Hinckley and Bosworth Borough Council Consultation Representations to the Newbold Verdon Neighbourhood Plan Submission

04/03/20





Contents

- 1. Background to Newbold Verdon Neighbourhood Plan
- 2. Hinckley and Bosworth Borough Council's acceptance of Newbold Verdon Neighbourhood Plan Regulation 15 Submission
- Hinckley and Bosworth Borough Council's representations on Newbold Verdon Neighbourhood Plan Regulation 16 Submission Consultation – Submission Version
- 4. Newbold Verdon Neighbourhood Plan vs the National Planning Policy Framework Compliance Table
- 5. Newbold Verdon Neighbourhood Plan vs the Local Plan Compliance Table
- 6. Hinckley and Bosworth Borough Council's confirmation of the plan's SEA position

Appendix 1 – Original Regulation 14 representations

Appendix 2 – HBBC's SEA determination statement

Appendix 3 – Advice letter to Newbold Verdon in July 2019 regarding the SEA and consultation procedure

Appendix 4 – Further advice letter to Newbold Verdon on the SEA, consultation procedure and the next steps towards Regulation 15 submission.

1 Background to Newbold Verdon Neighbourhood Plan

Neighbourhood plans are not required to meet the tests of soundness which local plans and other development plan documents must meet. Instead, in order for them to be able to be put to referendum, they must meet the 'basic conditions' set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990. Those relevant to neighbourhood plans are as follows:

- (a). having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).
- (d). the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.
- (e). the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
- (f). the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.
- (g). prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).

In June 2016, Newbold Verdon Parish Council submitted an application to develop a neighbourhood plan which will cover the area of the Newbold Verdon parish boundary. A four week consultation on whether this was an appropriate area to undertake a neighbourhood development plan ended on 29 July 2016. Following this consultation, the council formally designated the Newbold Verdon Neighbourhood Area for the purpose of producing a neighbourhood development plan.

Following years of evidence gathering and preparing the plan, the pre-submission version of the Newbold Verdon Neighbourhood Plan went out for consultation for six weeks, concluding on 8 July 2018. Following this consultation, the feedback provided to the Neighbourhood Plan Group was reviewed and considered alongside feedback from statutory stakeholders. HBBC submitted representations to the Regulation 14 consultation, in which it aimed to provide advice as to where policies, sections or paragraphs within the NDP may be improved with a view of ensuring conformity with the basic conditions outlined above. For this consultation we have provided further advice on each of the policies and the plan in general. This can be seen in Section 3.

Points (f) and (g) above relate to certain obligations which plans must adhere to, primarily in relation to habitats and environmental impacts. Some plans require a Strategic Environmental Assessment and/or a Habitat Regulations Assessment.

The Strategic Environmental Assessment Screening was complete in August 2018. In accordance with Regulation 9 of the SEA Regulations 2004, HBBC as the determining authority had to consider whether an environmental assessment of the emerging Newbold Verdon Neighbourhood Development Plan was required. HBBC had regard to Newbold

Verdon's SEA Screening Report, and completed a six week consultation with the three statutory consultation bodies; Environment Agency, Natural England and Historic England.

Following this consultation, and the responses received, HBBC as the determining body, had concluded that the Newbold Verdon Neighbourhood Plan should complete a full SEA, the determination notice can be found at Section 6. Following this Newbold Verdon Neighbourhood Plan group sought the help of Locality through the technical support funding package. AECOM were appointed to undertake the SEA, which included the production of a scoping report and full Environmental Report document. The full Environmental Report was received in July 2019.

Section 6 also contains our response to the SEA consultation, undertaken by the group for three weeks in November 2019. Prior to the SEA consultation, HBBC raised various concerns with Newbold Verdon Parish Council regarding the Neighbourhood Plan, and this will be discussed in more detail at Section 7.

Overall, comments are intended to be guidance based on national and local policy and any legislation associated with neighbourhood plans. This advice aims to address whether the plan, in its final form, is contributing to sustainable development and has been prepared positively and in line with the regulations. Not only this, but it is key for HBBC to ensure that the policies in their final form are workable and can be implemented to their full effect in both planning applications and in the preparation of the Local Plan Review. These representations are intended to help the Independent Examiner to assess the plan against the basic conditions.

2 Hinckley and Bosworth Borough Council's acceptance of Newbold Verdon Neighbourhood Plan Regulation 15 Submission

The submission of the Newbold Verdon Neighbourhood Plan Proposal to Hinckley and Bosworth Borough Council (HBBC) on 8 January 2020 included the following items;

- A map which identifies the area to which the plan relates;
- The Neighbourhood Plan document Submission Version
- Basic Conditions Statement
- Consultation Statement
- The SEA Screening Determination and SEA Environmental Report
- Newbold Verdon Draft Minutes (06.01.2020)
- Newbold Verdon Parish Council Chair's letter of Submission (08.01.2020)

The above documents are considered to adequately fulfil the submission requirements under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 and Schedule 4b of the Town and Country Planning Act 1990, as inserted into Schedule 10 of the Localism Act 2011.

Therefore HBBC is satisfied that the qualifying body of Newbold Verdon Parish Council had satisfied the relevant regulatory requirements to advance the Newbold Verdon Neighbourhood Plan to the Publicity and Consultation Stage (Regulation 16) and subsequent submission of the Neighbourhood Plan proposal for examination.

In addition, HBBC is satisfied that the Newbold Verdon Neighbourhood Plan proposal does not include any development which would be defined as 'excluded development' as prescribed by Schedule 9, Section 61k of the Localism Act.

3 Hinckley and Bosworth Borough Council's representations on Newbold Verdon Neighbourhood Plan Regulation 16 Submission Consultation – Submission Version

At this 'draft plan' stage of the neighbourhood plan process the Local Planning Authority is not required to consider whether the draft plan meets the basic conditions. It is only after the independent examination has taken place and after the examiner's report has been received that the local planning authority comes to its formal view on whether the draft neighbourhood plan meets the basic conditions.

The local planning authority should provide constructive comments on an emerging plan before it is submitted.

In August 2018, during the pre-submission consultation stage, Hinckley & Bosworth Borough Council (HBBC) provided constructive comments on the draft plan. Comments were provided from Planning Policy, Major Projects, Principal Planning Officer in Development Management, the Senior Planning Officer for Conservation, and the Strategic Housing Strategy and Enabling Officer.

The table below shows HBBC's Pre-Submission consultation comments provided in August 2018, and a further response to the submission consultation, January 2020. Further comments additionally to this were provided in November 2019 to a further consultation held by Newbold Verdon, specifically on the Strategic Environment Assessment. As these comments were of a different nature, these have been provided separately in Section 6.

	Been amended in line with previous HBBC comments, no further comments
	Moderately taken on board but could consider further modification
	No changes have been made following previous comment – HBBC recommendations significant modification
Silent	No relevant policies within the NPPF

Section / Policy number	Pre-Sub comments July/August 2018	Submission Consultation comments January 2020
Section 3	First paragraph reference Parish map/neighbourhood plan boundary map Figure 1.	Change made, no further changes needed.
Section 7 – Part A Housing Provision Supported by Principal Planning Officer in Development Management.	Bottom para. page 15, need more explanation behind the minimum 100 dwellings figure. This is one of the vital areas of the plan that needs to be perfectly clear.	Page 15 'The report which was published in January 2017 revealed an increase in housing need and this has since been increased further by local issues including the Leicester Housing Market Assessment which has identified Leicester City as being unable to accommodate its housing requirement based on the HEDNA figures.' It is not known what the reference to the Leicester Housing Market Assessment is? Suggest this text is deleted.
		Page 16 'Latest housing target figures released by HBBC indicate a total of 163 dwellings being required in the parish up to 2036'.
		HBBC have not been asked to provide a housing requirement figure for the Newbold Verdon Plan. It is understood this figure has been taken from a table provided to the Desford neighbourhood plan group in September 2018. This table was provided as part of a methodology setting out how a housing figure could be derived for the Desford plan. This was heavily caveated given the uncertainties that existed (and still remain) around the wider housing growth strategy for the borough, the future of the standard methodology (proposed changes to the methodology indicated by the government), and lack of clarity over the extent of unmet need arising in Leicester which may need to be accommodated in the borough.
		The figure was not provided for the purposes of the Newbold Verdon plan and we have not endorsed the use of it. In any event in September 2019 in correspondence with the consultant for the Desford neighbourhood plan group (also the Newbold Verdon plan groups consultant), HBBC stated that these figures should not be relied upon and that we' would not wish to attach much weight to the figures'. The reason for this was the continuing uncertainty over the issues raised above. The text should be deleted/amended to reflect this.
		It is noted that the minimum 100 dwellings requirement for the plan is justified by reference to three factors. The outcomes of a local housing needs survey, community endorsement, and reference to the above 163 figure. As explained previously HBBC have not endorsed the 163 dwelling figure.

		Our concern would be if the housing requirement figure is set too low, once the emerging Borough Local Plan has advanced sufficiently to set out specific housing requirements for neighbourhood areas (in line with NPPF para 65), if the neighbourhood plan is not sufficiently flexible to respond to the local plan it could quickly become out of date.
		'To help establish the availability of adequate and appropriate land within the parish for residential development of about 100 units as agreed with the Borough Council'.
		A figure of 100 dwellings has been set out throughout the draft stages of the plan. HBBC have commented previously that this figure needs to have more explanation behind how it was derived. It is still a little unclear exactly how this was chosen and we would want to see more information on this.
	 Need evidence to back up why you've decided on this number. I see you've discussed this earlier on page 15 to set context, but any numerical targets in a plan require clear justification 	'To help establish the availability of adequate and appropriate land within the parish for residential development of about 100 units as agreed with the Borough Council'.
	 To a certain extent there are similar OAN (objectively assessed need) figures coming out of Strategic Growth Plan and Standard Methodology as the Core Strategy and Site Allocations number – alignment with this? HBBC Scope Issues and Options 2018 stated "In terms of growth, it is likely that 	A figure of 100 dwellings has been set out throughout the draft stages of the plan. HBBC have commented previously that this figure needs to have more explanation behind how it was derived. It is still a little unclear what the justification for this figure is and it would be useful to have further explanation of this.
	we will continue to need to deliver at least 450 dwellings per annum until 2031. As work on the draft Strategic Growth Plan progresses, we will need to consider how to deliver the level of housing arising from the longer term need. The Government is currently consulting on a standard methodology for every Local Planning Authority to use from spring 2018 in determining its own housing need."	
	 Housing allocations, page 16, first para. – "local landowners and farmers were invited" I suggest including in here the term 'Call for Sites'. Consistent with Borough Council language, a common term in planning authorities for gathering sites that are 'available' for development. 	Change made, no further changes needed.
Policy H1 – Residential Site Allocations	 Line 1 - revise to say 'minimum of 100 units to meet housing need' – consistent with your earlier supporting text, and good policy practice. 	Change made, no further changes needed.
Supported by Principal Planning Officer in	Line 1 - Delete 'all agreed with the developer and land owner', unnecessary wording.	Comment still applies, superfluous wording should be deleted.
Development Management.	 Criteria d and e – these are optional requirements in the 2016 Building Regulations, therefore it would be unreasonable to ask for this in a policy, and developers may challenge 	No change made, comment still applies but now related to criteria c and d
	this. M4 (2) – Accessible adaptable dwellings	Criteria a – This is a duplication of LP Policy
	 M4 (3) – Wheelchair user dwellings In the Building Regulations it states "The provisions of Section (X) apply 	Criteria c - Given the ageing population set out in the documentation have adaptable units would be a good aspiration however it is questioned whether this can be a minimum requirement.
	only where a planning condition requires compliance with optional requirement M4 (2) / M4 (3)" • My Community states "It is important that targets, standards or requirements for extra	Criteria d – Whilst evidence has been provided that there is some need for specialist housing what happens if the dwellings are not required when built?
	information or funding do not impose unreasonable burdens on applicants or make it	Criteria e – This is a duplication of LP Policy
	 impossible for them to bring forward viable development." Suggest moving these criteria to the supporting text, and change wording to "the provision of X will be encouraged" 	Chieffe C This is a deplication of El Tolloy
	 Make sure this well evidenced and/or cross reference; is there a demand/need for these types of homes, if so, how does this equate to 5% of 100 dwellings for each type? 	
	 Criteria f – Not clear whether this is referring to the whole site, or just the affordable housing elements. 	Change made, no further changes needed.
	See the NPPF definition of 'affordable housing'.	Amended to specify this refers to affordable housing only (nb this is now criteria e)).
		However it would be even clearer if the 'Of the total number of units developed' text was also deleted.

	 Criteria g – have you spoken to the County Council/Highways regarding this? Have they had an input into this part of the Policy? If so, evidence would be required. This does not need to be a policy requirement, as adequate access provision is discussed at application stage with the Highways authorities. Policy can't suggest a location for new infrastructure as this is the highways authorities job to determine. Suggest moving to supporting text, and have Bosworth Lane and B582 as the plans preferred options for junction improvement. 	Change unmade, comment still applies.
	 Criteria h and i – suggest taking out financial contributions and instead include supporting text with a list of community priorities for infrastructure provisions/community facilities for which developer contributions are required or could be delivered by other funding streams. This could take the form of a 'Community Action'. This will then cover any development sites that come forward, not just your housing allocation at Old Farm Lane. 	Criteria h and i The policy should read that "financial contributions should be sought to mitigate an impact of the development on local infrastructure."
	 Outdoor gym equipment not included as a typology in Open Space 2016 document, so evidence the need for this type of facility. Talk to Green Spaces and Cultural Services at HBBC if you need more information on outdoor gyms in the Borough. Best contact: Graeme Chilvers, Health and Recreation Manager, or Ian Pinfold, Green Spaces Manager. My Community suggests wording along the lines of: 	Supporting text should then set out that it is the preference for the money to go to Newbold Verdun Medical Practice and Dragons Lane Recreation Ground
	 "Financial contributions will be required, as appropriate, from each developer to mitigate the impact of the development on essential infrastructure such as" "Financial contributions will be required, as appropriate, from each developer to fund additional services within the village (list services), in line with" 	
	 "Community priorities for financial contributions towards local facilities as a result of new development include" Again remember it is important that targets, standards or requirements for extra information or funding do not impose unreasonable burdens on applicants or make it impossible for them to bring forward viable development. 	
	Therefore remove criteria h and i from the policy	
	 Criteria j – do you have the evidence to support this. Move this to Housing Mix, so that the requirement applies to all development proposals not just the housing allocation H1 	Move this to Housing Mix, so that the requirement applies to all development proposals not just the housing allocation H1
	Criteria k – can't ask for this in policy, remove	Change not made, comment still applies.
	Figure 2 Preferred site for Housing Development – make map larger (full page) or include two maps (half page each) one at a wider context to see where the site sits in Newbold Verdon, and one zoomed in map to see the particulars of the site allocations boundary	Change not made, comment still applies.
Valerie Bunting's comments - Strategic Housing and Enabling	I don't see anything in this document that would be contradictory to any current practice with respect to affordable housing.	Valerie Bunting has no further comments on the plan.
Officer	 I would query whether on paragraph f on page 18, they would be happy to accept affordable rent as well as social rent as 75% of the affordable housing. It may exclude some RPs if it doesn't make reference to affordable rent, although social rent is making a comeback. 	
	Given they acknowledge the need for affordable housing, I'm surprised they don't support the provision of a rural exception site. Happy to discuss further if there are any queries.	
Policy H2 - Settlement Boundary		New comment: A change has been made to the final paragraph under the Settlement Boundary title. A reference to paragraph 79 of the NPPF has been added in relation to "preserve the rural intrinsic beauty of the surrounding countryside". However this paragraph relates to isolated homes in the countryside. Reference to paragraph 170 (b) of the NPPF should be used instead as this relates to the intrinsic character and beauty of the countryside.

