



Hinckley & Bosworth Borough Council

Forward timetable of consultation and decision making

Scrutiny Commission 18 November 2021
Council 30 November 2021

Wards affected: All Wards

Hinckley and Bosworth Local Plan 2020 to 2039 – Submission

Report of Director (Environment & Planning)

1. Purpose of report

- 1.1 To update members on progress on the preparation of the emerging Local Plan and to present the housing and employment land allocations proposed for inclusion in the submission version of the Local Plan.

2. Recommendation

- 2.1 That Members note the contents of the report and the progress made on the Councils emerging Local Plan.

3. Background to the report

- 3.1 The current adopted development plan for Hinckley and Bosworth Borough Council consists of the:

- Hinckley and Bosworth Core Strategy (December 2009)
- Site Allocations and Development Management Policies (July 2016)
- Hinckley Town Centre Area Action Plan (March 2011)
- Earl Shilton and Barwell Area Action Plan (September 2014)

- 3.2 The Development Plan is moving towards the end of its plan period of 2026, and the housing policies contained within it are now generally considered out of date because the housing target set out in the plan is derived from the now abolished Regional Spatial Strategy - although the target of 450 new homes per year is similar to the current target of 444 derived from the Governments standard method. The development allocations in the current development

plan have, on the whole, come forward and been developed or benefit from planning consent. The main exceptions are the two Sustainable Urban Extensions at Barwell and Earl Shilton.

- 3.3 In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 ('the regulations') and paragraph 33 of the National Planning Policy Framework (NPPF) the Council is required to review its Local Plan at least every five years. The current development plan as set out above is now more than five years old and the plan now needs to be updated. Furthermore in March 2020 government set a deadline of December 2023 for all councils to have up-to-date Local Plans in place.
- 3.4 It is therefore appropriate that the Council move towards putting in place a new plan for the area. Once the new plan is adopted it will replace the adopted development plan documents listed above and will ensure that sufficient provision is made to accommodate growth in the borough and set out policies against which decisions on planning applications are made.
- 3.5 The NPPF (paragraphs 31 & 32) states that local plans should be underpinned by relevant and up to date evidence and informed by sustainability appraisal during their preparation. The NPPF also states (paragraphs 26 & 27) that effective and ongoing joint working between strategic policy making authorities and relevant bodies is integral to the production of justified and positively prepared strategies for local plans, and that this should be demonstrated through the preparation of statement(s) of common ground.
- 3.6 Furthermore Local Plans should be prepared with the objective of contributing to the achievement of sustainable development, be prepared positively in a way that is aspirational but deliverable, and be shaped by engagement and consultation with the public and stakeholders (NPPF, paragraph 16).
- 3.7 The Plan must contain strategic policies to address the priorities for the development and use of land in the borough, including housing and employment requirements, infrastructure, community facilities and the conservation and enhancement of the natural, built and historic environment. Plans should also include measures to address climate change mitigation and adaptation (NPPF paragraph 20).
- 3.8 The next stage of the development of the local plan is to finalise the draft plan and publish a pre-submission version of the plan prior to submission to the Secretary of State for independent examination.

Progress so far

- 3.9 The Local Plan has been prepared in consultation with the public and other stakeholders. In accordance with regulation 18 of the regulations consultation was held on a Scope, Issues and Options Paper in January to March 2018. This paper set out the potential scope of the local plan, a summary of the planning issues in the borough and a range of options on how the plan could

respond to those issues. A focused follow up consultation exploring several issues and options was held in January to March 2019 ('The New Directions for Growth consultation').

- 3.10 Following on from these earlier consultations a draft plan was published for consultation in June-August of this year. This draft plan set out a preferred strategy to accommodate growth in the borough up to 2039, alongside a set of draft policies to address the strategic planning priorities of the borough and against which planning applications would be assessed. The plan did not at that stage set out any specific preferred allocations of land to accommodate future housing and economic growth.
- 3.11 Around 170 individual responses were received through the consultation from a range of respondents including members of the public, developers and landowners, parish councils and other stakeholders such as National Highways, the Environment Agency, Leicestershire County Council and neighbouring Local Authorities.
- 3.12 Seven public consultation events were also held at various locations across the borough where officers were present to discuss the plan and answer any queries and questions. Around 350 people attending these events.
- 3.13 The outcomes of the consultation have helped revise the plan ready for the next stage in its development –consultation and submission of the draft plan. A number of key themes and issues were highlighted through the recent consultation and these are summarised below. A Consultation Statement will be published alongside the pre-submission draft plan which sets out in detail the representations received on the draft plan throughout its development and how the preparation of the plan has responded to those representations.
- 3.14 Many of the responses set out suggested minor changes to the vision, objectives and policies within the plan and for further clarity on various issues. In addition a number of key themes and issues emerged from the Consultation
 - Concern that the local plan is progressing ahead of the publication of sound evidence on highway impacts and mitigation
 - Leicestershire County Council concerned they do not feel they have been sufficiently involved in the preparation of the plan
 - That a housing requirement based on the standard method and a 10% buffer would be insufficient to provide sufficient houses in the borough to meet the boroughs own needs, allow for flexibility in delivery and also to contribute to the identified unmet housing need arising in Leicester City
 - That several policies need further justification and evidence in terms of viability and whether they are appropriate – including the policies on internal space standards, self-build housing, electric vehicle charging and tree cover on new developments
 - That a trigger/review policy is needed to set out how the plan will be reviewed once further information is available on Leicester's unmet

housing need, the outcome of the Hinckley National Rail Freight proposals, and other issues which may arise

