

# Planning Statement

Land at Brick Kiln Street,  
Hinckley

Prepared by Fisher German LLP on Behalf of  
Cadent



**Project Title:**

Land at Brick Kiln Street, Hinckley

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# Contents

|    |                           |    |
|----|---------------------------|----|
| 01 | Executive Summary         | 4  |
| 02 | Introduction              | 6  |
| 03 | Site and Surrounding Area | 8  |
| 04 | The Proposed Development  | 11 |
| 05 | Planning Policy Context   | 14 |
| 06 | Planning Assessment       | 31 |
| 07 | Conclusion                | 49 |

# 01 Executive Summary

- 1.1 This Planning Statement has been prepared on behalf of Cadent in relation to its land interests at Land at Brick Kiln Street, Hinckley. This planning application seeks outline planning permission for the erection of up to 195 dwellings (including affordable housing) and associated infrastructure, all matters reserved except for access. Details relating to the appearance, layout, amount, and scale of development as well as landscaping within the site are to be the subject of subsequent reserved matters approval.
- 1.2 Hinckley is acknowledged to be the most sustainable settlement in the Borough, as well as one of the more sustainable settlements of the wider HMA. The outline application proposal would locate residential development within a short walk of Hinckley's town centre (400m), which provides significant, easily accessible service provision. The site is also within the close proximity of a number of supermarkets and Hinckley bus station, as well as within easy walking distance of Hinckley Train Station. The site is therefore considered to be a uniquely sustainable proposition, providing valuable additional housing on a brownfield site, in a highly sustainable location.
- 1.3 The site is currently designated as a 'Category B' employment site. For the reasons set out within this report the change of use from employment to residential is entirely logical and consistent with adopted policy. Whilst the application is considered to be entirely acceptable, it is worthy to note that the Council cannot demonstrate a five-year housing land supply. This means that the presumption in favour of sustainable development is engaged. This adds further weight in support of the sustainable redevelopment of this brownfield, town centre site to deliver much needed residential development.
- 1.4 The matters of layout are reserved. This application is however supported by a illustrative masterplan and Design and Access Statement, which demonstrate how the site's opportunities and constraints have informed the illustrative design of the scheme. The proposals represent high-quality design, suitable for the urban area in which it sits. Future residents will have a very low level of car dependency due to the inherently sustainable nature of the application site, with ready and easy access to both the services and facilities of the town centre, but also the amenity value of

neighbouring Clarendon Park. The delivery of this site will also provide benefit to existing residents, by providing new areas of open space, and new pedestrian linkages, with the new development having a high degree of permeability and linking into the existing pedestrian network.

- 1.5 This proposal accords with both the NPPF, particularly with regards to boosting the supply of housing and the utilisation of brownfield land and adopted local planning policy. It will have demonstrable local benefits, with limited negative impacts. The application is supported by a suite of supporting documents which evidence the appropriateness and acceptability of the proposals. As such, in line with the Framework and to assist in providing housing in the short term, this application should be approved without delay.

## 02 Introduction

- 2.1 This Planning Statement has been prepared on behalf of Cadent in relation to Land at Brick Kiln Street, Hinckley. The planning application seeks outline planning permission for the erection of up to 195 dwellings (including affordable housing) as part of the redevelopment proposal of the Cadent Hinckley site. All matters are reserved except access together with landscaping and other infrastructure. Details relating to the appearance, layout, amount, and scale of development as well as landscaping within the site are to be the subject of subsequent reserved matters approval.
- 2.2 The application is supported by the following documentation:
- Site Location Plan
  - Illustrative Masterplan
  - Arboricultural Survey
  - Transport Assessment & Travel Plan
  - Flood Risk Assessment & Drainage Strategy
  - Phase 1 Geo-Environmental Desk Study
  - Ecological Appraisal and Biodiversity Net Gain Assessment
  - Commercial Property Demand Report
  - Design and Access Statement
  - Statement of Community Involvement
- 2.3 This Planning Statement sets out the background relevant to the determination of application, by describing the site and its general locality, before setting out details of the proposed development. The Statement goes on to provide an overview of the planning policy context against which the development must be assessed, followed by a detailed consideration of the development proposals against the policy context and all other relevant material considerations.
- 2.4 The benefits to be delivered by the development will substantially outweigh any minor residual impacts. It is considered that there are compelling grounds to grant planning permission for the proposed development, including:

- Construction of additional housing to significantly boost Hinckley and Bosworth Council's supply of both market and affordable housing, including a mixture of dwelling types and sizes, at a time when the Council cannot demonstrate a five-year housing land supply.
- The redevelopment of a vacant brownfield site.
- The provision of new pedestrian links through the site enabling improved access for existing residential properties to access Clarendon Park and the town centre (as per neighbouring Redrow scheme).
- The protection and enhancement of existing trees complemented by new planting.
- The provision of attenuation ponds to manage surface water runoff and to provide biodiversity and amenity benefits.
- A boost to the local economy through employment and training opportunities during construction, increased spend from local residents in the local economy following completion, together with the delivery of New Homes Bonus.

# 03 Site and Surrounding Area

## The Site

- 3.1 The site extends to 6.05 hectares (ha) in total and is located north of Coventry Road and south of St George's Avenue. The site currently has no active use. The various buildings and Cadent offices that were present to the south have been demolished, leaving a largely cleared site and car parking.
- 3.2 The proposed residential development site is located circa 400m west of the centre of Hinckley. The southern boundary of the site extends to Coventry Road, to the west Clarendon Park and residential development (recent Redrow development), the eastern boundary of the site comprises residential properties on Trinity Vicarage Road and the Lidl Supermarket and the northern boundary comprises existing residential properties on Swinburne Road.



*Figure 1: Site Location Plan*

- 3.3 Due to the surrounding uses and built form, the site is well contained with strong defensible boundaries. Despite being adjacent to Clarendon Park and being designated as employment land, the surrounding land uses are distinctly residential in nature, as demonstrated by the residential development to the north, east and west of the site.
- 3.4 The site is very well located to existing services and facilities within Hinckley, with the town centre within easy walking distance. Key services and facilities within walking distance of the site include multiple supermarkets, primary schools, a bus station, a train station, doctors and substantial employment opportunities. Given the site's key town centre location there are further services and facilities in easy reach, including parks, comparison retail, cinema, restaurants, gyms, takeaways, etc. The site is therefore in a uniquely sustainable location within the urban area.
- 3.5 Vehicular access to the site whilst in use as the Cadent offices was from Brick Kiln Street off Coventry Road. A secondary access, Trinity Vicarage Road, was used intermittently, normally the PM peak, to provide a secondary route out of the site. As part of the proposals, the main access to the site from Brick Kiln Street will be retained with the access at Trinity Vicarage Road retained as a pedestrian access only, albeit it could be potentially used for an emergency access also.
- 3.6 There will be multiple points of access for pedestrians, including a pedestrian point of access via Trinity Vicarage Road; this provides ready access to the town centre. Pedestrian access will also be provided from St George's Avenue and links through the site to Clarendon Park will be provided. Such permeability will encourage walking for new residents. These proposals will also improve accessibility for existing residents, providing easy access particularly to and from Clarendon Park from the west and providing a more direct access towards the town centre from the east.
- 3.7 The site is located approximately 165m to the south of the Hollycroft Conservation Area. The site is circa 200m west from the Church of the Holy Trinity. Having regard for the distance between these assets, intervening built form and the current use and nature of the site, it is not considered these proposals will have an adverse impact on these key heritage assets.
- 3.8 The site is not subject to any statutory environmental designations. The Preliminary Ecological Appraisal has identified that the hardstanding which comprises the majority of the site is of negligible biodiversity value. Areas of introduced shrubs are considered to be of value for species

only i.e., nesting birds. The modified grassland, sparsely vegetated urban land and small pockets of scrub are considered as being of value at no higher than Site level. The semi-mature and mature trees bounding the site are of greater ecological value and considered to be of ecological value at the Local level, due to their importance within the urbanised environment, their potential to support nesting birds, their connective linkages for wildlife, and for use as a food source. These are however proposed to be largely retained as part of development proposals.

- 3.9 The Flood Risk Map for planning shows the site as lying within Flood Zone 1 (Low Probability of Flooding from rivers or sea). The proposed development of the site will introduce attenuation ponds, gardens, landscaping and permeable areas therefore reducing surface water run off across the site.

