

# PLANNING STATEMENT TO SUPPORT FULL APPLICATION FOR 28 DWELLINGS WITH ASSOCIATED INFRASTRUCTURE AT LAND NORTH OF BARTON ROAD, BARLESTONE, LEICESTERSHIRE

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## 1. Introduction

1.1. I have been instructed by MyPad 2020 to prepare this planning statement to support the planning application and to act as their agent during the processing of the application. I have previously acted as agent in the submission of the reserved matters application 24/00294/REM on the adjoining site to the east and acted for the applicant in the submission of a pre-application submission 25/10059/PREMAJ for this site earlier this year. In addition to the submitted drawings and application form the submission is supported by the following documents and reports: -

Design and Access Statement

Ecological Appraisal and Biodiversity Net Gain Assessment

Geo-Environmental Assessment and Remediation Method Statement

Transport Statement

Landscape and Visual Impact Assessment

Archaeological Evaluation

Flood Risk Assessment

Drainage Strategy

Building for a Healthy Life Assessment

1.2. The application site was incorporated within the outline planning permission site for permission 21/00096/OUT, but the granting of reserved matters approval for the full quantum of 55 dwellings on only a portion of that site means that a separate grant of full planning permission is required to develop the application site. The aim is to deliver a development of 28 dwellings as a continuation of the affordable housing development being delivered in the field to the east.

1.3. In this statement I will describe the proposal and its context, identify the relevant development plan policies that apply to its assessment and provide a view on the compliance with those policies. I will then assess where the planning balance lies having due regard to the development plan and the National Planning Policy Framework.

## 2. The Site and Surrounding Area

2.1. The application site is located in Osbaston Parish. Barlestone Parish lies to a short distance away, immediately to the east of the site recently granted reserved matters approval for 55 houses. The housing site has a roughly rectangular shape occupying the southern section of an arable field. To the west of the proposed housing is the area of land that will serve the open space needs of this development and phase 1. The site fronts onto Barton Road to the south. Arable farmland is located to the north and the A447 and White Tollgate Cottage lies to the west.

- 2.2. To the south of Barton Road at this point is an estate of dwellings served from Curtis Way and a road fronting brick and slate terrace. As you move westwards the westernmost portion of the site faces an open field bounded by a hedgerow and trees, beyond which is a cluster of buildings where Barton Road meets the A447. The site boundaries are typical of the local landscape. A hedgerow with some mature trees encloses the southern boundary. To the east a hedgerow with limited trees defines the boundary between this field and the adjacent field to be developed. Further hedgerows lie to west enclosing the area identified as an open space. The site has a gentle gradient with a fall in land levels from the northwest to southeast and a modest pond lies in the southeastern corner.
- 2.3. Barlestone has expanded over the years as a settlement and the design, materials and density of development varies throughout the village. The development immediately to the south and southeast is quite dense with runs of terraced dwellings in brick or brick and timber cladding under slate and tiled roofs. Housing approved for the development to the east is predominantly semi-detached, built in brick under tile.

### **3. The Proposal**

- 3.1. Full planning permission is sought for 28 dwellings with associated infrastructure. The development would be a continuation of the development to the east. The adopted highway proposed for that development would be continued west before turning north near to the western boundary. Private drives would run west to east along the northern boundary and spur south from the main estate road. In the southeastern corner a water detention basin would be created with open space around it to complement the existing trees and hedgerows. A green corridor would be retained alongside the hedgerow to the east, to the north of Barton Road and between the development and the open space provision to the west.
- 3.2. A total of 28 dwellings is proposed. These would comprise of a pair of bungalows in the northeast corner of the layout, eight 2-bed, 4 person houses, sixteen 3-bed, 5 person houses and a pair of 4-bed, 6 person houses. The houses would be predominantly semi-detached with the exception of 4 terraces of 3 dwellings. With the exception of the bungalows the properties will be 2-storeys in height.
- 3.3. The dwellings are designed to face out onto the road network with corner plot units incorporated to help turn some of the corners. Parking is provided within plot or immediately to the front or side where it will be overlooked. The garden sizes and separation distances have been designed to comply with the Council's Good Design Guide.
- 3.4. The area set aside for an open space to the west of the proposed housing is large enough to cater for the combined requirements for open space and play equipment generated by the original development of 55 dwellings and this proposal. A footpath will be provided into the open space from the access road, and a second pedestrian link is to be created from Barton Road into the open space.

