



Hinckley & Bosworth
Borough Council

Hinckley and Bosworth Borough Council Consultation Response to the Barlestone Neighbourhood Plan Pre-Submission Draft (Regulation 14)

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).

This consultation response aims to highlight where policies of the Stoke Golding NDP require modification in order to be in full conformity with the basic conditions.

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. Barlestone NDP undertook screenings and it was determined that neither a full HRA nor an SEA were required to comply with this basic condition.

Comments are provided below on the NDP policies which aim to ensure that the policies in their final form are workable and can be implemented to their full effect, ensuring that they contribute to the achievement of sustainable development.

Detailed comments

Policy reference / Page number	HBBC comments
Preface	Third paragraph refers to the NP being the basis for planning decisions up to 2036. HBBC is now planning for its new local plan to run from 2020 to 2039. HBBC recommends that the Neighbourhood plan period is aligned with this to achieve closer conformity between local plan and NP which should help the NP progress through examination and meet the basic conditions. And this will also minimise risk of the NP being out of date soon after it is “made”.
1. The NP and what we want it to achieve	<p>P7 2nd Para. Text “...covers the period up to 2036...”. Same comment as for Preface.</p> <p>P7. Policy intention bullet points. If these were roman numerals, it would aid referencing and navigation of the NP.</p>
2. Barlestone Today	<p>P11. 3rd Para. Text “Around two fifths (20%)...” Should be “one fifth”</p> <p>P11. Final two paragraphs. Quoted house prices need a date/year.</p>
3. Community Engagement Process	<p>Consultation and engagement is an important part of the journey in preparing a NP and it is necessary to submit a report of consultation when the NP is submitted for examination (Neighbourhood Planning (General) Regulations 2012). However, it is not necessary to report on all the consultation undertaken in the NP itself. The NP Group could consider removing section 3 or substituting it with a short summary which refers to a report of consultation for further details. This will make the NP lighter and easier to use for its principle purpose of providing policy and guidance for determining planning applications.</p> <p>From the summary in Section 3 of the NP and the reports on the NP website</p> <ul style="list-style-type: none"> - Community Drop In Session Report (September 2017) - Stakeholder Event Report (January 2018) - School Stakeholder Report <p>the community engagement undertaken with the local community appears extensive.</p>
4. Vision for Barlestone	Section 4 provides a concise straightforward vision of what is important for Barlestone up to 2036. The time horizon could be changed to 2039 to align with HBBC’s Local Plan. Is there room for the vision to include a strand about employment in Barlestone, perhaps around increased self-sufficiency of local jobs?
5.1 Housing Need	<p>P16 Para 2. Text “As at the 2011 census (the most recently available comprehensive data) Barlestone housed 0.63% of HBBC’s total population.”</p> <p>0.63% is incorrect. On page 10 of the NP the population of Barlestone is given as 2,481 people according to the 2011 census, which equates to 2.4% as a proportion of the Borough census population of 105,078.</p> <p>Using the Office of National Statistics Mid-Year Estimates for 2017, Barlestone has 2.3% of the Borough population (2,522 / 111,370).</p>

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	<p>Para 3. Text "...all planning approvals from 1st April 2017 onwards can count towards achieving the overall minimum target."</p> <p>That is correct, except if the Barlestone NP is to mirror the new Hinckley & Bosworth Local Plan its time period will be 2020 – 2039, which means that outstanding planning permissions from 1st April 2020 will count, but dwellings completed prior to then will not.</p> <p>Para 4. Text: "Based on information provided by the Borough Council, the gross housing requirement for HBBC for 2016 – 2036 is 9,460 (473 dwellings per annum). The pro-rata figure for the parish is 59 units over this same time period."</p> <p>Using the correct pro-rata percentage of 2.3% would give a requirement of 218 dwellings for Barlestone for the 2016 – 36 period. However, HBBC recommends the NP Group go with the plan period of 2020 – 39, for which the latest gross requirement figure is 8,588. HBBC have recommended that neighbourhood plans include an additional buffer to give flexibility to the plan. For example this would help if sites did not come forward for development as anticipated and/or if the local plan, once adopted, set a different housing requirement for the parish. Also, the Borough may need to accommodate unmet housing need from the City of Leicester. In December 2020 the Standard Method for establishing housing need for Local Planning Authorities was revised so that the housing need for the 20 largest cities in England, including Leicester, was increased by 35%. This is likely to lead to a significant increase in the level of unmet housing need arising in Leicester. Whilst work is ongoing across Leicester and Leicestershire to agree a method of apportioning this unmet need it is possible that the Borough may be expected to accommodate part of this additional 35% uplift. It is therefore considered important that neighbourhood plans in the borough are flexible enough to respond to a potentially higher housing need figure in the emerging local plan. Without flexibility it is possible that neighbourhood plans may quickly become out of date. A 10% buffer has been recommended which would raise the borough requirement to 9,447 and Barlestone's apportionment to 214 dwellings for 2020-39.</p> <p>Para 5. Text: "The number of dwellings built or with a current planning consent in Barlestone granted since the 1st April 2017 is 11 units, against the minimum requirement of 59 units this leaves a shortfall (as at January 2020) of a minimum of 48 units to be delivered through the Neighbourhood Plan to 2036"</p> <p>The calculation of completions and outstanding permissions should start at April 2020 to reflect the 2020-2039 local plan timescales. HBBC records indicate that there were outstanding planning permissions for 17 dwellings at 1/4/20, but 6 of these overlap with the proposed allocation at land to the rear of 11-19 Newbold Road, giving potential for double counting. Barlestone could also include an allowance for windfall development based on historic trends. HBBC records have 24 dwellings completed on unallocated sites since 2006, giving an annual rate of 1.6</p>

