



Hinckley & Bosworth
Borough Council

Hinckley and Bosworth Borough Council

**Strategic Housing and Economic Land Availability
Assessment**

**Methodology Paper
September 2020**

Table of Contents

1. Introduction	1
2. Site/Broad Location Identification	3
3. Sites to be Excluded (Red Constraints)	5
4. The Survey Phase	7
5. Estimating Development Potential	11
6. Assessing Suitability, Availability and Achievability	15
7. Deliverable, Developable, Non-developable	22
8. SHELAA Review	23
9. Appendices	24
Appendix 1: Scheduled Monument Listings	24
Appendix 2: Targeted Consultee List	26
Appendix 3: Strategic Housing and Economic Land Availability Assessment (SHELAA) Consultation Responses Summary	28

Table of Tables

Table 1: List of the Developer Panel Participants	1
Table 2: Comments received on the Joint Methodology	2
Table 3: Types and Sources of Data for the SHELAA	3
Table 4: Market interest grouped by settlement type	18

1. Introduction

- 1.1. The Leicester and Leicestershire authorities have a Housing and Economic Land Availability Assessment methodology (referred to as the joint methodology) which provides guidance to the Councils, in accordance with the Department for Communities and Local Government's Planning Practice Guidance (PPG) and revised NPPF (2019), when undertaking housing and economic development land availability assessments to provide their land availability evidence.
- 1.2. This Strategic Housing and Economic Land Availability Assessment (SHELAA) methodology paper is a supplement to the joint methodology and builds on the assumptions made in the joint methodology to make them more locally specific to Hinckley and Bosworth.
- 1.3. To create a robust localised methodology, the Council consulted Developers, Agents and Land Promoters on the assumptions contained within this paper in January 2020. Not all of the assumptions about how sites should be assessed against the various criteria required have changed since the 2016 paper.
- 1.4. The Developer Panel is made up of officers from Hinckley and Bosworth Council as well as representatives from the housing and commercial development sectors. A full list of representatives is detailed in the table below.

Table 1: List of the Developer Panel Participants

Name	Company/Organisation	Position
Ella Casey	HBBC	Planning Officer (Monitoring and Information)
Rob Foers	HBBC	Principal Planning Officer (Policy)
Fran Belcher	HBBC	Planning Officer (Policy)
Daniel Britton	HBBC	Senior Economic Regeneration Officer
Valerie Bunting	HBBC	Strategic Housing and Enabling Officer
Julie Morgan	Barwood Development Securities Ltd (Barwood Land)	Strategic Land and Planning Manager
Andrew Collis	Gladman Developments	Graduate Planner
Darren Oakley	RPS (on behalf of IM Land)	Principal Planner
Graeme Warriner	Barton Willmore (on behalf of MIRA)	Planning Director
Ben Cook	Pegasus (on behalf of Davidsons Developments Ltd)	Principal Planner
Gemma Johnson	Barton Willmore (on	Planning Associate

	behalf on Owl Homes)	
Guy Longley	Pegasus (on behalf of LCC Property Services)	Executive Director
Steve Louth	Richborough Developments	Regional Director
David Ward	Wilson Bowden Developments	Planning Director
Sue Green	Home Builders Federation	Planning Manager – Local Plans

- 1.5. Hinckley and Bosworth Borough Council went out for a targeted consultation on the Leicester and Leicestershire joint methodology as well as the SHELAA methodology. Those that were consulted are listed in Appendix 2.
- 1.6. Comments received through the developer panel and for HBBC's SHELAA methodology have been summarised and responded to in Appendix 3. There were three comments on the joint methodology in relation to the development ratios, these are detailed below. In response to these comments the ratios have been benchmarked against completed schemes and revised development ratios are to be used going forward.

Table 2: Comments received on the Joint Methodology

Consultee	Comments
House Builders Federation	The Council together with other Leicester & Leicestershire authorities should consider if there are any impacts on gross / net developable areas from the 10% mandatory requirement for biodiversity gain set out in the Environment Bill.
LCC Property Services	2-35ha for a development ratio of 62.5% is quite wide. In our experience development ratios of 82.5% remain achievable on sites of around 150 dwellings or 5 ha. The development ratios should be benchmarked against actual schemes as a sense check.
Davidson Developments	50% for sites over 35ha is too low and does not make the most efficient use of land as required by para 122 of NPPF. This threshold should be removed with sites greater than 2ha assumed as accommodating 62.5% built form. Justification should be given for these figures rather than just because they have previously been used. Ratios should be based on up to date evidence in order to justify use.

2. Site/Broad Location Identification

2.1. The types and sources of data as outlined in the joint methodology, which replicate those outlined in the PPG, will be carried forward by HBBC and are detailed below:

Table 3: Types and Sources of Data for the SHELAA

Type of site	Potential data source
Existing housing and economic development allocations and site development briefs not yet with planning permission	Local and neighbourhood plans Planning applications records Development briefs
Planning permissions for housing and economic development that are unimplemented or under construction	Planning application records Development starts and completions records
Planning applications that have been refused or withdrawn	Planning application records
Land in the local authority's ownership	Local authority records
Surplus and likely to become surplus public sector land	National register of public sector land, Engagement with strategic plans of other public sector bodies such as County Councils, Central Government, National Health Service, Police, Fire Services, utilities providers, statutory undertakers
Sites with permission in principle, and identified brownfield land	Brownfield land registers (parts 1 and 2), National Land Use Database, Valuation Office database, Active engagement with sector
Vacant and derelict land and buildings (including empty homes, redundant and disused agricultural buildings, potential permitted development changes e.g. offices to residential)	Local authority empty property register, English House Condition Survey, National Land Use Database, Commercial property databases (e.g. estate agents and property agents) Valuation Office database, Active engagement with sector, Brownfield land registers <i>Prior Notification applications</i>
	Ordnance Survey maps

Type of site	Potential data source
Additional opportunities in established uses (e.g. making productive use of under-utilised facilities such as garage blocks)	Aerial photography Planning applications Site surveys <i>Call for sites</i>
Business requirements and aspirations	Enquiries received by local planning authority Active engagement with sector Local Authority Economic Development Department <i>Call for sites</i>
Sites in rural locations	Local and neighbourhood plans Planning applications
Large scale redevelopment and redesign of existing residential or economic areas	Ordinance Survey maps Aerial photography Site surveys
Sites in and adjoining villages or rural settlements and rural exception sites	Self-Build Register <i>Call for sites</i>
Potential urban extensions and new free standing settlements	

The size of sites to be assessed

2.2. HBBC do not intend to deviate from the joint methodology and therefore the assessment will consider all sites and broad locations capable of delivering five or more dwellings or economic development on sites of 0.25ha (or 500m² of floor space) and above.

The assessment area

2.3. The assessment area will be the confines of the Hinckley and Bosworth Borough boundary. Whilst a joint methodology has been undertaken, due to many of the authorities within the housing market area being at different stages in their plan making process, each authority will undertake their own individual SHELAA assessments using the joint methodology as a basis.

2.4. All sites will be assessed for housing and economic land uses (excluding retail uses – E (Formerly A1, A2, A3, A4 and A5) within the Hinckley and Bosworth Borough.

3. Sites to be Excluded (Red Constraints)

- 3.1. It is acknowledged that certain constraints can result in a site being found unsuitable for development. However, depending on the extent and nature of the constraint, mitigation may be possible to overcome issues of suitability.
- 3.2. Cases of a site's exclusion from the SHELAA process will only normally arise where no feasible development potential can be demonstrated due to overwhelming constraints on the site for the long term. Such constraints include:

Areas at risk of flooding

- 3.3. Land that is within the functional floodplain (Flood Zone 3b), as identified in the Strategic Flood Risk Assessment (2020), will be excluded from further assessment in the SHELAA¹.

Scheduled Monuments

- 3.4. There are 22 Scheduled Monuments² within the Borough. These are irreplaceable historical assets and are protected by law; therefore sites that are covered by this designation will not be assessed further.

Bosworth Battlefield

- 3.5. Bosworth Battlefield is a registered battlefield.⁴ It is the site where the Battle of Bosworth took place in 1485 and is registered for its historical importance, topographic integrity, archaeological potential and technological significance. Given its vast area (covers parts of 5 parishes) and national significance it is an irreplaceable historical asset and is protected by law, therefore sites that are covered by this designation will not be assessed further. However if only a small percentage of the site is covered the developable area will still be assessed. Each site in this instance will be considered on a case by case basis.

¹ If evidence was submitted with the SHELAA submission to show that a site was not within flood zone 3b and this was verified by the Environment Agency, the site will be assessed under the newly agreed flood zone, if differing from its original classification as 3b.

² A full list of Scheduled Monuments are detailed in Appendix 1

⁴ Listing can be found on the Historic England Website (List Entry Number: 1000004) and detailed in Appendix 1

Internationally and Nationally Designated Sites of Biodiversity and Geological Interest

- 3.6. The north western tip of the Borough, north of Twycross, stands within the catchment area of the River Mease Special Area of Conservation (SAC).
- 3.7. There are also seven Sites of Special Scientific Interest (SSSI) that have been afforded protection at a national level in the Borough, these are:
- Ashby Canal;
 - Botchestone Bog;
 - Burbage Wood and Aston Firs;
 - Cliffe Hill Quarry;
 - Groby Pool and Wood;
 - Kendall's Meadow; and
 - Sheepy Fields.

Sites covered by these designations will not be assessed further.

Major Hazardous Facilities

- 3.8. These facilities usually comprise of oil refineries, chemical manufacturing sites, gas processing plants and LPG facilities. These (along with any exclusion zones) will be defined by the Health and Safety Executive. Sites within these areas will not be assessed further.

4. The Survey Phase

- 4.1. The Council has access to a considerable amount of information in the form of existing databases and studies. This information will help us to assess the deliverability and developability of sites, including any site constraints.
- 4.2. The desktop assessment phase of the SHELAA is imperative to establish whether a site is suitable, and/or available for development. In addition to recording the basic site details such as size, current use, boundary and surrounding area/character. It is acknowledged that strategic sites and new settlements will contain many of the named criteria below and could actually be proposing facilities as part of the development and therefore form part of the mitigation. This will be considered when assessing these sites. Any information submitted to the Council in addition to the application form will also be considered as part of the assessment.
- 4.3. Conclusions will be based on a wide range of information including:

Land, Soil and Water Constraints

- 4.4. Land and soil quality constraints refer to previous land uses on site, which may have adversely impacted upon the quality of the land and soil. Sites with identified land and soil constraints may be required to undertake a ground investigation before commencement of residential development. Land and soil quality information will be sourced from information gathered under the Hinckley and Bosworth Borough Council's Contaminated Land Strategy, implemented by the Environmental Health Department as well as information obtained from Leicestershire County Council's Planning Department regarding waste and minerals, and the Coal authority regarding land instability arising from past coal mining activity.
- 4.5. The following constraints will be identified during the desktop assessment stage:
 - Groundwater Protection Area;
 - Mineral Safeguarded Areas;
 - Waste Management Safeguarded Area;
 - Active Mineral Extraction Area; and
 - Sites with historic uses that may have led to a degree of contaminated and unstable land.

