

## Hugglescote Neighbourhood Plan Comments

### Request – 11 March 2021

Leicestershire County Council is supportive of the Neighbourhood plan process and welcome being included in this consultation.

### Overall General Comments

#### **Policy G1 the limits of development protecting land to the south and west of the village centre**

Support the intention to direct traffic away from Hugglescote village centre. The SE Coalville development is ideally placed for employment opportunities at East Midlands Airport, Burton, Derby or Birmingham. With so much development taking place in the east of the Parish, infrastructure improvements are needed to manage the increased traffic. Road infrastructure needs to encourage commuters to approach and leave their homes via the A511 rather than cut through the villages of Packington, Ravenstone, Snibston, Donington le Heath and Hugglescote in an attempt to avoid congestion on the major highway.

This policy is consistent with other Neighbourhood Plan Policies, which work towards reducing vehicle movements through the village centre include Policy G2b (cycleways and footpaths), Policy T3 (support for the Leicester to Burton Railway line) and Policy E3 (increased home-working) all of which will improve the local environment and tackle climate change.

#### **Policy G2b and the intention to direct traffic away from Hugglescote village centre**

Support the intention to direct traffic away from Hugglescote village centre. The SE Coalville development is ideally placed for employment opportunities at East Midlands Airport, Burton, Derby or Birmingham. With so much development taking place in the east of the Parish, infrastructure improvements are needed to manage the increased traffic. Road infrastructure needs to encourage commuters to approach and leave their homes via the A511 rather than cut through the villages of Packington, Ravenstone and Snibston in an attempt to avoid congestion on the major highway. This Policy is coherent with Policy G2b (cycleways and footpaths), Policy T3 (support for the Leicester to Burton Railway line) and Policy E3 (increased home-working) all of which work towards reducing vehicle movements through the village centre and improving the local environment.

#### **Policy G3d and the intention that new residential development will be connected with local facilities by adequate and accessible footpaths and cycleways.**

Support the idea of using the old mineral line to achieve the ambitions of Policies G3d. To be consistent with this Policy, Policy T1c needs to be strengthened. The Parish does not just need 'improvements' to pedestrian and cycle routes but also new provision of such routes for new developments.

#### **Policy T1c needs to be strengthened so that it is consistent with Policy G3d.**

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The Parish does not just need 'improvements' to pedestrian and cycle routes. It also needs new provision of active travel routes for new housing and employment areas. Support the idea of using the old LMS line to achieve this ambition. (assume that it is this line, that passes behind Newbridge School, that is being referred to on page 45?)

**Policy G3r needs to include a comment on the maximum carry distance from the house to the bin-store** (believe NWLDC's is 25m). It should also recommend accessibility for the type of waste vehicles used by NWLDC. Placing bin-stores at end of private cul-de-sacs and drives that are not accessible by large waste collection vehicles does not encourage recycling and can lead to waste materials blowing about the streets.

### **Policy T3**

Agree that reopening of the Leicester to Burton Railway line would be a welcome improvement to local public transport. Pleased to see the Neighbourhood Plan protecting the route. The plan describes Public Transport as 'adequate'. Would ask 'adequate for what and for whom?' The current bus service to Leicester acts as a barely adequate safety net service for those people who cannot drive. It takes 28 minutes to travel from Forest Road, Hugglescote to the Leicester Royal Infirmary. It takes 1hr and 32 minutes by bus. This level of service does not make Hugglescote an attractive place to live for people working in Leicester town centre. Even the most determined environmentalist is unlikely to wish to spend ten hours a week sitting on a bus as part of their daily commute if they had access to a car instead.

Reopening the Leicester to Burton Railway to passenger transport would make Hugglescote a much more attractive place to live. It would connect Hugglescote with major centres of employment in Leicester, Burton and beyond to Birmingham. It would also connect Hugglescote to the attractions in the National Forest such as Conkers, Moira Furnace and Hicks Lodge.

### **Policy T2 to address the loss of off-street parking**

Fairfield Road and Crescent Road are mostly Victorian houses with no off-street parking provision. There used to be parking available next to The Gate Inn. This area was closed off after planning permission was given for housing. There used to be off-street parking on Fairfield Road in the form of garages until planning permission was given to build housing on the site.

Residents who depended on these garages asked for the plans to include off-street parking available to residents. Since gaining planning permission the owner has excluded the tenants. The site now sits behind Heras fencing, the garages empty. The vehicles that used to occupy those garages have to be parked somewhere and that somewhere often ends up with residents in Garfield Road struggle to get out of their private drives.

### **Page 10**

Typographical error - George and Robert Stephenson are spelt with a 'ph'.