	 The methodology stated on page 20 is not in line with our principals in the Settlement Boundary Review Topic Paper 2013. As a local authority we draw the settlement boundary closely around the curtilage of the built form. We would advise that if you were to extend the boundary around the gardens to the east of the village, this would open the area up for development. Our development management colleagues would struggle to refuse an application as it would be within the settlement boundary. This area used to be a SHLAA site (not in recent years) but it wouldn't stop them coming in again and proposing this area for development. 	No change made, comment still applies. Worth considering however, allowing additional areas for small infill development in the settlement boundary will help small and medium size builders access the site and will help in maintaining a land supply of dwellings.
Policy H3 - Supporting development on Brownfield Sites Supported by Principal Planning Officer in Development Management.	 Development management colleagues comment – "This policy doesn't identify what uses would be acceptable here, or allocate them for anything specific. National and borough policies already encourage the use of brownfield sites and sites within the settlement boundary over green field sites. What if another site becomes redundant within the plan period or one of these sites if brought back into its current use? I don't think it is useful to name the three sites as the only three brownfield sites in the area." Remove the specific three brownfield sites from the policy, reference to these sites has no context within the policy, and limits the policy to just those three sites. If you want to safeguard these sites in an allocation for a specific use then they would need to go in a separate policy. We wouldn't recommend this as then the site is tided into a specific use, and is a very inflexible policy Recommend the three sites go into supporting text as preferred sites for brownfield development If you keep a reference to the three sites listed, you need evidence from land owners/representatives to say that these sites are available for development. Have you had 	The three brownfield sites previously referenced have been removed from the policy and added to the supporting text. However, no evidence has been supplied as to whether they are available for future redevelopment. In addition, there is no thought given to whether other brownfield sites might be identified or become available during the plan period. In addition, this policy doesn't identify what uses would be acceptable here. Is residential preferable?
Policy H4 – Windfall Sites Supported by Principal Planning Officer in Development Management.	 confirmation from HBBC that the two garage sites are being sold by the council? Criteria a – change 'Limit to Development' to Settlement Boundary for consistency with Policy H2 Criteria c – "Retains or enhances" Criteria e – "in line with Hinckley & Bosworth Borough Council's Local Plan" No policy anywhere in the plan that says what is acceptable in the countryside. If an application for agricultural building came in outside of the settlement boundary, development management would struggle to accept it under the current policies. Contrary to our SADMP policies. Development Management requests that there is a policy that is compliance with Policy DM 4, and states what the neighbourhood plan would find acceptable in the open countryside, and cross reference this throughout the document in relevant policies and supporting texts (see Important Views and Vistas for example). 	No policy anywhere in the plan that says what is acceptable in the countryside. If an application for agricultural building came in outside of the settlement boundary, development management would struggle to accept it under the current policies. Contrary to our SADMP policies. Development Management requests that there is a policy that is compliance with Policy DM 4, and states what the neighbourhood plan would find acceptable in the open countryside, and cross reference this throughout the document in relevant policies and supporting texts (see Important Views and Vistas for example).
Policy H5 Housing Mix Supported by Principal Planning Officer in Development Management.	 Two halves of the policy conflict. Remove 2nd half of the policy, from "Applications for small" Instead of 2nd half of policy, instead refer to the most recent evidence on housing needs for Newbold Verdon and draw out the evidence from HEDNA. This is then the housing mix that is specific to the local area, and will be meeting everyone's needs. Be absolutely clear what housing mix is required as per the evidence. Have you discussed a rural exception site re Strategic Housing and Enabling Officer's comments? If the housing needs surveys are showing a requirement for affordable housing in Newbold, this option is worth considering. Richard Mugglestone at Midlands Rural 	The policy still conflicts. Either refer to the latest assessment of identified local needs or set out specific housing requirements. It is unclear what the policy is aiming to achieve as it is written. If a specific housing mix is specified is there evidence to support this?

	Hausing can halp you with this	
	Housing can help you with this.	
Policy H6 Design Supported by Principal Planning Officer in Development Management.	 Development Management colleagues comment: "Can a neighbourhood plan require a Design and Access Statement when one isn't required by the procedure order?" Design Policy should be flexible. DM officers suggest moving all criteria from b to h into supporting text as elements of design to be encouraged/supported. The policy itself doesn't need to be specific due to successful design policy in the SADMP: DM10. Everything in the supporting text will be a list of 'What makes good design in Newbold Verdon?' which makes it locally specific to the area. 	Some changes have been made in relation to previous comments (as set out below) but there are still some outstanding concerns i.e. design desirables are still required in policy rather than moved to supporting text that need to be addressed appropriately. Reference to NPPF paragraph 125 would be helpful.
	 Criteria a: A design and access statement is not required for minor developments which is already in planning legislation. Suggest amending wording of criteria a to: "New development should enhance and reinforce the local distinctiveness and character of the area in which it is situated and proposals should reflect the general character, scale, mass, density and layout of the site." 	Reference in relation to Design and Access Statements has been removed from policy criteria a and criteria a) has been further amended to reflect suggested wording from previous comments. However, what are wider rural landscape views? Are these views identified?
	 Criteria b: Guidance does not have minimum parking spaces for residential developments. Recent appeals have shown the inspector disregarding neighbourhood plans that have too restrictive parking policies and that do not refer to the 6C's Design Guide. 	Criteria b still includes reference to minimum parking standards for residential development. Parking standards are required to be maximum standards not minimum
	 Criteria c: "Design will be encouraged". What do you mean by 'design'? 'Well designed' perhaps. "Where improvement may be demonstrably evidence" – what would someone have to submit to demonstrate this? Must be aware that design is subjective. 	Criteria c now qualifies that the policy is seeking to encourage high quality design.
	 Criteria d: "Development should be enhanced by biodiversity" – not sure what this means, consider rewording. If moving to supporting text, desirables are fine. If keeping in policy, you can't include desirables. Criteria d, part iii: "Ensure that any intruder switched security lighting is not constantly switched on" this cannot be policy, you cannot prescribe this. Lighting issues will be an element Environmental Health cover. 	Criteria d amended to seek enhancement of development by fostering biodiversity but again this is a desirable element which would be better moved to the supporting text. what is as much preservation as possible? What particular development? This is too onerous. New comment: criteria e: this is too onerous and should relate to the prevailing characteristics of the immediate area or on the boundary with the countryside.
	Criteria g: this is an NPPF requirement	Criteria f and g are the same and are a repetition of a NPPF requirement. New comment:
		Does only residential development have to be of good design?
		What type of extensions? Extensions to residential properties
The Environment	 Advise renaming 'Environment' section to 'Natural and Historic Environment' – people may not realise that this section includes heritage elements. 	Change made.
	 Page 26, 3rd paragraph, suggest inserting text regarding the enhancement of environmental features, particularly through development schemes or community action and provides a positive context where such opportunities arise. 	Wording of paragraph as been amended but it does not provide the context of the circumstances how they expect enhancement of environmental features to occur.
	 Page 29 – "Protect our trees and spinneys and our open countryside" – Recommend making this stand out as a community comment. Be consistent throughout, any of these community comments make sure they are well referenced and make them stand out, i.e. make them bold, or put in a coloured box, and ensure it's clear they are a community comment. 	Change made, no further changes needed.
	Page 29 – Ref to an Extended Phase 1 Habitat Survey, most recent was 2014, not 2012.	

Policy ENV1: Protection of Local Green Space	Botany Bay Wood and St James's Churchyard already identified as Open Spaces in the Local Plan. Do these sites warrant a really restrictive designation? Local Green Space designation is as strong as Green Belt, do you want a policy that is this restrictive when the sites are already protected as Open Spaces in the Local Plan.	Only minor recommended changes have been made (see below). Local Green Space supporting text does not sufficiently demonstrate how these sites have been scored and meet the tests of NPPF paragraph 100. It is also questionable whether Botany Bay Wood meets the criteria for designation of a LGS as well as whether it needs such designation (alongside St James Churchyard) as they are already protected via Local Plan policy.
	 Page 31 – last paragraph. "NB Private Ownership – needs consultation with landowner". Seems to be an unfinished sentence 	Change made, no further changes needed.
	 Page 33, table – 028 Newbold Spinney – "adjacent to proposed limits to development". Change to 'settlement boundary' 	Change made, no further changes needed.
	 It could be argued whether Botany Bay Wood meets one of the criteria (NPPF para 77) for designation of a local green space: "Where the green space is in reasonably close proximity to the community it serves". The site is separated from the settlement by an general piece of land (as the crow flies, between 700 and 800m approx.) However Locality stated that Natural England standards for 'easy walking distance' is within 1.25 miles (around 2 km) Need clearer justification on how this site meets the criteria 	See first comment above.
	 The tables with scoring for the Local Green Spaces are more like appendix detail. More beneficial to have the tables explaining why a criteria has scored a certain mark, i.e. descriptive local detail on why the site is special, why it scored highly on history etc. 	No change made, comment still applies.
Policy ENV2 Protection of sites and features of	Why are they important features – evidence this.	No change made, comment still applies.
environmental significance	Policy ENV2 first two sentences are more of a statement rather than policy.	Further, ENV2 "Development proposals that affect them will be expected to protect or enhance the identified features". Affect them how? Be specific or you are open to challenge.
	 "Development proposals that affect them will be expected to protect or enhance the identified features". Affect them how? Be specific or you are open to challenge. How does your allocation/s effect those historical/environmentally significant sites you have identified on the maps pages 37? 	identified realtifes. Affect them now? be specific of you are open to challenge.
	See Paul Grundy's comments below.	
Policy ENV3: Ridge and Furrow		ENV3 This is a duplication of national guidance. Also the assessment to be made needs to be balancing the significance of the heritage asset, the harm caused and the public benefits deriving from the development. There is no mention of this balance. I would suggest that as these are statutory tests set down in legislation this policy should be removed.
Community Action ENV1: Protection of Local Green	 Page 39 - Refer to the HBBC Open Space, Sport and Recreation Facilities Study 2011, but there has been a new updated 2016 study. Check your information from this is still correct 	Updated study reference has been inserted. Only St James' Churchyard and Cemetery is currently identified as protected open space in the latest study.
Space	and reference the correct study.	New comment: Move word Newbold down a line to be in front of Spinney in the policy wording.
		New comment: Page 31 stat4es "These sites were scored, using the none criteria for Local Green Space designation noted in the National Planning Policy Framework 2019" and refers to Fig 5 on page 30 which documents the criteria and scoring system adopted for the Plan. I am unaware of where these criteria are listed in the NPPF; I have also searched for these nine criterions in the NPPG, however I am still unaware where this reference has come from.
		The only criteria for LGS I am aware of is NPPF 2019 para 100:

		"a) in reasonably close proximity to the community it serves;
		b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
		c) local in character and is not an extensive tract of land."
		If you have derived the criteria for Local Green Space selection yourselves (using NPPF para 100 as a basis) this is fine, and we have no comments on the specific criteria listed, however this needs to be explain and referenced accordingly, rather than directly referencing the NPPF 2019. The criteria themselves are efficient in covering the three criteria in NPPF 2019 para 100, however they are not directly taken from the NPPF, and this needs to be clear in the NP.
		With regard to Fig. 5, the first column also references the NFFP but has the date as 2018 not 2019.
	 Community Action ENV1 – suggest that the text also seeks improvements. This could relate to a list of infrastructure improvement opportunities / schemes for developer contributions as mentioned in previous comment. 	Change made no further action.
	Community quotes need to stand out and be clearly evidenced. See previous comment.	Change made no further action.
	 Page 39 – "together with these typologies that are not used by HBBC but are recognised by many English Planning Authorities". Evidence, where in the NPPF, if not a specific in HBBC local policy? Can you name specific neighbourhood plans where they have used these typologies? 	No change made, comment still applies
Community Action ENV2: Outdoor Sports and Leisure Facilities		New comment: there is no specific supporting text to this policy to demonstrate the need for it
Community Action ENV 3: Biodiversity	 Criteria b – "The Parish Council will work with community groups, landowners and Tarmac, funder and other organisations to enhance" and monitor. You can then reference a monitoring schedule that will be implemented for future years. 	The need for monitoring has been added to the policy although no monitoring schedule has been identified in the Monitoring section in the appendices.
	 Supporting text could identify infrastructure/public realm improvement opportunities – link this to the list of contributions community priorities 	No change made, comment still applies.
Policy ENV 4: Biodiversity and Wildlife Corridors	 Redundant policy as DM6 in the SADMP does this. Weakens the current successful Local Plan policy. 	No change made, comment still applies.
	 Suggest remove para 1 and instead rely on implementation of Policy DM6. The second paragraph compliments DM6. It could seek the protection of locally identified sites with a cross-reference to the 'environmental inventory list' referred to in CA Env 2. This will provide policy hook for specific locally designated sites where enhancement / protection is sought. 	In addition, this would be a redundant policy as DM6 in the SADMP does this. Weakens the current successful Local Plan policy.
Landscape Character Areas / Policy ENV 5	 Does Area 7 refer to the UCA in the 2017 LCA document? If so, make reference to this and describe as you've done with the other areas. 	No change made, comment still applies.
Supported by Principal Planning Officer in	 Para 2, page 46, "Although Open Countryside is protected from large scale development" suggest adding "by national and local policies" 	Change made.

