Burbage Parish Neighbourhood Plan

The Neighbourhood Planning (General) Regulations 2012 (Regulation 16)
Publication of Plan Proposal Consultation

Monday, 16 September 2019 to 17:00 on Monday 28 October 2019

Response form

<table>
<thead>
<tr>
<th>Respondent details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: Clare Eggington</td>
</tr>
<tr>
<td>Address: Pegasus Group, 5 The Priory, Old London Road, Canwell, Sutton Coldfield B75 5SH</td>
</tr>
<tr>
<td>Telephone:</td>
</tr>
<tr>
<td>Email:</td>
</tr>
<tr>
<td>Organisation (if applicable): Pegasus Group on behalf of Davidsons Developments Ltd</td>
</tr>
<tr>
<td>Position (if applicable): Associate Planner</td>
</tr>
</tbody>
</table>

Your representation on the Burbage Neighbourhood Plan

Overall do you support the plan, would support the plan with some modifications, or oppose the plan? (please tick one answer)

- Support
- Support with modifications
- Oppose

Please indicate whether you wish to be informed of any decision by Hinckley and Bosworth Borough Council to either make/adopt the Neighbourhood Plan or refuse to make/adopt the Neighbourhood Plan.

- Yes, please inform me of the decision
- No, I do not wish to be informed of the decision
<table>
<thead>
<tr>
<th>Paragraph number/policy reference</th>
<th>Comments/suggested modifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>Please see attached representations</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>(Continue on additional sheets if necessary)</td>
<td></td>
</tr>
</tbody>
</table>

**Signature:** [Redacted]  
**Date:** 25/10/19

**Privacy notice**
In accordance with Article 6(1)(f) of the General Data Protection Regulation, the council has a legitimate interest to process information during this consultation period. Together with your comments, it will be used as part of the statutory plan making process and will be available for public inspection. Signatures, email addresses and telephone numbers will be removed before disclosure as a matter of course. We cannot provide anonymity or accept comments marked ‘private or confidential’ and comments that include offensive, racist, discriminatory, threatening and other non-relevant statements will be destroyed.
BURBAGE NEIGHBOURHOOD PLAN 2015-2026
REGULATION 16 CONSULTATION

OCTOBER 2019

REPRESENTATIONS ON BEHALF OF
DAVIDSONS DEVELOPMENTS LTD
CONTENTS:

1. INTRODUCTION 1
2. THE NEIGHBOURHOOD PLAN AND BASIC CONDITIONS 3
3. LAND EAST OF LUTTERWORTH ROAD 14
4. CONCLUSIONS 17

APPENDICES:

APPENDIX 1: Land East of Lutterworth Road Neighbourhood Plan site promotion area
APPENDIX 2: Land East of Lutterworth Road Planning Application area
1. INTRODUCTION

1.1 Davidsons Developments Ltd welcome the opportunity to respond to the ‘Burbage Neighbourhood Plan 2015-2026’ (Regulation 16 Consultation). Davidsons Developments Ltd (hereafter referred to as ‘Davidsons’) is supportive of the proactive approach being taken by the Burbage Neighbourhood Plan Group (BNPG) in preparing a Neighbourhood Plan for Burbage to identify and deliver the aspirations of the local community.

1.2 Davidsons has current land interests within the Neighbourhood Area on land to the east of Lutterworth Road, Burbage. A site location plan is attached at Appendix 1 which shows the extent of the site being promoted through the Neighbourhood Plan process. A planning application is currently being prepared however which relates to a reduced site area and this is shown at Appendix 2.

1.3 These representations are framed in the context of the requirements of Neighbourhood Plans to meet the Basic Conditions as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990, as applied to Neighbourhood Plans by section 38A of the Planning and Compulsory Purchase Act 2004. The Basic Conditions as set out in National Planning Practice Guidance Paragraph: 065 Reference ID: 41-065-20140306 are:

a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the Order (or neighbourhood plan).

b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the Order. (This Basic Condition applies only to Orders therefore is not applicable to this case)

c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. (This Basic Condition applies only to Orders therefore is not applicable to this case)

d. the making of the Order (or neighbourhood plan) contributes to the achievement of sustainable development.
e. the making of the Order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

f. the making of the Order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.

g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the Order (or neighbourhood plan).