## Highways

### General Comments

The County Council recognises that residents may have concerns about traffic conditions in their local area, which they feel may be exacerbated by increased traffic due to population, economic and development growth.

Like very many local authorities, the County Council's budgets are under severe pressure. It must therefore prioritise where it focuses its reducing resources and increasingly limited funds. In practice, this means that the County Highway Authority (CHA), in general, prioritises its resources on measures that deliver the greatest benefit to Leicestershire's residents, businesses and road users in terms of road safety, network management and maintenance. Given this, it is likely that highway measures associated with any new development would need to be **fully** funded from third party funding, such as via Section 278 or 106 (S106) developer contributions. I should emphasise that the CHA is generally no longer in a position to accept any financial risk relating to/make good any possible shortfall in developer funding.

To be eligible for S106 contributions proposals must fulfil various legal criteria. Measures must also directly mitigate the impact of the development e.g. they should ensure that the development does not make the existing highway conditions any worse if considered to have a severe residual impact. They cannot unfortunately be sought to address existing problems.

Where potential S106 measures would require future maintenance, which would be paid for from the County Council's funds, the measures would also need to be assessed against the County Council's other priorities and as such may not be maintained by the County Council or will require maintenance funding to be provided as a commuted sum.

In regard to public transport, securing S106 contributions for public transport services will normally focus on larger developments, where there is a more realistic prospect of services being commercially viable once the contributions have stopped ie they would be able to operate without being supported from public funding.

The current financial climate means that the CHA has extremely limited funding available to undertake minor highway improvements. Where there may be the prospect of third-party funding to deliver a scheme, the County Council will still normally expect the scheme to comply with prevailing relevant national and local policies and guidance, both in terms of its justification and its design; the Council will also expect future maintenance costs to be covered by the third-party funding. Where any measures are proposed that would affect speed limits, on-street parking restrictions or other Traffic Regulation Orders (be that to address existing problems or in connection with a development proposal), their implementation would be subject to available resources, the availability of full funding and the satisfactory completion of all necessary Statutory Procedures.

### Flood Risk Management

The County Council are fully aware of flooding that has occurred within Leicestershire and its impact on residential properties resulting in concerns relating to new developments. LCC in our role as the Lead Local Flood Authority (LLFA) undertake investigations into flooding, review consent applications to undertake works on ordinary watercourses and carry out enforcement where lack of maintenance or unconsented works has resulted in a flood risk. In

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April 2015 the LLFA also became a statutory consultee on major planning applications in relation to surface water drainage and have a duty to review planning applications to ensure that the onsite drainage systems are designed in accordance with current legislation and guidance. The LLFA also ensures that flood risk to the site is accounted for when designing a drainage solution.

The LLFA is not able to:

- Prevent development where development sites are at low risk of flooding or can demonstrate appropriate flood risk mitigation.
- Use existing flood risk to adjacent land to prevent development.
- Require development to resolve existing flood risk.

When considering flood risk within the development of a neighbourhood plan, the LLFA would recommend consideration of the following points:

- Locating development outside of river (fluvial) flood risk (Flood Map for Planning (Rivers and Sea)).
- Locating development outside of surface water (pluvial) flood risk (Risk of Flooding from Surface Water map).
- Locating development outside of any groundwater flood risk by considering any local knowledge of groundwater flooding.
- How potential SuDS features may be incorporated into the development to enhance the local amenity, water quality and biodiversity of the site as well as manage surface water runoff.
- Watercourses and land drainage should be protected within new developments to prevent an increase in flood risk.

All development will be required to restrict the discharge and retain surface water on site in line with current government policies. This should be undertaken through the use of Sustainable Drainage Systems (SuDS). Appropriate space allocation for SuDS features should be included within development sites when considering the housing density to ensure that the potential site will not limit the ability for good SuDS design to be carried out. Consideration should also be given to blue green corridors and how they could be used to improve the bio-diversity and amenity of new developments, including benefits to surrounding areas.

Often ordinary watercourses and land drainage features (including streams, culverts and ditches) form part of development sites. The LLFA recommend that existing watercourses and land drainage (including watercourses that form the site boundary) are retained as open features along their original flow path and are retained in public open space to ensure that access for maintenance can be achieved. This should also be considered when looking at housing densities within the plan to ensure that these features can be retained.

LCC, in its role as LLFA will not support proposals contrary to LCC policies.

For further information it is suggested reference is made to the [National Planning Policy Framework \(March 2012\)](#), [Sustainable drainage systems: Written statement - HCWS161 \(December 2014\)](#) and the [Planning Practice Guidance webpage](#).