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	<p>dwelling over the 15 year period. Projecting this forward for the 19 year period 2020 – 2039 gives an allowance of 30 dwellings. Taking these factors into account gives a minimum residual requirement of 173 dwellings to be planned for through allocations.</p> <table border="0" data-bbox="411 472 962 577"> <tr> <td>Housing requirement</td> <td></td> <td>-214</td> </tr> <tr> <td>Outstanding permissions</td> <td>11*</td> <td>-203</td> </tr> <tr> <td>Windfall allowance</td> <td>30</td> <td>-173</td> </tr> </table> <p>*not including the 6 dwellings of site r/o 11-19 Newbold Road.</p> <p>Page 17. Policy H1 should be reworded to set out the housing requirement as per the above figures. There will not be a need for an early review of the Barlestone NP as these figures provide a best estimate of housing need for the plan period of 2020-39.</p>	Housing requirement		-214	Outstanding permissions	11*	-203	Windfall allowance	30	-173
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Housing Allocations	<p>Page 17. The third paragraph “Following this comprehensive exercise...” will need to be re-written to reflect identification of sufficient allocations to meet need.</p> <p>Policy H2 sets out 3 sites which are shown on Figure 2. Site 1: Land North of Bagworth Road. Text says “...for around forty units...”. The examiner of the NP will need certainty of numbers to understand the ability of the housing land supply to meet the housing requirement. HBBC recommends using the words “...for a minimum of...” and include a figure which is the minimum possible taking account of the site requirements. Site 2: Land behind 11-19 Newbold Road. Same comment. Delete the word “...around...” Site 3: Land at Newbold Road. Same comment. Delete the word “...around...”</p> <p>One of the national policy tests for allocation of sites is to show that they are deliverable. It is likely an examiner would want to see evidence to support this such as evidence of developer interest</p> <p>Further allocations that could make up the shortfall include two sites allocated in HBBC’s Site Allocations & Development Management Plan (SADMP):</p> <ol style="list-style-type: none"> i) Garden Farm, ref Site Bar102. Allocated for 64 dwellings however a planning application (Ref 20/00470/FUL) is due to be considered by HBBC Planning Committee shortly for 99 dwellings on a slightly larger site. ii) Spinney Drive, South of Brookside, Ref Bar127PP with capacity for 49 dwellings. It is understood that land issues that had held up development have recently been resolved to make this a deliverable site. <p>As these are already allocated in the SADMP it would be very unusual not to include them in the Barlestone NP as their status as allocations means the principle of residential development is established.</p>									

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	<p>The NP Group can also draw upon the other sites assessed and scored in the Sustainable Site Assessment (Appendix 3).</p> <p>Fig 2: Residential Allocations. This map serves well to illustrate the locations of the sites in Barlestone. However, it would be helpful for more detailed scale maps, say 1:1000 or 1:500 to show the exact boundaries of all the sites so people will be able to see whether fences, trees, small structures are inside or outside the site.</p>
<p>Policy H3, Figure 3 Settlement Boundary</p>	<p>Policy H3 expects development within the Settlement Boundary to respect the character, shape and form of Barlestone, whereas development outside the boundary will be carefully controlled in accordance with local and national policy. Policy H4 (windfall housing) is the only other NP policy to be applied differently according to the Settlement Boundary.</p> <p>HBBC considers that the wording “shape and form” are probably unnecessary as this is likely to be covered by the word “character”. If the NP Group believe “shape and form” means something that would not be covered by “character” this should be explained in the supporting text.</p> <p>HBBC defines Settlement Boundaries for all settlements in the Borough with the location of development being inside or outside of the boundary being important for several Borough policies:</p> <ul style="list-style-type: none"> - Core Strategy Policy 7 setting out the purpose and service provision for Key Rural Centres, including Barlestone - SADMP Policy DM14, Replacement dwellings - SADMP Policy DM15, Redundant buildings - SADMP Policy DM20, Employment Sites <p>The only real difference in policy scope between Policy H3 and HBBC policies is the Policy H3 emphasis on development respecting local character, whilst in all other respects Policy H3 defers to Borough policy. This is not a problem.</p> <p>However, the NP Settlement Boundary as shown on Figure 3 differs from HBBC’s Settlement Boundary as set out in the SADMP page 74 in a number of respects:</p> <ol style="list-style-type: none"> i) The housing allocations of BARL02 and BARL27PP are excluded from the settlement. This makes no sense as the principle of development is established and permissions are therefore expected to be granted. The Settlement Boundary should be redrawn to include these sites. ii) Barlestone proposed housing allocations. These are to be expected as an iteration of planning for Barlestone and HBBC would need to update its Local Plan in due course. iii) At the western end of the village, the housing estate of Curtis Way is excluded from the NP settlement but included in HBBC’s settlement. This is because the housing estate falls outside of the Parish boundary. iv) Open Spaces included in the NP Settlement Boundary: The cemetery (Ref BARL06), Cunnery Close Amenity Green Space (Ref BARL04), part of Bosworth Road Park (Ref BARL10).

