Space Standards. Given the linear nature of much of the site, the clustering of the affordable housing is acceptable.

The tenure should be split as 8 properties as First Homes, 15 properties for affordable rent and 8 for shared ownership. This would satisfy the requirements in NPPF that 25% of all affordable housing should be provided as First Homes and meet the requirement for 10% of all dwellings for affordable home ownership.

6.4. Contributions are sought from:

- NHS ICB - £118,483.20 towards the cost of providing additional accommodation for 370 patients at Barwell & Hollycroft Medical Centre.
- LCC Civic Amenity - £7,578.09 towards improving existing waste facilities at Barwell HWRC
- LCC Libraries - £4,620.25 towards improving the existing library facility at Hinckley Library
- Secondary Education - £456,749.68 towards secondary school education at Redmoor Academy.
- Post 16 Education - £97,582.02 towards Post 16 education at The Hinckley School
- SEND Education - £86,366.10 towards SEND education at Dorothy Goodman School Hinckley
- Early Years Education – £238,628.00 towards early years education at Battling Brooke Primary School.

7. Policy

7.1. Core Strategy (2009)

- Policy 1: Development in Hinckley
- Policy 5: Transport Infrastructure in the Sub-regional Centre
- Policy 15: Affordable Housing
- Policy 16: Housing Density, Mix and Design
- Policy 19: Green Space and Play Provision
- Policy 24: Sustainable Design and Technology

7.2. Site Allocations and Development Management Policies DPD (2016) (SADMP)

- Policy SA2: Land West of Hinckley, Normandy Way, Hinckley
- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM3: Infrastructure and Delivery
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM13: Preserving the Borough's Archaeology
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

- Affordable Housing SPD
- Good Design Guide (2020)
- National Design Guide (2019)

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Ecology
- Archaeology
- Flooding & Drainage
- Infrastructure Contributions

Assessment against strategic planning policies

- 8.2 Paragraph 2 of the National Planning Policy Framework (NPPF) (2024) states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and that the NPPF is a material consideration in determining applications. Paragraph 12 of the NPPF confirms 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.
- 8.3 Paragraph 11 of the National Planning Policy Framework (NPPF) and Policy DM1 of the 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).
- 8.4 The spatial distribution of growth across the Borough during the plan period 2006-2026 is set out in the adopted Core Strategy. The application site forms part of the 'Land West of Hinckley' site that was allocated (site SA2) for residential development in the Site Allocations and Development Management Plan Document (SADMP). In May 2018 HBBC granted outline planning permission for the development of "Normandy Fields" to provide up to 850 new dwellings, a 1 form entry primary school, convenience retail space, public open space, and associated infrastructure (including other green infrastructure, drainage, access and utilities). The outline application site constituted the majority of the Local Plan allocation site, save for an area adjacent to the Triumph Motorcycles factory and extending north alongside Normandy Way.
- 8.5 Phases 1 and 2 of Normandy Fields were subsequently approved in November 2018 and the construction of those phases, accessed from a new roundabout junction on Normandy Way, is underway. Further "Reserved Matters" applications relating to the detailed design of Phases 3 and 7 and the Local Centre and Primary School have recently been approved and are now under construction. The Local Plan is now being reviewed and identifies the Normandy Fields site that benefits from the existing outline planning permission and proposes to allocate the remaining part of the SA2 allocation (Ref. HIN01H) for the delivery of a minimum of 100 additional dwellings.
- 8.6 This application relates to the development of the remaining land in the SADMP allocation site and residual land within Phase 4 of Normandy Fields that benefits from the existing outline planning permission. The application was submitted simultaneously with a Reserved Matters application (23/00574/REM) for the development of Phase 4 of Normandy fields to ensure that a comprehensive and cohesive scheme for the whole allocation site is realised. This Reserved Matters application has been approved in March 2024.

- 8.7 The application includes a range of dwelling types from 2-4 bedroomed dwellings and apartments. Policy 16 of the Core Strategy requires a mix of housing types and tenures to be provided on all sites of 10 or more dwellings using the most up to date housing market assessment or local evidence. The most up to date housing market assessment is the Housing Needs Study (HNS) 2024. This identifies the suggested mix for housing:

Number of bedrooms	HNA suggested mix (market)	Proposed market mix	HNA suggested mix (affordable)	Proposed affordable mix
1	5%	0%	20%	-
2	35%	16% (19 dwellings)	50%	45% (14 dwellings)
3	40%	46% (56 dwellings)	25%	55% (17 dwellings)
4	20%	39% (47 dwellings)	5%	-

- 8.8 It is clear from the table above that the development provides fewer 2-bedroom properties than the suggested mix in the HNA and more 4-bedroom properties than the suggested mix in the HNA. The outline application is for 850 dwellings and will be built out over an approximate 10-year period. The need for housing type and mix may vary over time and therefore the total mix and provision of the whole outline site may differ to the phases for consideration in this application. With these issues in mind, it is considered that the mix of housing is acceptable as proposed for these phases and whilst not in strict accordance with the suggested HNA mix is in broad accordance with the suggested figures.
- 8.9 As confirmed by the Affordable Housing Officer, the tenure split would be determined by the guidance in National Planning Policy Framework which states that: "Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups." Government has also introduced First Homes as a form of affordable home ownership, and requires that after the transitional period, 25% of all affordable housing on qualifying sites should be for First Homes.
- 8.10 To comply with this guidance, which supersedes the tenure mix set out in the Core Strategy, 31 properties should be provided for affordable housing. The tenure should be split as 8 properties as First Homes, 15 properties for affordable rent and 8 for shared ownership. This would satisfy the requirements in NPPF that 25% of all affordable housing should be provided as First Homes and meet the requirement for 10% of all dwellings for affordable home ownership.
- 8.11 The delivery of housing on this development is therefore in accordance with Policy 15 and Policy 16 of the Core Strategy and Policy SA2 of the Site Allocations and Development Management Policy DPD (SADMP).
- 8.12 In conclusion, the site forms part of housing allocation SA2 where the principle of residential development is accepted.

