
‘AN OPPORTUNITY SOUTH OF STATION ROAD, MARKET BOSWORTH’ DEVELOPMENT BRIEF – CONSULTATION STATEMENT MAY 2021

1. INTRODUCTION

1.1.1. In preparing Supplementary Planning Documents (SPDs), Hinckley and Bosworth Borough Council (HBBC) are required to follow the procedures as set out within the Town and Country Planning (Local Planning) (England) Regulations 2012. Regulation 12 states that before the adoption of an SPD, the Local Planning Authority (LPA) must prepare a statement setting out:

- The persons that the local authority consulted with when preparing the SPD;
- A summary of the main issues raised by those persons; and
- How those issues have been addressed within the adopted SPD.

1.1.2. On that basis, this Consultation Statement accompanies the ‘An Opportunity South of Station Road, Market Bosworth’ Development Brief SPD that seeks to inform the development of Land South of Station Road, Market Bosworth which has been identified as a development allocation within both HBBC’s Site Allocations and Development Management Policies DPD (SADMP DPD) and the Market Bosworth Neighbourhood Plan (MBNP). Now adopted, the SPD forms an important material consideration in the process of determining planning applications relating to that site.

1.1.3. As such, the preparation of this SPD was undertaken in accordance with HBBC’s adopted Statement of Community Involvement (SCI, adopted July 2019), as well as the supplementary guidance note in response to the Coronavirus pandemic (as adopted May 2020).

2. CONSULTATION

Engagement

2.1.1. The preparation of this SPD has evolved as part of an iterative assessment and design process that has also responded to an extensive consultation exercise with key stakeholders including the landowners, occupiers of the existing employment premises the Parish Council and Neighbourhood Forum, other Council departments (including Planning Policy, Development Management, and Estates), Leicestershire County Council (in particular as Highways Authority), and other statutory consultees.

- 2.1.2. In November 2019, initial discussions with landowners and key stakeholders determined their aspirations for the site's development. Discussions held with current industrial and employment tenants both on site and adjacent to it allowed for an understanding of the options available for the site's access and development, and in particular the quantum of employment land that may need to be relocated within the site.
- 2.1.3. Following this early engagement and initial site and settlement context analysis, options were explored with planning and highways officers to test their feasibility.
- 2.1.4. The Development Brief was subsequently refined and presented to the Parish Council and Neighbourhood Forum ahead of a public consultation from 29th May 2020, where the draft was posted on the Council's website and comments invited from landowners, occupiers within and adjacent to the site, members of the public and statutory consultees.

Public Consultation

- 2.1.5. The final draft of the Development Brief SPD was made available for public consultation between Tuesday 24th November 2020 and Tuesday 22nd December 2020. The draft SPD was made available for inspection both on the Council's website (as an accessibility version) and within the Council's reception area.
- 2.1.6. Following that four-week consultation period, the Council received a number of responses from statutory consultees, developers, landowners, planning agents, parish councils and members of the public. A summary of these representations together with the Council's response and the relevant actions that have been taken is contained in Appendix 1 below (as sub-divided into Appendices 1a to 1c).

Adoption

- 2.1.7. The opportunity was also given for elected members to consider the draft SPD, and indeed the SPD's adoption was subject to approval by Full Council on 18th May 2021.