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	<p>v) There are a number of other variations: North of Little Mill Close, South of 132 Newbold Road and South of 182 Newbold Road</p> <p>The variations of iii) and iv) appear to be about rationalising or straightening a boundary line to iron out irregularities. Such changes could pose uncertainty for the way policies are applied if development proposals are made on land that is on different sides of the boundary line in the two Plans. Ideally, the boundaries ought to be the same. Otherwise, the rationale for these differences in the NP boundary needs to be set out in the supporting text so that the implications for decision making can be understood.</p>
<p>Policy H4 Windfall development</p>	<p>Policy H4 and supporting text seeks to do several things under the heading of Windfall development:</p> <ul style="list-style-type: none"> - Criteria for windfall development - Design standards (overlap with Policy H6) - Housing mix - Windfall housing allowance (part of housing supply) <p>If these policy roles were separated out, it would allow for easier navigation of policy requirements and clearer expression of intentions. For illustration, the Desford NP (referendum version) has 3 separate policies for housing mix, windfall development and design.</p> <p>HBBC comments on particular aspects of Policy H4 and supporting text.</p> <p><i>Windfall development</i></p> <p>The first paragraph of the supporting text states "...further residential development will be restricted to windfall sites wholly within the Settlement Boundary." This should be part of the policy rather than supporting text as it is a definitive direction on acceptability of different locations for development.</p> <p><i>Design</i></p> <p>Criterion c) concerning character, is a less detailed duplication of criterion a) of Policy H6. Therefore, it could be deleted.</p> <p>Criterion f) concerning impact on amenity of neighbours would be a better fit under Policy H6. Such impacts should be a consideration for design of all development, not just housing windfall schemes.</p> <p><i>Housing mix</i></p> <p>Criterion g) would be better packaged as a separate policy. Housing mix is an important aspect of planning for Barlestone that is somewhat underplayed by relegating it to the penultimate criterion of a policy about something else. A separate policy would clearly apply to both development of allocations and windfall sites. As proposed in the draft NP it is rather cumbersome to have to have a cross reference in Policy H2 (Residential Site Allocations) to Policy H4 (Windfall) to see the housing mix requirements. A separate policy would also be better able to articulate any exceptions or nuances for example differences between affordable and market housing and townscape character not being impaired by demanding small dwellings where they are not appropriate and cannot be designed to be sympathetic to their surroundings.</p>

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	<p>In terms of the evidence to justify the housing mix requirement, Appendix 2 Midlands Rural Housing Need Survey concludes slightly different size requirements for affordable compared with market housing. The need for market housing is more toward 2 & 3 bedroom dwellings whereas the need for affordable is more toward 1 and 2 bedroom dwellings. This could be drawn out in a separate policy on housing mix.</p> <p><i>Windfall allowance</i> The last paragraph of the section, coming immediately after Policy H4 sets out a windfall allowance of 1.5 dwellings p.a. over a plan period to 2036. Although this does have a relationship with the windfall development Policy H4, its main role is to serve as a deduction from the housing requirement to help establish how much housing needs to be allocated. As such, this paragraph would best sit in the section on housing need, but with adjustments for the 2020-39 period as recommended above.</p> <p><i>Other</i> Policy H4: the expectation for development to meet "...all Development Plan requirements..." is not strictly necessary, because it is always expected that development proposals comply with all relevant policies of the development plan (Local Plans and made Neighbourhood Plans).</p>
Policy H5 Affordable Housing	<p>P.21 Paragraph 2. Last sentence. The rural housing premium is explained in Appendix 2, not Appendix 4. The sentence could easily add an explanation after the words "rural housing premium", "... (ie the higher price of rural compared with urban housing)...". This would save readers having to look up what it means. Appendix 2 actually quotes "£55,000" for East Midlands.</p> <p>The information in the Housing and Economic Development Need Assessment 2017 has been superseded by the HBBC Housing Needs Study. It is noted that the NP states, "...or any more recent document updating...these reports...", but it would still be worth referring to the latest evidence available in the submission draft of the NP.</p> <p>The supporting paragraph of the NP has reference to the abbreviated housing needs study. This ought to set out the full title as per Policy H5 itself.</p> <p>The last paragraph refers to 30% total site requirement for affordable housing, whereas Policy H5 requires 40% of the site area. HBBC's Core Strategy Policy H15 requires 40% of total dwellings on a site to be affordable which is how most affordable housing policies in England are structured. If the requirement relates to site area, this could allow developers to avoid full provision by including low density dwellings, open space and undevelopable parts of sites in the 40%. Hence, HBBC recommends that the NP requires 40% of total dwellings to be consistent with HBBC policy.</p> <p>The requirement of parts a) and b) of Policy H5 could be simplified. Reading from the opening line of the policy, "Affordable housing will be provided on development sites as follows:" Part a) could then say "...to consist of 40% of dwellings....". Part b) could then say "...to meet the current and future needs of the parish..."</p>