1.4 The purpose of these representations is to highlight areas of the NDP that are supported, and to draw attention to elements of the NDP that do not meet the Basic Conditions. These representations are intended to be helpful in identifying modifications that should be incorporated within the NDP having regard to changes to national and local policy and guidance which are likely to significantly influence plan-making at the local level.
2. THE NEIGHBOURHOOD PLAN AND BASIC CONDITIONS

2.1 As mentioned previously, the Neighbourhood Plan must meet the requirements of the Basic Conditions, and the representations are made in the light of these, focusing upon those areas of particular relevance.

2.2 At this point however, it is considered necessary to highlight that there are some inaccuracies in the plan which could cause confusion about its status. Paragraph 5.13 appears to be text which has mistakenly been left in from the previous (Regulation 14) consultation as it refers to future consultations. This section needs amending for accuracy. For the purposes of these representations it has been assumed that this is the formal Regulation 16 consultation and this has been confirmed with policy officers at Hinckley and Bosworth Borough Council.

Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the Order (or Neighbourhood Plan).

2.3 Firstly, the Neighbourhood Plan contains several references to the National Planning Policy Framework (NPPF) 2018 which need correcting given that an updated version was published in February 2019. In some cases, (for example paragraph 8.1 of the Neighbourhood Plan) the wrong NPPF paragraph references are cited.

2.4 The NPPF states that Plans should ‘contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals’ (Paragraph 16 (d)).

2.5 This is reflected in the National Planning Practice Guidance (NPPG) which states: ‘A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared’.  

1 (Paragraph: 041 Reference ID: 41-041-20140306 Revision date: 06 03 2014).
2.6 The Neighbourhood Plan contains several maps which relate to policy articulation or to the evidence which informs policy formulation. The plans (in particular, Figures 2, 5, 6 and 7), are blurred and heavily pixelated and are therefore most certainly not clear and unambiguous. This is the information which has been put out to consultation. The supporting information, including the high-resolution plans, are on a separate website accessible via a link on the ‘supporting documents’ page. There then follows a series of further links to the more detailed information which has been used to inform the plan.

2.7 Much of the information being consulted upon directly as part of the Regulation 16 process is not at all clear. It is possible that different parties will have access to differing levels of detailed information on which to make their assessments when responding to this consultation.

2.8 To illustrate this point further, whilst most of the maps in the Neighbourhood Plan do at least have higher resolution versions available online (albeit not on the same page as the Neighbourhood Plan), this does not seem to apply to Figure 2 which shows the limits to development. This map is largely illegible, even online, but the plan states ‘see A3 size map for more detail’. From the information which can be gleaned from this map however, it seems that the settlement boundary is drawn rather tightly around the existing urban edges, calling in to question the ability of the settlement to accommodate the development which it will be required to deliver, as set out later in these representations. It also does not take account of new development under construction, and again this issue is considered later.

2.9 Even where the plans are available in high resolution, there are several inaccuracies or areas where there is a lack of clarity and it is emphasised that this information must NOT be used for making policy without consultees having a further chance to comment on the detail. This is explained in the following paragraphs.

2.10 Firstly, the Environmental Sites Inventory shown at Figure 6 (High Resolution version) shows site 26 as a Site of Natural and/or Historic Environment Significance, more specifically listed as Ridge and Furrow and Semi Improved Grassland. However this site is currently being built out\(^2\) (three dwellings). It is

---

\(^2\) 17/01124/FUL | Demolition of existing dwelling and erection of 3 new dwellings and associated access
also not clear where the boundary lies as the demarcation of the site (in pale yellow) is not clear.

2.11 Secondly, the Environmental Proposals map shown at Figure 7 (High Resolution version) is inaccurate and lacks clarity.