3.5. MyPad2020 are in early discussions with the Registered Provider who is taking on the development to the east, and the expectation is that the scheme will be delivered as a continuation of the affordable housing to be constructed on the adjoining land. Should that Registered Provider not take this scheme forward, MyPad2020 are confident, based on contact from other providers, that an alternative partner Registered Provider can be secured in delivering this affordable housing to contribute to meeting identified needs.

#### **4. Planning Policy and Guidance**

4.1. The Development Plan comprises of the Core Strategy (2009) and The Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016).

4.2. The Policies of the Core Strategy that are considered relevant to the application are as follows:-

Policy 7: Key Rural Centres

Policy 14: Key Rural Centre Stand Alone

Policy 15: Affordable Housing

Policy 19: Green Space and Play Provision

4.3. The Policies of the SADMP that are relevant are as follows:-

Policy DM1: Presumption in Favour of Sustainable Development

Policy DM3: Infrastructure and Delivery

Policy DM4: Safeguarding the Countryside and Settlement Separation

Policy DM6: Enhancement of Biodiversity and Geological Interest

Policy DM7: Preventing Pollution and Flooding

Policy DM10: Development and Design

Policy 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

4.4. Also, of relevance to the consideration of this application is the following published guidance:-

Affordable Housing Supplementary Planning Document (2011)

Good Design Guide (2020)

Open Space and Recreation Study (2016)

Leicestershire Highway Design Guide (2024)

- 4.5. Of direct relevance to the consideration of this application is The National Planning Policy Framework (December 2024). The NPPF promotes sustainable development and applies a presumption in favour of sustainable development. The contents of paragraph 11 are of particular relevance to the delivery of housing.
- 4.6. Hinckley and Bosworth, like many authorities, had their housing target raised under the terms of the government's new standard methodology. The new objectively assessed need figure, incorporating a 5% buffer as required by the NPPF, is calculated to be 692 dwellings per annum. This figure forms the basis of calculating the supply given the age of the local plan and stage of the emerging local plan. The council in the latest committee papers are reporting that the current housing land supply (July 2025) equates to a 3.89 year supply. The council are therefore in a position where a 5-year supply can no longer be demonstrated. In such a scenario the tilted balance required under Paragraph 11(d) of the NPPF will apply to the assessment of the scheme.
- 4.7. Paragraph 11(d)(ii) of the NPPF, in dealing with situation where a tilted balance applies, requires planning permission to be granted for sustainable development unless any adverse impacts of doing so would significantly and demonstrably outweigh those benefits when assessed against the policies of the framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 4.8. The sections of the NPPF that are relevant to the scheme are included within:-  
Chapter 2 - Achieving Sustainable Development  
Chapter 3 - Plan-making-Developer Contributions  
Chapter 4 - Decision-making  
Chapter 5 - Delivering a sufficient supply of homes  
Chapter 8 - Promoting Healthy and Safe Communities  
Chapter 9 - Promoting Sustainable Transport  
Chapter 11 - Making Effective Use of Land  
Chapter 12 - Achieving Well-designed Places

## 5. Assessment of the Scheme Against the Development Plan

### **The Principle of Housing on the Site**

- 5.1. The application site formed part of the overall site granted outline planning permission for the residential development of 55 dwellings under planning reference 21/00096/OUT. It proved feasible to accommodate all of the 55 dwellings described in the parameters of the permission on the field to the east of the site and accordingly reserved matters were approved under application reference 24/00294/REM. The development of the western field included in the original outline permission therefore now requires a separate grant of planning permission. Notwithstanding this, the general principle of developing the site for housing is considered to have been established by the previous grant of outline permission.

- 5.2. Since the original outline permission was granted, the circumstances pertaining to the delivery of housing, are if anything, more pressing. The objectively assessed needs for housing within the district, based on the government's new methodology, have increased significantly. The sustainability of the location is unaltered as a suitable location to accommodate a portion of this housing growth.
- 5.3. Although the site has been established as sustainable for housing in general locational terms, it is necessary to assess the scheme against the range of relevant plan policies under sub-headings before considering the overall planning balance. The main topics that require discussion and assessment are considered to be the impact of the development on the character of the area, the type and mix of the housing including the delivery of affordable housing, the quality and sustainability of the design in context, the provision of open space, the protection of biodiversity and the delivery of Biodiversity Net Gain, the suitability of the surface water drainage facilities, the impact of development on the road network and the delivery of wider infrastructure requirements.