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	<p>Regarding Part a) expecting affordable housing on all sites of 4 dwellings or more, national policy now only allows affordable housing to be required for sites of 10 or more dwellings.</p> <p>Regarding the affordable housing tenure split, both the last paragraph and part b) of Policy H5 require 80% social and affordable rented homes and 20% intermediate / low cost starter / other home ownership products. This is out of kilter with HBBC's Core Strategy Policy H15 requirement of 75% social rented and 25% intermediate housing. An eye also needs to be given to the Government's expected policy changes concerning "First Homes" that were consulted on in 2020.</p> <p>The above comments would make Policy H5 consistent with HBBC affordable housing policy, but it would involve a lot of duplication. An alternative approach would be to cross reference the policy requirement of HBBC and set out locally distinctive policy expectations, for example the need for affordable bungalows, and other particular needs evidenced in the Parish Survey and the type of local connections expected.</p>
Policy H6 Design	<p>Policy H6 criterion b). This could be onerous for infill development, particularly in the older parts of the village where extensive off street car parking would not be possible or would jar with the historic character of the surroundings. Perhaps an exception could be written into the policy or supporting text to cover this eventuality? Whilst the lack of public transport is noted, the requirement for 4 off street car parking spaces for a four bedroom dwelling is excessive. The Leicestershire Highway Design Guide for rural areas sets a standard of 3 spaces for 4 bedroomed dwellings for schemes of up to 5 dwellings (para 3.173).</p> <p>Criterion c). What is meant by protecting "elevations"? It seems out of context, in between protecting trees and hedges.</p> <p>Criterion d). Could the supporting text explain what level of provision is necessary to determine that a proposal is acceptable? There are measurement standards for energy and water efficiency. Does the NP expect these to be higher than what is required as standard through the Building Regulations? For development to be acceptable, how many renewable/low carbon energy technologies will a development have to have?</p> <p>Criterion f). The use of "permeable surfaces" could be added as a further example of sustainable drainage</p> <p>Criterion g) could be combined with criterion e) as the subject matter is almost the same?</p>
5.2 Natural & Historic Environment	<p>P24. Typo in 1st paragraph under Landscape, geology and setting, "...scattered tress.." should be "trees"</p> <p>P27 – 29 Environmental Inventory and Local Green Spaces. Seems to be a thorough assessment of open spaces using the NPPF criteria and a well written policy. Table ENV1 does not need to be in the NP; it would fit better within the Environmental Inventory evidence (Appendix 6). Is there any</p>

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	<p>reason why Old Pasture (ref 2001) in Appendix 6 and Appendix 8 is not included in Policy ENV1 and Figure 6?</p> <p>Policy ENV 2: Protection of Sites of Historical Environmental Significance.</p> <p>It is not explicit within the policy wording that these sites are considered to be non-designated heritage assets. The following words are suggested: “The sites listed and mapped (figure 7.1) <i>are non-designated local heritage assets</i> and have been identified as being of significance for their historical environmental features (built heritage or archaeology)...”</p> <p>The last sentence of this policy (<i>To be supported, development proposals will be required to demonstrate that the development’s value outweighs the historic significance of the site of features</i>) does not conform with or and reflect the provisions of Section 16 of the National Planning Policy Framework and Policies DM11 and DM12 of the Site Allocations and Development Management Policies DPD as it does not instigate a balanced approach when assessing the significance of the non-designated heritage asset against the benefits of the proposal; the need for the value of a proposal to outweigh significance of a non-designated heritage asset to obtain support is a weight that should be afforded to designated heritage assets only in the planning balance. To accord with the NPPF and SADMP DPD it is strongly suggested that this last sentence is amended so a balanced approach is specified in the policy, utilising the format of paragraph 197 of the NPPF. Suggested options are to draft wording similar to that contained within Policy ENV 5: Local Heritage Assets on this plan, or to utilise the suggested policy wording for a very similar policy as proposed within the emerging Witherley NDP, which has been prepared by the same consultant. For reference the wording from the Witherley NDP is: <i>The historical and cultural significance of the sites and the features present on them should be balanced against the local benefit of any development that would affect or damage them.</i> Another further option would be wording similar to that contained in Policy S7: Local Heritage Assets of the Sheepy NDP, this being a made plan within the HBBC area.</p> <p>The environmental inventory (contained within Appendix 6), which informs the sites identified within Policy ENV 2 is quite hard to navigate as the sites are ordered by score ranking. Could they also be presented in numerical order of their reference numbers to aid with identification? Figure 7.1 identifies the sites of historic environmental significance with a site number cross-referenced back to the environmental inventory. For further ease of identification consideration should be given to listing the sites for protection within the Policy and providing simple information such as the site address/location and the reasoning as to why each site is of significance.</p>
Policy ENV3.	The same comments apply as for ENV2 that it would be helpful for the policy to list the sites to be protected according to category with site address and reasoning for inclusion.
Policy ENV4. Important Open Spaces. Fig 8	Policy ENV4 is very similar to Policy DM8 of the Local Plan. The criteria for development exceptions have broadly comparable intentions but different wording. Duplication could be avoided if ENV4 takes Policy DM8 as the starting point and sets out the differences of emphasis applicable to the open