2.12 On this map, site 26 identifies a small sliver of land coloured orange. This is not referenced in the key, as the only site in the key highlighted in this colour relates to the Old Sketchley Paddock, a totally different site.

2.13 Furthermore, the Area of Designated Countryside (highlighted in pink) does not reflect sites which are now being built out. This includes 72 homes now under construction to the south west of Lutterworth Road3.

2.14 The Neighbourhood Plan therefore does not meet the Basic Conditions in compliance with NPPF paragraph 16 (d). The policies cannot be concluded to be clear and unambiguous as they are being formulated using inaccurate information. If the information is corrected, as stated previously, policies should not be approved without further chance for the public to comment.

2.15 In terms of Policy 3: Design and Layout, it is recommended that this is now updated to reflect the introduction of the new National Design Guide and associated National Planning Practice Guidance (October 2019).

2.16 Paragraph 7.3 of the Neighbourhood Plan refers to it being a ‘live’ document. It is incorrect to say this, as once made it becomes part of the Development Plan which can only be altered through a formal process of review. This is set out in the National Planning Practice Guidance (NPPG) which states4:

‘There are 3 types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves:

Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors,

---

3 17/00795/REM Approval of reserved matters (appearance, layout, scale and landscaping) of outline planning permission 15/01292/OUT for residential development of 72 dwellings).
4 Paragraph: 106 Reference ID: 41-106-20190509
such as a reference to a supporting document, and would not require examination or a referendum.

Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.

Material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.’

2.17 The Plan therefore needs to be corrected provide clarity in terms of its status.

2.18 In terms of plan formulation, chapter 3 of the NPPF sets out the framework for plan making, with Neighbourhood Plans provided with the powers to develop non-strategic policies for their area. Paragraph 29 states: ‘Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies’.

2.19 The references to the presumption in favour of sustainable development accords with the NPPF and this is welcomed. However, there are some inconsistencies with the application of national policy when considered in the local context, particularly in relation to housing supply and delivery. This matter is considered further in the following sections relating to sustainable development and to compliance with local policy, particularly in relation to the need to apply the Standard Methodology in the light of the Core Strategy being out of date.

2.20 It is also noted that the Neighbourhood Plan period runs from 2015-2026. Ideally it should align with the timescale of the Local Plan review which covers a period up to 2036, and should be reflecting growth needs accordingly. The current
Neighbourhood Plan timescale means that the Neighbourhood Plan will quickly be rendered out of date, as per NPPF Paragraph 30.

2.21 Policy 8: Ridge and Furrow Fields does not comply with the NPPF. Burbage lies within the study area of Turning the Plough, a study of ridge and furrow earthworks in the East Midlands but is not listed as a Priority Township (one of the most important areas identified by the study). The earthworks gain their significance primarily through their historic illustrative value, illustrating historic land use. Extant areas of ridge and furrow earthworks should be considered to form part of a heritage asset comprising the surviving ridge and furrow across the parish of Burbage. Collectively, these are considered to be of a significance commensurate to a non-designated heritage asset of lower significance.

2.22 As such, the loss or harm to any elements of ridge and furrow should be considered in this context and, as per paragraph 197 of the NPPF, ‘...a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.’

2.23 The policy wording in the Neighbourhood Plan (Policy 8) – ‘Developments should not result in harm to surviving areas of ridge and furrow fields as identified on Figure 7, page 35’ is overly restrictive and is therefore not consistent with the NPPF, particularly as there only appears to have been limited assessment of the ridge and furrow within the parish and several of the areas identified on Figure 7 have not been confirmed.

2.24 It would be more appropriate to state that it would be desirable to preserve areas of extant ridge and furrow within the parish and that any harm to the asset should be justified and weighed against the public benefits of a proposed scheme. The policy wording should allow for a balanced judgement, considering the significance of the heritage asset and the scale of any harm or loss (as per paragraph 197 of the NPPF).

