# HINCKLEY AND BOSWORTH BOROUGH COUNCIL
# TOWN AND COUNTRY PLANNING ACT 1990

Hinckley & Bosworth Borough Council

## WRITTEN STATEMENT ON BEHALF OF THE LOCAL PLANNING AUTHORITY

**PLANNING APPEAL BY MR S HARDING**

**AGAINST THE REFUSAL OF OUTLINE PLANNING PERMISSION FOR THE ERECTION OF A SINGLE SELF-BUILD DWELLING (ALL MATTERS RESERVED EXCEPT ACCESS)**

**AT**

**LAND SOUTH OF MAIN STREET, CARLTON NUNEATON, LEICESTERSHIRE, CV13 0BZ**

**HINCKLEY AND BOSWORTH BOROUGH COUNCIL REFERENCE**

**25/01230/OUT**

**THE PLANNING INSPECTORATE REFERENCE**

**6015602**

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## 1. INTRODUCTION

1.1. This statement is to be read in conjunction with the previously submitted Appeal Questionnaire papers, in full support of the decision of Hinckley and Bosworth Borough Council to refuse outline planning permission for the erection of a single self-build dwelling (all matters reserved except access) at land south of Main Street, Carlton.

## 2. DESCRIPTION OF THE APPEAL SITE AND THE PROPOSAL

2.1. The description of the appeal proposal and the appeal site are detailed at Sections 2 and 3 of the Delegated Officer Report ('Delegated Report') respectively.

## 3. SITE HISTORY

3.1. The relevant planning history for the appeal site is detailed at Section 4 of the Delegated Report.

## 4. POLICIES

4.1 The relevant local and national planning policies and legislation in the determination of this appeal proposal are detailed at Section 7 of the Delegated Report, except for the relevant decision-making policies that were introduced as part of the latest National Planning Policy Framework on 17 August 2026, which are included and addressed within this Statement.

## 5. THE CASE FOR THE LOCAL PLANNING AUTHORITY

5.1 The planning application was refused on 23 April 2026 under delegated powers for the following reasons:

1. The proposal would represent new residential development in an unsustainable location in the designated countryside. By virtue of its location, the proposal would exacerbate ribbon development and extend the urbanising-built form of Carlton in the designated open countryside. These factors would result in significant and permanent harm in principle to the rural character of the site, the surrounding area, and the intrinsic value, beauty, open character, and landscape character of the countryside, including to the Barton Village Farmlands Landscape Character Area, to which the site's character currently positively contributes to. The significant and permanent adverse impacts of the development in principle to the character of the area would be exacerbated by the visual prominence of the site from Barton Road and Nailstone Road to the east, and Public Footpath S77 and S68. As a result, the scheme would not be well designed and would fail to reflect local design policies and government guidance on design as a matter of principle.

   The proposal would therefore be contrary to, and in conflict with, Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document

(2016), as well as Chapters 12, and 15 and Key Policy Paragraphs 129 and 135 of the National Planning Policy Framework (2024). This harm would significantly and demonstrably outweigh the potential benefits of the scheme when assessed against the Framework as a whole. In accordance with Paragraph 139 of the National Planning Policy Framework, the development is refused.

2. The development would be in an unsustainable location that fails to promote sustainable transport, the best use of public transport, nor provide any safe walking and cycling access to services and facilities. The future occupants of the scheme would therefore be highly likely to be dependent on private motorised transport to meet their day-to-day needs, and this would result in significant environmental harm. This is contrary to, and in conflict with, Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), HDM Policy 1 of the Leicestershire Highway Design Guide (2024), as well as Paragraphs 83, 115 and 161, Chapter 9, and the overarching ambitions of sustainable development defined at Paragraph 8 of the National Planning Policy Framework (2024).

5.2 It is therefore considered that the main planning issues in relation to this appeal are the significant adverse effects of the proposed development on the character of the surrounding area including the natural beauty of the open countryside, and on the environment due to the poor transport sustainability of the appeal site.

