

## Policy H1

1. I note that the Highway Authority has objected to the site access being from the A426, at Regulation 14 stage. Can the Parish Council confirm whether it has had discussions to resolve their concerns as I note Leicestershire CC have not objected specifically at Reg 16? If an alternative access is required as access is not possible from the A426, can the Parish Council offer any suggested access possibilities, as it seems that possibilities are very limited? Does the policy need to refer to where access should (and should not) come from – in the same way that it does for the reserve site

It is recognised that IN5 included in the Leicestershire Highway Design Guide discourages new accesses onto A and B class roads. However, it states that ‘for the future, and in line with an integrated transport policy, we will adopt a flexible policy on new connections to the road network’. It is also noted that a planning application for three residential dwellings located opposite the proposed development on the eastern side of Lutterworth Road (ref. 18/00125/FUL), with direct access off the A426, was granted planning permission in 2018. Clearly, LCC have already shown willingness to apply some flexibility in this location provided the access proposals meet relevant design guidance and the proposed access solution has been designed to minimise the potential impact on Lutterworth Road.

Whilst LCC did not object at Reg. 16 stage, it should be noted that the County Council’s Highways Design Guide was first used by LCC in December 2007 and is guidance only; it is not adopted Development Plan policy, or a policy document of any kind and was not subject to any form of public consultation when prepared. It is also time-expired; it predates even the first version of the NPPF and is inconsistent with national policy. It also predated the Local Transport Plan for Leicestershire, so is also inconsistent with current local transport policy. Allowing that IN5 has been applied selectively across Leicestershire in any event, the Examiner is respectfully invited to consider the findings of a s78 Inspector at Sapcote in Blaby District, last September. Whilst the appeal was dismissed, the Inspector found in favour of the Appellant on highway safety matters, concluding that:

*“My attention has been drawn to Policy IN5 of the Leicestershire Highway Design Guide (LHDG). The extract provided by the Local Highway Authority (LHA) states amongst other things that on A and B Class roads, the LHA will apply restrictions on new accesses for vehicles on roads with a speed limit above 40mph (that is 50mph, 60mph or 70mph) or where measured speeds are in excess of 40mph. Even so, I am conscious that*

*this is guidance and Paragraph 111 of the Framework confirms that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road would be severe. Therefore, the site-specific context must be considered.*” (emphasis added)

The site promoters (Richborough Estates) are confident that the proposed access would not have an unacceptable impact on highway safety and would not give rise to any severe cumulative impacts. Therefore, there are not anticipated to be any highway related reasons why the Policy H1 allocation could not be delivered. Accordingly, whilst only the eastern boundary of the site abuts the adopted highway, alternative access arrangements have not been considered. Richborough Estates would also be comfortable with Policy H1 being modified to refer to access off Lutterworth Road.

2. I note that only part of the current field is being proposed for residential development – how was the extent of the site allocation decided upon bearing in mind the absence of any defining features on the ground to establish a coherent boundary?

The proposed parcel was principally determined by the access point being sufficiently positioned to the south to avoid potential conflict with the Lutterworth Road/Coopers Lane junctions. Given the preferred access location, it was considered more appropriate to focus the developable areas to the south, designed to an appropriate density, rather than increase the size of the potential allocation, which could have been disproportionate to the scale, character and role of Dunton Bassett. This would also better integrate the existing cricket club within the settlement edge. It was also considered desirable to retain a buffer to the existing housing on Coopers Lane to safeguard the amenity of those residents. The retained land could also be used for Biodiversity Net Gain (BNG) off-setting if required.

3. I note the intention is to secure footpath improvements which could allow easier pedestrian access from the new housing to the school, village hall and the pub. Is the intention to take the footpath through the village play area?

Due to ownerships, pedestrian access to existing facilities would have to be via the existing Public Right of way, which adjoins the southern edge of the site. The proposed play area could be relocated within the

masterplan to be closer to this route, if desired. Additionally, the County Highway Authority has the right to improve any off-site public rights of way within certain parameters, including re-surfacing them. Therefore, at the application stage, there could be a contribution towards off-site public footpath improvements with works undertaken by the Highways Authority.

4. What is the likely size of the car parking for the car park to serve the cricket club and the village? Having regard to the restrictions imposed by Regulation 122 of the Community Infrastructure Levy Regulations 2010, would it be better to actually identify and allocate an area for that car park and could it act as part of the buffer to reduce the impact of wayward cricket balls, an issue identified by Sports England? Equally, how much land is likely to be required for the expansion of the existing playground? Can the Parish Council offer a view on the amount of residual land for the 50 proposed houses allowing for the car park, playground extension and the required public open space that would be available?

Approximately 20 car parking spaces have been indicatively allowed for, but this provision could be easily expanded within the confines of the site if required, without any significant impact on the proposed masterplan. As regards the proximity of the existing cricket pitch, whilst Sport England do not raise an objection to the allocation, their comments are noted and would be fully considered via the Development Management process. This could include an independent risk assessment, the use of ball-stop netting/fencing and/or a reconfiguration of the masterplan to ensure suitable safeguards are in place.

The current playground is located on land leased from Aikman Estates, but the NP suggests there is only has a few years left to run on the lease and negotiations to extend are ongoing. In any event, the masterplan reserves sufficient public open space in which to accommodate a LEAP or NEAP (usually comprising 6 or 9 no. 'play experiences' respectively) and associated buffers.

### Policy H3

5. With the new Local Plan moving away from settlement boundaries, does the District Council have a view as to whether their reintroduction is consistent with the strategic policies in the adopted Local Plan.
6. In terms of the residual land left to the north of the Site A allocation site, bearing in mind the site will be surrounded by residential development on all four sides, what is the justification for excluding it from the village envelope, so that any development on that land has to be subject to countryside protection policies? Was any consideration given to swap the allocations over, so that the new houses would be situated closer to the existing development and therefore maintain the open aspect of the

proposed allocation site as part of a swathe of land to the south? I note that the site assessment considered the larger combined site. I wonder whether that would give a more logical settlement boundary- rather than leaving an isolated island surrounded by residential properties.

Please note the responses above in respect of the rationale for the proposed location of the allocation. It is, however, appreciated that this results in an unusual settlement boundary and it may be logical to extend the settlement boundary to encompass the entirety of the larger combined site, whilst retaining the buffer to the properties on Coopers Lane.