

**INDEPENDENT EXAMINATION OF THE HUGGLESCOTE & DONINGTON LE HEATH
NEIGHBOURHOOD PLAN**

Hugglescote & Donington Le Heath Responses to Examiners Questions

Examination Ref: 02/AM/HDNP

Please find as detailed below the responses From Hugglescote & Donington Le Heath Parish Council (**HDLH**) to questions raised.

Status and correct title/date of the adopted Local Plan

Question to North West Leicestershire District Council (NWLDC)

1. Is the following paragraph accurate?

“The development Plan for this part of NWLDC, excluding policies relating to minerals and waste development, includes the North West Leicestershire Local Plan (NWLLP), initially adopted in November 2017, which set out a strategy for delivering homes, jobs and infrastructure needed in the district between 2011 and 2031. However, Policy S1 of the NWLLP, which considered future housing and economic development needs, included the statement that a review of the plan would commence by the end of January 2018 or within 3 months of its adoption (whichever is the later) and it would be submitted for examination within two years from the commencement of the review. The review of the plan is being undertaken in two parts, a Partial Review and a Substantive Review. The Partial Review, which sought only to amend Policy S1 and its supporting text, has been completed and the North West Leicestershire Local Plan (as amended by the Partial Review) was adopted by the Council on 16 March 2021.”

Limits to Development (LtD)

Question to NWLDC and the Parish Council (PC)

2. I note LtD inaccuracies on Figure 2.1 of the Plan referred to by NWLDC in the Regulation 16 representation. Indeed, one inaccuracy can be identified by the comparison of Figures 2.1 and 2.2. Please could a revised Figure 2.1 be agreed between NWLDC and the Parish Council and submitted showing the accurate LtD?

Hugglescote & Donington Le Heath response (H&DLH):

We are happy to consider the representation from NWLDC on the LtD.
The Clerk has agreed in discussions with Sarah Lee to include one site currently being developed which is not detailed. NWLDC to produce a revised plan.

Policy H2: Affordable Housing

Question to NWLDC

3. What are the affordable housing eligibility criteria applied by the Housing team of NWLDC?

(H&DLH) comment, in their response, NWLDC refer to the Examiner of the Ashby de la Zouch Neighbourhood Plan in removing the local connection element of the Affordable Housing Policy. However, the Examiner of the Ellistown and Battleflat Neighbourhood Plan also in NWLDC approved a policy on Affordable Housing which said 'The provision of smaller homes, especially for young families and young people and for older people who wish to downsize, will be supported, as is the provision of affordable housing for people with a local connection'. This is already a policy, therefore, that is in the NWLDC Development Plan.

In addition, Made Neighbourhood Plans at Great Easton, Hallaton and South Kilworth in Harborough District, Waltham on the Wolds and Thorpe Arnold in Melton Borough, Quorn in Charnwood Borough and Epperstone in Newark and Sherwood District Council all include policies supporting Affordable Housing being made available for people with a local connection.

Policy ENV 1: Local Green Space (LGS)

Questions to the PC (numbers 4-16)

4. What is the area of each of the proposed LGS?

The precise areas for each LGS are provided in Appendix 6, which is the evidence base for the designation of each site.