Preliminary Matters

5.3 The appeal is supported by a 51-page Landscape and Visual Impact Appraisal ('LVIA') at Appendix 10 and a 35-page Representative Viewpoint Appraisal ('RVA') at Appendix 11 of the Appellant's Statement. As highlighted at Paragraph 3.2 of the Appellant's Statement, these documents were not submitted during, and did not form part of, the determination of the original planning application.

5.4 The submitted plans have also been updated. For example, the application 25/01230/OUT was determined on the basis of the submitted Site Location Plan (001A), which is now 001B at Appendix 4, the Existing Site Plan (002A), which is now 002B at Appendix 5, and the Proposed Site Plan (004B), which is now 004D at Appendix 6.

5.5 Paragraph 9.5.2.4 of the Planning Inspector's Procedural Guidance for Planning Appeals relating to applications dated on or before 31 March 2026 confirms that:

*"The appellant's submissions, including the statement of case, should not normally include new evidence or additional technical data not previously seen by the LPA and interested parties at the application stage. The appellant may open themselves up to an award of costs if new evidence that could have been anticipated as being relevant to the assessment of the planning application is submitted with the appeal… The appellant should clearly identify any new evidence that is being submitted with the appeal."*

5.6 As these documents were only submitted as part of this appeal, and the submission of these new details were not identified by the Appellant. This is unreasonable behaviour, which is contrary to, and in conflict with, Planning Inspector's Procedural Guidance for Planning Appeals.

5.7 In light of this, the Council has not reviewed these documents as part of its Appeal Statement. Should the Inspector decide that these submitted details are reasonable and acceptable, then the Local Planning Authority would be more than happy to provide additional comments on these documents where necessary.

5.8 Paragraph 7.1 of the Appellant's Statement also suggests that signed Unilateral Undertaking has been submitted as part of this appeal. This has not been received by the Local Planning Authority to comment on.

5.9 For the avoidance of doubt, a planning condition would not be sufficient to secure the development as a self-build and custom house build development because it would not meet the necessary tests as identified at NPPF Policy DM6. This position has been supported by Inspectors including at Paragraph 35 of the recent appeal decision at land northeast of Old White Cottage, Desford (cf. Appendix A).

<u>Changes to the National Planning Policy Framework</u>

5.10 Since the determination of 25/01230/OUT, the National Planning Policy Framework ('NPPF') has been revised.

5.11 Paragraphs 3 and 7 of the NPPF now confirm that the national decision-making policies within the Framework are a material consideration in making these decisions and should be read as a whole alongside the policies in the Development Plan.

5.12 NPPF Policy S3(1) confirms that decisions on development proposals should apply a presumption in favour of sustainable development. NPPF Policy S5(1) identifies ten forms of development that would be acceptable outside settlements.

5.13 Paragraph 5.3 of the Appellant's Statement suggests that the proposal would relate to NPPF Policy S5(1)(j). This is because the Council cannot demonstrate a five-year supply of housing, and the Appellant has relied upon the appeal decision at Kennel Lane to justify this.

5.14 Since the determination of 25/01230/OUT and the Kennel Lane appeal, the Local Planning Authority has undertaken an assessment for its supply of residential land for housing as of 01 April 2026 to 31 March 2031 in accordance with the NPPF and PPG, which confirms that the Council can demonstrate a 4.68-years housing land supply for this identified period.

5.15 In light of the above, whilst the Council's housing land supply position has improved since the determination of 25/01230/OUT, the appeal proposal would still address an unevidenced need. However, hamlets are not included within the NPPF's definition of, 'settlement.' As Carlton is identified as a rural hamlet within the Council's adopted Development Plan, the appeal proposal would therefore not be physically well-related to an existing settlement. Given the above, the proposal would not be offered any support by, and would be contrary to and in conflict with, NPPF Policy S5(1) in principle.

5.16 As the appeal proposal would not fall within one of the categories set out in NPPF Policy S5, NPPF Policy S5(4) confirms that the scheme should only be approved in exceptional circumstances, where the benefits of the proposal would substantially outweigh the adverse effects, including to the character of the countryside and in relation to promoting sustainable patterns of movement. Notably, these two examples of adverse effects within this national decision-making policy directly relate to the two reasons for refusal of 25/01230/OUT.

