

APPENDIX A

NWLDC OFFICER RESPONSE TO PRE-SUBMISSION DRAFT HUGGLESCOTE AND DONINGTON LE HEATH NEIGHBOURHOOD PLAN

Reg 14 Plan: Section/Policy Number	Reg 14 Plan: Planning Officers' and Conservation Officer's Responses	Reg 15 Plan: Page number and Commentary	Reg 15 Plan: Objections/Comments
Brief history of the parish	<p>Conservation Officer: Page ten contains a 'brief history' of the parish. It contains no reference to the shrunken medieval village of Snibston.</p> <p>Paragraph one says that "the first written record ... is to be found in the Domesday Book, with reference to Donington manor". It would be useful to note that Hugglescote does not appear in the Domesday Book and that the first chapel-of-ease at Hugglescote was erected in the late fourteenth century (Moore, 2005).</p> <p>Paragraphs three and four appear to quote at length from a Victorian trade directory but the source is not credited. Paragraph four contains population figures for the 'township' and 'ecclesiastical parish' that do not agree with the figures on page 11. If these figures are 'historic' then this should be made clear.</p> <p>Paragraphs four and seven refer to the Church of St John the Baptist. The</p>	<p>Page 10: No change made.</p> <p>Whilst these refinements and additions could have been beneficial, their exclusion is not considered to be fundamental to the effectiveness of the plan.</p>	None

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	<p>paragraphs repeat and contradict each other. Paragraph four says that the church was built in 1879 in the Franco-Norman style but paragraph seven says that it was built in 1878 in the English Geometrical Decorated style.</p> <p>Page 26 describes Hugglescote as a “nineteenth-century expansion of Coalville based on a medieval village” but page ten makes no reference to this expansion.</p> <p>Paragraph four says that “the manor belonged to Lord Donington and is now part of Leicestershire Museums”. This paragraph appears to confuse the manor (lower case) with the Manor House (upper case). The Hastings family were lords of the manor (Charles Hastings was created Lord Donington in 1880) but the soi disant Manor House was owned by the Osgathorpe Charity (now part of Thomas Charley’s Charities). It may be interesting to explore the connection between the Manor House, the Osgathorpe Charity and the former Grammar School, which succeeded the Free Grammar School at Osgathorpe.</p> <p>Paragraph six says that Hugglescote and Donington “were part of the parish</p>		

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	<p>of Ibstock until 1878, when they were formed into a separate civil parish". It says that "in 1936 the parish was absorbed by the urban district of Coalville". This paragraph appears to confuse the civil parish and the ecclesiastical parish. Our rapid appraisal says that Hugglescote "was anciently a township in Ibstock parish" but it was administered by Coalville urban district council from 1894. Kelly (1891) describes Hugglescote as a township in Ibstock parish; Kelly (1899) describes it as a township in Coalville urban district.</p>		
<p>Vision</p>	<p>Conservation Officer: On page 14 the 'vision' refers to the area's "proud industrial heritage" but none of the sites identified in figure 7.1 or in policy ENV4 are industrial heritage sites.</p>	<p>Page 14: No change.</p> <p>Whilst these refinements and additions could have been beneficial, their exclusion is not considered to be fundamental to the effectiveness of the plan.</p>	<p>None</p>
<p>General (page 16) 3rd paragraph under methodology</p>	<p>Might be appropriate to quote what the NPPF says (page 49). NPPF refers to valued landscapes and recognising the "intrinsic character and beauty of the countryside" rather than protecting the countryside per se.</p>	<p>Page 15: Suggested addition made</p>	<p>None</p>
<p>Planning issues which matter to the community</p>	<p>Conservation Officer: Page nine contains a bullet list of seven "planning issues [that] matter most to the community", including the protection of "buildings and structures of historic and architectural interest". Page</p>	<p>Page 14: Second list removed from Reg 15 version.</p>	<p>None</p>

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	fourteen contains a bullet list of eight "policy issues identified by the community as being of special importance"; this list does not refer to heritage assets. It is not clear how the bullet lists relate to each other.		
Figure 2a Limits to development (page 17)	It would help if this showed all of the area covered by the Neighbourhood Plan. The inclusion of additional land south of The Green Donington le Heath which has planning permission and is not included in the adopted Local Plan is noted.	Page 17: In addition to land south of The Green, the Limits to development differ from the adopted LP – see map extracts in Appendix B	Objection – the Limits to Development map needs to be produced at a larger scale. There are at least two places where the LtD are different from those in the NWLLP (and where this difference is not because a site has subsequently got planning permission). Extracts showing these differences are included in Appendix B. Reason – to give confidence when determining planning applications (National Planning Policy Guidance (NPPG) Paragraph: 041 Reference ID: 41-041-20140306).
South East coalville Development Scheme (page 17)	Planning permission is in place for all of south east Coalville. The latest housing trajectory identifies that 2,236 dwellings will be built by 2031. It is not clear if the reference to 1,900 dwellings is only that part of the site that is within the plan area?	Page 17: Amendment made.	None
Policy G2 (South East Coalville)	The reference to figure 2b is slightly misleading as it suggests that all of the	Done	None