### **Planning History**

- 3.10 There have been a number of previous planning applications on various parts of the application site predominantly relating to the site's former use. Those shown on the Council's online interactive mapping search are listed below.
- 74/00809/4 - RETENTION OF TEMPORARY OFFICE AND STORAGE ACCOMMODATION
  - 74/01084/4 - RETENTION OF TEMPORARY BUILDING
  - 77/01092/4 -RETENTION OF OFFICE STORE
  - 00/00828/FUL - INSTALLATION OF CCTV CAMERAS
  - 00/01235/FUL - INSTALLATION OF CCTV CAMERAS
  - 05/00726/FUL - INSTALLATION OF EXTERNAL CONDENSING UNITS TO BLOCKS 1 AND 4
  - 06/00289/FUL - CLADDING OF EXTERNAL CONDENSING UNITS AND PIPE BRIDGE
  - 11/00428/FUL - INSTALLATION OF HEAT PUMPS
  - 11/00757/FUL - ERECTION OF FOUR MODULAR BUILDINGS
  - 21/00875/HYB (WITHDRAWN) – HYBRID PLANNING APPLICATION COMPRISING OF OUTLINE PERMISSION FOR THE DEMOLITION OF THE EXISTING BUILDINGS AND ERECTION OF UP TO 110 DWELLINGS ACCESSED FROM ST. GERORGE'S AVENUE AND ASSOCIATED INFRASTRUCTURE (ACCESS ONLY) AND FULL PLANNING PERMISSION FOR THE DEMOLITION OF EXISTING BUILDINGS AND PROVISION OF 73 CAR PARKING BAYS FOR THE RETAINED OFFICE BUILDINGS.
  - 21/01284/DGDO- PRIOR NOTIFICATION FOR THE DEMOLITION OF BLOCKS2-4

## 04 The Proposed Development

4.1 Outline planning consent is sought for the residential redevelopment of the Land at Brick Kiln Street, Hinckley as part of the redevelopment proposal of the Cadent Hinckley site for up to 195 dwellings, with all matters reserved except for access. Details relating to the appearance, layout, scale, and landscaping within the site are to be the subject of subsequent reserved matters approval.

4.2 The development proposal will be served by the existing access from Brick Kiln Street, albeit slightly realigned and widened to 6.75m in width, to accord with the LCC Design Guide Major Access Road classification (400 units from a single point of access).

4.3 The application is accompanied by an Illustrative Masterplan which demonstrates how the site can be redeveloped for a scheme of up to 195 dwellings. The Masterplan illustrates the retention of existing trees and hedgerows and the creation of new areas of open space. The supporting documentation demonstrates the following key elements of the scheme:

- Up to 195 dwellings delivered on a brownfield site, including a mixture of dwelling types and sizes, ranging from bungalows to family homes;
- Provision of affordable housing;
- Access from Brick Kiln Street and pedestrian access via Trinity Vicarage Road St George's Avenue and Clarendon Park (as per neighbouring Redrow scheme);
- Policy compliant housing mix and parking provision;
- Improved local pedestrian permeability from the existing residential areas to Clarendon Park.

3.11 The proposal is shown on the following application plans:

- Site Location Plan
- Illustrative Layout
- Proposed Site Access Layout

4.4 The Illustrative Masterplan which takes into consideration good urban design principles, is submitted for illustrative purposes to demonstrate how the site can accommodate the development proposals. This plan is not for approval at this stage, as the layout of the proposed development is reserved for subsequent approval.

4.5 The development will provide a mix of dwelling types and sizes, in response to the Council's adopted planning policies. The development will also include the delivery of affordable housing.

### **Consultation**

4.6 The proposed development has been subject to informal consultation with Officers, Cadent have also engaged with the local community. To inform the local community about the new development proposals, consultation leaflets were posted to 379 residential addresses (including 3 businesses) in Hinckley on the 14th March 2024 inviting them to submit by the 1st April 2024. Matters relating to the consultation and the responses received are fully detailed in the separate Statement of Community Involvement (SCI) submitted with the planning application.

4.7 It has been demonstrated that considerable efforts have been made to engage the community and the Borough in the formulation of the development proposals. These efforts have helped to shape and influence elements of the scheme in order to address issues and concerns raised by respondents.

## 05 Planning Policy Context

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Hinckley and Bosworth Borough, material to this proposal comprises:

- Core Strategy DPD (Adopted December 2009)
- Site Allocations & Development Management Policies DPD (SADMP) (Adopted July 2016)
- Hinckley Town Centre Area Action Plan (AAP) DPD (March 2011)

5.2 It is noted and accepted by the Council that the housing policies in the Local Plan are out of date. This is confirmed in the planning officer's report for the Planning Committee on the 25<sup>th</sup> May 2021. The papers state:

*"The Council cannot demonstrate a 5 year housing land supply and the housing policies in the adopted Core Strategy, the adopted SADMP and the MBNP are considered to be out of date as they focussed on delivery of a lower housing requirement than now required. Therefore, the 'tilted' balance in paragraph 11(d) of the NPPF applies where the permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole."*<sup>1</sup>

5.3 Following two recent planning inquiries in November/December 2022 (Land at Sketchley Lane, Burbage) and February 2023 (Land east of The Common, Barwell) the Council has agreed through a Statement of Common Ground, (SoCG) a revised position on its 5-year housing land supply and the current figure is 4.76 years as of 31 March 2022. This is also confirmed in the Land East of The Common, Barwell (Ref: 21/01470/OUT and APP/K2420/W/22/3295558) Appeal Decision which concludes that:

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<sup>1</sup> (Paragraph 9.1: 25<sup>th</sup> May 2021 Planning Committee Public Document Pack)

- 5.4 *"... The Council cannot currently demonstrate a five-year supply of deliverable housing sites which is agreed at 4.76 years. This renders the policies most important for determining this application out-of-date as set out at paragraph 11d) of the Framework."*
- 5.5 The inspector of a more recent planning appeal in December 2023 (Land off Bagworth Road, Barlestone- APP/K2420/W/23/3316041) found that the latest position comprises 4.89 years of deliverable housing sites.
- 5.6 The Framework is unequivocal in such circumstances that planning applications for residential development must be determined in accordance with paragraph 11(d) of the NPPF, that applications for sustainable development must be approved unless:
- i) The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed;
  - ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 5.7 Whilst our case is not dependent on the application of Paragraph 11 of the NPPF, it remains incumbent on the Council to consider the second criterion of Paragraph 11(d) of the NPPF and whether any adverse impacts in approving the application would significantly and demonstrably outweigh the benefits, if the land supply position has not materially improved prior to determination. Moreover, as established above, Paragraph 11 is also potentially engaged due to policies being out of date.
- 5.8 In addition to the Development Plan, National government policy, principally the National Planning Policy Framework published in December 2023 (the Framework), is material to the determination of planning applications.

#### Core Strategy DPD (Adopted December 2009)

- 5.9 The Core Strategy DPD provides the overarching spatial strategy and vision for the development of the District up to 2026. The Plan contains a number of strategic policies to guide planning applications and subsequent development plan documents. Those policies which are considered most relevant to the determination of this application are discussed in turn below, including to

what extent they can be afforded weight. Whilst the Plan is not time-expired, it is necessary to consider each policy in respect of its consistency with the Framework and to what extent it could frustrate more up to date housing requirements.

- 5.10 The Core Strategy sets out at Table 1 that the current housing requirement is 9,000 dwellings over the period 2006-2026. This equates to 450 dwellings per annum, over the Plan period.
- 5.11 The Core Strategy identifies Hinckley as a 'Sub-Regional Centre' and top of the spatial hierarchy for Hinckley and Bosworth Borough. The Core Strategy sets out that Hinckley is where *"there is a concentration of services, where accessibility can be maximised, and modal choice is made available"*.
- 5.12 **Policy 1: Development in Hinckley** sets out that to support Hinckley's role as a sub-regional centre the Council will allocate land for the development of a minimum of 1,120 new residential dwellings. In particular, the Council will seek to diversify the existing housing stock in the town centre to cater for a range of house types. The Policy also makes provisions for a range of improvements to be delivered in Hinckley, including improvement in leisure facilities, transport, parking and retail.
- 5.13 **Policy 15: Affordable Housing** sets out that the affordable housing target in the urban areas (including Hinckley) is 20% on sites of 15 dwellings or more. The tenure mix for all sites is 75% social rent and 25% intermediate housing. These figures may be negotiated on a site by site basis, taking into account identified local need, existing provision, characteristics of the site and viability.
- 5.14 **Policy 16: Housing Density, Mix and Design** states that the Council require a mix of housing types and tenures on all sites of 10 or more dwellings, taking into account the type of provision that is likely to be required. All proposals are required to meet a 'very good' rating (16 or more positive answers out of 20) against the Building for Life Criteria, unless it can be demonstrated that this is not viable on the particular site. Proposals for new residential development will be required to meet a minimum net density of at least 40 dwellings per hectare within and adjoining Hinckley. In exceptional circumstances, where individual site characteristics dictate and are justified, a lower density may be acceptable.
- 5.15 **Policy 19: Green Space and Play Provision** sets the standards in relation to the level of green space and play provision in the Borough to ensure all residents have access to sufficient, high quality,

accessible green spaces and play areas.