Environmental Constraints

- 4.6. Knowledge of the environment contributes to the understanding of a site and enables the Council to build up a picture of how it could impact upon the potential for development and is therefore an important part of assessing a site's suitability.
- 4.7. A site has an environmental constraint if the following are present; some of those listed are a protective designation which has been attributed by varying bodies from international agencies to the Borough Council:
- Special Area of Conservation (SAC)
 - Site of Special Scientific Interest (SSSI);
 - Local Nature Reserve;
 - Local Wildlife Site;
 - Flood risk;
 - Surface water flood risk;
 - Groundwater flood risk;
 - Aquifer;
 - Watercourses
 - Ancient Woodland;
 - Tree Preservation Order (TPO);
 - Ecological Interest;
 - Likely to contain protected species;
 - Registered Battlefield;
 - Scheduled Monument;
 - Conservation Area;
 - Listed Building; and
 - Non-Designated Heritage Assets.

Topographical Constraints

- 4.8. Constraints under this category relate to the general physical conditions that could present either a temporary or permanent constraint to development and may prevent a site from being found suitable for development or constrained to the type and/or level of development which could take place. Factors include:
- Gradient of land and site levels;
 - Major hazard installations;
 - High pressure gas pipeline;
 - Oil pipeline; and

- Electricity pylons (including 400kv National Grid).
- 4.9. General physical constraints will be recorded using GIS and mapping systems, information identified on site visits and by utilising information available to the Council on related matters.
- 4.10. The Health and Safety Executive (HSE) outline precautionary zones around oil and high pressure gas pipelines which will be observed. If a site is largely covered by the above constraints, including their precautionary buffer zones, the site may be considered to be unsuitable for development due to physical limitations these constraints can create.

Accessibility Constraints

- 4.11. Where the physical access to a site is not established or is problematic, this could be considered as a constraint to development and can result in a site being found unsuitable. Consideration will also be given to land ownership restrictions which may prevent the delivery of a site i.e. ransom strips.
- 4.12. In addition the Council will also consider a site's sustainability by checking its proximity to existing infrastructure:
- Highway access (including adjacent trunk road identification);
 - Footpath;
 - Primary school;
 - Secondary school;
 - Open space;
 - Health centre;
 - Post office;
 - Local/District centre; and
 - Bus stop.

Planning Policy Considerations

- 4.13. Whilst the Council acknowledge that the SHELAA forms part of a wider evidence base that will assist in the drafting of an up to date Local Plan, there is merit in having regard to key planning policies, including land designations, that extend beyond the local level and which hold weight independently of the Local Plan process. Planning policy considerations will not deem a site unsuitable for the purposes of the SHELAA; however they will be a consideration in determining a site's developability and future potential for allocation. Such planning policy considerations include:

- Agricultural Land Classification;
- Landscape Character Area;
- Green Wedge;
- Potential harm on designated and non-designated heritage assets (including their setting);
- Employment area classification;
- Existing tourism area designation; and
- Existing employment area designation.
- Strategic Infrastructure designation (i.e. HS2)

4.14. Failing to have regard to these particular policy matters during the SHELAA process could result in a list of potential sites which are not realistic or representative of the developable land within the Borough. As such, the Council will take in to consideration the most up to date evidence bases and apply the findings to the suitability stage of assessment.

4.15. Additionally, if a site is situated on employment land designated as Category A³ in the Council's Local Plan (or most recent employment land study), the site will only be considered suitable for E4B class uses (B1, B2 and B8).

³ Key / flagship employment areas to be retained for B1, B2 and B8 employment uses.

⁴ Class E was introduced on 1st September 2020 and revoked Class B1. Therefore for the purposes of Category A Employment sites Class E only refers to Offices (formerly B1a), Research and Development of products or processes (formerly B1b) and any industrial process that can be carried out in a residential area (formerly B1c)..

5. Estimating Development Potential

- 5.1. The estimation of development potential is a significant factor affecting a site's economic viability and an essential indicator in determining the level of land supply in the Borough to meet the development targets set by the Local Plan.
- 5.2. It should be noted that this section and the following contains assumptions that the site assessments will be based on. However, if the landowner, developer, promoter, agent provides detailed information about the sites density, availability, achievability, suitability, delivery timeline and build out rate, as well as any proposed mitigation in regards to constraints, this will be taken into account within the assessment.

Housing

- 5.3. The housing potential of each site will be determined by densities agreed through the joint methodology and through a percentile discounting formula based on densities of completed large sites analysed during the preparation of Hinckley and Bosworth's localised SHELAA methodology (2020). Policy 16 of the Core Strategy also reflects density targets and the aspiration of using land effectively and efficiently.
- 5.4. Policy 16 of the Core Strategy requires that proposals for new residential development will need to meet a minimum net density of:
 - At least 40 dwellings per hectare within and adjoining Hinckley, Burbage, Barwell and Earl Shilton; and
 - At least 30 dwellings per hectare within and adjoining the Key Rural Centres, Rural Villages and Hamlets.
- 5.5. These densities were adopted in 2009. However, based on the densities of completed sites within the last five years the above assumptions are still relevant. The NPPF (2019) states that density should be design-led as a means to deliver 'optimal use of the potential of each site' (para. 123). Therefore, if a developer, land promoter, agent, land owner submits a density not in line with the above with evidence as to why there is deviation this density will be considered as the most up to date position for the site.
- 5.6. In addition to the application of standardised density targets to determine a site's residential capacity, a formula which discounts a percentage of the site's size has also been applied, with the formula drawn up in discussion with stakeholders at developer panels. The formula discounts a percentage of a site's size in order to take account of support facilities, open space provision and infrastructure requirements for residential development.

5.7. The amount discounted depends on site size and has been broken down as follows:

- If a site is up to 0.4 hectares then the area calculated will remain unchanged;
- If a site is between 0.4 hectares - 2 hectares then 92.5% of the site will be calculated with the density requirement to establish the residential capacity;
- If a site is between 2 hectares – 10 hectares then 85% of the site will be calculated with the density requirement to establish the residential capacity; and
- If a site is between 10 hectares – 35 hectares then 62.5% of the site will be calculated with the density requirement to establish the residential capacity; and
- If a site is over 35 hectares then 50% of the site will be calculated with the density requirement to establish the residential capacity.

5.8. HBBC have had no completed sites over 10ha within the last three years and therefore as there is no data to inform these categories the joint methodology percentages have been used. The dwelling numbers stated are a guide to what would be expected if the site were suitable for development but subject to change depending on site specific circumstances and additional information received from developers. All dwelling numbers will be rounded up or down to the nearest whole dwelling number.

5.9. If a red constraint covers part of the site, the site area will be amended and the residential capacity will be based on the reduced site area.

Residential Institutions (C2 Use Class)⁴

5.10. It has been determined that when assessing sites for their development potential for C2 uses, local evidence is the most appropriate source. The Council has assessed a large number of residential institutions situated within the Borough and has taken the average site densities per hectare for sites in the rural and urban areas. This concluded that if a site is situated within the urban area (Barwell, Burbage, Earl Shilton and Hinckley), the development potential for C2 uses will be set at a density of 65 units per hectare. If a site is situated within the rural area, a density of 40 units per hectare will be applied.

⁴ Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, definition of C2 - Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.

5.11. An estimate of residential institution potential will be calculated for each site using the following formula:

- Site area x density (urban or rural) = residential institution potential

Employment Uses (E, B2 and B8 Use Classes)

5.12. The Council will remain consistent with the joint methodology. Calculations of employment potential are based upon plot ratios of gross floorspace of site area for different classes of employment use as outlined in the Housing and Economic Development Needs Assessment (HEDNA) (2017) and Strategic Distribution Study (SDS) (2014) as follows:

- Office – 3,500m² per ha (gross external floorspace)
- Industrial – 4,200m² per ha (gross external floorspace)
- Warehousing – 4,000m² per ha (gross external floorspace)

5.13. The density of office development can vary significantly between rural, town centre and out of town locations or in mixed use schemes. For the purpose of this assessment 3,500m² per hectare is used to work out the development potential of an office site.

5.14. An estimate of employment potential will be calculated for each site using the following formula:

- Site area x density (for likely use class) = employment potential (m²)

Leisure Uses (D2 uses)⁵

5.15. It has been assumed locally that the use of land for leisure uses would be mainly urban focused due to the financial implications and the infrastructure networks required for such developments.

5.16. Therefore based on local evidence of leisure facilities within the urban area, it is assumed that sites will be assessed for leisure potential at a density of 4,750 m² per hectare.

5.17. An estimate of leisure potential will be calculated for each site using the following formula:

- Site area x density = leisure potential (m²)

⁵ Town and Country Planning (Use Classes) (Amendment) (England) Order 2015 definition of D2 - Cinemas, music and concert hall, bingo and dance halls, (not night clubs), swimming baths, skating rinks, gymnasiums or area for indoor or outdoor sports and recreations (except for motor sports, or where firearms are used).

Retail (E7, A4 and A5)

- 5.18. The PPG gives guidance on estimating development potential by suggesting that if there is no policy in place to guide the authority, then a judgement based on relevant existing development schemes can be used as a basis. Whilst the Council has used this approach for housing, residential institutions and leisure, this is not feasible for retail. As with the 2016 methodology any assumptions made would have to reflect the market which is not something that is easily forecast as it would require far more research, in a market that is changing rapidly due to technological advances. The retail market and floor space assumptions also vary hugely dependant on A use class and location / type of retail etc.
- 5.19. Therefore the Council has made the decision that the development potential for retail will not be assessed in the SHELAA. This will be the purpose of other studies which may be prepared to support the Local Plan.

⁷ Class E in this instance refers to any use which would have previously been under use class A1, A2 or A3.

6. Assessing Suitability, Availability and Achievability

- 6.1. The assessment of a site's suitability, availability and achievability provides the information on which the judgement of a site's deliverability and developability is made.
- 6.2. Information to determine the above has been based upon a site's general information and constraints.