APPENDIX 1 - SUMMARY OF CONSULTATION RESPONSES

Appendix 1a Summary of Consultation Responses Comments received from statutory consultees		
Summary of Comment	Council's Response	Actions
General Comments		
Comments received highlighted that Section 6 – Engagement should be completed before the SPD is adopted.	HBBC agree with the scope of those comments.	Section 6 – Engagement (Page 11) updated to reflect the consultation undertaken to date.
Comments received highlighted that, in places, the SPD incorrectly refers to Market Bosworth as a 'village' rather than a market town, and incorrectly refers to 'The Market Square' rather than 'The Square' / 'The Market Place.'	HBBC agree with the scope of those comments	Entire document reviewed to ensure that Market Bosworth is referred to as a 'market town', and that 'The Market Place' is referenced accordingly.
Comments noted the absence of Figure 9's caption and some visual errors.	HBBC agree with the scope of those comments	Caption added to Figure 9 and the cropping of Figure 11 adjusted accordingly.
Principle of Development		
Comments were received that supported the principle of the development of the site, and noted the value of the Market Bosworth Neighbourhood Plan in guiding development.	HBBC agree with the scope of those comments, and note that the principle for the site's development is established by its allocation for mixed use development both within HBBC's SADMP DPD and the MBNP.	None.
Planning Policy and Development Requirements		
Comments were received that requested that reference be made to Leicestershire County Council's 'Leicestershire Planning Obligations Policy' (July 2019) within the 'Other relevant policies' section of Section 4 – Planning Policy (Page 9)	HBBC agree with the scope of those comments.	Section 4 – Planning Policy (Page 9) updated to refer to the 'Leicestershire Planning Obligations Policy' (July 2019) within the 'other relevant policies' section.

<p>Comments were received that sought to include additional development requirements within this SPD (for example, requesting a requirement for broadband infrastructure, solar panel provision, water efficiency requirements, recycling and refuse storage, self and custom-build housing etc.).</p>	<p>Consultees are referred to precedent High Court judgements that have established that policies that affect the viability of a scheme cannot be deferred to a Supplementary Planning Document. This matter will, therefore, be dealt with through the upcoming Local Plan Review.</p>	<p>None.</p>
<p>Comments were received that sought to promote the use of low energy / zero carbon technologies</p>	<p>Whilst, as above, an SPD cannot require additional development requirements to those set out in the adopted Development Plan. Reference should be made to <i>encourage</i> the consideration of low energy and zero carbon energy infrastructure.</p>	<p>Section 5 – Development Requirements (Page 10). Final paragraph updated to encourage the consideration of opportunities to promote low energy / zero carbon technologies.</p>
<p>Developer Contributions</p>		
<p>Comments were received that highlighted that any planning application would be expected to make provision for developer contributions, where those are substantiated based on up-to-date evidence and can be justified by CIL Regulation 122.</p> <p>Comments that were received on that basis were in relation to sports provision, education provision, sustainable travel, waste and civic amenity, biodiversity net gain, and ecological enhancements.</p>	<p>HBBC agree with the scope of those comments.</p>	<p>Section 14 – Implementation (Page 28) updated to clarify that developer contributions will be required, and that the scope and amount of those will be considered at the planning application stage, informed by the contribution requests received during the application’s consultation period.</p> <p>Reference has also now been made to the requirement for developer contributions to be substantiated on up-to-date evidence and justified with by CIL Regulation 122. Specific reference has been made to the likely contributions to sports provision, education provision, sustainable travel, waste and civic amenity, biodiversity net gain, and ecological enhancements, and any others that may arise throughout the planning application process.</p>

Scope of Planning Application		
Comments were received that set out the scope of the technical and environmental assessments that are likely to be required to support any planning application. Comments related to the scope of the Archaeological Assessment and Landscape and Visual Assessment (LVA) that are likely to be required to support the application.	HBBC agree with the scope of those comments	Section 14 – Implementation (Page 28) has been reviewed in this light and further clarifications have been added where appropriate – in particular to text relating to archaeological assessments and LVAs.
Comments were received that requested that the eventual applicant should engage further with statutory consultees as part of the planning application process.	HBBC agree with the scope of those comments.	Section 14 – Implementation (Page 28). An additional paragraph has been added that encourages applicants to undertake early engagement with statutory consultees.
Access, Highways and Movement		
Comments were received that stated that the potential for a longer term connection at the site’s southern boundary to Sustrans 52 (The Bosworth Trail) and the Ashby Canal should be taken into consideration.	HBBC agrees with the scope of those comments and is of the view that the SPD as currently drafted achieves this. Indeed, the Masterplan Options as set out within the SPD do not proposed built development at the site’s southern boundary, and seek to maintain the current hedgerow. As such, the opportunity for further pedestrian connections will be preserved.	None.
Existing Services and Infrastructure		
Comments were received that highlighted that some existing services within the site may need diverting.	HBBC agrees with the scope of those comments. Whilst reference was made to this potential requirement, that wording should be strengthened to respond to those comments.	Section 8 – Shaping the Masterplan: Wording under ‘Respond to Topography and Services’ heading (Page 17) strengthened to reflect that diversions to services will be required where necessary.

