

Planning Committee 28 July 2026
Report of the Assistant Director of Planning and
Regeneration

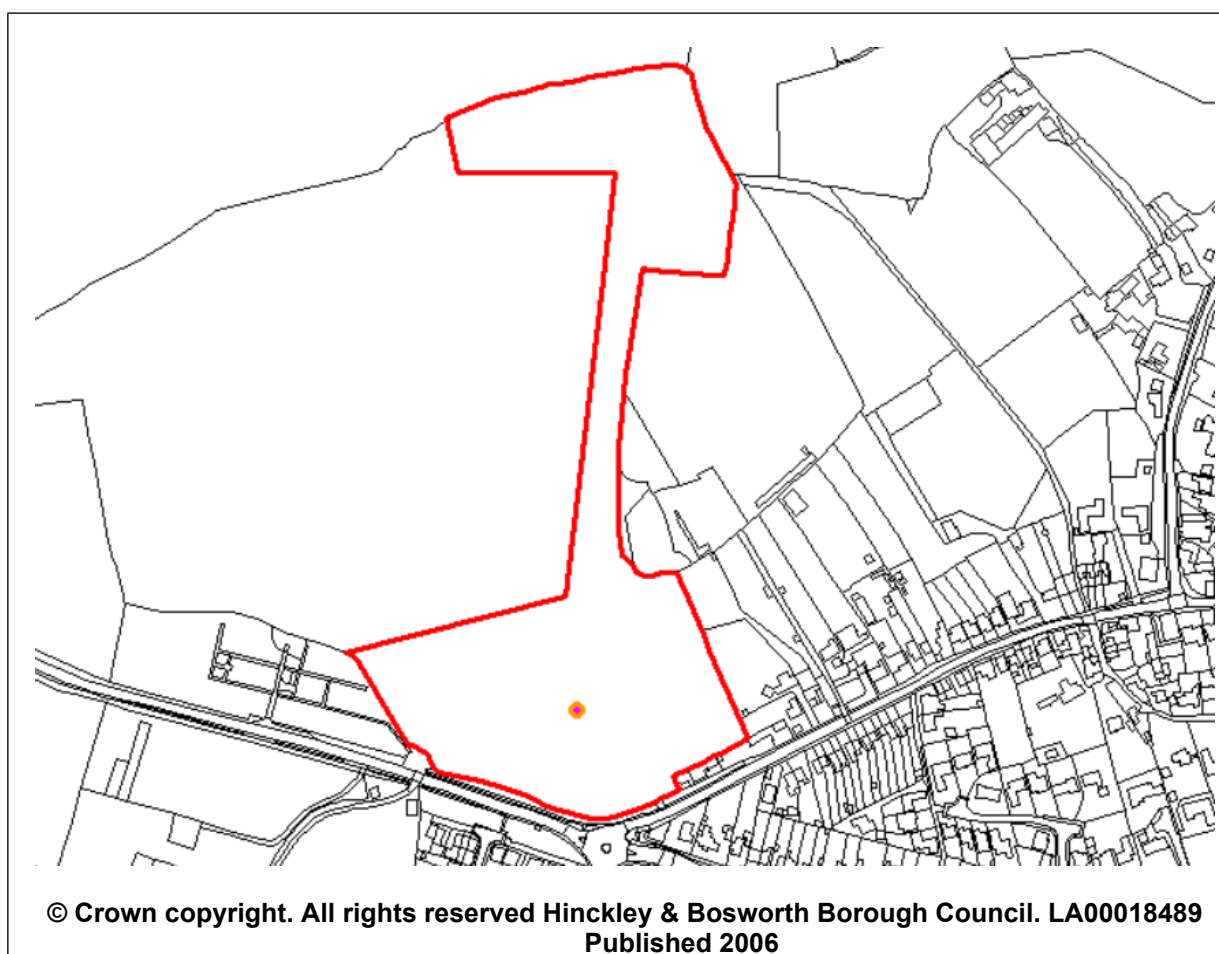
Planning Reference: 25/01156/OUT
Applicant: Peveril Homes
Ward: Newbold Verdon with Desford and Peckleton



Hinckley & Bosworth
Borough Council

Site: Land north of Hunts Lane, Desford

Proposal: Outline application for the construction of up to 75 dwellings (all matters reserved except access)



1. Recommendations

1.1. Grant planning permission subject to:

- Leicestershire County Council's Ecology Department confirming that it is satisfied with the submitted details; and
- The conditions set out in paragraph 11.2; and

- The entering into of a Section 106 Agreement relating to affordable housing, infrastructure, highways, open space provision and management, amongst others as detailed within this Report; and
- That the Assistant Director of Planning and Regeneration be given powers to determine the final detail of planning conditions and obligations (including trigger points and claw back periods).

2. Planning Application Description

- 2.1. This planning application seeks outline planning permission for the construction of up to 75 dwellings at land north of Hunts Lane, Desford, including landscaping, open space, drainage infrastructure, and associated works. Only Access is sought for approval within this outline application, and all other matters are reserved.
- 2.2. The precise appearance of the scheme is reserved for later approval. Therefore, the extent of the application is described and assessed via the indicative scales and appearance within the Illustrative Masterplan (Rev I) and the Parameters Plan (Rev A) that were submitted to the Local Planning Authority on 03 June 2026. As part of this proposal, the development would create two new pedestrian links to Public Footpath R90.

3. Description of the Site and the Surrounding Area

- 3.1. The 4.9ha application site is to the northwest of, and immediately adjacent to identified settlement boundaries of, Desford in the designated open countryside within the Council's Newbold and Desford Rolling Farmland Landscape Character Area. The site is located to the north of Hunts Lane ('B582')'s confluence with Newbold Road and Lockymead Drive, which are all subject to a 30mph speed limit within the vicinity of the site.
- 3.2. The site forms part of a wider large arable field, which positively contributes to its Landscape Character Area and the rural landscape and setting of Desford. The Council's Landscape Character Assessment ('LCA') highlights that the rural landscape and setting to settlements in this Landscape Character Area are sensitive to new development.
- 3.3. Views from Hunts Lane towards the application site currently provide long distance and panoramic views of the wider open countryside to the north, which is a key value of this Landscape Character Area. Public Footpath R90 runs east-to-west 290m to the north of the site and Public Footpath R75 runs the north-to-south 300m to the north-north-east of the site.
- 3.4. To the east and south of the site is the wider residential built form of Desford, including an area of land that has planning permission (23/00061/OUT) via an allowed appeal decision for the provision of up to 100 dwellings to the southwest of the site. To the west of the site is Desford Cemetery, which is designated as an Open Space, Sports, and Recreation Facility.

- 3.5. The application site is identified within the Risk Impact Zone of Botcheston Bog, which is a Site of Special Scientific Interest ('SSSI'), and a Mineral Safeguarding Area ('MSA') for gravel and sand. The site is also identified within an area known for swift nest sites and badger setts.

4. Relevant Planning History

- 4.1 There is no relevant planning history within this application site that is applicable to the current development proposals.

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. In total, 31 responses have been received in objection to the proposed development by members from the public from 25 separate addresses. A summary of the reasons for the objections to the proposed development are detailed below:

- Cumulative adverse impact of the development on Desford
- Conflict with the Development Plan
- Flooding and drainage management concerns
 - Health and safety concerns with the drainage strategy
- Harm to the character of the area and the countryside
 - Harm to locally valued views
 - Overdevelopment of the site and the surrounding area
- Harm to the environment and wildlife such as protected species and hedgerow
- Harm to the historic environment and non-designated heritage assets
- Harm to neighbouring residential amenity
- Highway safety and congestion concerns
- Increased air, light, and noise pollution and general disturbance
- Lack of infrastructure capacity within Desford and necessary mitigation
- Loss of agricultural land
- Speculative development undermines the plan-led system

- 5.2 Members of the public referred to Important View 2 within the Desford Neighbourhood Plan.