2.25 Davidsons would advise that well designed developments which incorporate ridge and furrow as part of a landscape-led scheme can actually provide far more protection to the historic landscape by ensuring that elements of the highest quality examples of ridge and furrow are incorporated into developments as open space, to protect them in perpetuity, increasing public access for the wider community. It is often the case that examples of ridge and furrow are sited on
private land, away from public footpaths and roads, and are therefore inaccessible and invisible to the public. The successful incorporation of areas of ridge and furrow into new development can result in the its preservation in perpetuity, whilst allowing the public to visually interact with, and appreciate, its historical significance. This accords with the principles of the newly published National Design Guide which encourages high quality green spaces which reflect the local context and character.

**The making of the Order (or Neighbourhood Plan) contributes to the achievement of sustainable development.**

2.26 As stated previously, the broad recognition in text that the plan needs to support sustainable development is welcomed.

2.27 The NPPF sets out that achieving sustainable development has an economic, a social and an environmental objective. In terms of the social objective this includes the need to provide ‘*a sufficient number and range of homes....to meet the needs of present and future generations*’ (NPPF Paragraph 8b).

2.28 Given the sustainability credentials of Burbage and its position within the adopted settlement hierarchy for Hinckley and Bosworth, it is inevitable that Burbage will be required to accommodate further growth as part of the Hinckley and Bosworth Local Plan Review (the Draft Local Plan is currently expected early 2020). It is considered that the policy *wording* is *generally* positive to enable this to happen, but the settlement boundary map (insofar as it is legible) could unduly prevent accommodation of this growth. If it does so, the plan would fall short on achieving its goal of social sustainability meaning that this Basic Condition could not be met. Policy should be clear and unambiguous as mentioned previously, and the settlement boundary maps are certainly not clear enough to enable policy to be formulated and applied, and neither are they clear enough to facilitate meaningful feedback as part of this consultation process.

2.29 It is noted that the area to the south east of Burbage is proposed to be designated as an ‘Area of Designated Countryside: protection of Burbage’s rural context’ as shown on the key to Figure 7. The related policy (Policy 11) is titled ‘Area of Landscape Sensitivity’, so there needs to be consistency with titles.
2.30 In terms of the proposed designation, it is questioned whether this policy is really necessary given that the evidence base (Landscape Sensitivity Assessment 2017, Appendix 26) indicates sensitivity of low to medium for five out of the six criteria (physical character, settlement form and edge, settlement setting, visual character, perceptual qualities), and medium for historic character, a matter which is considered earlier in these representations in terms of how this needs to comply with national policy.

2.31 Given the tightly drawn boundaries around Burbage as mentioned previously it is important that this potential designation is NOT used to block development where this is needed to deliver local needs, but will simply require higher levels of consideration such as Landscape and Visual Assessments for example – as set out in the Neighbourhood Plan – to ensure that such schemes are sensitively designed to complement the local landscape. Again, proposals would need to be considered in the context of the overall planning balance as set out in the NPPF.

2.32 Notwithstanding the aforementioned comments relating to compliance with this Basic Condition, it is re-emphasised that policy must NOT be made on the basis of inaccurate information as set out earlier in these representations.

**The making of the Order (or Neighbourhood Plan) is in general conformity with the strategic policies contained in the Development Plan for the area of the authority (or any part of that area).**

2.33 At the local level, the current strategic planning policy framework is set out within the Hinckley and Bosworth Borough Council Core Strategy DPD and the Site Allocations and Development Management Policies DPD. It should be noted that the Core Strategy DPD was adopted in 2009, prior to the introduction of new National Guidance set out in the National Planning Policy Framework (NPPF) in 2012 and therefore not all adopted policies will represent an appropriate basis for providing certainty through the formulation of local policy.

2.34 The Neighbourhood Plan recognises that Burbage is obliged to work within the broad housing requirements specified by Hinckley and Bosworth Borough Council. Whilst Davidsons welcome the recognition that a Neighbourhood Plan cannot be utilised as a tool to resist further development, the broad housing requirements currently established through the development plan for Hinckley and Bosworth Borough do not represent the objectively assessed housing needs for the area,
which are now set by the Standard Methodology as introduced by MHCLG in February 2019. The implications of this will be set out later in this section.