<u>Reason for Refusal 1: Harm to the Character of the Surrounding Area</u>

5.17 The first reason for refusal of 25/01230/OUT relates to the significant harm of the development to the character of the site, the surrounding area, and the natural beauty of the open countryside, including the Barton Village Farmlands Landscape Character Area.

5.18 NPPF Policy DP3(1) confirms that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets.

5.19 To create well-designed places, NPPF Policy DP3(2)(g) states that development proposals should create visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting.

5.20 Importantly, NPPF Policy DP3(3) states that development proposals should be refused if, without clear justification, they conflict with NPPF Policy DP3(1) or relevant aspects of the principles in NPPF Policy DP3(2), or with any explicit design standards set out in the development plan (including those in locally specific policies, guides, codes or masterplans). Substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.

5.21 NPPF Policy N2(1)(a) requires developments to contribute positively to the natural environment and consider the environmental qualities of land proposed for development including landscape character and the natural beauty of the countryside.

5.22 Beyond the submission of the LVA, the Appellant's justification for the proposal within their Statement is to disagree with the Council's position and to state that landscaping could mitigate the significant harm of the development. Paragraph 6.7 of the Statement states that the Appellant considers the scheme to be acceptable, *"In respect of design, scale, massing, and layout considerations."*

5.23 For the avoidance of doubt, scale, massing, and layout are not currently sought for permission via this appeal proposal for outline planning permission. As the details of these matters are reserved for later approval, these cannot be relied on to justify the current appeal proposal.

5.24 Ultimately, The Appellant's justification fails to have any regard to the Local Planning Authority's assessment of the scheme's impact on the character of the surrounding area, which is detailed at Pages 7 to 8 and at Pages 10 to 13 of the Delegated Report.

5.25 As confirmed at Paragraphs 3.2 and 3.3 of the Delegated Report, the appeal site demonstrates, and positively contributes to, the key characteristics and sensitivities of the Barton Village Farmlands Landscape Character Area. As a matter of principle, the significant urbanising impact of residential development in this location would therefore result in the complete loss of the site's positive contributions to the character of the surrounding area, and the rural setting of Carlton, to the significant detriment of the character of the area.

5.26 It is a significant material consideration that a previous planning appeal for a dwelling was dismissed within this appeal site due to its harm to the character of the surrounding area. As highlighted at Paragraph 8.6 of the Delegated Report, based on historic satellite imagery, there have not been any significant or material changes to the context of the site or the surrounding area since the determination of the previous appeal within the site in 1991. Whilst the policy context regarding the supply of housing may have changed in this time, this change would not materially affect the assessment of the scheme's adverse effects upon the character of the surrounding area.

5.27 Although there are existing dwellings within the hamlet of Carlton, there are significant material differences between them and the appeal site. For example, the properties to the north and west of the site are surrounded by a number of other dwellings, including development in back land locations, and agricultural structures. These structures and the wider built form of Carlton in this location are visually distinguished from the open countryside by Congerstone Lane and Main Street. In comparison to this, the appeal site comprises an undeveloped site that forms part of a wider agricultural field and is only adjacent to further agricultural fields that extend to the south.

5.28 Therefore, the presence of these properties would not justify the current scheme's encroachment into the open countryside because the appeal site would not be physically well-related to this existing built form of this rural hamlet, there are significant material differences between the appeal site and the existing dwellings in the surrounding area, these sites are visually distinguished by public highways, and their resultant impacts on the character of the surrounding area are significantly and materially different.

5.29 Whilst there are properties on the southern side of Main Street, the closest property in this location would still be separated from the red line boundary of this scheme by 24m. This demonstrates that the appeal site would not be physically well-related to, and would appear visually disconnected from, the nearby built form within Carlton.

5.30 The continuation of the existing linear development to the south of Main Street as identified at Paragraph 6.11 of the Appellant's Statement would also exacerbate ribbon development in this location to the significant detriment of the character of the surrounding area and the designated open countryside.