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Development Scheme) (page 19)	area shown on figure 2b is in the plan area. It would be helpful to delineate in some way that part that is within the plan area.		
The approach to future residential growth (page 20, 1st paragraph)	Unclear what the Leicester Housing Market Assessment (2017) is.	Page 19 of the Reg15 plan reads: "It was published in January 2017 and revealed an increase in housing need from earlier projections and this has since increased further by local issues including the 2009 Leicester and Leicestershire Strategic Housing Market Assessment which has identified Leicester City as being unable to accommodate its own housing need requirement based on the HEDNA figures. The LLEP have also signed a "memorandum of understanding" committing all the relevant local planning authorities to collectively delivering this housing need to 2031".	<p>Comment – this section has some inaccuracies and, in any event, the position on Leicester unmet needs, Government changes to the standard methodology and progress with the SoCG are all subject to change and are more matters for the Local Plan Review than for this neighbourhood plan. A straightforward response would be to delete it from the plan as follows;</p> <p>"It was published in January 2017 and revealed an increase in housing need from earlier projections. and this has since increased further by local issues including the 2009 Leicester and Leicestershire Strategic Housing Market Assessment which has identified Leicester City as being unable to accommodate its own housing need requirement based on the HEDNA figures. The LLEP have also signed a "memorandum of understanding" committing all the relevant local planning authorities to</p>

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			collectively delivering this housing need to 2031"
Policy G3 (Design) (pages 20/21/22)	<p>a) Provision of insulation is not a matter considered through the planning system</p> <p>b) The requirement for a Design and Access Statement for all developments of more than 1 dwelling conflicts with the Planning Practice Guidance. Such a requirement only applies in areas designated as a World Heriatge Site or conservation area (see link below).</p> <p>d) would it be worthwhile also including links to Bardon employment area?</p>	<p>Page 20: Insulation has been deleted.</p> <p>Requirement for a Design and Access Statement (DAS) has been removed but the policy now states "b) All new proposals for developments of more than one unit must illustrate how the character, size density and layout of the proposed site will not cause an adverse negative impact on the local beauty of the countryside;"</p> <p>Bardon employment area included</p>	<p>None</p> <p>Objection – The District Council fully supports the neighbourhood plan's commitment to good design however the requirement to 'illustrate' in Policy G3(b) is considered overly onerous for small scale schemes as this will presumably require the submission of some form of design analysis. More effective wording which could be applied in the development management process would be "b) All new proposals for developments of more than one unit should not cause an adverse negative impact on the local beauty of the countryside".</p> <p>Reason – to give confidence when determining planning applications (NPPG Paragraph: 041 Reference ID: 41-041-20140306).</p>

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	<p>h and i) Are these the same points expressed differently?</p> <p>p) Is the reference to two bed properties necessary as they are also caught by being in the "three bedrooms or less " category in the second part of this criteria.</p> <p>q) First part does not make sense as worded. Should the last word be 'supported' rather than 'promoted'?</p> <p>r) The aspiration for this [EV charging points] is supported, but there is currently no national requirement for universal vehicle charging points. It is also not clear as to whether this is technically feasible at the present time.</p> <p>Conservation Officer: Policy G3 is two pages long and contains twenty sub-policies. The headline policy says that development should "reflect the character and context of existing development". Good design is about more than being "sympathetic to local character". Chapter 12 of the NPPF and Local Plan policy D1 recognise</p>	<p>i) deleted</p> <p>p) done</p> <p>amended</p> <p>Reg 15 plan has retained this requirement for EV charging points "all properties of three bedrooms or less should be provided with an electric vehicle charging point. All properties of four or more bedrooms should be provided with at least two connections where viable and appropriate to do so;"</p> <p>No change.</p> <p>Whilst these refinements and additions could have been beneficial, their exclusion is not considered to be fundamental to the effectiveness of the plan.</p>	<p>Comment – the aspiration to increase the availability of EV charging points is supported however the policy may exceed NPPF requirements which states that development should "be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations" (paragraph 110).</p> <p>None.</p>

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	<p>other aspects of good design; some of these aspects are reflected in policy G3's sub-policies. The headline policy should be amended to reflect these other aspects. The NPPF says that "neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development" (paragraph 126). It is a pity that the draft plan does not do this.</p> <p>Policy G3 contains eight sub-policies that relate to "character and context" (sub-policies (b) and (c) and sub-policies (h) to (m)). Considering the length of policy G3 I would recommend that the Parish Council split policy G3 into two separate policies, the first referring to "character and context" and the second referring to other aspects of good design. The headline policy says that development should "reflect the character and context of existing development" but supports "contemporary and innovative materials and design" in some circumstances. The headline policy is contradicted by sub-policy G3(b), which says that "all development will enhance and reinforce the local character" but makes no allowance for "contemporary and innovative" design.</p>		