#### **The Impact on the Character of the Area**

- 5.4. The site history is relevant in assessing the impact upon the character and appearance of the area. In granting outline permission under reference 21/00096/OUT condition 5 refers to an indicative masterplan which identifies the overall spread of development deemed appropriate under the terms of the planning permission. The masterplan set the built edge of development slightly within the westernmost edge of the terrace of properties to the south of Barton Road. The proposed scheme takes built development to the west of this point. The westernmost line of houses and their associated vehicular access will lie beyond the extent of built development previously identified. This extension of built development has to be assessed for the impact it will have on the landscape and settlement pattern.
- 5.5. Policy DM4 of the SADMP sets out the council's approach to safeguarding the landscape and maintaining settlement separation. The overall aim is to protect the intrinsic value, beauty, open character and landscape character by preventing unsustainable development. Whilst the categories of acceptable development do not include housing, the case for meeting housing need has been firmly established at national and local level. As Barlestone and this site have been deemed a sustainable and appropriate location for housing there is not considered to be an in-principle objection to breaking beyond the formerly identified boundary.
- 5.6. Going a few metres to the west with built development will not it is considered undermine the aims of policy to maintain the physical separation of settlements or constitute adverse ribbon development. The application is accompanied by a Landscape and Visual Impact Assessment to aid the consideration of landscape effects and the Design and Access Statement includes a brief appraisal of the heritage impacts. The LVA concludes in terms of landscape character that the development is located within a landscape of low sensitivity within a field of limited landscape and ecological value. The development is assessed as not impacting upon protected or designated landscapes and views from public rights of way and heritage assets will remain unaffected due to the limited visual envelope. The overall impact

on landscape character is assessed as minor adverse. In terms of visual amenity, as the second phase of an existing scheme that sets the baseline, the additional visual impact is considered minimal. The visual impacts are assessed as being confined to areas immediately adjacent to the site. A limited number of dwellings to the south and west will experience a minor visual impact but the magnitude of change is low due to the existing built context, resulting in minimal significance of visual impact. The development of the site will not affect users of local public rights of way and will only be visible to users of the adjacent highways where views are assessed as being brief and transient. This represents a low magnitude of change from the baseline and equates to a slight visual impact. The Design and Access Statement shares the conclusion that no site of heritage interest is adversely affected by the development.

- 5.7. It is clear from the above analysis that the additional development proposed in its totality will have only minor adverse impact on landscape character and a slight visual impact. When the previous acceptance of a development boundary a few metres to the east under the original outline permission is factored in, the actual additional adverse impacts upon landscape character and appearance from the slight realignment of built development to the west are further diminished and are not considered to create a conflict with the aims of plan policy or national guidance in the current context.
- 5.8. Policy 16 of the Core Strategy considers Housing Density, Mix and Design and identifies a minimum density of 30 dwellings per hectare for housing in Key Rural Centres such as Barlestone unless individual site characteristics would exceptionally make a lower density necessary. The density of the proposed second phase of development is similar to the approved phase 1 but the incorporation of the attenuation basin and existing and proposed landscaping to the road frontage help to soften the impact of the development on the countryside. The proposed density in the context of the development to the south and east of the site is considered to accord with the aims of policy and the western portion of the overall site will still provide a substantial open space which will soften and buffer the edge of the development and provide for the play needs of future residents and nearby existing residential properties.
- 5.9. Paragraphs 129 and 130 of the NPPF set out the governments approach to the efficient use of land and appropriate densities. The redevelopment of this site is considered to be supported by development plan and national planning policy in terms of its density and general design approach in context.

#### **The Type and Mix of Housing, Including Affordable Housing**

- 5.10 Policy 16 of the Core Strategy covers housing mix whilst policy 15 addresses the requirements for affordable housing. Policy 16 requires that the housing mix reflects on the latest identified needs and dovetails with policy 15 in terms of that mix incorporating a minimum of 40% affordable housing. The scheme is presented on the basis of being a minimum of policy compliant in terms of affordable housing and is tailored to address housing needs. However, as the adjoining site to the east is being developed as a 100% affordable housing scheme to be handed over to a Registered Provider the expectation is that funding to support phase 2 will also be secured to deliver this as wholly affordable either to the RP taking on phase 1 or another RP based on the interest expressed in taking the site forward.

5.11 The scheme can, it is considered, therefore be assessed as policy compliant in terms of housing size mix under policy 16 of the Core Strategy. With every likelihood of being brought forward as a wholly affordable scheme, significant weight should be attached to the exceedance of policy requirements on affordable housing delivery against Core Strategy Policy 15 given the importance of this key local and national planning objective.

