



CABINET – 13 SEPTEMBER 2024

RESPONSE TO THE HINCKLEY AND BOSWORTH REGULATION 18 DRAFT LOCAL PLAN CONSULTATION (JULY 2024)

REPORT OF THE CHIEF EXECUTIVE

PART A

Purpose of the Report

1. The purpose of this report is to advise the Cabinet on the content of Hinckley and Bosworth Borough Council's (Hinckley and Bosworth BC's) new draft Local Plan consultation and to seek approval for the proposed response as the views of the County Council.
2. The detailed comments are set out in the appendices to this report, whilst the main response and key comments are highlighted in paragraphs 39 to 91 below.

Recommendation

3. It is recommended that:
 - a) the County Council's response to Hinckley and Bosworth Borough Council's new draft Local Plan consultation, set out in paragraphs 39 to 91, and the appendices to this report be noted and approved;
 - b) the Cabinet notes the significant challenges and uncertainties local plan making is increasingly facing in Leicestershire, particularly in respect of reliance on interventions on the Strategic Road Network, and notes the ongoing commitment to work to resolve these;
 - c) the Chief Executive, following consultation with the Leader, be authorised to make any further amendments to the detailed response in alignment with the agreed overarching response prior to submission before the end of the consultation period on 27 September 2024.

Reasons for Recommendation

4. The response sets out key comments for consideration by Hinckley and Bosworth BC as it continues to develop its new Local Plan. It seeks to ensure alignment with the outcomes of the County Council's Strategic Plan and the

Leicester and Leicestershire Strategic Growth Plan (SGP), and to influence the content of the Local Plan in the interests of local communities, including to ensure that the Local Plan provides as robust as possible policy framework for securing the provision of the infrastructure and services required to support its successful delivery.

5. Increasingly the challenges and uncertainties are causing delays which are impacting on the delivery of housing and economic growth.
6. To enable amendments to be made which would strengthen the County Council's response to the current consultation.

Timetable for Decisions (including Scrutiny)

7. The County Council's consultation response is required to be submitted to Hinckley and Bosworth BC ahead of the close of consultation on 27 September 2024.

Policy Framework and Previous Decisions

8. In 2018, the County Council, Leicester City Council, the seven district councils in Leicestershire, and the Leicester and Leicestershire Enterprise Partnership, (LLEP) approved the Leicester and Leicestershire Strategic Growth Plan (SGP) which provides the long-term vision for planned growth for the area up to 2050. With particular regard to Hinckley and Bosworth, the SGP identifies the A5 as an Improvement Corridor and in addition, Hinckley (alongside the towns of Coalville, Loughborough, Lutterworth, and Market Harborough) is identified as an Area of Managed Growth where growth will be managed through Local Plans.
9. In March 2019, the County Council responded to Hinckley and Bosworth BC's Local Plan Review: New Directions for Growth. A number of concerns were raised, including about the lack of consultation with the County Highway Authority and insufficient reference to the policy framework provided by the agreed SGP.
10. The Leicester and Leicestershire Strategic Transport Priorities (LLTSTP) was approved by the Cabinet in November 2020. This document has a plan period to 2050 and was developed by the County and City Councils, alongside the SGP, to ensure the long-term development needs and associated transportation requirements are co-ordinated.
11. In 2021, the County Council and its partners (Leicester City Council, the seven district councils and the LLEP), commissioned the Leicester and Leicestershire Housing and Economic Needs Assessment (HENA). The HENA, published in June 2022, provides evidence that across Leicester and Leicestershire, the projected housing need from 2020 to 2036 is 91,400 dwellings and employment land need from 2021 to 2036 is 344 hectares.

12. In September 2021, the County Council responded to Hinckley and Bosworth BC's draft Local Plan (Regulation 18) consultation and expressed the need for closer partnership working with Hinckley and Bosworth BC across key disciplines and at a senior officer level in recognition of:
 - the challenges presented by the Strategic Road Network (SRN) in the Borough and wider area;
 - the lack of capacity on the Local Road Network;
 - the need to take a strategic approach to education and other infrastructure provision; and
 - the need to secure deliverable planned growth supported by infrastructure rather than 'unplanned' speculative development.