Suitability

- 6.3. The NPPF states that "to be considered deliverable, sites should offer a suitable location for development now" (MHCLG, 2019, Annex 2: Glossary). The PPG (housing and economic land availability assessment, MHCLG, 2019, para. 018 Ref ID: 3-018-20190722) states the following factors should be considered in the assessment of sites suitability for development:
 - Information collected as part of the initial site survey
 - National policy
 - Appropriateness and likely market attractiveness for the type of development proposed
 - Contribution to regeneration priority areas
 - Potential impacts including the effect upon landscapes including landscape features, nature and heritage conservation
 - The development plan (consideration should be given to how up to date the plan policies are)
 - Emerging plan policy; and
 - Whether a site is already the subject of a planning permission.
- 6.4. A site or broad location can also be considered suitable if it would provide an appropriate location for development when considered against relevant constraints and their potential to be mitigated. Therefore, if a developer, land promoter, agent or land owner provides evidence that any factors which could exclude the site from being classed as suitable are able to be mitigated this will be considered as part of the assessment.

Housing and Residential Institutions

- 6.5. A site will be considered unsuitable for housing if:
 - The site is designated as a Category A employment site in the Employment Land Premises Study (ELPS) (2020);
 - There is no existing or potential available access to the site or potential available access to the site, nor access provided via additional land from the highway, which has not been submitted to the Council; or

- Access cannot be provided without demolishing one or more houses and that site can accommodate less than five prospective dwellings, unless the dwelling to be demolished is included within the site.

Economic Uses

6.6. A site will be considered unsuitable for economic uses if:

- There is no existing or potential available access to the site, nor access via additional land from the highway, which has not been submitted to the Council;
- A site is surrounded, on all sides, by residential development, employment uses will not be considered suitable due to the two uses being considered potentially incompatible; or
- A site is designated as a Category A employment site, then leisure uses will not be considered suitable.

Availability

6.7. The NPPF states that “to be considered deliverable, sites should be available now (MHCLG, 2019, Annex 2: Glossary). The PPG (housing and economic land availability assessment, MHCLG, 2019, para. 019 Ref ID: 3-019-20190722) states that there should be confidence that there are no legal or ownership impediments to development. For example, land controlled by a developer or landowner who has expressed an intention to develop may be considered available.

6.8. Sites meeting the definition of deliverable in the NPPF Glossary should be considered available unless evidence indicates otherwise. Sites without planning permission can be considered available within the first five years. Consideration can also be given to the delivery record of the developers or landowners putting the site forward, and whether the planning background of the site shows a history of unimplemented permissions.

6.9. A site will be found unavailable if:

- There is no existing or potential access to the site, nor access via additional land from the highway, which has not been submitted;
- Legal or ownership problems mean the site is not available for development; or
- If safeguarded for strategic infrastructure programmes

6.10. Residential Land Availability (RLA) sites that have not been previously excluded from consideration have been classed as available unless information retrieved from applicants states otherwise. Landowners,

promoters, agents and developers of RLA sites were contacted as part of the annual RLA update process to determine a likely development period for their site.

Achievability

6.11. The NPPF states that “to be considered deliverable, a site should be achievable with a realistic prospect that housing will be delivered on the site within five years” (MHCLG, 2019, Annex 2: Glossary). The PPG (housing and economic land availability assessment, MHCLG, 2019, para. 020 Ref ID: 3-020-20190722) states that “a site is considered achievable for development where there is a reasonable prospect that the particular type of development will be developed on the site at a particular point in time. This is essentially a judgement about the economic viability of a site, and the capacity of the developer to complete and let or sell the site over a certain period”.

6.12. In order to reflect the above mentioned factors which could affect sites achievability the following will be examined and included with the assessment:

- Market interest;
- Timeframe for development; and
- Estimated build rate per annum.

Market Interest

6.13. The determination of a site’s market interest has been developed on a settlement type basis by Developer Panels. Market interest is designed as a guide to the potential market interest in a wider settlement context and not the particular interest there maybe in a specific site.

6.14. Market interest was assigned into the following five categories:

- High
- High/Medium
- Medium
- Medium/Low
- Low

6.15. The market interest of settlements within the Borough is set out in Table 4 is reflective of the SHLAA submissions (policy-off approach) and agreed with the Developer Panel. It is noted that Market Interest for Employment is high around key transport corridors and junctions (i.e. A5/M69 and M1/A511)

however this is not necessary reflected within the hierarchy table as it cannot be tied directly to a settlement (except for Burbage).

Table 4: Market interest grouped by settlement type

Settlement	Market Interest			
	Housing	Residential Institutions (C2)	Employment (E, B2, B8)	Leisure Uses (D2)
Hinckley	High/Medium	Unknown	High	High
Burbage	High	Unknown	High	High
Barwell (not inc SUEs)	Medium/Low	Unknown	Low	High
Earl Shilton (not inc SUEs)	Medium	Unknown	Low	High
Key Rural Centres	High	Unknown	Low	Low
Rural Villages	High	Unknown	Low	Low
Rural Hamlets	Medium	Unknown	Low	Low

Timeframe for Development

6.16. Paragraph 73 of the NPPF states that 'local authorities should identify and update annually a supply of specific deliverable sites to provide five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

- a) 5% to ensure choice and completion in the market for land; or
- b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
- c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planning supply.

6.17. Planning policies should identify a supply of specific, deliverable sites for years one to five of the plan period. In addition they should identify a supply of 'specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15' (MHCLG, 2019, para 67). The PPG also

states that 'the local planning authority should use the information on suitability, availability, achievability and constraints to assess the timescale within which each site is capable of development.

6.18. Timeframe for development reflects the most likely timeframe in which a site will be completed for development. Each site will be assigned into one of four groupings:

- Within 5 years;
- Within 6-10 years; and
- Within 11-15 years.
- 15+ years

6.19. Site assignment into one of the four groupings will be based on a set of assumptions developed by the Borough Council and agreed upon by the Developer Panel. If any of the following assumptions have not been applied the reasons why will be explained within the site assessment:

6.20. Within 5 years

- Sites under construction;
- Sites with planning permission unless discussions with developer(s) indicate otherwise and if so, these will be moved to 6-10 years;
- The site is suitable and available now and achievable within 5 years; or
- The site is owned or controlled by a developer, promoter with a track record of delivery, or builder who is ready to start the development.
- Severn Trent green RAG rating only

6.21. Within 6-10 years

- Sites with planning permission, but after discussion with the developer, it's no longer their intention to develop the site within 5 years; or
- Residential sites adjacent to the settlement boundary with existing planning policy constraints/considerations (may only be achievable or suitable within this timeframe).
- Severn Trent green or amber RAG rating only

6.22. Within 11-15 years

- Sites that may only be available in a longer timeframe due to existing policy or site constraints, greater than those in year 6-10 year timeframe;
- Sites that are occupied and a third party has put forward the site on the assumption that there is an interest in the site, but those occupying the site would need to move prior to any development; or
- The development of the site would involve major infrastructure considerations.

- Any RAG rating

6.23. 15+ years

- Sites that may only be available in a longer timeframe due to existing policy or site constraints, greater than those within the 11-15 year timeframe;
- Sites that will take a considerable amount of time to bring forward and therefore would not be looking to deliver in the short term (e.g. strategic sites, new settlements).
- Any RAG rating

6.24. It should be noted that in most cases the criteria set out above will categorise the site into a certain timeframe. However, if substantial evidence is provided with the SHELAA site submission forms then the timeframe will be amended to reflect the submission. In the case of strategic sites and new settlements the Council will ask for a timeline for delivery and each site would be assigned a time period for delivery on a case by case basis. If no additional information is received the site will be categorised in line with the above assumptions.

Estimated build rate

6.25. Estimated build rate indicates the average range of housing which is likely to be developed on site within one year. An annual build rate of 40 dwellings per annum was the estimated build rate assigned by the developer panel in 2016. It is considered that going forward the build out rate for large sites should be split into categories. Two categories were proposed to the developer panel; 10-50 dwellings and over 50 dwellings.

6.26. The Developer Panel agreed the following categories:

- 50 dwellings and below
- 51-100 dwellings
- Over 100 dwellings

For sites of 50 dwellings and below a build out rate of 20 dwellings per annum was proposed. However, this was considered to be a conservative assumption. It was suggested that a more realistic figure would be 30-35 dwellings per annum. Therefore the Council will take forward the figure of 25 dwellings per annum for sites of 10-50 dwellings.

The consultation proposed a figure of 45 dwellings per annum for sites with over 50 dwellings. As the consultation introduced a third category the built out rate has altered to 42 dwellings per annum for sites of 51-100 dwellings and 47 dwellings per annum for sites of over 100 dwellings.

It should be noted that where there is more than one developer on site, the Council will contact those developers individually and request an annual build rate figure, rather than multiplying 47 by the number of developers on site. Also in regards to strategic sites the developers will be contacted to provide a delivery timeline as there is no historic evidence to draw on within the borough and each strategic site is unique. Additionally if a site states an alternative build out rate within the call for sites submission then this will be taken instead of the average assumptions above.

- 6.27. With regards to economic development, it remains the same as it was in 2016, that the build rates very much depend on the economic cycle and the demand and therefore it would not be worth estimating build rates.

7. Deliverable, Developable, Non-developable

- 7.1. The determination of a site's suitability, availability and achievability combined with timeframe for development directly informs the overall site assessment as either:
- Deliverable;
 - Developable; or
 - Non-developable.
- 7.2. The definition of deliverable with the NPPF (Annex 2: Glossary) states that 'to be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on site within five years'. It then goes on to outline which sites are particularly considered deliverable however this is not a closed list. A deliverable site is suitable, available and achievable and has a timeframe of development of 0-5 years. **A deliverable site is automatically assigned as a developable site.**
- 7.3. The definition of Developable within the NPPF (Annex 2: Glossary) also states that 'to be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged'. A developable site is suitable, available and achievable and has timeframe for development of 6-10 years or 11+ years.
- 7.4. The NPPF is very much geared towards housing when using the terms 'deliverable' and 'developable', however if a site is considered to be suitable, available and achievable for economic development, the Council will assume its developable over the Plan period.

Overcoming Constraints

- 7.5. If evidence is provided which demonstrates that an identified constraint can be overcome this will be taken into account in the review of the SHELAA and may result in a site that was non-developable to be deemed developable.

