

YOU STILL CAN'T MITIGATE THAT

LPR231 Original objections, current evidence and required corrections

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You Still Can't Mitigate That

LPR231 Original objections, current evidence and required corrections

Position & Change Sought

I support the continued exclusion of Norton Heath from the Local Plan. I object to the supporting D5 judgement. D5 expressly means the site is capable of allocation and has not been found unsuitable for development. The council's own later evidence records unavailable or withdrawn land and fragmentation which prevent delivery of the comprehensive settlement in the form assessed. Those findings contradict the meaning of D5 and require the council to revisit the earlier sifts. (Site Selection and Discount Spreadsheet, 2026, New Settlement Proposals, N4 and P4. Site Selection and Discount Paper, 2026, Table 8 and paragraphs 6.53 and 6.57.)

The proper classification is D1 where the land remaining available no longer forms a strategic-scale site capable of creating a self-contained new settlement. Paragraph 6.18 allowed LPR231 to pass Sift 1 solely because the proposal was presented as a new settlement able to provide its own services, facilities and infrastructure. The later evidence records a fragmented and incomplete landholding which prevents the comprehensive proposal assessed. If the remaining land no longer supports the new-settlement proposition, the exception falls away. The site must then be assessed against its rural location, detachment, disproportionate scale and conflict with the spatial strategy. Those are D1 grounds under the council's own methodology. The methodology also requires an earlier sift to be revisited where later evidence bears upon its outcome. (Site Selection and Discount Paper, 2026, paragraphs 6.15, 6.18 and 6.57.)

If HBBC maintains that LPR231 still qualifies for the new-settlement exception at Sift 1, D2 is the minimum defensible classification. D2 applies where a site is not available or cannot realistically be brought forward within the plan period, including where landownership, access or another delivery constraint prevents development. The recorded unavailable land and fragmentation engage those tests directly. Paragraph 6.53 requires the earliest justified discount where more than one code appears relevant. HBBC cannot retain D5, which assumes the site could be developed, while its own evidence records a land barrier which prevents the assessed settlement from being delivered. (Site Selection and Discount Paper, 2026, paragraphs 6.20–6.24 and 6.53, Table 8.)

HBBC should therefore replace D5 with D1 where the new-settlement exception no longer has an evidential basis. If HBBC gives a reasoned finding that the exception still

applies, it must replace D5 with D2 at the absolute minimum. Retaining D5 is not consistent with the council's published methodology or its evidence.

HBBC should also confirm that LPR231 holds no current reserve, safeguarded-growth or fallback status, contributes nothing to housing supply and supports no monitoring or contingency mechanism. Retaining LPR231 within the historical assessment of reasonable alternatives does not require retention of a favourable D5 judgement.

My original report of 23 November 2025 allowed consideration of a conditional long-term reserve only after demanding evidence thresholds had been met. Those conditions required proof of land availability, access, infrastructure, environmental acceptability and deliverability. The subsequent evidence records unavailable land, fragmentation and unresolved delivery barriers. The required thresholds have not been met. My conditional recommendation provides no endorsement for D5, reserve status or future fallback reliance. The council must apply its evidence to the classification and record D1 or, at the absolute minimum, D2.

Proposed Correction to the Supporting Record

LPR231 Norton Heath is discounted because the evidence identifies unavailable and fragmented land which prevents delivery of the comprehensive proposal in the form assessed. Its availability and achievability have not been demonstrated. The classification must reflect the earliest justified discount under the published methodology. Retention in the sustainability appraisal records consideration of a reasonable alternative and does not confer reserve, safeguarded growth or fallback status. Any materially revised proposal would require fresh assessment of land availability, alternatives, environmental effects, infrastructure and delivery before a new planning judgement is made.

This is proposed wording for HBBC to consider, not a quotation from an existing policy. If a policy or contingency provision currently relies on LPR231, HBBC should identify it and make the corresponding formal modification.

Principal Evidence Requiring an Answer

Land availability & classification

The LPR231 final commentary records withdrawn or unavailable land and an incoherent remaining landholding, yet retains D5. Related LPR258 is D2 because it depends on LPR231 and unavailable land. The methodology requires the earliest justified discount and permits earlier sifts to be revisited. (Site Selection and Discount Spreadsheet, 2026, N4/P4 and Rural Villages row 72, Site Selection and Discount Paper, 2026, paragraphs 6.53–6.57)

Mitigation & HRA Scope

K4 recognises landscape harm which may not be satisfactorily mitigated. M4 then says no significant adverse effect is beyond avoidance or mitigation and invokes the HRA. That HRA does not assess LPR231. HBBC must explain or correct the inference, not transfer a selected-plan conclusion to an omitted settlement. (Site Selection and Discount Spreadsheet, 2026, K4/M4, Habitats Regulations Assessment, 2026, paragraphs 6.5.1 and 8.1.1)

Boundary & Capacity

Selection and flood evidence use approximately 700 hectares. The detailed SA and landscape appraisal use 536 hectares. The landscape recommendation of 6,432 homes is the arithmetic product of 536 hectares, 60% development and 20 dwellings per hectare. It must be reconciled with low landscape capacity, small-pocket design advice and a 7,500-home proposal. (Site Selection and Discount Spreadsheet, 2026, D4–F4, SA Site Assessment, 2026, C.2.1, Landscape Sensitivity and Capacity Assessment, 2026, paragraph 19.2, Level 2 SFRA for LPR231, 2026)

Wastewater Delivery

The recorded Severn Trent response identifies inability of existing works to serve the proposal and a potential diversion to another catchment. No settled route, receiving works, permit, land package and funding programme is demonstrated by that response. (Regulation 18 Consultation Responses Appendix C, published 2026, Combined, row 835)

Appraisal Reliability

The SA's Norton Heath matrix has an inconsistent site reference and habitat statements which need reconciliation with the landscape evidence. Social benefits do not remove adverse landscape, water, carbon and waste effects. (SA Site Assessment, 2026, C.2.1, Landscape Sensitivity and Capacity Assessment, 2026, paragraph 19.2)

The Unresolved Water Evidence

The SFRA places about 99% of the assessed land in Flood Zone 1 and considers safe access likely to be achievable subject to further work. These findings must be acknowledged. They do not resolve ordinary-watercourse modelling, surface water, downstream effects or foul-water serviceability. (Level 2 SFRA for LPR231, 2026, pp. 6–9 and 19)

Where your current evidence does not assess Norton Heath, I identify the missing answer. I do not treat every unresolved service detail as an independent reason for rejection. The case concerns your unsupported overall conclusion alongside the specific land and delivery barriers your own documents record.

Reading this Representation

I address all 62 sections of my original report in order. Each section restates my original point, sets out your current evidence and explains why your response fails to resolve the objection or support reserve status. References to the original use PDF page numbers, counting the cover as page 1. The original points summarise my supplied 382-page report.

References name the report and year directly. The bibliography groups technical evidence by topic and gives the publishing authority, year and document title. A separate legislation and policy list identifies the legal and national policy sources. Report titles link to the published documents. Page, paragraph and spreadsheet references identify the supporting passages. Where printed and PDF page numbers differ, the reference identifies which numbering applies.

National Policy & Legal Framework

The latest NPPF is dated 17 August 2026. Its Annex A, paragraph 8, retains the December 2024 framework for other plans outside the specified new-system routes. HBBC's Statement of Representations expressly proceeds under the 2012 Regulations and identifies the four legacy soundness tests. Accordingly, this representation uses those four tests for the current plan. The August 2026 publication does not replace the saved examination framework for this plan. (National Planning Policy Framework, August 2026, printed p. 99, Statement of Representations Procedure, 2026, pp. 1–2)

Legal compliance and soundness are distinct. Missing application-level detail is not automatically a legal breach. The strongest present challenge is to the justification and effectiveness of any favourable reserve or fallback judgement. Any claim of statutory failure must identify the duty, the evidence and the consequence.

Structure

Part 1. Context and baseline | Sections 1–10

Part 2. Strategic tests | Sections 11–14

Part 3. Land environment and climate | Sections 15–25

Part 4. Transport and movement | Sections 26–27

Part 5. Flood hydrology and nutrients | Section 28

Part 6. Heritage and place | Sections 29–31

Part 7. Wider infrastructure and public services | Sections 32–42

Part 8. Housing supply and alternatives | Sections 43–45

Part 9. Economy and viability | Sections 46–48

Part 10. Deliverability and risk | Sections 49–54

Part 11. Governance and process | Sections 55–58

Part 12. Findings and next steps | Sections 59–62

Part 1. Context & Baseline

1. *Planning & Policy Context*

Original report: PDF pp. 19–20.

Original point. I challenged the reliance on a remote new settlement without a proportionate evidence base, coordinated infrastructure or a convincing comparison with alternatives.

