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Our Ref

21st December 2021

Dear Mark,

**Land to the South of HMP Gartree – Outline Planning Application for a New Cat B Prison Gartree 2.
Reference: 21/01600/OUT
Foxton Parish Council Consultation Response**

I write in respect of the consultation response provided by Foxton Parish Council in respect of the above planning application. I would be grateful if you could forward a copy of this response to the clerk of Foxton Parish Council.

I have also attached (for reference) a copy of a letter sent to the Gartree residents by MoJ advising that the planning application for the new houseblock at Gartree was to be submitted shortly.

For ease of reference this response follows the same structure as the consultation response.

Right Place for a new prison

The consultation response states that Foxton Parish Council do not think that the site is the right place to build a new prison. The case for the new prison is clearly set out in Section 7 of the Planning Statement submitted with the planning application.

Foxton Neighbourhood Plan Policies

The consultation response references several policies from the Foxton Neighbourhood Plan. The application site is outside the boundary of the Foxton Neighbourhood Plan and therefore Foxton Neighbourhood Plan Policies would not be used to determine this planning application.

Development Plan

The planning application would be determined in accordance with the Development Plan which for this site is the Harborough Local Plan 2011-2031(adopted April 2019) and the Lubenham Neighbourhood Development Plan 2016 – 2031 (adopted March 2017).

The consultation response references some Harborough Local Plan Policies, namely Policy GD3 and BE1. The application site's compatibility with Policy GD3 is assessed in the Planning Statement submitted with the planning application.

In respect of Local Plan Policy BE1 it is always the case that some sites will come forward for development which are not allocated within a Local Plan. The purpose of the Local Plan is to provide a forecast for growth and a framework of policies to assess development proposals. The development has been assessed against the relevant local plan policies – details of this assessment are included within the Planning Statement submitted with the planning application.

In respect of the suggested potential impact on tourism at Foxton Locks, it is not clear from the Parish Council's response how the proposals would impact on this tourist facility. The highways impact of the proposals has been assessed by Leicestershire County Council (LCC) who have confirmed that they are content that the proposals will not have a significant impact on the wider highway network. Further detail on highways is provided at section 1 below.

Key Concerns

Key concerns – Foxton Parish Council identified the following key concerns with each section including a sub section, 'what we would like to see'. The 'what we would like to see' section includes suggestions for contributions to highway improvements and services. To be clear, in order to seek a developer contribution the Council must first assess it to consider whether it meets the tests identified at paragraph 57 of the National Planning Policy Framework (NPPF) i.e. that it is:

- 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.

LCC has confirmed (via their written consultation response dated 1st November 2021) that no off site highway improvements are required as part of the planning application, save for an off-site contribution to improve Footpath A22 outside of the proposed development between Gallow Field Road and Swingbridge Street Foxton, which will improve the route to Foxton School. This contribution will cover the cost of re-laying 300 metres of pathway to a 2m width in standard tarmac and associated works e.g. timber edgings etc.

The key concerns raised by Foxton Parish Council are addressed below:

1. Roads and Traffic

Highways matters have been discussed with LCC. The formal consultation response from LCC confirms that the Council is content with the proposed development (subject to planning conditions referenced within the consultation response).

- **Use of an alternative access road:** The Parish Council suggest the use of an alternative access route. To be clear the proposed access to the new prison is from Welland Avenue (the non-residential section) via Foxton Road.
- **Access through Foxton Village:** Signage will be added to direct construction vehicles away from Foxton and Lubenham Villages helping to ensure that construction traffic does not go through these villages. The consultation response suggests the closure of the A6 junction with Langdon Road. As stated above LCC has confirmed that no off site road works are required, this includes road closures.
- **Foxton School:** the potential impact of the proposals on Foxton School has been the subject of discussions with LCC. The Highways Assessment submitted with the application included further survey work to assess this. LCC accepted this survey work and concluded that off road parking for parents and a pedestrian crossing is not required as part of this planning application.

- **Other highway improvements:** The response suggests that pinch points, chicanes or speed humps at both end of Foxton Village should be considered with similar issues at Lubenham. As stated, LCC has confirmed that no off site road works are required for this application.

2. Drainage and Flooding

The MoJ's project team is currently in discussions with Anglian Water about improvements to the facility at Lubenham. In addition to this a pumping station is proposed at the new prison site which will ensure that flow to the treatment centre is controlled.

3. Sustainable Travel

LCC has confirmed in their written consultation response that the outline Travel Plan is acceptable. As stated, LCC has confirmed that no off site highway works are required (save for those identified at page 2).

4. Health Facilities particularly A&E

The new prison would be largely self-sufficient with in-house medical facilities. However, as stated, there will (on occasion) be a requirement for prisoners to attend A&E. The MoJ is in discussions with all local blue light services (including medical providers) these discussions will continue into the detailed design stage.

5. Biodiversity

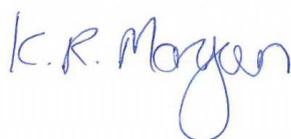
The proposed new prison will deliver a 26.29% net gain in habitat units, and 25.26% net gain in hedgerow units. The Biodiversity Net Gain Assessment has been submitted to the County Ecologist and accepted by her. The ecology consultation response states that the County Ecologist is content with the mitigation proposals proposed as part of the new development.

6. Cumulative Impact

The cumulative impact of the development proposals was scoped with HDC and LCC as part of the scoping exercise for the Transport Assessment. MoJ is therefore confident that the proposals take into account the highways impacts of committed developments identified by HDC and LCC as part of the scoping process.

I trust the above is helpful, however, should you have any questions or require any further information please don't hesitate to contact me.

Yours sincerely



Katharine Morgan MRTPI
Associate, Development and Planning