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	spaces in Barlestone. The list of open spaces in ENV4 seems to mirror the list for Barlestone in the SADMP although Meadow Road Amenity Spaces (BARL14) are not included. The reasoning for differences ought to be explained, including if there are any differences to boundaries.
Listed Buildings	P.35. The sentence <i>New development will be required to take into account their settings, as defined on a case by case basis with Historic England</i> should be amended as there are some errors – in particular the reference to Historic England defining setting (ordinarily it is the local planning authority that do this), and also direct impacts as well as impacts on the settings of listed buildings should also be acknowledged. HBBC suggests that the wording of this sentence should be amended to: <i>The Neighbourhood Development Plan notes that proposed development is required to take into account the direct impact upon the significance of listed buildings and also the effects upon their setting. Their location within, or close to, sites designated or noted for protection in the Plan’s Policies can contribute to evidence of their significance.</i>
Local Heritage assets & Policy ENV5	<p>P.35. The first sentence of the section Local Heritage Assets is limited geographically by the reference to the built environment of Barlestone. As some proposed local heritage assets are located outside of the built environment of the village and within the wider Parish (such as a farmhouses) HBBC suggest the wording <i>in the built environment of Barlestone</i> is amended to <i>in the Neighbourhood Plan area</i>.</p> <p>Reference to footnote 63 of the NPPF within the last sentence of this section should be removed as it is not relevant or appropriate in seeking the preservation of local heritage assets (footnote 63 concerns substantial harm to or loss of non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to scheduled monuments being wholly exceptional within the planning balance). HBBC suggests that this last sentence is significantly altered to wording such as (or similar to): <i>Inclusion in the Plan records them in order that any effects upon their significance arising from a development proposal are a material planning consideration.</i></p> <p>Policy ENV5. The reference to the <i>layout and characteristic mix of architectural</i> styles contained within part of the first sentence to Policy ENV 5 is very specific and does not cover the wider range of reasons as to why local heritage assets in the Parish are important, as has been included within Appendix 9 and partially included within the context on page 35 (with reference to architectural, historical or social reasons within this section). HBBC suggests simplifying and amending this first part of Policy ENV 5 to: <i>The structures and buildings listed here (and within figure 9) are important to the Parish and their features and settings will be protected wherever possible.</i></p> <p>Regarding the list of local heritage assets identified within this policy and within Appendix 9 their inclusion is welcomed by HBBC; there is broad consistency with the Council’s adopted selection criteria for identifying local heritage assets reflecting the collaborative work undertaken by HBBC’s conservation officer and the Group over the preparation of the NP. However, some recommended improvements are as follows:</p>

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	<ul style="list-style-type: none"> • The text for each entry contained within Appendix 9 could be made much more concise and also have greater consistency with the entries drafted by HBBC’s conservation officer as part of the preparation of the draft HBBC Local Heritage List. These drafted entries were sent to Cathie Watkins of the Group on 12th March 2020 (HBBC can make copies available on request). HBBC recommends that the format and content of Appendix 9 should be amended to reflect the draft entries sent on this date unless the Group have any specific reasons for not wanting to follow this approach. • Throughout the assessment process of drafting the HBBC local heritage list and identifying possible local heritage assets within Barlestone Parish the HBBC conservation officer provided advice to the Group as to whether the identification of certain assets was justified against the HBBC selection criteria. Towards the end of the process he suggested five entries be removed because there was not of enough interest or value to warrant identification. This was set out in an email sent to Cathie Watkins on the 25th of March 2020; again HBBC can make copies available on request. These entries will not be included in the final draft of the HBBC Local Heritage List. The entries suggested for removal have been included within Policy ENV 5 and the text of the HBBC conservation officer’s email has been quoted verbatim in red within Appendix 9 for each entry. HBBC strongly suggests that either these entries are removed from the Plan or alternatively if the Group feel their inclusion is warranted then provide additional justification including why they are of interest/value and what makes them special.
<p>Notable trees, woodland and hedges. Policy ENV7</p>	<p>Planning policy cannot protect trees and hedgerows from works or from felling; only a Tree Preservation Order or Conservation Area designation can do that. HBBC suggests the second sentence of the policy:</p> <p>“They should be protected from felling, uprooting or damage, including by development proposals, unless they are independently judged by a qualified arboriculturalist to present an unmanageable public safety risk or their retention is impossible. The principles of mitigation and biodiversity net gain should be applied where loss is unavoidable, in line with NPPF para 32.”</p> <p>be re-written as follows:</p> <p>“Any proposals for new development should seek to incorporate existing trees and hedgerows. Any proposals which result in the loss of trees and hedgerow should be accompanied by an Arboricultural Survey to assess the quality of the tree and or hedgerow. Where removal is required replacement planting will be required elsewhere on the site”</p>
<p>Biodiversity & Habitat Connectivity Policy EN8</p>	<p>This section is broadly consistent with HBBC Core Strategy Policy 20 and Figure 12 gives additional detail to the Biodiversity Improvement Area illustrated on the Key Diagram. A cross reference ought to be made in the supporting text to the Bagworth to Market Bosworth Multifunctional Corridor which is the green infrastructure corridor that spans Barlestone NP area identified in Policy 20.</p>

