



CABINET – 17 SEPTEMBER 2021

**RESPONSE TO THE HINCKLEY AND BOSWORTH BOROUGH
COUNCIL'S DRAFT LOCAL PLAN (REGULATION 18)
CONSULTATION**

REPORT OF THE CHIEF EXECUTIVE

PART A

Purpose of the Report

1. The purpose of this report is to advise the Cabinet on the content of Hinckley and Bosworth Borough Council's Draft Local Plan, and to seek approval for comments to be submitted to the Borough Council as the views of the County Council.
2. The detailed comments are set out in the Appendix to this report and key issues are highlighted in paragraphs 38 to 121 below.
3. As the consultation period ended on 27 August 2021 it was agreed with the Borough Council that comments would be submitted by officers by this date as the County Council's views. Formal confirmation of those comments, with any additions or amendments arising from consideration by the Cabinet will be submitted to the Borough Council following the Cabinet meeting.

Recommendations

4. It is recommended that:
 - a) The comments set out in the Appendix to this report be forwarded to Hinckley and Bosworth Borough Council as the views of the County Council on the Draft Hinckley and Bosworth Local Plan 2020 to 2039;
 - b) That Hinckley and Bosworth Borough Council be advised that the County Council
 - i. considers that partnership working arrangements between the Borough Council, the County Council and other partners, notably National Highways, need to be formalised as a matter of urgency;
 - ii. will need to secure substantial funds from the Borough Council and other partners in order to meet the (as yet unidentified) cost of the

work to identify transport mitigation measures and strategy required to support delivery of the Draft Hinckley and Bosworth Local Plan;

- iii. accordingly, requests the Borough Council to delay progressing to Regulation 19 stage of the Local Plan in order for the Draft to be fully informed by transport evidence.

Reasons for Recommendation

5. Hinckley and Bosworth Borough Council's new Local Plan will set out the Borough's development strategy to 2039. Given its location close to Leicester and close functional connectivity to communities living and working in Blaby, Charnwood and North West Leicestershire, the content of the emerging Local Plan is particularly important to this area and the wider Leicester and Leicestershire Housing Market Area (L&L HMA).
6. The County Council wishes to see alignment of the Borough's Draft Local Plan with other key strategies (for example, the Leicester and Leicestershire Strategic Growth Plan) and for it to provide a robust policy platform to secure the infrastructure and services to support its delivery and protect local communities.
7. It is a matter of some concern that the Borough Council has not published any transport assessment as part of the evidence base for this consultation. The highways and transport issues arising from accommodating further growth in the Borough are expected to have significant impacts on local road networks (in Leicestershire, Leicester, and Warwickshire) and the strategic road network.
8. As the Highway Authority the County Council would expect to see, at the point of a Local Plan's submission, a clear understanding of the likely nature, scope, scale (cost) and deliverability of the transport measures required. Transport modelling takes time and a formal partnership approach is needed to develop transport mitigation strategies. To date, transport work has been concerned only with base inputs and potential impacts of development options.
9. In the current financial climate, the financial risk to the County Council needs to be minimised. Therefore a joint commitment to developing a funding strategy for how infrastructure will be funded in the Hinckley and Bosworth BC Local Plan will be essential.

Timetable for Decisions (including Scrutiny)

10. As explained above, comments were submitted to Hinckley and Bosworth BC by 27 August 2021 and any additions or amendments arising from consideration by the Cabinet will be submitted following the Cabinet meeting.

Policy Framework and Previous Decisions

11. In March 2019 the Cabinet agreed a response to be submitted on behalf of the County Council to consultation from Hinckley and Bosworth Borough Council

relating to its Local Plan Review: New Directions for Growth. This included concern about the lack of consultation with the Highway Authority and insufficient reference to the policy framework provided by the agreed Strategic Growth Plan (SGP). It emphasised the need for a constructive, co-operative approach from the Borough Council and noted that the County Council had worked hard with partners and invested more than £10m over the last five years to improve highways infrastructure in the Hinckley area.

12. The Council's Strategic Plan (2018 to 2022) "Working together for the benefit of everyone" was approved by the County Council in July 2020 (having been revised in light of the Council's declaration on climate change). It has five strategic outcomes, with the delivery of 'Affordable and Quality Homes' and 'Strong Economy' most directly affected by Hinckley and Bosworth BC's emerging Local Plan.
13. In 2018 the County Council, Leicester City Council, the seven district councils in Leicestershire, and the Leicester and Leicestershire Enterprise Partnership, approved the Leicester and Leicestershire Strategic Growth Plan (SGP) which provides the long-term vision for planned growth for the area up to 2050.
14. For the south west parts of Leicestershire, which includes Hinckley and Bosworth Borough, the foci for growth set out in SGP are:
 - Managed growth for Hinckley, further sustainable development consistent with the need to support local growth (in particular, aspirations for continued town centre regeneration and better services) and;
 - the A5 improvement corridor
15. The essential infrastructure to support the delivery of growth shown on the SGP strategy diagram for south west parts of Leicestershire are:
 - M1 Leicester Western Access and M1 North Leicestershire extra capacity;
 - A46 Priority Growth Corridor;
 - A5 improvement corridor
 - Rail improvements.
16. The Leicester and Leicestershire Strategic Transport Priorities (LLTSTP) was approved by the Cabinet on 20 November 2020. This document was developed by the county and city councils alongside the SGP to ensure the long-term development needs and associated transportation requirements are co-ordinated.
17. In November 2020 Midlands Connect Published the A46 Phase 2 Study. Taking into account the SGP, the study showed a road of 'Expressway' standard is not needed around the South and East of Leicester to serve people making long distance trips but confirmed a lower standard of road is still required to support new housing and economic development delivered in accordance with the spatial distribution of housing set out in the SGP.