Case Officer Note: *Based upon Figure 13 of the Neighbourhood Plan, this view would be to the north of and would not include any of the proposed built form within this proposal.*

- 5.3 No further responses have been received.

6. Consultation

- 6.1 Desford Parish Council have objected to the development because the application site is on land outside of the settlement boundary of Desford, and the proposed development does not form part of the Desford Neighbourhood Plan. Desford Parish Council have also raised highway safety concerns, drainage concerns, and significant harm to biodiversity within the site.
- 6.2 Leicestershire Police and Leicestershire County Council as the Local Minerals and Waste Authority ('LMWPA') did not object to the application.
- 6.3 Subject to planning conditions, no objections have been received from the Council's Drainage, Environmental Health, and Waste Management Departments, Leicestershire County Council's Archaeology Department, the County Council as the Lead Local Flood Authority ('LLFA'), as the Local Highway Authority ('LHA'), and Severn Trent Water.
- 6.4 Planning obligations were requested towards affordable housing, education, healthcare, highways, public open space and other infrastructure from Desford Parish Council, the Local Planning Authority, Leicestershire County Council, Leicestershire Police, and NHS England.
- 6.5 No further responses have been received.

Archaeology

- 6.6 Leicestershire County Council's Archaeology Department requested a pre-commencement planning condition to secure a programme of post-determination archaeological works implemented in accordance with a written scheme of investigation.

Ecology

- 6.7 Originally, the County Council's Ecology Department did not object to the planning application, subject to conditions. The County Council's Ecology Department requested planning conditions to secure a Construction Environmental Management Plan for Biodiversity, mitigation measures and works in accordance with the Ecological Appraisal, a Biodiversity Enhancement Strategy, a Sensitive Lighting Design Scheme, a Farmland

Bird Compensatory Strategy, and a Habitat Management and Monitoring Plan.

- 6.8 Since this response was received, the indicative site layout and the associated biodiversity net gain details to facilitate the necessary provision of on-site public open space have been amended. The Ecology Department have subsequently been re-consulted in light of these amendments.
- 6.9 A response from the County Council to the Applicant's latest information was not received prior to the publication of the Committee Report. However, the Officer recommendation for the determination of this proposed development is subject to Leicestershire County Council's Ecology Department confirming that it is satisfied with the submitted details.

Drainage

- 6.10 The Council's Drainage Department, the LLFA, and Severn Trent Water collectively requested pre-commencement planning conditions in relation to infiltration testing and details of the drainage of foul water, and the proposed surface water drainage schemes for the site and its construction, and its long-term maintenance.

Environmental Health

- 6.11 The Environmental Health Department have requested planning conditions regarding the provision of a Construction Environmental Management Plan, the investigation of land contamination, the monitoring of landfill gas, and the limitation of site preparation and construction hours.

Highways

- 6.12 The LHA considered that the impacts of the development on highway safety would not be unacceptable and when considered cumulatively with other developments the impacts on the road network would not be severe, subject to planning conditions.
- 6.13 The LHA requested six planning conditions to ensure the closure of any existing redundant vehicular accesses, the provision of a Construction Traffic Management Plan, a Travel Plan, a mitigation scheme for the B582/ Main Street/ High Street mini-roundabout, and the implementation of off-site works, the approved access arrangements.

Waste

- 6.14 The Waste Management Department requested a planning condition to secure the adequate provision of storage and collection of refuse and recycling containers.

7. Policy

7.1 Core Strategy (2009):

- Policy 7: Key Rural Centres
- Policy 8: Key Rural Centres Relating to Leicester
- Policy 14: Rural Areas: Transport
- Policy 15: Affordable Housing
- Policy 16: Housing Density, Mix and Design
- Policy 19: Green Space and Play Provision

7.2 Site Allocations and Development Management Policies Development Plan Document ('SADMP') (2016):

- 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 DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3 Leicestershire Minerals and Waste Local Plan ('LMWLP') (2019):

- Policy M11: Safeguarding of Mineral Resources

7.4 Desford Neighbourhood Plan 2018 – 2036 ('DNP') (2021):

- Policy H1: Settlement Boundary
- Policy H4: Affordable Housing
- Policy H5: Housing Mix
- Policy H7: Housing Design
- Policy ENV3: Biodiversity General
- Policy T1: Traffic Management

7.5 National Planning Policies and Guidance:

- National Planning Policy Framework ('NPPF') (2024)
- Planning Practice Guidance ('PPG')
- National Design Guide ('NDG') (2019)
- Building for a Healthy Life ('BHL') (2026)

7.6 The Desford Neighbourhood Plan Review ('DNPR') was submitted to the Local Planning Authority for Regulation 16 consultation in January 2026. In light of this, and in accordance with Paragraph 49 of the NPPF, the policies within the DNPR would only be considered to attract limited weight at this stage.

7.7 Other Relevant Local Authority Guidance:

- The Council's Affordable Housing Supplementary Planning Document (2011)
- The Council's Good Design Guide ('GDG') (2020)
- The Council's Landscape Character Assessment ('LCA') (2017)
- The Council's Housing Needs Study ('HNS') (2024)
- Leicestershire Highway Design Guide ('LHDG') (2024)
- The Council's Open Space Assessment ('OSA') (2025)
- The Council's Playing Pitch Strategy ('PPS') (2025)

8. Appraisal

8.1. The key issues in respect of this application are therefore:

- Principle of development
- Housing land supply
- Impact upon the character of the area
- Design and layout
- Impact upon residential amenity
- Impact upon parking provision and highway safety
- Infrastructure and development contributions
- Planning balance

Principle of Development

8.2 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.

8.3 The National Planning Policy Framework ('NPPF') is a material planning consideration in planning decisions, and, in accordance with Paragraph 3 of the NPPF, it should be read as a whole. Paragraph 11 of the NPPF states that planning decisions should apply a presumption in favour of sustainable development. The three overarching objectives of sustainable development (economic, social, and environmental) are defined at Paragraph 8 of the NPPF. However, 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.

8.4 The current Development Plan consists of the adopted Core Strategy, the adopted Site Allocations and Development Management Policies Development Plan Document ('SADMP'), the Desford Neighbourhood Plan ('DNP'), and the Leicestershire Minerals and Waste Local Plan ('LMWLP').

8.5 In accordance with Paragraph 232 of the NPPF, existing policies should not be considered out-of-date simply because they were adopted or made prior

to the publication of the NPPF. Due weight should be given to existing policies according to their degree of consistency with the NPPF.

- 8.6 The application site is located outside of the identified settlement boundaries of Desford in the designated open countryside. Chapters 11 and 15 of the NPPF require planning decisions to safeguard and improve the environment, and conserve and enhance the natural and local environment respectively. Major residential development is not identified as a form of sustainable development in a countryside location in principle by Policy DM4(a) to (e) of the SADMP.
- 8.7 However, this does not mean that the development would necessarily be considered to represent unsustainable development overall. Importantly, Policy DM4 of the SADMP also requires that development meets five further requirements to be considered as sustainable development. These are discussed in detail further in this Report.
- 8.8 In light of the above, the principle of major residential development in this location would not be offered any support by Policies 7 or 8 of the adopted Core Strategy, Policy DM4 of the SADMP, or Policy H1 of the DNP in principle. As such, the scheme would not be considered to accord with Development Plan Policy and would be unacceptable in principle, subject to the assessment of all other material considerations. Other material considerations are set out within the next sections of this Report.