### **The Quality and Sustainability of the Design in Context**

5.12 Policy DM10 of the SADMP concerns Development and Design. It is supported by the council's supplementary guidance Good Design Guide. The application is accompanied by a Design and Access Statement and A Building for a Healthy Life Assessment. The approach to the design of the site was discussed as part of pre-application engagement.

5.13 The design of the scheme has a density and height that assimilate well into the locality and are consistent with the approved phase 1. The proposed scheme incorporates existing site features like hedgerows and trees and will be well connected to the village and have direct access to a substantial open space. Properties will have decent sized gardens and separation to reflect council guidance, and the street pattern is designed so that dwellings look outwards and turn corners where appropriate. The design detailing of the properties reflects on the immediate locality, as with phase 1, and the evolution of the design to suit the context is explained in the Design and Access Statement. The Building for a Healthy Life Assessment scores the project as overwhelmingly green in all of the categories of assessment. It is considered that the proposal will result in an attractive, integrated, safe and sustainable place to live and the scheme addresses the requirements of council policy.

### **The Provision of Open Space**

5.14 Policy 19 of the Core Strategy considers Green Space and Play Provision. The original outline permission under the terms of the legal agreement sets out the criteria for the facilities to be provided in the open space to the west of the development. It is intended that the facilities provided will be enhanced if required to reflect on the demands created by the residents of a further 28 dwellings. The open space will be readily accessible to pedestrians and benefit from passive supervision from the new dwellings. It is considered that the open space area is sufficient to accommodate the needs arising from the combined development site in a manner that addresses plan policy and guidance.

5.15 The proposed layout of the housing retains the hedgerow to the south and its associated trees. To the southeast of the site a sustainable urban drainage basin will be formed with landscaping around it. To the northwest of the site tree planting will enhance the setting of the housing and the adjoining open space. The open areas within the development and the retention of existing mature trees and hedgerows enhance the development and aid its assimilation into its context in accordance with plan policy.

### **Biodiversity and The Delivery of Biodiversity Net Gain**

5.16 Policy DM6 of the SADMP concerns the Enhancement of Biodiversity. As the proposal is for a separate grant of full planning permission the requirement to deliver 10% Biodiversity Net Gain applies. The application is accompanied by an update to the original ecology survey, A Biodiversity Net Gain Report and a Biodiversity Metric Calculation.

5.17 The site assessment quantifies the site as having a baseline total of 6.35 area habitat diversity units and 1.37 hedgerow biodiversity units. No irreplaceable or very high distinctiveness habitats were found to be present. The post development plans include retaining the hedgerows and pond on site, and creating the habitats associated with the development of the site which combine to give a total of 2.80 area habitat biodiversity units and 2.82 hedgerow biodiversity units. The BNG calculation therefore concludes that the development will result in a net change of -3.54 area habitat biodiversity units and 1.45 hedgerow biodiversity units. This equates to a -55.83% net loss in biodiversity, and the applicant intends to purchase units from a Habitat Bank in order to achieve the 10% biodiversity net gain required of national policy. A habitat management and monitoring plan will be produced as part of the Landscape and Ecology Management Plan to ensure habitats created and enhanced are managed to deliver maximum biodiversity value. The scheme is considered to satisfy the requirements of development plan and national guidance in relation to biodiversity.

### **The Surface Water Drainage Provisions**

5.18 Policy DM7 of the SADMP concerns Preventing Pollution and Flooding. The application is accompanied by a Flood Risk Assessment and preliminary drawings of the proposed drainage network on site. The site lies within Flood Zone 1 and is at low risk of flooding from pluvial sources, groundwater and sewers. The proposal will mitigate the impact of surface water runoff through appropriate surface water management. The surface water will feed into the surface water attenuation basin which is designed to a 100-year event plus climate change standard and flows out from the basin will be at a restricted greenfield rate. The foul water will be discharged separately to the public sewer. The proposed arrangements are compliant with the objectives of Sustainable Urban Drainage, and the site should not be subject to flooding or result in increased risk of flooding elsewhere. The proposal is considered to comply with the aims of policy DM7.