18. On 22 June 2021 the Cabinet received a report regarding the Leicester and Leicestershire Statement of Common Ground Relating to Housing and Employment Land Needs (SoCG) and noted that the County Council was a signatory to the document as a factual statement, i.e. not necessarily supporting the content of the emerging Charnwood Local Plan but agreeing the needs, theoretical supply, scale of unmet need from Leicester City, and process by which unmet need would be addressed. This SoCG prepared to accompany the Charnwood Local Plan process also provides an up to date context for the current stage of the Hinckley and Bosworth Local Plan process.

Resource Implications

19. The revised capital programme for 2021-25 as presented in the Medium Term Financial Strategy report on this agenda now stands at £539m over the four year period. This latest position includes £166m currently unfunded from borrowing (hopefully contained to internal borrowing against cash balances but the risk of having to undertake borrowing externally is increasing).
20. Within the programme, a significant list of schemes and activities linked to supporting both housing and economic growth are included. However, the proposals from the emerging and updated district council Local Plans will lead to a demand for further schemes to be delivered, and as such further substantial pressures on the County Council's financial resources.
21. Further schemes can only be accommodated when sufficient confidence can be obtained that developer funding will be forthcoming to repay the County Council's investment.
22. The scale of the infrastructure, and the need for much of it to be needed in advance of development, will put pressure on the County Council to cash flow it in advance of funding being received from developers. However, given the wider pressures on the County Council's financial position, there is limited scope for this and there will inevitably be a need for prioritisation.
23. It is of paramount importance that early engagement and close working is undertaken between the County Council and other partners in the delivery of infrastructure and related proposals to help to partially mitigate some of these risks.
24. It is also crucial that there is flexibility wherever possible around timing of spend and what money is spent on as well as ensuring developer contributions to local infrastructure costs can be secured in a coordinated and equitable manner.
25. The Government's ambitions in the Planning White Paper (August 2020) will also need to be factored into the delivery of emerging Local Plans, necessitating adjustment and perhaps major changes to the mechanisms used to secure and deliver infrastructure.

Circulation under the Local Issues Alert Procedure

26. This report will be circulated to all Members.

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PART B

Background

27. The preparation of Local Plans involves various stages of consultation. This consultation from Hinckley and Bosworth BC is known as a “Regulation 18” consultation. Comments received will inform the Borough Council’s approach to its emerging Local Plan. This will be followed by a formal consultation on its Pre-Submission Draft Local Plan (Regulation 19), currently proposed to take place in December 2021/January 2022. Once submitted to the Secretary of State and agreed by the Planning Inspectorate, the document will replace the current Hinckley and Bosworth Core Strategy (December 2009), Site Allocations and Development Management Policies (July 2016), Hinckley Town Centre Area Action Plan (March 2011) and Earl Shilton and Barwell Area Action Plan (September 2014). It is currently expected that a Local Plan Examination (part of the statutory process prior to formal adoption) will be held in Summer 2022.

28. The Government’s Planning White Paper, considered by the Cabinet on 18 September 2020, proposes ‘end to end’ reform of the current planning system in England. Local Plans are proposed for retention but with a greater role and tighter timeframe. Once the consultation responses have been considered by Government legislative change and revision to national planning policy will take place and will impact on plan making processes. The timescale for these changes is not yet known, however, it is understood Government will make an announcement on planning reforms in the autumn.

29. In December 2020 Government announced a new Standard Method for the calculation of local housing need, which included a 35% uplift for the 20 largest cities and urban areas in England, including Leicester. For the L&L HMA this gives an indicative housing need figure of 5,520 per year 2020-2036. Whilst the figures in the districts remain largely the same, the need in Leicester has increased by about 10,000 homes (600 homes per year).

Overview of content of Hinckley and Bosworth BC Draft Local Plan document

30. The Hinckley and Bosworth Local Plan will set out the vision and objectives for the growth of the Borough up to 2039. The Draft Plan seeks to present the emerging position and seeks comments and asks questions to refine and shape the strategy and policies of the Plan. It acknowledges that further evidence is still being prepared.

31. The standard method for assessing local housing need as set out in the National Planning Policy Guidance identifies an annual housing need figure for Hinckley and Bosworth of 444 dwellings per year (8,436 dwellings over the period 2020-2039). Hinckley and Bosworth BC propose planning for this scale of new housing growth with an additional 10% to allow for flexibility and to respond to unmet housing need in the city of Leicester; the draft Local Plan allocates development for 9,280 new dwellings.