8. SHELAA Review

8.1. The SHELAA assesses housing land supply on an annual basis using two key components; new and existing sites. When updating existing sites the SHELAA and future reviews will take the following information into account:

- Sites under-construction have now been developed, or individual stages have been developed;
- Sites with planning permission are now under-construction and what progress has been made;
- Planning applications have been submitted or approved on sites and broad locations identified by the assessment;
- Progress has been made in removing constraints on development and whether a site is now considered to be deliverable or developable; and
- Unforeseen constraints have emerged which now mean a site is no longer deliverable or developable, and how these could be addressed.
- Policy Changes in Neighbourhood Plans and the Development Plan
- Additional and/or more recent information provided in a new SHELAA submission

9. Appendices

Appendix 1: Scheduled Monument Listings

Monument Title	List Entry Number	Parish	Date of Scheduling
Moat and Fishponds at Bagworth	1010485	Bagworth and Thornton	9 March 1992
Moated Site 440m South West of Lindridge Fields Farm	1017053	Desford	16 April 1999
Earl Shilton Motte and Bailey Castle	1010302	Earl Shilton	3 October 1975
Motte and Bailey Castle and Manorial Complex at Groby	1010193	Groby	26 June 1924
Remains of Chapel in Lindley Park	1005075	Higham on the Hill	Unknown
Remains of the Motte and Bailey Castle at Hinckley	1010299	Hinckley	29 May 1952
Roman Foundations, East of Barton Road	1005476	Market Bosworth	Unknown
Moated site, South of the Hall	1009198	Newbold Verdon	4 March 1953
Moated Site at Stapleton	1010478	Peckleton	1 August 1952
Old Hays Moated Site and Associated Manorial Earthworks, Ratby	1017584	Ratby	29 May 1952
Ratby Camp	1005079	Ratby	Unknown
Motte and Associated Earthworks at Shackerstone	1008542	Shackerstone	10 April 1964
Moated Site, North west of Pinwall	1009235	Sheepy	13 January 1993
Barn at Newhouse Grange	1005088	Sheepy	Unknown
Hlaew and Medieval Farmstead immediately south west of Park House	1017678	Stoke Golding	4 October 1957
Dovecote immediately west of Shenton Hall	1017207	Sutton Cheney	29 October 1999
Ambion Deserted Medieval Village	1008549	Sutton Cheney	20 June 1971

Monument Title	List Entry Number	Parish	Date of Scheduling
Bowl Barrow at Sutton Cheney	1010199	Sutton Cheney	29 May 1952
Moated Site and Fishpond North West of St James' Church	1012524	Twycross	4 January 1993
Moat and Fishponds at Ratcliffe Culey	1010480	Witherley	29 May 1952
Manduessedum Roman Villa and Settlements with Associated Industrial Complex	1017585	Witherley	17 February 1927
Bowl Barrow at Fenny Drayton	1010198	Witherley	7 July 1952
Battle of Bosworth (Field) 1485	1000004	Higham on the Hill Sheepy Stoke Golding Sutton Cheney Witherley	6 June 1995 (Site extended 7 June 2013)

Appendix 2: Targeted Consultee List

The Leicester and Leicestershire Housing Market Area Housing and Economic Land Availability Assessment Methodology Paper (2019) was subject to a consultation with the development industry and informed by views of house builders, land agents and land owners.

Below is a list of those consulted on the Hinckley and Bosworth Borough Council Strategic Housing and Economic Land Availability Assessment.

Statutory Consultees

Natural England
Historic England
Environment Agency
Health and Safety Executive
Highways England
National Grid
Coal Authority
Severn Trent
West Leicestershire Clinical Commissioning Group (CCG)

Local Planning Authorities

Leicestershire County Council - Minerals and Waste
Leicestershire County Council - Archaeology
Leicestershire County Council - Highways

House builders

Barwood Development Securities Limited
Bellway Homes Ltd East Midlands
Bloor Homes Limited (Midlands Division)
David Wilson Homes East Midlands
Davidsons Developments
Taylor Wimpey Developments Ltd
Jelson Ltd
Aurora Living
Morris Homes
Persimmon Homes
Redrow Homes (Midlands) Ltd
Springbourne Homes Ltd
Westleigh Developments
Cawrey
Home Builders Federation
Homes and Communities Agency
East Midlands Housing Association
Owl Homes

Richborough
IM Land
Modha Properties
Marble Homes Leicester Ltd
Gladman
Hollins Strategic Land
Boyer Planning
Countryside
Marrons
Harris Lamb

Commercial Sector

MIRA
DBsymmetry
ALDI
Mountpark
Hinckley BID
IM Properties
Leicester and Leicestershire Enterprise Partnership
LIDL
Neovia
Goodman Developments Limited
Pegasus Group
Peter Brett Associates
DLP Planning
Wilson Bowden
Avison Young

Appendix 3: Strategic Housing and Economic Land Availability Assessment (SHELAA) Consultation Responses Summary

Consultee	Consultee Comments	HBBC Response	HBBC Action
LCC Archaeology	<p>The rationale behind treating the registered battlefield as a Scheduled Monument is unconvincing however the approach to exclude from assessment is correct. The registration of the battlefield doesn't preclude development, but defines it as a designated heritage asset of national importance, and a material consideration in the planning process. My inclination would be that no site within the battlefield, of a sufficient scale to achieve the objectives of the SHELAA, is likely to be developable, consequently the registered battlefield is excluded from the SHELAA.</p> <p>The setting of heritage assets, both designated and non-designated, is not referenced in the methodology, I would suggest it is include in sections, 4.12 and 6.3. The setting of a heritage asset is considered a material consideration, in the planning process. As such it should be referenced.</p>	<p>The registered battlefield will not be treated as a Scheduled monument but its listed will remain in appendix 1. Sites that are classed as within the battlefield will not be automatically excluded as it may only be a small proportion of the site that is within the designation. Designated and non-designated heritage assets come under planning policy considerations in section 4.2 and should include the setting. Section 6.3 already references the development plan which includes heritage designations and there setting.</p>	<p>New section added for the battlefield and amendments made to section 4.12.</p>
Coal Authority	<p>As the area has recorded coal mining features which may have an impact on the quantum of development that can be accommodated on site, in the form of mine entries and fissures, it would therefore be beneficial to have the presence of these features noted as specific to the local area.</p> <p>It is considered that land instability issues could be included in the Land, Soil and Water Quality Constraints Sections, set out in paragraphs 4.3 and 4.4.</p>	<p>Agreed.</p>	<p>Amendment to Land, Soil and Water Constraints section.</p>

Consultee	Consultee Comments	HBBC Response	HBBC Action
Historic England	<p>General comments</p> <p>The standard SHLAA methodology identifies that heritage conservation is a factor when assessing a site's suitability for development now or in the future (Planning Practice Guidance). Historic England advocates that, when using this methodology, a wide definition of the historic environment is used. This includes not only those areas and buildings with statutory designated protection but also those which are locally valued and important. In addition, it includes the landscape and townscape components of the historic environment, as well as archaeology, the importance and extent of which is often unknown and may extend beyond designated areas. Information in the Historic Environment Record (HER) may indicate areas of known interest, or high potential where further assessment is required before decisions or allocations are made. The possible cumulative impact of a number of site allocations in one location could also cause considerable harm to the historic landscape/townscape.</p> <p>Historic England has produced advice on site allocations, The Historic Environment and Site Allocations and Local Plans - Advice Note 3, available from our website. This sets out a suggested approach to assessing sites and their impact on heritage assets. It advocates a number of steps, including understanding what contribution a site, in its current form, makes to the significance of the heritage asset/s, and identifying what impact the allocation might have on significance.</p> <p>Many authorities include a distance based criteria to assess impact on the historic environment; Historic England would strongly discourage this approach. It is</p>	<p>The reference to distance based criteria is noted and HBBC assess each site on an individual basis in regards to heritage and would not implement this criteria within the assessment. The site assessment methodology is based up this methodology paper.</p>	<p>No action required.</p>

Consultee	Consultee Comments	HBBC Response	HBBC Action
	<p>important to understand the significance of any heritage assets, and their settings that would be affected by a potential site allocation. This involves more than identifying known heritage assets within a given distance, but rather a more holistic process which seeks to understand their significance and value. Our advice on “Managing Significance in Decision-Taking in the Historic Environment” might be helpful here, as might our advice on the setting of heritage assets.</p> <p>Planning Practice Guidance states ‘Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development’ (PPG Paragraph: 002 Reference ID: 61-002-20190315 Revision date: 15 03 2019). If a site which affects heritage assets is allocated, we would therefore expect to see reference in the ensuing policies and supporting text on the need to conserve and seek opportunities to enhance the on-site or nearby heritage assets and their setting, the need for high quality design and any other factors relevant to the historic environment and the site in question. Such development criteria would assist decision makers and developers, as well as ensuring appropriate protection for heritage assets.</p> <p>Bearing in mind the overarching principle that harm to heritage assets should be avoided wherever possible, as a point of principle, we would expect sites that would have an unacceptable impact on the significance or special interest of heritage assets not to be taken forward.</p>		

Consultee	Consultee Comments	HBBC Response	HBBC Action
	<p>Detailed comments Again, further to our 2016 response, the exclusion of scheduled monuments in section 3 is welcomed. The inclusion of Bosworth Battlefield under the scheduled monument section is strongly welcomed.</p> <p>The inclusion of Registered Battlefields, Scheduled monuments, Conservation Areas, Listed Buildings and Non-Designated Heritage Assets within the Environmental Constraints on pages 7-8 are welcomed, together with reference to potential harm to designated and non-designated heritage assets within paragraph 4.12 and up-to-date evidence bases in paragraph 4.13. Reference to heritage conservation in paragraph 6.3 is welcomed.</p> <p>Appendix 1 is welcomed.</p> <p>How will individual sites be assessed and how will this be fed into the Local Plan evidence base? Is there a site assessment methodology? Historic England would be very happy to comment further. The reference to distance based criteria above is of particular relevance.</p>		
Severn Trent	<p>Paragraph 6.10 bullet point referring to Timeframe for development Severn Trent would highlight that where capacity upgrades to sewers or water mains are required it is important that this is factored into the timescales proposed for development. To enable the alignment of any required upgrades we would recommend that developers contact Severn Trent early within the design process so that appropriate connection locations, capacity requirements and development timescales can be understood.</p>	<p>Agree that the sewer capacity's can influence timeframe of development considerably.</p>	<p>RAG rated included in timeframe criteria.</p>