The report noted that, at that time, the level of partnership working needed to understand the strategy of the proposed Local Plan, how it would be delivered and how the impacts would be mitigated, had not been achieved. It further set out that the County Council was of the view that in order to achieve the required level of partnership working, a revised timetable would be needed (and agreed with relevant stakeholders) to build in time for appropriate dialogue and to share and consider technical evidence.
13. In October 2021 the Cabinet considered a further report regarding Hinckley and Bosworth BC's emerging Local Plan. The Cabinet agreed that the County Council would continue to work with the Borough Council to develop a Local Plan that was sound and deliverable, but that if Hinckley and Bosworth BC decided to publish a Regulation 19 Local Plan that did not satisfactorily address the County Council's concerns, it would raise a formal objection as part of the consultation process, and at Examination in Public.
14. In December 2021, the County Council became a signatory to a Statement of Common Ground (SoCG) relating to South Leicestershire Local Plan Making, aligning the gathering of evidence and activity in the development of new local plans for three districts in the south of the County.
15. The Council's Strategic Plan (2022 to 2026) has five strategic outcomes, including 'Strong Economy, Transport and Infrastructure' and a 'Clean, Green Future' to ensure Leicestershire has the infrastructure to meet the demands of a growing population, whilst looking to tackle climate change, biodiversity loss and unsustainable resource usage.
16. In February 2022 the Cabinet authorised the Chief Executive, following consultation with the Lead Cabinet Member, to submit comments on behalf of the County Council, prior to the end of the Hinckley and Bosworth BC Regulation 19 Local Plan consultation period. The report reiterated that to date, insufficient evidence had been provided to demonstrate that the Local Plan meets the tests of soundness as set out in the National Planning Policy Framework (NPPF) and as a result, this was likely to form the basis of the County Council's response.
17. In May 2022, the Cabinet noted with concern the increasing pressures on the County Council's Capital Programme relating to infrastructure required to support housing and economic growth in the delivery of planned growth. The

report set out some of the elements required to manage the financial risk to the Council.

18. In September 2022, the County Council became a signatory to a SoCG relating to Housing and Employment Land Needs in Leicester and Leicestershire, setting out how the City Council's identified unmet needs would be accommodated in the County. Hinckley and Bosworth BC approved the SoCG at its Council meeting in January 2024.
19. In November 2022, the Cabinet received a paper setting out the financial implications for the Council of delivering sustainable and inclusive growth and agreed the approach and principles the Council would adopt to address and manage these risks.

Resource Implications

20. There are no resources implications arising from the recommendations in this report. The Council has committed significant resources to engaging in and supporting a collaborative approach to strategic planning, which is intended to facilitate the delivery of growth within the County and mitigate the negative impacts of development.
21. The Council's current Capital Programme includes over £200m to fund infrastructure projects that support growth in the County.
22. Delivering infrastructure (highways, schools, and some community facilities) has in the past required significant Council forward-funding. In the current financial climate this approach is no longer possible.

Circulation under the Local Issues Alert Procedure

23. This report will be circulated to all Members.

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PART B

Background

24. The preparation of Local Plans involves various stages of consultation. This consultation from Hinckley and Bosworth BC is known as a 'Regulation 18' consultation and builds on four previous rounds of publication consultation to develop the new Plan, these being:
- Regulation 18 – Scope Issues and Options (2018)
 - Regulation 18 – New Directions for Growth (2019)
 - Regulation 18 – Local Plan Consultation (2021)
 - Regulation 19 – Pre-submission consultation (2022).
25. The Council formally responded to Hinckley and Bosworth BC at each of these four prior consultation stages and concluded that insufficient evidence had been provided to demonstrate that the Local Plan met the required tests of soundness. Following the conclusion of the Regulation 19 consultation in 2022 Hinckley and Bosworth accepted that submission of a sound plan in line with published timescales was not possible due to a series of issues including:
- The Office for National Statistics releasing a data update for 'Housing Affordability in England and Wales: 2021'
 - The quantum of unmet need from Leicester City being finalised
 - The Borough Council becoming one of 42 councils advised by Natural England that it would be affected by nutrient neutrality requirements.
 - Changes to the housing need the Borough Council had to plan for having a consequential impact on the evidence which needs to be gathered and tested to ensure that sites are capable of delivering the future land requirements to meet the identified need.
 - The passing of the Levelling Up and Regeneration Act 2023
 - The introduction of Biodiversity Net Gain requirements
26. Hinckley and Bosworth BC has revisited the proposed Local Plan evidence base to ensure that it remains relevant and appropriate in informing the Local Plan. Emerging indications from the evidence work and other considerations have demonstrated that the current development strategy of a 70/30% urban/rural split for new growth may not be deliverable. Hence, this new consultation builds on previous consultations and seeks to incorporate views received and new evidence collected.
27. Comments received will inform the Borough Council's policy recommendations ahead of a Pre-Submission Consultation known as a 'Regulation 19' which is anticipated to be undertaken in late 2024/early 2025. Submission of the Plan to the Planning Inspectorate is anticipated by the end of June 2025. This timeframe may be subject to change in the light of the National Planning Policy Framework Proposed Changes (currently being consulted on by Government until 24 September 2024). The County Council's response to the NPPF Proposed Changes is to be considered by Cabinet on 13 September 2024.