What the evidence shows. HBBC now discounts LPR231, but its D5 classification preserves a positive judgement about allocation in principle. (Site Selection and Discount Spreadsheet, 2026, New Settlement Proposals, N4:P4)

Your final judgement does not follow your own evidence. You record unavailable land and a fragmented proposal, then retain a category which treats the site as suitable in principle. Where is the deliverable settlement behind this conclusion? You have not identified the available footprint, the infrastructure route or a workable replacement proposal. Until you reconcile those findings, D5 gives the site favourable weight your evidence does not support. Correct the classification and confirm no reserve or fallback status.

2. *Statutory Duties & Tests of Soundness*

Original report: PDF pp. 20–21.

Original point. I separated legal preparation duties from the four soundness tests and questioned whether LPR231 satisfied either.

What the evidence shows. HBBC's Statement of Representations expressly uses the 2012 Regulations and four legacy soundness tests. (Statement of Representations Procedure, 2026, pp.1–2)

You need to apply the soundness tests to the proposal your evidence describes. A fragmented landholding and unresolved delivery requirements do not support a favourable judgement on effectiveness. Conflicting assessments do not support a justified reserve choice. I support exclusion from the plan. I challenge your attempt to retain a positive finding alongside reasons which undermine the comprehensive proposal. Explain the legal framework, correct the classification and remove any reliance on LPR231 from contingency planning.

3. *National Planning Policy Framework*

Original report: PDF pp. 22–23.

Original point. I relied on national policy covering land use, infrastructure, environmental protection, transport and housing delivery.

What the evidence shows. The latest NPPF is dated 17 August 2026. Annex A preserves the earlier framework for other plans outside the specified new-system routes. (National Planning Policy Framework, August 2026, printed p.99)

Your assessment must follow the framework governing this plan. The August 2026 publication retains transitional arrangements, so a later policy reference does not replace the saved examination tests. Equally, broad references to national policy do not establish site compliance. Identify the applicable requirements and show how the actual proposal meets them. A statement of suitability in principle needs evidence on land, infrastructure and environmental effects. Your present record does not supply a coherent answer.

4. *Other National Policy & Legal Duties*

Original report: PDF pp. 23–24.

Original point. I raised climate, water, habitats, equality, heritage and infrastructure duties alongside national planning policy.

What the evidence shows. HBBC has now published environmental, habitats and equality assessments. Their existence answers the former publication gap, not every site-specific concern. (SA Environmental Report, 2026, Habitats Regulations Assessment, 2026, Equalities Impact Assessment, 2026)

Publishing an assessment does not close the objection. You need to show which proposal each document tests, which statutory duty each conclusion addresses and which effects persist after mitigation. General housing benefits do not resolve a protected-site pathway, water capacity or an unequal burden on residents. Your evidence must support each conclusion separately. Until you establish the relevant site-specific answers, these documents provide no basis for treating Norton Heath as an acceptable reserve. (Environmental Assessment of Plans and Programmes Regulations 2004, regulation 12, Conservation of Habitats and Species Regulations 2017, regulation 105, Equality Act 2010, section 149)

5. *Local Plan Context & LPR231*

Original report: PDF pp. 25–26.

Original point. I questioned the scale, boundary and strategic dependence on Norton Heath, including differences between the promoter's wider ambition and HBBC's plan-period figures.

What the evidence shows. The current selection entry records about 700 hectares, 7,500 homes and 2,070 within the plan period. (Site Selection and Discount Spreadsheet, 2026, D4:F4)

You have not assessed one consistent proposal. Your selection entry uses about 700 hectares, while the detailed appraisals use 536 hectares. You then carry forward 7,500 homes without reconciling the available land, constraints or developable area. Which footprint delivers those homes and the facilities supporting them? A headline capacity does not answer this question. Publish one boundary and one evidenced land budget. Until then, your capacity figures do not support reserve status.

6. *Settlement Hierarchy & Spatial Strategy*

Original report: PDF pp. 26.

Original point. I argued the proposal conflicted with Norton Juxta Twycross's rural-hamlet role and shifted growth away from established services.

What the evidence shows. HBBC applies a new-settlement exception at Sift 1 because a sufficiently large scheme might provide its own services. (Site Selection and Discount Spreadsheet, 2026, G4)

Your new-settlement exception depends on a scale of development sufficient to support its own services. Your later evidence undermines the land assembly needed to reach this scale. You have not shown how a fragmented proposal would fund schools, healthcare, transport and local facilities, or when residents would receive them. The exception therefore does not establish self-sufficiency. You have advanced an assumption without demonstrating its delivery. Norton Heath has no evidenced claim to reserve status on this basis. (Regulation 19 Local Plan, 2026, PS22)

7. *Cross Boundary Context & Duty to Cooperate*

Original report: PDF pp. 26–27.

Original point. I raised dependencies involving North West Leicestershire, county services, highways, water and the River Mease.

What the evidence shows. HBBC's final site commentary records no cross-boundary support for the proposal extending into North West Leicestershire. (Site Selection and Discount Spreadsheet, 2026, N4)

Your record identifies a proposal extending into a neighbouring authority without cross-boundary support. You have not explained which essential land, roads, drainage works or services depend on this relationship, or how you would deliver them. General cooperation on housing numbers does not secure those dependencies. The unresolved problem concerns delivery as well as engagement. Identify the necessary agreements and the consequences of disagreement. Until you do, cross-boundary cooperation provides no reassurance for a reserve judgement.

8. *Site & Surroundings*

Original report: PDF pp. 27–29.

Original point. I described working farms, watercourses, rights of way, village settings, habitats and nearby Twycross Zoo as the baseline against which change should be measured.

What the evidence shows. The landscape study identifies rural businesses and countryside characteristics within its site assessment. Its register and detailed entry use different areas. (Landscape Sensitivity and Capacity Assessment, 2026, printed pp.22,174–176)

Your assessments do not share a consistent baseline. Different boundaries alter the farms, businesses, watercourses, habitats and historic features under examination. You have not demonstrated which parcels would accommodate development or which existing uses would disappear. Without a common mapped baseline, your assessments do not establish the full effects of the same settlement. Reconcile the boundaries and the features within them before assigning benefits or claiming mitigation. The present inconsistency undermines favourable reserve treatment.

9. *Description of the Promoters Proposal*

Original report: PDF pp. 29–31.

Original point. I challenged the gap between advertised connected villages, green space and early services, and firm delivery commitments.

What the evidence shows. The appraisal evaluates a 7,500-home mixed-use concept. The later selection decision records land fragmentation. (SA Site Assessment, 2026, C.2.1, Site Selection and Discount Spreadsheet, 2026, N4)

Your benefit case relies on an illustrative settlement which your later land-availability findings undermine. You have not shown whether the remaining land accommodates the proposed roads, schools, centres, employment and green space. You therefore have no sound basis for carrying those benefits forward unchanged. A promoter's drawing does not establish land control or delivery. Reassess the actual available proposition and remove benefits which depend on unavailable parcels. Do not preserve reserve weight for a scheme your own record no longer supports.

10. *Assessment Framework & Tests of Soundness*

Original report: PDF pp. 31–33.

Original point. I proposed a consistent framework linking baseline evidence, claimed mitigation, delivery and soundness.

What the evidence shows. HBBC's method permits incomplete information to progress, but also requires earlier sifts to be revisited when later evidence changes the position. (Site Selection and Discount Paper, 2026, paragraphs 6.34,6.53,6.57)

Your method distinguishes incomplete information from evidence of a barrier. Your final commentary records the latter on land availability, yet your classification treats the site as a viable option which loses to a better choice. Those positions require reconciliation. The method requires an earlier discount where the evidence warrants one. Apply your own rule, identify the earliest justified reason and correct the entry. An unexplained D5 classification does not provide an evidenced basis for future reliance

Part 2. Strategic Tests

11. Spatial Strategy & Reasonable Alternatives

Original report: PDF pp. 34–36.

Original point. I offered alternative growth packages and challenged the original dependence on Norton Heath. My earlier figures described the then residual requirement, not the whole borough housing need.

What the evidence shows. The 2026 Environmental Report retains LPR231 in its reasonable-alternatives table, although HBBC selects a different strategy. (SA Environmental Report, 2026, section 6.6, Table 6-3)

You need to distinguish assessment history from present endorsement. Keeping a rejected option in the environmental report records the alternatives you considered. Describing the same option as suitable in principle gives a different signal. Your D5 entry preserves this favourable implication despite later evidence against the comprehensive proposal. Retain the historical appraisal, but state the present decision clearly. Norton Heath has no demonstrated reserve role, and its appearance in the alternatives record must not become a route back into the strategy. (Environmental Assessment of Plans and Programmes Regulations 2004, regulation 12)

12. Duty to Cooperate Summary

Original report: PDF pp. 36–38.