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Flood risk mapping is readily available for public use at the links below. The LLFA also holds information relating to historic flooding within Leicestershire that can be used to inform development proposals.

Risk of flooding from surface water map:

<https://flood-warning-information.service.gov.uk/long-term-flood-risk/map>

Flood map for planning (rivers and sea):

<https://flood-map-for-planning.service.gov.uk/>

## Planning

On Page 19, it would be helpful to make specific reference to the Leicester and Leicestershire Strategic Growth Plan, rather than refer to it as a 'non-statutory growth plan for Leicester and Leicestershire'. The Strategic Growth Plan is the overarching plan that sets out the aspirations for delivering growth in Leicester and Leicestershire up to 2050. The Strategic Growth Plan has been developed by a partnership made up of Leicester City and Leicestershire County councils, the seven local borough and district authorities (including North West Leicestershire District Council) and the Leicester and Leicestershire Enterprise Partnership (LLEP).

### Developer Contributions

If there is no specific policy on Section 106 developer contributions/planning obligations within the draft Neighbourhood Plan, it would be prudent to consider the inclusion of a developer contributions/planning obligations policy, along similar lines to those shown for example in the Adopted North Kilworth NP and the Adopted Great Glen NP albeit adapted to the circumstances of your community. This would in general be consistent with the relevant District Council's local plan or its policy on planning obligations in order to mitigate the impacts of new development and enable appropriate local infrastructure and service provision in accordance with the relevant legislation and regulations, where applicable.

[North Kilworth Adopted Plan \(Leicestershirecommunities.co.uk\)](http://leicestershirecommunities.co.uk)

[Great Glen Adopted Plan \(Leicestershirecommunities.co.uk\)](http://leicestershirecommunities.co.uk)

### Mineral & Waste Planning

The County Council is the Minerals and Waste Planning Authority; this means the council prepares the planning policy for minerals and waste development and also makes decisions on mineral and waste development.

Although neighbourhood plans cannot include policies that cover minerals and waste development, it may be the case that your neighbourhood contains an existing or planned minerals or waste site. The County Council can provide information on these operations or any future development planned for your neighbourhood.

You should also be aware of Minerals and Waste Safeguarding Areas, contained within the adopted [Minerals and Waste Local Plan \(Leicestershire.gov.uk\)](http://leicestershire.gov.uk). These safeguarding areas are there to ensure that non-waste and non-minerals development takes place in a way that does not negatively affect minerals resources or waste operations. The County Council can

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provide guidance on this if your neighbourhood plan is allocating development in these areas or if any proposed neighbourhood plan policies may impact on minerals and waste provision.

## Property Education

Whereby housing allocations or preferred housing developments form part of a Neighbourhood Plan the Local Authority will look to the availability of school places within a two-mile (primary) and three-mile (secondary) distance from the development. If there are not sufficient places then a claim for Section 106 funding will be requested to provide those places.

It is recognised that it may not always be possible or appropriate to extend a local school to meet the needs of a development, or the size of a development would yield a new school.

However, in the changing educational landscape, the Council retains a statutory duty to ensure that sufficient places are available in good schools within its area, for every child of school age whose parents wish them to have one.

## Strategic Property Services

No comment at this time.

## Adult Social Care

It is suggested that reference is made to recognising a significant growth in the older population and that development seeks to include bungalows etc of differing tenures to accommodate the increase. This would be in line with the draft Adult Social Care Accommodation Strategy for older people which promotes that people should plan ahead for their later life, including considering downsizing, but recognising that people's choices are often limited by the lack of suitable local options.

## Environment

### Specific Comments

- There is no mention of larger scale renewable energy sources such as solar farms or wind farms. Other Neighbourhood plans do take these into account and the group could be mindful of this.
- There is no reference regarding electric vehicles and their charge points either on street or in the workplace. The Prime Minister has recently stated new cars and vans powered wholly by petrol and diesel will not be sold in the UK from 2030. The Planning Group may wish to address this.

### General Comments

With regard to the environment and in line with Government advice, Leicestershire County Council (LCC) would like to see Neighbourhood Plans cover all aspects of the natural environment including climate change, the landscape, biodiversity, ecosystems, green infrastructure as well as soils, brownfield sites and agricultural land.