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	<p>The second part of Policy ENV8 could seek to promote improvements to habitat connectivity as well as prevent harm from development. Wording could be added as suggested in italics: “Development proposals should not damage or adversely affect, <i>and where possible should seek to positively improve</i> the habitat connectivity provided by the wildlife corridors identified on the map (figure 12).</p>
<p>Bats Policy ENV9</p>	<p>Policy ENV9. As written the policy applies to all development proposals. Should minor alterations that do not involve lighting be excluded?</p> <p>Regarding part d) can the policy or supporting text give advice on the usual expected ratio of bat boxes?</p>
<p>Rights of Way. Policy ENV10</p>	<p>Policy ENV10 expects “appropriate mitigation” where development has a significant adverse effect on public rights of way. What is regarded as “appropriate” could be the subject of disagreement. Therefore, it would be useful if the supporting text could give some guidance on the form and level of mitigation expected. For example, if a path needs to be re-routed, consider ease of use (width, surface, gradient), visual attractiveness, safety etc.</p>
<p>Flood Risk Policy ENV11</p>	<p>P44 paragraph 1. It is not clear what is meant by permitted development proposals in this context. There are a huge range of permitted development rights and only some have flood risk implications. This ought to be explained.</p> <p>Second paragraph refers to Policy ENVx which needs updating to ENV11</p> <p>Policy ENV11 applies to development proposals “of an appropriate scale” and “where relevant”. To avoid dispute about what type/size of development that the policy applies to, the supporting text needs to explain how “appropriate scale” can be gauged and the type of developments that will be “relevant” and why.</p> <p>Regarding criterion c) is it clear what a “hydrological study” should report on? Should the scope of such study be proportionate to the scale of development so that it is not onerous for small developments? The supporting text should provide guidance on this. Has the NP Group considered making a policy requirement for Flood Risk Assessments which the NPPF advises on applicability to different type/size of development in footnote 50 (para 164)?</p>
<p>Important Views ENV12</p>	<p>It is useful to have the photographs and description of what is important in the identified views set out in Appendix 13. Comments on individual views are as follows:</p> <ol style="list-style-type: none"> 1. From the picture, the view of buildings surrounding the village centre is pleasant and attractive, but is a short distance view, quite different to the others. Is this justified as a panorama when only one direction of view is provided in the evidence? 2a The photograph shows an attractive view of the boardwalk with watercourse. But is this justified as a panorama when only one direction of view is provided in the evidence? 2b The photograph does not show any lakes which are implied by its title. Is this justified as a panorama when only one direction of view is provided in the evidence? It should be noted that a westward view

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	<p>from this location would look across the Garden Farm housing site which is allocated in the HBBC SADMP. The principle of housing development on this site is already established. The views from 2a and 2b therefore ought to be looking eastwards rather than panoramic.</p> <p>3. The photograph may not do justice to the view, which appears as a flat field with some woodland in the distance.</p> <p>Policy ENV12 says proposals must not significantly harm the following views or their viewpoints. The attractiveness of a view is quite a subjective matter, but would the supporting text be able to offer any guidance or examples of the type of developments that might significantly harm the views, and equally of developments that would not significantly harm the views? Regarding the protection afforded to the viewpoints, the precision of viewpoint locations is uncertain from the schematic nature of the map symbols, and if practically the same view is possible from other points, should this affect the balance of judgement in a planning decision? More guidance in the supporting text on how to apply the policy in this regard would be helpful.</p> <p>Figure 15 refers incorrectly to Appendix 12</p>
5.3 Community Facilities.	<p>The list of facilities on pages 47-50 seems comprehensive and provides more detail than HBBC's SADMP. Regular review of the NP will be required to keep this up-to-date.</p> <p>Policy CFA1 is very similar to Policy DM25 of the Local Plan. The criteria for development exceptions have broadly comparable intentions but different wording. Duplication could be avoided if CFA1 takes Policy DM25 as the starting point and sets out any differences of emphasis or additional considerations applicable to Barlestone.</p> <p>There is also duplication of NP Policy ENV4 in protecting important open spaces of the recreation ground and village park listed in Policy CFA1.</p> <p>CFA2 – New and Improved Community Facilities. In criterion b) consider replacing the word “disturbance” with “loss of amenity”. The word “amenity” is regularly used in planning to mean all impacts on wellbeing of neighbours, which is broader than “disturbance” which perhaps implies only noise, vibration and coming-and-goings.</p> <p>Policies CFA3 Doctor's Surgery and CFA4 School and Pre-School Facilities. It is helpful for the NP to plan for expansion and improvement of these facilities anticipating additional demand generated by future housing growth. The traffic and transport chapter also highlights some parking and road improvements. The NP Group should consider whether a separate section on infrastructure is needed to set out how improvements listed throughout the plan could be funded and delivered. There is potential to seek contributions from major housing developments where new demands on facilities are generated, although the level of funding will be limited by the overall viability of development. Therefore, a section on infrastructure would offer opportunity for Barlestone to set out a ranking of priorities for new infrastructure. The NP could rely on HBBC's Policy DM3 as the basis for</p>

