

**HBBC Response to 'Guidance and Directions, Appendix' issued by Mr Tim Jones 080420**

No.	Question and comments by Mr Jones	HBBC Response
1.1	What is the current housing land supply figure for the borough?	<p>The current housing land supply for Hinckley and Bosworth is 4.15 years, based on annual housing need set by the Standard Method which was 457 dwellings at 1 April 2019.</p> <p>This is currently being reviewed but will not be updated until Summer 2020.</p>
1.2	Is there any reason why I should not treat the figure of deliverable housing land supply of 4.15 years in the Peckleton Lane Appeal Decision as accurate on the date when evidence was submitted in that appeal?	No reason, as above.
1.3	<p>[Primarily to HBBC]</p> <p>When was evidence submitted in that appeal?</p>	<p>Dates for submission are as follows:</p> <ul style="list-style-type: none"> <li>• Statement of Case – 3/10/2019</li> <li>• Statement of Common Ground – 30/10/2019</li> </ul> <p>Documents can be found on HBBC website here: <a href="https://pa.hinckley-bosworth.gov.uk/online-applications/">https://pa.hinckley-bosworth.gov.uk/online-applications/</a></p> <p>Application reference: 18/01252/OUT</p>
1.4	<p>What significant changes have there been since that appeal?</p> <p>[I anticipate that it will include the granting of planning permission by that appeal, but, if this is wrong, this should be pointed out.]</p>	<p>The Peckleton Lane application was granted at appeal (18/01252/OUT) for 80 dwellings.</p> <p><b>Significant changes in Desford since Peckleton Lane</b></p> <p>Additional application on Kirkby Road submitted for 120 dwellings (decision has been delayed due to COVID-19).</p> <p><b>Significant changes elsewhere in the Borough ince Peckleton Lane</b></p> <p>Other sites granted:</p> <ul style="list-style-type: none"> <li>• The Trinity Marina, Hinckley – outline for 74 dwellings</li> <li>• Amber Way, Burbage – 40 dwellings</li> </ul>

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		<ul style="list-style-type: none"> <li>• Springfield Riding School, Ratby – outline for 168 dwellings</li> </ul> <p>More information can be provided for Borough-wide stats if needed.</p>
2	<p>The NDP states that “HBBC provided an indicative figure of 163 units, calculated by the Standard Methodology, and gave credit for 70 completions, leaving a net target of 93”. I have read HBBC representations in respect of this. Are any alternative figures put forward?</p>	<p>Up to this point no alternative figure can be given to all the neighbourhood plan groups in Hinckley &amp; Bosworth as the spatial strategy for the new Local Plan has not been confirmed. However the indicative figure of 163 dwellings was given as an indicative figure based on the Core Strategy distribution and it was stated that this would not necessarily represent future distribution within the Borough. HBBC’s comments on this can be found at the end of Appendix 1 and in the main table of comments on page 6 of our Regulation 16 representations. HBBC’s comments throughout the process has clearly stated that the number 163 dwellings should not be relied upon, due to various reasons such as potential changes to the standard methodology, uncertainty over Leicester City’s unmet need, and the lack of an up to date borough wide housing spatial strategy (whilst the Local Plan Review is being developed). Unfortunately these three issues remain unresolved.</p> <p>At the recent Burbage Neighbourhood Development Plan examination hearing (03 March 2020), the boroughs inability to provide an up to date housing requirement for the purposes of neighbourhood plans was discussed. Mr John Slater the Independent Examiner discussed an approach where the borough’s housing need (as set by the standard methodology) is apportioned out across the boroughs parishes based on the population of those parishes.</p> <p>For example, as of 2017 (ONS mid year estimates) the Desford Parish had a population of 4,179 and the borough 111,370. So Desford accounts for around 3.75% of the borough total. The borough has a housing need of 452 dwellings per year using the standard method (or 9,040 over 20 years). So Desford Parish’s share of that total over 20 years would be 3.75% - 339 dwellings.</p> <p>Officers have previously been cautious of this approach as it takes no account of the future growth strategy of the borough and does not allow for any buffer (to allow for sites not coming forward etc) and nor does it consider the need to accommodate unmet need from Leicester City in the borough. However it is accepted that it could be a reasonable approach in the absence of the borough being able, at this time, to establish a figure in an up to date local plan or with any confidence provide an indicative housing figure.</p> <p>The Council is aware that at least one neighbourhood group in the borough are proposing using this approach in their upcoming neighbourhood plan in the absence of a figure set by the borough.</p> <p>Going forward when HBBC are in a position to establish figures for the settlements/areas in the borough will still need to additionally consider:</p> <ol style="list-style-type: none"> <li>1. Leicester’s unmet need (although with their latest consultation postponed this may not be as anticipated as initially thought)</li> </ol>