Davidenment Management		
Development Management.	 Needs to be in compliance with DM4, otherwise any development in the countryside would not be supported. DM officers happy to discuss further. 	Given the character listed in each of the landscape character areas it is unclear how these will be maintained by any development. This Policy appears unworkable. Policy DM4 accompanied by the Borough wide Landscape Character Study provided the basis for assessment. It is unclear how the local character areas have been derived and the methodology behind their assessment. It is unlikely that this policy could be effectively applied.
		accompliant the animoly that the policy could be encouvery applied.
Policy ENV 6: The Settings of Designated and Nondesignated Heritage		Previous Policy ENV6: The Settings of Designated and Non-designated Heritage Assets appears to have been deleted from the submission draft. There is therefore no policy related to the historic environment information presented in the supporting text.
Policy ENV 6 Safeguarding Important Views Supported by Principal Planning Officer in Development Management.		New comment: No reference to Local Plan evidence, for example the Landscape Character Assessment/Sensitivity Study. There is reference to "consultation during the Neighbourhood Plan's preparation". Where is the evidence to support this statement? Is this included within an appendix or supporting document? Is this within the findings of your questionnaire?
Development Management.	 Link the important views to the Landscape Character Areas and Policy ENV4 – This needs to be in compliance with DM4 - see earlier comments on policy for development outside of the settlement boundary. This is important to comply with DM4. 	Link the important views to the Landscape Character Areas and Policy ENV4 – This needs to be in compliance with DM4 - see earlier comments on policy for development outside of the settlement boundary. This is important to comply with DM4.
	 Remove the list of important views and instead have as supporting text. What makes a view 'important'? Evidence this please. 	Remove the list of important views and instead have as supporting text. There is no evidence provided as to why these particular views are locally important. What makes a view important?
	 To what extent do the symbols in figure 17 extend? If they follow the trajectory of the symbol, most areas surrounding the parish would be covered by an 'important view or vista'. This is not sustainable, and would not be supported by development management. This also links to above comments on a policy for what is acceptable in the Countryside. 	Partly complied with the comment. The list has been added to the supporting text as a paragraph under the photographs of views but also still remains part of the policy text. No change made, comment still applies.
Public Rights of Way and	Page 53 - Shouldn't have a number 11 in paragraph title as this indicates section 11. I	Change not made, comment still applies.
Policy ENV 7 Footpaths and Bridleways	presume this is a typo	New comment: Is Policy ENV7 necessary and if so should the policy not include "unless that loss or adverse impact can be appropriately mitigated". Footpath and Bridleway routes can be stopped or altered and it is up to the local planning authority to decide on applications to do this in line with the
Community Action ENV4: Footpaths and Bridleways		provisions of the Wildlife and Countryside Act 1981 which deals with Rights of Way
Renewable energy generation infrastructure	Development Management colleagues comment – "The plan should not prescribe a limit to height, the NPPF is clear that renewable energy should be supported if it does not conflict with the development plan or other material considerations, this should be the same for all	The updated policy has removed the reference to a height limit and the height restriction for single wind turbines.
Policy ENV 8 Renewable Energy Generation Infrastructure	turbines. We can not simply say anything over 25m is unacceptable, as that may not be the case depending on its context".	It would be helpful to include that if an impact is identified, development will still be supported if the impact can be made acceptable which is in line with national policy.
Supported by Principal Planning Officer in Development Management.	 Policy ENV 9 – in reference to single wind turbine proposals not exceeding 25m, this is contradictory to the landscape sensitivity assessment referred to on page 55 and there is no evidence to support this. Each proposal should be considered on its merits, see above comment from DM colleague. 	

Community Facilities and		New comment: page 55, repetition of the first sentence of paragraph 1.
Amenities	Facilities and Associties in Newhold Vender 2017. Figure 4, as as 50, and a constitution of	
	 Facilities and Amenities in Newbold Verdon 2017 – Figure 1, page 58: make sure this map (and any other background maps in plan) reflects your proposed new settlement boundary 	Change not made, comment still applies.
		New comment: Footnotes appear to be referenced throughout the supporting text but these are not displayed on the relevant page.
Policy CF1 Health Welfare and Education	 Criteria b: "will include adequate parking provision" – in line with Leicestershire County Council Highways guidance, reference please 	Change made, no further action.
Community Action CF1: Newbold Verdon Primary School		New comment: this is an aspiration of the Parish Council and therefore does not need to be a defined policy.
Policy CF2 Community Amenities	Redundant policy – this will weaken our current successful policy DM25 in SADMP	Change not made, comment still applies.
Community Action CF2: Community Buildings		New comment: Also what would result in a significant adverse effect on a community facility or amenity?
Community Action CF3 Cemetery		New comment: this is an aspiration of the Parish Council and therefore does not need to be a defined policy.
Community Action CF4 Businesses		New comment: this is an aspiration of the Parish Council and therefore does not need to be a defined policy.
Businesses		New comment: this is an aspiration of the Parish Council and therefore does not need to be a defined policy.
Policy CF3 Assets of	Policy needs a name as well as a number	Change made. However, designation as an asset of community value does not preclude its
Community Value		redevelopment. Designation only improves the chances of a community group being able to raise sufficient funds to purchase the property. The listing of a property as an Asset of Community Value only last 5 years and then is automatically delisted unless the community seeks renewal. The policy as it stands is overly restrictive as under the law the property owner is still free to do what they want with their property and it is planning policy that determines permitted uses for particular sites. The local planning authority decides whether an Asset of Community Value is a material consideration if
Transport Section		there is an application for a change of use. New comment: Footnotes appear to be referenced throughout the supporting text but these are not displayed on the relevant page.
		5 th paragraph page 63: would be helpful to highlight public comment from bus survey in a different colour as has been done in other sections of the plan.
Dell'sse TA Tracest		Last paragraph before CAT5 need to change (p 71) to (p 69) to update page reference.
Policy T1: Travel Requirements for New Developments		T1 – This is unreasonable the LCC Developer Contributions Policy does not set thresholds for Travel Packs etc.
Community Action T1: Public Bus Service		New comment: this is an aspiration of the Parish Council and therefore does not need to be a defined policy.
Community Action T2: Travel Plan		New comment: this is an aspiration of the Parish Council and therefore does not need to be a defined policy.
Policy T2: Traffic Management		No comments.
Community Action T3: Traffic Calming		New comment: this is an aspiration of the Parish Council and therefore does not need to be a defined policy.

Community Action T4: Traffic Restrictions		New comment: this is an aspiration of the Parish Council and therefore does not need to be a defined policy.
Community Action T5: Speeding		New comment: this is an aspiration of the Parish Council and therefore does not need to be a defined policy.
Community Action T5: Road Safety		New comment: this is an aspiration of the Parish Council and therefore does not need to be a defined policy. Plus needs renumbering as already a CAT5, other CAs going forward will need renumbering.
Policy T3 Cycle and Pedestrian Routes	 Refer to the list of infrastructure provisions/community facilities/public realm improvements for which developer contributions are required (see earlier comments) 	
Policy T3 Cycle and Pedestrian Routes	 Developments of 3 or more houses will be required to include pavements that directly link into the existing pedestrian infrastructure for the village" – redundant element of the policy, as this would be something needed at planning application stage 	"Developments of 3 or more houses will be required to include pavements that directly link into the existing pedestrian infrastructure for the village" – redundant element of the policy, as this would be something needed at planning application stage.
		We should not be specifying a number of dwellings, its about the individual circumstances of the site which will be reviewed through the planning applications process.
Community Action T6: Footpaths and Cycle Ways		New comment: this is an aspiration of the Parish Council and therefore does not need to be a defined policy.
Pages 70 & 71	 Improve quality of map on page 70 to be consistent with map across the page on page 71 	The clarity of Map 1 (now on page 68) has improved slightly but is still not as sharp as Map2.
Policy T4: Public Car Park		No comments.
Community Action T8: Parking		New comment: this is an aspiration of the Parish Council and therefore does not need to be a defined policy.
Policy E1 Support for existing employment opportunities	 Redundant policy as this is covered in both the Employment Land and Premises Study, and Policy DM 9 in the SADMP. Will weaken our current successful policy 	Change not made, comment still applies.
As agreed with Economic Regeneration Officer		
Policy E2: Support for New Employment Opportunities		There is no policy in the plan that says what is considered acceptable development in the countryside. Policy as currently drafted would be at odds with SADMP DM4.
Policy E3: Working from Home		E3 Needs to include the text "where planning permission is required" using part of your dwelling as an office "Home Working" does not necessarily require planning permission
Policy E4 Reuse of Agricultural and	Name of policy in capitals, as consistent with rest of plan policies	Change not made, comment still applies
Commercial Buildings		There is existing SADMP DM15 Redundant Rural Buildings which provides appropriate policy coverage and does not dictate a restrictive list of acceptable uses.
Policy E5 Broadband Infrastructure		No comments.
New Comment		Should the Community Actions be presented alongside the policies and presented in a similar way? These are in the main aspirations of the Parish Council and it is confusing to the user having similar numbered policies with a COMMUNITY ACTION ENV or POLICY ENV prefix. Clearing separation between the actual policy text and these aspirational statements may be helpful to the clarity of the plan.

Comments by Paul Grundy, Conservation	Pre-Sub comments July/August 2018	Submission Consultation comments March 2020
Officer Comments by Paul Grundy, Conservation	Pg 11. Second paragraph – the sentence within this paragraph should read "what is now the Grade I listed Newbold Verdon Hall and grade II listed Church of St James."	Sentence amended
Officer	Pg 18. Figure 2 – A more recent base map should be used which shows the recently developed Old Farm Lane estate from which the housing allocation is to be located	Map still needs updating
	Pg 37. Policy ENV2: Protection of sites and features of environmental significance	These questions and comments have not been addressed
	I do have a number of questions relating to this policy (the historical designations part only) as I'm not sure it is clear enough: • What are these sites? • Why are they locally important? • Do they warrant what is essentially quite a restrictive policy?	
	What are these sites?	
	This policy is to be cross referenced to the Environmental Inventory contained in Appendix 6. It appears there are 9 sites identified here as being covered by a historical designation (numbers 24, 33, 47, 88, 92, 100, 101, 102, 103 as identified in Figure 8). It does appear that all of these sites bar part of site 103 (which forms part of a the grade I listed Newbold Verdon Hall and adjacent scheduled monument) are of local archaeological interest and are identified on the Leicestershire Historic Environment Record. The issue here is that I had to do a considerable amount of digging on the HER database to find these sites and cross-reference these to the Appendix and then Figure 8. This should be made clearer and more information should be provided within the Appendix to ascertain what these sites actually are (granted the Appendix may still be work in progress)	
	For reference my summary of the sites from the HER is as follows: 24 – Open Space at Brascote – does this refer to the deserted settlement of Brascote (HER reference MLE2990)? It is unclear from figure 8 33 – Woodland adjacent to Manor Farm –forms part of the deserted settlement of Brascote (HER reference MLE2990) 47 - PROW linking Brascote with Cadeby via Naneby - forms part of the deserted settlement of Brascote (HER reference MLE2990) 88 – what is this site? It appears to form part of the deserted settlement of Brascote (HER reference MLE2990) 92 – Brascote village – this is the deserted settlement of Brascote (HER reference MLE2990) 100 – MLE2970 – Post-medieval brick kiln east of Heath Lodge Farm 101 – MLE2972 – Roman site north of Newbold Spinney 102 – MLE2971 – Cropmarks east of Newbold Spinney 103 – MLE2988 – Newbold Verdon Hall formal gardens (part of the site is also a scheduled monument and Hall complex is part grade I/grade II listed) – much higher status Some other general comments regarding Appendix 6 is that the site number and the HER MLE numbers do not always correspond, and the terminology of the key is a little confusing. Essentially all 9 sites are historic environment records, why have some been identified as "historic environment sites" and some identified as "historic environment records (little or no visible expression)"? Why are these sites locally important? What makes these sites of local importance? Does it refer to the "History" score in the survey? I may have missed this in the document but I do feel that some further qualification is required to why some of (if not all of these sites) are deemed to be of local interest, particular for the records/sites that relate to archaeological finds or old crop marks (100, 101, 102). Perhaps utilise the Council's local heritage asset	
	selection criteria to provide the basis for these assertions (attached)? My devil's advocate question here is that are more than 9 records on the HER located throughout the Parish, why have these only sites been selected?	

Comments by Paul Grundy, Conservation Officer	Pre-Sub comments July/August 2018	Submission Consultation comments March 2020
Officer	Do they warrant what is essentially quite a restrictive policy?	
	As specified above if the identification of these 9 sites has been justified then the policy wording of ENV2 could be considered too restrictive and not in general conformity with relevant national and Borough-wide planning policies (these comments relate to the relevant historical designation policies, not those related to the national environment). If justified, other than part of site 103 which is covered by statutory designations of listing and scheduling (and where the designations of these assets make their preservation or enhancement a statutory duty), each site should be considered to be of local heritage interest (non-designated in terms of the NPPF).	
	The issue with the policy wording currently is that it implies the considerable (and statutory) weight afforded to a designated asset should also be applied to a non-designated heritage asset, which is too restrictive and not proportionate. This may not be the case for the natural environment designations (so the policy may need dividing), but for the historical designations wording that is in conformity with para 197 of the NPPF and Policy DM12 of the SADMP needs to be considered. This could the same or similar to that for policy ENV3 Ridge and Furrow which is in my opinion is in conformity with the national and local policies and is a well written and informed section of the Plan. Additional wording to the existing policy could also be considered, such as "They are important in their own right and are locally valued as identified in out engagement process. Development proposals that affect them will be expected to protect or enhance the identified features where justified and feasible". That is my suggestion only, it is by no means the only wording that could be used but the safer and more sensible option is likely to be following the wording of ENV3. There is a final option regarding taking the historical element completely out of this policy and placing it into an amended policy ENV6 (see my final comments for page 49 onwards).	Policy wording for ENV2 amended as suggested
	Pg 38. Ridge and Furrow - This is a well written section of the Plan and the Policy appears proportionate and in conformity with others. More background information is required on sites 95 and 96 however as there is little information in Appendix 6 to link back to the text in the plan stating that "the result is that only two small parcels of permanent grassland in Brascote still show traces of the medieval open field system"	
	Pg 49.	
	The title for this section is confusing as the section is about buildings and areas of both national and local significance. I would suggest it is amended to be more generic, so it should either be "The Historic Environment" or "Heritage Assets" or "Heritage Assets and the Historic Environment"	This comment has not been addressed
	Conservation Area	
	I would suggest the text under this heading is reworded to "The Conservation Area was designated in 1989 and confirmed in its present delineation in 2009"	
	Policy ENV6: The settings of designated and non-designated heritage assets.	
	The settings of designated heritage assets (the scheduled monument and listed buildings) in the Parish are already protected by statute and policies within the NPPF and SADMP. I do not see the need for a policy relating to designated heritage assets and to be honest unless there is a particularly local issue regarding the setting of these assets that needs consideration through a specific policy I feel it would be better for the Plan to be silent on this matter.	Title amended
	The policy also relates to the settings of non-designated heritage assets. There are a few issues here:	Wording amended
	What are the non-designated heritage assets in the Parish?Why is this policy required?	Troiding anionada
	What are the non-designated heritage assets in the Parish?	Pre-submission version Policy ENV6 has been removed. Without the addition of a local heritage asset (and setting) policy as suggested this does leave the Historic Environment Section as a
	Currently in the plan the only non-designated heritage assets are the 2 ridge and furrow sites (identified	reference only part of the Plan