Consultee	Consultee Comments	HBBC Response	HBBC Action
	<p>Paragraph 6.15 – 6.19</p> <p>It is recommended that the LPA request input regarding potential issues from Severn Trent as part of the SHELAA Development. We would advise that this is undertaken following the initial assessment by the LPA, but prior to any publication of potential sites. The details of the proposed sites to be incorporated into the SHELAA should be provided to Severn Trent with a request for a high level assessment, from a Sewer perspective this would be a high level assessment to identify any known constraints, or anticipated impacts due to the scale of development. This assessment will result in 2 RAG ratings for each of the sites 1 RAG assessment for Foul Sewerage and 1 RAG assessment for surface water.</p> <p>Please note that some small sites will not be assessed where it is anticipated that the scale of development is too small to cause any significant impacts on the sewerage network.</p> <p>It is noted that as part of the SHELAA process Sites will be allocated a Timeframe. We would recommend that the high-level sewerage assessment should also be used to assess part of the timescale identification process.</p> <p>If a site has planning permission it is understood that the timescales for development are likely to already be set, and therefore are exempt from the suggestions below.</p> <p>Sites allocated with a timescale within 5 year, should ideally only have a green RAG assessment only, indicating that as it is unlikely capacity improvements will</p>		

Consultee	Consultee Comments	HBBC Response	HBBC Action
	<p>not be required, development can be permitted without constraints, please note that the high level assessment is a snapshot view of the knowledge held at the time of the assessment in some cases, additional capacity constraints are identified between the assessment and commencement of development or other changes within the catchment i.e. other growth, can impact on these risks.</p> <p>Sites allocated with a timescale of 6 – 10 years, should have a green RAG, or amber RAG, however where a site is indicated to have an amber RAG, it is important that further consultation is undertaken with Severn Trent at certainty increases to enable more detailed assessment to be carried out with sufficient lead into to enable any required works to be progressed in time for development.</p> <p>Sites allocated with a timescale of either 11- 15 or 15+ years will be appropriate with any RAG status, however we would advise that if sites with a red RAG are proposed we would recommend that you consider if an alternative site is available, where an alternative site is not available, then it is important the development certainty is provided to enable additional assessments and the design delivery of an associated scheme to be completed.</p>		

Consultee	Consultee Comments	HBBC Response	HBBC Action
Highways England	<p>We have reviewed the proposed SHELLA methodology and have limited comments to provide. We note that there are a number of infrastructure improvements coming forward to mitigate the impact of growth on the SRN near to Hinckley & Bosworth. These consist of the A5 Dodwells to Longshoot Widening Improvement scheme, committed under RIS 2 (2020-2025) as well as the aspiration to upgrade the A5 to Expressway standard from Hinckley to Tamworth in the RIS 3 pipeline. These improvements alone may not be sufficient enough to support potential future growth and this will need to be considered further as part of the Local Plan process. We have no further comments to provide and trust that the above is useful.</p>	<p>Consideration will be given to infrastructure improvements throughout the Local Plan Process.</p>	<p>When required consideration will be given to infrastructure improvements throughout the Local Plan Process.</p>
Environment Agency	<p>Land, Soil and Water Quality Constraints (p7). We note that this section provides an explanation of Land and Soil; however, there appears to be no explanation of Water Quality as a constraint. The Environment Agency therefore considers this paragraph could be expanded to address this deficit.</p> <p>Environmental Constraints 4.6 (p6, 7). We note that watercourses ('ordinary' and 'Main River') have not been specifically identified as an environmental constraint. The Environment Agency would query why there is this omission.</p>	<p>The heading has been re-worded to make it clear which constraints are being referred to.</p> <p>Agreed, added in.</p>	<p>Relevant changes have been made to the document.</p>

Consultee	Consultee Comments	HBBC Response	HBBC Action
Natural England	<p>In line with the National Planning Policy Framework, we offer the following generic advice on key natural environment considerations for use in producing or revising SHELAAs, which we hope is of use.</p> <p>1. Landscape Avoiding harm to the character of nationally protected landscapes - National Parks, the Broads and Areas of Outstanding Natural Beauty - and locally valued landscapes.</p> <p>Impacts of new housing upon landscape may be positive or negative, direct or indirect, short or long term and reversible or irreversible. Cumulative impacts may also occur as a result of the combined effects of more than one housing development.</p> <p>The assessment of potential housing sites should be informed by the landscape character approach. The National Character Area (NCA) profiles will provide useful information. These update the national framework of Joint Character Areas and Countryside Character Areas that are used to inform LCAs.</p> <p>Landscape Character Assessments (LCAs) identify the different landscape elements which give a place its unique character and can help inform the location and design of new development. Further information on LCAs is at Landscape Character Assessment.</p> <p>More detailed study (e.g. Landscape and Visual Impact Assessment) of the sensitivity of the landscape and capacity to accommodate change may be necessary to</p>	<p>The Landscape Character Area for each site will be assessed as set out in 4.12. Paragraph 4.6 also sets out the other environments constraints which will be assessed to determine the suitability of a site.</p> <p>There are currently no NIAs in the borough but if any are designate through the Local Plan Review this guidance will be implemented.</p> <p>Green Infrastructure is assessed through other evidence base documents which will inform the sites selected.</p> <p>If a site is within an SSSI the suitability will be assessed through this methodology.</p> <p>The Agricultural Land Classification for each site will be assessed as set out in 4.12.</p> <p>If a public right of way is near or running through the site it is assessed under accessibility.</p>	No action required.

Consultee	Consultee Comments	HBBC Response	HBBC Action
	<p>determine the suitability of potential housing sites, particularly those within or near protected landscapes.</p> <p>2. Biodiversity Avoiding harm to the international, national and locally designated sites of importance for biodiversity.</p> <p>International sites include: Special Protection Areas (SPAs); Special Areas of Conservation (SACs) and Ramsar sites¹. National sites include biological Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs) Local sites are Local Wildlife Sites (a variety of other terms are also in use).</p> <p>The potential impacts of new housing upon such sites may be positive or negative, direct or indirect and short or long term. Cumulative impacts may also occur as a result of the combined effects of more than one housing development.</p> <p>Indirect impacts may be experienced several kilometres distant from new housing e.g. water pollution. The key to assessing these is to understand the potential impact pathways that may exist between the development and sensitive sites.</p> <p>Impact Risk Zones (IRZs) are a GIS tool that can be used by LPAs to consider whether a proposed development (or allocation) is likely to affect a SSSI. They define zones around each SSSI which reflect the particular sensitivities of the features for which it is notified and indicate the types of development proposal which could potentially have adverse impacts.</p>		

Consultee	Consultee Comments	HBBC Response	HBBC Action
	<p>Information about using this data can be found here.</p> <p>The Magic website is a useful source of information on the location and qualifying features of the international and national designations. Local Environmental Records Centres should also be of assistance and often hold information on Local Wildlife Sites.</p> <p>Avoiding harm to priority habitats, ecological networks and priority and/or legally protected species populations</p> <p>Priority habitats and species are those listed under Section 41 of the Natural Environment and Rural Communities Act, 2006 and UK Biodiversity Action Plan (UK BAP). Further information is available here UK BAP priority species and habitats.</p> <p>Protected species are those species protected under domestic or European law. Further information can be found here Standing advice for protected species. Sites containing watercourses, old buildings, significant hedgerows and substantial trees are possible habitats for protected species.</p> <p>Ecological networks are coherent systems of natural habitats organised across whole landscapes so as to maintain ecological functions. A key principle is to maintain connectivity - to enable free movement and dispersal of wildlife e.g. badger routes, river corridors for the migration of fish and staging posts for migratory birds.</p> <p>Priority habitats can be found on the Nature on the Map</p>		

Consultee	Consultee Comments	HBBC Response	HBBC Action
	<p>website referred to above. Natural England does not hold records of priority or legally protected species but Local Records Centres may be able provide these.</p> <p>It may also be necessary to undertake a basic ecological survey in order to appraise the biodiversity value of any potential development site. A Phase 1 Habitat Survey is the commonly used standard for habitat audit and provides a starting point for determining the likely presence of important species. More information is available here Phase 1 Habitat Survey.</p> <p>Seeking opportunities to contribute to the restoration and re-creation of habitats, the recovery of priority species populations and biodiversity enhancement</p> <p>Where Nature Improvement Areas (NIAs) are identified they can provide a focal point for creating more and better-connected habitats. Where housing allocations are proposed in the environs of NIAs the potential to contribute to habitat enhancement should be considered. Further information on NIAs is available here NIAs. Local Biodiversity Action Plans (LBAPs) identify the local action needed to deliver UK targets for habitats and species. They also identify targets for other habitats and species of local importance and can provide a useful blueprint for biodiversity enhancement in any particular area. Further information through the UK BAP link above.</p> <p>Seeking opportunities to enhance and create Green</p>		

Consultee	Consultee Comments	HBBC Response	HBBC Action
	<p>Infrastructure</p> <p>Green infrastructure is a term used to refer to the living network of green spaces, water and other environmental features in both urban and rural areas. It is often used in an urban context to provide multiple benefits including space for recreation, access to nature, flood storage and urban cooling to support climate change mitigation, food production, wildlife habitats and health & well-being improvements provided by trees, rights of way, parks, gardens, road verges, allotments, cemeteries, woodlands, rivers and wetlands.</p> <p>Green infrastructure is also relevant in a rural context, where it might additionally refer to the use of farmland, woodland, wetlands or other natural features to provide services such as flood protection, carbon storage or water purification. Green infrastructure maintains critical ecological links between town and country.</p> <p>The SHLAA should consider the availability of GI and opportunities to enhance GI networks when considering sites for development.</p> <p>3. Geological conservation Avoid harm to nationally and locally designated sites of importance for geological conservation - geological SSSIs and Local Geological Sites (also known as RIGS - Regionally Important Geological Sites).</p> <p>The Nature on the Map website referred to above is a useful source of information on the location and</p>		

Consultee	Consultee Comments	HBBC Response	HBBC Action
	<p>qualifying features of geological SSSIs. Local Environmental Records Centres should also be of assistance and often hold information on Local Geological Sites.</p> <p>Housing development may present opportunities for the enhancement of geological sites e.g. exposure sites in road cuttings. Further information on geological conservation is available on the Natural England website here Geodiversity.</p> <p>Seeking opportunities to contribute to landscape restoration and enhancement.</p> <p>The NCAs profiles identify potential opportunities for positive environmental change. LCAs also identify opportunities for landscape restoration and enhancement. These can help identify potential opportunities for housing developments to contribute to landscape enhancement in an area.</p> <p>4. Best and Most Versatile Agricultural Land Avoiding Best and Most Versatile Agricultural Land</p> <p>Land quality varies from place to place. Information on Best and Most Versatile Agricultural land (grades 1, 2 and 3 a) is available from the Agricultural Land Classification (ALC). ALC maps are available on the MAGIC website. Not all land has been surveyed in detail and more detailed field survey may be required to inform decisions about specific sites. Further information is available here ALC.</p>		

Consultee	Consultee Comments	HBBC Response	HBBC Action
	<p>5. Public rights of way and access Seeking opportunities to enhance public rights of way and accessible natural green space.</p> <p>Housing allocations should avoid adverse impacts on National Trails and networks of public rights of way and opportunities should be considered to maintain and enhance networks and to add links to existing rights of way networks including National Trails. More information is available here National Trails.</p> <p>Accessible natural greenspace should be provided as an integral part of development. Housing should make provision for appropriate quantity and quality of green space to meet identified local needs as outlined in paragraph 96 of the NPPF. Natural England's work on Accessible Natural Greenspace Standard (ANGSt) may be of use in assessing current level of accessible natural greenspace and planning improved provision.</p> <p>Existing open space should not be built on unless the tests of NPPF para 97 have been met. Open space is construed in the NPPF as all open space of public value which offer important opportunities for sport and recreation and can act as a visual amenity.</p>		
RPS Group – IM Land	<p>SECTION 3 – SITES TO BE EXCLUDED Site exclusions/red constraints The Hinckley and Bosworth SHELAA Assumptions update seeks to roll forward section 3 the HBBC SHELAA Methodology Paper (May 2016). RPS notes the commentary how the assessment intends on dealing</p>	It is proposed within section 3 of the methodology paper that mitigation of red constraints could be possible therefore direct reference to Flood zones is not needed.	Amendments made to section 4 to acknowledge that constraints will not be taken at face value for strategic sites and new settlements.