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## Climate Change

The County Council through its Environment Strategy is committed to reducing greenhouse gas emissions in Leicestershire and increasing Leicestershire's resilience to the existing and predicted changes in climate. Furthermore, LCC has declared a climate emergency along with most other UK councils. The County Council has committed to becoming carbon neutral as a council by 2030 and to working with others to keep global temperature rise to less than 1.5 degrees Celsius, which will mean in effect needing to achieve carbon neutrality for Leicestershire by 2050 or before. Planning is one of the key levers for enabling these commitments to be met and to meeting the legally binding target set by the government for the UK to be carbon neutral by 2050. Neighbourhood Plans should in as far as possible seek to contribute to and support a reduction in greenhouse gas emissions and to increasing the county's resilience to climate change.

## Landscape

The County Council would like to see the inclusion of a local landscape assessment taking into account Natural England's Landscape character areas; Leicester, Leicestershire and Rutland Landscape and Woodland Strategy; the Local District/Borough Council landscape character assessments and the Landscape Sensitivity and Green Infrastructure Study for Leicester and Leicestershire (2017) which examines the sensitivity of the landscape, exploring the extent to which different areas can accommodate development without impacting on their key landscape qualities. We would recommend that Neighbourhood Plans should also consider the street scene and public realm within their communities, further advice can be found in the latest 'Streets for All East Midlands' Advisory Document (2006) published by English Heritage.

LCC would encourage the development of local listings as per the National Planning Policy Framework (NPPF) and LCC have some data on the social, cultural, archaeological and historic value of local features and buildings (<https://www.leicestershire.gov.uk/leisure-and-community/history-and-heritage/historic-environment-record>)

## Biodiversity

The Natural Environment and Communities Act 2006 places a duty on all public authorities in England and Wales to have regard, in the exercise of their duties, to the purpose of conserving biodiversity. The National Planning Policy Framework clearly outlines the importance of sustainable development alongside the core principle that planning should contribute to conserving and enhancing the natural environment, providing net gain for biodiversity, and reducing pollution. Neighbourhood Plans should therefore seek to work in partnership with other agencies to develop and deliver a strategic approach to protecting and improving the natural environment based on local evidence and priorities. Each Neighbourhood Plan should consider the impact of potential development or management of open spaces on enhancing biodiversity and habitat connectivity, such as hedgerows and greenways. Also, habitat permeability for habitats and species which addresses encouragement of movement from one location to another such as the design of street lighting, roads, noise, obstructions in water, exposure of species to predation and arrangement of land-uses.

The Leicestershire and Rutland Environmental Records Centre (LRERC) can provide a summary of wildlife information for your Neighbourhood Plan area. This will include a map showing nationally important sites (e.g. Sites of Special Scientific Interest); locally designated

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Wildlife Sites; locations of badger setts, great crested newt breeding ponds and bat roosts; and a list of records of protected and priority Biodiversity Action Plan species.

These are all a material consideration in the planning process. If there has been a recent Habitat Survey of your plan area, this will also be included. LRERC is unable to carry out habitat surveys on request from a Parish Council, although it may be possible to add it into a future survey programme.

Contact: [planningecology@leics.gov.uk](mailto:planningecology@leics.gov.uk), or phone 0116 305 4108

### Green Infrastructure

Green infrastructure (GI) is a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities, (NPPF definition). As a network, GI includes parks, open spaces, playing fields, woodlands, street trees, cemeteries/churchyards allotments and private gardens as well as streams, rivers, canals and other water bodies and features such as green roofs and living walls.

The NPPF places the duty on local authorities to plan positively for a strategic network of GI which can deliver a range of planning policies including: building a strong, competitive economy; creating a sense of place and promote good design; promoting healthier communities by providing greater opportunities for recreation and mental and physical health benefits; meeting the challenges of climate change and flood risk; increasing biodiversity and conserving and enhancing the natural environment. Looking at the existing provision of GI networks within a community can influence the plan for creating & enhancing new networks and this assessment can then be used to inform CIL (Community Infrastructure Levy) schedules, enabling communities to potentially benefit from this source of funding.

Neighbourhood Plan groups have the opportunity to plan GI networks at a local scale to maximise benefits for their community and in doing so they should ensure that their Neighbourhood Plan is reflective of the relevant Local Authority Green Infrastructure strategy. Through the Neighbourhood Plan and discussions with the Local Authority Planning teams and potential Developers communities are well placed to influence the delivery of local scale GI networks.

### Brownfield, Soils and Agricultural Land

The NPPF encourages the effective use of brownfield land for development, provided that it is not of high environmental/ecological value. Neighbourhood planning groups should check with Defra if their neighbourhood planning area includes brownfield sites. Where information is lacking as to the ecological value of these sites then the Neighbourhood Plan could include policies that ensure such survey work should be carried out to assess the ecological value of a brownfield site before development decisions are taken.