- New development must be supported by improvements to services and facilities – health care and road infrastructure in particular

- 3.15 In response to the consultation amendments have been made to the plan, such as to revise policy wording, where considered appropriate. In response to some of the key points highlighted above additional work is ongoing on highways impacts, viability of policies and infrastructure requirements to support new development. This evidence will help support the plan as it progresses to submission. The revised draft plan now includes a trigger policy to set out how it will respond to unmet need arising from Leicester – this is an approach established in other local plans in Leicestershire. This will also be relevant if the housing provision in the plan falls short of that required once the scale of Leicester’s unmet need is fully established. Leicestershire County Council have been involved in the preparation of the local plan in particular with regard infrastructure provision and highways and transportation. Officers from HBBC and LCC continue to meet to discuss these matters in the preparation of additional evidence to support the plan.
- 3.16 A wide range of detailed evidence reports and studies on various topics/areas have been produced to support the strategy and policies of the plan. The evidence base documents are published on the councils website. Several areas of evidence are still in development – principally related to infrastructure and plan viability and highways/transport as noted above. Sustainability appraisal has also been undertaken continuously throughout the preparation of the plan. A final draft sustainability appraisal report is currently being prepared to support the submission version of the plan.
- 3.17 The next stage in the preparation of the plan is the publication of the pre-submission draft plan for consultation. The following section summarises the content of the draft plan.

The Pre-Submission Draft Plan

- 3.18 In summary the Pre-submission draft plan will contain the following sections/policy areas:
- 3.19 Vision and objectives – The plan establishes a vision for the Borough setting out how it will change and develop up to 2039 and that it will be home to a flourishing, healthy and vibrant community. A number of objectives, under the key themes of people, place and prosperity, are set out to show how the plan will respond to the key issues in the borough and how the plan will aim to address those issues and help achieve the plan vision.
- 3.20 Spatial Development Strategy – the plan sets out a strategy of focusing growth mainly within the urban area of the borough along with limited proportional growth in rural settlements to help maintain valuable services and facilities in the rural area. The strategy establishes a hierarchy of settlements based on the role and function they have in the borough. With regard to

housing growth the strategy sets out that the plan will accommodate the housing needs of the borough including some flexibility in delivery as well as a contribution to accommodating unmet need in Leicester. This represents a proactive approach by the borough to helping address unmet housing need from elsewhere in Leicestershire in advance of an agreed approach to addressing this issue at a sub-regional level.

- 3.21 Climate change – This section of the plan sets out how the borough will respond to the challenge of climate change mitigation and adaptation through policies supporting renewable and low carbon energy and sustainable drainage, alongside policies tackling flood risk
- 3.22 Place Making and Design – The section of the plan focuses on improving the visual quality, amenity and place making of the borough including policies on good design, active spaces, open spaces and reducing pollution
- 3.23 Housing – The plan allocates land for housing development and policies concerned with the quality and type of housing to be provided such as internal space standards, housing density, affordable housing and self-build housing.
- 3.24 Economic Prosperity – The plan also allocates land for employment use and sets out policies on existing employment locations and education and skills.
- 3.25 Town Centres – This section sets out policies on the vitality and viability of our town centres, as well as policy to manage the provision of hot food takeaways and betting shops. It also highlights that further work is being undertaken on the future strategy for Hinckley Town Centre
- 3.26 Communities, Leisure and Tourism – The plan recognises the importance of community, leisure and tourism facilities and includes policies to support their retention and sustainable growth, including supporting the growth of Twycross zoo as a visitor destination and centre of research. The plan also includes policy to support the retention and where appropriate diversification of pub uses.
- 3.27 Heritage and Conservation – The plan highlights the importance of our historic environment for its cultural, social, environmental and economic value. Policies set out how we will support the conservation and enhancement of our heritage assets.
- 3.28 Natural Environment – This section of the plan sets out the strategy for managing the natural environment in the borough. It includes planning policies related to green infrastructure, trees and new tree planting, the National and Charnwood Forests, biodiversity, and landscape character.
- 3.29 Transport - The plan refers to the importance of sustainable transport measures, highway safety and sets out policy on parking standards for new development. Policy also sets out the requirement for the provision of electric vehicle charging infrastructure for new development.