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		<p>2. a buffer to allow for sites not coming forward/give choice in the housing market, and;</p> <p>3. the spatial strategy for the borough (which would not necessarily follow current population distribution).</p> <p>Nevertheless, all these factors may well mean the emerging Local Plan may set a figure different to that established via the population based method discussed above. However until that time the population based approach would be logical, although HBBC would still encourage building in flexibility (e.g. via reserve sites, directions for growth, triggers for a review of the neighbourhood plan) in case the Local Plan sets a different requirement figure for the Desford area. This approach still allows the community to still have a say on potential sites for development if the housing need was to increase. This is covered further in our answer to question 6.1.</p> <p>N.B. up to date evidence has recently been published on our website; The Housing Needs Study 2020 was published in late February 2020. You can find the Housing Needs Study here: <a href="https://www.hinckley-bosworth.gov.uk/info/1004/planning_policy_and_the_local_plan/1610/housing_needs_study_2020">https://www.hinckley-bosworth.gov.uk/info/1004/planning_policy_and_the_local_plan/1610/housing_needs_study_2020</a></p>
3.1	<p>In respect of the Ashfield Farm site [primarily to Pegasus Group and DPC]:</p> <p>Is there anything that I ought to see on the site that cannot be seen from Kirkby Road or the Bellway Homes development. If so, please provide photographs.</p>	N/A
3.2	<p>In respect of the Ashfield Farm site [primarily to Pegasus Group and DPC]:</p> <p>s the second sentence of paragraph 4.2 of Pegasus' representations correct? If so, please provide a plan showing the route of the footpath and photographs of any relevant view from it.</p>	N/A
4	<p>In respect of the Hunts Lane site [primarily to Avison Young and DPC].</p> <p>Is there anything that I should see that cannot be seen from the public footpath along the west of the site or from Lockymeade Drive? If so, please provide</p>	N/A

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5.1	<p>[Primarily to HBBC]</p> <p>What is the current timetable for the emerging Local Plan? When was this timetable fixed?</p>	<p>The current timetable for the emerging Local Plan can be found in the Local Development Scheme (LDS), this can be found here: <a href="https://www.hinckley-bosworth.gov.uk/info/856/local_development_framework/832/local_development_scheme_lds">https://www.hinckley-bosworth.gov.uk/info/856/local_development_framework/832/local_development_scheme_lds</a></p> <p>However, as stated on the webpage, this LDS is now out of date. Discussions are currently taking place between officers and Council Members to determine the new timetable for drafting the new Local Plan. A revised LDS is expected to be published shortly which will indicate consultation on a draft plan in spring 2021 and adoption anticipated in autumn 2022.</p>
5.2	<p>[Primarily to HBBC]</p> <p>Have any reserved matters applications been submitted in respect of the Barns Lane site? Is there any indication of the likely timetable for development of this site?</p>	<p>The reserved matters application for Barns Way has been approved (application reference: 19/01416/REM). A timeline of development for this site will be determined through the five year land supply update which should be published by HBBC around July/August time (however there may be a delay due to the current circumstances).</p> <p>However, conditions on the outline have already been discharged and further conditions are in the process of being discharged. From discussions with the developer, they are keen to get on site and they say the site will likely be delivered within 3 years. This will be confirmed in the five year supply update, as discussed above.</p>
5.3	<p>[Primarily to HBBC]</p> <p>Have any reserved matters applications been submitted in respect for the Peckleton Lane site? Is there any indication of the likely timetable for development of this site?</p>	<p>The reserved matters application for this site is currently pending consideration (application reference: 20/00347/REM). Again the timeline for development will be determined through the five year land supply update, however this site is considered to be deliverable within 5 years.</p>
5.4	<p>[Primarily to HBBC]</p> <p>Should the settlement boundary in Figure 2 be modified to reflect the Peckleton Lane permission?</p>	<p>As per the HBBC <a href="#">Settlement Boundary Revision Topic Paper 2013</a>, settlement boundaries should include: existing commitments, i.e. unimplemented planning permissions and implemented permissions.</p> <p>Therefore the settlement boundary should include the Peckleton Lane site, as per the boundary in the permission.</p>
6.1	<p>In HBBC's regulation 16 representations, there is a reference to identifying reserve sites.</p> <p>Please could any participants who consider this might be appropriate</p>	<p><b>Identifying reserve sites</b></p> <p>The Neighbourhood Planning NPPG states: "Neighbourhood plans should consider providing indicative delivery timetables, and allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new local plan." Paragraph: 009 Reference ID: 41-009-20190509.</p>