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	<p>Sub-policies G3(a), G3(f), G3(g) and G3(q) refer to “green technology” and “sustainable design”. I am pleased that these sub-policies have been included – they reflect Local Plan policy D1(5) – but the sub-policies are repetitive and sub-policy G3(f) does not appear to constitute a policy.</p> <p>Sub-policies G3(h) and G3(i) refer to the “diversity” of new development. Sub-policy G3(i) says that “within each development the housing should not be the same in appearance”. Parts of the parish (e.g. the “nineteenth-century expansion of Coalville”) exhibit a great degree of uniformity and in these contexts uniform development would be “sympathetic”.</p> <p>Sub-policies G3(p) and G3(r) refer to parking and electric vehicle charging. These sub-policies appear more relevant to chapter D “Transport and access”.</p> <p>Finally I am disappointed that policy G3 makes no reference to the creation of safe places. For instance please refer to NPPF paragraph 127(f) and Local Plan policy D1.</p>		
The approach to future residential growth (page 20, 1 st	Unclear what the Leicester Housing Market Assessment (2017) is.	Page 20: See above	None

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<p>paragraph)</p> <p>Policy H1 (Housing Mix) (page 23)</p>	<p>4th paragraph. It would be helpful to also include the HEDNA recommendations for the mix of affordable housing alongside the market housing mix rather than later on.</p> <p>The housing needs report which accompanies the Neighbourhood Plan identifies (Table 5) that the proportion of 4 or more bedroomed properties (20.4%) are somewhat greater than the North West Leicestershire average (23.5%). Whilst it is recognised that there is some evidence of under occupancy, it is considered that the evidence does not support the approach set out in respect of larger homes.</p> <p>It would be helpful if some support was to be given for the provision of 1-bed</p>	<p>Page 23: Whilst these refinements and additions could have been beneficial, their exclusion is not considered to be fundamental to the effectiveness of the plan.</p> <p>Save for a wording change, the general approach to larger properties hasn't been changed.</p> <p>Done</p>	<p>None</p> <p>Comment - The Housing Need Report shows that the parish has broadly a similar profile of dwelling sizes to that for NWL as a whole (Table 5). The proportion of 2 bed properties is marginally higher in the parish compared with the district whilst the proportion of 4/5 beds is marginally <u>lower</u> but in neither case is the variance significant. Similarly the level of under occupation is lower than for the district (Table 6); 62.9% of the 4 bedroom homes in the parish are occupied by households of 3 or more people whilst the equivalent figure for the district is 56.5%. In these circumstances, it is considered that the evidence does not clearly justify an aim to limit the proportion of 4 bed properties.</p> <p>None</p>

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	<p>market properties as well, otherwise developers assume they can provide them as affordable units only. This would provide a better mix as suggested in the HEDNA.</p> <p>It is not clear what is meant by the term "any single site" in the policy. Does it refer to an application site? What if the application site is a phase of part of a larger development?</p>	<p>Done Altered wording</p>	<p>None</p>
<p>Policy H2 (Affordable Housing) (page 24)</p>	<p>3rd paragraph – the Local Plan requirement for affordable housing in Hugglescote and Donington-le-Heath is 20% as they fall within the Coalville Urban Area.</p> <p>5th paragraph – since the HEDNA was produced a new NPPF has been published which includes a requirement that 10% of new homes be available for low cost home ownership (paragraph 64). Presumably this would form part of the 20% 'low cost starter homes or other home ownership products' quote in the policy. The use of the term 'intermediate housing' no longer appears in the definition of affordable housing in the NPPF glossary. It is noted that the proposed policy does not use this term, but it would be useful to explain why this is.</p>	<p>Page 24: Done</p> <p>No change</p> <p>The 20/80 tenure split which is referred to in Policy H2 is not referenced in the affordable housing policy in adopted Local Plan. It is nonetheless based on the HEDNA and is therefore evidence-based so its inclusion in Policy H2 is justified.</p>	<p>None</p> <p>Objection – The policy states "Where possible, new affordable housing within the Plan area shall be made available to eligible households with a connection to the Plan area". It is proposed that this requirement for a local connection should be deleted from the policy for the following reasons; a) it does not accord with the affordable housing eligibility criteria applied by the district council's Housing team. The criteria require a connection to the district, not to the local area; and b) it is not in general conformity with Policy</p>

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	<p>It should be noted that for the South East Coalville development area, the provision of affordable housing has already been agreed. The policy could only be applied to any additional development that comes forward within the parish.</p>	<p>No change</p>	<p>H4 of the adopted Local Plan which includes no such local connection requirement.</p> <p>On a practical level, a consequence of a local connection requirement is that people in housing need who come from places with no/limited new development would never have their needs met. Local connection requirements can also constrain Registered Providers' ability to secure funding for new affordable housing schemes. It is proposed that the requirement should be deleted from Policy H2 as follows; "Where possible, new affordable housing within the Plan area shall be made available to eligible households with a connection to the Plan area."</p> <p>Reason – the policy as worded would not be in general conformity with the strategic policies of the adopted Local Plan.</p>
<p>Policy H3 (Windfall Sites) (Page 25)</p>	<p>In g) it would be helpful to make it clear that it is the occupiers of the "proposed dwelling" which is being referred to.</p>	<p>Page 24: Policy H3 appears to limit windfall sites to up to 5 dwellings</p>	<p>Objection – Policy H3 appears to limit windfall sites to up to 5 dwellings. The supporting text explains that this is to avoid</p>