32. The preferred strategy for growth seeks to direct 70% of housing and economic growth to the urban areas of the Borough, with 30% to key rural settlements. Out of the total identified supply of new dwellings, 4,000 are through existing commitments. The remaining 5,000 are through allocated sites comprising:
- Earl Shilton SUE – 1,000 dwellings
 - Barwell SUE – 990 dwellings
 - Remainder of Urban Area – 1,596 dwellings
 - Rural Area – 1,607 dwellings
33. Two Sustainable Urban Extensions (SUEs) are currently planned at Barwell and Earl Shilton. The Borough Council expects that the Barwell SUE will provide 2,500 new homes and Earl Shilton 1,600, although this may not be delivered in its entirety prior to the end of the Plan period in 2039.

Duty to Cooperate

34. It is recognised that should a Housing Market Area (HMA) authority identify, quantify and provide robust evidence to demonstrate an unmet need, it is incumbent upon the HMA authorities to jointly resolve any cross-boundary matters with HMA partners under the Duty to Co-operate. Whilst it is acknowledged that Government intends to reform the planning system and recently consulted on a White Paper – Planning for the Future, there is as yet no timetable for such reforms. The Duty to Cooperate is a key to the ongoing success of the SGP. Without the SGP and without a clear aligned approach to delivery, Leicestershire faces high levels of speculative/indiscriminate development with the consequent high risk of inadequate highway and education infrastructure. To avoid this, ongoing commitment from all the local authorities to the SGP is therefore crucial, as is their support for a collaborative and coordinated approach to the defining and allocating of infrastructure funding requirements of local plans.
35. All ten partners to the SGP also signed up to a Joint Position Statement relating to Leicester's Housing and Employment Land Needs in September 2020. This sets out how the local authorities and the LLEP will continue to work together to accommodate unmet need for housing and employment land identified in the draft City of Leicester Local Plan.
36. In April 2021, the County Council became a signatory to a Statement of Common Ground (SoCG) prepared by the Leicester and Leicestershire local planning authorities and the County Council, guided by the Strategic Planning Group and Members' Advisory Group to support the Charnwood Local Plan process. In becoming a signatory to the SoCG, the County Council was not necessarily giving support to the content of the emerging Charnwood Local Plan. The key strategic matters covered in the SoCG under the Duty to Co-operate are; Leicester and Leicestershire Housing and Employment Needs to 2036; Unmet Need to 2036; and the process of apportioning unmet need to 2036.

37. A future SoCG for Leicester and Leicestershire dealing with the apportionment of unmet need from the City to the district councils will be informed by strategic evidence work currently being undertaken by partners in Leicester and Leicestershire to inform future infrastructure and growth, and work the City Council is undertaking to maximise the growth it is able to accommodate without adversely affecting the environment and quality of place. It is expected this will be available in winter 2021/2022 and will be the subject of a report to the Cabinet.

Response to the Draft Hinckley and Bosworth Local Plan document

38. The comments of the County Council in response to the questions put in the consultation are set out in the Appendix to this report. A summary of the key issues is set out below, covering

- *Overarching response*
- *Vision and objectives*
- *Climate Change*
- *Scale and distribution of planned growth and Local Plan Review Policy*
- *Other development strategy considerations*
- *Transport*
- *Costs, viability and developer contributions*
- *Education*
- *Place Making and Design*
- *Housing*
- *Economic Prosperity*
- *Town Centres*
- *Communities, Leisure and Tourism*
- *Heritage and Conservation*
- *Natural Environment*
- *Waste*
- *Minerals*
- *The County Council as a landowner.*

Overarching response

39. Closer partnership working is required with Hinckley and Bosworth BC across key disciplines and at a senior level in recognition of:
- the challenges presented by the Strategic Road Network (SRN) in the Borough and wider area;
 - the lack of capacity on the Local Road Network;
 - the need to take a strategic approach to education and other infrastructure provision; and
 - The need to secure deliverable planned growth supported by infrastructure rather than unplanned speculative development.
40. The County Council recognises that a new sustainable and deliverable Local Plan is required as a Plan-led approach offers the greatest opportunities to address key challenges in comparison to seeking to deal with the impacts of ad-hoc 'unplanned' growth. Furthermore, the County Council wishes to enable

continued progress towards an up to date adopted Local Plan recognising the risk presented by the lack of five-year land supply. To achieve this the County Council wishes to put in place stronger partnership working arrangements with Hinckley and Bosworth BC and other partners.

41. To date the level of involvement in partnership working desired by the County Council has not been achieved, it has been more 'arms-length' in nature. Therefore, the County Council wishes to change this moving forward, and put in place better, closer partnership working arrangements which will benefit the County Council, Hinckley and Bosworth BC and other partners in successfully achieving sustainable planned growth. The County Council is of the view that to achieve this level of working a delay is required in Hinckley and Bosworth BC's current Local Plan programme before progressing to Regulation 19.
42. The Appendix contains the officer responses to the thirty-three questions posed by Hinckley and Bosworth BC in their consultation. Set out below are the key points arising from consideration of the draft Local Plan.