Design and impact upon the character of the area

- 8.13 Policy DM4 of the SADMP requires that development in the countryside does not have an adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside, does not undermine the physical and perceived separation and open character between settlements and does not create or exacerbate ribbon development.
- 8.14 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.
- 8.15 The Council's Good Design Guide SPD sets out the process to be followed to ensure good quality design for new residential development.
- 8.16 The site is a greenfield site, which is relatively open and lies upon the urban fringe of Hinckley on its northwestern boundary. The site lies on the edge of the landscape area and does not experience the 'tranquil' nature due to its proximity to Hinckley, Normandy Way (A47), the employment development to the south and the extant approvals as part of the wider housing allocation for 850 dwellings. The site is an urban fringe site acting as a transition between the urban area of Hinckley to the wider remote countryside. Previous applications within the wider allocation have identified that the development of the site would have an impact upon the immediate area, however the wider impact would be limited, subject to appropriate landscaping and design.
- 8.17 The proposed site layout would create a series of six perimeter blocks, with dwellings positioned and orientated to facilitate private gardens located within the centre of the blocks. All dwellings would be positioned to allow for appropriate separation distances between houses. Front boundaries would broadly reflect the proposed street hierarchy with formal hedges and street trees along the primary street boundaries and informal hedges and street trees to break up street parking on side streets and green edges.
- 8.18 The proposed layout ensures permeability across the combined allocation site by maximising connections between the streets and footpaths in approved development phases and those in the emerging schemes for the application site and Phase 4. This will encourage and facilitate access through sustainable transport modes between the primary school, local retail uses, open space (including the central parkland and allotments), and sports pitches that are distributed throughout the adjacent site.
- 8.19 The site is located within the defined area UCA4: Hinckley as part of HBBC's Landscape Sensitivity Assessment (LUC, 2017), reflecting the wider site allocation in the Local Plan. The application site is visually contained by the surrounding urban form, topography and vegetation, notably to the south and east where only very localised views are available. To the north, the site's visibility is ultimately limited by the ridgeline at Wykin, but the ongoing development of Normandy Fields will further enclose views to the immediate vicinity of the site's boundary.
- 8.20 The site is currently more widely visible to the west across lower lying agricultural land towards the Ashby Canal, but there is a generally a flat perspective and the intervening vegetation provides localised screening of the views to the site, and urban elements are commonly present. Moreover, the development of Normandy Fields to the north and west entirely screen the views of the application site in the course of time.
- 8.21 The treatment of the development edge will be important in the views experienced in close proximity to the site. The existing boundary hedgerows are to be retained where possible and supplemented with new planting, notably along the frontage to Normandy Way. The scale and layout of buildings and the choice of building

materials have also been carefully considered to ensure that buildings appropriately blend into their surroundings.

- 8.22 The properties proposed are of a traditional design comprising predominantly facing brickwork with roofing tiles to reflect the design of the adjoining residential properties. The proposed dwelling designs are predominantly 2-storey, with some 2.5-storey dwellings located to enclose wider street typologies. The inclusion of taller buildings, and the variation between detached, semi-detached and short terraces helps to create a more diverse streetscape. Likewise, the density of the scheme is comparable to the density of the adjacent committed scheme. Some of the plots would have rendering at first floor level on their front elevations. There would be a variation in roof styles which would comprise predominantly front facing pitched roofs with some plots having side facing pitched gable roofs at first floor level. The corner plots have been designed so that windows and/or the front door is located on the side elevation to give these plots dual-frontages as required by the Council's Good Design Guide SPD to create variety and rhythm within the street scene. Where possible, parking areas are set between dwellings to reduce the visual impact of cars on the street scene. Landscaping is proposed along parts of the internal roads to soften the built development. Dwellings are orientated to maximise views over the public open space to improve natural surveillance of these areas.
- 8.23 It is therefore considered that the design, layout, design and landscaping details as submitted along with the improvements to landscaping would result in the development not being unduly intrusive to the wider countryside as required by Policies DM4 and DM10 of the SADMP (2016) and advice in the Council's Good Design Guide SPD.

Impact upon neighbouring residential amenity

- 8.24 Policy DM10 requires development to not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings including matters of lighting, air quality (including odour), noise, vibration and visual intrusion. This is also supported through the recently adopted HBBC The Good Design Guide 2020.
- 8.25 The internal layout of the proposal has been designed to comply with the minimum standards laid out in the Council's Good Design Guide SPD. This includes rear gardens with a minimum depth of 7 metres. The proposed dwellings have a separation distance of at least 21 metres between habitable rooms on the rear elevation. All proposed properties would have a separation distance of at least 14 metres between first floor habitable rooms on the rear elevation and blank gable walls. This is in accordance with the separation standards laid out in the Good Design Guide SPD.
- 8.26 The use of perimeter blocks ensures that each plot has been designed to minimise the impact of overlooking whilst providing some surveillance over rear gardens, parking forecourts and areas of open space. The layout proposed would assist in providing security and so designing out crime in these areas in accordance with the advice in the Good Design Guide SPD.
- 8.27 The construction of the development would be temporary and would not result in any long-term impacts on amenity. However, by virtue of the scale of development, the proximity to existing residential properties and potential duration of the construction phase, as recommended by the Council's Environmental Health (Pollution) a condition can be included on any consent granted to secure the submission of a Construction Environmental Management Plan for approval by the

local planning authority prior to any construction work taking place to protect the amenities of neighbouring properties and minimise any adverse impacts.