Original point. I requested a transparent schedule of strategic agreements, disputes, responsible bodies and outstanding actions.

What the evidence shows. The current site decision acknowledges cross-boundary difficulty. No Norton-specific resolution appears in that decision. (Site Selection and Discount Spreadsheet, 2026, N4)

A list of organisations does not show agreement on the infrastructure Norton Heath needs. Your record identifies cross-boundary difficulty without setting out a resolved delivery position. Show the dated correspondence, the matters agreed and the essential matters still disputed. The issue is whether the responsible bodies support and deliver the necessary works. Until you establish this, general references to cooperation do not justify treating the site as an available reserve option. (Planning Practice Guidance on Plan-making, paragraphs 009–011)

13. Legal Compliance overview Regulation !8

Original report: PDF pp. 38–40.

Original point. I questioned consultation timing, missing supporting work, transparency and whether residents received enough information to respond meaningfully.

What the evidence shows. HBBC's consultation report summarises my 382-page representation in Table 5. The response spreadsheet includes acknowledgements and promises of further assessment. (Regulation 18 Consultation Report, published 2026, PDF pp.48–51, Regulation 18 Consultation Responses Appendix C, published 2026)

Your consultation summary records my objection. Recording the objection does not answer the objection. Which findings changed your decision, which points do you reject and what evidence supports each rejection? Promises of later work leave the central questions unresolved. Provide a traceable response to the material issues and explain how your final classification reflects them. The present acknowledgement does not justify retaining suitability in principle after your own evidence identifies barriers to the comprehensive scheme. (Local Planning Regulations 2012, regulation 18)

14. Strategic Environmental Assessment & Habitats Regulations Assessment Screening Status

Original report: PDF pp. 40–42.

Original point. I challenged the lack of completed environmental assessment and a demonstrated route through the River Mease habitats requirements.

What the evidence shows. HBBC now has an Environmental Report and HRA. The HRA contains no LPR231 assessment, whereas the selection row invokes its favourable conclusion. (SA Environmental Report, 2026, Habitats Regulations Assessment, 2026, Site Selection and Discount Spreadsheet, 2026, M4)

Your HRA does not assess LPR231, yet your selection entry invokes its favourable conclusions. This does not establish habitats compliance for Norton Heath. You have not identified the assessed boundary, wastewater destination, receiving waters or site-specific mitigation behind the claim. The selected plan's conclusion belongs to the selected plan. Withdraw the inference from the LPR231 entry unless you supply the assessment supporting the actual proposal. An assessment which omits Norton Heath provides no certificate of suitability for reserve use. (Conservation of Habitats and Species Regulations 2017, regulation 105)

Part 3. Land Environment & Climate

15. *Loss of Productive Farmland*

Original report: PDF pp. 43–51.

Original point. I raised permanent loss of food-producing capacity, farm systems, linked businesses and soil services across a large farming area.

What the evidence shows. HBBC recognises extensive best and most versatile agricultural land loss in its final commentary. (Site Selection and Discount Spreadsheet, 2026, N4)

Your own final commentary recognises extensive loss of productive agricultural land. You have not quantified the permanent loss of production, the fragmentation of farm units or the consequences for linked businesses. Green space within a settlement does not replace a working farm. This loss continues after construction and survives the provision of parks or habitat areas. Assess the farm systems and productive capacity you would remove. Do not treat planting or open space as a complete answer, or use those measures to justify reserve status.

16. *Agricultural Land Classification & Food Security*

Original report: PDF pp. 51–56.

Original point. I argued the agricultural quality and food-security role of the land deserved explicit assessment and comparison with poorer-quality alternatives.

What the evidence shows. The appraisal records Grades 2 and 3 and assigns a minor adverse soils effect. (SA Site Assessment, 2026, C.2.1, PDF p.63)

Your minor adverse soils score needs an explanation proportionate to the area involved. Grades 2 and 3 do not identify the split between 3a and 3b, and your record does not establish the full extent of permanent loss. You have not shown how the grading, parcel areas and farm fragmentation support the significance judgement. I do not rely on every hectare being best and most versatile land. Your own evidence already requires a proper assessment of the loss before any favourable reserve decision.

17. Ecology Protected Sites & BNG

Original report: PDF pp. 56–67.

Original point. I challenged habitat and species baselines, irreplaceable features, nutrient effects and the realism of biodiversity net gain proposals.

What the evidence shows. The SA says no priority habitats lie within 100 metres, while the landscape assessment identifies priority woodland within the site. (SA Site Assessment, 2026, PDF p.62, Landscape Sensitivity and Capacity Assessment, 2026, printed pp.174–175)

Your appraisals conflict on priority habitat. One reports none within 100 metres, while another identifies priority woodland within the site. You have not reconciled the boundary, mapping or survey dates behind those statements. A biodiversity score built on an unresolved baseline does not establish an acceptable outcome. Nor does a promise of net gain answer protected-site effects or loss of irreplaceable features. Correct the baseline and demonstrate the land required for retention and enhancement. Your present evidence does not substantiate the ecological case for reserve status. (Habitat Survey Report, 2026, Habitat Survey Appendix C, 2026)

18. Climate & Carbon Assessment

Original report: PDF pp. 68–78.

Original point. I raised construction emissions, soil and vegetation carbon, transport dependence and the weakness of an uncosted net-zero claim.

What the evidence shows. The SA estimates a 15.6% borough-wide emissions increase from housing, with employment emissions unknown. (SA Site Assessment, 2026, PDF p.63)

Your appraisal records a substantial emissions increase from housing while leaving employment emissions unknown. You have not supplied a consistent account of construction, soil carbon, transport demand and the emissions left after mitigation. Efficient homes do not remove the travel consequences of a remote settlement. A net-zero ambition does not replace a quantified and funded reduction programme. Resolve the missing sources and test the same development footprint against alternatives. Until then, your carbon evidence provides no support for favourable reserve treatment. (Carbon Budget Assessment Part 2, 2026)

19. *Air Quality*

Original report: PDF pp. 79–90.

Original point. I raised construction dust, traffic emissions and exposure of homes, schools, workers, animals and other sensitive receptors.

What the evidence shows. The SA's adverse air-quality judgement rests on the A444 context. It supplies no site-wide dispersion assessment. (SA Site Assessment, 2026, C.2.1)

Your air-quality appraisal identifies an adverse effect but does not establish exposure across the proposed settlement or its neighbours. You have not shown the monitoring baseline, traffic inputs, construction overlap or receptor-specific predictions behind any mitigation claim. The absence of an air-quality management area does not establish spare capacity for this scale of growth. Test the actual exposure and the residual effects. Until you do, air quality is an unresolved assessment issue, not an answered objection supporting reserve status.

20. *Noise & Vibration*

Original report: PDF pp. 90–100.

Original point. I raised the change from a quiet rural setting to prolonged construction and increased operational traffic, including effects on sleep, schools and the zoo.

What the evidence shows. The landscape study recognises tranquillity, with reduced tranquillity beside the A444. It does not quantify noise or vibration at sensitive receptors. (Landscape Sensitivity and Capacity Assessment, 2026, printed pp.175–176)

Your assessment recognises rural tranquillity but does not quantify the noise and vibration reaching homes, schools or the zoo. Existing road noise does not remove those sensitivities. Planting does not establish acoustic protection. You have not supplied representative baseline surveys, night-time predictions or cumulative construction modelling. Without those inputs, you have no demonstrated mitigation outcome. Assess the actual receptors and identify effective measures before relying on compatibility. The present evidence leaves this objection unanswered.

21. *Twycross & Animal Welfare Impacts*

Original report: PDF pp. 100–102.

Original point. I asked HBBC to consider enclosure-level noise, light, dust, biosecurity, conservation functions and constraints on established zoo operations.

What the evidence shows. The landscape study recognises the zoo as a cultural association. The reviewed evidence does not supply a specialist zoo welfare assessment. (Landscape Sensitivity and Capacity Assessment, 2026, printed pp.174–175, Regulation 18 Consultation Report, published 2026, Table 5)

Your reference to Twycross Zoo as a cultural association does not address its animals or operations. You have not demonstrated species-specific assessment of noise, light, dust or construction disturbance, or shown the zoo's agreement on safeguards. Human amenity standards do not establish animal welfare outcomes. A visitor attraction is also an operating conservation business with specific needs. Obtain the relevant specialist evidence and direct engagement. Until then, proximity to the zoo is an unresolved constraint, not a benefit supporting reserve status.

22. *Landscape & Visual Effects*

Original report: PDF pp. 102–111.

Original point. I argued town-scale development would permanently alter openness, tranquillity, village identity, rights-of-way views and historic setting.