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	(whether as their primary case, or as an alternative submission) provide a draft policy to cover this point.	<p>Allocating reserve sites in neighbourhood plans also allows for security and flexibility for the community in the event of changing conditions nationally or locally, for example an increase in housing need or a failure to deliver the existing commitments/allocations within the Neighbourhood Plan. The allocation of reserve sites also shows that the neighbourhood plan can contribute towards the achievement of sustainable development over the plan period.</p> <p>Appendix D2 of the Desford Neighbourhood Plan highlights the site assessment outcomes for each site assessed, and I have put them into a ranked order as follows:</p> <table border="1" data-bbox="786 483 1960 1337"> <thead> <tr> <th data-bbox="795 489 1173 539">Site Ref</th> <th data-bbox="1182 489 1563 539">Name</th> <th data-bbox="1572 489 1951 539">Score (Green or Red)</th> </tr> </thead> <tbody> <tr> <td data-bbox="795 545 1173 595">Desford 3</td> <td data-bbox="1182 545 1563 595">Barns Way</td> <td data-bbox="1572 545 1951 595">11</td> </tr> <tr> <td data-bbox="795 601 1173 651">Botcheston A</td> <td data-bbox="1182 601 1563 651">Rear of Snowdene, Main St</td> <td data-bbox="1572 601 1951 651">5</td> </tr> <tr> <td data-bbox="795 657 1173 707">Desford 5</td> <td data-bbox="1182 657 1563 707">Peckleton Lane</td> <td data-bbox="1572 657 1951 707">4</td> </tr> <tr> <td data-bbox="795 713 1173 762">Desford 8</td> <td data-bbox="1182 713 1563 762">South of Hunts Lane</td> <td data-bbox="1572 713 1951 762">3</td> </tr> <tr> <td data-bbox="795 769 1173 818">Botcheston C</td> <td data-bbox="1182 769 1563 818">Rear of 38 Main Street</td> <td data-bbox="1572 769 1951 818">2</td> </tr> <tr> <td data-bbox="795 825 1173 874">Desford 1</td> <td data-bbox="1182 825 1563 874">Sewage Treatment Plant, Lindridge Lane</td> <td data-bbox="1572 825 1951 874">- 2</td> </tr> <tr> <td data-bbox="795 880 1173 930">Botcheston B and</td> <td data-bbox="1182 880 1563 930">Rear of 38 Main St.</td> <td data-bbox="1572 880 1951 930" rowspan="2">- 5</td> </tr> <tr> <td data-bbox="795 936 1173 986">Desford 4</td> <td data-bbox="1182 936 1563 986">Ashfield Farm, Kirkby Lane</td> </tr> <tr> <td data-bbox="795 992 1173 1042">Desford 2</td> <td data-bbox="1182 992 1563 1042">Lyndale Cattery, Lindridge Lane</td> <td data-bbox="1572 992 1951 1042">- 7</td> </tr> <tr> <td data-bbox="795 1048 1173 1098">Botcheston D</td> <td data-bbox="1182 1048 1563 1098">New Botcheston North of Main Street</td> <td data-bbox="1572 1048 1951 1098">- 8</td> </tr> <tr> <td data-bbox="795 1104 1173 1153">Desford 6 and</td> <td data-bbox="1182 1104 1563 1153">New Desford South.</td> <td data-bbox="1572 1104 1951 1153" rowspan="2">- 13</td> </tr> <tr> <td data-bbox="795 1160 1173 1209">Desford 7</td> <td data-bbox="1182 1160 1563 1209">Nevoia New Desford</td> </tr> </tbody> </table>	Site Ref	Name	Score (Green or Red)	Desford 3	Barns Way	11	Botcheston A	Rear of Snowdene, Main St	5	Desford 5	Peckleton Lane	4	Desford 8	South of Hunts Lane	3	Botcheston C	Rear of 38 Main Street	2	Desford 1	Sewage Treatment Plant, Lindridge Lane	- 2	Botcheston B and	Rear of 38 Main St.	- 5	Desford 4	Ashfield Farm, Kirkby Lane	Desford 2	Lyndale Cattery, Lindridge Lane	- 7	Botcheston D	New Botcheston North of Main Street	- 8	Desford 6 and	New Desford South.	- 13	Desford 7	Nevoia New Desford
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		<p>I have taken the positively scored sites above, and given a status update from the position of the Borough Council:</p>			
Desford 3	Barns Way	11	Allocated in the NP and permission granted.		
Botcheston A	Rear of Snowdene, Main St	5	<p>In the Strategic Housing and Economic Land Availability Assessment (SHELAA) 2017/18 the site has been deemed unsuitable due to inadequate access provision. Achievability in the long term would be dependent on acceptable and safe access provision. Due to it's 'unsuitable' assessment, the overall assessment for the site is 'non-developable'.</p> <p>The NP assessment of this site states:</p> <p>"A fully landlocked site and appears possible to access the land although this will probably require the support of a third party landowner (two owners working together). The destruction of hedges will be required to provide adequate visibility splays. Given the adjacent access ways and drives it is unclear that planning permission would be supported by Leicestershire County council in this location."</p> <p>Therefore unless the NP could now demonstrate viable access provision, this site is unsuitable for development at this time.</p>		
Desford 5	Peckleton Lane	4	Peckleton Lane allowed on appeal.		
Desford 8	South of Hunts Lane	3	<p>Actively promoted by Avison Young on behalf of Jelson. This is shown in the latest representations submitted by Avison Young, Regulation 16 representation number 14: <a href="https://www.hinckley-">https://www.hinckley-</a></p>		