Appendix 1b Summary of Consultation Responses Comments received from landowners, neighbours, the general public and other developers / interested parties

Summary of Comment	Council's Response	Actions
Principle of Development and impact on infrastructure		
<p>Comments were received that supported the principle of the development of the site.</p>	<p>HBBC notes that the principle for the site's development is established by its allocation for mixed use development both within HBBC's SADMP DPD and the MBNP.</p>	<p>None.</p>
<p>Comments were received that raised concerns in regard to the site's development. Particular reference was made to the perceived impact on highways infrastructure, as well as existing community facilities and services.</p>	<p>HBBC notes consultees' concerns in relation to infrastructure provision, and notes that the impact on highways infrastructure, and existing communities facilities and services will be considered in detail during the planning application process. Following the alterations made, the SPD makes it clear that developers will be required to mitigate against the potential impacts of the development, be that through on-site provision or developer contributions.</p>	<p>Section 14 – Implementation (Page 28) updated to clarify that developer contributions will be required, and that the scope and amount of those will be considered at the planning application stage, and will be informed by the contribution requests received during the application's consultation period and the county and Borough's stated infrastructure requirements. Reference has also now been made to the requirement for developer contributions to be substantiated on up-to-date evidence and justified with by CIL Regulation 122. Specific reference has been made to the likely contributions to sports provision, education provision, sustainable travel, waste and civic amenity, biodiversity net gain, and ecological enhancements, and any others that may arise throughout the planning application process.</p>

Planning Policy and Development Requirements		
A comment was received that noted the omission of MBNP Policy BD1: Affordable Housing from Section 5 – Development Requirements (Page 10).	HBBC agree with the scope of those comments.	Section 5 – Development Requirements (Page 10): Bullet point 2 updated to refer to MBNP Policy BD1: Affordable Housing.
Comments were received that sought to include additional development requirements within this SPD (for example, requesting a requirement for broadband infrastructure, solar panel provision, self and custom-build housing etc.).	Consultees are referred to precedent High Court judgements that have established that policies that affect the viability of a scheme cannot be deferred to a Supplementary Planning Document. This matter will, therefore, be dealt with through the upcoming Local Plan Review.	None.
Promotion of other sites within Market Bosworth		
Comments were received on behalf of other developers that sought to promote other potential development sites within Market Bosworth.	The promotion of other development sites is not relevant to this SPD. Potential development sites should be promoted through other mechanisms, including the Local Plan Review and/or planning application.	None.
Suggested minor amendments		
Comments were received that suggested minor amendments to the wording of text at various points throughout the document.	HBBC has incorporated minor amendments to the wording of text where appropriate.	Section 3 – Site Synthesis: Page 6, bullet point 2 amended to include reference to minimising visual impact. Section 8 – Shaping the Masterplan: Third column of Page 17 amended to read “will be of an appropriate height and scale to minimise the potential effect on the amenity of neighbouring properties. ” First column of Page 18 amended to read “ <i>a permissive footpath link will also be provided crossing the field...</i> ”

