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Sent: 09 August 2023 14:27
To: Planning Folder New
Subject: Planning application 22/00673/OUT - Land Opposite And South Of Pumping Station Aston Flamville Road, Burbage Leicestershire

Dear Chris

Blaby District Council consultation response for application 22/00673/OUT - Land Opposite And South Of Pumping Station Aston Flamville Road, Burbage Leicestershire

It is noted that the application is a resubmission of planning application 22/01037/OUT, which was refused planning permission by Hinckley and Bosworth Borough Council on 30th March 2023 due to the applicant failing to demonstrate that a safe and suitable access would be provided and failing to demonstrate the impact of the development on the local highway network.

Blaby District Council previously made the following comments in relation to planning application 22/01037/OUT:

“The site is located outside the Settlement Boundary of Burbage on an unallocated site, designated as Countryside which adjoins the boundary with Blaby District. The development plan for Hinckley and Bosworth Borough Council currently comprises the Core Strategy, the Site Allocations and Development Management Policies Development Plan Document, and the Burbage Neighbourhood Plan.

Policy 4 of the Core Strategy allocates land for a minimum of 295 dwellings in Burbage, but states that development will be primarily focused to the north of Burbage (the application site is instead to the east of Burbage). The policy also states that the Council will protect and preserve the open landscape to the east which provides an important setting for Burbage. Policy DM4 of the Site Allocations and Development Management Policies DPD states “to protect its intrinsic value, beauty, open character and landscape character, the countryside will first and foremost be safeguarded from unsustainable development”. With the site being located outside the settlement boundary and on land identified as countryside, the principle of residential development would appear to conflict with Policy 4 of the Core Strategy and Policy DM4. However, it is noted that the Burbage Neighbourhood Plan would appear to be more supportive of development adjoining settlement boundaries, and Policy 1 states that “residential development on land within or adjacent to the settlement boundary... will be supported, subject to complying with other development plan policy”. Policy 11 refers to the part of the site to the south of Aston Flamville Lane as an ‘area of landscape sensitivity’ and sets out a number of criteria to guide any development in this area.

Against this policy context, however, it is noted that HBBC are currently unable to demonstrate a five year housing land supply, with the latest Residential Land Availability Monitoring Statement for 1 April 2021 to 31 March 2022 indicating a supply of 4.89 years. In such circumstances, the NPPF indicates that planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusal; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole.

Furthermore, it is noted that Hinckley and Bosworth Borough Council has recently carried out a Regulation 19 consultation on its new Local Plan for the period 2020-2039. This proposes to allocate the two parcels of land which are part of this planning application, north and south of Aston Flamville Lane, for a minimum of 75 and 105 dwellings respectively and to amend the settlement boundary of Burbage accordingly to include these two sites. As such, it would appear that development on these sites is supported in the emerging new HBBC Local Plan, albeit the plan has not currently been through examination so only carries limited to moderate weight in the decision making process.

Whilst the current Development Plan for Hinckley and Bosworth therefore does not appear to be fully supportive of development on this site, it acknowledged that there are other factors that HBBC would need to take into account in considering whether or not the principle of development on this site is acceptable.

If HBBC does consider the development to be acceptable in principle, Blaby District Council would ask that the following matters are taken into consideration when determining the planning application:

- The number of dwellings proposed as part of the planning application (343) is approximately double the proposed allocation in the emerging Local Plan. If HBBC is minded to grant planning permission, BDC would wish to ensure that the development is of an appropriate density and allows for appropriate on-site open space provision.*
- The impact of other developments should be taken into account when considering the highway impacts of the development, including the proposed Hinckley National Rail Freight Interchange which would be located close to the site.*
- The development should ensure that improvements to pedestrian and cycle connectivity are secured (such as the link to Dorchester Road) to provide better linkages for future residents and existing residents on Aston Lane.*
- In addition, improvements to footpath provision on Aston Flamville Lane should be secured (the existing footpath appears to be very narrow). The Transport Assessment indicates that the existing footpath on the northeast side of Aston Flamville Lane will be widened to 2 metres in width. Consideration should also be given to the provision of a footpath on the southwest side of Aston Flamville Lane so that the development parcels on both sides of the road can be appropriately accessed from Sapcote Road.*
- All junctions which would be impacted by the development should be properly assessed, including the junction of Aston Flamville Lane and Sapcote Road and any other junctions along Sapcote Road which may be impacted by the development.*
- The development could lead to an increase in vehicular traffic using Aston Lane through Aston Flamville, which is a quiet country lane, to reach the B4114 at Sharnford and onwards to access the A5. This impact should be assessed as part of the application.*
- The development site is in close proximity to a number of residential properties along the north side of Aston Lane which are located within Blaby District. The properties are within Aston Flamville Parish, but are physically detached from the settlement of Aston Flamville, which is approximately 750 metres to the southeast, on the opposite side of the M69. When considering the planning application, Blaby District Council asks that HBBC considers the impact of the proposed development on these residential properties, taking into account factors including privacy, light, noise, disturbance, overbearing effect, as well as vibration, emissions, hours of working and vehicular activity.*
- The impact on existing services and facilities, such as education and health care should be considered. It is understood that secondary schools in the area are currently oversubscribed and there may be little room for expansion on existing sites.*
- Consideration should be given to access to the site by public transport. The X55 Arriva service, which was understood to serve Sapcote Road, has recently been withdrawn in October 2022.*
- Consideration should be given to the impact of surface water flooding. The Environment Agency's surface water flood map indicates that areas of the southern parcel of land forming the application site are at higher risk of surface water flooding."*

The development in the latest application remains similar to that proposed in application 22/01037/OUT, with the exception that access to both parts of the site (either side of Aston Flamville Road) is now from a proposed roundabout on Aston Flamville Road, rather than part of the site being accessed from Hinckley Road. It is noted that the maximum quantum of development remains the same at 343 dwellings which is double the number in the emerging Local Plan. Given that Hinckley and Bosworth Borough Council cannot currently demonstrate a five year housing land supply, paragraph 11(d) of the National Planning Policy Framework was engaged in the determination of 22/01037/OUT (whereby planning permission should be granted unless the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole). The provision of up to 343 dwellings was therefore considered to be a benefit of the proposal to which significant weight in favour of the scheme was given. The application was, however, refused planning permission

due to the adverse impacts in terms of highway safety and the impact on the local highway network, together resulting in a severe impact.

Blaby District Council acknowledges HBBC's five year land supply position, meaning it may not be able to resist the development in principle. However, BDC would ask that those comments previously made (and included above) are taking into consideration insofar as they relate to the highway impacts of the development. It is noted that the Proposed Access Strategy included in the Transport Assessment (Appendix D) only shows a footpath on the northeast side of Aston Flamville Road. Consideration should be given to providing a footpath on the southwest of Aston Flamville Road (as this will be the desired route for pedestrians accessing destinations in Hinckley/ Burbage to the west), or alternatively ensuring the link to Dorchester Close is secured.

Kind regards

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