28. The adopted Hinckley and Bosworth Local Plan consists of the Core Strategy (2009), Hinckley Town Centre Area Action Plan (2011), Earl Shilton and Barwell Area Action Plan (2014) and Site Allocations and Development Management Policies (2016).
29. The Levelling Up and Regeneration Act 2023 received Royal Assent in October 2023. However, a number of provisions within the Act require secondary legislation that has yet to come forward. Under the existing arrangements local planning authorities have until 30 June 2025 to submit Local Plans.
30. At the end of July 2024 the new government announced planning reforms which include an outline of transitional arrangements for local plan-making within the current National Planning Policy Framework Proposed Changes consultation. Discussions have been taking place with the Leicestershire district councils and Leicester City Council regarding the likely routes their respective emerging Local Plans will take. The route is less than clear for the majority of Leicestershire districts, including Hinckley and Bosworth BC, and further clarity is expected over coming weeks as consideration is undertaken by district councils following liaison with the MHCLG. Members will be informed as more certainty is secured.

Duty to Cooperate

31. It is recognised that should a Housing Market Area (HMA) authority identify, quantify and provide robust evidence to demonstrate an unmet need, it is incumbent upon the HMA authorities to jointly resolve any cross-boundary matters with HMA partners under the Duty to Cooperate, set out in the Localism Act 2011 and National Planning Policy Framework (NPPF) (December 2023). The duty remains in place until such point Government determines otherwise.
32. Without a clear aligned approach to delivery, Leicestershire faces high levels of speculative/indiscriminate development with the consequent high risk of inadequate highway and education infrastructure provision. To avoid this, ongoing commitment from all the local authorities to joint working is crucial, as is their support for a collaborative and coordinated approach to defining and allocating infrastructure funding requirements of Local Plans.
33. The SoCG relating to Housing and Employment Land Needs (June 2022) for the Leicester and Leicestershire area was guided by the (officer) Strategic Planning Group and Members' [Planning] Advisory Group which consisted of representatives from the County Council, Leicester City Council, and the seven district councils. The SoCG sets out the City Council's identified unmet need of 18,700 homes and 23 hectares of employment land for the period 2020-2036 to be accommodated in the County. The SoCG was agreed by all partner authorities.
34. The Charnwood Local Plan 2021-2037 Examination is ongoing, however Inspectors confirmed in writing that they have "no reason to disagree with the HENA's [Housing and Economic Needs Assessment] conclusion that the

standard method establishes a minimum local housing need of 91,408 dwellings across the Housing Market Area (HMA) to 2036...Based on the evidence at this stage and pending further testing of housing delivery through the Leicester Local Plan Examination, we consider that a figure of 18,700 dwellings represents a reasonable working assumption for the scale of Leicester's unmet housing need from 2020 – 2036.”

35. Hinckley and Bosworth BC has decided to adopt the housing figures contained in the agreed SoCG as the basis for the housing requirement in its Local Plan (13,862 dwellings over the plan period, equivalent to 660 dwellings per annum).

Consultation on the Hinckley and Bosworth Local Plan

36. This consultation, which was opened by Hinckley and Bosworth BC on 31 July 2024, is the fifth consultation in preparing the new Hinckley and Bosworth Local Plan. It intends to provide consultees the opportunity to consider and comment on a number of planning issues and proposed options for the future development of the Borough.
37. The new Local Plan is proposed to cover the period from 2020 to 2041. This is to ensure it will meet the requirement of national planning policy to cover a period of at least 15 years from its adoption (currently scheduled for 2026) to the end of the plan period.
38. The consultation seeks comments on the emerging position with the focus on strategic local planning issues. Non-strategic development allocations and non-strategic planning policies will follow in the Regulation 19 draft-submission version of the plan, currently expected in Winter 2024/2025.

Proposed Response to the Consultation

39. The County Council welcomes the opportunity to comment on Hinckley and Bosworth's Local Plan Regulation 18 consultation. The County Council considers that a successfully adopted Local Plan is in the best interests of supporting long-term, sustainable growth across Leicester and Leicestershire.
40. The continued close working that Hinckley and Bosworth BC has with other partners in the Leicester and Leicestershire Housing Market Area is recognised and supported, and this will need to continue to enable the ongoing preparation and successful adoption of the local plan.
41. The proposed comments of the County Council to the consultation are set out in Appendix A to this report, the overarching response which includes key comments from transport as the Local Transport Authority (LTA) and a summary of other key comments are set out below. Appendix B contains advice previously provided by transport for further consideration in the plan making process.

Overarching response

42. There are a number of significant factors, some of which are beyond either the LTA's or district council's control, that affect the Local Plan from a transport perspective. These are set out in the following paragraphs.

43. **Current position with regard to the development of transport evidence:** In the Authority's response to an earlier Regulation 19 version of the Plan (considered by the Cabinet in March 2022) the following was included:

"For Local Plans to be 'justified' they need to be based on an appropriate strategy, taking into account reasonable alternatives and based on proportionate evidence. Given the Plan has no underpinning transport evidence base (the preferred housing strategy has not been modelled in transport terms), the present transport policies are generic, and no Infrastructure Delivery Plan has been prepared at this time. It is therefore not possible for the Local Highway Authority (LHA) to be able to determine the nature of highways and transport measures and the infrastructure required to enable the Local Plan's delivery, nor to understand whether the costs of such can be funded or to what extent a funding gap might exist. As such the Local Plan cannot be described as being justified."