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	<p>It would be useful to consider including a further requirement as there may be instances where a site of up to 5 dwellings satisfies the floorspace requirement of the adopted Local Plan policy. Suggest something like "where the requirement for an affordable housing contribution is triggered against the local plan affordable housing policy, that such provision is to be made"</p>	<p>Done</p>	<p>making traffic and parking issues in Hugglescote worse. Infill or redevelopment of more than 5 dwellings can be acceptable if the site allows and parking and highways impacts will be assessed as part of a planning application. There is considered to be insufficient evidence to justify the proposed limit and it is also inconsistent with the definition of 'windfall site' in Annex 2 of the NPPF which does not include a numerical limit.</p> <p>It is proposed that Policy H3 be amended to read; "Proposals for infill and redevelopment sites (individual dwellings or small groups of dwellings of up to 5) will be supported where:...".</p> <p>Reason – consistency with national policy (NPPF Annex 2) .</p>
<p>Policy H4 (Support to be given to brownfield sites) (Page 25)</p>	<p>What is meant by redundant land? Would it include land no longer used for agricultural purposes? The policy could include a cross reference to the definition of previously developed land as set out in the NPPF. For example,</p> <p>Within the Limits to Development, proposals for the redevelopment or</p>	<p>Page 25</p> <p>Done</p>	<p>None</p>

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	<p>change of use of redundant land or buildings (<u>which satisfies the definition of previously developed land as set out in the NPPF or any successor document</u>) will be supported, unless it conflicts with policies in the Development Plan.</p>		
<p>Natural & Historic Environment</p>	<p>Conservation Officer: The parish of Hugglescote and Donington-le-Heath contains eight listed buildings including the grade II* listed Manor House at Donington and the grade II* listed parish church at Hugglescote. Pevsner (1984) describes the latter as “easily the best C19 church [in Leicestershire] outside Leicester”. The parish contains two conservation areas and five identified local heritage assets. These include the former National School (1862) and the former Grammar School (1909) as well as three buildings in the Hugglescote conservation area. In 2017 we adopted a rapid appraisal to support the designation of the Hugglescote conservation area.</p> <p>I am pleased that heritage is important to the Parish Council. For instance the foreword refers to “the importance of retaining our heritage”; the ‘background’ says that protection of “buildings and structures of historic and architectural interest” is one of</p>	<p>Page 26 onwards: Conservation Officer: The NP should pay greater attention to Snibston deserted medieval village and an area of ridge and furrow that has “a clear association with contemporary settlement remains”.</p>	<p>Comment: The plan should pay greater attention to Snibston deserted medieval village and an area of ridge and furrow to the immediate south-west of the deserted village (please see the image at the end of this note). This area of ridge and furrow has been in meadow cultivation since before the year 2000 and it has “a clear association with contemporary settlement remains”. This area does not appear on figure 9.3 of the NP.</p>

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	<p>seven planning issues that “matter most to the community”; the ‘vision’ refers to the need to “balance the distinct heritage of the parish” (although it does not say what it should be balanced against). The subchapter “natural and historic environment” accounts for one-third of the draft plan. Hence it is a pity that the draft plan makes no reference to conservation areas and contains no policy relating to development affecting conservation areas. It is a pity that it contains no policy relating to development affecting the settings of listed buildings. It is a pity that it contains no reference to the District Council’s list of local heritage assets and no reference to the shrunken medieval village of Snibston.</p>		
Donington Fields	<p>Conservation Officer: Page 27 contains two paragraphs of text entitled “historic environment”. The text does not appear to refer to the historic environment but instead refers to “the agricultural land known locally as ‘Donington Fields’”. The text says that “this is an important environmental and recreational area” but the draft plan does not refer to it as a heritage asset. The fields are not identified on figure 7.1 “sites of historic environment significance” or in policy ENV4 “local heritage assets”. Figure 11.3 indicates that one of the fields contains well</p>	<p>Page 29: No change.</p> <p>Whilst these refinements and additions could have been beneficial, their exclusion is not considered to be fundamental to the effectiveness of the plan.</p>	None

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	preserved ridge-and-furrow.		
Destroyed features	Conservation Officer: Page 28 refers to the "site of the Manor House bank-and-ditch" and describes this as a "feature of high historical and archaeological significance". Policy ENV4 refers to the site of a cruck framed house and describes it as a "local heritage asset ... important for [its] contribution to the village". These features have been destroyed.	Page 29: No change. The parish council notes that the sites of these features are 'still valued'. Whilst these refinements and additions could have been beneficial, their exclusion is not considered to be fundamental to the effectiveness of the plan.	None.
Environmental Inventory (Page28)	Last sentence on page 28 refers to ' <i>National Planning Policy Framework 2018</i> ' should this be 2019?	Page 28: Done	None
Environmental Inventory (Page 29)	<p>The use of a scoring system to assess sites for designation as Local Green Space is questioned.</p> <p>In particular in assessing Accessibility as the Planning Practice Guidance states that land can be considered for designation as Local Green Space even if there is no public access. Therefore, sites with public access should not score higher than those with no public access.</p> <p>Also in terms of the 'bounded' criteria this appears to consider whether sites have some form of boundary i.e that they are not extensive tracts of land. In terms of the criteria set out in the NPPF there is no requirement for sites to have a specific boundary. This</p>	Page 30 onwards: No change to the scoring system. See below.	See below (response to Policy ENV1)

