



Hinckley & Bosworth
Borough Council

A Borough to be proud of

Market Bosworth Neighbourhood Development Plan **Decision Statement**

1 Summary

- 1.1 Following an Independent examination, Hinckley and Bosworth Borough Council confirms formal acceptance of the recommendations outlined in the Examiners Report for the Market Bosworth Neighbourhood Development Plan. The Examiner recommended that the Neighbourhood Plan should proceed to Referendum subject to a number of modifications which are detailed below, and also recommended that the houses on the road The Park be included in the referendum. This Recommendation was agreed at the meeting of Full Council on 21 July 2015.

2 Background

- 2.1 Following a successful application in 2011 to be a Frontrunner as part of the Neighbourhood Planning Vanguard scheme, members of Market Bosworth Parish Council and residents from Market Bosworth Parish came together in 2013 to form a Neighbourhood Forum in order to prepare a Neighbourhood Plan for Market Bosworth Parish. The Neighbourhood Area was designated in 21 March 2013 in accordance with the Neighbourhood Planning (General) Regulations 2012, and work on preparation of the plan began.
- 2.2 The Plan was published by Market Bosworth Parish Council for regulation 14 Pre Submission Consultation from 16 June 2014 to 25 July 2014.
- 2.3 Following the submission of the Plan to the Borough Council, the Plan was publicised and comments were invited from the public and stakeholders for a further 6 weeks from 24 Nov 2014 to 9 January 2015.
- 2.4 Hinckley and Bosworth Borough Council, in agreement with Market Bosworth Parish Council, appointed an Independent Examiner (Richard High) to review whether the plan met the Basic Conditions required by legislation and whether the plan should proceed to referendum.
- 2.5 The Examiner's Report concluded that the Plan meets the Basic Conditions subject to a number of modifications and therefore can proceed to a Referendum. The Report also recommended that the houses on the road The Park be included in the referendum, to reflect the current Parish boundary which was modified after the Neighbourhood Area was designated.

3 Decisions and Reasons

The council has considered the Examiners recommendations and accepted them all. As such, the council is satisfied that the Plan meets the Basic conditions and the plan can therefore proceed to referendum, which will be held on Thursday 3 September 2015.

3.1 Table of modifications

Part of Document (Draft Neighbourhood Development Plan)	Changes (sections in bold represent modifications)	Reason for change
Front Cover	Plan Period modified to read “2014-2026.”	As per Examiner’s recommendation in para. 14 of Report, to clarify plan period.
Foreword (p.3)	In the first sentence of the Foreword “...until 2026” deleted and “for the period 2014-2026” inserted.	As per Examiner’s recommendation in para. 14 of Report, to clarify plan period.
Paragraph 3.1a	In the second sentence “for the period 2014-2026” inserted after “...to the Neighbourhood Area.”	As per Examiner’s recommendation in para. 14 of Report, to clarify plan period.
Policy CE1a (p.27)	<p>Policy reworded as follows:</p> <p>“Policy CE1a: All new development within Market Bosworth should be in keeping with its Character Area with regards to scale, layout and materials to retain local distinctiveness and create a sense of place. Where new development would be visible from an adjacent Character Area it should be sensitive to the principal characteristics of that area. Innovative or outstanding design will be supported if it raises the overall quality of the Character Area. The boundaries of the Character Areas are shown on the Character Areas Map on page 13 and described in Section 4.3.”</p>	<p>As per Examiner’s recommendations in para. 36 of the Report:-</p> <p>To ensure references to scale, layout and materials in the policy are unambiguous.</p>
Character Areas Map (p.13)	Amended Character Areas Map inserted which adds the annotation D to the strip of development along The Park to the east of Character Area E.	As per Examiner’s recommendations in para. 36 of the Report:- To clarify the link between the policy and the Character Areas Map.

Part of Document (Draft Neighbourhood Development Plan)	Changes (sections in bold represent modifications)	Reason for change
Policy CE1b (p.27)	<p>Policy reworded as follows:</p> <p>“Policy CE1b: “Any new development within Character Area D should pay particular regard to existing rooflines. Within Character Area E the roofline of any new development must respect adjoining areas and neighbouring buildings and not harm important views.”</p>	<p>As per Examiner’s recommendations in para. 37 of the Report:- To make the policy less prescriptive to ensure that it is consistent with the presumption in favour of sustainable development.</p>
Policy CE2 (p.27)	<p>Policy reworded as follows:</p> <p>“POLICY CE2: Local Green Space</p> <p>The following areas are designated as Local Green Space:</p> <p>Silk Hill area; and</p> <p>The wide verge including a line of mature oak trees on the west side of Sutton Lane.</p> <p>The boundaries of the above Local Green Spaces are shown on the Green Spaces Map.</p> <p>New development that is incompatible with the importance of the Local Green Space as an attractive publicly accessible area will not be allowed unless there are very special circumstances where the benefits of the development clearly outweigh any harm.”</p>	<p>As per Examiner’s recommendations in para. 42 of the Report:-</p> <p>To ensure that the policy is in accordance with Paragraph 78 of the NPPF which requires that Local Green Spaces policies are in accordance with policy for Green Belts.</p>