Vision and objectives

43. The reference to Midlands Engine is supported, however there should also be reference made to the SGP, the environment and associated key aspirations for the Borough, especially in respect of the climate emergency.
44. An amendment to Objective 3 ("...that the future infrastructure needs... are properly assessed, planned for and delivered at the right time in the development process") is sought, to reflect that it is increasingly necessary for individual districts to consider future transport infrastructure requirements on a cross-boundary, cumulative basis. For example, recognising where the provision of new/improved transport infrastructure in one district will also be critical to unlock/support growth in another.
45. It is requested that Objective 7 (Climate Change) is strengthened to better reflect the context of recent national/local 'climate emergency' declarations and associated policies/priorities.
46. Support is given to references to healthy people and wider determinants of health such as work and home environments.
47. It is advised that specific reference should be made to biodiversity net-gain and new requirement in the National Planning Policy Framework to integrate biodiversity within design of development.

Climate Change

48. The planned approach to mitigating and adapting to climate change should be reviewed and updated as necessary in light of the Government's recently published Transport Decarbonisation Plan.

49. The approach should be strengthened by adding reference to the provision of infrastructure/facilities to support low and zero-carbon vehicle technologies, such as electric vehicle charging points. Reference should also be made to the potential to mitigate climate change through the delivery of off-site renewables.

Scale and distribution of planned growth and Local Plan Review Policy

50. The proposed scale of growth to be planned for is appropriate at the current time, as the most up to date Standard Method used is plus 10% contingency. It is advised that the 10% contingency should allow for flexibility in delivery during the Plan period and should not be relied upon for taking a proportion of unmet need from the City. It is considered that this will need to be dealt with through a review of the Local Plan following the publication of the SoCG for Leicester and Leicestershire apportioning unmet need arising from the City to the districts.
51. A Local Plan review trigger policy is required. This is needed to handle future anticipated 'knowns' such as the SoCG for Leicester and Leicestershire apportioning unmet need arising from Leicester City to the districts which will be informed by current ongoing joint evidence work, the outcome of the Nationally Significant Infrastructure Project (NSIP) process on the Hinckley National Rail Freight Interchange (HNRFI) if consent is granted, future national planning reforms etc. as well as triggering a review in the light of other significant future unforeseen changes in circumstances.
52. With regards to spatial distribution, it is considered that the 70% urban areas and 30% rural areas split needs to be more focused on urban areas and less on rural wherever this is possible. Urban areas offer a greater degree of connectivity to key services and facilities and employment opportunities and greater scope for sustainable forms of travel. The SGP anticipates a shift towards the provision of more future growth on strategic sites with the ability to plan for, and secure funding for associated infrastructure together with S106 developer contributions. Strategic sites are more likely to be appropriately located adjoining existing urban areas rather than in connection with existing villages in more rural settings unless they have the potential to form new freestanding settlements.
53. The spatial distribution needs to also be informed by further transport work and by the aspirations of infrastructure providers, including County Council infrastructure providers. So, exploring scope to utilise existing or anticipated spare capacity and siting potential allocations in areas where more than one community can be served.
54. Early reference in the Local Plan to the SGP is supported, however an issue that will ultimately need to be addressed is how the Local Plan will incorporate and/or respond to ongoing and planned work to support the SGP and the emerging Local Plans of adjacent districts in and around the SGP 'Priority Growth Corridor'. In particular, no reference is made to the Borough abutting the western end of the A46 Priority Growth Corridor with the cross-boundary implications of growth that will need to be considered, noting that this work could identify a need for significant changes to the Plan in transport terms. This

further emphasises the need for a Local Plan review policy within the Local Plan.

55. If the HNRFI is permitted and developed it is likely to have a very significant highways and transport impact and could have material implications for the deliverability of sites that will ultimately be included in the new Local Plan. It is therefore necessary that the Local Plan review policy is triggered should the HNRFI gain approval.
56. From the County Council's knowledge and involvement with the preparation of adjoining Local Plans (including Charnwood, Blaby and the City of Leicester), the following observations are likely to have material implications for arriving at a preferred strategy for the Hinckley and Bosworth Borough:
 - The A5 in the Hinckley area is already failing functionally, in terms of its capacity and disruption caused by the frequent rail bridge strikes. It is possible that without a strategic scale intervention, the corridor's ability to enable further growth will be significantly limited. Without such intervention, the impacts of growth would likely result in the displacement of traffic to far less suitable and appropriate routes within and around Hinckley and across the boundary in Warwickshire.
 - The M1 between Junction 21 and 21a and the Leicester Western Bypass from J21a around to the Hobby Horse roundabout at Syston (both parts of the Strategic Road Network – SRN) are also failing functionally. The highways impacts of any proposals for growth, especially towards the north east of the Borough, are likely to have a material impact on these parts of the SRN, which when combined with the cumulative impacts of growth proposed in adjoining areas, is likely to prove challenging, complex and costly to address.
 - Notwithstanding the proposed Major Road Network project on the A50/A511 corridor, there is evidence (emerging from other Local Plan work) to suggest that further measures are likely to be required along the corridor to ensure that it can continue to play its relevant role in enabling growth and in providing access to jobs and key services and facilities in the City of Leicester.