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	criteria may need re-wording.		
Policy ENV1: Protection of Local Green Space (Page 30)	<p>A scoring system has been used to assess green spaces within the Neighbourhood Plan Area that could be designated as Local Green Space. The scoring system is based on the Local Green Space criteria as set out in the NPPF. The six sites included in Policy ENV1 are those with the highest overall score.</p> <p>Our interpretation of paragraph 100 of the NPPF (2019) is that sites only need to meet one of the criteria: beauty, historic significance, recreational value, tranquillity or richness of its wildlife. The scoring system used appears to require sites to meet a number of the criteria in order to achieve a high overall score. This would appear to be more onerous than the requirements of the NPPF. Policy ENV1 identifies 6 sites that are to be designated as Local Green Space. Appendix 5 appears to suggest that sites which score 24 or more should be designated as Local Green Space. However, Appendix 5 details numerous additional sites that score 24 or more and would therefore meet the scoring requirement to be designated as Local Green Space. It is not clear as to why these other sites have been excluded. These 'other' high</p>	Page 30 onwards: No change to the scoring system.	<p>Objection - Policy ENV1 identifies 6 sites that are to be designated as Local Green Space. Appendix 5 appears to suggest that sites which score 24 or more should be designated as Local Green Space. However, Appendix 5 details numerous additional sites that score 24 or more and would therefore meet the scoring requirement to be designated as Local Green Space. It is not clear as to why these other sites have been excluded; they may also meet the criteria in paragraph 100 of the NPPF.</p> <p>These 'other' high scoring sites have been identified in Policies ENV2 and ENV3 which appears to create a hierarchy of protected sites based on what Local Green Space criteria they score the highest in. The methodology could be better explained and this approach may be overly complicated and add unnecessary tiers of designations.</p> <p>Reason – consistency with national policy (NPPF paragraph</p>

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	<p>scoring sites have been identified in Policies ENV2 and ENV3 which appears to create a hierarchy of protected sites based on what Local Green Space criteria they score the highest in. The methodology could be better explained and this approach may be overly complicated and add unnecessary tiers of designations.</p> <p>Unclear what “<i>exceptional circumstances</i>” might be, therefore it may be worth detailing what is meant by this.</p> <p>Table 2 Page 31 Hugglescote Cemetery, there is an additional 3 in the History criteria column.</p>	<p>Policy ENV1 now uses the term ‘very special circumstances’ which is the terminology used in the NPPF with respect to Green Belt and was supported by the Ellistown Neighbourhood Plan Examiner.</p> <p>Done</p>	<p>100).</p> <p>None</p> <p>None</p>
Policy ENV2 - Sites of environmental significance (page 35)	See the comment under EV1 re the scoring system for the Local Green Space designation	Pge 32: See above	<p>See above</p> <p>Objection: some of the sites shown on Figs 5.1 & 5.2 have planning permission for housing and they cannot be protected from development in the way Policy ENV2 intends. Consideration should be given to removing the following sites from Figs 5.1 & 5.2; Fig 5.1: Area MLE4559 coincides with planning</p>

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			<p>permission 13/00956/OUTM (residential development of up to 2,700 dwellings) and 18/0034/REMM (49 dwellings). Fig 5.2: the pre-2009 LWS to the west of Station Road coincides with 18/0599/OUTM (9 dwellings). Reason – to give confidence when determining planning applications (NPPG Paragraph: 041 Reference ID: 41-041-20140306).</p> <p>Objection: parts of the sites identified as Local Green Space in Policy ENV1 (Donington Fields; cemetery) are also protected but with different policy criteria in Policies ENV2 and ENV3. Consideration should be given to whether this is necessary and appropriate.</p> <p>Reason – to give confidence when determining planning applications (NPPG Paragraph: 041 Reference ID: 41-041-20140306).</p>
Figure 7.1 (page 36)	The key is not clear in the title for the figure, it would be easier to see if it followed the format of figure 7.2 The purple features are very difficult to see unless very zoomed in, if this is	Done	None

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	being used as a paper copy then it could help the reader to label the features .		
	Conservation Officer: Page 38 refers to listed buildings and says that development should "take into account their settings as defined (on a case-by-case basis) by Historic England". This makes no sense. Historic England has defined the term 'setting' but it is not responsible for defining the settings of listed buildings "on a case-by-case basis".	Change made.	None.
Important Open Space (page 37)	Sentence states that 'This policy is in general conformity with NWLDC Adopted Local Plan (2017) Policy IF3 (4-6)' - unsure if this sentence is needed as only part of the Neighbourhood Plan Policy refers to the Loss of Open Space which is what is referred to in the Local Plan Policy IF3 parts 4-6.	Has been deleted	None
Policy ENV3: Important Open Spaces (page 37)	<p>Policy ENV3 refers to the loss of open space. This is already included in Policy IF3 of the adopted Local Plan. The Neighbourhood Plan is not required to repeat this.</p> <p>The wording of Policy ENV3 could be made clearer. The Policy identifies sites that are to be protected as Important Open Spaces therefore it is</p>	<p>Page 33: No change. Local Plan Policy IF3 is limited to the loss of sites within the LtD whereas ENV3 additionally applies to sites outside the LtD so the neighbourhood plan policy does not simply replicate IF3.</p> <p>This section has been omitted.</p>	<p>None</p> <p>None</p>