Housing Land Supply

- 8.9 Where there are no relevant Development Plan policies, or the policies which are most important for determining the application are out-of-date, the 'tilted' balance of Paragraph 11(d) of the NPPF would be triggered within the determination of an application. Footnote 8 of Paragraph 11 of the NPPF highlights that housing policies are considered to be out-of-date where local planning authorities cannot demonstrate a five-year supply of deliverable housing sites.
- 8.10 The Planning Policy team have reviewed the revisions to the 2024 version of the NPPF and its implications for the Council's Five-Year Housing Land Supply. As of April 2024, the Council had a 5.26-year supply of land for housing. However, the Council can no longer demonstrate a five-year housing land supply, and the latest figures as of April 2025 are expected to demonstrate that the Council has a housing land supply of up to 3.95 years.
- 8.11 Given the above, and due to the age of relevant housing policies within the adopted Core Strategy, the 'tilted' balance in Paragraph 11(d) of the NPPF would be triggered within the determination of this application.
- 8.12 Due to changes in national policy in 2024 and the Council's resultant lack of five-year supply of land for housing, the DNP would not be considered to meet its identified housing requirements and as such Paragraph 14 of the NPPF would not be engaged in these site-specific circumstances.

- 8.13 For decision-taking, Paragraph 11(d) of the NPPF requires planning permission to be granted unless:
- i. The application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
 - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole 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.
- 8.14 In accordance with Paragraph 11(d)(ii) and Footnote 9 of the NPPF, Key Policy Paragraphs 66, 110, 115, 129, 135, and 139 of the NPPF would be the relevant Key Policy Paragraphs applicable to the determination of this application these site-specific circumstances.
- 8.15 As the Council is unable to deliver a five-year supply of land for housing, in accordance with the requirements of Chapter 5 of the NPPF to deliver a sufficient supply of homes and Policy 8 of the adopted Core Strategy to provide a minimum of 110 new homes within Desford, the provision of 75 dwellings within this application site towards the Council's supply of housing would be considered to attract significant positive weight in the planning balance.

Design and Impact upon the Character of the Area

- 8.16 Policy DM4(i) of the SADMP states that development in the countryside will be considered sustainable where it does not have a significant adverse effect on the intrinsic value, beauty, open character, and landscape character of the countryside. Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area. Policy H7(a) of the DNP states that new development needs to enhance and reinforce the local distinctiveness and character of the area.
- 8.17 As confirmed at Paragraph 8.8 of this Report, the scheme would represent new major residential development in the designated open countryside, which would not be supported by the Development Plan in principle. Table 3 of the submitted Landscape and Visual Impact Assessment ('LVIA') confirms that the proposed development would result in a high magnitude of change that has a permanent and adverse effect on the character of the site, the local setting, and the Newbold and Desford Rolling Farmland Landscape Character Area.
- 8.18 In light of the above, the provision of up to 75 dwellings in this location would be considered to result in the unrestricted encroachment of urbanised built

form into the designated open countryside. This would be considered to fundamentally and permanently urbanise, and result in significant harm to, the rural character of the site and the surrounding area.

- 8.19 The significant harm of the proposed development is reinforced by the fact that the rural and open landscape character of the surrounding area, to which the site positively contributes to, and the views of the wider countryside landscape through and from the application site are key sensitivities and values of Desford's Urban Character Area and the Newbold and Desford Rolling Farmland Landscape Character Area. This is confirmed at Table 3 of the LVIA.
- 8.20 Ultimately, Paragraph 7.8 of the LVIA confirms that the development would result in the total loss of the open setting of locally valued views of the site and the wider countryside. The permanent loss of these features would be considered to result in significant harm to the character of the surrounding area, including the intrinsic value, beauty, open value and landscape value of the designated open countryside and the Newbold and Desford Rolling Farmland Landscape Character Area.
- 8.21 To assess the impact of the development, the LVIA identifies 11 representative view locations. In spite of the identified high magnitude of change, and the permanent and adverse effects of the development on the site and the surrounding area, Table 4 of the LVIA confirms that the scheme would only result in major to moderate adverse effects to four of these views and moderate to moderate-minor adverse visual effects to all other view locations in the short term.
- 8.22 It is acknowledged that the significant harm of the development would be most likely to be appreciated from the immediate views of the site along Hunts Lane and Newbold Road.
- 8.23 This is due to the significant topographic variations in the surrounding area, which would be considered to significantly reduce views of the scheme from the north and west of the application site. This can be seen by the fact that the submitted Topographical Survey identified a 24m level change between Hunts Lane and Public Footpaths R75 and R90 to the north of the site.
- 8.24 Furthermore, public views of the site further to the north identified within the LVIA would then be between 1km and 1.85km of the application site. The visual impact of the development on these views would be likely to be reduced due to the visual perception and experience of the scheme within in the context of the wider built form of Desford.
- 8.25 The impact of the development would be likely to be limited from public views to the east of the application site due to the presence of two-storey built form within the settlement boundary of Desford. In addition, it is considered that the harm of the development from public views beyond Hunts Lane to the south, including from Public Footpath R95, would be reduced due to the extant planning permission for up to 100 dwellings at the

land adjacent to Lockey Farm, which was allowed via 23/00061/OUT at appeal.

- 8.26 Notwithstanding the above, a development of this size and scale would be likely to result in a detrimental impact upon the solemnity of Desford Cemetery, which is adjacent to the western boundary of the application site.
- 8.27 Nevertheless, it is appreciated that the Cemetery is also immediately adjacent to a highly trafficked classified 'B' road. It is therefore considered that the detailed design and layout of the scheme at the Reserved Matters stage would be able to ensure that any detrimental impacts to the use of Desford Cemetery are appropriately mitigated in these site-specific circumstances.
- 8.28 In light of the above, it is considered that the main visual impact of the significant harm of the development would be limited to views from along Hunts Lane and Newbold Road in the vicinity of the application site, which are identified within the LVIA as being locally valued.
- 8.29 To justify the significant harm of the development, Paragraph 7.4 of the LVIA states that this level of harm is commonplace for development on greenfield land. Paragraph 7.6 of the LVIA then states that the development's impact is limited because it only relates to one field.
- 8.30 Whilst major developments on greenfield land can result in major adverse effects on the character of the surrounding area, this generalisation does not suggest that all major developments result in major adverse effects on the character of the surrounding area, nor that such developments would be acceptable in principle. Crucially, all planning applications must be assessed on their own site-specific merits. Therefore, the generalised assessment of the development's impact of the character of the surrounding area would not be considered to appropriately reflect the significant impact of the development on the character of the site and the surrounding area.
- 8.31 Ultimately, to use small incremental change to the surrounding area as justification for development would inevitably result in the complete loss of the area's rural character and its positive contribution to the Landscape Character Area and the intrinsic value, beauty, open character, and landscape character of the designated open countryside. As such, this would not be considered to suitably assess the impact of the development.
- 8.32 The LVIA then concludes that the development would only result in moderate adverse effects to the character of the area. The main justification for this conclusion within the LVIA, with particular regard to Table 4, is the establishment of landscaping either on-site or off-site.
- 8.33 Firstly, landscaping is not sought for approval at this stage, and therefore it cannot be determined at this stage whether landscaping would appropriately mitigate the significant harm of the development. In addition, the LVIA does

not seek to confirm what level of landscaping would be required to come to its overall conclusions.