- 5.16 **Policy 20: Green Infrastructure** seeks to mitigate the urban 'heat island' effect by increasing the number of street trees to provide shade, cooling and air quality improvements, incorporate flood prevention measures such as flood storage ponds, green roofs and swales where appropriate.
- 5.17 **Policy 24: Sustainable Design and Technology** states that residential development in Hinckley will be expected to meet the following requirements unless it would make the development unviable. Residential developments to meet the Code for Sustainable Homes at the following levels:
- Minimum of Code Level 3 to 2013
  - Minimum of Code Level 4 from 2013 - 2016
  - Code level 6 from 2016 onwards

#### Site Allocations & Development Management Policies DPD (SADMP) (Adopted July 2016)

- 5.18 The Allocations & Development Management DPD (SADMP) sets out detailed policies and allocations to deliver the requirements of the Core Strategy (2009), up to 2026. This includes detailed local allocations and site-specific policies to set the localised framework for delivery of new developments. The policies which are considered most relevant to the determination of this application are discussed in turn below.
- 5.19 A detailed Policies Map has been prepared alongside the SADMP. The Hinckley inset map shows the application site as being designated as an '*Existing Employment Site*', reference HIN124.
- 5.20 The SADMP advises that of the 1,120 dwelling residential target for Hinckley, there was a residual requirement of 779-815 dwellings due to existing commitments and completions. The Plan therefore makes provision for 850 dwellings through new site allocations.
- 5.21 **Policy DM1: Presumption in Favour of Sustainable Development** repeats the former Paragraph 14 of the Framework (now replaced by paragraph 11 of the 2023 Framework).
- 5.22 **Policy DM3: Infrastructure and Delivery** outlines that where development will create a need to provide additional or improved infrastructure, amenities or facilities, developers will be expected

to make such provision directly or indirectly through the appropriate funding mechanism.

5.23 **Policy DM7: Preventing Pollution and Flooding** states that adverse impacts from pollution and flooding will be prevented by ensuring that development proposals demonstrate that:

- a) It will not adversely impact the water quality, ecological value or drainage function of water bodies in the borough;
- b) Appropriate containment solutions for oils, fuels and chemicals are provided;
- c) All reasonable steps are taken through design, siting and technological solutions to ensure the abatement of obtrusive light to avoid sky glow, glare and light intrusion;
- d) It would not cause noise or vibrations of a level which would disturb areas that are valued for their tranquillity in terms of recreation or amenity;
- e) Appropriate remediation of contaminated land in line with minimum national standards is undertaken;
- f) It will not contribute to poor air quality;
- g) It will not result in land instability or further intensify existing unstable land; and
- h) The development doesn't create or exacerbate flooding by being located away from areas of flood risk unless adequately mitigated against in line with National Policy.

5.24 **Policy DM10: Development and Design** sets out that developments will be permitted providing that the following criteria are met:

- a) It would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting, air quality (including odour), noise, vibration and visual intrusion;
- b) The amenity of occupiers of the proposed development would not be adversely affected by activities in the vicinity of the site;
- c) It complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features;
- d) The use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the local area generally;
- e) It incorporates a high standard of landscaping where this would add to the quality of the design and siting;
- f) It maximises opportunities for the conservation of energy and resources through design, layout, orientation and construction in line with Core Strategy Policy 24;

- g) Where parking is to be provided charging points for electric or low emission vehicles are included where feasible;
- h) An appropriate Sustainable Drainage Scheme is submitted to and approved by the relevant Authority. Schemes should incorporate wildlife areas, ponds, swales and permeable paving where appropriate;
- i) It maximises natural surveillance and incorporates the principles of Secured by Design and has considered the incorporation of fire safety measures.

5.25 **Policy DM11: Protecting and Enhancing the Historic Environment** states where a proposal has the potential to affect a heritage asset or its setting will be required to demonstrate an understanding of the significance of the heritage asset and its setting; the impact of the proposal on the significance of the asset and its setting, including measures to minimise or avoid these impacts; how the benefits of the proposal will outweigh any harm caused and any impact on archaeology in line with Policy DM13.

5.26 **Policy DM17: Highways and Transportation** outlines that development proposals will be supported where they:

- a) Seek to make the best use of existing public transport services and, where appropriate, provide opportunities for improving and sustaining the viability of those services;
- b) Seek to ensure that there is convenient and safe access for walking and cycling to services and facilities;
- c) Demonstrate that there is not a significant adverse impact upon highway safety and in the case of development that generates significant movement;
- d) That the development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised;
- e) Where it can be demonstrated that the residual cumulative impacts of development on the transport network are not severe.

5.27 **Policy DM18: Vehicle Parking Standards** states that all proposals for new development will be required to provide an appropriate level of parking provision, justified by an assessment of the site's location, housing proposed and availability of other modes of transport.

5.28 **Policy DM19: Existing Employment Sites** states that the Borough Council will seek to retain sites classified as Category A sites in their entirety, for B1, B2 and B8 employment uses. Development of non-B class uses in category A sites will only be allowed in exceptional circumstances, demonstrating that the development would not have an adverse impact on the surrounding employment uses.

5.29 The Borough Council will consider positively proposals for partial or total loss of Category B sites for uses other than B1, B2 and B8 uses where:

- A) The proposed proportion of uses falling outside B1, B2 and B8 use classes stands in line with the recommendations in the most up-to-date Employment Land and Premises Review; or
- B) The development diverges from these recommendations, the applicant must demonstrate that:
  - i. The site/premise is no longer suitable or reasonably capable of being redeveloped for employment purposes; and
  - ii. The site/premise has been proactively marketed for employment purposes for a reasonable period of time at a reasonable market rate as supported and demonstrated through a documented formal marketing strategy and campaign, in line with the most up to date Employment Land and Premises Review; or
  - iii. There will be a significant community benefit which outweighs the impact of losing the employment site/premises.

5.30 The Hinckley and Bosworth Borough Council Employment Land and Premises Study 2020 considers the site as part of the wider '*Transco HQ/Jarvis Porter, Coventry Road, Hinckley*' site. The study recommends that the site should continue to be considered as a category B site, as it was in the 2013 Employment Land and Premises Review.

#### **The Hinckley Town Centre Area Action Plan (adopted March 2011)**

5.31 The Hinckley Town Centre Area Action Plan considers the application site as part of the wider Transco HQ/Jarvis Porter site, under Policy 12b. This states that throughout the plan period the Council will seek to retain 9.2 hectares of employment uses on this site.

## Local Plan Review

- 5.32 The Borough Council are working on a new Local Plan which will set out land allocations and planning policies for the period 2020 to 2041. The Council published the draft Local plan and undertook a Regulation 19 consultation in February 2022 which included proposed site allocations.
- 5.33 Hinckley, defined as the 'urban area' in the settlement hierarchy, is the most sustainable part of the borough and the key focus for new housing and employment growth. The plan states that the 'urban area' will also be a focus for managed economic growth and development to support Hinckley's role as a sub-regional centre. 600 homes are allocated in Hinckley in this plan.
- 5.34 The proposed development site continues to be identified as an existing employment site on the settlement map for Hinckley and Burbage. Policy EP03 is an update of Policy DM19: Existing Employment Sites. The Borough Council acknowledges increasing levels of non-employment activity provision within employment areas in policy EP03.
- 5.35 Policy EP03 therefore ensures that the most appropriate areas continue to be safeguarded whilst not seeking to stifle alternative development on land which is unlikely to be delivered or remain fit for purpose during the plan period. It also includes flexible provisions for the release of employment land previously in B use class where there is no reasonable and viable prospect of an area continuing to be used for this purpose.
- 5.36 The regulation 19 version of the Local Plan recognises that evidence from the Employment Land and Premises Study 2020 indicates the borough has a sufficient supply of employment land to meet needs up to 2036. The Study also noted there is a limited need for additional office space compared to general industrial and manufacturing and small local need warehousing.
- 5.37 The latest Employment Land Availability Monitoring Statement (April 2021) also shows that the strategic need within the borough has already been met. The regulation 19 draft plan states that further work is underway on a strategic distribution needs study and a Leicestershire wide employment land study which will provide updated evidence on employment land needs.

- 5.38 Since the publication of the draft regulation 19 Plan in February 2022, the Office for National Statistics (ONS) released data for 'Housing Affordability in England and Wales: 2021', referred to as the 'affordability ratios', meaning the annual figure for new houses to be provided in the Local Plan rose from 444 per annum to 472 under the Standard Methodology calculation. The ONS data for 2022 has now been released. Utilising the Standard Method utilising 2023 as a base date this suggests that Local Housing Need for Hinckley and Bosworth is likely to fall to 462 per annum, despite a slightly worsening affordability ratio (due to lower anticipated household formation in 2023-2033 when compared to 2022-2032). HBBC could utilise this lower figure when preparing their new Local Plan.
- 5.39 In addition to the above and following the publication of HBBC's draft regulation 19 plan in February 2022, the quantum of unmet need from Leicester City has been finalised (Leicester City and Leicestershire Statement of Common Ground relating to Housing and Employment Land Needs (June 2022). This has further delayed Hinckley and Bosworth's local plan review process. The Leicester and Leicestershire Statement of Common Ground has been produced to agree and distribute the unmet housing and employment land needs of Leicester City across the Leicester and Leicestershire HMA.
- 5.40 The share of the unmet need apportioned to Hinckley and Bosworth within the SoCG has been calculated to be an additional 187 dpa, to be added to the Council's annual housing figure of 472 dpa equating to 659 dpa. Hinckley and Bosworth however do not agree to this. The Housing and Economic Needs Housing Assessment Distribution Paper (2022) methodology assigns 102 dpa to the borough as part of the initial distribution of unmet needs, having regard for evidence such as functional relationship. However, due to a cap on the level of growth an area can deliver based on existing housing stock, Charnwood Borough Council's quantum of unmet need was reduced to only 78 dwellings per annum from an initial 289 dwellings, with the remaining dwellings redistributed to the remaining Authorities with capacity. This led to Hinckley and Bosworth's growth being increased from 102 dwellings per annum (based on evidence on functional relationship), to 187 dwellings once the need arising from the cap and its impact on Charnwood's redistribution had occurred. The borough council object to the additional 85 dpa this would result in. This objection is an 'area of disagreement' contained within an updated Statement of Common Ground (SoCG) between the Leicestershire district and borough councils together with the City and County Council. The other authorities do not agree with Hinckley and Bosworth and consider the apportionment of 187 dwellings per year as justified by the evidence. Hinckley and Bosworth

Borough Council became a signatory to the Leicester and Leicestershire Statement of Common Ground but with the above area of disagreement.