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	<p>unclear what is then meant by 'through confirmation as existing or designation as new, Open Space, Sport and Recreation (OSSR) sites in appropriate typologies'. Unclear as to what the typologies are and how they have been applied as they have not been applied to all of the sites. An explanation in the supporting text would be useful.</p>		
<p>ENV4 – Local Heritage Assets</p>	<p>Conservation Officer: Page 39 says that the NPPG “confirms the ability of neighbourhood plans to identify non-designated heritage assets”. The NPPG says that “there are a number of processes through which non-designated heritage assets may be identified, including the local and neighbourhood plan-making processes”. It also says that “it can be helpful if LPAs keep a list of local heritage assets, incorporating any such assets that are identified by neighbourhood planning bodies”. Historic England (2016) Local heritage listing says that “work in preparing a neighbourhood plan may indicate buildings and sites that merit inclusion on the local list” but recommends that “final ratification” of a local list should be “sought at the appropriate level within the LPA”.</p>	<p>Page 36: The council's Conservation Officer continues to have concerns about this policy. A 'local heritage list' is the responsibility of the local planning authority. Policy ENV4 should avoid references to 'heritage assets' which is defined in the NPPF as “assets identified by the local planning authority” (Annex A). The Conservation Officer also has concerns about the robustness of the process to identify the assets and the method for review. The NPPG confirms that “irrespective of how they are identified, it is important that the decisions to identify [them as] non-designated heritage assets are based on sound evidence”. The Examiner for the Ellistown</p>	<p>Objection – the policy should avoid reference to local heritage assets as it is the responsibility of a local planning authority to identify them (see the definition of 'heritage asset' in NPPF Annex A) albeit they can come to light through the neighbourhood plan process. This helps to ensure that inclusion on a local heritage list is based on sound and consistent evidence and criteria. The Examiner for the Ellistown and Battleflat Neighbourhood Plan considered a similar issue. and the following proposed changes to the first sentence of Policy ENV4 correspond with his recommended wording. “POLICY ENV 4: LOCAL HERITAGE ASSETS –The structures and buildings listed</p>

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	<p>In conclusion a neighbourhood plan should not contain a list of local heritage assets, but the plan-making process (“the work in preparing a neighbourhood plan”) may identify non-designated heritage assets and the LPA may subsequently include these assets on a local list.</p> <p>Page 39 says that the County Council “has identified five buildings and structures ... that are considered to be of local significance”. The draft plan does not say when or how this work was carried out or which buildings and structures were identified. I suspect this is a reference to the District Council’s adopted list of local heritage assets. Page 39 says that “recent research for the Parish Council has identified a further seventeen buildings and structures of similar local heritage significance”. Again the draft plan does not say when or how this work was carried out and I suspect that the “research” is based substantially upon our draft list of local heritage assets, which was prepared in 2017. The Parish Council should credit the District Council for the work that it has carried out.</p> <p>Figure 7.1 indicates “sites of historical [sic] environment significance”. It</p>	<p>and Battleflat Neighbourhood Plan considered a similar issue and recommended changes to the plan as a result.</p>	<p>here (map Figure 10) are local heritage assets. <u>Development proposals that affect the buildings and structures listed below, or their setting, will be expected to conserve the significant features which make them important.</u> They are important...”</p> <p>Reason – to ensure consistency with the NPPF (Annex A).</p> <p>Comment - Policy ENV4 identifies 17 local heritage assets. Appendix 7 says that identification is “at the discretion of the list author”; the list includes assets “of archaeological, historical or architectural interest” or “likely to be of interest to people of the parish”. The council considers that these criteria are somewhat vague and lack transparency.</p>

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	<p>indicates no more than twenty sites so it should be feasible to list the sites in the text (see policy ENV3). Figure 7.1 depicts earthwork remains at Hugglescote Grange and Snibston in a manner that differs substantially to our draft list of local heritage assets (see attached). At Snibston the Historic Environment Record notes that "most earthwork remains have been ploughed out".</p>		
<p>ENV5 – Ridge & Furrow</p>	<p>Conservation Officer's: Page 42 says that Historic England "recognises the national historic importance of ridge-and-furrow and supports its protection as a non-designated heritage asset". No source is offered to support this assertion. Figure 11.3 indicates "surviving ridge and furrow" coloured buff and orange. There is no key to explain the significance of the two colours.</p>	<p>Page 38: The council's Conservation Officer notes that the ridge and furrow to the immediate south-west of Snibston deserted medieval village (see attached). This area of ridge and furrow has been in meadow cultivation since before the year 2000 and it has "a clear association with contemporary settlement remains". This area does not appear on figure 9.3 of the NP.</p>	<p>Comment: There is ridge and furrow to the immediate south-west of Snibston deserted medieval village (please see the image at the end of this note). This area of ridge and furrow has been in meadow cultivation since before the year 2000 and it has "a clear association with contemporary settlement remains". This area does not appear on figure 9.3 of the NP.</p> <p>Objection – to be consistent with the proposed changes to Policy ENV4, amend the first sence of "POLICY ENV 5: RIDGE AND FURROW - The areas of ridge and furrow earthworks mapped here (Figure 9.3) are <u>of local heritage interest</u>. non-designated local heritage assets.</p>