Consultee	Consultee Comments	HBBC Response	HBBC Action
	<p>with those constraints of sufficient level to suggest that sites should be specifically excluded prior to the detailed site survey.</p> <p>This section of the methodology still requires clarification as currently the SHEELA implies that if a site includes some FZ3b land it would rule out/exclude the whole site from further assessment. However, this should not be the case, if only part of the site is included in FZ2/3 and the rest of the site is deliverable, this should not represent a reason to exclude the site. This is particularly the case for larger / strategic sites.</p> <p>SECTION 4 – THE SURVEY PHASE Accessibility Constraints Concerns exist regarding the way the SHEELA proposes to assess sites according to a list of named sustainability criteria. Whilst this ambition is understood and maybe suitable for modest sites, for very large / strategic scale sites and new settlement proposals, which are very likely to include all of the named criteria within the development proposal, basing a sites assessment on proximity to existing facilities is incorrect as such facilities could/would all be within the development itself and included as part of the mitigation.</p> <p>Planning Policy Considerations Within the list of policy considerations is listed agricultural land classification. This is not correct. The ALC is not a policy consideration. Additionally, the NPPF (para 170) indicates the need for an economic assessment of the use of BMV land.</p>	<p>It is acknowledged that strategic sites and new settlements will include the majority of the constraints assessed within section 4. These sites will be assessed with this in mind.</p> <p>Agricultural land classification can be used to help make decisions on the appropriate future development of land and therefore can be considered through the SHELAA. The NPPF does indicate the need for an economic assessment to change the use of BMV land but as no sites would be removed from consideration in relation to its classification it is considered this should still be included.</p> <p>Density should be design led however a baseline is needed for the purposes of this assessment. Additional information received regarding the density of a site will be taken into account.</p> <p>Mitigation should be considered as part of the assessment.</p> <p>Agreed that Physical constraints regarding trunk roads should not be included as a factor which will make the site unsuitable at this stage. Trunk roads adjacent to a site will be identified</p>	<p>Relevant amendments made to document as set out with agreed to certain aspects within HBBC's response.</p>

Consultee	Consultee Comments	HBBC Response	HBBC Action
	<p>SECTION 5 – ESTIMATING DEVELOPMENT POTENTIAL Site Densities <i>Housing</i> RPS notes the reference to densities, however we would caution against an overly-mechanistic application of density as ‘standards’ and that, instead, density should be design-led as a means to deliver ‘optimal use of the potential of each site’ as advocated in national policy (NPPF, para 123). References in para 5.6 that these will be used as a guide only are therefore critical to this process for larger sites (in excess of 35ha) given the acknowledgement in the 2020 SHEELA that the Council has no up-to-date data on such sites.</p> <p>SECTION 6 – ASSESSING SUITABILITY, AVAILABILITY AND ACHIEVABILITY Suitability It is recognised that national guidance on assessing suitability of sites and broad locations has been updated and the SHELAA methodology has also been up-dated. In this regard, the latest national guidance dealing with the assessment of suitability was published in July 2019 (PPG Reference ID: 3-018-20190722 Revision date: 22 07 2019). The SHEELA however, fails to mention the up-dated guidance that:</p> <p><i>“[A] site or broad location can be considered suitable if it would provide an appropriate location for development when considered against relevant constraints and their potential to be mitigated....” [emphasis added]</i></p>	<p>through this assessment.</p> <p>Location is not referenced within the 0-5 year timeframe. Location has been included with the later timeframes as it is considered that (for non-strategic sites) location in regards to existing settlement boundary’s does effect the timeframe for development as a site in the middle of the countryside would most likely not gain planning permission and therefore not be considered developable.</p> <p>In regards to build out rates an average has to be used where no information is given within the submission in regards to build out rate.</p>	

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	<p>Consequently, the issue of 'mitigation' has now been placed at the forefront of assessing suitability of sites and broad locations through the SHELAA process. Unfortunately, the SHEELA update makes no reference to mitigation as part of the criteria for assessing suitability of sites and broad locations in the Borough (RPS provides further comment on this under the 'Timeframe for development' assumption below). RPS suggests that mitigation forms an important aspect of the assessment, in terms of potential resolution of constraints based on existing or emerging policy direction or strategy, and also in relation to any technical or other site-specific constraints that could be resolved which in turn alter the outcome of the assessment of that site or broad location.</p> <p>Another important consideration is the need to take into account how up to date the adopted development plan policies are. This is clearly an important factor currently affecting decision-making on all planning matters relating to the provision of housing given the Council cannot currently demonstrate a five-year supply of housing land in the Borough. It is acknowledged the SHEELA has been slightly modified to take account of this.</p> <p>However, of most concern are the additional criteria which seek to define the 'unsuitability' of sites (beyond those 'national' considerations indicating site should be excluded at an early stage). This includes one of the stipulations which states:</p> <p><i>Physical constraints that separate the site from the</i></p>		

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	<p><i>settlement (i.e. trunk roads). However the Council will be realistic if there is interest in building developments large enough to mitigate such a separation through infrastructure adjustments, and this is made apparent from the original submission of land to the Council;</i></p> <p>RPS objects to this revised wording for two reasons. Firstly, in the context of SHELAA process, the approach would introduce 'policy on' considerations into the assessment of suitability that goes beyond the scope of such assessments and which seeks, arguably, to establish a presumption in favour of certain locations ahead of others in advance of the local plan review site selection process. The PPG is quite clear as to the purpose of the assessment of land availability, which states:</p> <p><i>"The [assessment] does not in itself determine whether a site should be allocated for development. It is the role of the assessment to provide information on the range of sites which are available to meet the local authority's...requirements but it is for the development plan itself to determine which of those sites are the most suitable to meet those requirements." (PPG Reference ID: 3-001-20190722 Revision date: 22 07 2019).</i></p> <p>Secondly, the classification of a site as being unsuitable if it is separated from a settlement ignores national policy on identifying land for housing, which states;</p> <p><i>"72...The supply of large numbers of new homes can</i></p>		

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	<p><i>often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities...” (National Planning Policy Framework, February 2019).</i></p> <p>Consideration of national policy remains an important factor in the assessment of suitability as set out in the revised PPG (018), but this should be applied in a balanced manner. Whilst some sites or broad locations may currently lie outside existing settlement boundaries, national policy does not preclude them as a matter of principle as being suitable for development. A change in the strategic policy framework at the local level (as a form of mitigation) could alter their suitability in policy terms, but this is being stymied by the criteria as drafted.</p> <p>Based on the forgoing analysis, RPS suggests this element of the SHEELA is not consistent with national policy or national guidance in relation to the assessment of suitability and, therefore, it should be amended accordingly.</p> <p>Availability RPS notes the wording in the update, which is broadly in line with the July 2019 PPG.</p> <p>Achievability – Market Interest RPS also notes that the level of market interest in Burbage is recognised as being ‘high’ for housing and employment. This is clearly reflective of Burbage’s</p>		

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	<p>strategically favourable location as one of the key foci for growth in the Borough as recently acknowledged by the Neighbourhood Plan Examiner.</p> <p><u><i>Timeframe for Development</i></u> The July 2019 PPG treats timeframes in the following way: <i>How can the timescale and rate of development be assessed and presented?</i></p> <p><i>Information on suitability, availability, achievability and constraints can be used to assess the timescale within which each site is capable of development. This may include indicative lead-in times and build-out rates for the development of different scales of sites. On the largest sites allowance should be made for several developers to be involved. The advice of developers and local agents will be important in assessing lead-in times and build-out rates by year. (Paragraph: 022 Reference ID: 3-022-20190722 Revision date: 22 07 2019)</i></p> <p>It is clearly the case that matters such as location, including proximity to existing settlement boundaries, has no bearing in the timeframe for development in terms of the PPG advice on assessing deliverability. However the update, as drafted, clearly places significant weight on location, and assumes that sites within existing settlements are, by virtue of their location relative to existing development, more likely to be deliverable (within 0-5 years) than other sites i.e. new settlements. However, it is equally the case that larger sites are capable of being delivered much sooner than</p>		

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	<p>the assumed timeframe suggests (current assumption being '15+ years'). On this last point, RPS notes that no evidence is presented by the Council to substantiate that larger sites will, as a matter of principle, take more than 15 years to deliver homes on site.</p> <p>Furthermore, as in line with our concerns raised under suitability, RPS notes that 'mitigation' is only being applied in the context of sites within or adjacent to existing settlements within the 0-5 years' timeframe. This clearly indicates the potential for bias in the assessment if mitigation measures are not being considered or applied fairly across all sites regardless of size, typology, or location.</p> <p>Given the above comments which were raised (March 2020) to the Developer Panel by RPS, para 6.16 is not correct which states that: <i>Site assignment into one of the three groupings will be based on a set of assumptions developed by the Borough Council and agreed upon by the Developer Panel.</i></p> <p><u>Estimated Build Rate</u> RPS notes that the update seeks to establish a new build out rate for sites assessed the SHELAA. The current agreed build out rate is assumed to be 40 dwellings per annum applied as an average across all sites. The update now proposes separate rates for sites up to and over 50 dwellings (based on 20 dpa and 45 dpa respectively). This is broadly consistent with the PPG which recommends the use of 'indicative rates for different scale of sites'.</p>		

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	<p>Given specific comments raised on this issue previously by RPS, we would caution against the application of an average (particularly for sites over 50 dwellings) in a mechanistic or overly prescriptive manner across all sites simply because they exceed a certain threshold. Information used in assessing build-out rates should be informed by robust, site-specific evidence in line with national guidance quoted above.</p> <p>We do note that on page 20 of the SHEELA methodology it is acknowledged that with regards to strategic sites the developers will be contacted to provide a delivery timeline as there is no historic evidence to draw on within the borough and each strategic site is unique. This approach is considered appropriate to follow and is supported, this is also particularly important to be cautious, given the implications of Covid 19 and the recessionary impacts that will inevitably flow through to the build out of sites.</p>		
Barwood Land	<p><u>Table 3: Types and Sources of Data for the SHELAA</u></p> <ul style="list-style-type: none"> - Vacant and derelict surplus (and likely to become surplus) land and buildings Add Network Rail, Midlands Land Portfolio Ltd, Parish Councils, Business Rates, Local land auction houses? - Business requirements Add Local Authority Economic Development Dept, Chamber of Commerce, LEP - Other Sites SHELAA Call for Sites, Self Build Land Register, Vision Documents and 	<p>Land cannot be considered by the council unless it is submitted to us through the call for sites. Changes have been made to table 3 where relevant.</p> <p>Agree with proposed changes.</p>	Relevant changes made to document.