- 5.41 In relation to this issue, it is relevant to note Charnwood's Local Plan is currently being examined. Whilst the Regulation 19 Plan made no provision for meeting Leicester City's unmet need, instead differing this to an early review, early within EiP Hearing Session's Charnwood conceded they were now willing to meet their 78 dwelling per annum contribution. Hinckley and Bosworth objected to this, as did many who were seeking additional growth in Charnwood. The Sustainability Appraisal (SA) Addendum (Exam 57a) assessed three options to ensure that the reasonable alternatives for the development strategy to deliver Charnwood's apportionment of Leicester's unmet need have been tested. The result of the examination is currently unknown but will have impacts on the ongoing development of the Hinckley and Bosworth Local Plan as if the approach is agreed in Charnwood, it will clearly have implications for the emerging Hinckley and Bosworth Local Plan if they do not advance the higher, not agreed figure in the SoCG, as that approach would lead to a shortfall within the HMA.
- 5.42 In the Local Development Scheme published in December 2022, the Hinckley and Bosworth Borough Council confirmed they will need to find additional sites to accommodate a distribution of Leicester City's unmet need (initial distribution) and will need to ensure that the evidence base including the transport modelling, infrastructure delivery plan, viability modelling and the sustainability appraisal all reflect and support these additional sites.
- 5.43 Another LDS was published in February 2024, due to changes at government level. In December 2022, the government published two consultations regarding the reforms to national planning policy and proposed changes to the wording of the National Planning Policy Framework (NPPF). These changes were proposed to come into effect once the Levelling Up and Regeneration Bill received Royal Assent (this has now happened as of 8 November 2023). There is a requirement that all local plans prepared under the current plan making system be submitted for statutory examination by 25 June 2025 with a view that they are adopted by 31 December 2026.
- 5.44 A further consultation on local plans (published July 2023) set out proposals to make local plans simpler, faster to prepare and more accessible. The key change is the expectation that more streamlined plans will be prepared in a 30-month timeframe. The government's intention is to bring

in the new plan making system once the Levelling Up and Regeneration Act becomes legislation but no strict timetable for secondary legislation to enact the plan making element has been set. However, transitional arrangements allow the council to continue to progress the Local Plan under the current system as long as the 30 June 2025 deadline is adhered to.

- 5.45 The updated LDS (Feb 2024) also set out that there is also a need to update the other pieces of evidence to ensure that it remains relevant and appropriate to inform the Local Plan and the plan timeframe to 2041. This includes the housing and employment studies and playing pitch assessment. The LDS states that other evidence work that was in process such as the highways modelling work, infrastructure capacity study and viability work are progressing well.
- 5.46 The LDS (Feb 2024) sets out that emerging indications from the evidence work and other considerations is indicating that the current development strategy of a 70/30% urban/rural split for new growth may not be deliverable. In order to consider an alternative development strategy, the council will need to undertake a further Regulation 18 consultation which the Council proposes to undertake in summer. 2024. A Regulation 19 pre-submission consultation can then take place winter 2024. This allows the council to still meet the government's June 2025 deadline.
- 5.47 The amended timescale is considered necessary to allow the council to undertake a further reg 18 consultation but also identify sufficient housing and employment sites to meet Hinckley and Bosworth's identified needs and complete critical pieces of evidence such as highways and infrastructure. Having a complete evidence base at time of submission reduces risk such as prolonged hearing sessions or being deemed unsound before Examination.
- 5.48 At February 2024, the Local Plan timetable was as follows:
- Completion of outstanding evidence: December 2022- March 2025
  - Public Consultation on further draft of Plan (Reg 18): June-July 2024
  - Public Consultation on Submission Draft Plan (Reg 19): January -February 2025
  - Submission to the Secretary of State (Reg 22): May 2025
  - Estimated programme dates for Examination: September- November 2025
  - Estimated date of Adoption: February 2026

Should a draft plan be published, the applicant reserves the right to comment on the weight applicable to draft policies and how this should inform the determination of the application. (Make this a new para, don't want to do it in TC as will destroy the formatting!!)

## National Planning Policy Framework 2019

### Achieving Sustainable Development

- 5.49 The National Planning Policy Framework (NPPF) sets out that the purpose of the planning system is to contribute to the achievement of sustainable development.
- 5.50 Paragraph 8 of the NPPF states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and to be pursued in mutually supportive ways. The first objective, an economic objective, seeks to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth. Secondly, the social objective supports strong, vibrant and healthy communities, by ensuring that a sufficient range of homes can be provided to meet the needs of present and future generations. Thirdly, the environmental objective of the planning system is to contribute to protecting and enhancing our natural, built and historic environment.
- 5.51 At the heart of the Framework is a presumption in favour of sustainable development. The Framework in paragraph 11 states *"plans and decisions **should apply a presumption in favour of sustainable development**"*.
- 5.52 As paragraph 11 goes on to state, for decision-taking this means:
- *"approving development proposals that accord with an up-to-date development plan without delay; or*
  - *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
    - i. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
    - ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".*

- 5.53 Footnote 7 of the Framework sets out that the protected areas referred in (i) above include *“habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.”*
- 5.54 Footnote 7 of the Framework explains that policies most important for the determination of the application for housing may be considered out of date wherein the Local Authority cannot demonstrate a five-year housing land supply or a four year supply, if applicable, as set out in paragraph 226) of deliverable housing sites (with a buffer, if applicable, as set out in paragraph 77) and does not benefit from the provisions of paragraph 76 b) where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous three years.

### Decision Making

- 5.55 Paragraph 38 of the Framework states that Local Planning Authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area.
- 5.56 At paragraph 47, the NPPF also emphasises that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Paragraph 12 sets out that this applies only wherein the development plan is up to date. Paragraph 224 sets out that the policies within the Framework are material considerations which should be taken into account in dealing with applications.
- 5.57 Paragraph 47 also sets out that decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.
- 5.58 With regards to planning conditions and obligations, the Framework at paragraph 55 is clear that *“Planning obligations should only be used where it is not possible to address unacceptable impacts*

*through a planning condition". Also, paragraph 56 states planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.*

5.59 Paragraph 57 states that planning obligations must only be sought where they meet all of the following tests:

- "a) necessary to make the development acceptable in planning terms;*
- b) directly related to the development; and*
- c) fairly and reasonably related in scale and kind to the development".*

### **Delivering a Sufficient Supply of Homes**

5.60 Paragraph 60 emphasises that it is the Government's objective to significantly boost the supply of homes. Consequently, *"it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay".*

### **Promoting Healthy and Safe Communities**

**5.61** This section of the NPPF sets out a number of principles to ensure that planning policies and decisions aim to achieve healthy, inclusive and safe places.

### **Promoting Sustainable Transport**

5.62 The NPPF states that transport issues should be considered from the earliest stages of development proposals. In considering development proposals, paragraph 114 states that it should be ensured that:

- a) "appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users; and*
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code<sup>48</sup>; and*

- d) *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree*".

5.63 Paragraph 115 states that *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe"*.

### **Making effective use of Land**

5.64 Paragraph 123 states that "Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions"

5.65 Paragraph 124 *Part C* states that planning decisions should ***"give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land"***

5.66 Paragraph 125 states that Plan-making bodies should take a proactive role identifying and helping to bring *forward* land which may be suitable for development needs, including land identified on Brownfield Land Registers.

5.67 Paragraph 128 states that planning decisions should support development that makes efficient use of land. Paragraph 129 sets out that where there is an existing or anticipated shortfall of land for meeting identified housing needs, it is important that planning policies and decisions avoid homes being built at low densities and ensure that *"developments make optimal use of the potential of each site"*.

### **Achieving well-designed places**

5.68 The NPPF notes that good design is a key aspect of sustainable development because it *"creates better places in which to live and work and helps make development acceptable to communities"*. Paragraph 135 states that policies and decisions should ensure developments will meet several criteria, including that they function well and add to the overall quality of the area, are visually attractive, are sympathetic to local character and history including surrounding built environment

and landscape, establish a strong sense of place and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development.