2.35 The Borough Council is currently reviewing its Local Plan, with a Draft Local Plan anticipated to be produced early 2020. In addition to the minimum housing requirement set by the standard method the plan will also have regard to local needs and cross boundary pressures and make important decisions on the spatial distribution of planned growth.

2.36 The review process will be informed by the Strategic Growth Plan for Leicester and Leicestershire (December 2018). This is a ‘non-statutory’ plan, but is intended to provide an agreed framework between the Local Planning Authorities to inform the preparation of Local Plans. The Strategic Growth Plan will play an important role in redistributing a shortfall in housing provision within Leicester City across Leicestershire County.

2.37 In February 2019 the Government introduced a Standard Methodology for assessing housing need. The Standard Method uses a formula to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply. This forms the default figure in the case of out of date plans (NPPF paragraph 73).

2.38 As a result, the minimum number of homes Hinckley and Bosworth Borough Council is expected to deliver is currently 457 per annum. Paragraph 73 of the NPPF sets out a requirement to add a buffer to this figure, the level of which depends upon how the Council is performing in relation to the Housing Delivery Test (HDT) which was also introduced in 2019. The Council is currently meeting its HDT targets (as defined in November 2018) and therefore at the time of writing these representations is required to add the minimum buffer of 5%. The buffer therefore equates to 23 dwellings, bringing the total minimum annual requirement to 480 dwellings.

2.39 NPPF Paragraph 65 sets out that ‘Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period. Within this overall requirement, strategic policies should also set out a housing requirement for
designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations.’

2.40 NPPF Paragraph 66 states: ‘Where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority’.

2.41 There appears to be no evidence of such a request having been made of the Local Planning Authority to assist with the Neighbourhood Plan. Indeed, the Neighbourhood Plan sets out in Paragraph 9.3 that ‘Burbage has already exceeded its minimum housing target and the Plan does not allocate any further sites as per HBBC Local Plan 2006-2026: Site Allocations and Development Management Policies DPD Page 13 Residual Housing Requirements’. Yet the Site Allocations Plan is out of date, as it is delivering the requirements of an outdated, pre-NPPF Core Strategy. It is, therefore, certainly not in compliance with updated national policy, even though it might well be worded in a way which accords with current adopted policy and again fails the Basic Conditions in this regard. It cannot be said to be exceeding minimum housing targets when the national method for setting these has changed.

2.42 It is therefore essential to consider, in the absence of an up to date figure from the Local Plan, what a reasonable figure for Burbage might be. A method for assessing this was suggested by Davidsons in their representations to the Regulation 14 Consultation back in 2017. This method is applied here, using the most up to date figures.

2.43 The proposed approach where a Local Plan is out-of-date, which is the case within Hinckley and Bosworth Borough, is to utilise the simple formula-based approach which apportions the overall housing need figure for the relevant local authority area with relevant buffer applied (480 dpa in the case of Hinckley and Bosworth Borough) to the neighbourhood planning area. The proposed formula is simply to take the population of the neighbourhood planning area (which is 14,568 for the Burbage Neighbourhood Area based on the 2011 Census) and calculate what percentage it represents of the overall population of the local planning area
(which is 110,100 for Hinckley and Bosworth Borough based on the 2011 Census). Therefore, the population of the Burbage Neighbourhood Area represents 13.23% of the population of the Borough as a whole.

2.44 Utilising this information and following the proposed approach, the housing need figure for the Burbage Neighbourhood Area would equate to 64 dwellings per annum (13.23% of 480 dwellings per annum). Over the proposed plan period of the emerging neighbourhood plan of 2015 to 2026 (11 years), the housing need figure would equate to 704 dwellings.

2.45 In light of the housing need of 704 dwellings for the Burbage Neighbourhood Area, based on the Standard Method, it is relevant to consider the supply of housing over the proposed plan period.

2.46 Hinckley and Bosworth Borough Council monitors housing delivery against the requirements established within the development plan. The latest position is set out in the Residential Land Availability Monitoring Statement for 1st April 2018 to 31st March 2019.