Soils are an essential finite resource on which important ecosystem services such as food production, are dependent on. They should be enhanced in value and protected from adverse effects of unacceptable levels of pollution. Within the governments "Safeguarding our Soils" strategy, Defra have produced a code of practice for the sustainable use of soils on construction sites which could be helpful to neighbourhood planning groups in preparing environmental policies.

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High quality agricultural soils should, where possible be protected from development and where a large area of agricultural land is identified for development then planning should consider using the poorer quality areas in preference to the higher quality areas. Neighbourhood planning groups should consider mapping agricultural land classification within their plan to enable informed decisions to be made in the future. Natural England can provide further information and Agricultural Land classification.

### Strategic Environmental Assessments (SEAs)

Information for Neighbourhood Planning groups regarding Strategic Environmental Assessments (SEAs) can be found on the Neighbourhood Planning website ([www.neighbourhoodplanning.org](http://www.neighbourhoodplanning.org)) and should be referred to. As taken from the website, a Neighbourhood Plan must meet certain basic conditions in order to be 'made'. It must not breach and be otherwise compatible with EU obligations. One of these obligations is Directive 2001/42/EC 'on the assessment of the effects of certain plans and programmes on the environment' (Environmental Assessment of Plans and Programmes Regulations, 2004, available online). This is often referred to as the SEA Directive. Not every Neighbourhood Plan needs a SEA, however, it is compulsory to provide when submitting a plan proposal to the local planning authority either:

- A statement of reasons as to why SEA was not required
- An environmental report (a key output of the SEA process).

As the UK has now left the EU, Neighbourhood Planning groups should remain mindful of any future changes which may occur to the above guidance.

### Impact of Development on Household Waste Recycling Centres (HWRC)

Neighbourhood planning groups should remain mindful of the interaction between new development applications in a district area and Leicestershire County Council. The County's Waste Management team considers proposed developments on a case by case basis and when it is identified that a proposed development will have a detrimental effect on the local HWRC infrastructure then appropriate projects to increase the capacity to off-set the impact have to be initiated. Contributions to fund these projects are requested in accordance with Leicestershire's Planning Obligations Policy (2019) and the relevant Legislation Regulations.

### Communities

Consideration of community facilities is a positive facet of Neighbourhood Plans that reflects the importance of these facilities within communities and can proactively protect and develop facilities to meet the needs of people in local communities. Neighbourhood Plans provide an opportunity to;

1. Carry out and report on a review of community facilities, groups and allotments and their importance with your community.
2. Set out policies that seek to;
  - protect and retain these existing facilities,
  - support the independent development of new facilities, and,
  - identify and protect Assets of Community Value and provide support for any existing or future designations.
3. Identify and support potential community projects that could be progressed.

You are encouraged to consider and respond to all aspects of community resources as part of the Neighbourhood Planning process. Further information, guidance and examples of policies and supporting information is available at [www.leicestershirecommunities.org.uk/np/useful-information](http://www.leicestershirecommunities.org.uk/np/useful-information).

## Economic Development

We would recommend including economic development aspirations with your Plan, outlining what the community currently values and whether they are open to new development of small businesses etc.

## Fibre Broadband

High speed broadband is critical for businesses and for access to services, many of which are now online by default. Having a fast broadband connection is no longer merely desirable but is an essential requirement in ordinary daily life.

All new developments (including community facilities) should have access to ultrafast broadband (of at least 100Mbps) and allow mechanisms for securing a full fibre broadband provision for each premise and business from at least one network operator, provided on an open access basis. Such provider must deploy a Fibre to the Premise (FTTP) access network structure in which optical fibre runs from a local exchange to each premise.

Developers should take active steps to incorporate adequate broadband provision at the pre-planning phase and should engage with telecoms providers to ensure fibre broadband is available as soon as build on the development is complete. Where practical, developers should consider engaging several telecoms providers to encourage competition and consumer choice.

The Council supports a 'dig once' approach for the deployment of communications infrastructure and a build which is sympathetic to the character and appearance of the surrounding area. The Council encourages telecommunications build which does not significantly impact on the appearance of any building or space on which equipment is located and which minimises street clutter.

## Equalities

While we cannot comment in detail on plans, you may wish to ask stakeholders to bear the Council's Equality Strategy 2016-2020 in mind when taking your Neighbourhood Plan forward through the relevant procedures, particularly for engagement and consultation work. A copy of the strategy can be view at:

[www.leicestershire.gov.uk/sites/default/files/field/pdf/2017/1/30/equality-strategy2016-2020.pdf](http://www.leicestershire.gov.uk/sites/default/files/field/pdf/2017/1/30/equality-strategy2016-2020.pdf)

## NIK GREEN (MRS)

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