### **Meeting the Challenge of Climate Change, Flooding and Coastal Change**

- 5.69 This section of the NPPF sets out ways in which planning can support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It also highlights that planning should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

### **Conserving and Enhancing the Natural Environment**

- 5.70 Paragraph 180 of the Framework sets out a number of ways in which planning policies and decisions should contribute to and enhance the natural and local environment.
- 5.71 When determining applications, paragraph 186 states that local planning authorities should apply the following principles:
- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
  - b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
  - c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
  - d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity”.*

## Implementation

- 5.72 Annex 1 of the Framework confirms that the policies within it are material considerations which should be taken into account in dealing with applications from the day of its publication. It also notes that *"Plans may also need to be revised to reflect policy changes which this replacement Framework has made"*.
- 5.73 Paragraph 225 states that existing policies in Local Plans should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF. Due weight should be given to them, according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

## National Planning Practice Guidance (NPPG)

- 5.74 This online Guidance was launched in March 2014. The NPPG is not intended to make any changes to the Framework but seeks to bring together planning practice guidance for England, previously published only in separate documents, in an accessible and usable way. The NPPG is a live document and is updated regularly.
- 5.75 Paragraph 002 of the PPG relating to Planning Obligations sets out that planning obligations assist in *"mitigating the impact of unacceptable development to make it acceptable in planning terms"*. Additionally, it states that, *"planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms They must be:*
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development".

## 06 Planning Assessment

- 6.1 The description of development for which outline planning consent is sought is: *"Outline planning application for up to 195 dwellings (including affordable housing) with all matters reserved other than access together with associated landscaping and other infrastructure"*.

### Principle of Residential Development

- 6.2 The proposal comprises the redevelopment of brownfield land. The site is now vacant as the various buildings including the Cadent offices have been demolished. It is located within the main urban core of Hinckley. The site is eminently sustainable, being located only a short walk from the centre of Hinckley.
- 6.3 The site is currently designated as being an employment site, as such a key policy in the determination of this application is Policy DM19: Existing Employment Sites. The Hinckley and Bosworth Borough Council Employment Land and Premises Study 2020 considers the site as part of the wider '*Transco HQ/Jarvis Porter, Coventry Road, Hinckley*' site (Ref: HIN123/124 Part). The study recommends that the site should continue to be classified as a category B site.
- 6.4 Policy DM19 sets out the key tests which must be satisfied to enable the change of use of the site from Class B, in this instance to residential. Of particular relevance to this scheme are the three criterion that apply to proposals on Category B employment sites. These are covered in turn below.
- I. The site/premise is no longer suitable or reasonably capable of being redeveloped for employment purposes.**
- 6.5 In the previous planning application, a large area of HIN124 was to be retained for employment uses as the Cadent offices were going to remain on the site however Cadent's operational requirements have changed, particularly driven by changing working patterns post the Covid-19 pandemic, thus there became an opportunity to rationalise its operations and vacate the Cadent Hinckley site.

- 6.6 In respect of alternative uses for the surplus land, as demonstrated in the Commercial Property Demand Report submitted with this planning application, the site is considered to be generally unsuitable for new commercial development. The report advises that there is a weak demand for new office space in Hinckley generally, with new office development now primarily viable in larger population centres or in regional transport hubs. Given the impacts of the pandemic on future office requirement trends, it is considered unlikely that there will be an increase in office demand. If anything, the weak demand as seen historically in Hinckley is likely to decline, rather than increase, as office employees work in greater numbers from home.
- 6.7 The Commercial Property Demand Report also sets out that there is unlikely to be any demand to develop retail uses on the site, due to the proximity of competing stores in the vicinity, not least Lidl which neighbours the site.
- 6.8 Hinckley, like much of the Midlands, does have high demand for storage and distribution uses, however as concluded in the Commercial Property Demand Report, the site would not be suitable due to the nature of the access, and the incompatibility of such uses adjacent to an established residential area, both in terms of amenity and also impacts on character.
- 6.9 This view is also reflected in the Employment Land and Premises Study 2020 which indicates the borough has a sufficient supply of employment land to meet needs up to 2036. The Study also noted there is a limited need for additional office space compared to general industrial and manufacturing and small local need warehousing.
- 6.10 In addition to the above matters, the residential uses adjoining this part of the site, would preclude some noise generating employment uses due to impact on residential amenity.
- 6.11 In addition, the precedence for non-B Use development has been set for the 'employment site' (12b). The Redrow scheme to the west of the site was granted planning permission in August 2013 for 122 dwellings. At that time, it was considered by Officers that because sufficient employment uses were proposed to remain across the wider employment area, the alternative residential was acceptable. McCarthy and Stone acquired the former National Grid site to the west of the Redrow scheme and have obtained planning permission for retirement bungalows and a care home which

has now been built out. This site also previously formed part of the wider 'employment site' defined within the AAP. The application for the bungalows and care home were preceded by an application for 42 dwellings on the site; this was the subject of a marketing exercise which confirmed that no alternative occupier could be found. In addition to the residential uses Lidl have recently constructed a new store to the southeast of the Cadent site, on land which also previously formed part of the employment area.

- 6.12 Having regard to the above it is considered that criteria i) of Policy DM19 is satisfied in that the site is no longer suitable or reasonably capable of being redeveloped for employment purposes.

**II. The site/premise has been proactively marketed for employment purposes for a reasonable period of time at a reasonable market rate as supported and demonstrated through a documented formal marketing strategy and campaign, in line with the most up to date Employment Land and Premises Review**

- 6.13 The requirement for a marketing exercise is a dated approach and does not reflect the site-specific context. Both of the most recent planning consents, referred to above, have confirmed that there is no demand for employment land in this location. It is not appropriate to require another parcel of land in that location to go through the marketing process again particularly in the context of availability of new and accessible sites to the Strategic Road Network as evidenced in the supporting Commercial Property Demand Report. Furthermore, the site is now surrounded by residential uses further adding to the challenges of securing a B1, B2, B8 use due to the risk of ongoing 'nuisance neighbour' complaints.
- 6.14 Having regard to the specific site considerations and having regard for conversations with Officers to date, it has been accepted that in this particular instance the change of use is acceptable without the need to undertake a marketing exercise. Such an exercise would merely frustrate the delivery of much needed housing in a highly sustainable location. Given the existing shortfall of a five-year housing land supply, the delay of a sustainable, brownfield option being brought forward whilst a redundant marketing exercise was undertaken would clearly be inappropriate.

**III. There will be a significant community benefit which outweighs the impact of losing the employment site/premises**

- 6.15 There are clear community benefits that could be delivered through the redevelopment of the site for residential uses. For example, providing the opportunity to enable direct connections through

the site for existing residents of Trinity Vicarage Road and St George's Avenue to the existing open space to the west.

6.16 As already discussed, due to the unsuitability of the site for commercial development and the weak demand for new office space in Hinckley, residential use is considered to be the most optimal use, and also the only realistic use of the site. Failing to grant permission will result in underutilised brownfield land simply being retained by Cadent, with liability and cost issues of associated with the ownership of vacant land. This is in conflict with the NPPF, which states substantial weight should be given to using suitable brownfield land within settlements. The delivery of homes on a brownfield site, a couple of minutes' walk away from the town centre would provide significant community benefit, with the provision of much needed market and affordable housing in a uniquely sustainable location.

6.17 The National Planning Policy Framework (December 2023) (NPPF) is material to the determination of this planning application. To ensure that sustainable development is pursued in a positive way, it contains a presumption in favour of sustainable development at its heart. Paragraph 11 requires that plans and decisions should *"apply a presumption in favour of sustainable development"*. For decision making, this means that where the policies which are most important for determining the application are out-of-date, granting permission unless:

- i) *"the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii) *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".*

6.18 Footnote 7 to paragraph 11 sets out what specific designations qualify as protected areas or assets. The application site is not protected by any specific designations which would warrant protection under footnote 6 of the Framework, meaning the first criteria is not applicable. The second criteria requires the decision maker to apply a planning balance, but the test is weighted towards approval; to refuse the application, the Council must demonstrate that the approval would significantly and demonstrably outweigh the benefits of the proposal, when assessed against the policies in the Framework taken as a whole.

6.19 It is acknowledged by the Council that they consider that they are currently unable to demonstrate a five-year housing land supply (utilising the standard methodology as outlined by Planning Practice Guidance). Furthermore, the Council accept that regardless of the five year land supply (or housing delivery test) position, the housing policies within the Plan are **out of date**, as they focus on the delivery of a lower housing requirement than required by the current standard methodology. This position has been confirmed at numerous Planning Committees. Your attention is again brought to the Committee Papers for the Planning Committee on the 25<sup>th</sup> May 2021. The papers state:

*"The Council cannot demonstrate a 5 year housing land supply and the housing policies in the adopted Core Strategy, the adopted SADMP and the MBNP are considered to be out of date as they focussed on delivery of a lower housing requirement than now required. Therefore, the 'tilted' balance in paragraph 11(d) of the NPPF applies where the permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole."*<sup>2</sup>

6.20 Whilst it is considered that the application is justified regardless of the presumption in favour being applicable, this does add further weight to the benefits provided by the provision of new dwellings in such a sustainable location. The delivery of up to 195 dwellings within such close proximity to the town centre on brownfield land should clearly be afforded significant weight. The site is clearly sustainable, with a host of vital services within ready access. Significant and compelling justification has been provided to justify the loss of a small area of employment land, which cannot reasonably be retained for employment uses in any event. As such we politely request that this application is approved without delay.