Neighbouring amenity and detailed design principles		
<p>Comments were received that noted the importance of sensitively responding to neighbouring properties at the site's north and north-eastern boundaries, particularly in relation to the existing bungalows in those locations.</p> <p>Specific reference was made to development proposals minimising visual impact.</p>	<p>HBBC recognise the importance of sensitively responding to neighbouring amenity, and as such have made reference to the Council's Design SPD where appropriate.</p> <p>HBBC would also like to note that the matter of the impact on neighbouring amenity will be considered as part of the planning application process.</p>	<p>Section 4 – Planning Policy: Reference added to the Government's National Design Guide under the 'Design Guidance' heading (Page 9).</p> <p>Section 11 – Design Principles (Page 22) Requirement D: Wording strengthened and reference to Design SPD added to read <i>“bungalows and increased separation distances should be used in some locations to try and reduce the impact on private amenity and any sense of overlooking. Development proposals should have specific consideration to the Government's National Design Guide and the Council's adopted 'The Good Design Guide' SPD”</i></p>
<p>Comments were received that sought further detail on the boundary treatments of existing hedgerows, and the treatment of specific trees on site.</p>	<p>HBBC recognise the importance of sensitively responding to existing vegetation features both within and adjacent to the site, but note that matters of detailed design will be considered at the application stage (be that as part of a full planning application, or during a reserved matters application).</p>	<p>None.</p>
Access, Highways and Movement		
<p>Comments were received that stated that the transport-based proposals should take account of the need to rationalise current and proposed access arrangements, the achievability of visibility splay standards, and the importance of retaining footway widths in light of the proposed traffic calming measures.</p>	<p>HBBC are satisfied that those matters have been considered by the SPD.</p>	<p>None.</p>

<p>Comments were received that questioned the requirement for multiple access points.</p>	<p>The use of multiple access points was considered at length during the preparation of the SPD and justification is provided within that document. HBBC note that the detailed design of the access arrangements, as well as an assessment of the highways impacts of the proposed development, will be carried out as part of the planning application process. Indeed, the SPD encourages the applicant to undertake pre-application consultation with LCC Highways.</p>	<p>None.</p>
<p>Comments were received that expressed concern about the existing vehicle speeds along Station Road.</p>	<p>The SPD has recognised the need to reduce traffic speeds along Station Road, and as such has proposed potential traffic calming features as part of the site's development. The detailed design of traffic calming feature(s) and access arrangements will be considered as part of the planning application process.</p>	<p>None.</p>
<p>Comments were received that questioned the requirement for a traffic calming scheme along Station Road.</p>	<p>As outlined above, the SPD recognises the requirement to reduce traffic speeds along Station Road in order to accommodate access to the site in this location. As such, traffic calming measures will be necessary to achieve this.</p>	<p>None.</p>
<p>Comments were received that expressed a preference for a particular access point / Masterplan Option / traffic calming scheme.</p>	<p>The detailed design of traffic calming feature(s) and access arrangements will be considered as part of the planning application process, and will involve engagement between the applicant and LCC Highways (as Highways Authority).</p>	<p>None.</p>

	The SPD makes it clear that the Council does not have a preferred transport option at this point.	
Comments were received that suggested the undertaking of works to footpaths and pedestrian routes.	The detailed design of highways works (including works to footpaths and pedestrian routes) will be considered as part of the planning application process.	None.
Other Matters – Land Ownership and Employment Provision		
A query was raised in relation to a potential conflict between the proposed access routes and the ownership of land within the site.	HBBC have clarified that the proposed access options are deliverable, and are not dependent on third party land.	None.
Comments were received that expressed concern about the perceived loss of employment provision.	SADMP DPD Policy SA5 requires the development to provide between 0.5 to 1 hectare of additional employment land; meaning that there will a net gain in employment land. The SPD achieves that by relocating some of the existing employment at the north of the site to the site's west, and providing additional employment land in this location.	None.

Appendix 1c Summary of Consultation Responses Comments received from non statutory Infrastructure Providers

Summary of Comment	Council's Response	Actions
<p>Comments were received from infrastructure providers that confirmed that there are no existing facilities present within or adjacent to the site that would restrict the site's development.</p>	<p>HBBC welcomes this correspondence.</p>	<p>None.</p>