- 8.28 Based on the above, the proposal would not have a significant adverse impact on the residential amenity of either nearby residential properties or on the future occupiers of the site. The proposal would therefore be in accordance with Policies DM7 and DM10 of the adopted SADMP.

Impact upon highway safety

- 8.29 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 Framework 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.
- 8.30 The Local Highway Authority (LHA) has been reconsulted by the LPA and the latest and final response is the LHA's fourth response to the planning application. The LHA's previous highway observations asking for further information were issued on 5 July 2023, 22 December 2023, and 15 May 2024.

Site Access

- 8.31 The LHA provided design comments in its previous responses to the application on the proposed site access. The applicant has updated the drawing in line with the LHA comments dated 15 May 2024. The revised site access arrangements are shown on drawing number: C21021-DR101, Revision B.
- 8.32 In the highway observations dated 15 May 2024, the LHA advised the applicant that the length of the Max Legal Length Articulated Vehicle has increased from 16.5m to 18.55m. The applicant has acknowledged this change and provided a revised swept path analysis with the longer HGV on drawing number: C21021-DR102, Revision B. After a review of the latest plans the LHA is pleased to confirm that the principles of the main site access arrangements for the proposed development are acceptable subject to minor changes during the Section 278 technical approval process.

Highway Impact

- 8.33 In the previous highway response dated 14 May 2024 the LHA provided observations on the geometry of the junction models and confirmed that the traffic flow scenarios needed updating. The applicant has now provided a revised set of traffic flows. The LHA has checked the updated junction capacity assessments and provides more comments below.
- 8.34 Junction Capacity Assessments Using the revised flows described above the applicant has conducted detailed assessments using industry standard junction assessment software at the following junctions:
1. A47 Normandy Way / Outlands Drive
 2. A47 Normandy Way / Greenfinch Road
 3. Triumph Motorcycles / Development Access east and west
 4. A47 Normandy Way / Triumph Motorcycles / Roston Drive (existing)
 5. A47 Normandy Way / Roston Drive (proposed with pedestrian crossing)
 6. A47 Normandy Way / A447 Ashby Road
 7. A47 / A5 Dodwells Roundabout
- 8.35 The LHA has checked the revised junction models and the LHA is satisfied with the geometry of the models submitted. Further details of the junction capacity

assessments are available in Appendix D of the HTN7, however the LHA provides a summary of the key junctions below.

- 8.36 To mitigate the impact of the development and encourage walking / cycling, the applicant has also submitted three highway improvement schemes. The LHA has provided initial comments on the schemes and applicant has now submitted updated plans / further information which is considered in more detail below.

Off-Site Implications

- 8.37 A47 Normandy Way / Roston Drive: In line with the applicant's analysis of the results, the LHA note that A47 Northbound (Arm D) of the junction will be over-capacity in the 2028 PM+ development scenarios with a queue of 11 passenger car units (pcu). The applicant has also considered a 2036 PM with development scenario, and this indicates that the same arm will operate over capacity with a queue of 26 pcus. However, the LHA consider the impact in the 2028 scenario to be acceptable as the applicant is delivering a Toucan crossing as part of the proposed development which will provide enhanced pedestrian/cycle facilities. Furthermore, drawing number: C21021/DR105 shows that the various swept paths can be satisfactorily accommodated, using a vehicle speed of 15kph and the larger 18.55m length Articulated Lorry, so the scheme of mitigation is acceptable.
- 8.38 A47 / A5 Dodwells Roundabout Mitigation: The applicant has provided a response to the LHA's previous points raised in HTN7. The LHA has checked this additional information and is satisfied with the responses provided by the applicant. A condition is advised below for the improvement works to be delivered prior to first occupation of any part of the development. Notwithstanding the above the applicant should note that planning permission does not give you approval to work on the public highway. Therefore, prior to conducting any works on the public highway it must be ensured that all necessary licences/permits/agreements are in place. Given the location of the proposed development and mitigation scheme the applicant should also contact National Highways to discuss the works and traffic management requirements on the Strategic Road Network.
- 8.39 Normandy Way / Outlands Drive junction: As part of the proposals the applicant has submitted a scheme to provide a toucan crossing at the Normandy Way / Outlands Drive junction. The applicant has now provided a revised scheme and commentary on the changes made to drawing number: C21021/DR104 Revision A.
- 8.40 The LHA has checked the additional information and the updated drawing and can confirm it is acceptable. Nevertheless, the applicant should note the following:
- The LHA still have concerns that the crossing will cause confusion for motorists and pedestrians. Although the latest technical note states that pedestrians will be able to cross in one movement, the design is such that pedestrians may expect to have to wait on the central island (especially if the central pedestrian indicator units are no longer showing a green man indication).
 - Whilst it is acknowledged that the island will protect right turning traffic and reduce the scope for overtaking, the LHA would advise that the island may need to be split (a D shaped island should be provided on each side of the crossing studs and the central tactile paving should be removed). On-crossing detection should be provided to ensure pedestrians have time to make their crossing, but a stub pole should also be provided on the D shaped islands if a pedestrian becomes "stranded" in the central area and needs to make another demand for the crossing.
- 8.41 A condition for the delivery of this scheme is included at the end of this response, but the comments above can be discussed with the LHA as part of the S278 detailed design process.