What the evidence shows. The landscape study gives low capacity yet recommends 6,432 dwellings using 40% green infrastructure and 20 dwellings per hectare. (Landscape Sensitivity and Capacity Assessment, 2026, printed p.176)

Your own assessment identifies low capacity and favours small pockets of low-density development, yet you attach a figure of 6,432 homes. The calculation is 536 hectares × 60% × 20 dwellings per hectare. Multiplication does not

demonstrate an acceptable settlement. You have not reconciled this figure with employment land, schools, roads, unavailable parcels or the other constraints competing for space. Nor have you explained how thousands of homes follow from advice favouring small pockets of development. Your evidence does not substantiate the capacity recommendation. Resolve the conflict or withdraw the figure, review whether the harm warrants D3, and correct the separate availability finding under D2. An unsupported capacity figure provides no basis for reserve status

23. Ground Conditions & Contamination

Original report: PDF pp. 112–119.

Original point. I raised the need to understand ground stability, historical farm uses, potential contamination, drainage and abnormal costs.

What the evidence shows. The SFRA provides geology and soils information and states the site is outside a historic landfill. It is not a contamination assessment. (Level 2 SFRA for LPR231, 2026, sections 1.3,6.1)

Your flood study describes geology and soils. This does not establish ground stability, contamination pathways, remediation needs or foundation costs. You have not demonstrated the allowances underlying the viability assumptions. Agricultural use proves neither contamination nor clean ground. The unanswered question is whether the relevant risks and abnormal costs have entered the assessment at all. Establish a proportionate ground-risk baseline before relying on deliverability. Your present evidence does not resolve this issue for reserve purposes.

24. Minerals Safeguarding & Sterilisation Risk

Original report: PDF pp. 120–126.

Original point. I questioned mineral safeguarding, possible prior extraction, separate mineral ownership and effects on costs and phasing.

What the evidence shows. The SFRA identifies superficial sand and gravel in parts of the site. This does not establish an economic reserve or mineral title. (Level 2 SFRA for LPR231, 2026, section 1.3)

Sand and gravel deposits do not establish mineral ownership, an economic reserve or a compensation liability. I do not rely on those unverified claims. Your assessment still needs to establish whether safeguarding applies and whether prior extraction would affect phasing, cost or developable land. Publish the county overlay and mineral authority advice. Until you address any applicable constraint, you have no basis for assuming minerals pose no delivery problem. The absence of this work does not support a positive reserve judgement.

25. *Water Environment Overview*

Original report: PDF pp. 126–131.

Original point. I asked for an integrated appraisal of foul flows, runoff, groundwater, river condition and the land and funding needed to manage them.

What the evidence shows. The SFRA tests flood matters. Severn Trent's recorded response separately questions wastewater serviceability. (Level 2 SFRA for LPR231, 2026, Regulation 18 Consultation Responses Appendix C, published 2026, Combined, row 835, representation 0337/01)

You have not demonstrated a connected water strategy for the same proposal. A surface-water drainage concept does not provide a lawful foul-water destination. Your evidence needs to identify the catchments, outfalls, treatment works, discharge requirements and land needed to connect them. Without this, separate assurances on drainage and treatment do not establish a functioning system. Bring the evidence together and test the full route. The current documents do not substantiate a serviceable settlement or justify reserve status.

Part 4. Transport & Movement

26. *Transport & Accessibility*

Original report: PDF pp. 132–138.

Original point. I challenged the reliance on cars, the distance from services and employment, the capacity of the A444 and surrounding roads, and the absence of a credible public transport offer.

What the evidence shows. The selection record recognises the isolated location and travel concerns. The highway authority is willing to explore the proposal if additional growth is needed. That is an invitation to investigate, not confirmation of an acceptable or funded transport package. The 2026 transport modelling report reviewed does not identify LPR231. (Site Selection and Discount Spreadsheet, 2026, New Settlement Proposals, J4 and N4, Transport Modelling Forecast Report, 2026)

The highway authority's willingness to explore options does not approve an access or transport package. You have not demonstrated the tested development quantum, junction works, public transport funding, walking routes or the land needed for improvements. Your final commentary still identifies heavy car dependence. Future discussions do not answer this strategic weakness. Produce a site-specific cumulative assessment and a credible service funding model before treating accessibility as resolved. Your present transport evidence does not justify Norton Heath as a reserve location.

27. Construction Management Traffic

Original report: PDF pp. 138–140.

Original point. I raised the effects of prolonged construction traffic on narrow roads, residents, rural businesses, the zoo and emergency access.

What the evidence shows. The latest selection and infrastructure material reviewed does not establish a Norton Heath construction routing or logistics strategy. The flood assessment also identifies differing risks along local access routes. (Site Selection and Discount Spreadsheet, 2026, Level 2 SFRA for LPR231, 2026, pp. 12–14, Infrastructure Capacity Study Phase 3, 2026)

A future construction management plan does not establish a workable haul route today. You have not identified the land, junction capacity, compounds or routing needed for overlapping phases over an extended construction period. Nor have you demonstrated how residents, businesses, the zoo and emergency services retain reliable access. Detailed working hours belong later, but route feasibility affects the strategic choice now. Establish the access solution before claiming delivery is achievable. Your present evidence leaves this part of the reserve case unproven.

Part 5. Flood Hydrology & Nutrients

28. Flood Risk, Hydrology & Nutrient Neutrality

Original report: PDF pp. 141–148.

Original point. I challenged flood exposure, downstream effects, poor infiltration, drainage costs, wastewater capacity and the possibility of nutrient effects on protected waters.

What the evidence shows. The April 2026 SFRA records about 99% of the assessed site in Flood Zone 1. Ordinary watercourses are not fully represented by the available fluvial mapping. It requires further modelling and uses the 0.1% annual probability event as a proxy for a climate change scenario. It considers safe access likely to be achievable, subject to assessment. The southern A444 route is generally unimpeded in the mapped scenarios. Severn Trent's separately recorded response identifies a substantial foul-water serviceability problem. (Level 2 SFRA for LPR231, 2026, pp. 6–9, 12–19, Regulation 18 Consultation Responses Appendix C, published 2026, Combined, row 835)

Flood Zone 1 covers about 99% of the assessed site, but this does not resolve the ordinary watercourses, surface-water routes, downstream effects or wastewater destination. Your SFRA itself requires further modelling and uses a proxy for climate change. You have not provided one verified catchment plan, integrated drainage strategy and permitted treatment route for the actual footprint. Safe access appears achievable in the study, so my objection does not depend on every route flooding. The failure is your leap from partial screening to overall reassurance. Correct the groundwater and place-name inconsistencies, complete the necessary modelling and establish the lawful, funded water solution. Until then, the flood and water evidence does not support a positive reserve judgement.

Part 6. Heritage & Place

29. Heritage, Cultural Setting & Historic Environment

Original report: PDF pp. 149–155.

Original point. I raised harm to historic settlement form, listed buildings and their rural settings, archaeology, historic routes and the wider cultural landscape.

What the evidence shows. The landscape appraisal identifies sensitivity around Norton Juxta Twycross and heritage settings. The SA records a negative heritage effect. The 2026 heritage assessment reviewed does not identify Norton Heath or LPR231, so it cannot be presented as a site-specific clearance. (Landscape Sensitivity and Capacity Assessment, 2026, paragraph 19.2, SA Site Assessment, 2026, Appendix C.2.1, Heritage Impact Assessment, 2026)

Your evidence recognises sensitive historic settings but does not establish how the actual proposal would affect each asset's significance. The heritage assessment for other sites does not fill this gap. You have not reconciled archaeology, historic settlement form and setting with the proposed scale and layout. Planting changes views. This does not recreate the agricultural setting after urban development. Assess the harm against a consistent boundary and show the residual effects. Your present evidence does not substantiate heritage compatibility for reserve use.

30. Townscape Character & Community Impact

Original report: PDF pp. 155–165.

Original point. I argued that a new settlement of this scale would overwhelm the existing hamlets, alter their identity and expose residents to an extended period of disruption.

What the evidence shows. The landscape work identifies an intimate rural character and the risk that development would overwhelm the existing settlement. Its lower-density, small-pocket recommendations sit uneasily with a 7,500-home comprehensive scheme. The SA's social benefits are strategic assumptions, not a measured assessment of effects on existing residents. (Landscape Sensitivity and Capacity Assessment, 2026, paragraph 19.2, SA Site Assessment, 2026, Appendix C.2.1)

Your own appraisal identifies the risk of overwhelming the existing settlement. You have not shown how the proposed scale preserves village identity, separation or the relationship between homes and the surrounding farms. New facilities do not cancel those effects, and a buffer on a drawing does not establish permanent protection. Test the real population, land availability and construction duration against the existing community. Until you reconcile the scale with your own character findings, the place-making case does not support reserve status.