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			Any loss or damage..." Reason – to ensure consistency with the NPPF Annex A
Biodiversity and habitat connectivity (page 44)	The third paragraph states there has been an 'observed 70% decline' what is the source for this claim? The following paragraph has a ' mark before embed which seems to suggest it is a quote, but there is no end to the quote and nor is it clear where it comes from.	Page 40: No change but this is not considered to be a significant issue	None
Local Wildlife Corridor (page 44)	The cross reference needs to be completed, at present to refers to Policy ENV xx	Done	None
Figure 13 (page 45)	It is not clear on the choice for the green habitat sites supporting the wildlife corridor. When compared with figure 7.2 it would appear the some but not all of various types of site of natural significance have been used to create one linear corridor. Indeed there are areas of land which are not identified in figure 7.2 being used. What is the justification / assessment for including sites in this policy and why is the map focussing on a single line of corridor and not connecting to the other sites identified in figure 7.2?	Page 40: No change.	Comment - the justification/ assessment for including/ excluding sites in this policy is not obvious and nor is why the map focusses on a single line of corridor and does not connect to the other sites identified in figure 7.
Policy ENV 6 (page 45)	In the second paragraph it states " <i>In cases where the development is determined...</i> " This is a bit ambiguous as to what is acceptable to outweigh the the	Page 41: No change	Objection - In practice, the decision-making balancing exercise takes place after the measures for mitigation/ compensation are identified.

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	biodiversity loss is it the scale / type / benefits of the development?		<p>Also, the NPPF (paragraph 175) sets out a sequence for applications which may result in significant harm to biodiversity which is firstly to avoid the harm, then to mitigate for the harm and finally to compensate for the harm.</p> <p>Amend the second paragraph of Policy ENV 6 to read; “Development proposals will be assessed by balancing the development’s intrinsic economic and societal value against any resulting biodiversity loss. In cases where the development is determined to outweigh biodiversity loss and avoidance of loss is therefore not possible (NPPF paragraph 175), the developer will be required to facilitate biodiversity net gain through mitigation (onsite) and/or compensation (habitat creation of equal biodiversity value, onsite or elsewhere). <u>Significant harm to biodiversity as a result of development should be avoided. If significant harm cannot be avoided, on-site mitigation is preferable to compensation measures elsewhere (e.g.</u></p>

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			<p><u>habitat creation of equal biodiversity value elsewhere).</u> <u>Development should also facilitate biodiversity net gain.</u> “</p> <p>Reason – to ensure consistency with the NPPF (paragraph 175).</p>
ENV7 – important views	<p>Conservation Officer: Page 46 refers to six “important views”. For monitoring purposes it would be useful to include a photograph to indicate each view.</p>	<p>Page 41: Photos are included in the plan's appendix</p> <p>Policy ENV7 states that, to be supported development proposals should not significantly harm important views, or their publicly accessible viewpoints, and should include design statements setting out appropriate and effective mitigation measures.</p>	<p>None</p> <p>Comment – the use of the policy in development control decisions would be more straightforward if the identification of harm was a) related to setting and character; and b) related to how this was <i>perceived</i> from these public vantage points.</p> <p>Amend the introductory paragraph to Policy ENV7 as follows; “The following views (Appendix 7 and figure 11) are important for defining the setting and character of Hugglescote and Donington le Heath and are valued by residents. To be supported, development proposals should not significantly harm <u>the setting and character them, or their when</u></p>

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			viewed from these publicly accessible viewpoints and should include design statements setting out should, <u>where necessary, include</u> appropriate and effective mitigation measures.”
Policy T1: Transport Assessment for new Housing Development (Page 48)	It is assumed that the role of this policy is not to require the submission of Transport Assessments. Rather it details what sort of the information should be submitted, in the instances that a Transport Assesment is required. The Leicestershire County Council Highway Design Guide identifies the circumstances a Transport Assessment is required, which is determined by the size and type of development. It maybe useful to refer to this document in order to provide clarity. Point e refers to NP policy H8 however, there are only 4 housing policies in the Neighbourhood plan.	Page 44: Reference to the LCC guide has not been added but this is not a significant omission. T1(e) – no H8	Comment - T1(e) includes a reference to Policy H8 in error.
Policy T2: Residential and Public Car Parking (page 49)	With respect to the parking standards proposed for 4+bedroom dwellings, this aspect of the policy would not comply with the North West Leicestershire Local Plan, the district's Design SPD nor the parking standards set out within the Leicestershire County Council Highway Design Guide. These only require the provision of 3 spaces per dwelling for	Has been removed.	None