- 8.34 Notwithstanding this, it is not considered that landscaping would be able to fully mitigate the significant harm caused by the size, scale, height, and massing of two-storey development as indicatively described at Page 35 of the Design and Access Statement. Importantly, vegetation cannot be relied upon to provide permanent or substantial buffers to views because they can be removed without planning permission, they are susceptible to disease, and they are ever evolving and reliant on regular maintenance to retain a consistent form.
- 8.35 Given the above, it is considered that the conclusions of the LVIA significantly underplay the site's local positive contribution to the character of the surrounding area, and the significant and permanent harm of the development.
- 8.36 To summarise, the development would result in the unrestricted encroachment of urbanising built form into the designated open countryside, which would cause significant and permanent harm to the rural character of the site and the surrounding area, including the setting of Desford, the Newbold and Desford Rolling Farmland Landscape Character Area, and the intrinsic value, beauty, open value and landscape value of the designated open countryside to which the site currently positive contributes to as part of a wider agricultural field. The significant harm of the development would be most likely to be appreciated from the immediate views of the site along Hunts Lane and Newbold Road.
- 8.37 Table 3 of the LVIA confirms that the proposal would result in a high magnitude of change that has a permanent and adverse effect on the character of the site, the local setting, and the Newbold and Desford Rolling Farmland Landscape Character Area. In spite of this, the LVIA relies on generalisations, harm through incremental change, and the suggestion of landscaping to justify the significant detrimental impact of the proposed development. It is therefore considered that the overall conclusions LVIA significantly underplay and fail to have appropriate regard to the site's local positive contribution to the character of the surrounding area, and the significant and permanent harm of the development.
- 8.38 By virtue of these factors, the proposal would be considered to be contrary to, and in conflict with, Policies DM4 and DM10 of the SADMP, Policy H7 of the DNP, Key Policy Paragraphs 129(d) and 135 of the NPPF, and Guidance Point C1 of the National Design Guide. This significant harm should be weighed against the benefits of the development within the planning balance.

Design and Layout

- 8.39 This is an outline application with all matters reserved except for access. Therefore, the detailed layout and appearance considerations would not be

assessed at this stage, however, they will form details at the Reserved Matters stage. Notwithstanding this, the indicative plans illustrate that the development will consist of 75 dwellings with access into the site from Hunts Lane.

- 8.40 Page 29 of the Design and Access Statement suggests that the development of 75 homes within this application would result in a density of 33 dwellings per hectare, which would accord with the minimum density requirements of Policy 16 of the adopted Core Strategy.
- 8.41 Whilst it is appreciated that the layout and appearance of the development are only illustrative at this stage, it is not considered that the Illustrative Masterplan would represent good design that accords with local design policies or national guidance on design, such as the Building for a Healthy Life or the National Design Guide. For instance, the layout of the illustrative scheme would depend on cul-de-sac and private drives and would fail to create a memorable sense of place through the absence of well-located, high quality and attractive public spaces.
- 8.42 Nevertheless, the proposal would be on an underdeveloped greenfield site and therefore there would be no physical constraints that would prevent a well-designed scheme coming forward at the Reserved Matters stage. For example, Page 18 of the Design and Access Statement highlights that the views out of the settlement should be retained.
- 8.43 If appropriately implemented, this would improve the design of the development and help to mitigate the visual impact of the development from Hunts Lane and Newbold Road. Therefore, planning conditions could be utilised to ensure that a high quality and well-designed scheme is provided at the Reserved Matters stage.
- 8.44 Given the above, it is considered that the use of conditions, together with the Council's continued role in assessing detailed plans at Reserved Matters stage, would enable sufficient scrutiny and control to be retained to ensure that the design and layout of the proposed scheme could be brought forward in a way that would enhance or complement the character and layout of the surrounding area in accordance with Policy DM10 of the SADMP and Policy H7 of the DNP.

Impact upon Residential Amenity

- 8.45 To protect the residential amenity of neighbouring dwellings and the future occupants of the scheme, the Council's Environmental Health Department requested planning conditions relating to the investigation of contaminated land, a scheme of noise attenuation, a Construction Environmental Management Plan ('CEMP'), and restrictions on site preparation and construction hours.
- 8.46 There are no neighbouring residential properties to the north or west of the site, and the dwellings to the south of the site are separated from the

development by Hunts Lane. The neighbouring properties that would be affected by the development would be 96 to 102 Newbold Road.

- 8.47 In light of the above and given the location of these neighbouring properties and the undeveloped nature of the application site, it is considered that the scheme, subject to the detailed matters to come forward at Reserved Matters stage, could be designed such to have a suitable relationship with the nearby residential units.
- 8.48 Although concerns raised by the neighbours to the scheme have been taken into account, it is considered that the use of conditions, together with the Council's continued role in assessing detailed plans at Reserved Matters stage, would enable sufficient scrutiny and control to be retained to ensure that the development could be brought forward in a way that appropriately addresses all relevant concerns and complies with the requirements of Policy DM10 of the SADMP and Key Policy Paragraph 135(f) of the NPPF.

Impact upon Parking Provision and Highway Safety

- 8.49 Key Policy Paragraph 115(b) of the NPPF states that planning decisions should ensure that developments provide safe and suitable access to the site for all users. Policy DM17 of the SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe.
- 8.50 Ultimately, in accordance with Paragraph 116 of the NPPF, development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

Highway Safety

- 8.51 The LHA have reviewed Leicestershire County Council's Personal Injury Collision ('PIC') data between 1 January 2020 and October 2025, as the latest date available for data to the LHA and reviewed the circumstances of each of the eight PICs within this period. The LHA considered that there are no patterns or trends discernible within the data that would suggest that the proposed development would exacerbate any known highway safety concerns.

Trip Generation, Distribution and Assignment

- 8.52 The Applicant utilised the approved trip rates as per the planning application 22/01227/OUT. These rates result in vehicular two-way trip rates of 0.613 in the AM peak (08:00 - 09:00) and 0.575 in the PM peak (17:00 - 18:00).

- 8.53 For a development of 75 dwellings, this would result in 46 two-way vehicular trips in the AM peak period and 43 two-way vehicular trips in the PM peak period. The LHA considered the proposed trip rates to be acceptable
- 8.54 The Applicant distributed these proposed trips onto the surrounding highway network using distribution methodology agreed under 23/00061/OUT with data obtained for the 'Hinckley and Bosworth 005' Middle Super Output Area ('MSOA'). To obtain future year background traffic flows, TEMPro growth factors have been applied to a 2030 future year using a 2025 Baseline year. Within this modelling, the Applicant considered the committed developments 23/00061/OUT at land adjacent to Lockey Farm, Hunts Lane, Desford and 22/01227/OUT at Ashfield Farm, Kirkby Road, Desford. For the Hinckley and Bosworth 005 MSOA area, growth factors of 1.0545 for the AM and 1.0566 for the PM period have been utilised. These have been checked and accepted by the LHA.

Junction Capacity Assessments

- 8.55 The Applicant has undertaken junction capacity assessments of the following junctions:
- Site Access/ Hunts Lane priority junction
 - B582/Newbold Road/Lockeymead Drive roundabout
 - B582/Main Street/High Street mini roundabout.
- 8.56 The junction modelling confirms that the Site Access/ Hunts Lane priority junction and the B582/ Newbold Road/ Lockeymead Drive roundabout would be expected to operate within capacity in the 2030 future scenarios. This has been accepted by the LHA.
- 8.57 However, the LHA identified that the proposal would result in the B582/ Main Street/ High Street mini roundabout operating over capacity in the 2030 future scenarios. To mitigate this impact, the LHA have requested that a Junction Capacity Improvement Scheme for this junction is secured via planning condition.