Other development strategy considerations

57. The absence of any formally published comprehensive transport evidence base and information about potential sites, means it is difficult to comment on whether policies are likely to be sufficiently robust in terms of dealing with the impacts of further growth in the Borough and seeking to secure funding.
58. The County Council would welcome the opportunity to work with Hinckley and Bosworth BC and other relevant partners to review jointly the evidence work to date; to support Hinckley and Bosworth BC in undertaking work to explore options for and pathways towards the delivery of required highways and transport mitigation measures; consider how this might impact on assumptions about potential sites to be included in the next version of the Plan; and also to review how this affects the contents of the Plan.

59. A coordinated, strategy-led approach will be required to address the transport challenges of seeking to accommodate further growth (housing and employment) in the Borough, one involving cross-boundary coordination and cooperation (within and without Leicestershire) and including National Highways (formally Highways England). The Local Plan needs to provide policies and text that underpin this approach and provide a robust basis for seeking developer contributions towards mitigating measures to address cumulative impacts within and without the Borough/ Leicestershire.
60. The emerging Local Plan's continued reliance on the Barwell and Earl Shilton SUEs as principal strategic sites for meeting the Borough's future housing growth requirements is noted, however development has yet to commence at either site. Furthermore, the draft Plan indicates that housing delivery across these two sites during the emerging plan period (i.e. 2020-2039) will be less than half the total allocated through the 2009 Core Strategy. Additionally, the draft Plan indicates that the total housing growth envisaged at the Earl Shilton is now significantly lower than the original allocation set out within the 2009 Core Strategy.
61. All of the above has potentially significant implications for:
 - The delivery of supporting transport infrastructure previously committed to through the 2009 Core Strategy.
 - The cumulative impacts of the Barwell/Earl Shilton SUEs when considered in conjunction with other planned (or potential future) developments within and without Hinckley and Bosworth Borough (recognising the substantial changes that have taken place in this respect since 2009).
 - In light of the preceding point, the specific transport infrastructure required to address these cumulative impacts.
62. The inclusion of updated policies for the two SUEs is required within the draft Plan.
63. There is a need for 'Doorstep' green spaces that provide 'wedges' and 'corridors' throughout development so that it has a cumulative impact for nature networks. This includes providing buffers between the A5 Growth Corridor employment and residential sites.
64. The ongoing review of the settlement hierarchy needs to consider implications of SGP "Priority Growth Corridor" and "A5 Improvement Corridor" in the identification of settlement roles in the future.
65. It is suggested that consideration is given to identifying Groby and Ratby in a separate 'Edge of Leicester Urban Area' category, given their much closer physical proximity and stronger transport links in comparison to other settlements across the Borough identified as 'key rural centres'.
66. Any new settlement should be of a scale that ensures it will contain a range of economic and social services and facilities that means it is likely to function as a true 'free standing'/largely self-contained community, or alternatively is

located close to existing urban areas (and associated services and facilities) in locations accessible via sustainable modes of travel.

67. From a transport perspective, it would be very helpful if the new Plan could at least identify (underpinned by evidence) the likely area of the Borough in which any new settlement may be located in the future. It would also be helpful if the Plan could set out the 'journey' by which proposals for the new settlement (and supporting measures and infrastructure) will be developed and how, in the meantime, any proposals that might come forward that could hamper or frustrate delivery of the new settlement, or potential infrastructure required to enable it, will be dealt with.
68. Access to green spaces within and adjacent to new settlements is very important and should look to provide new habitat as well as restoring and enhancing existing areas.
69. It is considered that Health Impact Assessments should also be undertaken on potential new settlements.

Transport

70. Policy HT01 (Highways and Transportation) is too generic and unlikely to provide a sufficiently robust basis for seeking developer contributions towards mitigating measures to address cumulative impacts within and without the Borough/Leicestershire. No reference is made in the text to the Strategic Road Network and the roles and responsibilities of National Highways . Also, it is considered that the policy wording uses phraseology that is inconsistent with that of the National Planning Policy Framework.
71. The emphasis on safe walking and cycling is welcome but it could also reference supporting infrastructure such as safe, secure cycle storage.
72. The Local Plan needs to set out how it will incorporate/respond to the Strategic Growth Plan (SGP) and the emerging Local Plans of adjacent districts in and around the SGP 'Priority Growth Corridor', noting that this work could identify a need for significant changes to the Plan in transport terms (e.g. transport mitigation measures identified to accommodate the Local Plan could be superseded by 'bigger' mitigation requirements to deal with wider growth identified through the SGP/adjacent Local Plans).
73. If the Local Plan is to be submitted prior to the conclusion of the SGP transport work, the County Council considers that it would need to include a policy setting out an appropriate review trigger/mechanism to ensure that the Plan is updated as necessary to reflect the outcomes of the SGP and adjacent Local Plans work as and when this emerges.
74. With regards to Policy HT04 (A5 Improvement Corridor) a specific policy on the A5 is welcomed but the wording is inconsistent with that used in the NPPF. It is unclear why just cumulative impacts of the corridor are covered. Given the poor functionality of the corridor, it is highly probable that even the impacts of a

single development could have a material impact. The County Council would welcome planning policy protection that could be afforded to seeking to safeguard the route's upgrade. Were the opportunity to be lost to achieve the route's upgrade, this would likely have a material impact on the ability to deliver any further growth.

