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Your ref: Sheepy Parish Neighbourhood Development Plan  
Our ref: 1100/Neighbourhood Planning/NDP/Sheepy  
Date: 5<sup>th</sup> December 2018

Dear Mr Matheson

### **Sheepy Parish Neighbourhood Plan Preliminary Questions**

Thank you for providing Hinckley and Bosworth Borough Council the opportunity to respond to your initial questions. The Borough Council have noted in your questions that you have highlighted a number of comments raised by the Local Planning Authority and these are welcomed it is not our intention to duplicate previous comments, although highlight that those comments remain valid.

#### **Renewable Energy**

In relation to Policy DM2 within the Site Allocations and Development Management Policies DPD it did not distinguish areas suitable for wind energy development as the Ministerial Statement was issued after the DPD had been submitted for examination. The Policy was revised to take account of the Ministerial Statement to make it compliant with national guidance. The Policy was based on the Renewable Energy Capacity and using the evidence that this document provided it was not possible for the Borough Council to identify specific areas. As a result, it was considered inappropriate to include reference to wind energy developments within Policy DM2 as it would not assist users of the policy. Paragraph 12.8 of the DPD directs users to the National Planning Policy Framework and Planning Policy Guidance for the determination of wind energy applications. It is agreed that as it stands Policy S4 within the Neighbourhood Plan is contrary to national guidance. The potential allocation of sites considered suitable for wind energy development will be considered within the Local Plan Review.

#### **Ecology and biodiversity**

The Borough Council did not raise the need for a criteria based policy within its comments, however there is the potential for this to be beneficial if carefully drafted. Policy DM6 of the Site Allocations and Development Management Policies DPD focuses on providing biodiversity net gain. It is a criteria based policy and sets out a hierarchical approach to sites with appropriate weighting. If a criteria policy is to be included within the neighbourhood plan it should contain clear criteria to specify acceptable mitigation measures or its contribution to their enhancement. Having said this there would be no benefit gained in duplicating an existing Local Plan Policy (DM6) as this would just create an additional layer of complexity, the Borough Council would also not like to see the inclusion of policy which weakens the current policy position contained within the Local Plan.

## **Housing Development**

The Borough Council agree that Policy S10 and its supporting text is wording negatively and further qualification is required to enable the policy to be implemented effectively.

## **Hornsey Rise Memorial Home**

Hornsey Rise Memorial Home site gained outline planning permission on Tuesday, 20<sup>th</sup> November 2018 at the Borough Council's Planning Committee for up to 20 dwellings. It is agreed that now the permission has been granted the policy is somewhat redundant. Having said this, the Borough Council would like to make the suggestion that the site remains within the document as an allocation with planning permission as this is the stance we have taken in the current Local Plan.

The reasoning behind this is that sites which have gained planning permission have an essential role in the delivery of development requirements set out in the Local Plan. It is important that these designations are safeguarded and delivered over the Plan Period to ensure that these requirements are met. In the event that the Hornsey Rise Memorial Homes planning permission is not implemented within time and becomes expired, the identified site would continue to be allocated for the type and amount of development which has been identified within the Neighbourhood Plan. S13 could either be revised to a safeguarding residential allocations policy which identifies the site as having planning permission and/or reference could be made to policy SA1 of the Borough Council's Site Allocations and Development Management Policies Development Plan Document. Policy SA1 is as follows:

### **'SA1: Safeguarding Site Allocations**

*Sites identified as having planning permission (identified by PP on the policies maps) will be safeguarded as an allocation for the same land use(s) and quantum of development in the event of planning permission expiry.*

*Alternative land uses and the revision of the quantum of development proposed may be considered appropriate where;*

- *The proposal would not prejudice the settlement's development requirements as outlined in the Core Strategy; or*
- *It is adequately demonstrated that the type and quantum of development is no longer viable.'*

The options proposed above would then safeguard the site for residential use in the future and help meet the housing need for the Borough.

## **Services, facilities and infrastructure**

Although the Borough Council have not included comments previously on Policy S14, the queries raised through this examination process have highlighted potential weaknesses within this policy. As this policy will supersede the 'Retention of existing provision' and 'Loss of Existing Facilities' sections within Policy DM25 of the Site Allocations and Development Management Policies DPD it is felt that policy S14 introduces ambiguity and reduces the considerations required when considering the loss or retention of community facilities. Criteria a) of Policy S14 is a particular example of this; criteria d) of DM25 gives clear guidance as to what is expected to be demonstrated by an applicant when considering the loss of a community facility. It states:

*'d) The facility has been proactively marketed for a community use for a reasonable period of time at a reasonable marketed rate as supported and demonstrated through a documented formal marketing strategy'.*

As such the policy as it stands reduces the clarity for applicants and decision makers as to what is required and has the potential to have a negative impact; as such it is felt that such proposals can be appropriately considered against the Local Plan, notably DM25 of the Site Allocations and Development Management Policies DPD

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I hope you find the above comments useful, if there are any additional issues which arise during the course of the examination the Borough Council welcome the opportunity to provide a response.

Yours faithfully

*R. Dexter*

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