in ENV3 and (potentially, if evidenced) the 9 archaeological sites identified in ENV2). If there is the need for such a policy (see below) then some context is required in the document before it; identify that these 11 sites are considered to be non-designated heritage assets with cross-reference to the earlier policies and sections in the document. One option here could be to take the 9 sites identified in ENV2 (considering it has already been suggested above that the historical and natural sections of this policy are separated) and make Policy ENV6 regarding local heritage assets (non-designated heritage assets). I also see that no local heritage assets comprising of buildings or other structures have been identified in the Parish, I know there may not be many considering that the historic core of Newbold Verdon is covered by a conservation area and there may not be too much of interest outside of this area, but a non-designated heritage asset policy would allow the identification of such assets in the future (perhaps this	Comments by Paul Grundy, Conservation Officer	Pre-Sub comments July/August 2018	Submission Consultation comments March 2020
could also be a community action?). Why is such a policy required? The setting of a heritage asset is the surroundings in which it is experienced. Is there are particular issue regarding development within the setting of non-designated heritage assets in the Parish that warrants the need for a policy? Again the policies within the NPPF and SADMP already allow for the consideration of the impact of a development proposal on the setting of a non-designated heritage asset. If there is wish for a specific reference to setting then it could be added to the non-designated heritage policy (as suggested in the paragraph above). Taking into account of the above comments my suggestion therefore would be some appropriate preamble followed by a new "local heritage assets policy" replacing ENV6 and the removal of the historical designation element of policy ENV2 (as it would now be incorporated in this amended policy ENV6). The wording could be POLICY ENV6: LOCAL HERITAGE ASSETS (NON-DEGINATED HERITAGE ASSETS) – The effect of a proposal on the significance of local heritage assets will be taken into account in determining an application in order to minimise the conflict between the heritage asset's conservation and any aspect of the proposal. Development proposals that conserve or enhance a local heritage asset and its setting will be supported.	Officer	for such a policy (see below) then some context is required in the document before it; identify that these 11 sites are considered to be non-designated heritage assets with cross-reference to the earlier policies and sections in the document. One option here could be to take the 9 sites identified in ENV2 (considering it has already been suggested above that the historical and natural sections of this policy are separated) and make Policy ENV6 regarding local heritage assets (non-designated heritage assets). I also see that no local heritage assets comprising of buildings or other structures have been identified in the Parish, I know there may not be many considering that the historic core of Newbold Verdon is covered by a conservation area and there may not be too much of interest outside of this area, but a non-designated heritage asset policy would allow the identification of such assets in the future (perhaps this could also be a community action?). Why is such a policy required? The setting of a heritage asset is the surroundings in which it is experienced. Is there are particular issue regarding development within the setting of non-designated heritage assets in the Parish that warrants the need for a policy? Again the policies within the NPPF and SADMP already allow for the consideration of the impact of a development proposal on the setting of a non-designated heritage asset. If there is wish for a specific reference to setting then it could be added to the non-designated heritage policy (as suggested in the paragraph above). Taking into account of the above comments my suggestion therefore would be some appropriate preamble followed by a new "local heritage assets policy" replacing ENV6 and the removal of the historical designation element of policy ENV2 (as it would now be incorporated in this amended policy ENV6). The wording could be POLICY ENV6: LOCAL HERITAGE ASSETS (NON-DEGINATED HERITAGE ASSETS) — The effect of a proposal on the significance of local heritage assets will be taken into account	

4 Newbold Verdon Neighbourhood Plan vs National Planning Policy Framework 2019 – Compliance Table

The table below sets out how Hinckley & Bosworth Borough Council (HBBC) consider the Newbold Verdon Neighbourhood Plan meets the requirements of Basic Condition (a) "having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan)".

	The policy is largely considered in general conformity with NPPF policies	
	The policy is currently considered not be in general conformity but could be amended to be in conformity with wording amendments and additions.	
	Directly contradictory	
Silent	No relevant policies within the NPPF	

NDP Policy	Most relevant section of the NPPF (2019)	HBBC Submission Representation- Regard?
Policy H1 – Residential Site Allocations	Silent	Silent
Policy H2 - Settlement Boundary	Paragraph 77 and 78 (Rural Housing)	Has appropriate regard and allows for sustainable development outside of the settlement boundary. Therefore the policy is considered to be in general conformity with the NPPF.
Policy H3 - Supporting development on Brownfield Sites	Paragraphs 59-61, 117 and 118	The policy supports the development of brownfield sites within the settlement boundary in preference to sites that lie beyond the settlement boundary. The policy is in general conformity with the NPPF.
Policy H4 – Windfall Sites	Paragraph 68	The policy supports the development of windfall sites within the settlement boundary, the policy is in general conformity with the NPPF.
Policy H5 - Housing Mix	Paragraphs 59-61, 117 and 118	The NPPF states plans should provide for a mix of housing to cater for different groups and identify the size, type, and, tenure of housing required (section 5). Policy H5 and the type and mix have been informed by two local housing needs surveys and the 2011 census data. The policy is contradictory in so far as the first sentence states the housing mix of new proposals should meet latest local need assessment, however the policy also identifies the types of dwellings that will be supported. The policy is therefore not considered to be in general conformity with national policy. It is proposed that the reference to the housing mix is removed from Policy H5 and inserted in the supporting text. This is a consistent approach in Policy 16 (Housing Density, Mix and Design) of the HBBC Core Strategy. This ensures the policy is flexible to account for the prevailing local needs.
Policy H6 - Design	Section 12. Paragraph 124. Paragraph 125, Paragraph 126, Paragraph 129, Paragraph 130	Section 12 Achieving well-designed places,' (Section 12) which emphasises that: 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.'
Policy ENV1 - Protection of Local Green Space	Paragraphs 99-101	Policy ENV1 is in general conformity with NPPF.
Policy ENV2 - Protection of sites and features of environmental significance	Paragraph 170 & 171	Para 171 states: "Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure". The plan does not clearly distinguish between international, national and locally designated sites, in particular Figures 7 and 8 and the Environmental Inventory (Appendix 6) are unclear on the designated status of the sites and the level of protection afforded to them.
Policy ENV3 - Ridge and Furrow	Paragraph 197	Most notably this policy relates to para 197 which states: "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset". Therefore the policy is in general conformity with NPPF.

	Most relevant section of the NPPF (2019)	HBBC Submission Representation- Regard?
Policy ENV 4 - Biodiversity and Wildlife Corridors	Paragraphs 170-171 and 174-175	Policy ENV4 identifies wildlife corridors and the second paragraph seeks to safeguard against their loss and enhance these corridors where possible, in conformity with paragraph 174 of the NPPF. The last sentence of the policy continues to state that the "benefits of development proposals must be demonstrably greater than the need for the habitat and species protection". This level of protection afforded to the locally designated corridors is not consistent with the NPPF, notably paragraph 175(a) which states "if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused". The policy could be revised to reflect the appropriate level of protection to be afforded to the corridors and reflect the hierarchical approach set out in paragraph 175 and Policy DM6 of the HBBC Site Allocations DPD.
Policy ENV5 - Landscape Character Areas	Paragraphs 20, 127 and 170	The plan identifies six locally derived Landscape Character Areas (LCAs). Policy ENV5 requires development, where possible, to maintain the existing individual characteristics of the LCAs. It is concluded that this approach and the level of protection is proportionate to the local status of the areas.
Policy ENV6 - Safeguarding Important Views	Paragraphs 127 and 170	The policy is in general conformity with NPPF.
Policy ENV7 - Footpaths and Bridleways	Paragraph 98	Paragraph 98 states "Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users" Policy ENV7 seeks to safeguard against the loss or significant adverse effects on the existing footpaths and bridleways. The policy is in general conformity with NPPF.
Policy ENV8 - Renewable Energy Generation Infrastructure	Paragraphs 151 and 152	Para 151 in the NPPF states "To help increase the use and supply of renewable and low carbon energy and heat, plans should: a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts)". Paragraph 152 states: "Local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning". Policy ENV8 provides a range of locally derived criteria against which to assess the impacts of renewable energy development. Criteria 1-3 specifically address solar energy schemes and places a limitation the size of development of a maximum ground area of up to 2500m2 and/ or the ground beneath remains available for agricultural use. It is not evident where or how this limitation on the scale of development has been justified. As set out in paragraph 151, plans should provide for a positive strategy for renewable energy schemes that maximise the potential for suitable development. Providing an arbitrary figure and limiting the size of development could limit opportunities to deliver schemes that maximise the potential capacity generated or result in the viability of delivering such a scheme. Each scheme should be considered on its merits. The policy is not considered to be in general conformity with the NPPF but could be revised accordingly to remove this limitation.
Policy CF1 - Health Welfare and Education	Paragraphs 91-92 and 94	The NPPF seeks development which achieves healthy, inclusive and safe places and ensure a sufficient choice of school places are available to meet the needs of existing and new communities. Policy CF1 supports such development and provides appropriate criteria against which these proposals will be assessed. The policy is in general conformity with the NPPF.
Policy CF2 - Community Amenities	Paragraph 83, Paragraph 91 & 92	Para 83 states "Planning policies should enable: d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship." Para 92 discusses similar aspirations for providing facilities and services to the community. Policy CF2 seeks to safeguard against the loss of community facilities and supports enhancements to existing facilities. The policy is considered in general conformity with the NPPF.
Policy CF3 - Assets of Community Value	Silent	The NPPF does not include policy relating to Assets of Community Value. Government is provided in 'Assets of Community Value – Policy Statement' (September 2011). The guidance states "The provisions do not place any restriction on what an owner can do with their property, once listed, if it remains in their ownership. This is because it is planning policy that determines permitted uses for particular sites. However the fact that the site is listed may affect planning decisions – it is open to the Local Planning Authority to decide that listing as an asset of community value is a material consideration if an

NDP Policy	Most relevant section of the NPPF (2019)	HBBC Submission Representation- Regard?	
		application for change of use is submitted, considering all the circumstances of the case."	
		The policy applies a designation which does not reflect the above guidance and the purpose or status of the listing of a facility as an ACV. Whilst ACV listing may be a material consideration, a proposal should be considered on its merits. The policy should therefore be deleted.	
Policy T1 - Travel Requirements for New Developments	Paragraphs 102-103 and 110-111	The policy is in general conformity with the NPPF and the broad objective of promoting walking, cycling and public transport.	
Policy T2 - Traffic Management	Paragraph 102	Paragraph 102 states transport issues should be considered from the earliest stages of plan-making. The supporting text to Policy T2 considers a number of highways issues such as access and safety that have been identified locally. Policy T2 supports highways improvements to address these issues.	
Policy T3 - Cycle and Pedestrian Routes	Paragraphs 102-103 and 110	The policy is in general conformity with the NPPF and the broad objective of promoting walking, cycling and public transport. Notably paragraph 103 states "Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes."	
Policy T4 - Public Car Park	Silent	Silent	
Policy E1 - Support for existing employment opportunities	Silent	Silent	
Policy E2 - Support for New Employment Opportunities	Paragraphs 80 – 84	Para 84 states: "Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist." Policy E2 provides restrictions on the type of employment development that may be suitable beyond the settlement boundary and includes reference to other forms of commercial/employment related development where there are 'exceptional circumstances'. The policy is considered not to be in general conformity with the NPPF, however paragraph 1 could be amended accordingly to reflect paragraph 84.	
Policy E3: Working from Home	Paragraphs 81 and 83	Paragraph 81 states: "Planning policies should: d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices" The plan intends to support proposals for home-working, and is considered to be in general conformity with NPPF policies.	
Policy E4 - Reuse of Agricultural and Commercial Buildings	Paragraph 79	The policy is in general conformity with NPPF.	
Policy E5 - Broadband Infrastructure	Paragraph 112 - 116	The policy is in general conformity with NPPF.	

5 Newbold Verdon Neighbourhood Plan vs Local Plan – Compliance Table

The table below sets out how Hinckley & Bosworth Borough Council (HBBC) consider the Newbold Verdon Parish Neighbourhood Plan meets the requirements of Basic Condition (e) "the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)."

The Planning Policy Guidance (Paragraph: 074 Reference ID: 41-074-20140306) When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:

- Whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy
- Whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach

	The policy is largely considered in general conformity with the strategic policies of the Local Plan
	The policy is currently considered not be in general conformity but could be amended to be in conformity with wording amendments and additions.
	Directly contradictory
Silent	Strategic policies of the Local Plan are silent

NDP Policy	Most relevant section of the Core Strategy (2009)	Most relevant section of the Site Allocations and Development Management Policies DPD (2016)
Policy H1 – Residential Site Allocations	Silent	Silent
Policy H2 - Settlement Boundary	Silent	DM4 – Safeguarding the Countryside and Settlement Separation Has appropriate regard and allows for sustainable development outside of the settlement boundary if the proposal is in line with local and national strategic policies. Therefore the policy is largely considered in general conformity with the strategic policies of the Local Plan.
Policy H3 - Supporting development on Brownfield Sites	General support throughout the Local Plan for development on brownfields sites over greenfield sites where appropriate and sustainable.	General support throughout the Local Plan for development on brownfields sites over greenfield sites where appropriate and sustainable.
Policy H4 - Windfall Sites	Silent	Silent
Policy H5 - Housing Mix	Policy 16 – Housing Density, Mix and Design The policy is currently considered not be in general conformity but could be amended to be in conformity with wording amendments and additions, by either referring to the latest assessment of identified local needs or set out specific housing requirements as justified by evidence.	Silent
Policy H6 - Design	Policy 16 – Housing Density, Mix and Design The policy is currently considered not be in general conformity but could be amended to be in conformity with wording amendments and additions.	DM10 – Development and Design The policy is largely considered in general conformity with the strategic policies of the Local Plan
Policy ENV1 - Protection of Local Green Space	Silent	Silent
Policy ENV2 - Protection of	Silent	DM6 - Enhancement of Biodiversity and Geological Interest.

NDP Policy	Most relevant section of the Core Strategy (2009)	Most relevant section of the Site Allocations and Development Management Policies DPD (2016)
sites and features of environmental significance		The policy is largely considered in general conformity with the strategic policies of the Local Plan, however the Local Plan policy uses 'conserve' instead of 'protect' in the terminology.
Policy ENV3 - Ridge and Furrow	Silent	Silent
Policy ENV 4 - Biodiversity and Wildlife Corridors	Policy 20 – Green Infrastructure Newbold Verdon falls within the 'North Eastern GI Zone' as identified on the Key Diagram. The policy within the Neighbourhood Plan would contribute to the Green Infrastructure aims and therefore the policy is largely considered in general conformity with the strategic policies of the Local Plan.	DM6 – Enhancement of Biodiversity and Geological Interest The policy is currently considered not be in general conformity but could be amended to be in conformity with wording amendments and additions, see policy comments above.
Policy ENV 5 - Landscape Character Areas	Silent	DM4 – Safeguarding the Countryside and Settlement Separation. The policy is largely considered in general conformity with the strategic policies of the Local Plan.
Policy ENV6 - Safeguarding Important Views	Silent	DM4 – Safeguarding the Countryside and Settlement Separation. The policy is largely considered in general conformity with the strategic policies of the Local Plan.
Policy ENV 7 - Footpaths and Bridleways	Silent Silent	
Policy ENV 8 - Renewable Energy Generation Infrastructure	Silent	DM2 - Delivering Renewable Energy and Low Carbon Development The NP policy is largely considered in general conformity with the strategic policies of the Local Plan.
Policy CF1 - Health Welfare and Education	Policy 11 - Key Rural Centres Standalone The Core Strategy policy states: "Support the improvement of the GP facilities in Newbold Verdon to support the increase in population, to be delivered by the PCT and developer contributions." Therefore the NP policy is largely considered in general conformity with the strategic policies of the Local Plan.	Silent
Policy CF2 - Community Amenities	Policy 7 - Key Rural Centres The Core Strategy states: "Resist the loss of local shops and facilities in Key Rural Centres unless it is demonstrated that the business or facilities can no longer operate in a viable manner. Initiatives to establish local stores and facilities will be supported." Therefore the NP policy is largely considered in general conformity with the strategic policies of the Local Plan.	DM25 – Community Facilities The NP policy is largely considered in general conformity with the strategic policies of the Local Plan.
Policy CF3 - Assets of Community Value	Silent	Silent
Policy T1 - Travel Requirements for New Developments	Silent	Silent
Policy T2 - Traffic Management	Silent	DM17 – Highways and Transportation