Other Considerations

- 8.42 A47 Normandy Way / A447 Ashby Road: The LHA highlighted that there was an impact at the junction from the proposed development and therefore a fair and reasonable contribution may be required from the applicant.
- 8.43 The LHA is still progressing a scheme of mitigation at this junction, however based on the information provided by the applicant, the LHA have undertaken detailed analysis of the proposed development impact at the junction. This review suggests that the development traffic will not be significant in terms of current forecast operation, and that accordingly the LHA do not consider in this case that a Section 106 contribution would meet the tests.

Internal Layout

- 8.44 The LHA has reviewed the internal layout of the proposed development as shown on drawing number: MI100-HL-001-FUL, Revision C against the Leicestershire Highway Design Guide (LHDG) and can confirm that the outstanding issues identified in the earlier highway observations have been addressed. Furthermore, the parking provision and private drives for the proposed development are acceptable.
- 8.45 Therefore, the internal layout is considered acceptable for the purposes of the planning application and future adoption by the LHA subject to the applicant entering into an agreement with Leicestershire County Council under Section 38 of the Highways Act 1980.

Travel Plan

- 8.46 The applicant has confirmed that they are willing to accept a condition to submit a revised TP subject to receiving the appropriate planning permission. The LHA accept this approach.

Public Transport Strategy

- 8.47 The applicant secured planning permission for Parcel 1 for the erection of up to 850 dwellings, 500m² of retail units, a primary school, community facilities, a new access and associated infrastructure in May 2018. The LHA understands the applicant is seeking to discharge condition 10 (Public Transport Strategy) attached to planning permission 15/00188/OUT under LPA ref: 24/00546/DISCON. The LHA has objected to the Discharge of Condition application; however the LHA would advise the applicant that once the PT strategy has been approved for phase 1 of the development the PT strategy will need to be updated for this parcel of the development subject to the applicant obtaining planning permission.
- 8.48 In summary, based on the all the information submitted the applicant has demonstrated that a safe and suitable access to serve the proposed development could be delivered in line with Policies DM17 and DM18 of the SADMP and Paragraph 114 of the National Planning Policy Framework. The applicant has also tested the impact of the proposed development on the local highway network and the LHA considers that the residual cumulative impacts of development can be mitigated subject to the inclusion of the following conditions and contributions.

Ecology

- 8.49 Policy DM6 states that major developments must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services. On site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term.

- 8.50 Paragraph 187 of the NPPF states that development should result in a net gain for biodiversity by including ecological enhancement measures within the proposal.
- 8.51 There are no objections from Leicestershire County Council (Ecology) who confirm that the Ecological Appraisal and Biodiversity Net Gain calculations produced by Ecology Solutions (June 2023) are satisfactory, demonstrating over 10% biodiversity net gain. The habitats are generally of low ecological value with little evidence of protected species present.
- 8.52 Pre-commencement planning conditions requesting submission of a mitigation and enhancement strategy, as well as a Landscape and Ecological management Plan have been requested by LCC Ecology and imposed as part of this recommendation.
- 8.53 Based on the above and subject to the imposition of conditions recommended, it is considered that the proposed development would not impact on protected species and would provide biodiversity enhancements in accordance with Policy DM6 of the SADMP DPD and the general principles of the NPPF.

Archaeology

- 8.54 Policy DM13 states that where a proposal has the potential to impact on a site of archaeological interest, developers should set out in their application an appropriate desk-based assessment and, where applicable, the results of a field evaluation detailing the significance of any affected asset.
- 8.55 Mitigation work was required by condition on previous permission 15/00188/OUT and 15/00582/FUL and has been completed to the satisfaction of LCC Archaeology. The southern extent of Phase 4 (application site) was outside of the outline permission 15/00188/OUT and was therefore excluded from the scope of the previous evaluations. This application has therefore been accompanied by Combined Phase 1 Desk Study and Phase 2 Exploratory Archaeological Investigation.
- 8.56 LCC Archaeology confirm in their consultation response that they have monitored a programme of archaeological fieldwork undertaken in May 2023 in advance of submission of the current application.
- 8.57 It is confirmed that the subsequent report prepared by Oxford Archaeology has provided a satisfactory account of the fieldwork undertaken for Phase 4, and no significant archaeological remains were found during the evaluation. LCC Archaeology also reviewed the trial trenching report and do not believe the proposal will result in a significant direct or indirect impact upon the archaeological interest of any known or potential heritage assets. It is therefore advised that the application warrants no further archaeological action (NPPF Section 16, para. 202-203) and complies with the requirements of Policy DM13 of the SADMP.

Flooding and Drainage

- 8.58 Policy DM7 of the SADMP seeks to ensure that development does not create or exacerbate flooding. A Flood Risk Assessment (FRA) has been submitted with the application in accordance with paragraph 170 of the NPPF.
- 8.59 The site is located within Flood Zone 1 being at low risk of fluvial flooding and therefore in accordance with the Sequential Test, an Exception Test is not required to be undertaken. The site is at low risk of surface water flooding.
- 8.60 The proposal is for surface water from the proposed development to be discharged to an onsite attenuation basin before being discharged at a QBar discharge of 9.4l/s to an existing ditch on-site.
- 8.61 HBBC Drainage raise no objections to the proposal and recommend the imposition of drainage conditions with details to be submitted and agreed prior to the

commencement of development. LCC as Local Lead Flood Authority (LLFA) has assessed the Surface Water Drainage Scheme submitted and recommended that further details on the implementation of additional SuDS treatments such as pervious paving, swales etc. are submitted. With regards to the proposal for a single attenuation basin for all of the surface water drainage, additional information is required that the basin proposed would provide sufficient surface water treatment prior to discharging to the environment.