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	<p>requiring contributions from new development, or could draft its own policy with more detail tailored to the needs of Barlestone.</p> <p>Regarding Policy CFA3 criterion a) is there a special reason for school busses to park near the Doctor's Surgery?</p> <p>Regarding Policy CFA4 criterion d), repeats the concern about residential amenity expressed in criterion c) expressed differently. The level of tolerable adverse impact needs to be clarified, and whether it is a concern to residents or other uses also needs to be clarified.</p> <p>The NP group could also consider whether criteria a) in both policies should also say "easily" accessible as well as "safely" accessible? That would give priority to more centrally located sites if available.</p>
Traffic and Transport	<p>The introductory historical narrative about frustrated efforts to tackle speeding and parking over pages 54 and 55 is somewhat long and anecdotal. The consultation feedback is useful in framing the concerns about parking and speeding, and the list of location specific issues on pages 56 and 57 is useful to pinpoint where the problems are. The five paragraphs under "Possible solutions to the Car Parking Problems within the Village", concentrate more on obstacles and frustrations. It is not very clear what the preferred solutions are, although the options of identifying land and seeking developer contributions are mentioned. Should these options link through into the Community Action TR1? See also comments above on Policies CFA3 & CFA4 concerning infrastructure funding and prioritising.</p> <p>The proposed one-way system is presented as a solution to congestion and parking. Further discussion with County Highways is planned. HBBC recommends that the feasibility and deliverability of the proposed scheme are fully examined before the NP is submitted so that a definitive way forward can be set out in the plan.</p> <p>The electric vehicle charging policy TR2 is welcomed in anticipation of increases in the use of electric vehicles over the next decade. Where new dwellings are expected to provide parking spaces for more than one car, should sufficient charging capacity be required for all the cars?</p> <p>Policy TR3 Footpaths. There is significant overlap with the rights of way policy ENV10 particularly concerning improved provision of footpaths. Consider merging into one policy. It would be helpful if a schedule of desire lines for any new paths and locations for improvements could be drawn up and illustrated on a map. See also comments above on Policies CFA3 and CFA4 concerning infrastructure improvement.</p>
Business and employment	<p>P.62 1st paragraph, last line. "...eventually close..." should be "closed". 2nd paragraph: delete "of" from "The site employed of around 10 people..."</p> <p>Policy BE1. Could another exception be where the business function of the land or premises would not be undermined by an alternative use on an underused part of the land or floor space, for example living above the shop?</p>

Policy reference / Page number	HBBC comments
	<p>Policy BE2. Criterion a). It is not entirely clear what is meant by "...within the boundary of planned limits of development for the Barlestone Parish..."? Does this mean the Settlement Boundary defined in Figure 3 and Policy H3, or something more flexible?</p> <p>Criterion e) Could the benefits of change of use of a dwelling to a commercial use sometimes outweigh the harm? For example, for dwellings located appropriately in the centre of the village change of use could enable introduction of a shop or service of value to the community. Some dwellings may have originally operated as shops or other businesses.</p> <p>Homeworking. Second paragraph. Replace the word "now" with a date or time period, for example "...at the beginning of the 2020s...". That will make more sense when the NP is read in 5 years' time or later.</p> <p>Policy BE3. The supporting text to Policy BE3 should note that working from home and using the home as an office do not require planning permission and many house extensions and buildings in the garden will count as "permitted development" and not require planning permission either. This policy therefore needs to be applicable to proposals where planning permission is required.</p> <p>Policy BE4: Farm Diversification. The policy is quite permissive of building conversions providing that adverse impacts are tolerable as set out in the criteria a) – e). Policies of HBBC are generally more restrictive, including SADMP policies DM5 (rural worker accommodation), DM15 (redundant rural buildings) and DM20 (provision of employment sites). Criterion a) needs further explanation in the supporting text of what is meant by uses "appropriate" to a rural location.</p>
7. Monitoring and Review	<p>The neighbourhood plan should mirror the plan period of HBBC to 2039 rather than 2036 as stated.</p>
Other matters	<p>The NP does not deal with demand for self-build in the area. HBBC record 72 people on the register at 30th October 2020. One stated a desire to build in Barlestone and 21 others specified a rural location.</p> <p>There is no policy or other recognition of the village centre. The centre is designated a "local centre" in HBBC's SADMP with Policy DM22 to protect vitality. National Government introduced a new use class (Class E) in 2020 which groups most town centre uses and other business and community uses together so planning permission is no longer required to change between these uses. This means that policies that seek to protect concentrations of shops in centres may no longer be efficacious. The NP has Policy CFA1 to protect facilities that the local community value wherever they are located in the village. Barlestone NP Group might consider whether any vision or strategy for the village local centre is needed? This could include any need for extension, contraction or physical enhancement of the centre.</p> <p>There is no reference to climate change, Solar Farms or wind farms which are in many of the other Plans</p>

General comments

Presentation / Layout

Paragraph numbering is essential. When plans are used for determining planning applications it is necessary to reference supporting text. Paragraph numbering makes the process of referencing paragraphs much easier and removes uncertainty about identifying the intended paragraph and text.