31. Equalities Impact Assessment

Original report: PDF pp. 166–171.

Original point. I asked how the proposal would affect older people, disabled residents, children, people without cars and groups with differing access to services.

What the evidence shows. The 2026 equality assessment reviewed does not identify LPR231. It is evidence about the proposed plan, not a tailored assessment of this alternative's distributional effects. (Equalities Impact Assessment, 2026, Equality Act 2010, section 149)

Your plan-level equality assessment does not establish who bears the disadvantages of this location. You have not demonstrated affordable transport, accessible routes or timely services for older residents, disabled people, children and households without cars. The title of an assessment does not answer those practical questions. Show how the decision addresses the relevant groups and the timing of provision. If you retain favourable reserve treatment, you need evidence of its distributional effects rather than reliance on a document which does not assess LPR231

Part 7. Wider Infrastructure & Public Services

32. Potable Water Supply

Original report: PDF pp. 172–178.

Original point. I questioned the source, capacity and resilience of drinking-water supply, including drought conditions, reinforcement costs and the timing of connections.

What the evidence shows. The selected-plan infrastructure strategy and delivery schedule reviewed do not establish a Norton Heath supply scheme. Their borough-wide discussion is not a site-specific capacity commitment. (Infrastructure Capacity Study Phase 3, 2026, Infrastructure Delivery Plan Schedule, 2026)

You have not identified a Norton Heath supply scheme with a water source, network route, reinforcement programme and delivery date. Borough-wide infrastructure discussion does not establish capacity for this settlement. Water efficiency reduces demand but does not provide a connection or a resilient supply. Obtain a written feasibility position for the actual scale and phasing, then carry the costs and lead times into delivery. Until you do, your evidence does not establish the water provision needed for reserve status.

33. *Wastewater Treatment & Permits*

Original report: PDF pp. 179–184.

Original point. I questioned whether existing treatment works could receive the development, whether discharge permits could accommodate the load and whether any alternative route was feasible and funded.

What the evidence shows. The consultation response spreadsheet records Severn Trent's view that existing works could not serve Norton Heath because of environmental capacity constraints. It describes a likely need for diversion to another catchment through a substantial rising main and upgrades. HBBC notes considerable concerns about LPR231. This is a recorded consultation response, not a substitute for the underlying signed technical advice. (Regulation 18 Consultation Responses Appendix C, published 2026, Combined, row 835, representation 0337/01)

Your consultation record identifies an inability of existing treatment works to serve Norton Heath and points towards diversion to another catchment. You have not identified an agreed receiving works, discharge capacity, pipeline route, land rights, funding or delivery programme. A rising main is an engineering concept until those requirements have a credible solution. The selected plan's HRA does not resolve a different site with an unsettled destination. Publish the underlying provider advice and the subsequent answer, if one exists. Until then, wastewater is a major unresolved dependency and your evidence does not justify reserve status.

34. *Electricity Capacity & Reinforcements*

Original report: PDF pp. 185–190.

Original point. I raised electricity demand from homes, electric heating, vehicles and employment, and asked whether network capacity and reinforcement lead times were understood.

What the evidence shows. The infrastructure documents reviewed do not provide a Norton Heath connection strategy or committed reinforcement programme. The generic viability work does not supply a site-specific allowance for those works. (Infrastructure Capacity Study Phase 3, 2026, Infrastructure Delivery Plan Schedule, 2026, Whole Plan Viability Part 1, 2026, Whole Plan Viability Part 2, 2026)

Your evidence does not identify a Norton Heath electricity connection strategy. You have not demonstrated demand from homes, heating, vehicles and employment, or the substations, corridors, costs and lead times needed to meet the total. Nearby lines do not prove available capacity. Rooftop generation does not replace firm network feasibility. Establish the operator's position and the reinforcement programme, then test the upfront cost in the site cash flow. Without this, the energy assumptions do not support a deliverable reserve settlement.

35. *Gas Network*

Original report: PDF pp. 191–193.

Original point. I asked about gas infrastructure, network constraints and the safety implications of pipelines within or near the proposed settlement.

What the evidence shows. The selection record refers to a hydrogen pipeline buffer among the constraints. The description requires verification with the asset operator. It does not itself establish the pipeline's operational status or the precise development restrictions. (Site Selection and Discount Spreadsheet, 2026, New Settlement Proposals, N4)

Your selection entry refers to a hydrogen pipeline buffer without establishing the asset details or the restrictions governing development. You have not verified the operator, easements, safety distances or effect on the usable area. A buffer on a plan does not resolve crossings, access or diversion costs. Obtain authoritative asset information and revise the land budget accordingly. Until then, your capacity assessment rests on an unresolved infrastructure constraint and provides no reliable support for reserve treatment.

36. *Digital Connectivity*

Original report: PDF pp. 194–199.

Original point. I raised broadband, mobile coverage and the ability of residents and businesses to access reliable services from the first phases.

What the evidence shows. The infrastructure strategy discusses digital connectivity generally but does not establish a Norton Heath delivery commitment. Its general assessment is not evidence that every proposed phase has a funded connection. (Infrastructure Capacity Study Phase 3, 2026, digital infrastructure discussion, p. 29, Infrastructure Delivery Plan Schedule, 2026)

Your general discussion of digital connectivity does not establish a provider commitment for Norton Heath. You have not identified the backhaul, duct routes, mobile coverage or first-phase delivery arrangements. This is not an independent reason to reject the entire settlement, but neither is an assumed connection a secured benefit. Identify the provider and programme before counting digital provision as complete. An unresolved service assumption adds no weight to the reserve case.

37. *Education Capacity & Sites*

Original report: PDF pp. 200–207.

Original point. I questioned school capacity, the need for new school sites, safe access and the risk that children would travel out of the settlement before provision opened.

What the evidence shows. The consultation records include county council infrastructure concerns. The selected-plan strategy and delivery schedule do not demonstrate Norton Heath school sites or an agreed opening programme. Costed expansions elsewhere should not be assumed to meet a new settlement's requirements. (Regulation 18 Consultation Responses Appendix C, published 2026, Combined, row 75, representation 0511/01, Infrastructure Capacity Study Phase 3, 2026, Infrastructure Delivery Plan Schedule, 2026)

A school symbol on a masterplan does not provide a school. You have not demonstrated the pupil yields, available sites, opening dates, interim places or full funding required for Norton Heath. Costed expansions elsewhere do not establish provision for a new settlement. If children travel outside the site while services catch up, your transport and equality assessments must include those journeys. Secure a credible education plan before relying on self-sufficiency. Your present evidence does not support the school provision assumed in favourable reserve treatment.

38. *Primary Care & Community Health*

Original report: PDF pp. 208–217.

Original point. I challenged the assumed availability of GP, dental and community health services and the reliance on existing provision while population grows.

What the evidence shows. The infrastructure strategy discusses primary care pressures and potential schemes for the selected plan. It does not identify a staffed and commissioned Norton Heath service. (Infrastructure Capacity Study Phase 3, 2026, primary care discussion, p. 31, Infrastructure Delivery Plan Schedule, 2026)

A proposed health building does not commission a clinical service. You have not demonstrated the population assumptions, workforce, service model, interim capacity or opening programme for Norton Heath. Contributions towards premises do not answer who provides appointments or when residents receive care. Obtain the responsible health bodies' position and distinguish capital funding from service delivery. Until you establish accessible provision at the required pace, healthcare is an unsupported part of the reserve benefit case.

39. *Emergency Services*

Original report: PDF pp. 218–226.

Original point. I raised ambulance, fire and police capacity, travel times, access resilience and the cumulative demands of a large settlement.

What the evidence shows. The evidence reviewed does not establish a Norton Heath emergency service capacity assessment. The flood assessment identifies route-specific issues but does not find every access unusable. (Level 2 SFRA for LPR231, 2026, pp. 12–14 and 19, Infrastructure Capacity Study Phase 3, 2026, Infrastructure Delivery Plan Schedule, 2026)

You have not demonstrated the emergency service requirements of the actual settlement and its construction phases. A road connection does not establish operational capacity, hydrant provision or resilient access during severe weather. Equally, the flood study does not find every route unusable. The evidence needs service-specific assessment rather than assumptions in either direction. Identify the responsible bodies' requirements and carry them into the delivery programme. Until then, your record does not substantiate emergency provision for reserve purposes

40. Waste & Recycling Services

Original report: PDF pp. 227–232.

Original point. I challenged the extra household and construction waste, collection demands and the capacity and cost of treatment and recycling services.