- 8.62 An Amended Surface Water Drainage Strategy has been submitted on 3 March 2021 and a re-consultation exercise is currently being undertaken with the LLFA. The Amended Strategy includes a swale located on the outfall to address the concerns of the LLFA. The applicant has also submitted details of a deed of transfer to allow them the right to connect the proposed surface drainage with the point of outfall (unnamed ordinary watercourse).
- 8.63 Whilst comments are awaited from the LLFA following the re-consultation exercise, the submission of a Surface Water Drainage Scheme for approval could form part of a suitability worded pre-commencement condition as recommended by the Council's Drainage Officer. Any scheme approved under this condition would need to accord with Policy DM7 of the SADMP to ensure that the proposed development did not create or exacerbate flooding in the local area.

Infrastructure Contributions

- 8.64 Policy DM3 of the 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.
- 8.65 The request for any planning obligations (infrastructure contributions) must be considered alongside the requirement contained within the Community Infrastructure Levy Regulations 2010 (As Amended) (CIL) and paragraph 56 of the Framework. The CIL Regulations and NPPF confirm that where developer contributions are requested, they need to be necessary to make the development acceptable in planning terms, directly related and fairly and reasonably related in scale and kind to the development proposed.

Play and Open Space

- 8.66 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 2016, updates these standards and also identifies the costs for off-site and on-site contributions. In line with the up-to-date standards identified in the 2016 study the table below identified the requirements for open space. There would also be a requirement for the maintenance of on-site open space provision for a 20-year period and for the maintenance of off-site open space provision for a 10-year period.
- 8.67 The developer would be obligated to provide and then transfer the on-site open space area to a management company, together with a maintenance contribution or, request that either the Borough Council or the Parish Council maintain the land. If the land is to be transferred to an authority, the area of open space would include a maintenance contribution.
- 8.68 The provision of Play and Open Space is required for compliance with Policies 11 and 19 of the Core Strategy and Policy DM3 of the adopted SADMP. These Policies are consistent with the NPPF in helping to achieve the social objective of sustainable development through promoting healthy and safe communities as

addressed in section 8 of the NPPF. The provision of play and open space helps support communities' health, social and cultural well-being and is therefore necessary. Policy 19 sets out the standards to ensure all residents within the borough, including those in new development have access to sufficient high quality accessible green spaces.

- 8.69 The applicant has provided a plan (Ref. DE155I_EPS_OSA_001) that locates the Equipped Children's Play Space across the Normandy Fields Scheme, with one area of Equipped Children's play within the application site.
- 8.70 The areas shown on the plan total 4,290 sqm and comprise:
- An area of 2,318 sqm within the Central Park that forms the NEAP, MUGA and adjacent play equipment that collectively form the main formal play space at the heart of the development. This has the benefit of RM approval (20/00527/REM).
 - A play space of 1,353 sqm within the Phase 4 scheme.
 - A LEAP of 618 sqm between Phases 6 and 7, which has the benefit of RM approval (21/01262/REM).
- 8.71 The provision of 0.43ha of Equipped Children's Play Space exceeds the requirement of 0.34ha for a development of 1,003 dwellings (850 dwellings in Normandy Fields, and a further 153 dwellings within the application site).
- 8.72 Accessible Natural Green Space: 0.62ha provided, which results in a marginal "shortfall" of 0.08 ha that will be more than offset by the significant over-provision of this typology in the comprehensive scheme (in the order of 5.4 hectares compared to the POS standards for a combined 1,003 dwellings) and is therefore considered acceptable.
- 8.73 The provision is appropriately distributed across the entire development and will, therefore, be directly accessible from the application site. The requirement for 250 dwellings (153 dwellings in the application site and 97 dwellings in Phase 4 RM) is c. 862 sqm, and the play space in this location is 1,353 sqm as above; demonstrating that the play area proposed within the Phase 4 RM is appropriately sized to support the quantum of dwellings in this part of the site.
- 8.74 The landscape scheme has been carefully considered to ensure that the Casual / Informal Play Spaces. This typology will be provided in three locations:
- The primary provision will be within the area to the north-east of the scheme (1,518 sqm), which comprises a linear area with informal play equipment. This area is located along a key active travel route through the scheme. This area of the site also benefits from a robust hedgerow and a wide verge between it and Normandy Way. This provides a wide buffer between the proposed casual / informal play space and the road.
 - A more enclosed area is located at the south-western corner of the site (798 sqm) incorporating a pedestrian link between the turning head to the immediate north and the adjacent Phase 5. Given its location, it will be used both by the residents of Phase 4, and those from the wider site who are walking towards the southern egress point. Given its location, it is considered that this would be more appropriate for younger children;
 - Finally, the small area at the east of the site (206 sqm) contains play on the way 'hurdles' that will be utilised by children when travelling out of the scheme to the east,

or north via the footpath that connects to the primary informal play equipment as referred to in the first bullet point. Again, its location adjacent to the proposed active travel infrastructure, means it will have a 'play on the way' function.