NDP Policy	Most relevant section of the Core Strategy (2009)	Most relevant section of the Site Allocations and Development Management Policies DPD (2016)
		Although no direct reference to the B582 and the B585, the LP policy does give general support for the improvement of the highways. Therefore the NP policy is largely considered in general conformity with the strategic policies of the Local Plan.
Deliver safe cycle paths as detailed in the Hinckley & Bosworth Council's Rural Parishes Cycling Network Plan. This will deliver safe routes to school, to residential and employment areas, Key Rural Centres/urban areas, community and leisure facilities and into the countryside. Developers will be required to contribute towards these initiatives through developer contributions and/or land where they meet the tests set out in national guidance. New development that would prejudice their implementation will not be permitted." Therefore the NP policy is largely considered in general conformity with the strategic policies of the Local Plan.		DM17 – Highways and Transportation The LP policy states "Development proposals will be supported where they Seek to ensure that there is convenient and safe access for walking and cycling services and facilities". Therefore the NP policy is largely considered in general conformity with the strategic policies of the Local Plan.
Policy T4 - Public Car Park	Policy 11 – Key Rural Centres Stand Alone Core Strategy Policy 11 states: "Support the provision of a car park for the church and cemetery to address the current parking problems that occur when the church is in use." Therefore the NP policy is largely considered in general conformity with the strategic policies of the Local Plan.	Silent
Centres will be supported, as will the development of employment uses including home working within the settlement boundary."		DM19 – Existing Employment Sites. Similar to policy comments above, this policy is weaker than DM19. Therefore The NP policy is currently considered not be in general conformity but could be amended to be in conformity with wording amendments and additions.
Policy E2 - Support for New Employment Opportunities	Policy 7 – Key Rural Centres Core Strategy Policy 7 states: "Ensure there is a range of employment opportunities within the Key Rural Centres. To support this, the enhancement of allocated employment sites in the Key Rural Centres will be supported, as will the development of employment uses including home working within the settlement boundary." Therefore the NP policy is largely considered in general conformity with the strategic policies of the Local Plan.	DM20 – Provision of Employment Sites The NP policy is weaker and involves different criteria than policy CM20 of the SADMP, and also doesn't address the sequential test. There is no policy in the plan that says what is considered acceptable development in the countryside. Policy as currently drafted would be at odds with SADMP DM4. Therefore The NP policy is currently considered not be in general conformity but could be amended to be in conformity with wording amendments and additions.
Policy E3 - Working from Home Policy 7 - Key Rural Centres. Policy 7 states: "To support the Key Rural Centres and ensure they can provide key services to their rural hinterland, the council will: Ensure there is a range of employment opportunities within the Key Rural Centres. To support this, the enhancement of allocated employment sites in the Key Rural Centres will be supported, as will the development of employment uses including home		Silent

NDP Policy	Most relevant section of the Core Strategy (2009)	Most relevant section of the Site Allocations and Development Management Policies DPD (2016)
	working within the settlement boundary". The NP policy is currently considered not be in general conformity but could be amended to be in conformity with wording amendments and additions. The NP policy suggests that proposals for home working outside of the settlement boundary would be supported.	
Policy E4 - Reuse of Agricultural and Commercial Buildings	Silent	DM15 – Redundant Rural Buildings As in policy comments above, there is existing SADMP DM15 which provides appropriate policy coverage and does not dictate a restrictive list of acceptable uses. Therefore The NP policy is currently considered not be in general conformity but could be amended to be in conformity with wording amendments and additions.
Policy E5 - Broadband Infrastructure	Silent	DM16 – Telecommunications The NP policy is largely considered in general conformity with the strategic policies of the Local Plan.

6 Hinckley and Bosworth Borough Council's confirmation of the plan's SEA position



Newbold Verdon Neighbourhood Plan

The Environmental Assessment of Plans and Programmes Regulations 2004

Screening determination notice under Regulation 9(1)

Regulation 9 of the above Regulations requires Hinckley and Bosworth Borough Council (the "responsible authority"), on behalf of Newbold Verdon Parish Council (the "responsible authority") to determine whether the Newbold Verdon Neighbourhood Plan is likely to have significant environmental effects.

Hinckley and Bosworth Borough Council, following consultation with the Environment Agency, Natural England and Historic England, has determined that the Newbold Verdon Neighbourhood Plan is likely to have significant environmental effects, and therefore, a Strategic Environmental Assessment (SEA) is required.

This notice fulfils the publicity requirements in accordance with Regulations 11(1) and 11(2).

A copy of this screening opinion and the associated screening report will be available on the Council's website (Neighbourhood Planning webpage) or can be viewed during normal opening hours at:

Hinckley Hub Rugby Road Hinckley Leicestershire LE10 0FR

For further information, please email planningpolicy@hinckley-bosworth.qov.uk

Following this Newbold Verdon Neighbourhood Plan group sought the help of Locality through the technical support funding package. AECOM Ltd were appointed to undertake the SEA, which included the production of a scoping report and full Environmental Report document. The full Environmental Report was received in July 2019.

The SEA Environmental Report contains a set of recommendations "to enhance the positive effects of the plan, and mitigate any negatives" ¹. These recommendations can be found in table 1 of the Environmental Report.

Following the completion of the SEA report, Newbold Verdon were required to consult on the report and the amended plan, before submission to the LPA. Newbold Verdon Parish Council chose to run a consultation for three weeks, closing on the 1st December 2019. Due to the 'focused nature' of the consultation, and due to the consultation period being three weeks only, HBBC focussed the representations on the recommendations listed in the SEA document (and the associated policies), and the suggested amendments to the plan following those recommendations. HBBC informed Newbold Verdon that the specific content

¹ Strategic Environmental Assessment for Newbold Verdon Neighbourhood Plan – Environmental Report, July 2019

and policy comments on the entire plan, including comments from other Development Services colleagues, were given at Regulation 14 stage, and will be updated and enhanced at the Regulation 16 Submission Consultation.

The comments provided to Newbold Verdon on the 28th November 2019 can be found on the following pages. Of particular note is HBBC's concerns listed at the bottom of Table 2, with regards to consultation procedure.

Hinckley and Bosworth Borough Council Consultation Response to the Newbold Verdon Neighbourhood Plan Consultation, November 2019 as follows:





"NEWBOLD VERDON NEIGHBOURHOOD PLAN

Strategic Environmental Assessment (SEA) Consultation Notice.

Newbold Verdon Parish Council, November 2019: "From today parishioners and other stakeholders will be able to see what the SEA recommendations are to improve our neighbourhood plan and how the independent assessors came to these conclusions.

Alongside the recommendations will be the response the Parish Council is minded to make and the impact, if any, this might have on the plan."

Neighbourhood plans are not required to meet the tests of soundness which local plans and other development plan documents must meet. Instead, in order for them to be able to be put to referendum, they must meet the 'basic conditions' set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990. Those relevant to neighbourhood plans are as follows:

- (a). having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).
- (d). the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.
- (e). the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
- (f). the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.
- (g). prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).

Points (f) and (g) above relate to certain obligations which plans must adhere to, primarily in relation to habitats and environmental impacts. Some plans require a Strategic Environmental Assessment and/or a Habitat Regulations Assessment.

These representations are on behalf of Hinckley & Bosworth Borough Council (HBBC) in direct response to the extra consultation being ran by Newbold Verdon Parish Council, following the receipt of a Strategic Environmental Assessment (SEA) 'Environmental Report'.

HBBC have previously submitted representations to Newbold Verdon Neighbourhood Plan's Regulation 14 consultation. These can be found at Appendix 1.

The Strategic Environmental Assessment Screening process was undertaken in June/July 2018. In accordance with Regulation 9 of the SEA Regulations 2004, HBBC as the determining authority had to consider whether an environmental assessment of the emerging Newbold Verdon Neighbourhood Development Plan was required. HBBC had regard to Newbold Verdon's SEA Screening Report, and completed a six week consultation with the three statutory consultation bodies; Environment Agency, Natural England and Historic England.

Following this consultation, and the responses received, HBBC as the determining body, had concluded that the Newbold Verdon Neighbourhood Plan should complete a full SEA, the determination notice can be found at Appendix 2. Following this Newbold Verdon Neighbourhood Plan group sought the help of Locality through the technical support funding package. AECOM were appointed to undertake the SEA, which included the production of a scoping report and full Environmental Report document. The full Environmental Report was received in July 2019.

The SEA Environmental Report contains a set of recommendations "to enhance the positive effects, and mitigate any negatives" ². These recommendations can be found in table 5.2 of the Environmental Report.

Due to the 'focused nature' of the consultation, and due to the consultation period being three weeks only, HBBC are going to focus these representations on the recommendations listed in the SEA document (and the associated policies), and the suggested amendments to the plan following those recommendations. The specific content and policy comments on the entire plan, including comments from other Development Services colleagues, have been given at Regulation 14 stage, and will be updated and enhanced at the Regulation 16 Submission Consultation. More general comments on the usability of the plan can be found in table 2.

Appended to these representations is also correspondence with Newbold Verdon Neighbourhood Plan group, and Newbold Verdon Parish Council, prior to this focused consultation, see Appendix 3. This letter, dated 31st July 2019, outlines HBBC's concerns around consultation procedures for the SEA and the plan, and whether Newbold Verdon NP would be meeting the requirements of both Regulation 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 and Regulation 14 of The Neighbourhood Planning (General) Regulations 2004.

-

² Strategic Environmental Assessment for Newbold Verdon Neighbourhood Plan – Environmental Report, July 2019

HBBC also sent a follow up advice note to Newbold Verdon NDP group on 26th September 2019, see Appendix 4, which contained some 'next steps' guidance for the consultation. These comments should be considered by the Examiner, as they outline the progress of the neighbourhood plan and SEA throughout 2019. Therefore all official HBBC guidance/representations will be submitted at Submission stage, including:

- HBBC Regulation 14 Representations (Appendix 1)
- Advice/guidance provided in between the Regulation 14 consultation and Submission
- These representations for the extra consultation following receipt of the SEA, November 2019

Comments are intended to be guidance based on national and local policy and any legislation associated with neighbourhood plans. This advice aims to address whether the plan, in its final form, is contributing to sustainable development and has been prepared positively and in line with the regulations. Not only this, but it is key for HBBC to ensure that the policies in their final form are workable and can be implemented to their full effect in both planning applications and in the preparation of the Local Plan Review.

HBBC Comments on the proposed changes to the Newbold Verdon Neighbourhood Plan following the receipt of the SEA Environmental Report

Newbold Verdon Neighbourhood Plan group have produced a 'modifications table', which highlights the recommendations listed in section 5.12 of the SEA report. The group have suggested amendments to the plan following these recommendations, and these are the subject of HBBC's comments in Table 1 below.

Table 1: HBBC's comments on Newbold Verdon's suggested amendments to the plan, following the SEA recommendations.

Issue / opportunity	Recommendations in the SEA report	Newbold Verdon PC's response and proposed amendments to the plan, subject to consultation.	HBBC comments, November 2019
Potential impacts upon landscape character and the setting of historic assets associated with the Site allocated by Policy H1	It would be useful to explicitly state the requirement for landscaping around the boundaries of the proposed housing site. However, it is important to ensure that continuity and permeability with the existing housing estate is created. Boundary features such as trees and hedges may have value for biodiversity and ought to be enhanced. This can be done as part of landscaping schemes that are not just about 'prettification'.	We agree with this recommendation and will add in a criterion to Policy H1 which requires the developer to provide enhanced landscaping to the boundary of the allocated site, particularly where it impacts on historic assets in close proximity.	In Historic England's response to the SEA screening consultation they stated: "We observe that the Plan proposes a site allocation (H1) for up to 100 dwellings, adjacent to recent development, to the north of Newbold Verdon Conservation Area and other heritage assets including the Grade I Newbold Verdon Hall and Moated Site south of the Hall Scheduled Monument. As such there may be significant environmental effects upon the historic environment." Notwithstanding the above, HBBC agrees with recommended changes, especially to ensure that the impact on the heritage assets are appropriately mitigated, as this was the concern on Historic England in their response to the SEA screening, as above. Once full wording has been provided in the final Submission Version of the plan HBBC will provide full

Issue / opportunity	Recommendations in the SEA report	Newbold Verdon PC's response and proposed amendments to the plan, subject to consultation.	HBBC comments, November 2019
Enhancements to public rights of way could be achieved at the allocated site. This would improve accessibility and enjoyment of the countryside.	The allocated site is surrounded by public right of way paths to the north and south west. An opportunity for the neighbourhood would be to extend Path R60 to link with Path S19 to allow for connections between the network of footpaths/public right of ways/ bridle paths. A green infrastructure corridor could be crated through the new development to aid this (ownership of the southern fields could prove to be a barrier though).	We agree with this recommendation. The proposed allocation site has public right of way paths to the north and south west. There is an opportunity to extend Path R60 to link with Path S19 to allow for connections between the network of footpaths/public right of ways/bridle paths and this will be incorporated.	The housing site will be visible from a number of Public Rights of Way, and this should be addressed accordingly. In addition, the development's proximity to the PROW means that the footpaths could be increased; this in turn may improve linkages between the existing village, and the surrounding countryside. Therefore HBBC agree with the proposed changes. Once full wording has been provided in the final Submission Version of the plan HBBC will provide full comments if applicable.
There is potential that the existing adjacent residential areas could be isolated from the new development if	Policy H1 could explicitly set out the requirement for the allocated site to provide throughways / permeability onto existing pedestrian routes. It is important that the existing	This is agreed. There will be appropriate connecting footpaths/cycle paths between both the	Again, HBBC agrees to increasing the linkages between the Bloors site Phase 1, and the existing village, especially via footpaths, cycle paths, and clear entryways.

Issue / opportunity	Recommendations in the SEA report	Newbold Verdon PC's response and proposed amendments to the plan, subject to consultation.	HBBC comments, November 2019
pedestrian and cycling linkages are not created.	development does not become 'fenced off' from the new development.	existing and the proposed development. This will included as an extra criterion to Policy H1. Policy T3 already requires development to incorporate or improve pedestrian and cycle routes.	
Impacts associated with a new car park are difficult to ascertain without a site being identified.	Identify and allocate a specific site for car parking to ensure that the most appropriate location is planned strategically.		As there are no identified suitable sites for car parking at this time, you could have this as a future aspiration in future revisions of the plan, rather than a policy. Could have this as a Community Action, with a view to review this aspiration at the next review, or for the Parish Council to review at regular intervals.

Comments on the plan and general observations

Following on from the comments regarding the SEA's recommendations and Newbold Verdon's response, it is pertinent to offer some overall comments regarding the plan, and some of the changes that have been made since the Regulation 14 stage. At this stage, the Council will refrain on commenting on every policy and it's supporting text, but will offer some general comments on the practicalities of using the plan, and some key elements that will help the plan become more usable.

Table 2: General comments relating to the plan at this stage.