Site Access

- 8.58 The proposal would feature a new access onto Hunts Lane ('B582'). The development is supported by a Stage 1 Road Safety Audit along with a designer's response to the issues raised, which have been accepted by the LHA. The proposed access arrangements benefit from visibility splays of 2.4m by 65m in both directions of the site access, which would accord with Table 6 of the Leicestershire Highway Design Guide ('LHDG').
- 8.59 The LHA confirmed that the proposed visibility splays would not be hindered by the existing bus stop shelter. The new vehicular access would also feature 2m wide footways, which would be in accordance with Table 18 of the LHDG.

- 8.60 The proposed access would be a simple priority junction, which would align with Figure 2.3.1 of the Design Manual for Roads and Bridges ('DMRB') CD123. A stagger distance of 65m would be provided between the access and the consented access on the south side of Hunts Lane, which would accord with Paragraph 2.23 of DMRB CD123. The width and radii of the proposed junction geometry would also align with Tables 3 and 9 of the LHDG.
- 8.61 Although the submitted swept path analysis demonstrates that a refuse vehicle would overrun into the opposite side of the carriageway on both the left and right turn manoeuvres out onto Hunts Lane, the LHA are content that this would be an infrequent movement and there would be adequate forward visibility to avoid any potential collisions.

Internal Layout

- 8.62 The internal layout of the development would not be for consideration at this stage. However, it is considered that an internal layout that could be created to comply with the requirements of Policies DM17 and DM18 of the SADMP, Key Policy Paragraph 115(c) of the NPPF, and the LHDG at Reserved Matters.

Summary

- 8.63 In summary, it is considered that the proposal would not be considered to create an unacceptable impact on highway safety or the road network in these site-specific circumstances, subject to planning conditions. Therefore, the access to the development would be considered to comply with Policies DM17 and DM18 of the SADMP, Key Policy Paragraph 115 and Paragraph 116 of the NPPF, and the LHDG.

Infrastructure and Development Contributions

- 8.64 Policy DM3 of the adopted 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.

Affordable Housing

- 8.65 In light of the requirements of Key Policy Paragraph 66 of the NPPF and Policy 15 of the adopted Core Strategy, the Council's Affordable Housing Officer has confirmed that 30 affordable housing properties should be provided for the development, which should comprise of 22 Affordable Rent units and 8 Shared Ownership units. However, the specific type of affordable housing within this provision will be confirmed at the Reserved Matters Stage.
- 8.66 It is considered that the development would be able to provide a policy compliant provision of affordable housing in accordance with Policy 15 of the

adopted Core Strategy and Key Policy Paragraph 66 of the NPPF. This provision towards affordable housing would be considered to attract significant positive weight in the planning balance.

Infrastructure Contributions

8.67 The following infrastructure contributions have been requested by the County Council, the Council's Section 106 Monitoring and Compliance Officer, and NHS England:

• Healthcare (NHS England)	(£72,600.00)
• Libraries (Desford Library)	(£2,264.83)
• Off-Site Outdoor Sports	(£63,850.99)
• Off-Site Public Open Space Contributions	(£21,393.15)
• Off-Site Public Open Space Maintenance	(£1,092.30)
• On-Site Public Open Space Contributions	(£146,396.25)
• On-Site Public Open Space Maintenance	(£13,005.25)
• Primary Education (Desford Primary School)	(£413,010.00)
• Bus Passes (two per dwelling) (£465 per pass)	(£90,750.00)
• Travel Packs (£52.85 per pack)	(£3,963.75)
• Travel Plan Co-Ordinator	
• Travel Plan Monitoring Fee	(£6,000.00)
• Waste (Barwell HWRC)	(£3,714.75)

8.68 NHS England requested a financial contribution of £72,600.00 towards Desford Medical Centre, Newbold Verdon Medical Practice, and Ratby Medical Centre.

8.69 Leicestershire County Council did not request financial contributions towards secondary education or post-16 education.

8.70 The LHA stated that in light of the allowed appeal decision against the refusal of 23/00061/OUT at land adjacent to Lockey Farm, Hunts Lane, Desford, it would not be reasonable to request a planning contribution towards improvements to the Desford Crossroads (A47 Hinckley Road/ B582 Desford Road/ B582 Leicester Lane) for a development of this size in these site-specific circumstances.

Leicestershire Police and Desford Parish Council

8.71 Leicestershire Police requested a financial contribution of £25,256.93 in order to maintain current levels of policing and ensure sustainable community safety. Desford Parish Council have also requested a financial contribution of £400,000.00 towards improving the village halls within Desford and Botcheston (£200,000.00 per hall) because both of which are in need of significant upgrades and renovations.

8.72 Whilst the financial contribution requests of Leicestershire Police and the Parish Council are appreciated, it is not considered that either party has

demonstrated that their requests would be necessary to make the development necessary planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development.

- 8.73 Given the above, it is not considered that these requests would meet the planning tests as defined at Paragraph 58 of the NPPF and Regulation 122 of the CIL Regulations 2010 (as amended), and therefore these planning contributions would not be requested by the Local Planning Authority at this time.

Public Open Space (POS)

- 8.74 To address the existing deficiencies, quantity and accessibility of green space and play provision within Desford for the future occupiers of the development, the following public open space provisions would be required in accordance with the Paragraph 103 of the NPPF, the Council's Open Space Assessment (2025) as the Council's most up-to-date assessment on the need for open space, and Policies 8 and 19 of the adopted Core Strategy:

Public Open Space Provision Requirements						
	On-Site				Off-Site	
	Provision Type	Provision Area	Provision Cost	Maintenance Cost (per year for 20 years)	Provision Cost	Maintenance Cost (per year for 10 years)
Allotments					£4,668.30	£176.40
Amenity Green Space		2,400sqm		£3,192.00		
Equipped Play Provision	LEAP	450sqm	£67,752.00	£3,595.50		
Natural & Semi-Natural		3,600sqm	£19,188.00	£3,420.00		
Parks & Gardens					£16,724.85	£915.90
Provision for Young People	½ size MUGA	525sqm	£59,456.25	£2,798.25		

- 8.75 Table 11.1 of the Open Space Assessment confirms that Desford does not benefit from any existing parks and gardens. As there are no existing areas of this public open space typology within the accessibility catchment

distances required by Table 29.4 of the Open Space Assessment, the contributions towards this form of public open space would not be requested by the Local Planning Authority in these site-specific circumstances.

- 8.76 The indicatively proposed on-site public open space provision within the submitted POS Plan would not be considered to function well, nor create places that are safe, inclusive or accessible, which promote health and wellbeing for the future users of the site. As currently indicatively proposed, the layout of on-site public open space would represent poor design that fails to have any regard to design guidance of the Building for a Healthy Life, the National Design Guide, and the Council's Open Space Assessment.
- 8.77 Nevertheless, the proposal would be on an underdeveloped greenfield site and therefore there would be no physical constraints that would prevent a well-designed scheme coming forward at the Reserved Matters stage.
- 8.78 As such, it is considered that the use of conditions, together with the Council's continued role in assessing detailed plans at Reserved Matters stage, would enable sufficient scrutiny and control to be retained to ensure that the proposed scheme could be brought forward in a way that would provide a well-designed provision of public open space in accordance with Policies DM3 and DM10 of the SADMP, and the Council's Open Space Assessment.
- 8.79 The development would also be required to provide the following playing pitch and outdoor sports contributions in accordance with Sport England's Playing Pitch Calculator and the Council's Playing Pitch Strategy (2025):

Playing Pitch and Outdoor Sports Contributions			
	Capital Cost for Improvements	Lifecycle Costs (for 10-year period)	Changing Room Improvement Costs
Adult Football	N/A	N/A	N/A
Youth Football	£6,793.00	£1,338.00	£24,365.00
Mini Soccer	N/A	N/A	N/A
Rugby Union	£1,668.00	£312.00	£3,980.00
Cricket	N/A	N/A	£4,907.00
3G Pitch	£14,919.00	£439.00	£5,129.00
Total	£23,380.00	£2,089.00	£38,381.00

Summary

- 8.80 In light of the above, planning obligations would be requested relating to affordable housing, libraries, healthcare and educational services, waste management, public open space and sports facilities, and sustainable transport to mitigate the impact of the proposed development.
- 8.81 All the above contributions are considered to meet the tests for planning obligations and should therefore form part of the Section 106 legal agreement to be formulated should the application be approved. Therefore,

subject to the above contributions, the development would be considered to comply with Policy DM3 of the SADMP.