This totals 2,522 sqm (0.25ha), which meets the standard as above.

- 8.75 The extent of the Open Space and Recreation contribution and provision is directly related in scale and kind to the wider development and its impacts upon surrounding publicly accessible open spaces. The delivery of these obligations is policy compliant and has been applied as with all development of this typology, the developer is not obligated to provide anything above policy compliant position and therefore the contribution relates in scale and kind.

NHS ICB – Health Care

- 8.76 The NHS Integrated Care Board has requested a contribution of £118,483.20 towards expanding GP facilities at Barwell & Hollycroft Medical Centre, which is the closest available GP practice to the development. The contribution would go towards an extension of the existing facility which would facilitate the estimated 370 additional patients. The NHS ICB submitted an initial consultation response which requested a lower contribution figure of £74,525.93. This was revised in the latest response (28/11/2023) to account for increases in construction build costs.

- 8.77 The provision of a Health Care contribution is required for compliance with Policy DM3 of the adopted SADMP. The requirement of funding for Health Care Provision at identified local GP Surgeries, addresses the impacts of the development on existing and future need of this vital infrastructure provision, helping to meet the overarching social objectives contained within the NPPF in achieving sustainable development, thus making the obligation necessary. The identified increase in patients would have a direct impact on the Medical Centre, as set out in the request, arising from the additional demand on services directly related to the population generated from the development. The extent of the Health Care contribution is directly related in scale and kind to the development, the obligation is calculated using population projections applied to all developments of this typology. The obligation sets out current capacity or otherwise of local services and how this proposal leads to direct impact, the developer is not obligated to provide contributions to address need in excess of that generated directly from the development, therefore the contribution fairly relates in scale and kinds to the development proposed.

Libraries

- 8.78 LCC Library services have requested a sum of £4,620.25 towards provision of additional resources for library facilities at Hinckley Library which is the nearest library to the development. The contribution is calculated using a methodology that is attributed to all developments of this typology and has only been requested where there is a deficiency in stock level. Therefore, the contribution relates fairly and reasonably in scale and kind.

Civic Amenity

- 8.79 The Director of Environment and Transport requests a contribution of £7,578.09 towards the delivery of civic amenity services and facilities at the nearest site in Barwell to mitigate the impact of additional users from the development on the facility. The contribution is calculated using a methodology that is attributed to all developments of this typology and has only been requested where there is a

deficiently in stock level. Therefore, the contribution relates fairly and reasonably in scale and kind.

Education

- 8.80 LCC has requested a contribution towards secondary school education, based on a formula using the average cost per pupil place, against the anticipated likely generation of additional school places from the proposed development. Capacity at the nearest schools to the proposal for each sector of education (early years, primary, secondary and SEND) is then considered and it is determined whether the proposal would create demands upon these services. The total contribution request is £879,325.80 to be used to accommodate the capacity issues created by the proposed development by improving, remodelling or enhancing existing facilities at Redmoor Academy (Secondary), The Hinckley School (Post 16), Dorothy Goodman School (SEND) and Battling Brooke Primary (early years).
- 8.81 The contribution towards addressing the impact of the development upon education is required for compliance with Policy DM3 of the adopted SADMP and would address the impacts of the development on essential infrastructure within the local area. This helps to meet the overarching social objectives within the NPPF helping to contribute to sustainable development, thus is necessary. The contribution is calculated by attributing a monetary value to the number of additional pupil places generated directly from the development and then requesting the money towards each sector of the education sector where there is an identified deficit of places, therefore the contribution directly relates to the proposal. The contribution is calculated using a methodology that is attributed to all developments of this typology across the county and has only been requested where there is an identified deficit of places. Therefore, the contribution relates fairly and reasonably in scale and kind.

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.
- 9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 10.1. The housing policies in the adopted Core Strategy and the adopted SADMP are now considered to be out of date as they focussed on delivery of a lower housing requirement than required by the up-to-date figure. The Planning Policy team are currently reviewing the revised NPPF and implications for the Council's Five Year Housing Land Supply. A revised position will be published by May 2025 once the monitoring for the 2024/25 year has been completed. It is however likely that, with the revised need figure of 682 dwellings per annum from the Dec 2024 NPPF (649dpa + 5% buffer as per Para 78a), that the Council will be unable to demonstrate a Five Year Housing Land Supply once the revised position is published.
- 10.2 The application site forms part of the 'Land West of Hinckley' site that is allocated (site SA2) for residential development in the Site Allocations and Development Management Plan Document (SADMP).
- 10.2. Paragraph 11 of the NPPF identifies the three strands of sustainable development broken down into social, economic and environmental benefits.
- 10.3. The Government is committed to significantly boosting the supply of housing through the Framework. The proposal would result in the delivery of 73 new dwellings of high-quality house type designs (including 20% affordable homes) and public open space. These social benefits have significant weight in the planning balance as they would assist in addressing the current shortfall of housing and affordable housing in the area and contribute to public play and open space in Hinckley.
- 10.4. The proposal would result in moderate economic benefits through the construction of the scheme through creation of jobs and constructions spend, albeit for a temporary period. Additionally, the residents of the proposed development would provide ongoing support to local services. As discussed above the proposal would deliver 153 dwellings on an allocated site, of which 20% would be affordable which is afforded significant weight.
- 10.5. Some environmental benefits would be provided such as additional planting through the landscaping to be provided in the open space. There would be some benefit for biodiversity associated with the reinforcement and new planting and trees around the site and the provision of SUDS which can be designed to include benefits to biodiversity, secured via condition.
- 10.6. The scheme has also demonstrated that the development can be provided without adverse harm to any protected species whilst also providing Biodiversity Net Gain and would provide adequate surface water drainage strategy to serve the development. The proposal is considered to complement the character of the surrounding area and would not have a significant adverse impact on neighbouring amenity, highway safety/parking nor drainage
- 10.7. Paragraph 11 of the NPPF states that any harm identified should be significant and demonstrably outweigh the benefits of the scheme. However, given that no harm has been identified, and having regard to the significant weight to the social benefits the proposal is found to be sustainable development.