### Residential Scheme Benefits

6.21 It is considered that the site and proposals are in accordance with the NPPF's aim of sustainable growth; utilising brownfield land and significantly boosting the supply of homes. The following clear Economic, Social and Environmental benefits will be derived from the proposed residential development in Hinckley.

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<sup>2</sup> (Paragraph 9.1: 25<sup>th</sup> May 2021 Planning Committee Public Document Pack)

### *Economic Benefits*

6.22 The economic benefits of the proposed development would be considerable. The development of up to 195 dwellings will make a contribution towards meeting local housing need and demand but will also make a valuable contribution to the local viability and vitality of Hinckley as the primary urban centre within the district.

6.23 The development will deliver economic benefits as summarised below:

- **A Boost to the Local Economy** - The construction activities associated with the development will represent an investment in the local area and will create jobs in the short term for the duration of the construction activities. Once occupied, the development will house economically active residents who will contribute towards annual household, retail, leisure and services expenditure in the locality.
- **New Homes Bonus** – The new dwellings will also provide Council Tax receipts to the Council, along with New Homes Bonus which provides a much-needed source of funding for the Council to spend as it sees fit on the delivery of its services.
- **Buying and Selling New Homes** – There is an economic benefit through the buying and selling of new homes. There are parties involved in all stages of the process which involves financial transactions e.g. sales agents, solicitors, banks. This in itself increases economic activity. In addition, new residents would likely shop and use the various facilities in Hinckley, supporting local businesses and jobs.
- **Financial Contributions for Associated Infrastructure** – The development will deliver specific funding towards additional facilities in line with the planning policy and commensurate with the scale of the proposed development and local capacity.
- **Other** – Other contributions may be identified through the planning consultation process, and subject to meeting the appropriate tests of relevance, necessity and reasonableness, consideration will be given to their inclusion.

6.24 These benefits of the proposed development contribute to the economic role of sustainable development defined within the NPPF, contributing to a strong, responsive and competitive economy. These are a further significant benefit to the proposed development.

### *Social Benefits*

6.25 The social benefits associated with the proposed development are multi-faceted and include:

- **Location** – The site is located within the urban core of Hinckley, the most sustainable urban centre within the Borough. The site is within easy walking distance of the town centre, which contains a vast array of services, facilities, education and employment. This includes services which would need to be accessed regularly, such as supermarkets and schools. It also includes higher-order services such as bars, restaurants, cinema etc. The ease of access to key services and facilities will reduce social isolation and contribute positively to the lives of the residents who live there.
- **Open Space** – The site is also adjacent to Clarendon Park, which is a high-quality area of public open space. Whilst informal open space will be provided on site, given the proximity to this park, it is considered this will be the preferred destination of future residents. The scheme also improves pedestrian permeability, providing easier, more pleasant access for existing residents to access to the park, from Trinity Vicarage Road for example.
- **Sustainable Transport** – The site is located within walking distance of facilities within Hinckley, further supporting active lifestyles and encouraging a modal shift alternative to the private car. The site is within easy walking distance of Hinckley bus station, and within a 15-minute walk to Hinckley Railway Station, which provides ready access to destinations such as Birmingham, Leicester and Cambridge. The site is therefore considered to be optimally located to enable its residents to have a very low level of car dependency and can utilise readily available sustainable transport options.
- **Supply of Market Housing** – The proposed development will make a positive contribution to the supply and delivery of market housing. The site is available and deliverable and will make a short-term contribution to housing supply. The development will provide additional housing in the most sustainable centre within the Borough. Whilst the exact mix and type of housing

to be provided will be considered in greater detail during subsequent reserved matters applications, it is considered this development will be able to provide a range of dwellings including smaller properties and family housing.

- The delivery of new market housing at a time when the Council's housing policies are out of date, should be afforded significant weight, particularly as this site has the potential to deliver within five years. The delivery of this housing will provide a much needed boost to the Council's five year supply, on a brownfield site, whilst also contributing to satisfying the housing delivery test in the years during and post development.

### *Environmental Benefits*

6.26 This Planning Statement and the supporting technical documents which accompany the application explain how environmental factors have been taken into account to ensure sustainable development. Mitigation has been included within the scheme to ensure the retention of existing trees and hedges. As a large car park, the site has limited ecological value.

- **High Quality Sustainable Design** – The proposed development represents a high-quality sustainable development that responds positively to its built setting. The development will provide an accommodation and tenure mix to meet the needs of the Borough.
- **Protection and Enhancement of Existing Ecological Features** – The proposed development will retain the majority of the existing trees and hedgerows, including the only identified tree with bat roost potential.
- **Flood Risk and Drainage** – A full Flood Risk Assessment has been undertaken demonstrating no increased risk of flooding will arise from the development. A Sustainable Urban Drainage System, including an attenuation pond is proposed as part of the comprehensive drainage strategy to the north western part of the site.
- **Delivery of 10% Net Gain and new Biodiversity Habitats** – The layout shown within the Illustrative Masterplan has been informed by the recommendations of the Ecological Impact Assessment and the Biodiversity Net Gain Report. The proposed development layout and landscaping will provide new areas of the site with ecological value, particularly the

attenuation basin which links towards Clarendon Park. This will lead to ecology improvements when compared to the current use of the site.

- **Mitigate Climate Change** – The proposed development will seek to mitigate climate change through reducing CO2 emissions by building new homes in a sustainable and accessible location, thus reducing the reliance to travel by private car. In terms of resilience to climate change impacts, the scheme has been designed to take this into account, notably through the provision of a drainage strategy as described above and detailed within the Flood Risk Assessment.

6.27 In summary, the benefits of the scheme are significant and include the sustainable delivery of open market and affordable housing in a high-quality development in a sustainable location; investment creation, new open space with ecology improvements and improved pedestrian permeability with the wider network in line with best design practice, all of which should be afforded significant weight in the determination of this application.

### Technical Assessments

6.28 A number of detailed technical assessments, surveys and reports have been commissioned to inform the proposed development, as listed in Section 2 of this Statement. The outputs of these reports, including any required mitigation measures, have been summarised below. For further information on any of these topics, please refer to the full reports directly.

#### *Phase 1 Geo-Environmental Desk Study*

6.29 The Phase 1 Geo-Environmental Desk Study sets out the pertinent information regarding the environmental risk and liabilities associated with the residential development site. This includes a study of historic uses on the site and other key considerations which would impact on the likelihood of contamination being present onsite. The report establishes requirements in terms of remediation and whether any specialist construction methods will need to be adopted, such as foundations, floor slabs and infrastructure.

6.30 Historical mapping shows that the northern part of the site has been predominantly used as a car park since the 1970s. A club was present on the site, built by 1993 but demolished by 2006. Prior to the use as a car park the site had been allotments and previously open fields. The site has a

strong historical connection to the gas works to the south, however the site itself was not used as part of the operational gas works, which were themselves largely demolished by the 1970s, with remaining works demolished by 1999, with remaining uses being predominantly administrative with ancillary car parking and workshops.

6.31 The site is not deemed to be at risk of radon gas, with a maximum potential of <1%, but there is an acknowledgement that there may be some remnant volatile vapours from the former gas works, depending on the potential presence of mobile contamination.

6.32 The site is not within 500m of any;

- Regulated explosive sites;
- Hazardous substance storage and usage;
- Historical IPC authorisations;
- Licensed industrial activities (Part A (1));
- Radioactive Substances Authorisations;
- Red List Discharge Consents;
- Pollutant release to public sewer;
- List 1 and 2 dangerous substances; and
- Pollution inventory substances, waste transfers and radioactive waste.

6.33 There are two historical permits for licensed pollutant release relating to printing works 140m south-west and a service station 200m to the south-east. There is a single record of historical landfilling in the vicinity of the site. There are no Control of Major Accident Hazards (COMAH) or Notification of Installations Handling Hazardous Substances (NIHHS) licenses located within 500m of the site. There are no records of sites determined as Contaminated Land under section 78R of the Environmental Protection Act within 500m of the site boundary. There are nine historical and active discharge consents within 250m. The majority relate to sewage discharges from CSOs to Sibson Brook; however, two of the entries refer to the discharge of process effluent to groundwater, 133m south of the site. There is a single historical entry for fuel stations within 500m, referring to a former petrol station 228m to the south-east. Interactive mapping site confirms that the subject site lies within an area at low risk of Unexploded Ordnance encounter.

- 6.34 The report concludes that the site has moderate environmental risk, with the primary driver of risk being the potential of contamination migration onto the site from the former Hinckley Gas Works to the south.