5.31 Given the proposal's extension of ribbon development, and the scheme's visual disconnection of the from the adjacent properties in the wider area, the proposal would in principle appear incongruous to, and would not integrate with or enhance, the character of the surrounding area. This would result in significant harm to the character of the site and the surrounding area. The significant harm of the appeal development would be exacerbated by the visual prominence of the scheme from Congerstone Lane, Main Street, and Public Rights of Way S77 and S68.

5.32 Although the Appellant has referred to a landscaping strategy to mitigate these concerns, Paragraph 8.13 of the Delegated Report highlights that vegetation cannot be relied upon to provide permanent or substantial buffers to views of the development. In addition, landscaping would also not appropriately address the significant harm caused by the size, scale, height, and massing of a dwelling in this location. Such extensive landscaping that would be necessary to achieve this level of mitigation would significantly diminish the visual experience and appreciation of the natural open beauty of the countryside to the south of Main Street in this location.

5.33 In summary, by virtue of its location the proposal would not be physically well-related to a settlement, nor the rural hamlet of Carlton, and it would fail to integrate with or enhance the character of the surrounding area. The development would exacerbate ribbon development and extend the urbanising-built form of Carlton into the designated open countryside, which would cause significant and permanent harm in principle to the rural character of the site, the surrounding area, and the natural beauty of the countryside, including to the Barton Village Farmlands Landscape Character Area, to which the site's character currently positively contributes to. The significant and permanent adverse impacts of the development in principle to the character of the area would be exacerbated by the visual prominence of the site from Congerstone Lane, Main Street, and Public Footpath S77 and S68.

5.34 As such, the proposal would be contrary to, and in conflict with, NPPF Policy DP3, N2, and S5, and Policies DM4 and DM10 of the SADMP. As the proposal would conflict with NPPF Policy DP3, NPPF Policy DP3(3) confirms that the development proposal should be refused.

Reason for Refusal 2: Transport Sustainability

5.35 The second reason for refusal of 25/01230/OUT relates to the unsustainable location of the appeal site, whereby the future occupiers of the scheme would be highly likely to be dependent on private motorised travel to meet their day-to-day needs. This would result in significant environmental harm in principle.

5.36 NPPF Policy CC2(1)(a) and (b) states that development proposals should where relevant:

(a) Accord with NPPF Policies TR3 and TR4 so that sustainable patterns of movement are prioritised, opportunities are taken to improve walking, wheeling, cycling and public transport, and infrastructure is provided to support the transition to zero-emission vehicles; and

(b) Support good access to facilities in order to limit the need to travel, whether through the development's location, through development densities which improve catchment populations for local services, or by incorporating community facilities and premises to support local employment opportunities.

5.37 So that development is located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure, NPPF Policies TR3(1)(b) and (e) state that development proposals should reflect the following principles, taking into account the vision for the site, the type of development and its location:

(b) Opportunities should be taken to utilise existing or proposed transport infrastructure in optimising the amount or density of development which can be accommodated in different locations, especially where this can support more walking, wheeling, cycling and public transport use; and

(e) In rural areas, opportunities to improve walking, wheeling, cycling and public transport and enhance the connectivity of an area should be taken where they exist and can be supported by the development proposed.

5.38 NPPF Policy TR3(2) highlights that the Connectivity Tool should be used alongside other relevant quantitative or qualitative evidence in assessing the connectivity of particular locations proposed for development.

5.39 To justify the location of their appeal proposal, the Appellant's Statement only highlights two facilities within Carlton, which are the Gate Hangs Well and St. Andrew's Church. The Appellant's Statement also refers to the services and employment opportunities within Market Bosworth, Barlestone, Earl Shilton, and Hinckley, and Arriva Bus Service LC12 and the Fox Connect Bus Service as alternative modes of transport to the private car.

5.40 Firstly, the Connectivity Tool identifies the appeal site (Square ID: 439459_304950) as within the lowest 10% percentile nationally overall (except driving) and for public transport, walking, and cycling. This tool therefore highlights the appeal site's significant degree of poor transport sustainability.

