

HINCKLEY AND BOSWORTH LOCAL PLAN (2006 – 2026): SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES DEVELOPMENT PLAN DOCUMENT – PRE-SUBMISSION MODIFICATIONS



REPORT OF THE DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)

WARDS AFFECTED: ALL WARDS

1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to seek endorsement from Executive to consult on the Site Allocations and Development Management Policies Development Plan Document (DPD) Pre-Submission Modification, Sustainability Appraisal Addendum, and supporting documents in accordance with the Town and Country Planning Regulations (Local development) (England) 2004 (as amended). It also seeks endorsement for the subsequent submission of the DPD to the Secretary of State for Examination in Public. Copies of the documents are available to view in the Members room.

2. RECOMMENDATION

2.1 That Executive;

- (i) Review and endorse the publication of the pre-submission modifications of the Site Allocations and Development Management Policies DPD, and Sustainability Appraisal including addendum, due for consultation for approximately 8 weeks during the period 08 December 2014 to 30 January 2015 in accordance with the Town and Country Planning Regulations (Local Development) (England) 2004 (as amended).
- (ii) Note and agree the planned submission of the Site Allocations and Development Management Policies DPD including Modifications, sustainability appraisal including addendum, Statement of Consultation Responses and supporting documents to the Secretary of State for Examination in Public following analysis of the representations received during the consultation period.

3. BACKGROUND TO THE REPORT

- 3.1 The overarching strategy for Hinckley and Bosworth Local Plan (2006 – 2026) is the adopted Core Strategy (December 2009). This sets out the spatial objectives, directions for growth, long term vision and strategic core policies for the borough and forms the basis for subsequent development plan documents. The intention to prepare the Site Allocations and Development Management Policies DPD to allocate individual sites is set out within the Core Strategy.
- 3.2 The Site Allocations and Development Management Policies DPD must be in conformity with the adopted Core Strategy. The DPD contains key planning policies for use in day-to-day decision making on planning applications such as design guidance, conservation and protection of open spaces. It allocates land for specific uses such as housing, employment, retail, various typologies of open space, and community uses in accordance with the provisions set out within the Core Strategy and to reflect the adopted evidence. All of the evidence bases are available to view on the Borough Council's website (www.hinckley-bosworth.gov.uk).

- 3.3 In January 2014 Council approved for Consultation the Pre-submission version of the Site Allocations and Development Management Policies DPD along with the Sustainability Appraisal and supporting documents. This consultation took place for a period of 6 weeks from 17 February 2014 to 31 March 2014. In light of the representations received it is necessary to make modifications to the DPD in order to reduce the possibility of the Planning Inspector finding the document unsound when it is considered at examination. Due to the nature of those changes it is necessary to consult upon the modifications proposed. For clarity representations will only be accepted where they relate to a proposed modification and not to any other element of the DPD which does not form part of this consultation exercise.
- 3.4 A full list of modification, including the reasons for these changes, are available to view in the Members room, however below is a brief summary of the modifications (this list is not exhaustive);
- Higham on the Hill – Housing Allocation HIG02 to be deleted
 - Sheepy Magna – Housing Allocation SHE02 to be deleted
 - Sheepy Magna – Housing Allocation for 13 dwellings on Trout Pond Farm to be added
 - Hinckley – Housing Allocation for 40 dwellings at 390 Coventry Road to be added
 - Hinckley – Strategic Allocation SA1 and HIN02 to be amended to 850 dwellings
 - Hinckley – Housing Allocation HIN05 for 57 dwellings at land west of Nutts Lane and south of railway line to be deleted
 - Hinckley – Housing Allocation HIN03 for 17 dwellings at land to the south east of Wykin Park South to be deleted
 - Hinckley – Housing Allocation for 10 dwellings at the former Manchester Hosiery site on Southfield Road to be added
 - Hinckley – Housing Allocation for 56 dwellings at Dennis House, Hawley Road to be added
 - Burbage – Housing Allocation BUR02 to be replaced with a strategic policy for a mixed use scheme to include a minimum of 46 dwellings, employment and retail (A1 – A5)
 - Settlement Boundaries – Settlement boundaries to be amended to reflect permissions granted.
 - Amendment to text relating to Barwell and Earl Shilton
 - Amendments to Development Management Policies and accompanying text to ensure soundness, clarity
 - Policies Plan updates to map permissions up to 1 September 2014
 - Amendments and additions to Policies Maps
 - Bagworth – A strategic policy to be inserted to cover the Dunlop Site on Station Road in Bagworth for mixed use as the permission on this site has expired.
- 3.5 A Sustainability Appraisal Addendum has been prepared as the original Sustainability Appraisal was not explicit enough in identifying how allocated sites have been selected when compared against the reasonable alternatives. The Sustainability Appraisal Addendum will be prepared to reflect this assessment more clearly and will be consulted upon along with the modifications to the DPD prior to being submitted to the Secretary of State.
- 3.6 It is intended to consult on the pre-submission Modifications on the Site Allocations and Development Management Policies DPD for a period of 8 weeks from **Monday 08 December 2014 to 5pm on Friday 30 January 2015**. After this consultation period, a Government inspector will assess the document at a public examination to

make sure that it has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it has passed the four tests of soundness. These four tests are contained within the National Planning Policy Framework (NPPF) and are to ensure that the plan is:

- **Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

3.7 When making representations on the Pre-submission modifications, the representations should focus on explaining in what way:

- The Council has not followed the correct legal procedures (e.g. been produced in line with the proper regulations); or,
- The Proposed Submission document has failed one or more of the tests of soundness. This could be one or more parts of the document and representations should identify the changes needed to make it sound.

4. FINANCIAL IMPLICATIONS [SJE]

4.1 Any costs arising from the consultation are expected to be met within existing budget allocations. Therefore, there are no financial implications arising directly from this report.

5. LEGAL IMPLICATIONS [MR]

5.1 Set out in the report

6. CORPORATE PLAN IMPLICATIONS

6.1 The Site Allocations and Development Management Policies DPD supports the following aims of the Corporate Plan 2013 – 2016:

- 1 Creating a vibrant place to work and live
- 2 Empowering communities
- 3 Supporting individuals
- 4 Providing value for money and pro-active services

7. CONSULTATION

7.1 The production of the Site Allocations and Development Management Policies document has been based on ongoing consultation with the local community and key stakeholders. A wide range of comments were received during the public

consultation exercises in November 2003 to December 2003 on the LDF Issues Papers – ‘A vision for our future’ and ‘The Shape of Things to Come’ during summer 2005. In August-September 2007 the Site Allocations and Generic Development Control Policies Issues and Options Papers were consulted upon. These papers set out a number of issues and options for comment and respondents were also invited to submit further issues facing the Borough and additional sites.

- 7.2 In 2009 the Borough Council undertook an eight week public consultation on the Preferred Options version of the document which, at the time, was called the Site Allocations and Generic Development Control Policies DPD. Throughout this consultation period the Borough Council undertook many public consultation workshops and exhibitions to explain the proposals to members of the public and as a result the Council received 13,500 representations to the document. All of the representations received were reviewed and summarised in the Statement of Consultation Responses (July 2011) and have been taken into account while producing the pre-submission version.
- 7.3 The Pre-Submission version of the Site Allocations and Development Management Policies DPD was consulted upon for a period of 6 weeks from 17 February 2014 to 31 March 2014. A total of 286 representations were received during this consultation period. In light of some of the responses received, modifications are required to the plan in order to ensure that the content is sound prior to submission to the Secretary of State. The modifications required are not minor so a further period of consultation on the modifications is required prior to submission to the Secretary of State.

8. RISK IMPLICATIONS

- 8.1 It is the Council’s policy to proactively identify and manage significant risks which may prevent delivery of business objectives.
- 8.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer’s opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.
- 8.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Consultation not undertaken in conformity with the statutory requirements.	Ensure consultation is undertaken with the Statement of Community Involvement (SCI)	Policy and Regeneration Manager.
Publication of the DPD legally compliant and conforms to the ‘Test of Soundness’.	Undertake legal compliance self-assessment prior to submission of the DPD to the Secretary of State.	Policy and Regeneration Manager.
Risk of speculative planning applications.	Proceed with the finalisation of the DPD in accordance with the recommendation of this report.	Policy and Regeneration Manager.

9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

- 9.1 The Site Allocations and Development Management Policies DPD addresses the needs of both urban and rural areas equally and is in conformity with the spatial

strategy of the Core Strategy. The balance of green spaces has been considered and where deficits exist, whether rural or urban, this document seeks to secure provision for the future. The policies also aim to safeguard and preserve; community facilities, cultural and tourism facilities, the countryside, open space, sport and recreational facilities, natural and semi-natural open space. Policies also aim to support the provision of new employment within suitable locations which are defined within the policy. There are policies relating to protecting and enhancing the Historic Environment and relating to heritage assets.

10. CORPORATE IMPLICATIONS

10.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications – None arising from this report
- Environmental implications – Contained within the Sustainability Appraisal
- ICT implications – None arising from this report
- Asset Management implications – Contained within the DPD, Council owned land has been allocated for development.
- Human Resources implications – None arising from this report
- Planning Implications – Contained within the body of the report
- Voluntary Sector – None arising from this report.

Background papers: Site Allocations and Development Management Policies DPD Pre-submission report
Site Allocations and Development Management Policies DPD Pre-submission Modifications Schedule including maps
Sustainability Appraisal
Sustainability Appraisal Addendum
Site Allocations and development Management Policies DPD Pre-Submission Statement of Consultation Responses.
(All the above documents are available to view in the Members Room)

Contact Officer: Sally Smith x5797

Executive Member: Councillor Bray