75. Whilst the principle of an A5 specific policy is welcomed, it is not apparent from the way that it is presently drafted that its intention is to seek to safeguard land for the future strategic upgrade of the A5 through the Borough.
76. Regardless of the eventual preferred strategy, it is likely that a coordinated, strategy-led approach will be required to address the transport challenges of seeking to accommodate further growth (housing and employment) in the Borough, one involving cross-boundary coordination and cooperation (within and without Leicestershire) and including National Highways . The County Council, in particular in its role as the Local Highway Authority (LHA), would expect the Plan to provide policies and text that underpin this approach and provide a robust basis for seeking developer contributions towards mitigating measures to address cumulative impacts within and without the Borough/ Leicestershire.

Costs, viability and developer contributions

77. The cost associated with addressing these challenges could be significant – especially where delivery of growth is reliant on addressing issues on the Strategic Road Network (including the M1, A5 and A46). Should it be that the costs of addressing issues were to rest solely with developers, there is a risk that this would render the Plan unviable. It will be important, therefore, for Hinckley and Bosworth BC to work jointly with the LHA, National Highways and other highway authorities as necessary (e.g. Warwickshire County Council) to continue to develop evidence that identifies the impacts of the Plan's proposals for growth; to identify the mitigating measures and infrastructure to enable that growth; and to identify and agree with the highway authorities appropriate delivery pathways and potential funding sources.
78. What is agreed will be reflected in the Plan in terms of a narrative for the infrastructure delivery 'journey' that the strategic highway authorities are on and the co-ordinated, strategy-led approach required towards the development and delivery of projects. In this context, there is a notable absence of any specific reference to the need for developer contributions towards addressing cumulative and cross-boundary impacts and associated infrastructure requirements within either the proposed infrastructure and delivery policy or supporting text.
79. Furthermore, the suggestion that 100% affordable housing schemes proposed and supported with Affordable Housing Grant from Homes England should be exempt from providing other planning contributions is opposed. The residents of these properties will still require access to local infrastructure, and it will fall to other organisations such as the County Council to pay for this infrastructure out of public money as opposed to the developer. For example, some types of

affordable housing may generate increased pupil yield compared to market housing, and in the absence of developer obligations, a lack of funds for education infrastructure may lead to a deficiency of school places. The County Council strongly recommends that this be removed as any such requests should be subject to viability testing in the same way as all developments.

80. Reference in the Local Plan to the requirements in the County Council's Planning Obligations Policy (July 2019) needs to be made so that other infrastructure such as public health is not overlooked.

Education

81. The Draft Plan, at this stage, provides insufficient detail to respond fully regarding specific education infrastructure required and the County Council would welcome the opportunity to discuss the draft allocations at the earliest opportunity to crystallise the potential educational infrastructure requirements.
82. A number of existing schools within the Borough are currently operating at the upper limit of their site capacity and may not be able to provide school places which would arise from the allocation of substantial housing growth, particularly some of the smaller village schools.
83. The Plan should make provision to secure additional land for expansion of existing schools, or sites for additional schools in the area, with suitable scale of development to ensure the viability and sustainability of new schools (700 dwellings for primary, 4500 for secondary), along with suitable financial contributions.
84. Wherever possible new Special Educational Needs and Disabilities provision will be attached to existing or new primary or secondary schools in the locality, accepting there will be circumstances where pupils with specialist needs may need to attend schools further afield.
85. From an Early Years perspective, it is expected that new provision will be developed in each locality, either attached to schools or placed separately in community hubs.
86. Reserved sites for expansion of existing, or the construction of new schools will need to reflect statutory guidance from the Department for Education regarding reasonable walking distances from home to school of two miles for primary pupils and three miles for secondary pupils.
87. The County Council has a statutory duty to provide every child with a school place. The draft Local Plan recognises that school's function best when placed at the heart of the communities they serve. This connection is particularly important as, by ensuring pupils are educated in their local communities, support can be more easily given into local employment and progression beyond, and it can help with the transition into healthy and participatory adulthood.

Place Making and Design

88. The County Council recognises the role high-quality design can play, though long-term maintenance can be an issue, so those promoting non-standard materials or elements need to also include a strategy for long term maintenance.
89. The Local Plan should more strongly articulate the need for Electronic Vehicle charging points to be a standard feature of all new developments and should specify what high quality in design means for nature.
90. Active travel, air quality and accessibility are all considered, but a design that truly improves health and wellbeing of residents needs to have a wider lens than just active design, include the impact of design by the wider determinants of health.