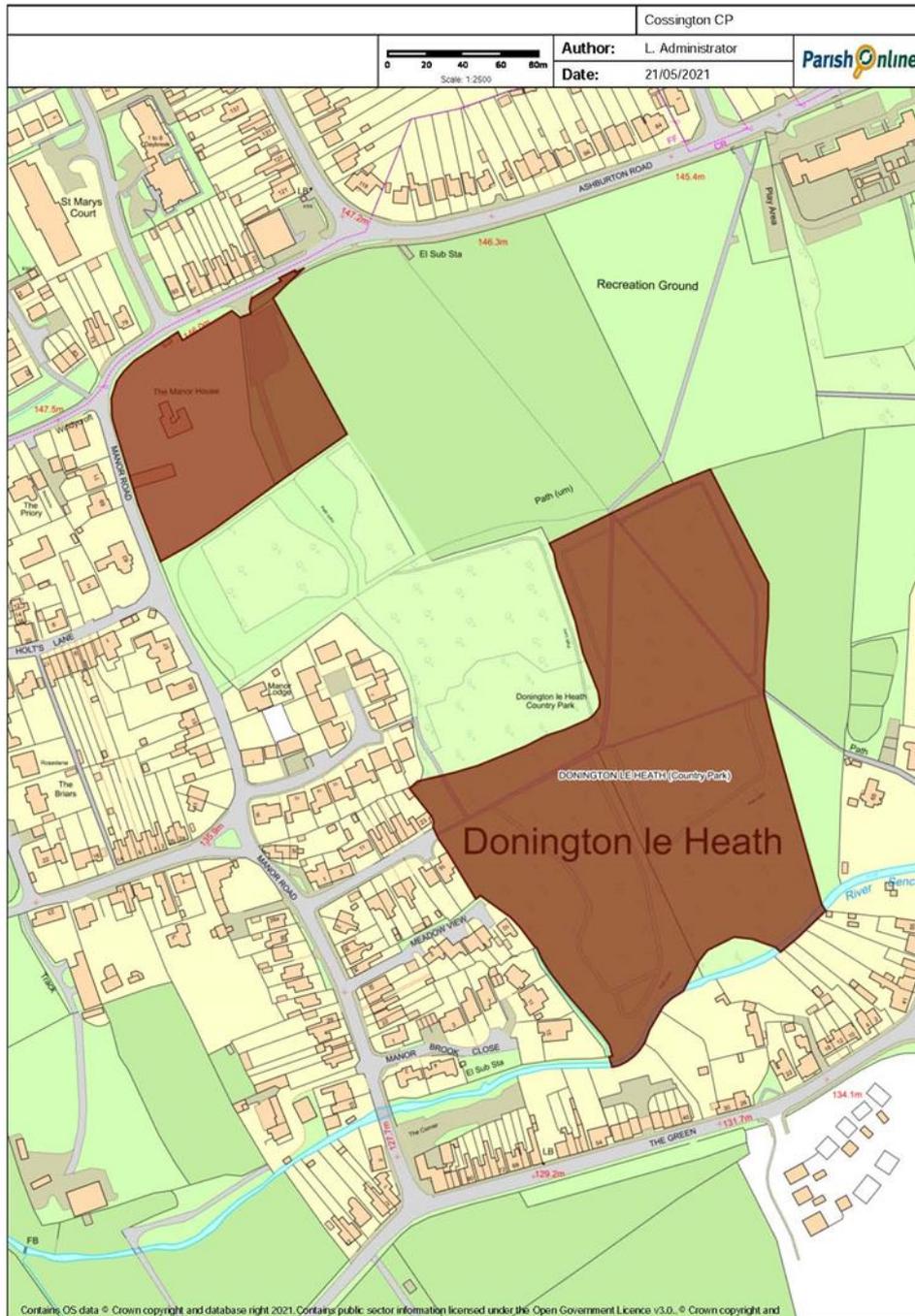
5. What are the landownerships within each LGS and were landowners directly consulted about the proposal?

Ownership details are provided in Appendix 6. We can confirm that all known landowners whose land is put forward as LGS are aware of the proposal.

6. Figures 6 and 7 of the Plan refer to the Donington le Heath Country Park. What is the area of the Country Park and please could a map be submitted delineating it?

Sorry – could you clarify? There is no reference to the CP in figures 6 and 7]

This is the boundary for the CP from Parish Online



Policy ENV 2 Sites of Environmental Significance

7. What is the reasoning behind this policy which combines two distinct topics and which could be separated and covered by Policies ENV 4 and ENV 6?

Policy ENV2 deals with sites of environmental significance. Policy ENV 4 deals with buildings and structures that are considered to be Local Heritage Assets, not *sites* of historic environment significance (existing designations or identified in the Plan).

ENV 6 is concerned with biodiversity and connectivity generally, wherever it occurs now or in future across the Plan Area, and is not about protecting the specific *sites* identified in the NP for their natural environment significance.

The three policies are intentionally different and cover different features.

8. Please could each of the sites of historic significance from Figure 5.1 be numbered and named in a list such as those in Policy ENV 4 and also included in Appendix 7 of the Plan?

They are listed, numbered and their significances described in Appendix 5 (the Environmental Inventory). We avoided putting this information in the NP itself to reduce its length, but can extract the information from Appendix 5 and put it into the policy itself.

Do you want this information to be in Appendix 7 as well as Appendix 5?

Similarly, please could each of the sites shown in Figure 5.2 be listed, numbered and named?

They are listed, numbered and their significances described in Appendix 5. We will extract the information as requested.

Policy ENV 3: Important Open Spaces

9. Given that Policy ENV 1 (LGS) exerts stronger control over development than Policy ENV 3, what is the justification for including Sites 01, 04 and 02 within Policy ENV5?

If designation as LGS is confirmed for these sites, they can be removed from policies Env 3 and Env 5.

IOS/LGS designations IOS 01 02 and 04 (Hugglescote Cemetery, Ashburton Road Recreation Ground and playpark and Millfield Recreation Ground) will be removed from Policy ENV3, list and map if LGSs Donington Fields, Hugglescote Cemetery and 130/130A (Millfield Recreation Ground) pass examination as Local Green Spaces.

Policy ENV 4: Local Heritage Assets

10. Should they be more accurately referred to as non-designated heritage assets?

Yes. We are happy for the policy to say "The structures and buildings listed here ... are non-designated heritage assets ..."