44. Since then, the district council has become a fully-fledged participant in the South Leicestershire Joint Transport Evidence (JTE) work¹. This is in lieu of Plan-specific transport work and is an approach strongly supported by the LTA as the best approach to identify the cumulative (including cross-boundary) transport impacts and strategic mitigation requirements arising from the district's emerging Local Plan in combination with other emerging Local Plans across the South Leicestershire area.

45. However, the JTE work has not yet reached a sufficiently advanced stage to enable its key findings to inform the development of relevant, crucial components of the Local Plan, in particular:

- i) Policies and supporting text;
- ii) The Infrastructure Delivery Plan/Schedule; and
- iii) Associated further evidence: e.g. topic papers and viability work.

46. The JTE work is not yet at a sufficiently mature stage to provide a robust basis for the submission of a Local Plan for examination in public. Furthermore, it will be important to agree a consistent/aligned evidential and policy approach across the four South Leicestershire district councils, with the support of key partners, including National Highways (NH), Leicester City Council and Warwickshire County Council (WCC).

¹ The JTE has its genesis in the completion of the South Leicestershire Local Plan Making Statement of Common Ground, which the Cabinet agreed the County Council to become a signatory to in [December 2021](#). It is a joint exercise between Hinckley and Bosworth Borough Council, Harborough District Council, Blaby District Council and Oadby and Wigston Borough Council. Through this work, LTA officers are providing support and assistance to district councils in assessing options for growth across south Leicestershire.

47. The district council has (along with the other JTE authorities) been working to develop and submit a Local Plan for Examination ahead of the Levelling Up and Regeneration Act's June 2025 deadline for Plans to be prepared in accordance with the current *plan-making* system.
48. The LTA already considered that even this timetable was extremely challenging for completing the JTE; should, in response to the Government's recently published draft planning reforms², the district council decide to further 'accelerate' the timetable for publishing and submitting a Local Plan for Examination in Public (EiP), it is difficult to foresee how completion of the JTE work could be accommodated without foregoing key elements thereof.
49. Where the development of a Plan's evidence base is insufficiently complete at the time of its submission for Examination, this brings risks that further evidential work could:
- Result in the necessity to make subsequent substantial modifications to the Plan as submitted;
 - Have implications for the Plan's viability; and
 - Give rise to other issues that affect the Plan's 'soundness'.
50. **Other, wider unknowns/uncertainties** Added to the uncertainties arising from the Government's proposed planning reforms, there are currently two other major factors that will affect the ability to submit a Plan for EiP by June 2025 (or any sooner):
- i) *Impending Hinckley National Rail Freight Interchange (HNRFI) Development Consent Order (DCO) decision.* If a DCO is granted (the Secretary of State for Transport (SoST) decides to grant consent for this Nationally Significant Infrastructure Project), it will have a direct transport impact in terms of the substantial additional traffic generated by the HNRFI and the congestion caused on the Borough's road network and more widely across Leicester and Leicestershire (including at M1 Junction 21). A decision is expected by the SoST on or before 10 September 2024.

It would also have significant implications for the scale of strategic B8 employment requirements in the Borough and neighbouring districts, i.e. differing levels of requirement, by quantum and spatial distribution, which would also have transport impacts in terms of giving rise to differing effects on travel distribution and traffic impact patterns in and around the Borough and more widely.

Furthermore, it could have implications for the Plan's housing spatial strategy, in terms of a greater emphasis to co-locate housing for improved active and sustainable transport connectivity opportunities in the Hinckley urban area within the Borough.

² Including proposed revisions to the National Planning Policy Framework and reinstatement of mandatory housing targets – see report elsewhere on the agenda.

It is acknowledged that the current stage of the JTE work will be considering how the granting of a DCO for the HNRFI may impact this (and the other JTE authorities') emerging Plan(s) in transport terms. However, until a decision is made by the SoST the LTA will be unable to advise the district council (and other JTE authorities) on how the findings of such work should be reflected in the Plan (e.g. through the transport mitigation strategy and relevant policies), nor whether and how best to progress with any further stages of the JTE work.

- ii) *Unclear position regarding future investment in the Strategic Road Network (SRN).* The immediate actions taken by the current Government to address a spending gap in the national finances (identified by a commissioned Treasury audit) include the scrapping of two SRN schemes³. The Chancellor has also made clear that further actions are required to identify more savings to the national budget. The extent to which this might impact on funding available to invest in improvements to the SRN is unclear at present.