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		Botcheston C	Rear of 38 Main Street	2	HBBC has not received any recent interest from landowner or developer for this site, last 'expression of interest' shown in 2016 when the site was confirmed for inclusion in the 2017/18 SHELAA.
		<p>However, it is worth noting that HBBC have had concerns around the site assessment methodology in the past, these can be found in both the Regulation 14 and 16 representations. The scoring of the sites may not be reflective of whether the site is developable and sustainable. For example, the site that has been ranked in 2<sup>nd</sup> place, Botcheston A, has been identified as having no access, however this was still assessed as a 'positive' site. Therefore some sites that had negative scores could have also been considered as reserve sites too. The current status of the negatively assessed sites can be provided to the Examiner by HBBC if required. Some of the sites assessed are being actively promoted through the neighbourhood plan process, and many have submitted representations at Regulation 16.</p> <p>The ranking/order of assessed sites could also be clearer for the reader. Appendix D2 includes a table with all the assessed sites listed in site reference order, however this means it is left to the reader to rank the sites in scoring order, as I have done in the table above.</p> <p>If reserve sites were introduced at this late stage, it poses the question as to whether these sites would need a more thorough assessment through the Strategic Environmental Assessment screening process, and subsequently in the Environmental Report. The existing SEA report does not take into account a different approach to allocating sites, i.e. a main allocation <u>and</u> reserve sites, nor does it take into account policies on reserve sites. It does however discuss the assessment of sites undertaken by the group, pages 14 to 19.</p> <p><b><u>Policy wording</u></b></p> <p>In terms of a potential policy for a reserve site, we have seen multiple examples of generic wording for reserve site policies in Neighbourhood Plans across the country. A few examples of these are below, however there are more examples nationally.</p> <p><b>Blaby Neighbourhood Plan, Blaby District Council:</b></p>			