5.41 Secondly, some of the Appellant's identified settlements are up to 10 miles from the appeal site. None of these identified settlements would be within a reasonable 800m walking distance as defined in the NPPF or within the preferred maximum walking distances detailed within the Chartered Institution for Highways and Transportation ('CIHT')'s *Providing for Journeys on Foot*. As the appeal proposal is for a single dwelling, the development would not support, or provide any improvements to, walking, wheeling, cycling and public transport, nor enhancements to the existing poor transport connectivity of the surrounding area.

5.42 Ultimately, the Appellant's justification fails to have any regard to the Local Planning Authority's assessment of the transport sustainability of the site detailed at Paragraphs 8.6 to 8.16 of the Delegated Report.

5.43 As highlighted at Paragraph 8.14 of the Delegated Report, the closest Key Rural Centres (Barlestone and Market Bosworth) are approximately 3.3km and 3km away from the appeal site respectively, and all public highway routes out of Carlton towards these locations are unlit, are subject to the National Speed Limit, and do not feature any pedestrian or cycleways. These options would therefore not represent convenient, safe, nor meaningful alternative sustainable modes of travel to the private car to services and facilities in these site-specific circumstances.

5.44 Whilst The Gate Hangs Well's website may describe itself as a pub, café, and shop, the property is a public house that serves food and features a gift shop called The Big Gift Company. The Big Gift Company's website (https://msha.ke/giftsatthegate) confirms that it sells a variety of handmade gifts such as soaps, candles, and crochet. As such, the presence of the gift shop or the serving of food within the public house would not be considered to increase the sustainability of the application site for potential future occupiers in these site-specific circumstances.

5.45 The Local Planning Authority's assessments of the bus stops and Arriva Bus Service LC12 are also detailed at Paragraph 8.14 of the Delegated Report. Although there is a Fox Connect service in the area, this only provides direct travel options to parts of the Borough of Hinckley and Bosworth, and to Market Bosworth and Atherstone, but notably not to Hinckley. The Fox Connect service is also not a regular service and is dependent on private bookings, which are subject to the availability of the service. Given the above, the bus services within the local area would not represent convenient, safe, nor meaningful alternative sustainable modes of travel to the private car to services and facilities in these site-specific circumstances.

5.46 Importantly, the Local Planning Authority's position is supported by the dismissed appeal decision against the refusal of 26/00695/FUL at land adjacent to 87 Barton Lane, Nailstone (cf. Appendix B), for two dwellings 2.9km to the northeast of the current appeal site.

5.47 Within this appeal decision, the Inspector concluded that the routes to services and facilities within 2km of that appeal site along public highways, which did not feature pavements or street lighting and were subject to the National Speed Limit, were, *"Not pleasant,"* in the daylight, and, *"Would be especially unsafe and unattractive during nighttime hours or inclement weather."*

5.48 Paragraph 6 of this recent appeal decision then confirms that:

*"It is reasonable to assume, therefore, that people would avoid cycling or walking and would be highly dependent on the use of private motor vehicles."*

5.49 To summarise, the location of the appeal site would not feature convenient and safe access for walking and cycling, nor meaningful alternative sustainable modes of travel to the private car to services and facilities. As a result, the future occupiers of the scheme would be highly likely to be dependent on private motorised travel to meet their day-to-day needs. Importantly, there would not be considered to be any realistic, practical opportunities for this level of development to exploit that would make this location more sustainable.

5.50 Given the above, the appeal site would be in an unsustainable location, which suffers from poor transport sustainability, and this would result in significant environmental harm in principle that would be contrary to, and in conflict with, NPPF Policies CC2 and TR3, and Policy DM17 of the SADMP, and HDM Policy 1 of the LHDG.

## 6. CONCLUSION

6.1 To summarise, Section 38 (6) of the Planning and Compensation Act 2004 and Section 70 (2) of the Town and Country Planning Act 1990 indicates that planning permission should be granted for development proposals that accord with the Development Plan unless material considerations indicate otherwise. The national decision-making policies within the latest National Planning Policy Framework ('NPPF') are a material consideration in making these decisions and should be read as a whole alongside the policies in the Development Plan.