Even before the Chancellor's recent actions, the Road Investment Strategy (RIS) process⁴ was being affected by programme/scheme slippage (from RIS period 1 and RIS period 2). There were already significant doubts as to whether any monies would be available to enable new projects to enter the RIS process, let alone to fund all schemes in the current programme.

Whilst the A5 Tamworth to Hinckley and M1 Leicester Western Access (M1 Junction 21 to 21a) have featured as RIS3 pipeline schemes, National Highways has always made clear that (even prior to the Chancellor's recent announcements), this was no guarantee of any eventual schemes being delivered. In any event, National Highway's work on the pipeline schemes has long since appeared to have stalled.

However, from emerging initial evidence, including from sources such as the JTE work and in respect of the HNFRI, it is clear to the LTA that the delivery of future housing and economic growth in the south of the County (and indeed more widely, including in the north of the County of Warwickshire) is reliant on strategic solutions to current problems on the A5, at the very least at the Dodwells to Longshoot junction. In the absence of such, the LTA would otherwise consider the impacts of growth to be severe, contrary to the National Planning Policy Framework. This is a position shared by Warwickshire County Council as the LTA for its administrative area.

But, given the significant uncertainties surrounding future investment in the SRN, the LTA has no confidence at this time that there is a way to deliver solutions to the A5 that would be deliverable within the Local Plan's timeframe.

³ A303 Stonehenge Tunnel and A27 Arundel Bypass.

⁴ The Road Investment Strategy process is the process by which decisions are made about investments to maintain and improve the Country's Strategic Road Network. Funding is awarded in five year periods, with RIS 1 running from 2105 to 2020; RIS2 from 2020 to 2025; RIS3 has hitherto been planned to cover 2025 to 2030.

51. To conclude on this particular key comment, providing that:

- National Highways is prepared to engage meaningfully in a truly supportive way in the Local Plan's development and to commit to support its delivery; and also
- providing that National Highways is enabled to do so by the Department for Transport,

ultimately it should prove possible to identify an overall package of strategic transport interventions required to the SRN to enable growth in the Borough. But, at this time there are too many unknowns and uncertainties and as a result, the LTA is not presently in a position to say that the Local Plan would be sound from a transport perspective.

52. However, given its in principle support for the development and successful adoption of Local Plans, the LTA will seek to work in partnership with the district council and others, including Warwickshire County Council, to engage with National Highways to agree the way to enable the Local Plan to be moved forward, and most crucially once adopted, that its allocated sites are delivered in practice; i.e. delivery is not stalled by further indecision and delays in making the necessary improvements to the A5.

53. The LTA recognises the importance of enabling sustainable development both through the local planning process and development management. Similar to many areas of Leicestershire, Hinckley and Bosworth has several planning applications at various stages that are related to strategic infrastructure solutions to the highways and transport challenges identified in this report, but that may progress ahead of the local plan adoption. Therefore, Leicestershire County Council as the LTA is already working with partners to identify solutions to enable sustainable development to come forward in alignment with strategic aims for the longer term.

54. **Issues regarding proposed allocation sites:** In particular with regard to:

- i) *Lindley Meadows:* A proposed allocation of up to 3000 dwellings (1000 to be delivered in the Plan period) on land between MIRA and Fenny Drayton. Aside from the A5 issue, the LTA questions the active and sustainable travel credentials of this proposed allocation. Geographically, the site is poorly located in terms of accessibility by modes other than private car. Furthermore, the [Strategic Growth Options and Constraints Mapping for Leicester and Leicestershire](#) (SGO) indicates that even a "co-dependent"⁵ new settlement needs to be in excess of 5,000 dwellings.
- ii) *Barwell and Earl Shilton Sustainable Urban Extensions (SUEs):* Notwithstanding the considerable level of resources that the LTA has committed to seeking to support the delivery of these two SUES since they

⁵ The SGO describes that co-dependent settlements are close to existing settlements, and well connected by public transport, walking and cycling.

were first allocated in 2009, the LTA questions the extent to which the Plan continues to 'double down' on focussing growth in the Barwell and Earl Shilton area generally.

In 2015, the district council was minded to grant planning permission for the Barwell SUE, subject to completion of a Section 106 Agreement. Nearly 10 years on, and despite protracted work by the applicant, the transport elements of the S106 have yet to be resolved and agreed; even as and when they are, it is unclear how the much-changed circumstances since 2015 (such as very significant construction price inflation) might affect the site's financial viability. Despite such uncertainties, and the fact that the Barwell SUE impacts on the A5 Dodwells Longshoot Junction, it continues to feature as a key element of the draft Plan.

Regarding the Earl Shilton SUE, it was sluggish in coming forward and after 15 years has only recently gained planning permission. Despite this the draft Local Plan seeks to allocate an additional strategic site on land to the south of the A47 Earl Shilton bypass.