- 3.30 Infrastructure – This section sets out the approach to securing infrastructure to support new development
- 3.31 Sitting alongside the above the plan will contain allocations of land which will be shown on a Policies Map. The proposed list of allocations and a map are included as an annex to this report.

Next steps and outstanding tasks

- 3.32 As noted above the next stage is the publication of the pre-submission draft plan for public consultation. Following this the plan and all the representations received on the plan are submitted to the Secretary of State for examination.
- 3.33 The local plan that is published for pre-submission consultation should be the plan that the council considers to be the final plan and that which it wishes to submit to the Secretary of State for examination. The council must submit a plan that it considers to be sound. Whilst it is possible to make minor modifications to the plan following consultation any major modifications will need to be tested through sustainability appraisal and subject to further consultation prior to submission for examination.
- 3.34 At this stage the consultation is on the ‘soundness’ of the plan rather than on alternative options. Plans are sound (NPPF paragraph 35) if they are
- a) Positively prepared – they provide a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground;
 - d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the NPPF and other statements of national planning policy, where relevant.
- 3.35 The regulations governing local plans state that consultation on a submission draft plan must be for a period of six weeks, with no flexibility to amend this time period. It is recommended that should members wish to publish the plan for consultation that the consultation period does not commence until January 2022 to avoid the Christmas holiday period and to allow all stakeholders sufficient time to respond to the plan.
- 3.36 Once the plan is submitted to the Secretary of State (regulation 22) the timetable of the subsequent stages is heavily dependent on the Planning Inspectorate.

Stage	Target date
Public consultation on submission Draft Plan (Regulation 19)	January-February 2022
Submission to Secretary of State (Regulation 22)	March 2022
Estimated programmed date for examination	August 2022
Programmed date for adoption	January 2023

4. Financial implications [CS]

4.1 None arising directly from this report.

5. Legal implications [MR]

5.1 Set out in the report.

6. Corporate Plan implications

6.1 People

- Help people to stay healthy, be active and feel well
- Recognise diversity and celebrate what unites us
- Take measures to reduce crime and antisocial behaviour and protect people from harm

Places

- Keep our borough clean and green
- Make our neighbourhoods safer
- Protect and improve our parks and open spaces for everyone across the borough
- Improve the quality of existing homes and enable the delivery of affordable housing
- Inspire standards of urban design that create attractive places to live
- Support and celebrate our cultural and heritage facilities and events for the benefit of residents and businesses a like

Prosperity

- Boost economic growth and regeneration by encouraging investment that will provide new jobs and places to live and work all over the borough
- Support the regeneration of our town centres and villages
- Support our rural communities
- Work with partners to raise aspirations of residents and provide opportunities for training, employment and home ownership
- We will support our tourism partners in promoting our local attractions

7. Consultation

- 7.1 Consultation will be undertaken on the pre-submission plan for a six week period, this fixed timescale is set out in the regulations. All individuals and organisations on the consultation database will be informed and invited to comment. The consultation will be advertised through social media and the Council website. Parish Councils, the County Council and statutory organisations will also be invited to comment. It is suggested that should members wish to publish the plan for consultation that consultation does not commence until January to avoid the Christmas holiday period and to allow all stakeholders sufficient time to respond to the plan.

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 these report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Representations received to Regulation 19 consultations are significantly higher than what is anticipated or previous consultations	A high or higher than anticipated volume of representations may result in delay to the submission of the plan.	Director of Planning
DLS 44 Five year housing land supply: failure leads to speculative unplanned housing developments plus additional costs incurred due to planning appeal process	Member engagement/training has taken place Regular Member briefings at Planning Policy Member Working Group Quarterly update reports to Planning Committee regarding strategic housing developments	Director of Planning

9. Knowing your community – equality and rural implications

- 9.1 The Local Plan is relevant to all communities within Hinckley and Bosworth borough. Once the plan is submitted for formal Examination it will be accompanied by an Equality Impact Assessment.

10. Climate implications

10.1 The borough's new Local Plan to 2039 will need to reflect legislation and national planning guidance on Climate Change as well as the council's own ambitions. It will include a specific section on Climate Change with distinct policies on Mitigation and Adaptation to Climate Change, Flood Risk, Sustainable Urban Drainage Systems and Renewable and Low Carbon Energy. There are also climate change relevant policies under the Transport Theme (EV Charging) and Green Environment (Biodiversity). In addition, adapting and mitigating climate change is a key theme that runs throughout the other policies where appropriate. The whole plan will be subject to a Climate Change Assessment to ensure all possible opportunities to respond to climate change challenges have been taken and identify any gaps still to address.

11. Corporate implications

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

- Community safety implications
- Environmental implications
- ICT implications
- Asset management implications
- Procurement implications
- Human resources implications
- Planning implications
- Data protection implications
- Voluntary sector

Background papers: Annex 1 - List and map of proposed local plan allocations

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