What the evidence shows. The SA estimates a significant increase in household waste, approximately 15.7% against its borough baseline, and does not quantify employment waste. This is a strategic estimate, not a waste-management design. (SA Site Assessment, 2026, Appendix C.2.1, waste objective)

Your appraisal estimates a substantial household waste increase and leaves employment waste unquantified. You have not reconciled this demand with collection capacity, depots, treatment facilities, construction waste or funding. Normal collection arrangements do not answer the full resource and infrastructure burden. Update the demand for the actual development quantum and obtain the relevant authorities' capacity assessment. Until you establish the route and cost, waste provision is an unresolved obligation, not a benefit supporting reserve status.

41. Green & Blue Infrastructure

Original report: PDF pp. 233–237.

Original point. I questioned whether green infrastructure could perform all the functions claimed for it and whether it would be large enough, connected and maintained.

What the evidence shows. The landscape capacity calculation assumes 40% green infrastructure and 20 dwellings per hectare on the remaining land, producing 6,432 homes on 536 hectares. The proposal is assessed elsewhere at 7,500 homes and approximately 700 hectares. These are different capacity assumptions, not interchangeable proof of a deliverable scheme. (Landscape Sensitivity and Capacity Assessment, 2026, paragraph 19.2, Site Selection and Discount Spreadsheet, 2026, D4–F4)

Your land budget does not show how the same area accommodates habitat retention, drainage, flood storage, recreation, roads, schools and housing. Some uses fit together. Others compete for the same ground. You have not demonstrated the compatible overlaps or reconciled 40% green infrastructure with unavailable parcels and the wider constraints. The 6,432-home calculation therefore does not establish a functioning settlement. Publish a complete land budget and maintenance model. Until you do, green infrastructure does not substantiate capacity or reserve status.

42. Cemeteries & Community Facilities, Layout

Original report: PDF pp. 238–245.

Original point. I asked how burial capacity, community buildings, recreation and other local facilities would be provided and how the layout would integrate them.

What the evidence shows. The SA records social and service benefits, partly by reference to nearby facilities. The current evidence reviewed does not demonstrate their spare capacity or a complete, funded Norton Heath facilities schedule. (SA Site Assessment, 2026, Appendix C.2.1, Infrastructure Capacity Study Phase 3, 2026, Infrastructure Delivery Plan Schedule, 2026)

A nearby hall or place of worship proves a facility exists. This does not prove spare capacity for a new town. You have not demonstrated the need, land, funding, operating arrangements or delivery dates for Norton Heath's community facilities. Those uses also compete with housing and infrastructure for space. Establish the requirements and include them in one land budget. Until then, your social benefits rely on provision you have not shown how to deliver and do not justify reserve status.

Part 8. Housing Supply & Alternatives

43. Failure To Use Brownfield Sites

Original report: PDF pp. 246–247.

Original point. I argued that the council should exhaust credible brownfield opportunities before relying on a very large greenfield settlement.

What the evidence shows. HBBC has published a 2026 brownfield register. The original criticism that the register was left at its earlier date is therefore superseded. The selection methodology and SA provide a framework for comparing alternatives, but the existence of a register does not establish how much realistic capacity it contributes. (HBBC Brownfield Register, 2026, Site Selection and Discount Paper, 2026, SA Environmental Report, 2026)

Your 2026 brownfield register supersedes the earlier criticism of its age. The unresolved question concerns usable capacity, not the publication date. You have not shown in this comparison how deliverable brownfield opportunities, realistic densities and other lower-impact choices affect the case for Norton Heath. I do not claim brownfield alone meets every housing requirement. I require a transparent alternatives assessment before you favour a large greenfield reserve. A register without a reconciled capacity assessment does not answer this objection.

44. Unused Permissions & Delivery Elsewhere

Original report: PDF pp. 248.

Original point. I questioned why additional strategic land was being contemplated while permissions and other delivery opportunities remained unused.

What the evidence shows. The latest housing supply assessment includes commitments and projected delivery. Its numerical inconsistencies require clarification, but the presence of permissions alone does not show when those homes will be completed. (Five Year Housing Land Supply Statement, 2026, paragraph 6 and Tables 8–9)

Unused permissions do not all deliver immediately, but you still need to explain which commitments will deliver, which will lapse and which figures overlap. Without this reconciliation, a claimed shortfall does not establish a need for Norton Heath. Test achievable delivery and acceleration elsewhere before relying on a settlement with substantial preparatory work. Your evidence must connect the timing of the housing gap to the timing of the proposed solution. The existence of a gap alone does not justify reserve status.

45. Housing Trajectory & Deliverability

Original report: PDF pp. 249–251.

Original point. I challenged whether Norton Heath could deliver early enough to meet the plan's needs and whether its assumed build-out rate was credible.

What the evidence shows. The selection schedule distinguishes 7,500 total homes from 2,070 in the plan period. The latest supply statement contains conflicting figures: Table 8 and Table 9 use 3,347, paragraph 6.19 refers to 3,929, and the later text describes a surplus inconsistent with the displayed requirement of 3,735. These need council correction. (Site Selection and Discount Spreadsheet, 2026, F4, Five Year Housing Land Supply Statement, 2026, printed p. 11, PDF p. 12)

Your supply statement presents conflicting totals and a surplus which does not follow the displayed figures. A supply of 3,347 against a requirement of 3,735 leaves a difference of 388 homes. You need to correct the published calculation before using a shortfall to support further growth. You also need to show when Norton Heath would deliver after land assembly, consents and infrastructure. Your 2,070 plan-period figure does not establish this programme. A long-term capacity claim does not answer a near-term housing gap or justify reserve status.

Part 9. Economy & Viability

46. Economic Displacement & Rural Business Impacts

Original report: PDF pp. 252–253.

Original point. I raised losses to farming, rural employment, visitor activity and existing businesses, alongside the claimed new jobs.

What the evidence shows. The landscape appraisal identifies existing rural businesses, including leisure and visitor uses. The SA awards employment benefits but does not provide a net economic displacement assessment for Norton Heath. (Landscape Sensitivity and Capacity Assessment, 2026, paragraph 19.2, SA Site Assessment, 2026, Appendix C.2.1)

Your jobs score counts proposed economic benefits without establishing the net effect on existing farming and rural businesses. You have not quantified displacement, access disruption, relocation needs or the additionality of proposed employment. Existing businesses do not lose their economic value because a promoter draws new commercial plots. Assess the activities and jobs at risk alongside the gains. Until you do, gross employment benefits overstate the evidence supporting reserve treatment.

47. Fiscal Cost Benefit Analysis for HBBC & Partners

Original point. I questioned whether anticipated receipts would cover public infrastructure and service costs, and whether costs would fall on HBBC or other bodies.

What the evidence shows. The infrastructure and whole-plan viability documents reviewed do not provide a Norton Heath fiscal balance or site-specific funding account. They cannot substantiate a claimed public-sector surplus for this proposal. (Infrastructure Capacity Study Phase 3, 2026, Infrastructure Delivery Plan Schedule, 2026, Whole Plan Viability Part 1, 2026, Whole Plan Viability Part 2, 2026)

You have not demonstrated a Norton Heath public funding balance. Expected receipts do not establish coverage of capital works, recurring services or costs falling on other bodies. A contribution towards basic infrastructure does not prove the public sector breaks even. Identify the costs, recipients, funding sources, timing and residual gap. If you rely on fiscal benefits, substantiate them. Without this, financial upside provides no evidenced reason to preserve Norton Heath as a reserve.

48. Scheme Viability & Funding Gap

Original report: PDF pp. 257–259.

Original point. I challenged whether the proposal could fund its exceptional infrastructure while meeting affordable housing and other policy requirements.

What the evidence shows. The 2026 whole-plan viability work's strategic site assessment does not identify Norton Heath. Generic testing of other sites or development types cannot demonstrate this site's cash flow, abnormal costs or funding gap. (Whole Plan Viability Part 1, 2026, Whole Plan Viability Part 2, 2026, paragraph 9)

Your whole-plan viability work does not establish Norton Heath's viability. You have not tested its land assembly, wastewater diversion, transport works, utility reinforcement and other abnormal costs in one site cash flow. Nor have you shown what happens when constraints reduce capacity or delay receipts. Generic typologies do not answer those site-specific questions. Establish a credible prospect of funding the full obligations before relying on delivery. Until then, viable mitigation is an assertion and provides no basis for reserve status.

Part 10. Deliverability & Risk

49. Land Availability & Ownership

Original report: PDF pp. 260.

Original point. I challenged land control and whether the promoter could deliver a coherent settlement across the stated boundary.