Planning Balance

- 8.82 To recapitulate, applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise, and the NPPF should be read as a whole.
- 8.83 The 'tilted' balance in Paragraph 11(d) of the NPPF would be triggered in the determination of this planning application in accordance with Footnote 8 and Paragraph 11 of the NPPF whereby planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. Key Policy Paragraphs 66, 110, 115, 129, 135, and 139 of the NPPF would be applicable to the determination of the current development.
- 8.84 Paragraph 7.85 of the Planning Statement summarises the economic, environmental, and social planning benefits of the development.

Social Benefits

- 8.85 The Applicant considers that very significant positive weight should be given to the delivery of market housing and substantial positive weight should be given to the provision of affordable housing units. The suggested weight afforded to these social benefits are not substantiated by the Applicant and they are not agreed by the Local Planning Authority.
- 8.86 As the Council are unable to deliver a five-year supply of land for housing, the benefit of providing 75 dwellings within this application site towards the Council's supply of housing would be considered to attract significant positive weight in the planning balance in accordance with Key Policy Paragraph 110 and Chapter 5 of the NPPF. The policy-compliant provision of affordable housing units for this scale of development would also be considered to attract significant positive weight in the planning balance in accordance with Key Policy Paragraph 66 of the NPPF.
- 8.87 The Planning Statement refers to the social benefit of providing additional vehicle parking for Desford Cemetery. Whilst this could represent a social benefit, the Applicant has not demonstrated that additional vehicle parking is required for the Cemetery, nor that the vehicle parking would be secured via a legal mechanism to ensure its use as part of Desford Cemetery. Importantly, the development would be required to provide on-street vehicle parking within the detailed layout of this development to accord with the requirements of the LHDG. By virtue of these factors, no positive weight would be given to the scheme's contribution to visitor parking for Desford Cemetery in these site-specific circumstances.

- 8.88 The proposal would not be considered to create an unacceptable impact on highway safety or the road network in these site-specific circumstances, subject to planning conditions.
- 8.89 It is also considered that the detailed design of the development at the Reserved Matters stage could be designed to have a suitable relationship with the nearby residential units. As the proposal would only mitigate its impact on highway safety and neighbouring residential amenity, these factors would be considered to attract neutral weight in the planning balance.
- 8.90 In addition, the scheme's financial contributions to services and facilities in the surrounding area would be required in order to mitigate the impact of the development on the infrastructure in the surrounding area. As a result, these contributions would also only be considered to attract neutral weight in the planning balance.

Economic Benefits

- 8.91 The Planning Statement highlights that significant positive weight should be given to the economic benefits associated with the construction of the development and the resultant expenditure on local services and facilities by the future occupiers of the scheme. This weighting is not agreed by the Local Planning Authority.
- 8.92 The construction period of the development would only be for a limited time. Even allowing for the scale of the development, the job creation and household spend would not be of a significant degree, particularly in the context of a settlement the size of Desford. By virtue of these factors, the economic benefits of the development would be considered to attract moderate positive weight in the planning balance.

Environmental Benefits

- 8.93 In relation to environmental benefits, the Planning Statement states that moderate positive weight should be given to the scheme's provision of green infrastructure and off-site landscaping measures, and significant positive weight to the scheme's delivery of biodiversity net gain. These weightings are not agreed by the Local Planning Authority.
- 8.94 Landscaping is not sought for approval at this stage, and therefore the extent of proposed on- and off-site landscaping has not been confirmed. Importantly, the main justification for this landscaping within the Planning Statement is to mitigate the visual impact of the development, which is not a benefit of the scheme. Therefore, it is considered that no positive weight could be given to these factors at this time.
- 8.95 Whilst the delivery of 10% biodiversity net gain is a statutory requirement, Table 5 of the Biodiversity Net Gain Report indicatively anticipates the development would provide a biodiversity net gain of 23.73% to habitat units, 43.3% to hedgerow units and 16% to watercourse units. This contribution to

biodiversity net gain beyond the statutory requirements would be considered to represent an environmental benefit of the scheme that could be afforded limited positive weight in the planning balance.

Harm

- 8.96 On the other hand, the proposed development would result in the unrestricted encroachment of urbanising built form into the designated open countryside. This would cause significant and permanent harm to the rural character of the site and the surrounding area, including the setting of Desford, the Newbold and Desford Rolling Farmland Landscape Character Area, and the intrinsic value, beauty, open value and landscape value of the designated open countryside to which the site currently positive contributes to as part of a wider agricultural field. By virtue of these factors, the proposal would be considered to be contrary to, and in conflict with, Policies DM4 and DM10 of the SADMP, Policies H1 and H7 of the DNP, Policies 7 and 8 of the adopted Core Strategy, Key Policy Paragraphs 129 and 135 of the NPPF, and the National Design Guide. This would attract significant negative weight in the planning balance.
- 8.97 However, it is appreciated that the significant adverse impact of the development would be most likely to be appreciated from the immediate views of the site along Hunts Lane and Newbold Road. This would be considered to reduce the extent of the impact of the scheme. In addition, it has been identified that the detailed layout of the development could retain views out from Hunts Lane and Newbold Road into the designated open countryside, which would represent a positive contribution in mitigating the impact of the development.

Summary

- 8.98 To conclude, significant negative weight would be given to the scheme's harm on the character of the surrounding area. However, it is acknowledged that such harm would be predominantly confined to localised views and the detailed layout of the development could assist in reducing the impact of the development further. The proposal would also provide significant positive social benefits through the delivery of market and affordable housing units, moderate positive economic benefits through the construction and occupation of the development, and limited positive environmental benefits through the delivery of biodiversity net gain.
- 8.99 By virtue of these factors, it is considered that, on balance, the level of significant harm of the development on the character of the site and the surrounding area from localised views would not significantly and demonstrably outweigh the benefits of the scheme in these site-specific circumstances. In accordance with Paragraph 11(d) of the NPPF, it is therefore recommended that outline planning permission for the development of up to 75 dwellings should be approved.

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, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this 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 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions and obligations.

11. Recommendation

11.1 **Grant planning permission** subject to the recommendations set out in paragraph 1.1.

11.2 Conditions and Reasons

- 1. An application for approval of reserved matters shall be made within 18 months of the date of this permission, and the development shall be begun not later than two years 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. N1426-001 Rev B received by the Local Planning Authority on 02 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. Prior to the submission of the first Reserved Matters application, a programme of archaeology work shall be completed, including an initial phase of trial trenching, to inform a final mitigation scheme. Each stage of this archaeological programme of works shall be completed in accordance with a Written Scheme of Investigation ('WSI') that has been submitted to, and approved in writing by, the Local Planning Authority. For land that is included within the WSI, no demolition or development shall take place other than in complete accordance with the agreed mitigation WSI, which shall include the statement of significance and research objectives, and:

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure satisfactory archaeological investigation, recording, dissemination, and archiving in accordance with Policy DM13 of the

adopted Site Allocations and Development Management Policies Development Plan Document (2016), and Chapter 16 of the National Planning Policy Framework (2024).