6.2 The proposal would be located outside of a rural hamlet, which is not defined as a settlement within the NPPF. The appeal proposal would therefore not be physically well-related to an existing settlement and as such the scheme would not represent a form of development that the NPPF identifies as an acceptable in locations outside of settlements. As a consequence of the above, the proposal would be contrary to and in conflict with, NPPF Policy S5(1) in principle, and NPPF Policy S5(4) confirms that the development proposal should only be approved in exceptional circumstances where the benefits of the proposal would substantially outweigh the adverse effects.

6.3 By virtue of its proposed location, the development would not be physically well-related to the built form of Carlton and would fail to integrate with or enhance the character of the surrounding area. As a result, the proposal would cause significant and permanent harm to the rural character of the site, the surrounding area, and the natural beauty of the open countryside. The scheme would therefore be contrary to, and in conflict with, NPPF Policies S5, DP3, and N2, and Policies DM4 and DM10 of the SADMP. This would attract significant negative weight in the planning balance. Importantly, as the proposal would conflict with NPPF Policy DP3, NPPF Policy DP3(3) confirms that the development proposal should be refused.

6.4 Furthermore, the appeal site would be in an unsustainable location where the future occupiers of the appeal scheme would be highly likely to be dependent on private motorised travel to meet their day-to-day needs. This would result in significant environmental harm in principle that would be contrary to, and in conflict with, NPPF Policies CC2 and TR3, and Policy DM17 of the SADMP, and HDM Policy 1 of the LHDG. This would also attract significant negative weight in the planning balance.

6.5 To justify their development, the Appellant's Statement identifies the scheme's self-build status, and the delivery of the dwelling to the Council's supply of land for housing as benefits of their scheme. No further benefits of the proposal have been identified by the Appellant.

6.6 Notably, the Appellant's justification fails to have any consideration for the Local Planning Authority's assessment of the benefits and harms of the development in the Council's planning balance on Pages 15 and 16 of the Delegated Report.

6.7 In accordance with NPPF Policy HO7, substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community, including people wishing to commission or build their own home, as identified through needs assessments prepared for the area of the local planning authority and other relevance, including people wishing to commission or build their own homes.

6.8 Whilst substantial weight should be given to the benefits of delivering a self-build and custom house-build development to the Council's undersupply of such properties, the extent of the benefits associated with the provision of one self-build and custom house-build would be moderate and therefore this benefit should attract, moderate positive weight in the planning balance. This weighting is in accordance with the latest appeal decision regarding a single self-build and custom house-build dwelling in the Borough at land southwest of Sibson Road, Sheepy Parva (cf. Appendix C), and on the basis that a Unilateral Undertaking has been submitted as suggested at Page 9 of the Appellant's Statement to legally secure this contribution.

6.9 Furthermore, the benefits of providing only one dwelling within this appeal site towards the Council's supply of housing would be minor and should attract therefore limited positive weight in the planning balance.

6.10 The Appellant has not sought to refute the weighting of the other social and economic benefits of the scheme identified by the Council at Page 16 of the Delegated Report.

6.11 In conclusion, the proposed development's significant adverse effects on the character of the surrounding area and the natural beauty of the countryside, and to the environment from the unsustainable location of the scheme would substantially outweigh any potential benefits associated with the delivery of one self-build and custom house-build dwelling in these site-specific circumstances when assessed against the national-decision making polices in the Framework as a whole. In accordance with NPPF Policies S5 and DP3, it is therefore requested that the appeal is dismissed.

6.12 There are no other material considerations to indicate that the proposal should be determined other than in accordance with the adopted Development Plan in this case.

6.13 With regard to the information contained in this Statement and that submitted with the Appeal Questionnaire, Hinckley and Bosworth Borough Council respectfully requests that the appeal be dismissed. However, if the Inspector is minded not to do so, the Local Planning Authority requests the inclusion of the Unilateral Undertaking to secure the self-build and custom house-build status of the development, and the following conditions and reasons suggested below.

## 7. CONDITIONS

1. An application for approval of reserved matters shall be made within two years of the date of this permission, and the development shall be begun not later than 18 months from the date of approval of the last of the reserved matters to be approved.