2.47 Appendix 1 concludes that from 2015 (the beginning of the Burbage Neighbourhood Plan period) to 2019, 470 new homes have been delivered within Burbage. Appendix 8 provides a forward trajectory of housing completions by location. This highlights a forward trajectory for Burbage of existing commitments, using the updated definitions of deliverability introduced by MHCLG in 2019. This shows that 117 homes are either under construction or due to be started shortly. When added to the 470 already delivered this shows a total figure of 587 homes being delivered: considerably fewer than the 704 which should be delivered over the plan period. Furthermore, this is a minimum figure as it does not take account of any shortfalls across the wider housing market area which will need to be addressed by the Borough Council through the Duty to Co-operate, nor any local requirements which might need to be addressed.

2.48 Notably, the Residential Land Availability Monitoring Statement also shows that the Council does not currently have a Five Year Supply. As mentioned previously the assessment incorporates recent changes by the Government to the definitions of 'deliverability' contained within the National Planning Policy Framework. This revised approach has resulted in the exclusion of the Earl Shilton Strategic Urban Extension (SUE) from the five-year supply calculation. This is because the Council
has reached the view that there is no longer sufficient evidence to show that there is a realistic prospect that housing will be delivered on this site within five years.

2.49 Similarly, whilst the Barwell SUE is still anticipated to deliver homes within the next five years, the Council has reduced the number it believes will be delivered based on current developer interest. Furthermore, the S106 agreement for the SUE has not yet been signed.

2.50 As a consequence, the Statement identifies that the Council is only able to demonstrate a 4.15-year supply at this current time.

2.51 This serves to illustrate the point that the Neighbourhood Plan needs to be based on up to date policy, and the housing requirements stemming from this. It needs to account for the fact that such figures are minimum figures and do not take account of other shortfalls nor the requirement for plan makers and decision takers to significantly boost housing supply.

2.52 Furthermore, the plan should ideally be aligned to reflect the timescales of the Local Plan Review, ie up to 2036 to ensure it remains up to date, and should be reflecting growth requirements accordingly. A further ten years on to the plan period would add a requirement of another 640 homes based on the current standard method figure as apportioned, bringing a total minimum requirement to Burbage of 1,344.

2.53 The allocation of land within the Burbage Neighbourhood Plan to address these matters would assist in ensuring the emerging Plan aligns to the recent changes to national policy and guidance and the impact that this has had upon planning policy at the local level. This matter has not been addressed.

2.54 The site east of Lutterworth Road, Burbage, is promoted by Davidsons as a suitable, sustainable and deliverable site, ideally placed to fulfil this identified shortfall in housing supply within Burbage, through a high quality, landscape led scheme.
3. **LAND EAST OF LUTTERWORTH ROAD**

3.1 Davidsons Developments has a controlling interest in land to the east of Lutterworth Road (site location plan attached at Appendix 1). The site has been promoted through the Call for Sites, through the processes relating to the review of the Local Plan, and through the Neighbourhood Plan. An outline planning application is currently being prepared, with public consultation being undertaken in October 2019. The application relates to a reduced site area as shown at Appendix 2.

3.2 The site being promoted via the Neighbourhood Plan, as identified on the site location plan at Appendix 1 extends to approximately 11.49 hectares and comprises a number of fields, currently in agricultural use. The site is bounded by: residential uses to the north (Flamville Road) and west (Lutterworth Road and Fosse Close); the M69 and a small haulage yard to the south; and, open agricultural uses to the east.

3.3 The site could deliver in the region of 170 dwellings assuming the provision of a mix of dwellings including smaller 1, 2 and 3 bedroom properties ideal for ‘first time buyers’, younger couples/families and ‘downsizers’ and the provision of necessary infrastructure on site, including public open space and associated landscaping.

**Natural Environment**

3.4 There are no environmental constraints that would prevent development of the site. The Neighbourhood Plan identifies an Environmental Inventory which highlights the lack of constraints related to the site, which lies outside of the Hinckley and Bosworth Borough Council Biodiversity Improvement Area 2011 and outside of the view corridor of the historic centre of Burbage. It is also noted that there are no sites of high environmental and community significance identified within the site to the east of Lutterworth Road.