Housing

91. The proposed housing mix needs to accord with currently available housing needs information and be applied to all major developments, meeting nationally described space standards for all new dwellings.
92. A Strategic Health Impact Assessment (HIA) led by Public Health and supplemented by rapid targeted HIA on planning applications would bring together considerations around how development will affect a person's mental health, access to services, education and many more factors.
93. It is considered that there is a current lack of specifics with regards to models of specialist accommodation for older people with vulnerabilities which offer an alternative to residential care homes.
94. Housing density should be pitched at a level that provides a good quality of life for future occupants whilst delivering an economic return to the developer/landowner sufficient to secure the delivery of the housing.
95. The avoidance of clustering of affordable housing is welcome and would make more sense to locate accessible dwellings on larger sites as close as possible to existing or planned public/passenger transport routes and stops, to minimise walking distances and thereby maximise the ability of accessible housing occupants to use these services.
96. The estimated need for affordable housing seems to have been informed by Housing Needs Study (2019), but there is no mention of how the pandemic and the long-term effects (particularly financial) may have/will exacerbate this need.
97. Planning Obligations Paragraph 7.32 states that 100% affordable housing proposals where grant are sought from Homes England will be exempt from all other infrastructure requirements. The residents of these properties will still require access to local infrastructure, and it will fall to other organisations such as the County Council to pay for this infrastructure out of public money as

opposed to the developer. The County Council strongly recommends that this be removed as any such requests should be subject to viability testing in the same way as all developments.

98. Gypsy, Traveller and Showpeople sites should be included in the local plan and consideration given to providing socially rented pitches or at least a proportion of new pitches to be socially rented, and that if the Local Plan fails to deliver new private pitches further socially rented pitches would be considered.

Economic Prosperity

99. It is difficult to respond to how best deliver the necessary employment land and premises required to meet the identified need, in the absence of an identified employment need or potential site options for meeting this need.
100. The Local Plan recognises the need to encourage economic growth and aspires to meet the demand for high quality premises across the whole borough. It also recognises the likely need to address some of Leicester City's unmet employment needs for which additional allocations should be made in accordance with the SoCG.
101. Policy EP01 (Scale and distribution of new Employment Sites) correctly identifies transport as key factor in deciding the best locations for new 'strategic' employment development and so the County Council would welcome the opportunity to engage/input to the appraisal of sites for potential inclusion in the emerging Local Plan. The Plan should be underpinned by an evidence base that assesses the impacts of potential employment sites and identifies appropriate mitigation, including to address cumulative impacts.
102. A5, M1 J21 and J21a in the Hinckley area and Leicester Western Bypass from J21a around to the Hobby Horse roundabout at Syston are already failing functionally. It is possible that without a strategic scale intervention, the ability to enable further growth will be significantly limited and likely to prove challenging, complex and costly to address. On the A50/A511 corridor, further measures are likely to be required along the corridor to ensure that it can continue to play its relevant role in enabling growth and in providing access to jobs and key services and facilities in the City of Leicester.
103. The process of identifying future strategic distribution needs and locations through the Local Plan will need to consider how such needs and locations might be influenced by the SGP and associated growth in neighbouring Local Planning Authorities.
104. HNRFI will be subject to the (NSIP) process. It is surprising that the Plan does not include or suggest the need to include in its next version, a Policy in respect of triggering a review of the Plan should the HNRFI gain approval.

Town Centres

105. The Local Plan is very focussed on retail and there is no acknowledgement of a shift to on-line retailing and therefore town centres need to adapt and become places/centres that people visit not just for shopping, but for events and other leisure activities.
106. The County Council is supportive of the policy approach that helps to regulate any changes of use where this is likely to significantly reduce access to key services or facilities via sustainable modes of travel, and could thereby adversely affect the sustainability of an existing settlement and/or wider planned development.
107. Whilst protecting employment uses wherever feasible and economically viable, the Policy should be made as flexible as possible to maximise the potential for premises/areas to remain in a beneficial economic use within the general Class E (Commercial, Business and Service) use. Any potential change of use should require a Health Impact Assessment.

Communities, Leisure and Tourism

108. Reference should be made to the Leicester and Leicestershire Tourism Growth Plan, the impact of the pandemic on the sector or the importance that the sector plays in the economy.
109. The inclusion and acknowledgement of the importance of Neighbourhood Plans is welcomed.

Heritage and Conservation

110. Reference needs to be made to the Heritage Action Zone status of Hinckley Town Centre.

Natural Environment

111. The Local Plan draws heavily for its evidence base on the Hinckley and Bosworth BC Green Infrastructure Strategy 2020. The document is lacking in vision and depth with regards to biodiversity and is based on a partial evidence base that excludes many natural assets. It is considered that the evidence base (as regards biodiversity) is not fit for purpose of informing the Local Plan.
112. There is no objection to the general approach/principle of the planned green wedges but limits of development should be reviewed in advance of the designation being made in order not to sterilise potential sustainable development, the benefits of which would significantly outweigh any harm to the integrity of the settlements protected by the green wedge.
113. It is considered that Policy NAT08 (Enhancing Biodiversity and habitat connectivity) is not completely in accordance with the NPPF or with the emerging Environment Bill. The Policy should be aligned to the mandatory

requirement and require 10% net-gain for major and minor development with 'additional biodiversity gains measures' better defined.