### **The Implications of the Development for the Highway Network**

5.19 Policy DM17 of the SADMP concerns Highways and Transportation. This policy requires development to provide safe walking and cycling facilities, to ensure that there is no significant adverse impact upon highway safety, to be located where the need to travel will be minimised and sustainable transport options are available and to avoid severe residual cumulative impacts on the transport network. All developments are required to reflect the current highway design standards. The application is supported by a Transport Statement. The assessment has modelled the suitability of the single point of access secured for the existing outline permission to serve the whole of the site. This demonstrates that a new point of access in the position implemented can operate safely for all modes of travel and the development will not lead to severe cumulative impacts having due regard to other approved development within the wider locality. The site will be connected into Barlestone with easy pedestrian and cycle access and the proposed development incorporates adequate readily accessible parking for all dwellings. Overall, the development of an additional 28 dwellings served by the approved access route is considered to accord with policy DM17 and guidance in the NPPF.

### **Infrastructure Requirements and the Section 106 Agreement**

5.20 In addition to securing the affordable housing on phase 1 the legal agreement for outline permission 21/00096/OUT has covenants to secure off-site open space contributions, health care contributions, primary, secondary and post-16 education contributions, civic amenity, library and travel pack contributions and a covenant securing the delivery of the on-site open space area. Securing these reasonable infrastructure requirements was underpinned by the provisions of policy DM3 of the SADMP. It is anticipated that the provision of a further 28 dwellings on the site will generate additional requests to meet the demand for infrastructure from both the borough and county council and the applicants will consider those and seek to address requests that accord with plan policy and guidance within the NPPF.

### **Other Matters**

5.21 The consideration of a development of this nature would also normally require the assessment of issues such as archaeology and land contamination. Whilst the original reports prepared on these matters for application 21/00096/OUT have been included with the application for completeness, it is understood that both issues have been satisfactorily assessed and resolved for the site in advance of the consideration of this application.

## **6. The Planning Balance and Conclusions**

6.1 The principle of residential development on this site has been established as it is part of the overall site previously granted outline planning permission under reference 21/00096/OUT. It has proven feasible to develop the full quantum of units for that outline permission in only part of the overall site and the granting of reserved matters approval 24/00294/REM is seeing 55 affordable dwellings constructed on the land immediately to the east. This efficient use of the available development site opens up the opportunity of accommodating further dwellings on the application site.

6.2 The proposed scheme of 28 dwellings is largely contained within the built development envelope identified on the masterplan submitted with outline permission 21/00096/OUT. The western boundary has been realigned slightly but the overall site is capable of accommodating this adjustment without compromising the quality and character of the residential development or diminishing the quality or role of the open space proposed to the west. A Landscape and Visual impact Assessment accompanies the application and quantifies the minimal impacts of the additional development on the character and appearance of the landscape and visual receptors. These impacts would be further diminished if the focus was on the marginal change proposed to the built envelope. This marginal adverse impact from encroachment into the landscape is something that needs to be weighed in the planning balance, but it is not considered to conflict with the aims of policy DM4 of the SADMP.

6.3 The analysis of the development above demonstrates that the policy requirements relating to highways, drainage, infrastructure, biodiversity, open space, housing mix and design quality can all be satisfied by the proposal and the dwellings are sited so as to not compromise the amenity of other residential properties. In terms of affordable housing the proposal aims to exceed the policy requirements of the plan by promoting the whole development as a continuation of the affordable housing scheme being constructed to the east either in

partnership with the RP taking on that development or with another RP. This exceedance of policy through the delivery of the site as wholly affordable housing, given the demand that exists and the national priority that has been expressed is a significant benefit of the scheme that should weigh heavily in the planning balance.

- 6.4 When assessed in the round, having due regard to the development plan and the site history of granting a residential permission on this site, the planning balance is clearly weighted in favour of granting permission.
- 6.5 Decision making however, also needs to have full regard to other material considerations and the guidance within the NPPF is highly pertinent in this case. The guidance contained with paragraph 11 of the NPPF is a material consideration of considerable weight that affects the balance to be applied to development control decision making and must be factored into the assessment of the proposal.
- 6.6 Paragraph 11(d) of the NPPF states that planning decisions should apply a presumption in favour of sustainable development where the policies that are most important for determining the application are out-of-date. Footnote 8 explains that the out-of-date categorisation applies where a council are unable to demonstrate a 5-year supply of deliverable housing sites. The recent revisions to the standard methodology used to calculate the objectively assessed needs for housing significantly raised the housing targets for the borough and accordingly the latest committee papers are suggesting that the council are only able to demonstrate a 3.89-year supply. This shortfall in deliverable housing sites means that a presumption in favour of this sustainably located development must be applied.
- 6.7 Paragraph 11(d)(ii) is clear that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 6.8 When national guidance is applied in this case to this sustainably located, land efficient affordable housing scheme, in the absence of a 5-year housing land supply, it is clear that planning permission should be granted without delay or hesitation.