3.5 A comprehensive ecological assessment has been undertaken and there is nothing on-site to indicate that there are any issues that would prevent the site coming forward. Any localised ecological considerations will influence the emerging proposal and will provide a green infrastructure framework that will
contribute towards achieving environmental sustainability, whilst at the same time working within the natural features of the site.

3.6 The site lies within the proposed Area of Landscape Sensitivity. The Neighbourhood Plan is supportive of development where it is landscape led and informed by the appropriate evidence. It is confirmed that the proposals are landscape led, informed by an LVIA. It is also noted that the evidence base states that ‘the landscape is considered to have overall low-medium sensitivity to residential development due to the strong influences of the existing settlement edge and the M69 on the rural agricultural character’ (Landscape Sensitivity Assessment 2017, page 44).

**Highways and access**

3.7 Access can be achieved from Lutterworth Road, without the requirement to utilise third party land. A Transport Assessment and Travel Plan have been prepared to show that any impacts can be mitigated.

**Cultural Heritage**

3.8 There are no listed buildings or structures within the site. There are also no listed buildings or structures in the immediate vicinity of the site i.e. adjoining its boundary. This position is confirmed by the figure of Heritage Assets (Listed Buildings) contained within the Neighbourhood Plan.

3.9 The site contains some evidence of Ridge and Furrow, and good quality examples of this would be incorporated into a landscape-led scheme to ensure its protection in perpetuity. There are considered to be no heritage issues which would preclude the development of this site.

**Flood Risk**

3.10 The site is located entirely within Flood Zone 1, the area at least risk from flooding. Any development proposal would seek to utilise Sustainable Drainage Systems (SuDS) in developing the most appropriate strategy for drainage for the site.
Economic Benefits

3.11 In terms of economic sustainability, jobs would be created during the construction phase of the development (including indirect employment through the construction supply chain). The residents of the development would also serve to support the existing local facilities and services within Burbage, such as the shops, pubs and restaurants and Post Office, through additional household spend.

Summary

3.12 Davidsons Developments Ltd has acquired interests in this site and can confirm that there are no land ownership or legal issues which would prevent a development proposal being implemented. The site is available and represents a viable proposition for residential development.

3.13 The site east of Lutterworth Road represents a logical, sustainable extension to the Burbage and has the ability to accommodate the additional future housing needs of the neighbourhood area to 2026, and indeed beyond this period.
4. CONCLUSIONS

4.1 Davidsons Developments supports the preparation of the Burbage Neighbourhood Plan as it provides a positive opportunity for the local community to have greater influence on the form and location of new development.

4.2 Some of the information provided during the Regulation 16 consultation was unclear, and inaccurate and this situation needs rectifying. Taking this into account, policy which is formulated using this information must not be made without further opportunity for public comment. Furthermore there are a number of areas which are not compliant with the Basic Conditions as set out in the representations and the plan needs modifying to address these matters.

4.3 It is noted that the impact of new housing was raised as a major concern during consultation, however the recognition within the Neighbourhood Plan that housing needs to be planned for is welcomed. However, the plan needs to be providing for this in line with up to date policy and not the policies of the out of date Core Strategy and the subsequent Site Allocations Plan. As it stands at present, the plan does not seem to provide sufficient flexibility to accommodate these needs, although those policies which are supportive and provide parameters for the consideration of development such as landscape-led schemes are welcomed.

4.4 The land east of Lutterworth Road, Burbage, offers the opportunity to allocate land to a landscape led, sensitively designed sustainable residential development that is away from the conservation area and which would incorporate areas of Ridge and Furrow to secure their protection for the long term. No local listed buildings or local heritage assets would be affected by the development.

4.5 Davidsons Developments would be happy to supply any further information should this be required.
APPENDIX 1

Neighbourhood Plan site promotion area
APPENDIX 2

Planning Application area