55. **Active and sustainable travel provision:** The LTA is currently developing a North of Leicester Local Cycling and Walking Infrastructure Plan, which it is anticipated will be adopted by the Authority towards the end of calendar year 2025. The LTA would welcome the opportunity to discuss with the district council how best this Plan might be reflected in the Local Plan; this is especially with regard to site allocations proposed in the north of the Borough and how it might be possible to provide a policy basis for such allocations to contribute reasonably to the LCWIP's delivery.
56. Additionally, and notwithstanding the LTA's comments on the need for strategic solutions to problems on the A5, to support further the Local Plan's delivery it appears that it will also be necessary to develop a cross-boundary transport strategy embracing at least Nuneaton. A primary focus of that strategy is likely to be on seeking to deliver coordinated enhancements to active and sustainable travel links between the 'Hinckley area' and Nuneaton, with a primary aim of seeking to reduce levels of carborne cross-traffic over the A5. The LTA would welcome the opportunity to discuss with the district council and Warwickshire County Council how best to move forward the development of such a cross-boundary strategy and how best it should be reflected in relevant Local Plans.
57. **Local Plan's relationship with the LTA's emerging new Local Transport Plan (LTP4):** The LTA is undertaking a public consultation, between 12th August 2024 and 23rd September 2024, on its LTP4 Core Document for the period 2026 – 2040.
58. The Core Document sets out the strategic vision which is:

'Delivering a safe and connected transport network which is resilient and well-maintained to support the ambitions and health of our communities, deliver economic prosperity whilst safeguarding our environment.'

59. The vision is supported by five core themes and six core policies:

a) The five core themes:

- i. Enabling health and wellbeing,
- ii. Protecting our environment,
- iii. Delivering economic growth,
- iv. Enhancing our transport network's resilience,
- v. Embracing innovation.

b) The six core policies:

- i. **Core Policy 1: Delivering the Vision** - Ensure that all our transport solutions align with the themes to deliver our vision for transport with regard to government policy for the benefit of our communities.
- ii. **Core Policy 2: Managing Demand** - Delivering a safe, accessible, connected and resilient transport network that is well managed and enables communities to access jobs education and services. The network will also enable efficient movement and delivery of goods to support the local, regional and international markets.
- iii. **Core Policy 3: Enabling Travel Choice** - Enabling travel choice in all of our communities that reflects their unique needs which ensures their safety whilst promoting health & wellbeing and protecting the environment.
- iv. **Core Policy 4: Delivering Solutions** - Work collaboratively to identify and develop transport related solutions which provide good value for money and enable travel choice, improve our transport network users' experiences, and benefit the environment and the health and wellbeing of our communities.
- v. **Core Policy 5: Embracing Innovation** - Embrace innovation and collaboration, which enables us to decarbonise transport and adapt to climate change to ensure a resilient transport network, whilst benefiting the environment and promoting the health & wellbeing of our communities.
- vi. **Core Policy 6: Evaluating Progress** - Utilise data, monitoring and evaluation of our transport solutions to enable evidence-based programmes, provide a flexible approach to policy development, technology, and innovation to address changes and challenges which impact our communities.

60. The LTA would request that consideration is given to the LTP4 Core Document in the Plan's further development, and the policies are used to assess the suitability of sites which can provide sustainable development and

provide betterment to communities by according with the five core themes and six core policies.

61. The uncertainties brought about by the Government's proposed planning reforms, together with the issues highlighted in the LTA's key comments, have fundamental implications for the Local Plan, which need to be addressed through the identification and delivery of suitable and viable transport solutions to enable the plan to be found sound and enable it to be successfully implemented. Given this, the LTA has not provided detailed comments on individual sections of the draft Plan. However, on review it notes that many of its previous consultation comments have not been addressed in this latest draft. For ease of reference those previous comments are attached at Appendix B to this report.
62. To conclude the LTA's comments, it has had cause to question the soundness of previous iterations of the new Hinckley and Bosworth Local Plan due to aspects in the control of the district council. To be clear, this is not the case with this draft of the Plan; the development of this version of the Plan is affected by many of the challenges set out in the National Planning Policy Framework Proposed Changes response paper (which is also being considered by the Cabinet), especially in respect of reliance on interventions on the SRN. These are circumstances beyond the district council's and LTA's control, and it is evident that the challenges are increasingly common to the development of Local Plan's elsewhere across Leicester and Leicestershire.

Spatial Portrait

63. With regards paragraph 2.23 of the Local Plan, it is considered that there could also be reference made to the inequalities in life expectancy between the Borough's most and least deprived communities. This comment was also made in the Council's previous response to the Regulation 19 consultation.