- 10.8. Subject to conditions the proposal would not have any significant adverse impacts on noise, residential amenity, vehicular or pedestrian safety, ecology, archaeology, drainage and land contamination. It is considered that the proposed development is in accordance with Policies SA2, DM1, DM3, DM6, DM7, DM10, DM11, DM12, DM17 and DM18 of the SADMP (2016) and is therefore recommended for approval subject to the conditions and planning obligations listed below.

11. Recommendation

12.1 Grant planning permission subject to:

- Planning conditions outlined at the end of this report
- The completion within six months of this resolution a S106 agreement to secure the following obligations:
 - 20% Affordable Housing (31 dwellings) with a split of 25% First Homes, 25% Shared Ownership, and 50% Affordable Rent
 - £4,620.25 for library facilities at Hinckley Library
 - £7,578.09 towards improving existing waste facilities at Barwell HWRC
 - £118,483.20 towards Health Care Provision (GP Practices)
 - On-site Open Space 0.43ha provided across the Normandy fields development (requirement of 0.34ha for a development of 1,003 dwellings (850 dwellings in Normandy Fields, and a further 153 dwellings within the application site); 0.25ha of Casual/Informal Play Space which meets the standard and Accessible Natural Green Space: 0.62ha
 - £238,628.00 towards Early Years Education at Battling Brooke Primary School
 - £456,749.68 towards secondary school education at Redmoor Academy
 - £97,582.02 towards post 16 education at The Hinckley School
 - £86,366.10 towards SEND education at Dorothy Goodman School
 - Travel Packs – one per dwelling (can be supplied by LCC at £52.85 per pack)
 - 6 month bus passes – one per resident – can be supplied through LCC at £490.00 per pass.
 - Travel Plan monitoring fee of £6,000.
 - Appointment of a Travel Plan Co-ordinator from commencement of development until five years after the occupation of the last unit.

11.2 Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

Application Plans within the schedule of application documents - *DE_155I_Hinckley P4 FPA - Schedule of Application Documents_2024 07 11_MR* – Received 11th July 2024.

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

3. Prior to the commencement of development, a Construction Environmental Management Plan shall be submitted to and agreed in writing by the LPA. 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 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.

Site preparation and construction shall be limited to the following hours:

Monday – Friday 07:30 – 18:00

Saturday 08:00 – 13:00

No working on Sundays and Bank Holidays.

Reason: To ensure that the proposed use does not become a course of annoyance to nearby residents in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

4. Development shall not begin until a scheme to provide a sustainable surface water drainage system in accordance with the Addendum Flood Risk Assessment dated April 2023 has been submitted to and approved by the Local Planning Authority, and the scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

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

5. Prior to the commencement of development details in relation to the management of surface water on site during construction of the development shall be submitted to, and approved in writing by, the Local Planning Authority. 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.

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

6. Prior to the commencement of development details in relation to the long-term maintenance of the sustainable surface water drainage system on the development shall be submitted to and approved in writing by the Local Planning Authority. Details of the SuDS Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate

elements of the system and should also include procedures that must be implemented in the event of pollution incidents within the development site.

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 sustainable drainage system within the proposed development in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD.

7. No development approved by this planning permission shall take place until such time as infiltration testing has 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, has been 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 in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD.

8. No works shall commence on site until full details of the finished floor levels for each of the approved dwellings has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in full accordance with the approved details.

Reason: To ensure that the development has a satisfactory appearance in accordance with Policies DM4 and DM10 of the SADMP (2016).

9. The development of any dwelling shall not exceed the damp proof course stage until a scheme for protecting the proposed dwellings from noise from the adjacent road network and the adjacent factory has been submitted to and approved by the Local Planning Authority b) All works which form part of the scheme shall be completed before any of the permitted dwellings are first occupied.

Reason: To ensure that prospective occupiers of the dwellings hereby approved do not experience unacceptable levels of noise and disturbance in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

10. No part of the residential development hereby permitted shall be occupied until such time as the access arrangements shown on Capricorn Transport Planning Consulting drawing number: C21021-DR101, 'Development Access Option 1', Revision B, dated 19 June 2024 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 the National Planning Policy Framework (December 2024).

11. No part of the development shall be occupied until such time as the offsite works are provided in general accordance with Capricorn Transport Planning Consulting drawing number: C21021- DR104, 'Normandy Way / Outlands Drive Toucan Crossing', Revision A, have been implemented in full.

Reason: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (December 2024).

12. No part of the development hereby permitted shall be first occupied until an amended Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets (reflecting discussions between the applicant and the LHA) 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.

Evidence that the pre-occupation elements of the approved Travel Plan have been put in place shall be prepared, submitted to and approved in writing by the Local Planning Authority. The developer shall then enable the Highways Authority to implement, monitor and review the approved Travel Plan to the satisfaction of Local Planning Authority unless agreed in writing by the Local Planning Authority.