What the evidence shows. The council's selection record identifies landowners who have refused or withdrawn land and concludes that fragmentation prevents the comprehensive settlement in the form assessed. Yet it places LPR231 in D5, while related LPR258 is D2 because it depends on LPR231 and unavailable land. (Site Selection and Discount Spreadsheet, 2026, New Settlement Proposals, N4, Rural Villages, row 72)

Your own evidence records unwilling landowners and a fragmented landholding which fails to support the comprehensive proposal. You then retain D5 while discounting dependent LPR258 under D2. Explain this inconsistency. A promoter's boundary does not establish control, and an unspecified acquisition route does not restore availability. Your method requires the earliest justified discount. Apply the availability finding to LPR231 itself and correct the classification. You have no evidenced basis for holding an unavailable comprehensive scheme as a favourable reserve option

50. *Unbuildable & Undeliverable Dependencies*

Original report: PDF pp. 261.

Original point. I argued that the scheme depended on unresolved land, infrastructure and environmental conditions which could prevent delivery.

What the evidence shows. The latest record strengthens the land-availability concern and identifies a possible major wastewater diversion. Other constraints are unresolved rather than proven impossible. (Site Selection and Discount Spreadsheet, 2026, N4, Regulation 18 Consultation Responses Appendix C, published 2026, row 835, Level 2 SFRA for LPR231, 2026)

Your proposal depends on several unresolved solutions working together, yet you have not demonstrated the land, permissions, funding or responsible bodies for the complete package. The issue is not whether someone would build on an isolated parcel. The issue is whether the comprehensive settlement in your assessment has an achievable delivery route. Your own land findings undermine the starting point. A collection of future studies does not repair this failure. Keep Norton Heath excluded and remove unsupported reserve weight.

51. *Infrastructure Dependency Matrix & Critical Path*

Original report: PDF pp. 262–265.

Original point. I requested a single account of the dependencies, responsible bodies, funding and critical path rather than disconnected assurances.

What the evidence shows. The selected-plan infrastructure schedule reviewed has no Norton Heath entry which resolves the site's combined requirements. The major issues remain dispersed across selection, consultation, landscape and flood documents. (Site Selection and Discount Spreadsheet, 2026, Level 2 SFRA for LPR231, 2026, Regulation 18 Consultation Responses Appendix C, published 2026, Infrastructure Capacity Study Phase 3, 2026, Infrastructure Delivery Plan Schedule, 2026)

Your infrastructure evidence does not bring Norton Heath's dependencies into one delivery programme. You have not shown what must happen first, who controls the necessary land, who pays or what happens if a critical element fails. Separate statements about possible solutions do not establish simultaneous delivery. Provide a credible critical path before relying on the proposal. Until then, the selected-plan infrastructure schedule does not support Norton Heath's delivery or justify reserve status.

52. Delivery Phasing & Triggers

Original report: PDF pp. 266–268.

Original point. I asked for clear limits on occupation before roads, schools, water services and other essential facilities are available.

What the evidence shows. The current evidence reviewed does not establish Norton Heath-specific occupation triggers or an agreed infrastructure sequence. Its plan-period housing figure therefore needs a supporting programme if relied upon. (Site Selection and Discount Spreadsheet, 2026, F4, Infrastructure Capacity Study Phase 3, 2026, Infrastructure Delivery Plan Schedule, 2026)

You have not connected Norton Heath's housing trajectory to the infrastructure required before occupation. The record does not establish first-phase services, later thresholds, interim arrangements or funding security. Future conditions do not create unavailable land or guarantee another body's delivery. Show the sequence and the consequence of delay before counting completions. Without this, the phasing assumption gives no assurance of an effective reserve settlement.

53. Risk Register & Mitigations

Original report: PDF pp. 269–270.

Original point. I argued that the proposal needed an honest risk register rather than a list of untested mitigations.

What the evidence shows. The selection record itself identifies several risks, but the reviewed evidence does not bring them together in a Norton Heath register with owners, residual effects and contingency. (Site Selection and Discount Spreadsheet, 2026, Regulation 18 Consultation Responses Appendix C, published 2026, Infrastructure Capacity Study Phase 3, 2026, Infrastructure Delivery Plan Schedule, 2026, Whole Plan Viability Part 1, 2026, Whole Plan Viability Part 2, 2026)

Your mitigation claims do not distinguish a funded solution from an untested proposal. You have not shown who owns each risk, what the response costs or which effects persist. You also need to test combined failure, including reduced housing capacity against fixed infrastructure costs. Without this, the assessment understates uncertainty in the complete scheme. Record the residual risks and their consequences for the decision. Do not convert unresolved risks into a positive reserve judgement through repeated references to later mitigation.

54. Monitoring & Enforcement Framework

Original report: PDF pp. 271–273.

Original point. I asked who would monitor promised outcomes, what thresholds would apply and how failure would be corrected.

What the evidence shows. The plan monitoring material reviewed does not establish a Norton Heath implementation framework. As an unallocated alternative, it does not presently have the machinery of a site allocation. (Regulation 19 Local Plan, 2026, Local Plan Monitoring Framework, 2026)

Your monitoring framework does not establish a lawful, assessed route for activating Norton Heath. You have not identified a trigger, an evidence threshold or a decision process specific to this site. Monitoring a housing shortfall does not resolve land availability, treatment capacity or environmental effects. Confirm no automatic activation or contingency reliance on LPR231. Any future proposition needs the applicable assessment and public process before you give the site a growth role.

Part 11. Governance & Process

55. Evidence Quality & Procedural Weakness

Original report: PDF pp. 274–278.

Original point. I challenged the quality, transparency and consistency of the evidence and the use of unsupported assumptions.

What the evidence shows. The new evidence contains material reconciliation issues: approximately 700 hectares in selection and flood work versus 536 hectares in the detailed SA and landscape appraisal, a 6,432-home landscape calculation versus 7,500 homes, and the SA's incorrect LPR181 label. The habitat descriptions and settlement-boundary wording also need checking. (Site Selection and Discount Spreadsheet, 2026, SA Site Assessment, 2026, Appendix C.2.1, Landscape Sensitivity and Capacity Assessment, 2026, paragraph 19.2, Level 2 SFRA for LPR231, 2026)

Your evidence uses different site areas, conflicting capacity assumptions and inconsistent habitat statements. The Norton Heath matrix also carries the wrong site reference. These defects require more than a general assurance about further design work. Show whether each assessment tested the same land and explain whether the corrections change the scores. Until you reconcile the underlying proposition, the favourable conclusion lacks a reliable foundation. Correct the evidence and reassess D5 before allowing anyone to rely on Norton Heath as a reserve.

56. *Consultation Adequacy Review*

Original report: PDF pp. 279–282.

Original point. I questioned whether objections were meaningfully considered and whether the information allowed informed participation.

What the evidence shows. The consultation report recognises the lengthy original objection and summarises issues in Table 5. The response spreadsheet also records topic responses, including significant wastewater concerns. Recording an objection does not establish that each technical issue has been answered. (Regulation 18 Consultation Report, published 2026, PDF pp. 48–51, Regulation 18 Consultation Responses Appendix C, published 2026)

You have summarised the objections but have not supplied a clear route from each material concern to the evidence answering the concern. Generic acknowledgements and promises of later assessment leave the substantive issues open. Identify the findings you accept, the findings you reject and the reasons for each decision. Consultation does not require agreement with me. The process does require proper consideration of the relevant representations. Your response needs to explain the contradictory D5 outcome, not repeat the fact of consultation. (Local Planning Regulations 2012, regulation 18, Statement of Representations Procedure, 2026)

57. *Statements of Common Ground Status*

Original report: PDF pp. 283–285.

Original point. I asked for the status of agreements with neighbouring authorities and infrastructure bodies on matters affecting the proposal.

What the evidence shows. The selection record says North West Leicestershire District Council does not support Norton Heath. The reviewed material does not establish an agreed Norton Heath cross-boundary delivery position. (Site Selection and Discount Spreadsheet, 2026, N4)

You have not demonstrated an agreed Norton Heath delivery position with the authorities and providers responsible for essential cross-boundary matters. A signature alone would not prove delivery, but an unresolved dependency does not disappear through general cooperation wording. Publish the matters agreed, the outstanding disputes and their consequences for the scheme. Until you establish the necessary support, your evidence does not justify presenting Norton Heath as a viable reserve settlement.

58. Conflicts, Lobbying & Transparency Log

Original report: PDF pp. 285–288.

Original point. I sought transparency about promoter contact, representations, decision-making and any relevant interests.

What the evidence shows. The current consultation and selection records show promoter and consultee involvement. They do not, on the material reviewed, establish misconduct, an undisclosed conflict or improper influence. (Site Selection and Discount Spreadsheet, 2026, Regulation 18 Consultation Report, published 2026, Regulation 18 Consultation Responses Appendix C, published 2026)

Your decision trail needs to explain why D5 survives the adverse availability finding and why LPR258 receives different treatment. Publish the relevant records, interests and reasons so residents understand the basis of the decision. Contact with a promoter does not itself establish wrongdoing, and I make no unsupported allegation. The objection concerns an unexplained planning judgement. Transparent records and evidence-based reasons must support the classification before you give the site any favourable reserve weight.