Vision and Objectives

64. Whilst the Strategic Growth Plan is referenced in *Section 1 – What is the Local Plan*, it is considered that this should also be set out in the Vision, capturing the intent of pivoting the delivery of growth to the spatial strategy set out in the Strategic Growth Plan to 2050.
65. Under the Plan's *Vision for Places – Environmental Objectives (6. Natural Environment)* - the text remains as was in the previously consulted-on Regulation 19 plan and is not considered to be in accordance with national policy. It is suggested the text is amended to read, "*To conserve and enhance the natural environment, ensure developments bring about net-gains in biodiversity, protect wildlife and irreplaceable habitats, and deliver a network of green infrastructure where natural open space is integrated within development and which connects and contributes to the Nature Recovery Network.*"

66. Under the Plan's *Vision for People – Social Communities (1. Healthy Communities and Places)*, it is suggested that this text is expanded to make reference to the importance of a variety of size, type and tenure of housing, as well as being of an appropriate quality.
67. It is unclear why the reference to tourism has been removed from the vision and the County Council seeks to have this reference reinstated.

Spatial Strategy

68. The borough council's approach to adopt the housing figures contained in the latest SoCG (including the apportionment of Leicester City's unmet need), as a basis for the housing requirement in the Local Plan, is welcomed.
69. Given Leicester City Council's declaration of unmet need runs to 2036, the approach to 'roll-over' the apportioned annual figure for the entire plan period (to 2041) is considered sensible. However, it needs to be borne in mind that it is likely that the unmet housing need figure for the borough will increase in the 2036 to 2041 period which would mean provision would need to be made in the new Local Plan for a higher figure. Indeed, the new Standard Method which forms part of the NPPF Proposed Changes currently being consulted on indicates a higher figure for the borough.
70. As part of the review of the spatial strategy options, the Draft Plan refers to splitting the borough into four sub-areas as a starting point; 'Urban South', 'Central', 'West' and 'North East and Leicester Suburbs'. Whilst this approach is supported these sub-areas are not referenced anywhere else in the Plan, nor in any supporting documentation around proposed site allocations. Understanding how these sub-areas have been utilised to inform and arrive at the proposed site allocations is unclear.
71. The amount of provision over the Plan period is supported, although Policy SP02 contains a greater spread of allocations in settlements further down the hierarchy than anticipated, particularly non-strategic major development sites (101 to 499 dwellings in size). The County Council would wish to see a stronger focus on strategic site allocations in the Urban Area to provide for sustainable growth and the best opportunities to secure funding for essential strategic infrastructure.
72. The proposed allocation at Lindley Meadows for up to 3000 dwellings (1000 to be delivered in the Plan period) on land between MIRA and Fenny Drayton causes concern given the location of the proposed allocation, with limited opportunities for sustainable travel, and the close proximity to the A5 (challenges with capacity and mitigation measures required). The findings of the Strategic Growth Options Study (entitled "Strategic Growth Options and Constraints Mapping for Leicester and Leicestershire) includes reference to a potential strategic site to the west of Fenny Drayton (4c Fenny Drayton), the analysis of which is applicable to the proposed allocation at Lindley Meadows to the east of Fenny Drayton, which includes reference to the limited access to local amenities and challenges posed by the constraints on the A5 corridor.

73. There is an ongoing concern regarding an over reliance on the mixed use Barwell SUE (Policy SP02 2b) ii and Policy SP04) as part of the Local Plan strategy. Reference is also made to both the Barwell SUE and Earl Shilton SUE from the LTA in the substantive transport response.
74. As part of Policy SP02 Development Strategy, asterisks are used when referring to employment sites at Cliffe Hall Farm and Wapping and Harrow Farm, Watling Street Hinckley; the purpose of these asterisks are not clear and do not appear to point to any footnote.
75. The draft HBBC Level 1 Strategic Flood Risk Assessment (2024), includes several non-statutory policy recommendations which could be included in Policy SP06 on Flood Risk. The inclusion of the following to add weight to planning consultation responses would be welcomed:
- Development must consider the use of sustainable drainage systems (SuDS) and provide details of adoption, ongoing maintenance, and management.
 - Surface water runoff rates from all development sites must be limited to greenfield rates (including brownfield sites).
 - Culverting (except for essential infrastructure) is not permitted, and new development should day-light existing culverts, where feasible.
76. The 2019/20 Strategic Flood Risk Assessments are to be superseded by the current draft 2024 Strategic Flood Risk Assessment (Level 1), and the County Council as Lead Local Flood Authority looks forward to seeing the updated Level 2 Strategic Flood Risk Assessment, particularly given there are some new strategic sites being put forward as potential allocations.
77. Reference to according with neighbourhood plans is welcomed.
78. Paragraph 4.27 on 'Housing Growth' is not particularly well written and needs to be revisited to provide clarity.

Climate Change

79. With regards Policy SP07 Renewable and Low Carbon Energy, it is noted that the renewable energy capacity study remains dated at 2014. It is therefore unlikely to reflect current and future energy needs of the borough given the transition to electricity for heating and transport. This comment was also made in response to the Regulation 19 consultation in early 2022.
80. Reference to the Local Area Energy Plan being prepared for Leicestershire is supported, it will form a spatial approach to decarbonising the energy system and should support significantly in contributing towards the delivery of net zero.