### *Ecology*

- 6.35 A Preliminary Ecological Appraisal (PEA) was completed in November 2023 and an additional bat survey was completed in May-June 2021. Since the PEA and bat surveys, the buildings on the site were demolished. An Update Preliminary Ecological Appraisal Report (PEAR) has been produced to update the findings of the previous ecology surveys undertaken at the Site and to support the Planning Application for residential development of the Site. The primary purpose of this update PEAR is to identify and verify the baseline and any likely ecological constraints associated with the project, to identify any mitigation measures likely to be required, to identify any additional surveys that may be required and to identify any opportunities offered by the project that would deliver an ecological enhancement.
- 6.36 The PEAR was informed by a desk-based study and a field survey of the Site and surrounding area.
- 6.37 The development site is not located within or adjacent to a Local Wildlife Site. There are no locally designated sites within 2 km of the site. The desk-based research shows:
- 163 bat records within 2km search radius. The closest record was 146m north-west of the site.
  - 3 records of Great Crested Newt within 2km of the site. Further records of common frog, common toad, smooth newt and palmate newt were also provided.
  - 11 records of reptile within 2 km of the site: all records are of grass snake with the closest record located 1.3 km north-west of the site dated 2014.
  - 26 records of bird species within 2 km of the site. The majority of records are located more than a kilometre from of the site. The closest records are of eleven records of birds from St Mary's church located 438 m east of the site. Bird records within the search radius include red-list species of conservation concern and bird species of principal importance in England. Species recorded include peregrine, hobby, red kite, kingfisher, green sandpiper, redwing, fieldfare and greylag goose. No records relate to the site itself.

- 9 records of badger sightings within 2 km of the site. The majority of records are located more than a kilometre from the site, with the closest record of badger field signs located on the southern border of the site dated 2012.
- 17 records of water vole and 1 record of otter within 2km of the site. All water vole records are located more than a kilometre from site. The single otter record is located 750m from the site.
- 1 record of a single record of a polecat within 2km of the site.

6.38 The PEAR notes that the site is broadly similar to that recorded by Quants Environmental in 2020, although it is now redundant with many buildings demolished. However, the vegetated habitats present within the Site have been retained during the demolition phase. The Site is dominated by hardstanding, with the majority of the Site previously being used for parking associated with the Cadent Gas offices. The area of hardstanding has increased within the Site since the 2020 survey due to the buildings being removed and left as hard standing.

6.39 The PEAR set out that the hardstanding land and buildings are considered to be of negligible biodiversity value, and the areas of introduced shrubs are considered to be of value for species only i.e., nesting birds. The modified grassland, sparsely vegetated urban land and small pockets of scrub are considered as being of value at no higher than Site level.

6.40 The trees and treelines are considered to be of higher ecological value and considered to be of value at the Local level. The proposed plans for the site are sympathetic to the higher ecological value habitats and include the retention of the treelines and the vast majority of the scattered trees.

6.41 The PEAR states that sites should seek to provide biodiversity net gains where possible and in accordance with the National Planning Policy Framework (2021). Subsequently, the site should seek to enhance the habitats present within the Site. An assessment of the sites habitats has been undertaken using Natural England's most up to date Biodiversity Metric. The results of this assessment will be provided within a Biodiversity Impact Assessment report when the final landscaping plans for the Site are confirmed.

6.42 Following the survey, the following species were deemed to be potentially present on site, with no ecological constraints identified for other fauna (badger, reptiles, water voles, otter, etc).

Recommendations for ecological mitigation included in the PEAR has informed the design of the scheme and will inform later reserved matters stages in respect of the species of new planting and the provision of bird and bat boxes.

#### Bats

- 6.43 The PEAR set out that all remaining buildings within the Site were considered as being of negligible bat roost potential. A single tree (TN2 in the report) was considered to be of moderate bat roost potential, with four trees considered to be of low bat roost potential (TN1 and TN4 in the report), all other trees were considered to be of negligible bat roost potential. The habitats within the Site were also considered to be of limited value for foraging and commuting bats i.e., due to the dominance of hardstanding and buildings, within the urbanised environment.
- 6.44 In terms of the proposed plans for the site, the trees containing bat roost potential associated with TN1, TN2 and TN4 will be retained, un-impacted by the development. Should plans change and these trees require removal, additional surveys in the form of activity surveys or aerial inspections would be required. The treelines within the site are of higher value for foraging bats. All other trees and all buildings were considered as being of negligible bat roost potential and no further surveys are required. The treelines will be retained along the site boundaries, which will continue to provide a foraging resource for commuting bats.
- 6.45 Opportunities for bats will be incorporated into the final masterplan across at least 10% of the new buildings.
- 6.46 Bats are therefore not considered to be a constraint to the proposed development, and there is likely to be improvements for bats in respect of the bat boxes and new foraging areas in a post development scenario.

#### Great Crested Newts

- 6.47 Given the findings, reptiles are highly unlikely to be present within the site and are not considered to be a constraint to the proposed development.

#### Birds

- 6.48 Common bird species such as house sparrow, robin, wren and bluetit may nest within the cotoneaster within the site and within the surrounding mature treelines and potentially in the

buildings. Clearance works should therefore be undertaken outside of nesting periods. Where not possible, works should be supervised by a suitably qualified ecologist. The PEAR recommends that integrated boxes should be installed in 100% of all new buildings and to compensate for the loss of nesting habitat and to enhance the Site, it is recommended that integrated swift nest bricks are incorporated into 100% of the new buildings

### *Biodiversity Net Gain Assessment*

- 6.49 The Biodiversity Net Gain (BNG) Assessment has been produced to demonstrate the results and to provide an overview of the biodiversity assessment, with use of the Statutory Biodiversity Metric Calculation Tool. Habitats which fall under the 'habitat' and 'hedgerow' categories are only present within the Site. No habitats which fall under the 'watercourse' category are present.
- 6.50 The baseline habitats within the Site are dominated by hardstanding, with occasional buildings, areas of amenity grassland and treelines along some of the site boundaries, scattered trees, ruderal, a small area of scrub, and introduced shrubs.
- 6.51 The proposed plans for the Site include the removal of the majority of the baseline habitats within the site, with the retention and enhancement of an area of modified grassland (MG4) to other neutral grassland, the retention of 14 no. trees, and the retention of the majority of the treelines. The proposed development is anticipated to include the creation of developed land; sealed surface, buildings, other neutral grassland (wildflower mix), sustainable drainage systems and the planting of 239 trees.

### Habitat

- 6.52 The site habitat baseline provides a total of 8.79 habitat units, with a total area of 6.05ha (excluding trees and green walls). The results of the biodiversity net gain assessment for the areas of 'habitat', demonstrated that the on-site post-development habitat retention, creation and enhancement will result in an overall unit change of +3.90, which provides an overall percentage net change of +44.38%.
- 6.53 The metric shows an overall gain in biodiversity units as a result of the development, it is considered that the other neutral grassland and tree creation across the site provides this increase in habitat units (scoring 5.19 and 2.97 habitat units respectively). This planting will result in more

opportunities for species year-round than in comparison to the current cereal crops and will increase the biodiversity value of the area.

- 6.54 Based on the current proposals, the results of the Statutory Biodiversity Metric Calculation Tool demonstrate that the trading rules have not been satisfied for 'habitats'. Due to the loss of bramble and mixed scrub, both medium distinctiveness habitats, further habitat creation would be required within these habitat types to meet the trading rules. It has been calculated that changing the landscape design to include 0.035 ha of moderate condition mixed scrub in lieu of 0.035 ha of other neutral grassland will satisfy the trading rules, whilst also meeting the requirements for 10 % net gain.

#### Hedgerows

The hedgerows measure a total of 0.71 km. The baseline site hedgerows include five boundary treelines. Whilst the majority of the treelines will be retained, 0.0877 km of Treeline 2 (TL2 in the report) will be lost to facilitate the requirement for a Sustainable Drainage System. The results of the BNG assessment for the 'hedgerows', demonstrated that the on-site post-development hedgerow retention, creation and enhancement will result in an overall unit change of -0.35, which provides an overall percentage net change of -12.33%.

- 6.55 It has been calculated that a further 0.19 km of moderate condition native hedgerow would require including within the development to meet a 10% BNG for hedgerow units at the Site (providing a net gain of +10.02%) and also satisfying the trading rules. Assuming the hedgerows can be incorporated within the detailed design stage of the development, the trading rules would then be satisfied.
- 6.56 In conclusion, the BNG assessment finds that the proposed development will exceed the Statutory and Local Planning Authority requirements of meeting a 10% biodiversity net gain in habitat units and does not meet the net gain requirements in hedgerow units. The trading rules for neither habitat nor hedgerow units have been satisfied.
- 6.57 As this is for an Outline Planning Application, at this stage detailed landscape plans have not been developed for the site. Subsequently, this assessment is based on the outline Illustrative Masterplan only and is likely to vary slightly once the plans have been finalised and the landscape plans have been produced. Given that the statutory framework for biodiversity net gain has been

designed as a post permission matter, it is considered that this report provides sufficient information to support the Outline Planning Permission, with further information provided once planning permission has been granted (Department for Levelling Up, Housing and Communities, 2024).

- 6.58 It is considered that sufficient information has been provided to allow the Local Planning Authority to make an assessment on the BNG implications of the Site at this stage of the proposals. An updated BNG Assessment would subsequently be required following planning permission being granted and once the detailed landscape plans for the Site are known.
- 6.59 It is considered that with relatively minor amendments and inclusions within the detailed masterplan and landscape plans, a 10% BNG for habitats and hedgerows could be achieved on-Site, with all trading rules satisfied.