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	<p>Development Briefs, Midlands Connect Strategy (strategic road and rail improvements)</p> <p>2.2 The size of sites to be assessed is supported for reasons of consistency, as stated.</p> <p>4.10 Consideration should also be given to where land ownership restrictions may prevent a site from coming forward, i.e. ransom strips between highway land and the site.</p> <p>6.4 Suitability for Housing. Third Bullet point. <i>There is no existing or potential available access to the site, nor access via additional land from the highway that has not been submitted to the Council.</i></p> <p>6.5 Suitability for Economic uses. First Bullet point. <i>There is no existing or potential available access to the site, nor access via additional land from the highway that has not been submitted to the Council.</i></p> <p>6.7 (numbering should be 6.8) Unavailability. First Bullet point. <i>There is no existing or potential available access to the site, nor access via additional land from the highway that has not been submitted to the Council.</i></p> <p>Landowners / Promoters should be required to demonstrate availability by declaring whether a site is available via Call for Sites.</p> <p>6.8 updated information received from <i>land promoters</i> confirms otherwise. Landowners, <i>Promoters</i> and Developers ...</p> <p>8.1 SHELAA Review criteria. Add two additional bullet points; - Policy changes in Neighbourhood Plan / Devt Plan /</p>		

Consultee	Consultee Comments	HBBC Response	HBBC Action
	<p>Local Plan</p> <p>- Additional and / or more recent information provided in a new SHELAA submission</p>		
<p>Turley – IM Properties</p>	<p>Accessibility constraints</p> <p>Paragraph 4.11 of the draft SHELAA methodology sets out a list of criteria which Hinckley & Bosworth Borough Council (“HBBC”) will consider when assessing the sustainability of an identified site’s proximity to existing infrastructure.</p> <p>It is considered that the existing list does not support the consideration of the “<i>specific locational requirements</i>” and “<i>suitably accessible locations</i>” of storage and distribution operations as referred to in paragraph 82 of the NPPF. The location of a site is of critical importance to storage and distribution operators in particular who look for key characteristics such as access to the strategic road network, to ensure the sustainable movement of goods.</p> <p>Therefore, it is recommended the following existing physical and social key characteristics are added to the list, so that sites assessed through the SHELAA process, for economic use, can be considered robustly:</p> <ul style="list-style-type: none"> • Access to the strategic road network (e.g. A50). • Within a 10 minute drive-time to / from the motorway network (e.g. M1) • Access to labour supply / workforce (e.g. existing or planned housing growth within or around Hinckley or Leicester) 	<p>Standard employment criteria are difficult to evidence. Build out rates vary between sites and this assessment carries out a very basic assessment. Every employment site is dealt with on a case by case basis. The Employment Land and Premises Study (2020) sets out the detailed requirements for employment sites within the Borough.</p> <p>The ELPS will be used in conjunction with this assessment for Employment sites when looking at allocation of sites.</p>	<p>Employment section amended to make assessment process clear.</p>

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	<ul style="list-style-type: none"> • Access to local and national consumer markets (e.g. Leicester) • Access to multi-modal interchanges (e.g. East Midlands Airport / East Midlands Gateway) <p>The addition of these key characteristics will help to accurately inform the identification of deliverable / developable sites for economic use, and in particular reflect the specific locational requirement of storage and distribution operators.</p> <p>Estimating development potential It is agreed that the estimation of development potential is a significant factor in determining the level of land supply in the borough and in assessing the viability of a site for development. Paragraphs 5.10 – 5.12 of the draft SHELAA methodology confirm that the calculation of employment potential is and will be based on the use of plot ratios for different employment use classes as defined in the Housing and Economic Development Needs Assessment (“HEDNA”) (2017) and Strategic Distribution Study (“SDS”) (2014). Given the significance placed on estimating development potential at paragraph 5.1 of the draft SHELAA methodology and the requirement of the NPPF at paragraph 31 that all planning policies are underpinned by up-to-date evidence, it is expected that the next iteration of the SHELAA will be based on a methodology utilising the definitions of plot ratios set out in the forthcoming revised HEDNA and ‘Future of</p>		

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	<p>Warehousing and Logistics across Leicester and Leicestershire Study’.</p> <p>Nevertheless, it is recommended HBBC is agile with how it applies plot ratios given the degree of variance between sites and evolving requirements for employment sites. For example, at Hinckley Park, which IMP is developing, approximately 114,000m² of B2 / B8 floorspace will be delivered on a 54 hectare site, equating to a plot ratio of c. 20%. This is approximately half of the 40% ratio typically applied for storage and distribution (Use Class B8).</p> <p>Suitability – economic uses</p> <p>Paragraph 6.5 of the draft SHELAA methodology states that a site will be considered unsuitable for economic use if <i>“there are no available accesses or access to the site or there is an access provided by an adjacent site, which has not been submitted to the Council”</i>.</p> <p>IMP agrees that a site should not be considered suitable for economic use if there is no access to the site. However, it is unclear in the wording of the methodology whether the evidence of a suitable access needs to be demonstrated and illustrated now in order to justify the identification of a site as suitable. It is common for a site to have no existing access, but via the master planning process, to show how a feasible access can be created. Therefore, it is recommended that paragraph 6.5 and the associated criteria are amended to state a site will be considered suitable for economic use if <i>“the feasibility of an access cannot be demonstrated”</i>.</p> <p>For clarity, IMP’s interests at land north of Markfield Road (A50) can be accessed via Anstey Lane and should be considered suitable for economic use in so far</p>		

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	<p>as it relates to access.</p> <p>Availability Paragraph 6.7 of the draft SHELAA methodology sets out that a site will be found unavailable if safeguarded for strategic infrastructure programmes. IMP support the context for establishing local interventions to improve infrastructure within the borough and will work through the plan-making and decision-making process with HBBC, Leicestershire County Council (“LCC”), government agencies and statutory undertakers to ensure the site promotion and any future detailed development proposals address all infrastructure matters. However, clarification is sought from HBBC as to how or when the extent of the safeguarded land for strategic infrastructure programmes has/will be identified.</p> <p>Achievability It will be critical for the SHELAA and the LPR to demonstrate that there is a reasonable prospect that identified sites are likely to come forward within the plan period. Paragraphs 6.9 – 6.22 of the draft SHELAA methodology set out how a site will be assessed in consideration of the capacity to complete and let / sell a site over a certain period. The draft methodology is based on an assessment of market interest, timeframe for development and estimate build rate per annum to determine achievability. These criteria are welcomed and accepted by IMP though it is noted there is little regard for the assessment of economic uses in relation to market interest and</p>		

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	<p>timeframe for development. This should be remedied by engagement with developers who are delivering strategic employment schemes in the borough and are able to provide qualitative feedback to ensure the assessment of achievability considers market signals. In order demonstrate whether a site is achievable, HBBC should invite feedback from logistics / industrial developers on the following:</p> <ul style="list-style-type: none"> • Site developer(s) delivery intentions and anticipated start and build-out rates. • Likely build-out rates based on sites with similar characteristic in the borough / sub-region. <p>This is encouraged in the Planning Practice Guidance (“PPG”) which is clear that the advice of developers and local agents will be important in assessing lead-in times and build-out rates by year. It is not agreed that the SHELAA should rely on context or findings published in 2016, as set out in paragraph 6.22, because it pre-dates the current NPPF and does not provide relevant or up-to-date evidence as required by paragraph 31 of the NPPF.</p> <p>To support the collation of the qualitative information set out above for economic uses, IMP would like to be part of the developer panel, which is currently predominantly comprised of strategic land promoters and developers in the residential sector. The composition of the developer panel does not reflect the importance of the logistics and industrial market in the borough or the sub-region.</p> <p>CONCLUSION</p>		

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	<p>IMP welcomes the on-going opportunity to review and comment on the evidence base informing the preparation of the LPR. Critically, it provides the opportunity to ensure HBBC is planning positively for economic uses across the borough, alongside delivery of housing land.</p> <p>It is imperative for the economic growth of the borough and the wider sub-region that HBBC review and assess submitted sites within a sound methodology framework. In its existing form, the methodology is not sufficiently balanced to consider whether a site is deliverable / developable for economic use as the assessment criteria is skewed towards housing.</p> <p>In order to remedy this imbalance and ensure sustainable and deliverable / developable land is identified for economic growth, the methodology should endorse IMP recommendations and suggestions and consider the comments in full. Of most importance is the need to consider and reflect upon the key locational drivers for storage and distribution operators, including access to the strategic transport network, access to labour and proximity to market.</p>		
Pegasus - Davidsons	<p>Site Exclusions / Red Constraints</p> <p>As per the previous representation submitted on behalf of Davidsons, there is no objection to the identification of 'red constraints' i.e. constraints that can result from certain sites being found unsuitable for development. However, as per the previous representation, these sites should not be 'excluded' from the SHELAA and should, instead, be included in the assessment for the sake of comprehensiveness but with the relevant constraints set out clearly, as per Planning Practice Guidance.</p>	<p>It is proposed within the methodology paper that mitigation of red constraints could be possible.</p> <p>Density should be design led however a baseline is needed for the purposes of this assessment. Additional information received regarding the density of a site will be taken into account.</p>	<p>Changes have been made to the methodology in line with HBBC comments.</p>