Page Number/Policy Number/Topic	Comments November 2019
General comment	Ensure the whole plan and it's policies complies with the National Planning Policy Framework 2019 , of which the newest version is February 2019. There have also been various amendments to the National Planning Practice Guidance, of which you can cross-reference to your plan.
Page 15 – Housing Provision	In a time of uncertainty, the borough have not established a housing need for its emerging local plan; the latest consultation document (the New Directions for Growth 2019) has been looking at the strategy for housing growth, and we are not in a position to determine housing need as yet.
	In any event the HEDNA is now out of date in terms of calculating housing need as the Government have set out the Standard Methodology approach to housing need. Using the standard method (using 2014 based projections) gives the borough a housing need of around 457 dwellings per year. It is unlikely that the borough will be able to set out a reliable figure for NDPs until: • the level of unmet need arising from Leicester City which may need to be accommodated in the borough is better understood; and
	 a strategy for housing growth for the borough is established through the emerging local plan.
	I would advise this section is reviewed to be consistent with the Government's Standard Methodology, and to be absolutely clear on the current position as explained above.
	A suggested wording could be as follows:
	'Central Government have recently introduced the Standard Methodology for assessing local housing need. This currently gives the borough an annual housing need of 457 dwellings per year (or 9,140 dwellings between 2016 and 2036). However in advance of the Hinckley and Bosworth Local Plan there are uncertainties in establishing housing requirement figures for Neighbourhood Plans. It is acknowledged that the full scale of housing requirement which may need to be accommodated in the area covered by the Newbold Verdon NDP over the period 2016-2036 will only be fully established once the Hinckley and Bosworth Local Plan Review has reached a sufficiently advanced stage. In the meantime a figure of a minimum of 100 dwellings will be used for the neighbourhood plan. A review of the neighbourhood plan may be necessary if it is not sufficiently flexible to respond to a changing housing requirement established through the borough wide local plan.'
Page 79 - Monitoring and Review	This section needs to be clear and concise, especially with the government's increased pressure on the Housing Delivery Test the 5 year supply, and the continual review of plans. The monitoring and review of the plan is especially important as the Local Plan Review is advancing through the process.

Page Number/Policy Number/Topic	Comments November 2019
General comments on the consultation process	Firstly, it is apparent throughout various pieces of guidance that the reason why the SEA Environmental Report is required to be consulted on at Regulation 14 (rather than Regulation 16 Submission), is that there is a need to demonstrate that the SEA has influenced the plan's development, and the plan and it's policies have been amended in line with the SEA's recommendations. The version of the plan published alongside the SEA for this consultation has not been amended to reflect the changes recommended in the SEA report. However as a compromise and to help continue speedy momentum towards submission, Newbold Verdon have published a mitigation/modifications table at the request of HBBC, to ensure the public and stakeholders have a chance to see how the production of this SEA will affect the plan before submission. To a certain extent you can clearly see which policies will be changing as a result of the SEA outcomes, however without seeing the full extent of the changes proposed, i.e. specific wording/phrasing, it's difficult to determine whether this is sufficient to show how and to what extent the group plan to meet these outcomes in the SEA. Until a fully amended plan is available at Submission, HBBC cannot submit fully detailed comments on the amended policies themselves, but can offer generalised comments on the suggested changes.
	Overall, the Borough Council believed it would be beneficial and appropriate to run the consultation as a second Regulation 14 consultation, asking for comments on the whole suite of documents (i.e. the amended draft plan and the SEA report together, and all associated appendices and supporting documents). If consulting on numerous documents it would be appropriate for the time period for comments to be six weeks, as is required at Regulation 14. The full extent of HBBC's advice to Newbold Verdon prior to this consultation can be found at Appendices 1, 3 and 4.
	Notwithstanding the above, as the SEA recommendations are very limited and the SEA process has now concluded, and this part of the process is ran by the Qualifying Body, the Local Planning Authority advised that it was for the group to determine how and what they were going to consult on at this stage. Going forward it is for the Qualifying Body to clearly demonstrate in their Consultation Statement that they believe they have followed consultation procedure, and the public and stakeholders have been given sufficient time to comment on the plan's progression at each stage. The LPA (and ultimately the Examiner) will consider this further following the receipt of the Consultation Statement at Submission stage, however for the time being after reviewing the limited recommendations coming out of the SEA, and the detail provided in the modifications table, the LPA is satisfied at this time that the group have sufficiently showed the prospective changes. However the LPA feel that three weeks was potentially an insufficient amount of time for the wider public to provide comments, especially as a modified plan (October 2018) was provided alongside the SEA and modifications table.
I	To be clear, it is for the Qualifying Body/Neighbourhood Plan group to demonstrate otherwise.

<u>Development Services comments on the Newbold Verdon Neighbourhood Plan Pre-submission draft July – August 2018.</u>

Planning Policy and Development Management comments

Section / Policy number	Comment & action
Section 3	First paragraph reference Parish map/neighbourhood plan boundary map Figure 1.
Section 7 – Part A Housing Provision	Bottom para. page 15, need more explanation behind the minimum 100 dwellings figure. This is one of the vital areas of the plan that needs to be perfectly clear.
Supported by Principal Planning Officer in Development	Need evidence to back up why you've decided on this number. I see you've discussed this earlier on page 15 to set context, but any numerical targets in a plan require clear justification
Management.	 To a certain extent there are similar OAN (objectively assessed need) figures coming out of Strategic Growth Plan and Standard Methodology as the Core Strategy and Site Allocations number – alignment with this? HBBC Scope Issues and Options 2018 stated "In terms of growth, it is likely that we will continue to need to deliver at least 450 dwellings per annum until 2031. As work on the draft Strategic Growth Plan progresses, we will need to consider how to deliver the level of housing arising from the longer term need. The Government is currently consulting on a standard methodology for every Local Planning Authority to use from spring 2018 in determining its own housing need." Housing allocations, page 16, first para. – "local landowners and farmers were invited" I suggest including
	in here the term 'Call for Sites'. Consistent with Borough Council language, a common term in planning authorities for gathering sites that are 'available' for development.
Policy H1 – Residential Site Allocations	 Line 1 - revise to say 'minimum of 100 units to meet housing need' – consistent with your earlier supporting text, and good policy practice.
Supported by Principal Planning Officer in Development	 Line 1 - Delete 'all agreed with the developer and land owner', unnecessary wording. Criteria d and e – these are optional requirements in the 2016 Building Regulations, therefore it would be unreasonable to ask for this in a policy, and developers may challenge this.

Management.

- M4 (2) Accessible adaptable dwellings
- M4 (3) Wheelchair user dwellings
- In the Building Regulations it states "The provisions of Section (X) apply only where a planning condition requires compliance with optional requirement M4 (2) / M4 (3)..."
- My Community states "It is important that targets, standards or requirements for extra information or funding do not impose unreasonable burdens on applicants or make it impossible for them to bring forward viable development."
- Suggest moving these criteria to the supporting text, and change wording to "the provision of X will be encouraged"
- Make sure this well evidenced and/or cross reference; is there a demand/need for these types of homes, if so, how does this equate to 5% of 100 dwellings for each type?
- Criteria f Not clear whether this is referring to the whole site, or just the affordable housing elements.
- See the NPPF definition of 'affordable housing'.
- Criteria g have you spoken to the County Council/Highways regarding this? Have they had an input into
 this part of the Policy? If so, evidence would be required. This does not need to be a policy requirement, as
 adequate access provision is discussed at application stage with the Highways authorities. Policy can't
 suggest a location for new infrastructure as this is the highways authorities job to determine. Suggest moving
 to supporting text, and have Bosworth Lane and B582 as the plans preferred options for junction
 improvement.
- Criteria h and i suggest taking out financial contributions and instead include supporting text with a list of
 community priorities for infrastructure provisions/community facilities for which developer contributions are
 required or could be delivered by other funding streams. This could take the form of a 'Community Action'.
 This will then cover any development sites that come forward, not just your housing allocation at Old Farm
 Lane.
 - Outdoor gym equipment not included as a typology in Open Space 2016 document, so evidence the need for this type of facility. Talk to Green Spaces and Cultural Services at HBBC if you need more information on outdoor gyms in the Borough. Best contact: Graeme Chilvers, Health and Recreation Manager, or Ian Pinfold, Green Spaces Manager.
 - o My Community suggests wording along the lines of:
 - "Financial contributions will be required, as appropriate, from each developer to mitigate the impact of the development on essential infrastructure such as ..."
 - "Financial contributions will be required, as appropriate, from each developer to fund

	 additional services within the village (list services), in line with" "Community priorities for financial contributions towards local facilities as a result of new development include" Again remember it is important that targets, standards or requirements for extra information or funding do not impose unreasonable burdens on applicants or make it impossible for them to bring forward viable development. Therefore remove criteria h and i from the policy 			
	 Criteria j – do you have the evidence to support this. Move this to Housing Mix, so that the requirement applies to all development proposals not just the housing allocation H1 			
	Criteria k – can't ask for this in policy, remove			
	 Figure 2 Preferred site for Housing Development – make map larger (full page) or include two maps (hat page each) one at a wider context to see where the site sits in Newbold Verdon, and one zoomed in material see the particulars of the site allocations boundary 			
Valerie Bunting's comments - Strategic Housing and Enabling	I don't see anything in this document that would be contradictory to any current practice with respect to affordable housing.			
Officer	 I would query whether on paragraph f on page 18, they would be happy to accept affordable rent as well as social rent as 75% of the affordable housing. It may exclude some RPs if it doesn't make reference to affordable rent, although social rent is making a comeback. 			
	Given they acknowledge the need for affordable housing, I'm surprised they don't support the provision of a rural exception site. Happy to discuss further if there are any queries.			
Policy H2 - Settlement Boundary	 The methodology stated on page 20 is not in line with our principals in the Settlement Boundary Review Topic Paper 2013. As a local authority we draw the settlement boundary closely around the curtilage of the built form. 			
	 We would advise that if you were to extend the boundary around the gardens to the east of the village, this would open the area up for development. Our development management colleagues would struggle to refuse an application as it would be within the settlement boundary. 			

	This area used to be a SHLAA site (not in recent years) but it wouldn't stop them coming in again and proposing this area for development.			
Policy H3 - Supporting development on Brownfield Sites Supported by Principal Planning Officer in	 Development management colleagues comment – "This policy doesn't identify what uses would be acceptable here, or allocate them for anything specific. National and borough policies already encourage the use of brownfield sites and sites within the settlement boundary over green field sites. What if another site becomes redundant within the plan period or one of these sites if brought back into its current use? I don't think it is useful to name the three sites as the only three brownfield sites in the area." 			
Planning Officer in Development Management.	Remove the specific three brownfield sites from the policy, reference to these sites has no context within the policy, and limits the policy to just those three sites.			
	 If you want to safeguard these sites in an allocation for a specific use then they would need to go in a separate policy. We wouldn't recommend this as then the site is tided into a specific use, and is a very inflexible policy 			
	Recommend the three sites go into supporting text as preferred sites for brownfield development			
	 If you keep a reference to the three sites listed, you need evidence from land owners/representatives to say that these sites are available for development. Have you had confirmation from HBBC that the two garage sites are being sold by the council? 			
Policy H4 – Windfall Sites	Criteria a – change 'Limit to Development' to Settlement Boundary for consistency with Policy H2			
Supported by Principal	Criteria c – "Retains or enhances"			
Planning Officer in Development	Criteria e – "in line with Hinckley & Bosworth Borough Council's Local Plan"			
Management.	 No policy anywhere in the plan that says what is acceptable in the countryside. If an application for agricultural building came in outside of the settlement boundary, development management would struggle to accept it under the current policies. Contrary to our SADMP policies. Development Management requests that there is a policy that is compliance with Policy DM 4, and states what the neighbourhood plan would find acceptable in the open countryside, and cross reference this throughout the document in relevant policies 			

.	and supporting texts (see Important Views and Vistas for example).			
Policy H5 Housing Mix	Two halves of the policy conflict.			
Supported by Principal Planning Officer in Development Management.	 Remove 2nd half of the policy, from "Applications for small" Instead of 2nd half of policy, instead refer to the most recent evidence on housing needs for Newbold Verdon and draw out the evidence from HEDNA. This is then the housing mix that is specific to the local area, and will be meeting everyone's needs. Be absolutely clear what housing mix is required as per the evidence. Have you discussed a rural exception site re Strategic Housing and Enabling Officer's comments? If the housing needs surveys are showing a requirement for affordable housing in Newbold, this option is worth 			
	considering. Richard Mugglestone at Midlands Rural Housing can help you with this.			
Policy H6 Design Supported by Principal	 Development Management colleagues comment: "Can a neighbourhood plan require a Design and Access Statement when one isn't required by the procedure order?" 			
Planning Officer in Development Management.	 Design Policy should be flexible. DM officers suggest moving all criteria from b to h into supporting text as elements of design to be encouraged/supported. The policy itself doesn't need to be specific due to successful design policy in the SADMP: DM10. Everything in the supporting text will be a list of 'What makes good design in Newbold Verdon?' which makes it locally specific to the area. 			
	 Criteria a: A design and access statement is not required for minor developments which is already in planning legislation. Suggest amending wording of criteria a to: "New development should enhance and reinforce the local distinctiveness and character of the area in which it is is situated and proposals should reflect the general character, scle, mass, density and layout of the site." 			
	 Criteria b: Guidance does not have minimum parking spaces for residential developments. Recent appeals have shown the inspector disregarding neighbourhood plans that have too restrictive parking policies and that do not refer to the 6C's Design Guide. 			
	 Criteria c: "Design will be encouraged". What do you mean by 'design'? 'Well designed' perhaps. "Where improvement may be demonstrably evidence" – what would someone have to submit to demonstrate this? Must be aware that design is subjective. 			

	 Criteria d: "Development should be enhanced by biodiversity" – not sure what this means, consider rewording. If moving to supporting text, desirables are fine. If keeping in policy, you can't include desirables Criteria d, part iii: "Ensure that any intruder switched security lighting is not constantly switched on" this cannot be policy, you cannot prescribe this. Lighting issues will be a element Environmental Health cover. 			
	Criteria g: this is an NPPF requirement			
The Environment	Advise renaming 'Environment' section to 'Natural and Historic Environment' – people may not realise that this section includes heritage elements. Page 26. 3 rd page graph, suggest inserting tout regarding the enhancement of environmental features.			
	 Page 26, 3rd paragraph, suggest inserting text regarding the enhancement of environmental features, particularly through development schemes or community action and provides a positive context where such opportunities arise. 			
	 Page 29 – "Protect our trees and spinneys and our open countryside" – Recommend making this stand out as a community comment. Be consistent throughout, any of these community comments make sure they are well referenced and make them stand out, i.e. make them bold, or put in a coloured box, and ensure it's clear they are a community comment. 			
	Page 29 – Ref to an Extended Phase 1 Habitat Survey, most recent was 2014, not 2012.			
Local Green Space	 Botany Bay Wood and St James's Churchyard already identified as Open Spaces in the Local Plan. Do these sites warrant a really restrictive designation? Local Green Space designation is as strong as Green Belt, do you want a policy that is this restrictive when the sites are already protected as Open Spaces in the Local Plan. 			
	 Page 31 – last paragraph. "NB Private Ownership – needs consultation with landowner". Seems to be an unfinished sentence 			
	 Page 33, table – 028 Newbold Spinney – "adjacent to proposed limits to development". Change to 'settlement boundary' 			
	It could be argued whether Botany Bay Wood meets one of the criteria (NPPF para 77) for designation of a local green space: "Where the green space is in reasonably close proximity to the community it serves".			