5. The first Reserved Matters application for matters relating to the layout of the development hereby permitted shall include a Surface Water Drainage Strategy and Foul Water Drainage Strategy to be approved in writing by the Local Planning Authority. The Surface Water Drainage Strategy shall be informed by details of infiltration testing (or suitable evidence to preclude testing) to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element. All works including any approved details within subsequent Reserved Matters applications are to proceed strictly in accordance with the approved details prior to the occupation of the development.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, and to minimise the risk of pollution in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. The first Reserved Matters application relating to the appearance, layout and landscaping of the development hereby permitted shall include details of the precise boundaries and quantities of the public open space typologies across the site in accordance with the requirements detailed in the Council's Open Space Assessment (2025) to be approved in writing by the Local Planning Authority. The public open space provision including any approved details within subsequent Reserved Matters applications shall then be implemented in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to create places that are safe, inclusive, and accessible, which promote health and well-being for future users in accordance with Policies DM1, DM3, and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Paragraph 135 of the National Planning Policy Framework (2024).

7. The first Reserved Matters application relating to layout and landscaping shall include an updated Arboricultural Impact Assessment together with an Arboricultural Method Statement and Tree Protection Plan to be approved in writing by the Local Planning Authority. The development including any approved details within subsequent Reserved Matters applications shall then be implemented in accordance with the approved details.

Reason: As advised by Paragraph 3.15 of the Arboricultural Impact Assessment (submitted: 02.12.2025) in order to protect existing trees with the site and to ensure a satisfactory form of development in accordance with Policies DM1, DM4, DM6, and DM10 of the adopted

8. 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 each dwelling within the development shall then be implemented prior to their first occupation.

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.

9. Any forthcoming Reserved Matters application relating to the layout and appearance of the development hereby permitted shall include details for secure cycle parking in accordance with the guidance with the Good Design Guide (2020), Leicestershire Highway Design Guide (2024), and the Building for a Healthy Life (2026) to be approved in writing by the Local Planning Authority. The proposed cycle parking provision for each dwelling within the development shall then be implemented prior to their first occupation.

Reason: To promote travel by sustainable modes in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and Section 9 of the National Planning Policy Framework (2024).

10. Any forthcoming Reserved Matters application shall include details of how the matters for which approval is being sought for the proposed development have taken into consideration and responded to the guidance within the National Design Guide (2019) and Building for a Healthy Life (2026).

Reason: To support the creation of high quality and sustainable buildings and places and 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), and Paragraph 137 and Chapter 12 of the National Planning Policy Framework (2024).

11. 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. All works are to proceed strictly in accordance with the approved details.

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 adopted Site Allocations and Development Management Policies Development Plan Document (2016).

12. Prior to the commencement of development, details in relation to the long-term maintenance of the sustainable surface water drainage system of the development approved via Condition 5 shall be submitted to, and approved in writing by, the Local Planning Authority. Details of the Sustainable Surface Water Drainage System Maintenance Plan should include responsibilities and schedules 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. All works are to proceed strictly in accordance with the approved details.

Reason: To establish a sustainable 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 adopted Site Allocations and Development Management Policies Development Plan Document (2016).

13. Prior to the commencement of development, a Construction Environmental Management Plan ('CEMP: Biodiversity') shall be submitted to, and approved in writing by, the Local Planning Authority. The CEMP: Biodiversity shall include, but not be limited to, the following:

- (a) Risk assessment of potentially damaging construction activities; and
- (b) Identification of "biodiversity protection zones; and

- (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements); and
 - (d) The location and timing of sensitive works to avoid harm to biodiversity features; and
 - (e) The times during construction when specialist ecologists need to be present on site to oversee works; and
 - (f) Responsible persons and lines of communication; and
 - (g) The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person; and
 - (h) Use of protective fences, exclusion barriers and warning signs.
- 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).

14. Prior to the commencement of development, a Farmland Bird Compensation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority to compensate the loss or displacement of any Farmland Bird territories identified as lost or displaced. This shall include provision of offsite compensation in nearby agricultural land.

The content of the Farmland Bird Compensation Strategy shall include the following:

- (a) purpose and conservation objectives for the proposed compensation measure e.g. Skylark plots; and
- (b) detailed methodology for the compensation measures e.g. Skylark plots must follow Agri-Environment Scheme option: 'AB4 Skylark Plots'; and
- (c) locations of the compensation measures by appropriate maps and/or plans; and
- (d) persons responsible for implementing the compensation measures.

The Farmland Bird Compensation Strategy shall be implemented in accordance with the approved details, and all features shall be retained for a minimum period of 10 years.

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).

15. Prior to the commencement of development, a Habitat Management and Monitoring Plan ('HMMP') for significant on-site enhancements shall be submitted to, and approved in writing by, the Local Planning Authority. The HMMP shall be submitted concurrently and in accordance with the Biodiversity Gain Plan. The HMMP shall include, but shall not be limited to, the following details:
- (a) a non-technical summary; and
 - (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP; and
 - (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the on-site significant enhancements in accordance with the approved Biodiversity Gain Plan; and
 - (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 - (e) the monitoring methodology in respect of the created or enhanced habitat to be submitted to the local planning authority; and
 - (f) details of the content of monitoring reports to be submitted to the Local Planning Authority including details of adaptive management which will be undertaken to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

Notice in writing shall be given to the Council when the:

- (i) initial enhancements, as set in the HMMP, have been implemented; and
- (ii) habitat creation and enhancement works, as set out in the HMMP, have been completed after 30 years.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Monitoring reports shall be submitted in years 1, 2, 5, 10, 15, 20, 25, and 30 to the Local Planning Authority, in accordance with the methodology specified in the approved HMMP.

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

16. Prior to the commencement of development, a scheme for the investigation of any potential land contamination on the site has been submitted in writing to, and approved in writing by, the Local Planning Authority, which shall include details of how any contamination shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details, and any remediation works so approved shall be carried out prior to the site first being occupied.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

17. Upon completion of the approved remediation works required by the approved details in Condition 16, a Verification Report shall be submitted to, and approved in writing by, the Local Planning Authority. The Verification Report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the Verification Report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

18. If during development contamination not previously identified is found to be present at the site no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination is submitted in writing to, and approved in writing by, the Local Planning Authority. The addendum shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the site first being occupied.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

19. Prior to the commencement of development, a Construction Environmental Management Plan ('CEMP') shall be submitted to, and approved in writing by, the Local Planning Authority. 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 construction of the development.

Reason: To minimise disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

20. Prior to the commencement of development, a Construction Traffic Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. As a minimum, the Construction Traffic Management Plan shall include details of the routing of construction traffic, wheel cleaning facilities, vehicle parking facilities, and a timetable for their provision. The construction of the development shall be carried out in accordance with the approved details and timetable.

Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area 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), and the National Planning Policy Framework (2024).

21. Prior to the commencement of any works above foundation level, a Biodiversity Enhancement Strategy for protected, priority and threatened species shall be submitted to, and approved in writing by, the Local Planning Authority. The Biodiversity Enhancement Strategy shall be prepared by a suitably qualified ecologist and include, but shall not be limited to, the following details:
 - (a) Purpose and conservation objectives for the proposed enhancement measures; and
 - (b) detailed designs or product descriptions to achieve stated objectives; and
 - (c) locations of proposed enhancement measures by appropriate maps and plans (where relevant); and
 - (d) persons responsible for implementing the enhancement measures; and
 - (e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

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

22. Prior to the commencement of any works above foundation level, a mitigation scheme for the B582/ Main Street/ High Street mini roundabout shall be submitted to, and approved in writing by, the Local Planning Authority. The mitigation works shall then be implemented in accordance with the approved details prior to the first occupation of the development.