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		<p><i>“...there may be a risk that some of those schemes may not be completed during the period of the Plan or circumstances will change meaning Blaby’s allocation increases, and hence the Plan will consider additional housing.</i></p> <p><i>... In view of this, the Plan identifies reserve housing sites which could be brought forward for development should the need arise.</i></p> <p><i>... Policy BNP6(a): Reserve site allocation (S1)</i></p> <p><i>Land to the east of Winchester Road and to the south of Saville Road Blaby identified as (S1) on map 12 to be allocated as a reserve site for approximately 55 dwellings which would be brought forward if needed to address the most up to date housing evidence. This site is to include a minimum of 25% affordable housing.”</i></p> <p><b>Sileby Neighbourhood Plan, Charnwood Borough Council:</b></p> <p><i>“...the identification of a number of Reserve Sites to come forward if required during the Plan period in the event that sites with planning permission are not able to be delivered during the currency of the Neighbourhood Plan, the final agreed housing requirement for Sileby exceeds the commitments and completions already accounted for or there is a recognised increase in housing need over the period covered by the Neighbourhood Plan.</i></p> <p><i>...</i></p> <p><b>POLICY H1: RESERVE SITES</b></p> <p><i>Planning applications for residential development on the following sites (see Figure 4) will be supported:</i></p> <p><i>The Oaks, Ratcliffe Road (Site 10 for around 11 dwellings); 36 Charles St (Site 11 for around 11 units); Rear of 107 Cossington Road (Site 12 for around 18 units); Barrow Road (Site 13 for around 12 units); factory – corner of Park and Seagrave Road (Site 21 for around 11 units); 9, King Street (Site 22 for around 14 units) if:</i></p> <p><i>a) It is required to remediate a shortfall in the supply of housing land due to the failure of existing housing sites in Sileby to deliver the anticipated scale of development required;</i></p> <p><i>b) It becomes necessary to provide for additional homes in the Parish in accordance with any new development plan document that replaces the Charnwood Local Plan Core Strategy; and</i></p> <p><i>c) Any business or community uses can be satisfactorily relocated or if the need for residential development clearly outweighs the loss of these uses.”</i></p>



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		<p><b>Slaugham Neighbourhood Plan, Mid-Sussex District Council:</b></p> <p><i>“The potential trigger point at which the need, or otherwise, for the release of this reserve site will be considered will be an important matter for SPC. ... As such, the trigger point for the consideration of the release of the site should be whichever of the following events occurs first – the review of the Neighbourhood Plan itself; the adoption of the emerging Mid Sussex Allocations DPD; the adoption of any review of the MSDP, and a material delay in delivery of the Pease Pottage strategic delivery site in the adopted MSDP. SPC will involve MSDC in this exercise given the overlaps with strategic housing delivery.</i></p> <p><i>Policy 10: St. Martin Close (west)</i></p> <p><i>Land at St. Martin Close (west), Handcross is identified at the relevant trigger point in Paragraph 6.26 of this Plan, development proposals for up to 35 houses will be supported subject to the following criteria...”</i></p> <p><b>Rampton and Woodbeck Neighbourhood Plan, Bassetlaw District Council:</b></p> <p><i>“Policy 5: The Allocation of NP07 RESERVE SITE – Rampton</i></p> <p><i>1. The land identified on Map 3 is allocated for up to nine dwellings. Permission will only be granted for residential development on this site once neighbouring sites NP08 and NP14 have been completed. Any development on the site is beyond the 10% requirement and will form part of the capped growth level of 20% and will only be supported subject to the following criteria being met...”</i></p> <p>Although the above plans have included specific reserve site policies, many other neighbourhood plans include information on preferred options/reserve sites/future directions for growth in the supporting text. Other neighbourhood plans also include information on triggers for reviewing the neighbourhood plan, or an effective monitoring framework, in order to incorporate increased housing need or a different spatial strategy adopted by the Borough.</p>