	 The site is separated from the settlement by an general piece of land (as the crow flies, between 700 and 800m approx.) However Locality stated that Natural England standards for 'easy walking distance' is within 1.25 miles (around 2 km) Need clearer justification on how this site meets the criteria The tables with scoring for the Local Green Spaces are more like appendix detail. More beneficial to have the tables explaining why a criteria has scored a certain mark, i.e. descriptive local detail on why the site is special, why it scored highly on history etc.
Policy ENV2 Protection of sites and features of environmental significance	 Why are they important features – evidence this. Policy ENV2 first two sentences are more of a statement rather than policy. "Development proposals that affect them will be expected to protect or enhance the identified features". Affect them how? Be specific or you are open to challenge. How does your allocation/s effect those historical/environmentally significant sites you have identified on the maps pages 37? See Paul Grundy's comments below.
Important Open Spaces	 Page 39 - Refer to the HBBC Open Space, Sport and Recreation Facilities Study 2011, but there has been a new updated 2016 study. Check your information from this is still correct and reference the correct study. Community Action ENV1 – suggest that the text also seeks improvements. This could relate to a list of infrastructure improvement opportunities / schemes for developer contributions as mentioned in previous comment. Community quotes need to stand out and be clearly evidenced. See previous comment. Page 39 – "together with these typologies that are not used by HBBC but are recognised by many English Planning Authorities". Evidence, where in the NPPF, if not a specific in HBBC local policy? Can you name specific neighbourhood plans where they have used these typologies?

Policy ENV 4: Biodiversity and Wildlife Corridors	 Redundant policy as DM6 in the SADMP does this. Weakens the current successful Local Plan policy. Suggest remove para 1 and instead rely on implementation of Policy DM6. The second paragraph compliments DM6. It could seek the protection of locally identified sites with a cross-reference to the 'environmental inventory list' referred to in CA Env 2. This will provide policy hook for specific locally designated sites where enhancement / protection is sought. 			
Community Action ENV 2: Biodiversity	 Criteria b – "The Parish Council will work with community groups, landowners and Tarmac, funder and other organisations to enhance" and monitor. You can then reference a monitoring schedule that will be implemented for future years. Supporting text could identify infrastructure/public realm improvement opportunities – link this to the list of contributions community priorities 			
Landscape Character Areas / Policy ENV 5 Supported by Principal Planning Officer in Development Management.	 Does Area 7 refer to the UCA in the 2017 LCA document? If so, make reference to this and describe as you've done with the other areas. Para 2, page 46, "Although Open Countryside is protected from large scale development" suggest adding "by national and local policies" Needs to be in compliance with DM4, otherwise any development in the countryside would not be supported. DM officers happy to discuss further. 			
Policy ENV 7 Safeguarding Important Views Supported by Principal Planning Officer in Development Management.	 Link the important views to the Landscape Character Areas and Policy ENV4 – This needs to be in compliance with DM4 - see earlier comments on policy for development outside of the settlement boundary. This is important to comply with DM4. Remove the list of important views and instead have as supporting text. What makes a view 'important'? Evidence this please. To what extent do the symbols in figure 17 extend? If they follow the trajectory of the symbol, most areas surrounding the parish would be covered by an 'important view or vista'. This is not sustainable, and would not be supported by development management. This also links to above comments on a policy for what is acceptable in the Countryside. 			

Public Rights of Way and Policy ENV 8 Footpaths and Bridleways	Page 53 - Shouldn't have a number 11 in paragraph title as this indicates section 11. I presume this is				
Renewable energy generation infrastructure Policy ENV 9 Renewable Energy Generation Infrastructure	 Development Management colleagues comment – "The plan should prescribe a limit to height, the NPPF is clear that renewable energy should be supported if it does not conflict with the development plan or other material considerations, this should be the same for all turbines. We can not simply say anything over 25m unacceptable, as that may not be the case depending on its context". Policy ENV 9 – in reference to single wind turbine proposals not exceeding 25m, this is contradictory to the landscape sensitivity assessment referred to on page 55 and there is no evidence to support this. Each proposal should be considered on its merits, see above comment from DM colleague. 				
Supported by Principal Planning Officer in Development Management.					
Community Facilities and Amenities	 Facilities and Amenities in Newbold Verdon 2017 – Figure 1, page 58: make sure this map (and any other background maps in plan) reflects your proposed new settlement boundary 				
Policy CF1 Health Welfare and Education	Criteria b: "will include adequate parking provision" – in line with Leicestershire County Council Highways guidance, reference please				
Policy CF2 Community Amenities	Redundant policy – this will weaken our current successful policy DM25 in SADMP				
Policy CF3	Policy needs a name as well as a number				
Policy T3 Cycle and Pedestrian Routes	Refer to the list of infrastructure provisions/community facilities/public realm improvements for which developer contributions are required (see earlier comments)				
Policy T3 Cycle and	"Developments of 3 or more houses will be required to include pavements that directly link into the existing				

Pedestrian Routes	pedestrian infrastructure for the village" – redundant element of the policy, as this would be something needed at planning application stage			
Pages 70 & 71	Improve quality of map on page 70 to be consistent with map across the page on page 71			
Policy E1 Support for existing employment opportunities As agreed with	 Redundant policy as this is covered in both the Employment Land and Premises Study, and Policy DM 9 in the SADMP. Will weaken our current successful policy 			
Economic Regeneration Officer				
Policy E4 Reuse of Agricultural and Commercial Buildings	Name of policy in capitals, as consistent with rest of plan policies			

Senior Planning Officer (Conservation) comments

Comments by Paul Grundy	Pg 11. Second paragraph – the sentence within this paragraph should read "what is now the Grade I listed Ne Verdon Hall and grade II listed Church of St James."			
	Pg 18. Figure 2 – A more recent base map should be used which shows the recently developed Old Farm Lane estate from which the housing allocation is to be located			
	Pg 37. Policy ENV2: Protection of sites and features of environmental significance			
	I do have a number of questions relating to this policy (the historical designations part only) as I'm not sure it is clear enough:			
	What are these sites?Why are they locally important?			
	Do they warrant what is essentially quite a restrictive policy?			
	What are these sites?			

This policy is to be cross referenced to the Environmental Inventory contained in Appendix 6. It appears there are 9 sites identified here as being covered by a historical designation (numbers 24, 33, 47, 88, 92, 100, 101, 102, 103 as identified in Figure 8). It does appear that all of these sites bar part of site 103 (which forms part of a the grade I listed Newbold Verdon Hall and adjacent scheduled monument) are of local archaeological interest and are identified on the Leicestershire Historic Environment Record. The issue here is that I had to do a considerable amount of digging on the HER database to find these sites and cross-reference these to the Appendix and then Figure 8. This should be made clearer and more information should be provided within the Appendix to ascertain what these sites actually are (granted the Appendix may still be work in progress)

For reference my summary of the sites from the HER is as follows:

- 24 Open Space at Brascote does this refer to the deserted settlement of Brascote (HER reference MLE2990)? It is unclear from figure 8
- 33 Woodland adjacent to Manor Farm –forms part of the deserted settlement of Brascote (HER reference MLE2990)
- 47 PROW linking Brascote with Cadeby via Naneby forms part of the deserted settlement of Brascote (HER reference MLE2990)
- 88 what is this site? It appears to form part of the deserted settlement of Brascote (HER reference MLE2990)
- 92 Brascote village this is the deserted settlement of Brascote (HER reference MLE2990)
- 100 MLE2970 Post-medieval brick kiln east of Heath Lodge Farm
- 101 MLE2972 Roman site north of Newbold Spinney
- 102 MLE2971 Cropmarks east of Newbold Spinney
- 103 MLE2988 Newbold Verdon Hall formal gardens (part of the site is also a scheduled monument and Hall complex is part grade I/grade II listed) much higher status

Some other general comments regarding Appendix 6 is that the site number and the HER MLE numbers do not always correspond, and the terminology of the key is a little confusing. Essentially all 9 sites are historic environment records, why have some been identified as "historic environment sites" and some identified as "historic environment records (little or no visible expression)"?

Why are these sites locally important?

What makes these sites of local importance? Does it refer to the "History" score in the survey? I may have missed this in the document but I do feel that some further qualification is required to why some of (if not all of these sites) are deemed to be of local interest, particular for the records/sites that relate to archaeological finds or old crop

marks (100, 101, 102). Perhaps utilise the Council's local heritage asset selection criteria to provide the basis for these assertions (attached)? My devil's advocate question here is that are more than 9 records on the HER located throughout the Parish, why have these only sites been selected?

Do they warrant what is essentially quite a restrictive policy?

As specified above if the identification of these 9 sites has been justified then the policy wording of ENV2 could be considered too restrictive and not in general conformity with relevant national and Borough-wide planning policies (these comments relate to the relevant historical designation policies, not those related to the national environment). If justified, other than part of site 103 which is covered by statutory designations of listing and scheduling (and where the designations of these assets make their preservation or enhancement a statutory duty), each site should be considered to be of local heritage interest (non-designated in terms of the NPPF).

The issue with the policy wording currently is that it implies the considerable (and statutory) weight afforded to a designated asset should also be applied to a non-designated heritage asset, which is too restrictive and not proportionate. This may not be the case for the natural environment designations (so the policy may need dividing), but for the historical designations wording that is in conformity with para 197 of the NPPF and Policy DM12 of the SADMP needs to be considered. This could the same or similar to that for policy ENV3 Ridge and Furrow which is in my opinion is in conformity with the national and local policies and is a well written and informed section of the Plan. Additional wording to the existing policy could also be considered, such as "They are important in their own right and are locally valued as identified in out engagement process. Development proposals that affect them will be expected to protect or enhance the identified features where justified and feasible". That is my suggestion only, it is by no means the only wording that could be used but the safer and more sensible option is likely to be following the wording of ENV3. There is a final option regarding taking the historical element completely out of this policy and placing it into an amended policy ENV6 (see my final comments for page 49 onwards).

Pg 38. Ridge and Furrow - This is a well written section of the Plan and the Policy appears proportionate and in conformity with others. More background information is required on sites 95 and 96 however as there is little information in Appendix 6 to link back to the text in the plan stating that "the result is that only two small parcels of permanent grassland in Brascote still show traces of the medieval open field system…"

Pg 49.

The title for this section is confusing as the section is about buildings and areas of both national and local significance. I would suggest it is amended to be more generic, so it should either be "The Historic Environment" or

"Heritage Assets" or "Heritage Assets and the Historic Environment"

Conservation Area

I would suggest the text under this heading is reworded to "The Conservation Area was designated in 1989 and confirmed in its present delineation in 2009"

Policy ENV6: The settings of designated and non-designated heritage assets.

The settings of designated heritage assets (the scheduled monument and listed buildings) in the Parish are already protected by statute and policies within the NPPF and SADMP. I do not see the need for a policy relating to designated heritage assets and to be honest unless there is a particularly local issue regarding the setting of these assets that needs consideration through a specific policy I feel it would be better for the Plan to be silent on this matter.

The policy also relates to the settings of non-designated heritage assets. There are a few issues here:

- What are the non-designated heritage assets in the Parish?
- Why is this policy required?

What are the non-designated heritage assets in the Parish?

Currently in the plan the only non-designated heritage assets are the 2 ridge and furrow sites (identified in ENV3 and (potentially, if evidenced) the 9 archaeological sites identified in ENV2). If there is the need for such a policy (see below) then some context is required in the document before it; identify that these 11 sites are considered to be non-designated heritage assets with cross-reference to the earlier policies and sections in the document. One option here could be to take the 9 sites identified in ENV2 (considering it has already been suggested above that the historical and natural sections of this policy are separated) and make Policy ENV6 regarding local heritage assets (non-designated heritage assets). I also see that no local heritage assets comprising of buildings or other structures have been identified in the Parish, I know there may not be many considering that the historic core of Newbold Verdon is covered by a conservation area and there may not be too much of interest outside of this area, but a non-designated heritage asset policy would allow the identification of such assets in the future (perhaps this could also be a community action?).

Why is such a policy required?

The setting of a heritage asset is the surroundings in which it is experienced. Is there are particular issue regarding development within the setting of non-designated heritage assets in the Parish that warrants the need for a policy? Again the policies within the NPPF and SADMP already allow for the consideration of the impact of a development proposal on the setting of a non-designated heritage asset. If there is wish for a specific reference to setting then it could be added to the non-designated heritage policy (as suggested in the paragraph above).

Taking into account of the above comments my suggestion therefore would be some appropriate pre-amble followed by a new "local heritage assets policy" replacing ENV6 and the removal of the historical designation element of policy ENV2 (as it would now be incorporated in this amended policy ENV6). The wording could be POLICY ENV6: LOCAL HERITAGE ASSETS (NON-DEGINATED HERITAGE ASSETS) – The effect of a proposal on the significance of local heritage assets will be taken into account in determining an application in order to minimise the conflict between the heritage asset's conservation and any aspect of the proposal. Development proposals that conserve or enhance a local heritage asset and its setting will be supported.

Other general comments from Planning department

- Development Management happy to discuss further the issue raised several times above regarding development outside of the settlement boundary, windfall sites policy, important views & vistas policy and other related policies. This is vital to ensure the plan to usable and supported by the Development Management team.
- Plan period should cover preparation time correct timescale would be 2016–2036
- The plan needs to be future-proofed; if the plan made pre-NPPF 2018, the plan would need to be reviewed
 promptly, or you are open to challenge by developers. Please include a clause in the document to say you
 will be reviewing the document to make sure it is in line with new NPPF. Neighbourhood Plans and Local
 Plans are being closely watched at the moment, and developers are likely to take this chance if you do not
 act promptly.
- Contents and throughout a suggestion Sections could be colour coded for clarity and ease of use once
 made, can easily flick to the relevant section when trying to find specific policy. See HBBC's Site Allocations
 document (DM Policies) as an example, i.e. Housing red, environment green, community facilities orange,

transport purple, economic dev blue etc.

- Please provide a brief explanation at start of the document of the difference between a policy and 'community action'
- References in the footnotes at the bottom of the page for ease of reading, instead of having to flick to back of the document
- Improve quality of maps where possible
- Suggestion more photographs to make the document more engaging
- Do not repeat criteria lettering in same policy i.e. as in Policy ENV9 where a&b have been used twice.



Newbold Verdon Neighbourhood Plan

The Environmental Assessment of Plans and Programmes Regulations 2004

Screening determination notice under Regulation 9(1)

Regulation 9 of the above Regulations requires Hinckley and Bosworth Borough Council (the "responsible authority"), on behalf of Newbold Verdon Parish Council (the "responsible authority") to determine whether the Newbold Verdon Neighbourhood Plan is likely to have significant environmental effects.

Hinckley and Bosworth Borough Council, following consultation with the Environment Agency, Natural England and Historic England, has determined that the Newbold Verdon Neighbourhood Plan is likely to have significant environmental effects, and therefore, a Strategic Environmental Assessment (SEA) is required.