Reason: To mitigate the impact of the development in the interests of highway safety in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and the National Planning Policy Framework (2024).

23. Prior to the first occupation of the development hereby permitted, an amended full Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall then be implemented in accordance with the approved details within the Travel Plan.

Reason: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and the National Planning Policy Framework (2024).

24. Prior to the first occupation of the development hereby permitted, the offsite works (footways and crossings) shown on Proposed Site Access Layout drawing number 3964-ADC-HGN XX-DR-CH-0100 S1 Revision P04 shall be implemented in full.

Reason: To mitigate the impact of the development in the interests of highway safety in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and the National Planning Policy Framework (2024).

25. Prior to the first occupation of the development hereby permitted, the access arrangements shown on shown on Proposed Site Access Layout drawing number 3964-ADC-HGN XX-DR-CH-0100 S1 Revision P04 shall be implemented in full. Visibility splays shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/ verge/ highway.

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 Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and the National Planning Policy Framework (2024).

26. Prior to the first occupation of the development hereby permitted, an External Lighting Strategy (including on any non-adopted highways and footpaths) shall be submitted to, and approved in writing by, the Local Planning Authority. The Strategy shall be in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) and shall include, but shall not be limited to, the following details:
- (a) a schedule of external lighting equipment proposed in the design (luminaire type, mounting height, beam orientation, aiming angles and luminaire profiles), and details of its maintenance and operation; and
 - (b) a plan that identifies those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - (c) clearly demonstration that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed details prior to the first occupation of the development in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the approved details. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To ensure a satisfactory form of development and to create places that are safe, inclusive, and accessible, which promote health and well-being, and where crime and disorder and the fear of crime do not undermine the quality of life or community cohesion and resilience, and to protect protected and priority species in accordance with Policies DM1, DM6, and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

27. Any existing vehicular accesses onto Newbold Road or Hunts Lane that become redundant as a result of the development hereby approved shall be permanently closed within one month of the first use of the new vehicular access.

Reason: In the interests of highway and pedestrian safety in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

28. All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Appraisal (FPCR, November 2025) as already submitted with the planning application and agreed in principle with the Local Planning Authority.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, 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).

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

Monday – Friday 07:30 – 18:00

Saturday 09:00 – 14:00

No working on Sundays and Bank Holidays

Reason: To protect the amenities of the occupiers of neighbouring residential properties from unsatisfactory noise and disturbance in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Notes to Applicant(s)

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.
2. This decision is 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.) The Agreement runs with the land and not to any particular person having an interest therein.

Active Travel England

3. As part of any forthcoming Reserved Matters planning application, the Applicant is advised to review, and refer to, the Active Travel England's

standing advice note for active travel and sustainable development within the design and layout of their scheme. The standing advice note can be accessed via: www.gov.uk/government/publications/active-travel-england-sustainable-development-advice-notes.

Archaeology

4. The Written Scheme of Investigation must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of this written scheme of investigation has been secured the applicant must provide a signed contract or similar legal agreement between themselves and their approved archaeological contractor.
5. The County Council's Historic and Natural Environment Team, as advisors to the Planning Authority, will monitor the archaeological work, to ensure that the necessary programme of archaeological work is undertaken to the satisfaction of the Planning Authority.

Biodiversity Net Gain

6. Your attention is drawn to the Biodiversity Net Gain Condition within the Decision Notice. The development is subject to the Biodiversity Gain Condition. A Biodiversity Gain Plan needs to be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of development. The application can be made online here: https://www.hinckley-bosworth.gov.uk/info/200249/view_planning_applications_and_decisions/1476/does_the_property_comply_with_planning_conditions.

Drainage

7. 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, pipe protection details (e.g. trash screens), and full modelled scenarios for event durations up to the 24 hour (or longer where required) for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods with results ideally showing critical details only for each return period.

8. 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.

9. 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 property ownership. For commercial properties (where relevant), this should also include procedures that must be implemented in the event of pollution incidents.
10. 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.
11. Before undertaking any work on site, the Applicant must determine if Severn Trent has any assets in the vicinity of the proposed works. This can be done by accessing our records at www.digdat.co.uk. Severn Trent Water advise that even if our statutory records do not show any public sewers within the application site, there may be sewers that have been recently adopted under The Transfer of Sewer Regulations 2011.
12. Public sewers and Water mains have statutory protection and may not be built close to, or diverted without consent, consequently you must contact Severn Trent to discuss your proposals. Severn Trent will seek to assist the Applicant in obtaining a solution which protects both the public sewer and the proposed development.
13. If the development site includes a Vehicle Wash / Petrol Station / Swimming Pool / Industrial Processes, or anything else that may discharge waste other than foul sewage or surface water into the public network, Severn Trent Water strongly recommend the Applicant speaks to the Trade Effluent Support Team before requesting a discharge of any drainage related condition. The team can be contacted by email: trade.effluent@severntrent.co.uk.
14. Please note for the use or reuse of sewer connections either direct or indirect to the public sewerage system, the Applicant will be required to make a formal application to Severn Trent Water under Section 106 of the Water Industry Act 1991. The Applicant may obtain copies of Severn Trent Water's current guidance notes and application form from either their website (www.stwater.co.uk) or by contacting their Developer Services Team (Tel: 0800 707 6600).

Ecology

15. Nesting birds are protected under the Wildlife & Countryside Act 1981) as amended); therefore, all removal of trees, shrubs, and hedges should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.

Environmental Health

16. In relation to Conditions 17, 18, 19 and 20, advice from the Council's Environmental Health Department should be sought via esadmin@hinckley-bosworth.gov.uk to ensure that any investigation of land contamination is in accordance with their policy.

Highways

17. 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>

Leicestershire Fire and Rescue

18. Please refer to the latest standing advice from Leicestershire Fire and Rescue Service at: <https://leics-fire.gov.uk/planners-and-developers>.

Public Rights of Way

19. The proposed permissive footpath to Public Footpath R90 should be constructed in accordance with the construction and signposting criteria detailed within the Leicestershire Highway Design Guide (2024), which is available at: <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/public-rights-way>.
20. The Public Right(s) of Way must not be re-routed, encroached upon, or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980. The Public Right(s) of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.

21. A separate application for a diversion of an existing Public Right of Way should be submitted under the Town and Country Planning Act 1990 to the Local Planning Authority. The applicant is not entitled to carry out any works directly affecting the legal line of Public Rights of Way until a Diversion Order has become operative.
22. If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.
23. Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
24. No new gates, stiles, fences, or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way, and the County Council may be obliged to require its immediate removal.

Section 106 Monitoring Fees

25. Please note, the Council also requires monitoring fees for each planning obligation that is secured within a Section 106 Agreement, which include the following:
 - 51 to 150 dwellings: (£489 per obligation).
 - Site Inspection Fee: (£219 per visit).
 - Approval of Details/ Documents: (£327 per document).
 - Deed of Variation: (£649 per Section 106 topic).

Waste

26. Hinckley & Bosworth Borough Council's recycling and refuse collection services are from the boundary to the adopted highway and do not travel along, nor collect from private roads or driveways. Please refer to the policies within the Wheeled Bin and Container Policy (updated March 2018).

If all, or part, of the new roads within the development are to be private (unadopted), then consideration will need to be given to the adequate and safe collection of domestic recycling, garden waste, and refuse at the adopted highway boundary (up to three bins per property at one time). It will be the responsibility of the occupiers to ensure that all containers/wheeled bins are brought to the collection point.