11. On page 36 (paragraph 1) of the Plan, a statement is made that "LCC has identified five other buildings and structures in the built environment of Hugglescote and Donington le Heath that are considered of local significance for architectural, historical or social reasons". Are they included within the list of "Local Heritage Assets" under Policy ENV 4?

Yes, they are the entries with 'MLE' reference numbers in the list.

They may be better listed in a separate sub-set if preferred.

NWLDC refer to the descriptions being vague, however they refer to non-designated heritage assets that are taken from lists provided by NWLDC and LCC so are not deemed to require additional justification.

12. If they are not included, what is the justification to exclude them? It seems to me that, for the sake of consistency, those which are identified for architectural or historic reasons should be included? Please could they be identified?

See 11 above

13. What is the evidence to justify the inclusion of 01 Smith's Farm and 02 Nos. 12 -16 Holt's Lane as Local Heritage Assets under Policy ENV 4? They do not appear in Appendix 7.

They are LCC NDHAs (see Q11) with MLE refs; as existing designations, not new ones by the NP, they have not been given justification evidence in the Plan. Appendix 7 describes all the NP's new NDHAs rather than those with existing designations.

14. Following advice in Historic England Advice Note 7 (paragraphs 33 and 55), have the owners of the proposed non designated assets been consulted about the inclusion of their properties in the Policy ENV 4 list? I appreciate that the Advice Note was published in January 2021, but it is a revision of the 2016 edition in which advice was similar.¹

The buildings and structures identified in Policy ENV4 are all taken from lists provided by North West Leicestershire District Council and Leicestershire County Council. There are no new NDA's proposed and therefore no owners to contact.

15. I assume that on page 36 of the Plan, references to "(map Figure 10)" and "Appendix 6", should be "Figure 8" and "Appendix 7". Is that correct?

That is correct – correction to be made.

Question to NWLDC

16. Is NWLDC satisfied that the evidence in Appendix 7 justifies the inclusion of the properties listed in Policy ENV 4 as non designated heritage assets? I would also be grateful for any comments which the District Council might have on questions 11 – 15 above.

Policy ENV 5: Ridge and Furrow

Questions to the PC (numbers 18 and 19)

17. I appreciate that the differences in scale between the relevant features described in Policies ENV 4 and ENV 5 require two maps (Fig 9.2 and Fig 9.3), but is there any reason why the two policies might not be combined into one?

As both buildings and structures (ENV 4) and R&F (ENV 5) are, or will become, NDHAs, the policies could be combined; however, the policies provide such different types of protection (extant buildings which might be modified or demolished vs. medieval earthworks which might be converted from open countryside to housing by a development proposal) it is important to make the distinction clear to potential developers and planning committees.

¹ View at: <https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/>

18. Is there any significance in the difference in colour tone between the Donington Fields Recreation Ground and the other locations shown in Figure 9.3?

Distinction between well-preserved and fainter ridge and furrow: a key can be added to figure 9.3

Policy ENV 6: Biodiversity

Questions to NWLDC (numbers 20-22)

19. Figure 10 shows a delineated inner core and an outer shaded green “fuzzy area”. Is the District Council content that this imprecision is adequate for effective development management? If not, should this fuzzy area be deleted from the map?

This is the convention for mapping wildlife corridors, whose lateral extent is not defined by property boundaries: the animals, plant seeds etc. move between habitat areas within only a roughly defined route. Planning decisions based on balancing harm to biodiversity against value of development can take this fuzziness into account. Note that the ‘inner core’ of bright green shading shows the habitat areas (as defined elsewhere in the Plan) for which the WLC provides connectivity; the dark green ‘fuzzy’ corridor is graded from dense core to faint margins, with no delineation.

Policy ENV 7: Important Views

20. Is the District Council content that, given the very broad coverage of the general surrounding countryside from the viewpoints listed in Policy ENV 7, the policy is not effectively strategic and inappropriate for a neighbourhood plan?

We have deliberately worded the policy to avoid only significant harm to the views and to require the applicant to demonstrate how the impact of the proposal can be mitigated. We believe that this is a proportionate approach and not strategic in nature.

We note the District Council’s comment that they believe that the policy is a countryside protection policy that is strategic in nature and that ‘strategic matters should not be replicated in the Neighbourhood Plan’.

We disagree with this statement. The District Council did not raise a concern with this during Regulation 14 consultation and it is unclear why they should raise this issue now.

21. Does the District Council consider that the views obtained from the viewpoints listed in the Plan and from which photographs were taken and shown in Appendix 9 are adequately defined for effective development management?

The Parish Council believes that the views have been described accurately and, with the images in the Appendix, appropriately describe the importance of the views.

Policy CF 4: Noisy Sports

Question to the PC

22. Which are “noisy sports”? Does the term apply to both participants and spectators?

The reference here is to participants rather than spectators, who will be subject to control

Thank you for considering these responses.

Simon Weaver
Clerk to the Council