Part 12. Findings & Next Steps

59. Findings Against the Tests of Soundness

Original point. I concluded that the proposal failed the relevant strategic and delivery tests.

What the evidence shows. The latest evidence supports exclusion and exposes a conflict between D5's favourable implication and the recorded availability barrier. The selected plan's decision not to allocate Norton Heath should be distinguished from the reliability of that supporting judgement. (Statement of Representations Procedure, 2026, Site Selection and Discount Paper, 2026, Site Selection and Discount Spreadsheet, 2026)

Your evidence does not justify a positive reserve judgement. Housing need does not establish a need for this location. Conflicting boundaries and appraisals weaken justification. Unavailable land and unresolved infrastructure undermine effectiveness. Generic policy requirements do not establish environmental compliance. I support the decision to exclude Norton Heath and challenge the unsupported favourable finding which survives in D5. Correct this finding and remove any policy, supply or contingency reliance on the site unless you provide the evidence supporting the complete proposal.

60. Conclusions

Original report: PDF pp. 290–291.

Original point. I concluded that mitigation did not answer the strategic objection to Norton Heath.

What the evidence shows. The current record adds a concrete land-availability barrier, a major unresolved wastewater route and adverse landscape evidence. It also shows that some original claims, including a wholly flood-constrained site and an outdated brownfield register, cannot be maintained in that form. (Site Selection and Discount Spreadsheet, 2026, Landscape Sensitivity and Capacity Assessment, 2026, Level 2 SFRA for LPR231, 2026, Regulation 18 Consultation Responses Appendix C, published 2026, HBBC Brownfield Register, 2026)

Your own record identifies unavailable land, substantial environmental effects and an unresolved wastewater route. You have not demonstrated a coherent settlement which overcomes those combined barriers. Partial solutions do not establish overall delivery. The question is no longer whether a promoter would like to build here. The question is why you preserve suitability in principle after documenting reasons against the comprehensive scheme. Keep Norton Heath excluded, correct the favourable classification and confirm no reserve or fallback role.

61. *Recommendations & Required Actions*

Original report: PDF pp. 291–292.

Original point. My original recommendations allowed consideration of a conditional long-term reserve only upon satisfaction of demanding evidence requirements. I did not endorse reserve status without proof of compliance.

What the evidence shows. The council's newer evidence records unwilling landowners and fragmentation, while retaining D5. The unresolved delivery barriers and assessment inconsistencies do not demonstrate satisfaction of the original evidence requirements. (Site Selection and Discount Spreadsheet, 2026, Site Selection and Discount Paper, 2026, paragraphs 6.32–6.34 and 6.53–6.57)

You have not demonstrated satisfaction of the conditions attached to my original reserve recommendation. Your newer evidence instead records unavailable land and fragmentation. Conditional consideration gives you no basis for favourable treatment where the evidence requirements remain unmet. Retaining the historical alternatives record is legitimate. Retaining suitability in principle without a deliverable proposition lacks support in your own evidence. Apply the conditions properly, correct the discount reasoning and confirm no reserve or fallback status. Any materially different future proposal would require fresh evidence and the applicable public process. My original report provides no unconditional endorsement for you to carry forward.

62. *Decision Checklist for HBBC*

Original report: PDF pp. 292–294.

Original point. I requested a checklist so that unresolved matters could not disappear behind general assurances.

What the evidence shows. The reviewed record answers some screening questions but does not establish a coherent, available and deliverable Norton Heath scheme. The critical matters are set out below. (Site Selection and Discount Paper, 2026, Site Selection and Discount Spreadsheet, 2026, SA Environmental Report, 2026, SA Site Assessment, 2026, Landscape Sensitivity and Capacity Assessment, 2026, Level 2 SFRA for LPR231, 2026, Habitats Regulations Assessment, 2026, Regulation 18 Consultation Report, published 2026, Regulation 18 Consultation Responses Appendix C, published 2026, Infrastructure Capacity Study Phase 3, 2026, Infrastructure Delivery Plan Schedule, 2026, Whole Plan Viability Part 1, 2026, Whole Plan Viability Part 2, 2026)

> Your final decision needs to answer the actual barriers. Which land is available? Which boundary and capacity have you assessed? Where does the wastewater go? How do the environmental findings support your conclusion? What evidence reconciles D2 and D5? A document title or promised future study does not answer any of these questions. Publish the reasons with precise references. Until the evidence supports a coherent and deliverable proposal, keep Norton Heath excluded and give the site no reserve or fallback weight.

Final Conclusion

HBBC now holds evidence which defeats its own D5 conclusion. The record identifies unavailable land, fragmented ownership, loss of the comprehensive proposal and major unresolved infrastructure and environmental barriers. D5 nevertheless tells the public that LPR231 remains capable of allocation and has not been found unsuitable for development. Those positions are irreconcilable.

This is no longer an evidential gap for residents to fill. Residents raised these failures during the previous consultation. HBBC's subsequent work now records the same failures. Asking communities to repeat the evidence while leaving the contradictory conclusion untouched would shift responsibility for correcting HBBC's assessment onto the people affected by it.

HBBC wrote a sequential methodology which requires discounting at the earliest justified sift and revisiting earlier sifts when later evidence affects them. Apply it. If the loss and fragmentation of essential land defeat the new-settlement exception, classify LPR231 as D1. If HBBC maintains the exception, the recorded availability and achievability failure requires D2 at the absolute minimum. D5 is not an evidence-led outcome.

Correct the unsupported capacity and mitigation claims. Remove the positive finding of suitability in principle. Confirm expressly that LPR231 has no reserve, safeguarded-growth, contingency or fallback status. Confirm that no housing trajectory, supply calculation, monitoring framework or delivery mechanism relies upon it.

Retain the historical appraisal as a record of an option considered and rejected. Do not misrepresent rejection as deferred endorsement. Consideration as a reasonable alternative does not create continuing suitability, availability or deliverability.

A future housing shortfall will not make unavailable land available. It will not assemble fragmented ownerships, create lawful access, fund unresolved infrastructure or produce wastewater capacity. Future need does not repair present evidence.

HBBC has the evidence. HBBC wrote the methodology. HBBC must now apply both properly. Correct LPR231 to D1 or, at the absolute minimum, D2. Keep Norton Heath

excluded. Remove every unsupported route back into the strategy and close the matter properly.

References & Bibliography

This section lists the published evidence, reports and datasets cited throughout the report. Legislation and national policy appear separately in the legislation and policy list. Hinckley and Bosworth Borough Council publishes the local evidence listed below. The document links retain access to the underlying reports and their author details.

Local Plans Technical Evidence & Authority Documents

Hinckley and Bosworth Borough Council. 2026. Statement of Representations Procedure.
Hinckley and Bosworth Borough Council. 2026. Interim Site Selection and Discount Paper.
Hinckley and Bosworth Borough Council. 2026. Interim Site Selection and Discount Spreadsheet.
Hinckley and Bosworth Borough Council. 2026. Sustainability Appraisal Environmental Report.
Hinckley and Bosworth Borough Council. 2026. Sustainability Appraisal Site Assessment.
Hinckley and Bosworth Borough Council. 2026. Regulation 18 Autumn 2025 Consultation Report.
Hinckley and Bosworth Borough Council. 2026. Regulation 18 Consultation Report, Appendix C responses spreadsheet.
Hinckley and Bosworth Borough Council. 2026. Regulation 19 Local Plan Publication Consultation Document.
Hinckley and Bosworth Borough Council. 2026. Regulation 19 Local Plan Appendix 8: Monitoring Framework.

Water Wastewater & Infrastructure Evidence

Hinckley and Bosworth Borough Council. 2026. Level 2 Strategic Flood Risk Assessment: LPR231.
Hinckley and Bosworth Borough Council. 2026. Infrastructure Capacity Study, Phase 3.
Hinckley and Bosworth Borough Council. 2026. Infrastructure Delivery Plan Schedule.

Transport & Movement

Hinckley and Bosworth Borough Council. 2026. Local Plan Transport Modelling Forecast Report.

Housing Supply & Viability

Hinckley and Bosworth Borough Council. 2026. Whole Plan Viability, Part 1.
Hinckley and Bosworth Borough Council. 2026. Whole Plan Viability, Part 2.

Hinckley and Bosworth Borough Council. 2026. Five Year Housing Land Supply Statement, 1 April 2026 to 31 March 2031, adopted version.
Hinckley and Bosworth Borough Council. 2026. Brownfield Register 2026 and publication webpage.

Equality & Community Evidence

Hinckley and Bosworth Borough Council. 2026. Equalities Impact Assessment.

Original representation

Peers, Jessica. 2025. You Cant Mitigate That. Original representation dated 23 November 2025. Supplied 382-page PDF.