#### Habitat Management and Monitoring

- 6.60 To meet legal requirements, a 30-year management plan will be produced for the site with the created, retained and enhanced habitats and hedgerows. Monitoring will also be required in order to achieve the given target condition and to ensure its success.

#### *Trees*

- 6.61 An Arboricultural Survey was undertaken in October 2023, this includes a included a Tree Constraints Survey which was conducted on 28<sup>th</sup> September 2023.
- 6.62 The trees included within this survey comprise of 41 individual trees and 38 groups of trees. The majority of trees surveyed were found to be located along the boundaries of the site. The quality of specimens is outlined below:
- 2 individual trees were classified as Category A;
  - 4 tree groups were classified as Category A;
  - 13 individual trees were classified as Category B;
  - 16 groups of trees were classified as Category B;
  - 25 individual trees were classified as Category C;
  - 18 groups of trees were classified as Category C; and
  - One individual tree was classified as Category U

6.63 These categories allow for informed decisions to be made regarding the retention or removal of tree specimens and has influenced the design of the site to ensure the retention of all trees, but in particular the higher quality trees. The Illustrative Masterplan has also had regard to the root protection areas as identified within the Tree Survey Plan.

### *Traffic and Highways*

6.64 A Transport Assessment (TA) and Travel Plan (TP) also accompanies the application submission. This concludes that a safe and suitable vehicular access to the site can be provided via Brick Kiln Street. This involves upgrading the existing access to provide a 6.75m wide road with 2.0m wide footways either side to bring it in line LCC's Highway Design Guidance. The TA indicates that the proposed development will not have a material impact on highway safety in the vicinity of the site. The TA also indicates that the site is in a very suitable location in transport terms, with local facilities within comfortable walking distance and various sustainable transport options accessible within the vicinity of the site.

6.65 The redevelopment of the site will result in less traffic being generated compared to the former employment use. Nevertheless, in the interests of robustness, capacity analysis of nearby junctions has been carried out on the basis that all residential traffic is new to the network. The results indicates that the development proposals would not have a material impact on highway capacity. Overall, the development proposals are in line with transport policies set out in the NPPF.

6.66 Despite the above, we have maintained a position with the Local Highway Authority and National Highways that the former use should be considered when calculating the highways impact of the proposals. The argument advanced by the LHA, and National Highways, it that as the use has ended, this now cannot be used to off-set the impacts of the residential element of the proposals. We have argued that this is not appropriate for a number of reasons. Firstly, the highways modelling which underpins the LHA assessment of Hinckley was done with the Cadent use in situ, meaning the modelling assumes that use is in place, thus adding the impacts of development essentially could be seen to represent double counting of the site's traffic generation. Secondly, the site was cleared specifically for this redevelopment. The approach advocated by the LHA would be that Cadent should have arbitrarily retained vacant buildings, with significant cost, liability and risk of anti-social behaviour, simply to then use to off-set the proposals. The approach

by Cadent to clear the site has been done both in the context of the aforementioned issues, but also to expedite the useful redevelopment of the site and provide additional confidence to housebuilders.

- 6.67 Following engagement between our consultants and the LHA they have now seemingly confirmed they would accept the above argument, subject to agreement with the LPA.

#### *Flood Risk and Drainage*

- 6.68 A Flood Risk Assessment and Drainage Statement has been prepared and is submitted with this application.

- 6.69 The site lies entirely within Flood Zone 1. The Flood Risk Assessment does not identify any significant fluvial, pluvial, canal, reservoir or sewer-based risks in the area of the site. The Assessment advises that the existing site currently comprises an entirely impermeable surfaced car park and office buildings in the south. The proposed development of the site will introduce gardens, landscaping and permeable areas and substantially reducing any surface water run off across the site in its entirety.

- 6.70 A Drainage Statement has been prepared demonstrating how the site can be drained of surface water at a restricted rate. Although the minimum requirements could be met by restricting the development to existing rates less 30% for betterment, the LLFA have insisted that the proposed development exceed the minimum requirements of the Non-Statutory Technical Standards for SuDS and restrict to greenfield rates. The report provides volumes for both scenarios. In order to restrict the proposed development to the existing rate less 30% betterment 1,150m<sup>3</sup> of storage will be required. Greenfield restrictions will require 2,100m<sup>3</sup> of restrictions. The storage is to be arranged in three catchments and the arrangement is detailed in the text of the report.

Foul from the development will be drained to the local network and Severn Trent Water have confirmed that they have capacity in the system for the proposed flows.

- 6.71 The Assessment concludes that the proposed development, subject to the mitigation measures proposed, is fully compliant with the NPPF.

### *Design*

- 6.72 The proposed development has been designed to ensure that it will successfully integrate into its surroundings, both in terms of the existing important features of the site and its surroundings.
- 6.73 The masterplan illustrates how the development is clear of the easement along the eastern boundary and respects the existing properties that back on to the site along Swinburne Road and the root protection areas around the periphery of the site. The block structure seeks to provide a new strong frontage to Clarendon Park with buildings orientated to address this space and side on along the northern and eastern boundaries. Development along the southern boundary has been designed to respond to the levels in this area with a higher plateau sitting immediately to the south of the site boundary.
- 6.74 This application is supported by a comprehensive Design and Access Statement which sets out the site's context and approach to design evolution in development of the application's illustrative masterplan.

## 07 Conclusion

- 7.1 This Planning Statement has been prepared in support of an outline planning application for Outline planning application for up to 195 dwellings (including affordable housing) with all matters reserved other than access together with associated landscaping and other infrastructure.
- 7.2 Hinckley is acknowledged to be the Council's most sustainable settlement and thus is entirely appropriate for additional residential development. The site is located only a few minutes' walk from Hinckley town centre, including a vast array of vital and higher order services and facilities, education and employment. The site is within walking distance to Hinckley bus station and railway station. The site is likely to be one of the most sustainable sites for residential development that will come forward in coming years.
- 7.3 This site forms part of a designated employment site (HIN124). The release of such employment sites for alternative uses is primarily managed through Site Allocations & Development Management Policies DPD Policy DM19, but a nuanced approach is needed to reflect any material considerations which may also weigh in favour of the change of use. As set out in this statement and the submitted Commercial Property Demand Report, the site is unlikely to be desirable to operators and it neighbours a number of residential dwellings, meaning issues of amenity, design and character must also be considered. As such, it is considered entirely sensible that the requirements associated with Policy DM19 are not needed to be fully satisfied in order to alter the use from employment. Furthermore, the approach taken within Policy DM19 is out of date and does not reflect changes to Permitted Development Rights or the ethos of the NPPF.
- 7.4 Having regard to the surrounding residential nature of the site, it is considered that residential development is an entirely logical and appropriate use for this land, which is now vacant as the offices and buildings on site have been demolished.
- 7.5 The residential redevelopment of the site is considered to have significant merit, particularly in the context that the Council cannot demonstrate a five-year housing land supply. In such circumstances, on site's not included on Footnote 6 of the Framework, residential redevelopment must be approved unless the impacts of doing so would significantly and demonstrably outweigh

the benefits. There are very few negative impacts of the proposed scheme. The proposals are considered to be acceptable regardless of whether or not Paragraph 11 of the Framework is engaged. The development of under-utilised brownfield land is clearly something advocated for the NPPF, and something which the Council should seek to promote.

- 7.6 The proposed development will deliver a highly sustainable residential development with positive social, economic and environmental benefits, whilst also assisting the Council in boosting the supply of housing and the delivery of housing in future years. By approving the development proposals at St George's Avenue, this will contribute towards sustaining and increasing the vitality and viability of Hinckley town centre, something which is vital post pandemic and in the context of declining high streets nationally.
- 7.7 As expanded on in Section 6 above, the scheme will deliver a number of benefits for the future and existing local community, which will include:
- Construction of additional housing to significantly boost Hinckley and Bosworth Council's supply of both market and affordable housing, including a mixture of dwelling types and sizes, at a time when the Council cannot demonstrate a five-year housing land supply.
  - The redevelopment of a vacant brownfield site,
  - The protection and enhancement of existing trees, complemented by new planting.
  - The provision of an attenuation pond to manage surface water runoff and to provide biodiversity benefits adjacent to Clarendon Park.
  - The provision of new pedestrian linkages, linking through the site providing new routes and assisting to amalgamate the site into the existing urban fabric.
  - A boost to the local economy through employment and training opportunities during construction, increased spend from local residents in the local economy following completion, together with the delivery of New Homes Bonus.
- 7.8 This application has been submitted following informal discussions with Officers and public consultation. This application is supported by a suite of evidence documents, which demonstrate the acceptability of the proposals. In the context of the acknowledged housing land supply shortfall, significant weight should be afforded to the residential redevelopment of the car park. The demolition of the existing buildings and the provision of new car parking have both been

justified and are entirely pragmatic, in line with the Council's adopted planning policies. Therefore, we politely request that this application is approved without delay.