This notice fulfils the publicity requirements in accordance with Regulations 11(1) and 11(2).

A copy of this screening opinion and the associated screening report will be available on the Council's website (Neighbourhood Planning webpage) or can be viewed during normal opening hours at:

Hinckley Hub Rugby Road Hinckley Leicestershire LE10 0FR

For further information, please email planningpolicy@hinckley-bosworth.gov.uk

Bill Cullen MBA (ISM), BA(Hons) MRTPI Chief Executive

Please ask for: Fran Belcher Direct dial/ext: 01455 255749

Direct fax: N/A

Email: planningpolicy@hinckley-bosworth.gov.uk

Your ref:

Our ref: SEA14NEWBOLDPLAN

Date: 31/07/2019



FAO: Newbold Verdon Parish Council and Newbold Verdon Neighbourhood Plan Group.

Newbold Verdon Neighbourhood Plan, Regulation 14 consultation and SEA Consultation.

Dear Heather,

I am writing in response to issues you have rasied with us in relation to the SEA of the emerging Newbold Verdon Neighbourhood Plan and the associated consultation period. I have set everything out in letter format to be clear and so I could provide links to references where applicable, and with an overall recommendation at the end.

Receipt of the SEA Environmental Report and corresponding consultation

Thank you for keeping HBBC informed on the progress of the Strategic Environment Assessment (SEA) in partnership with AECOM. Recently it came to the attention of the Borough Council that AECOM were recommending to re-consult via a Regulation 14 consultation following the receipt of the SEA report, and following the amendments to the plan as per the SEA's recommendations. As the Reg 14 consultation has already been undertaken (July 2018), the Borough Council needed to follow up this recommendation and confirm whether there is a legal obligation for another Reg 14 consultation on the SEA. Ian McClusky from AECOM highlighted that not following the recommended procedure will come with risks, and following this recommendation we have explored the matter further and set out our findings below. The Borough Council emailed Locality and sought advice on the matter, and did our own research into the legislation and guidance.

The NPPG provides some guidance on when the SEA environmental report should be published for consultation. The diagram in the NPPG (Strategic environmental assessment and sustainability appraisal) Paragraph 033 suggests this is at Regulation 14 Pre-Submission stage (see Appendix 1). Of note is that the NPPG, Paragraph 080¹ under the 'Pre-Submission' stage, references that at 'Presubmission publicity and consultation' the Qualifying Body, where European Obligations apply, complies with relevant publicity and consultation requirements.

The consultation requirements are referenced in The Environmental Assessment of Plans and Programmes Regulations 2004, regulation 13², as below:

¹ National Planning Policy Guidance, Neighbourhood Planning, Para 080, Reference ID: 41-080-20180222 - https://www.gov.uk/guidance/neighbourhood-planning--2

² The Environmental Assessment of Plans and Programmes Regulations 2004, Regulation 13 - http://www.legislation.gov.uk/uksi/2004/1633/regulation/13/made

Consultation procedures

13.—(1) Every draft plan or programme for which an environmental report has been prepared in accordance with regulation 12 and its accompanying environmental report ("the relevant documents") shall be made available for the purposes of consultation in accordance with the following provisions of this regulation.

- (2) As soon as reasonably practicable after the preparation of the relevant documents, the responsible authority shall—
 - (a) send a copy of those documents to each consultation body:
 - (b) take such steps as it considers appropriate to bring the preparation of the relevant documents to the attention of the persons who, in the authority's opinion, are affected or likely to be affected by, or have an interest in the decisions involved in the assessment and adoption of the plan or programme concerned, required under the Environmental Assessment of Plans and Programmes Directive ("the public consultees");
 - (c) inform the public consultees of the address (which may include a website) at which a copy of the relevant documents may be viewed, or from which a copy may be obtained; and
 - (d) invite the consultation bodies and the public consultees to express their opinion on the relevant documents, specifying the address to which, and the period within which, opinions must be sent.
- (3) The period referred to in paragraph (2)(d) must be of such length as will ensure that the consultation bodies and the public consultees are given an effective opportunity to express their opinion on the relevant documents.
- (4) The responsible authority shall keep a copy of the relevant documents available at its principal office for inspection by the public at all reasonable times and free of charge.
- (5) Nothing in paragraph (2)(c) shall require the responsible authority to provide copies free of charge; but where a charge is made, it shall be of a reasonable amount.

This is clear that the consultation procedures apply to a 'draft' plan, rather than a submitted plan. It is also clear in the NPPG Para 040 3, that the environmental report must be available alongside the 'draft' plan, and that these procedures can be incorporated into the pre-submission publicity and consultation.

It is apparent throughout various guidance notes that the reason why the SEA/Environmental Report needs to be consulted on at Regulation 14 (rather than Regulation 16), is that there is a need to demonstrate that the SEA has influenced the plan's development, and the plan and it's policies have been amended in line with the SEA's recommendations. At Regulation 16 amendments to plan would no longer be made by the Qualifying Body, and whilst it is possible that comments on the SEA are made at this stage and the examiner amends the plan accordingly, this is not advisable, and could leave the plan open to formal challenge.

In the response from Locality they have advised the following: "The risk of post referendum legal challenge, if an SEA is screened in and not submitted at regulation 14, as described by AECOM, is worth considering. There may also be a risk that the independent examiner has a problem with the submission if SEA was not submitted at regulation 14. The risk of legal challenge may be one of judicial review and this is a method developers have used on a number of neighbourhood plans in the past, particularly areas of high land value."

As can be seen in the SHELAA (2017/18) and with the recent publication of the Borough's less than five year supply, there is a lot of developer interest in the Borough, and it is especially worth noting that developers are already actively submitting representations on all of the Neighbourhood Plan's across the borough. It would be reasonable to expect developers to continue closely scrutinising neighbourhood plans in the borough, and if opportunities to consult have been missed, this will likely be questioned through the Regulation 16 and Examination process.

From what AECOM and Locality have stated, and through our own research, there are certain levels of risk that come with various routes going forward. I have included a table below which lists the potential ways forward, and the associated risks.

³ National Planning Policy Guidance, Strategic environmental assessment and sustainability appraisal, Para

^{040,} Reference ID: 11-040-20140306 - https://www.gov.uk/guidance/strategic-environmental-assessmentand-sustainability-appraisal

Approach	Time implications	Risk	Pros and cons
Consult on the amended Plan and SEA Report through another Regulation 14 consultation	6 week consultation	No risk	Pros: No risk involved, meets the regulations as required, and lessens opportunities for challenge. Cons: Delays the project plan by 6 weeks, potentially lose community appetite for plan.
Consult on the SEA Environmental Report only to invite comments	3-4 week focused consultation on just the SEA Environmental Report.	Medium risk. Consultation on the plan itself has already been completed at Regulation 14, although the plan will/should have been amended in line with the SEA recommendations.	Pros: Reduces the risk of community and other stakeholders saying they didn't have chance to see the SEA before the Plan was submitted. Shortens consultation burden. Cons: Delays the project plan by 3-4 weeks. Does not invite comments on the amended draft plan and supporting documents alongside the SEA report. May invite opportunity to challenge the consultation procedure.
Proceed straight through to the Regulation 15 submission and consult on SEA Report and plan at Regulation 16.	No time implication. Consultation alongside the plan at Regulation 16.	High risk involved should developers or other stakeholders challenge the process, as it could be seen this approach is not meeting regulation. However, there are cases where groups say that Regulation 16 is an appropriate time to consult on the SEA, given the late stage that SEA was screened in.	Pros: Quickest approach. Most likely to maintain community appetite for the NDP. Cons: Risk of challenge on the grounds that the SEA consultation was not early and effective alongside an amended draft plan.

It is also important to note that the plan has been amended since the original Regulation 14 consultation, and other amendments may be made following a meeting with Bloor Homes and the Borough Council to discuss the affordable housing provision on the allocation site. It would be credible to re-consult on this amended plan alongside the SEA Environmental Report.

Notwithstanding the above, the Local Planning Authority would recommend the following:

- Amend the plan in-line with the SEA recommendations and write an accompanying statement outlining how they have amended the plan to address the SEA/consultation bodies concerns. This will then be a crucial piece of evidence during examination which will support your site allocation, and consequently your whole plan.
- Concurrently, re-consult on a Regulation 14 consultation for 6 weeks, inviting comments on the SEA Environmental Report, the amended draft plan, the supporting statement on the plan's amendments, and all supporting documents.

I would just like to re-iterate that all of the above is only advice, and we, as planning professionals, are offering guidance as to how we think the plan should best proceed as per the SLA between the LPA and the Parish Council. It is Newbold Verdon's decision on how their plan is taken forward, however post receipt of the examiners report, the LPA has to be satisfied that the plan meets all of the basic conditions for the plan to proceed to referendum.

I hope all of the above is clear, open and constructive, and I hope we can work together to rectify any issues so we can move positively towards the plan's submission over the coming months. We believe that it was best to set this all out in letter format so everything was as clear and concise as possible, however we are happy to answer any queries you may have.

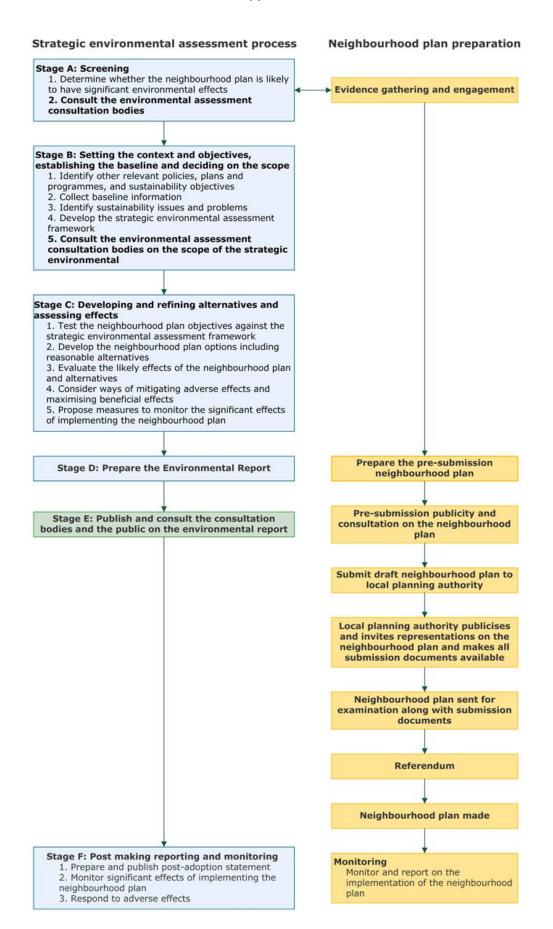
Yours faithfully,



Fran Belcher Planning Officer, Policy

Development Services
Hinckley and Bosworth Borough Council

Appendix 1



Bill Cullen MBA (ISM), BA(Hons) MRTPI Chief Executive

Please ask for: Fran Belcher Direct dial/ext: 01455 255749

Direct fax: N/A

Email: planningpolicy@hinckley-bosworth.gov.uk

Your ref:

Our ref: NV-SEPT-2019 Date: 26/09/2019 Hinckley & Bosworth Borough Council

Dear Heather and the Newbold Verdon Neighbourhood Plan Group,

Please see HBBC's advice below on the next steps for consultation.

The consultation

The consultation you'll be running at this stage is, for want of a better phrase, a Regulation 14 Part Two, as generally you'll be consulting on the draft plan as you did back in August 2018, but this time with the added SEA report.

Running this consultation, including consulting on the SEA Environmental Report, shows how you plan to meet Regulation 13 of the Environmental Assessment of Plans and Programmes 2004 regulations.

With this being said, we would recommend the Parish Council/Neighbourhood Plan Group runs this consultation the same as the Reg 14 consultation in August 2018, including consulting the same people.

Who to consult

The SEA not only requires you to consult the three statutory consultees (Natural England, Environment Agency and Historic England) on the Environmental Report but also the public at this stage i.e. those people affected or likely to be affected, or having an interest in the issues raised in the Environmental Report. It is recommended that the following bodies are also formally consulted (the same as at Reg 14 stage):

- Neighbouring parish and town councils
- > Landowners and community organisations that will be affected by your neighbourhood plan
- Any other organisations that you have been working with or who may have an interest in your neighbourhood plan.

How to consult

Once you have a plan of why, how, who and when you are going to consult, it's a good idea to include this as a supporting statement for the consultation and to then include in the final Consultation Statement. This will be good going forward into the examination so the examiner can see why and how this extra consultation was undertaken, and to what benefit, following the recommendations in the SEA report, and the amendments made to the plan since the last round of consultation in Aug 2019.

As you are fitting all this into a focussed three week consultation you'll especially need to make you've 'dotted the t's and crossed the i's'. Notwithstanding this we would recommend the following (some of which you've already stated you've got planned which is good):

- Publishing all relevant documents and maps on the website
- Notifying all parishioners, landowners and stakeholders (by whichever way you find appropriate)
- Social media posts
- Drop-in events within the consultation period (if possible/if you think would be necessary)
- Publicity around the village, i.e. notice boards, in public places for example the library

The more publicity on the plan, the more robustly you can demonstrate you've met the requirements in the regulations.

Next steps

Below I have included a brief run-down of the next steps between now and submission.

Step 1: Three week focussed Regulation 14 part two consultation on:

- The Draft Plan and amendments made to the plan following the SEA recommendations
- The SEA Environment Report
- All supporting appendices/evidence bases/supporting documents/maps

Step 2: Make amendments to the plan following the representations received during the consultation. Send to HBBC the final list of respondents to both stages of consultation in August 2019 and October 2019 (we need this to prep for the next stage).

Step 3: Prep all the documents for the Parish Council (as the Qualifying Body) to submit to the LPA under Regulation 15. This should include the following suite of documents:

- A letter confirming submission of the plan at Regulation 15, for the purposes of the LPA undertaking the Regulation 16 consultation
- Final Plan 'Submission Version'
- Basic Conditions Statement
- Consultation Statement
- A map and statement which identifies the area to which the plan relates
- SEA screening statement AND the full SEA Environmental Report

Step 4: After receiving the suite of documents above we issue an acceptance letter to the Qualifying Body and the Neighbourhood Plan group, and proceed to preparation for the Regulation 16 'Submission Consultation'. We usually take two weeks to do this checking and prepping stage depending on the level of prep needed.

Step 5: LPA undertake Regulation 16 consultation for 6 weeks.

Once you have confirmed a date to start the consultation, please let us know as soon as possible, as we will need to prep our website, and put aside time in our calendars to produce our representations. We can then also amend the Service Level Agreement indicative timescales plan to reflect the updated position.

Likewise could you please let us know when you plan to submit at Regulation 15 as soon as possible; this allows us more time to discuss the publicity of the consultation with colleagues in the communications team, and prep the consultation material for the website and the notification letters/emails.

I have copied in (cc'd to the email) John & Jhanvi from the RCC who will be able to help with this stage of the process if needed. Otherwise your planning consultant will be able to advise on all aspects of the process.

Any questions please let us know. If I am unavailable for any reason, my colleagues will be able to advise.

Yours sincerely,

Fran Belcher Planning Officer (Policy)

Planning Policy - Development Services

Tel: 01455 255749.

Email: frances.belcher@hinckley-bosworth.gov.uk