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	<p>Davidsons Developments is pleased to see that the latest Methodology Paper takes this into consideration.</p> <p>Planning Policy Considerations Again, in respect of assessing sites, Davidsons Developments supports amendments that have been made in this regard, including to remove the consideration of sites against whether or not they are adjacent to a 'settlement boundary'. Davidsons nevertheless remains of the view that a SHELAA should be a 'policy off' document, which considers sites against statutory and physical designations / features only. Those 'policy matters' that remain listed as part of the Methodology Paper include elements which still retain statutory protection or designation, such as designated heritage assets.</p> <p>Estimating Development Potential The Methodology Paper indicates that, based upon a review of <i>'completed sites within the last five years'</i> the assumptions on development density set out within the adopted Core Strategy remain relevant. Davidsons Developments challenges this as a 'self-fulfilling prophecy', in that sites delivered in the last five years have likely been determined against the policies set out within the Core Strategy (which was adopted 11 years ago in 2009). Such sites would have needed to comply with the policies therein, including Policy 16 which governs density. Any assessment of the density of sites delivered within the last five years would therefore be an assessment of the implementation (or not) of this policy, rather than a test of whether the policy remains</p>	<p>The development ratios for sites have been based upon the ratios of sites delivered within the past three years. As stated within the document there is no evidence within the Borough for sites above 10ha and therefore in this case ratios from the joint methodology have been used. If different ratios have been given through the submission then this will be considered. The developer panel agreed with the assumptions made.</p> <p>The market interest table was based on the 2016 developer panel assumptions however it has been updated and agreed with interested parties through this review. It is suggested that market interest should be based on the call for sites. The SHELAA assesses sites which have been submitted over a number of years and therefore is not all up to date. Recently submitted applications have been taken into account.</p>	

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	<p>appropriate or relevant.</p> <p>In respect of non-developable areas, Davidsons Developments remains of the view that a development ratio of 50% for sites over 35 hectares is too low and that this does not make the most efficient use of land, as required by Paragraph 122 of the NPPF. This threshold should be removed, with sites greater than 2 hectares assumed as accommodating 62.5% built form.</p> <p>Similarly, Davidsons remains of the view that justification should be provided for these figures other than simply because these are ratios that have been used previously. Indeed, the Methodology Paper acknowledges that "<i>...HBBC have had no completed sites over 10ha within the last three years and therefore as there is no data to inform these categories...</i>". Whilst Davidsons understands that these figures are also within the Joint Methodology Paper, that does not substantiate their application within Hinckley and Bosworth without any supporting evidence that they are applicable, relevant or justified.</p> <p>Assessing Suitability, Availability and Achievability</p> <p>2.10 Davidsons Developments supports the use of the NPPF / PPG when considering suitability, availability and achievability.</p> <p>2.11 The Methodology presents a table based upon discussions held with developers in 2016 and planning applications that have recently been received in order to gauge a level of market interest for development in certain settlements within Hinckley and Bosworth Borough.</p> <p>As per the previous representation submitted by</p>		

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	<p>Davidsons Developments, the use of such historic data is inappropriate in gauging ever-changing market interest. Instead, market interest should simply be gleaned from the submission of sites through the call for sites / SHELAA process.</p> <p>2.13 Market conditions are somewhat different to those prevalent in 2016, whilst planning applications recently received are reflective of market interest in a pre-determined strategy defined by the adopted Local Plan and therefore are not necessarily indicative of market interest in a 'policy-off' scenario.</p> <p>2.14 Nevertheless, Davidsons supports the identification of Desford and the Key Rural Centres as having high demand for housing.</p>		
<p>Fisher German LLP – Richborough Estates</p>	<p>The Survey Phase Part 4 of the Methodology refers to the desktop assessment phase of the SHELAA and to the “considerable amount of information in the form of existing databases and studies” that the Council has access to in being able to assess the deliverability and developability of sites. This is recognised however, it is crucial that Officers also have regard to the up to date, site specific evidence made available by landowners, promoters and housebuilders. This will ensure that the site assessments are as up to date as possible. It is requested that the Methodology at 4.1 and 4.2 is updated to this.</p> <p>The Survey Phase – Topographical Constraints It is recognised that topography of a site can be a constraint to development; it can also be an opportunity. The Methodology needs to be clear how topography of a</p>	<p>Any additional submitted information will always be considered as part of the assessment but this will be set out clearly within the document.</p> <p>The topography will be considered on a case by case basis. It depends on the gradient but also the additional information submitted to the Council.</p> <p>The development ratios for sites have been based upon the ratios of sites delivered within the past five years. As stated within the document there is no evidence within the Borough for sites above 10ha and therefore in this case ratios from the joint methodology have been used. If different ratios have been</p>	<p>Amendments made to part 4 of the methodology.</p> <p>Amendment made to 6.20.</p>

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	<p>site will be scored. A site with a steep gradient does not necessarily render a site un-developable, or by its inclusion within a redline mean that that particular part of the site will be developed. Site topography can play an important role in enhancing a wider scheme and a site should not be scored down just because it may have level changes in parts. The Methodology should reflect this variable.</p> <p>Estimating Development Potential – Housing Paragraph 5.2 states that the housing potential of each site will be determined by densities agreed through the joint methodology and through a percentile discounting formula. Richborough Estates has concerns in respect of the discounting proposed in paragraph 5.5.</p> <p>Richborough Estates generally only achieve 65% to 70% residential capacity on their sites of 2 hectares (ha) or over. maximum. On the last scheme Richborough Estates took forward this was reduced to 46% due to the complex nature of the site. Applying the ratio proposed within the draft SHELAA Methodology will risk the Council overestimating the quantum of development sites can support; resulting in the Council allocating an insufficient amount of land to meet their housing need over the Plan period.</p> <p>It is noted that Davidson Homes have already raised such concerns through the Joint Methodology (as reported in Table 2) advising that sites greater than 2 ha should be discounted to 62.5% built form. Richborough Estates support this approach and consider discounting of this level is the only way in which the Authority can be</p>	<p>given through the submission then this will be considered. The developer panel agreed with the assumptions made. Davidsons only suggested 62.5% for sites greater than 2 ha as they stated that 50% was too low.</p> <p>Agreed that Land promoters should be included within the timeframe criteria.</p>	

Consultee	Consultee Comments	HBBC Response	HBBC Action
	<p>confident that it will meet its housing needs.</p> <p>Timeframe for development</p> <p>Paragraph 6.17 refers to the parameters the Council will consider for determining whether a site is deliverable 'within 5 years'. The final bullet point under this heading needs to be updated as below to reflect the role of promoters in housing delivery. Richborough Estates has a strong track record of securing planning permission, disposing of the site and sites contributing significantly to housing supply within a five-year period. The requested amendment to the criteria is shown in bold below:</p> <ul style="list-style-type: none"> • The site is owned or controlled by a developer, promoter with a track record of delivery, or builder who is ready to start the development 		
<p>Boyer Planning – Persimmon Homes</p>	<p>Environmental / Planning Policy Constraints</p> <p>When determining the suitability of a site for development, it is important that the extent of environmental and planning policy constraints are defined in the assessment. Section 4 of the Draft SHELAA Methodology provides an overview of the constraints which will be considered by the Council. The constraints should not however be applied in a broad-brush manner because it could render potential development sites unsuitable simply because a small section of the site has an environmental or planning policy constraint.</p> <p>In addition to this, consideration should be given within the SHELAA assessments towards opportunities to mitigate for, or even improve upon, designated and non-designated constraints. This will provide a greater depth of analysis for each site and demonstrate a positive and</p>	<p>Constraints are not applied in a 'broad-brush manner' and if mitigation measures for constraints are submitted as part of the call for sites submission these will be taken into consideration.</p> <p>In regards to density if a submission states what the proposed density of the site and the developable area of the site is then this will be treated as the most up to date evidence and assumptions will not be applied to this site.</p> <p>Accessibility is considered within the assessment. This is set out within 4.11 and 4.12.</p>	<p>Changes made to document to clarify mitigation.</p> <p>Clarification added to the document for densities and developable areas.</p>

Consultee	Consultee Comments	HBBC Response	HBBC Action
	<p>proactive approach to determining the true development potential of a site by the Council. It should be made clear that environmental or policy constraints do not automatically render a site unsuitable and significant weight should be afforded to potential mitigation measures, if evidence submitted to the Council through SHELAA consultation or targeted engagements with developers/promoters/agents is sufficiently clear.</p> <p>Density Section 5 of the Draft SHELAA Methodology utilises the density targets contained in Policy 16 of the Core Strategy (2015), yet notably does not contain the caveat as stated in the Policy whereby <i>'in exceptional circumstances, where individual site characteristics dictate and are justified, a lower density may be acceptable'</i>.</p> <p>Furthermore, the Council have made assumptions on what they consider to be an appropriate net density for sites of varying sizes. As part of which, sites between 2 and 10 hectares will be considered to have a net developable area of 85%. It is noted that if a red constraint partially covers the site, the area will be amended and the calculation will be derived from the new site area. However, it fails to take into consideration more minor constraints such as those which relate to environmental and planning policy matters. In some cases, it will be necessary to have lower/higher net developable areas to address the specific matters relating to a site.</p>		

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	<p>As such, we consider it necessary that the opportunity to recommend the density for a site should be included as part of any future SHELAA consultations, whereby developers/promoters/agents are required to provide sufficient evidence to support their claims for a suitable density. Naturally, this would be underpinned by the continued aspiration to make effective and efficient use of land in accordance with Chapter 11 of the NPPF.</p> <p>Accessibility and Site Suitability We consider that the suitability criteria listed in Paragraph 6.3 of the Draft Methodology, as taken from the Housing and Economic Land Availability Assessment PPG, should be expanded to include a consideration of the accessibility of the site to sustainable modes of transport and the relationship which the site has with the service and facility base of whichever settlement it is located within.</p> <p>This will enable a greater understanding of how the site would integrate with the existing urban grain, thereby providing a more detailed level of assessment and understanding of the development potential of a site. In accordance with the NPPF, significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Nonetheless, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in the SHELAA Methodology also.</p>		

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	<p>Other Matters Finally, we agree with the assessment that market interest for housing in Burbage is 'high', as contained in Table 4 of the Draft SHELAA Methodology.</p> <p>Conclusion In conclusion, we raise no issues in respect of Hinckley and Bosworth Borough Council's overall approach and methodology for the SHELAA. However, the above representation has highlighted a number of concerns in relation to identifying constraints, density assumptions and accessibility and site suitability.</p>		