Part of Document (Draft Neighbourhood Development Plan)	Changes (sections in bold represent modifications)	Reason for change
Policy CE3 (p.27)	<p>Policy reworded as follows:</p> <p>“POLICY CE3: Important Views and Vistas</p> <p>Development that harms important views into or vistas out of Market Bosworth will be resisted. The location and direction of these views and vistas are indicated on the Views and Vistas map and described in Section 6.1p.</p> <p>New development will not be supported if it has a significantly adverse impact on an important view or vista.”</p>	<p>As per Examiners recommendations in para 47:-</p> <p>The previous wording of the policy would have prevented any development which had an adverse impact. This would not have been NPPF compliant.</p>
Page 25	Text in paragraph 1) referencing Country Park as Local Green Space removed.	As per Examiner’s recommendations in para. 42 of the Report which states that the Country Park does not meet the criteria to be considered LGS.
Proposals Map (p.23) and Green Spaces Map (p.28)	Amended maps inserted to show land on the west side of Sutton Lane as LGS and remove references to Country Park as LGS.	As per Examiners recommendations in para 42. of the report, in order to remove the Country park which does not meet the criteria to be considered LGS, and more clearly define the Sutton Lane LGS.
Proposals Map (p.23) and Views, Vistas and landscapes map (p.35)	Amended maps to show views across south-east and south-west vistas 15a and 15b.	As per Examiners recommendations in para 47 of the report, maps should be amended to reflect description of picture 15 on page 33.

Part of Document (Draft Neighbourhood Development Plan)	Changes (sections in bold represent modifications)	Reason for change
Policy CE4 (p.35)	<p>Policy CE4 reworded as follows:</p> <p>“POLICY CE4: Trees</p> <p>Mature trees and woodland should be protected wherever possible. Development that will result in the loss of or damage to Protected Trees and Woodlands (as defined in the glossary) will not be permitted unless a satisfactory scheme for the replacement of lost trees or mitigation of any damage to the landscape is agreed.”</p>	As per Examiners recommendations in para 49 of the report. As previous wording to Policy CE4 was considered to be restrictive and unenforceable.
Glossary	Insert definition for Protected Trees and Woodlands as those which are in Conservation Areas or subject to Tree Preservation Orders.	

Part of Document (Draft Neighbourhood Development Plan)	Changes (sections in bold represent modifications)	Reason for change
Policy CE5 (p.35)	<p>Policy CE5 reworded as follows:</p> <p>“POLICY CE5: Landscape of the wider parish</p> <p>In the open countryside outside the settlement boundary, new development only be permitted.</p> <p>a) where it contributes to the local economy, or</p> <p>b) for the reuse or extension of an existing building, or</p> <p>c) for sport or recreation or d) for new dwellings in the circumstances identified in paragraph 55 of the Framework. In all cases development will only be permitted where it does not cause harm to the landscape or biodiversity of the countryside that cannot be effectively mitigated.”</p>	<p>As per Examiners recommendations in para 51 of the report. Rewording to remove ambiguity and remove contradictions to existing policies.</p>

Part of Document (Draft Neighbourhood Development Plan)	Changes (sections in bold represent modifications)	Reason for change
Policy BD1 (p.40)	<p>Amend Policy BD1 to read as follows:</p> <p>“POLICY BD1: Affordable Housing</p> <p>All residential developments of 11 dwellings or more should provide 40% affordable homes on-site where:</p> <p>a) All on-site affordable housing is prioritised for those with a local connection as prescribed by the Local Connection Criteria (insert footnote)</p> <p>b) Affordable housing is evenly spread across a development site in small clusters of approximately four to six dwellings. Developments of 6-10 dwellings will be required to make an equivalent cash payment commuted until after the completion of dwellings on the site. In all cases, where it can be demonstrated that the required level of the affordable housing contribution is not viable through a viability assessment, reduced affordable housing provision will be considered.”</p>	As per Examiners recommendations in para 54 of the report. Rewording for clarity.

Part of Document (Draft Neighbourhood Development Plan)	Changes (sections in bold represent modifications)	Reason for change
Policy BD2 (p.72)	<p>Amend Policy BD2 to read as follows:</p> <p>“Policy BD2: Site Allocation south Station Road and Heath Road</p> <p>An area of 7.5 hectares as shown on the Proposals Map is allocated for mixed use development. The development shall provide:</p> <ol style="list-style-type: none"> 1 Between 0.5 hectare and 1 hectare of additional B1, B2 or B8 employment land 2 A minimum of 55 dwellings with overall housing density, mix and design in line with Core Strategy 16 3 An area of open space <p>The inclusion of a community facility within the development will also be encouraged.”</p>	<p>As per Examiners recommendations in para 72 of the report. Community space encouraged but not required in order to carry out sustainable development.</p>
Policy BD3 (p.40/41)	<p>Amend Policy BD 3 to read as follows:</p> <p>Development proposals should address the following issues:</p> <ol style="list-style-type: none"> 1 The main vehicular access to the new development will be through the industrial area on the south side of Station Road. It is important to ensure there is clear and safe separation of heavy goods traffic and work vehicles linked to industrial units from provision for pedestrians and cyclists 	<p>As per Examiners recommendations in para 78 of the report.</p> <p>In order for sustainable development, main vehicular access should be off Station Road.</p> <p>Remove contradiction regarding affordable housing.</p>

Part of Document (Draft Neighbourhood Development Plan)	Changes (sections in bold represent modifications)	Reason for change
	<p>2 Ensure that the overall approach to the built form, street layout, landscape and dwelling density minimises the visual impact of the development and relates sensitively to the surrounding area. Building height should be in general conformity with that of established developments identified in Character Area D</p> <p>3 Incorporate and enhance existing landscape features such as broadleaf tree cover, the creation of green space both within the new development and on boundaries to provide a buffer against surrounding areas</p> <p>4 Reduce the density of the dwellings to the edge of the residential development adjacent to the open landscape to create a gradual transition from built area to more open green space;</p>	

3.2 The council has also accepted the recommendation of the Examiner that referendum area is extended to ensure the all the houses on road The Park are included in the referendum.