Place Making and Design

81. Hinckley and Bosworth BC is advised to note the likely changes in nutrient neutrality rules given the north western tip of the borough (north of Twycross) is located within the catchment area of the River Mease Special Area of Conservation.

Housing to Meet Different Needs

82. Hinckley and Bosworth BC is working with the Multi-Agency Traveller Unit on producing a 2024 Gypsy and Traveller Accommodation Assessment to replace the Gypsy and Traveller Accommodation Needs Study 2016 which is now out of date. With regards to Policy SP13 in the local plan clearer wording is sought for Transit pitches to reflect that any identified Transit need is to be met by the development of local authority Transit sites.

Economic Prosperity

83. Reference is made to the Strategic B8 requirements for Leicester and Leicestershire still emerging and this being dependent on the HNRFI DCO outcome, which is, as referenced earlier in this report, expected imminently. The County Council recognises this is the case and, to future proof work on the local plan as much as possible, advises strengthening the focus of new development on the Hinckley Urban Area.

Town, District, Local and Neighbourhood Centres

84. The specific policy steer for town, district, local and neighbourhood centres will come through in the Regulation 19 Local Plan. The County Council would look to see recognition of the behavioural change in society and a strengthening of the core retail area through a 'managed contraction', in parallel with a move for more emphasis on healthy options in all centres and a restriction on the number of hot food takeaways in favour of healthier retail uses, or community uses, leisure uses compatible with residential uses, and live/work units on the periphery of designated centres.

Communities, Leisure and Tourism

85. There is a request (referenced earlier in this report) for tourism to be reinstated in the vision for the Local Plan.

Natural Environment

86. There continues to be concern over the use of the Green Infrastructure Strategy (2020) as an acceptable evidence base. This issue was previously raised in the Regulation 19 response in March 2022.
87. Policy SP21 on Green Wedges is unclear (note points n. to r. duplicate h. to l) and needs to be amended.

88. No reference is made to the new Strategic Flood Risk Assessment being produced (2024) only refers to 2019 version (see chapter 5 under climate change).
89. Increased reference to the emerging Local Nature Recovery Strategy (LNRS) and mandatory Biodiversity Net Gain (BNG) is required.

Transport

90. The response of the LTA is set out in the overarching response earlier in this report.

Infrastructure

91. Note in paragraph 12.22 the term 'Local Education Authority' should be removed, and post-16 education should be more specifically referred to.

Equality Implications

92. There are no equality implications arising from the recommendations in this report.

Human Rights Implications

93. There are no human rights implications arising from the recommendations in this report.

Background Papers

Report to the Cabinet on 23 November 2018: Leicester and Leicestershire Strategic Growth Plan – Consideration of Revised Plan for Approval
<https://bit.ly/3SjDH8P>

Report to the Cabinet on 29 March 2019: Response to Consultation on Hinckley and Bosworth Borough Council's Local Plan Review: New Directions for Growth
<https://bit.ly/3W1EVqP>

Report to the Cabinet on 20 November 2020: Leicester and Leicestershire Strategic Transport Priorities 2020 to 2050
<https://bit.ly/3SIGT3y>

Report to the Cabinet on 22 June 2021: Urgent action taken by the Chief Executive in relation to the Leicester and Leicestershire Statement of Common Ground relating to housing and employment land needs (March 2021)
<https://bit.ly/3SmMCpI>

Report to the Cabinet on 17 September 2021: Response to Hinckley and Bosworth Borough Council's draft Local Plan (Regulation 18) consultation

<https://bit.ly/4eZoHHG>

Report to the Cabinet on 26 October 2021: Urgent item - Development of Hinckley and Bosworth Borough Council's New Local Plan - Latest Position.

<https://bit.ly/4eWRIDO>

Report to the Cabinet on 14 December 2021: South Leicestershire Local Plan Making Statement of Common Ground (November 2021)

<https://bit.ly/3Ujew8K>

Report to the Cabinet on 29 March 2022: Response to the Hinckley and Bosworth Borough Council Pre Submission Local Plan (2020 - 2039) Regulation 19 Consultation.

<https://bit.ly/4bCyn88>

Report to the Cabinet on 23 September 2022: Leicester and Leicestershire Authorities – Statement of Common Ground relating to Housing and Employment Land Needs

<https://bit.ly/3ubU67a>

Report to the Cabinet on 25 November 2022: Managing the Risk Relating to the Delivery of Infrastructure to Support Growth

<https://bit.ly/3SBSaxY>

Appendices

Appendix A: Leicestershire County Council Proposed Response to consultation on Hinckley and Bosworth Regulation 18 Draft Local Plan Consultation (July 2024)

Appendix B: LTA comments on Hinckley and Bosworth BC Draft Local Plan 2020 to 2039 Regulation 18 (July 2021)

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