114. The impact of proposed options for redressing biodiversity loss is minor and is not going to solve rapid biodiversity decline. The Plan fails to address creation of large connected networks of habitat to facilitate resilience and adaptation to the impacts of climate change.
115. The Upper Soar as a site for biodiversity enhancement should be referred to, and consideration should be given to designation of Local Wildlife Sites (LWS) linking up priority habitats and features.
116. Mature plantation woodlands within the Borough which have huge biodiversity and landscape value need to be included in policy. Also consider contributing to Green Infrastructure aspiration to increase tree cover in the Western and Southern Green Infrastructure (GI) Zones, an offsetting site or sites should be sought in these areas.
117. With regards to the reference to protecting Biodiversity, specific wording on the River Mease is required.

Waste

118. Waste facilities are deemed as critical infrastructure in the Plan and the County Council is supportive of this. There is concern however, that the County wide impact of development does "...not have any bearing on decisions around which settlements are able to accommodate growth." Some waste facilities operated by the County Council would be directly affected, greatest impacts at Barwell, Coalville and Whetstone Recycling and Household Waste Sites and the Bardon and Whetstone Waste Transfer Stations. Where effects of the household waste generated by developments cannot be managed within the infrastructure provided within that development then appropriate Developer Contributions should be provided to ensure capacity can be maintained at Council sites, as per the Council's Planning Obligations Policy document (July 2019).
119. Given that waste has significant environmental impacts (such as, but not limited to, the carbon impact from waste being sent to landfill) increasing the scope of how waste would be managed from developments should be promoted. Therefore, wider consideration should be given to:
 - Minimising waste arisings from residential developments;
 - Ensuring residential developments designed to allow the effective segregation of recyclables and waste;
 - Commercial premises accommodating 'reverse vending machines'.

Minerals

120. There are four existing mineral sites in the Borough that the County Planning Authority considers to be of strategic importance and should be safeguarded in line with Policy M12 of the Leicestershire Minerals and Waste Local Plan. The

prevention of mineral sterilisation needs to be taken into account in site allocations.

Comments from the County Council as a landowner

121. The comments of Strategic Property Services representing the County Council's landowner interests largely align with and are incorporated within this report. However, from a landowner perspective there was a strong preference for a buffer of 20% to be included within the scale of housing in order to give the Local Plan greater resilience. In addition, given the spatial objectives outlined in the draft plan it is considered that priority should be given to the delivery of an SUE to the North of Hinckley, which from the County Council's perspective as a landowner was the preferred option detailed in the earlier Directions for Growth consultation, as it would deliver housing and additional community infrastructure, such as schools, in a location close to key services, employment opportunities and other community facilities.

Equality and Human Rights Implications

122. There are no equality and human rights implications arising from the recommendations in this report. Hinckley and Bosworth BC is working with the County Council and with other partners in the L&L HMA to provide for the homes and jobs required in the future.

Environmental Implications

123. The County Council will continue to work closely with Hinckley and Bosworth BC and other partners to minimise the impact of the planned growth on the environmental assets of Leicester and Leicestershire.

124. The impact upon the environment is a key consideration in all planning decisions made within the context of an approved or emerging Local Plan, and the County Council will seek to ensure that opportunities are taken to enhance the environment through biodiversity net gain and sustainable forms of development.

Partnership Working and Associated Issues

125. The County Council works closely with the Leicester and Leicestershire Strategic Planning Partnership, which includes Leicester City Council, the seven district councils in Leicestershire and the Leicester and Leicestershire Enterprise Partnership. A strengthening of partnership working is sought to deal with the transport challenges which require a strategy-led approach with multiple partners, both in Hinckley and Bosworth Borough and the wider area.

Background Papers

Report to Council on 6 December 2017: Strategic Plan and Single Outcomes Framework

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=134&MId=5104&Ver=4>

Report to the Cabinet on 23 November 2018: Leicester and Leicestershire Strategic Growth Plan – Consideration of Revised Plan for Approval

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=4603&Ver=4>

Minutes of the County Council meeting held on 15 May 2019 (10 (a) Climate Emergency)

<http://cexmodgov1/ieListDocuments.aspx?CId=134&MId=5112>

Report to the Cabinet on 29 March 2019: Response to Consultation on Hinckley and Bosworth Borough Council's Local Plan Review: New Directions for Growth

<https://bit.ly/3iQbGoD>

Report to the Cabinet on 20 November 2020: Leicester and Leicestershire Strategic Transport Priorities 2020 to 2050

<http://politics.leics.gov.uk/ieListDocuments.aspx?MId=5999>

Report to the Cabinet on 22 June 2021: Urgent action taken by the Chief Executive in relation to the Leicester and Leicestershire Statement of Common Ground relating to housing and employment land needs (March 2021)

<http://politics.leics.gov.uk/ieListDocuments.aspx?MId=6444>

Appendix

Appendix: Leicestershire County Council Officer Comments on Hinckley and Bosworth Draft Local Plan (Regulation 18) Consultation

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