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50-51)	<p>movements" how will these be quantified? We suggest this include reference to the standard of the Local Highway Authority.</p> <p>Points e and f are partly repetitive and can be joined together.</p>	<p>of the policy has not been objected to by LCC Highways which has primary responsibility for this issue.</p> <p>Done</p>	None
Policy CF3 Doctors Surgery (page 52)	Point a refers to "unacceptable traffic movements" how will these be quantified? We suggest this include reference to the standard of the Local Highway Authority.	Page 48: Not done. However, this aspect of the policy has not been objected to by LCC Highways which has primary responsibility for this issue.	None
Policy CF4 Noisy Sports (page 52)	It is not clear as to how in determining a planning application, the areas in point a would be defined and how excessive noise in point b should be interpreted?	Page 48: Not done.	<p>Comment - criterion c) specifies a 10pm curfew whereas a more generally expressed criterion would enable the appropriate approach to be determined for an individual proposal having regard to the circumstances of the site and surroundings. It is possible that an earlier time would be appropriate in some circumstances. The suggestion is that criterion c) is amended as follows; <u>"A planning condition is attached to any approval to ensure that activities end by 10:00 pm so as not to have a detrimental impact on residential amenity. Planning conditions are used to define the operating hours to control any adverse impacts on residential amenity."</u></p>

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			It would also help the application of the policy in development management if 'noisy sports' and 'areas valued for their tranquility' were defined in the supporting text and it was also explained how the boundaries of noise sensitive development would be identified.
POLICY E1: Support for existing employment opportunities (page 53)	<p>The general principle of the policy is supported – however it is not clear if both bullet points need to be demonstrated (i.e. if there should be an 'and' between them) or whether only one needs to be demonstrated (so there should be an 'or' between them).</p> <p>Also, is the 12 months in bullet point a) additional to or concurrent with the six months marketing included in bullet point b).</p> <p>Does the employment-generating uses in bullet point b) relate only to B-class uses or any employment generating uses?</p>	<p>Page 49: Done</p> <p>Clarified in the parish council's comments that this is concurrent.</p> <p>Not clarified. See suggested change.</p>	<p>Objection - the Use Classes Order has been amended such that B1 uses (offices, R&D, light industry) are now incorporated in in a new, expansive Use Class E 'commercial, business and service uses' which includes former A class uses, and indoor health, sport and community uses. The policy should reflect these changes so it is fit for purpose by being clear about the uses to which it applies.</p> <p>"Where planning permission is required there will be a strong presumption against the loss of commercial premises or land (B-class offices, industry, storage/distribution) which provides employment or future potential employment opportunities."</p> <p>Reason – consistency with national policies and guidance</p>

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		Policy E1 requires premises to be vacant for at least 12 months whereas Policy Ec3 of the adopted Local Plan specifies a period of 6 months.	Objection–Policy E1 requires commercial premises to be empty for 12 months which is 6 months longer than the equivalent policy in the adopted Local Plan (Policy Ec3(3)). This means that the requirements are more onerous in the neighbourhood plan area than in the rest of the district and the justification for this should be explained in the plan. Reason – the policy as worded would not be in general conformity with the strategic policies of the adopted Local Plan.
POLICY E2: New small scale employment (page 53)	The policy states that small scale employment needs to comply with the provisions of Policy.... – which Policy is this?	Done	None
POLICY E3: Working from home (page 54)	In bullet point 3, it might be useful to reference design policies in the Local Plan and the Good Design SPD. There should either be 'and' or 'or' between each bullet point to clarify if one or all need to be satisfied.	Page 50: Not done but not a significant omission. Done	None None
POLICY E4: Re-use of agricultural and commercial buildings (page 55)	There should either be 'and' or 'or' between each bullet point to clarify if one or all need to be satisfied.	Done	None
G: Developer Contributions (page	The third paragraph uses a reference to “(PPG 46)” the Planning Practice	Page 52: Done	None

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56)	<p>Gudance is organised like a glossary with an alphabtaised list so it is not clear how this reference works.</p> <p>The District Council is not currently considering the introduction of CIL. However, it may dos o at some future point in time. It is suggested that this section be amended to reflect this.</p> <p>The list under CF1 has two points which should be reconsidered:</p> <ul style="list-style-type: none"> • The reference to gateway features for the village seems to be a better fit under the highways requirements rather than a community facility due to the tie in to speed reduction. Notwithstanidng this, any request needs to relate to the impact that the new development will have on the existing facilities, it is difficult to see how a development would be unacceptable in planning terms if the gateways are not provided. • The reference to "<i>securing the community centre which is currently owned by the Anglican Church</i>", will be difficult to achieve as it involves land in a third party ownership, an unknown cost (at this time) 	<p>Done</p> <p>Not changed – but not a significant omission</p> <p>No change - but not a significant omission.</p>	<p>None</p> <p>None</p> <p>None</p>

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	and the likelihood that the scale of new development beyond that already committed will be limited and so would not generate a significant financial contribution.		
Appendix 5: Survey and Research (end of Page 3)	This includes an extract from the NPPF which details the Local Green Space criteria and is taken from the 2012 NPPF, this should be updated to show para. 100 from the 2019 NPPF.	Done	None

Snibston Ridge & Furrow



Surviving part of DMV

Church

Ridge and furrow