Reason: To support sustainable transport objectives including a reduction in private vehicular journeys and the increased use of public transport, walking, wheeling and cycling in accordance with Policy DM17 of the SADMP and the National Planning Policy Framework (December 2024).

13. Notwithstanding the details in the submitted Travel Plan and Transport Assessment, an updated Public Transport Strategy for a minimum duration of five years shall be submitted to and approved in writing by the Local Planning Authority to include full details of the proposed destinations, routes, days and hours of operation, frequency and duration of provision of daily bus service(s) to serve the development and arrangements for the periodic review of the above, prior to occupation of the first dwelling. The bus service(s) shall be provided thereafter in accordance with the approved Strategy.'

Reason: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (December 2024).

14. No residential unit shall be occupied until the parking and any turning facilities associated with that unit have been implemented in accordance Bloor Homes drawing number: Bloor Homes drawing number: MI100-HL-101FUL-C, 'Highways Layout – Full'. Thereafter the onsite parking provision shall be so maintained in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally and to enable vehicles to enter and leave the site in a forward direction in the interests of highway safety and in accordance with the National Planning Policy Framework (December 2024).

15. Any dwellings that are served by private access drives and any turning spaces shall not be occupied until such time as the private access drive that serves those dwellings has been provided in accordance with Figure DG17 of the Leicestershire Highway Design Guide. The private access drives should be surfaced with tarmacadam, or similar hard bound material (not loose

aggregate) for a distance of at least five metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, and to reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework (December 2024).

16. No part of the development hereby permitted shall be occupied until such time as 1.0 metre by 1.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of all private accesses with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.

Reason: In the interests of pedestrian safety and in accordance with the National Planning Policy Framework (December 2024).

17. No dwelling within the development hereby permitted shall be occupied until such a time as the length of the access road required to serve that dwelling has been surfaced with tarmacadam and once provided, shall be so maintained in perpetuity.

Reason: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework (December 2024).

18. No development shall take place until a species mitigation and enhancement strategy has been submitted to and approved in writing by the LPA. As a minimum, this should detail the reasonable avoidance measures for badgers and great crested newts during the construction process, and enhancement measures such as integrated bird and bat boxes and native planting. Any enhancement measures need to be shown on all relevant submitted plans/elevations. All works are to proceed strictly in accordance with the approved scheme unless otherwise agreed in writing by the LPA.

Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site to accord with in accordance with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016).

19. No development shall take place (including ground works or vegetation clearance) until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the LPA. The LEMP shall outline the management in order to deliver the target conditions for habitats to ensure a biodiversity net gain in both habitats and hedgerow units. The LEMP shall include the following details:
 - a. description and evaluation of the features to be created/managed
 - b. aims and objectives of management
 - c. appropriate management options for achieving aims and objectives
 - d. prescriptions for management actions
 - e. work schedule

- f. species/seed mixes to be planted/sown
- g. ongoing monitoring and remedial measures

The approved LEMP shall be adhered to and implemented for a minimum of 30 years in accordance with the approved details, unless otherwise agreed in writing by the LPA.

Reason: In order to ensure the delivery of 10% Biodiversity Net Gain, and to protect the protected wildlife species and their habitats that are known to exist on site to accord with in accordance with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016).

20. Prior to occupation of the consented development, the improvement scheme at the A5/A47 Dodwells roundabout for as shown in general accordance with PJA drawing ref: 07839-TR-A-0001, titled A47 / Dodwells Roundabout Mitigation, as agreed with Highways Authorities, is completed and open to traffic. National Highways Planning Response (NHPR 22-12) December 2022

Reason: To mitigate any severe or unacceptable impact from the development on the A5 in accordance with paragraph 115 National Planning Policy Framework (December 2024) and paragraph 40 DfT Circular 01/2022.

21. Prior to the commencement of the development hereby permitted a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A5. The plan shall include as a minimum:

- details of any temporary accesses
- construction traffic vehicle numbers
- routing of construction traffic
- measures to prevent dust and debris being deposited on the carriageway

Thereafter all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the Highways Authority.

Reason: To mitigate any adverse impact from the development on the A5 in accordance with DfT Circular 01/2022.

22. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

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

Notes to Applicant

1. The decision is also conditional upon the terms of the planning agreement which has been entered into by the developer and the Council under Section 106 of the Town and Country planning Act 1990 (as amended).

2. 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, pervious paving details, pipe protection details (e.g. trash screens), and full modelled scenarios for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change storm events.
3. 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.
4. 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 householder ownership.
5. 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 CIRIA C753 "The SuDS Manual" or any superseding version of this guidance.
6. 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://resources.leicestershire.gov.uk/lhdg>.
7. The applicant should be advised to contact Leicestershire County Council's Network Management team at the earliest opportunity to discuss access to the road network to carry out works. The team can be contacted at: networkmanagement@leics.gov.uk
8. If the roads within the proposed development are to be offered for adoption by the Local Highway Authority, the Developer will be required to enter into an agreement under Section 38 of the Highways Act 1980. Detailed plans will need to be submitted and approved, the Agreement signed and all sureties and fees paid prior to the commencement of development. 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://resources.leicestershire.gov.uk/lhdg> If an Agreement is not in place when the development is commenced, the Local Highway Authority will serve Advanced Payment Codes in respect of all plots served by all the roads within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge must be made before building commences. Please email road.adoptions@leics.gov.uk in the first instance.

9. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
10. Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore all removal of trees/shrubs/hedges should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.