   **Reason:** To comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. No development shall commence until details of the layout, scale, appearance, landscaping, and access other than vehicular access (hereafter called the reserved matters) have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved reserved matters.

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

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the Site Location Plan, Drg No. 1350.SM.25.001 Rev A received by the Local Planning Authority on 29 December 2025.

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

4. Any forthcoming Reserved Matters application relating to the layout and appearance of the development hereby permitted shall include details for the adequate provision for waste and recycling storage of

containers and collection across the site to be approved in writing by the Local Planning Authority. The details should address accessibility to storage facilities and confirm adequate space is provided at the adopted highway boundary to store and service wheeled containers. The proposed waste and recycling storage and collection provision for the development shall then be implemented prior to their first occupation and shall be so maintained in perpetuity.

**Reason:** To support the policies within the Wheeled Bin and Container Policy (updated March 2018) and to ensure that there is adequate provision of waste and recycling storage so that the amenity of the occupants of the proposed development are not adversely affected in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Section 46 of the Environmental Protection Act 1990.

5. Any forthcoming Reserved Matters application shall include details to be approved in writing by the Local Planning Authority regarding how the matters for which approval is being sought contribute to climate change mitigation and adaptation and the transition to net zero. The proposed climate mitigation and adaptation works shall then be implemented prior to their first occupation and shall be so maintained in perpetuity.

   **Reason:** To contribute to climate change mitigation and adaptation and the transition to net zero in accordance with national decision-making policies DP3 and CC2 of the National Planning Policy Framework (2026).

6. Prior to the commencement of development (including ground works for vegetation clearance), a Construction Environmental Management Plan (CEMP: Biodiversity) shall be submitted in writing to, and approved in writing by, the Local Planning Authority. The CEMP: Biodiversity shall include, but not be limited to, the following:

   (a) Identification of potentially damaging construction activities; and

   (b) Practical measures and sensitive working practices to avoid or reduce impacts during construction on amphibians, reptiles, badgers, badger and hedgehogs; and

   (c) Timing of works to avoid harm to nesting birds; and

(d) Responsible persons for overseeing sensitive works; and

(e) Use of protective fencing where required to safeguard hedges and trees.

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

**Reason:** To conserve protected and priority species in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

7. Prior to the commencement of any works above foundation level, a Biodiversity Enhancement Plan and an associated implementation schedule shall be submitted to, and approved in writing by, the Local Planning Authority.

Enhancements all include, but not be limited to, 13cm by 13cm holes at the base of any new close board fencing; at least one integrated bird box and one integrated bat box with details of their makes and models; planting of hedgerows and trees of native species of local provenance and species to attract pollinating insects as identified in the RHS' *'Plants for Pollinators'* database. Hedgerow mixes should include: 80% hawthorn (*Crataegus monogyna*), plus any one or more of the following: field maple (*Acer campestre*), dogwood (*Cornus sanguinea*), dog rose (*Rosa canina*) and holly (*Ilex aquifolium*).

Any enhancement measures need to be shown on all relevant submitted plans. All works are to proceed strictly in accordance with the approved scheme.

**Reason:** To conserve and enhance protected and priority species and their habitats in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

8. Prior to the first occupation of the development hereby permitted, the access arrangements detailed on the Proposed Site Plan (004D) (submitted: 24.03.2026) shall be implemented in full and shall be so maintained in perpetuity.

**Reason:** In the interests of general highway safety and in accordance Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

9. Prior to the first occupation of the development hereby permitted, site drainage details shall be submitted to, and approved in writing by, the Local Planning Authority. Surface water shall not drain into the Public Highway and shall be so maintained thereafter.

**Reason:** To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

10. Prior to the first occupation of the development hereby permitted, the access drive (and any turning space) shall be surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary 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 Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

## 8. APPENDICES

8.1 (See separate documents)

8.2 **Appendix A** Appeal Decision – Land northeast of Old White Cottage, (APP/K2420/W/19/3235401)

8.3 **Appendix B** Appeal Decision – Land adjacent to 87 Barton Lane (6009914)

8.4 **Appendix C** Appeal Decision – Land southwest of Sibson Road (6009220)