The green colour of the policy text is not easy to read because of its lightness; it lacks contrast with the white background.

Duplication of Policy Requirements

In the recent Burbage Examiner's Report it was recommended that where the NP makes reference to adopted Borough Council Local Plan policies, these should be removed as they repeat policy. This recommendation was agreed and taken forward. The NP is an opportunity to refine and add more detail to general policy requirements, particularly where local circumstances give reason to apply a general policy requirement differently. Sometimes, it will be appropriate to list relevant local circumstances or features that ought to be taken into account when applying a Local Plan policy. Such matters may be better set out in the supporting text with appropriate cross references to relevant policy.

Evidence base

The need for evidence is outlined in Planning Practice Guidance and this sets out that proportionate, robust evidence should support the choices made and the approach taken. Planning policies need to be based on clear planning rationale and proper understanding of the place they relate to, if they are to be relevant, realistic and to address local issues effectively. The data and analysis about a place is called the evidence base. This can include social, economic and environmental data.

The following comments relate to particular pieces of evidence:

Site Selection

Appendix 3 is the Sustainable Site Assessment (SSA)

Paragraph 1.3 refers to a housing need of about 50 additional dwellings between 2016 and 2036. Based on the latest housing requirement for HBBC and apportionment to settlements by population, the housing requirement for Barlestone should be 214 dwellings for the plan period of 2020 – 39 (see comments on section 5.1 Housing Need above).

The SSA framework set out in Table 1 provides a useful systematic means of assessing site options according to generally well established planning criteria used by YourLocale. Some observations on the criteria are as follows:

1. Site capacity. Although it may be a local community preference for smaller sites, it is not axiomatic that larger sites are inappropriate in planning terms per se. This will depend on site circumstances.

3. Adjoining uses. The criteria could be better explained with regard to site location in relation to the village envelope. Green is clearly within the village envelope. Amber could be read as adjoining the outside or adjoining the inside of the village envelope. If the latter, there is little difference with Green. Red could be read as adjoining the outside of the existing village envelope (which would be the same as the “adjoining outside” interpretation of Amber) or free-standing beyond the village envelope.

22. Public Rights of Way. Re-routing of a PRW / bridle path would be a form of mitigation which fits better under the intentions for the Amber category rather than Red.

26. Flooding. In parts of the country with high flood risk zones (river flooding) flooding considerations ought to provide an initial sieving of site options through sequential testing, as is required by national planning policy, rather than forming part of a scoring matrix. If sites are in functional flood plains they have to be ruled out, period. If sites are in flood zones 2 or 3 they have to be subject to a sequential test and ruled out if there are sites of lower risk available. Where there is very little river flood risk, as is the case with Barlestone, the scoring for flood zones (river flooding) would be better replaced with a scoring relevant to surface water flooding.

Scoring – from Appendix 3 it is not possible to see how different sites were scored on the 27 criteria and whether greater weight was given to particular criteria. This needs to be made transparent as different interests may have different opinions on the scoring and will want to understand how it was done. Whilst it is right and proper for Barlestone to be making its own choice of which sites to include in the NP, the examiner of the submitted plan will want to be satisfied that the process of selection has been open, fair and based on sound planning judgements.

Mapping. It needs to be possible to see the location and size of the sites assessed.

Two HBBC Allocated Sites (Garden Farm BARL02 and South of Brookside BARL27PP) have been included in the SSA even though they have been tested through the Local Plan examination and allocated. As stated in comments under Housing Allocations above, it will make sense to include them in the NP as they already exist as allocations.

Housing Mix

Appendix 2 Midlands Rural Housing Need Survey sets out good evidence of need for market dwellings (generally 2-3 bed sizes, with an emphasis on bungalows) and affordable housing (generally 1-2 bed sizes for social rent and mainly 2 bed sizes for shared ownership).

Appendix 4 Housing Needs Survey conducted by YourLocale notes the relatively smaller proportion of 1 bed dwellings in Barlestone compared with other areas and the high level of under occupation of larger dwellings.

This is all useful evidence to inform the housing mix policy in the NP.

Local Green Space Designation

Appendix 8 provides a summary of the evidence for proposing Local Green Spaces and Appendix 6 provides a scoring of open spaces against criteria for designation as Local Green Spaces. Is there any reason why the Old Pasture open space (ref 2001) is not

proposed for designation as a Local Green Space? In Appendix 6 Old Pasture scores the same as The Boadwalk (ref 1015) and in Appendix 8 it is written up along with the three Local Green Spaces that are included in Policy ENV1.

Mapping

Generally the maps are of a good standard and an appropriate scale for their purpose. Detailed comments are made about individual mapping issues above.

Document Accessibility

As per the new Accessibility Act, all documents published on publically accessible websites must comply with the Website Accessibility Directive (2018).

The Borough Council now has to comply with this directive, and this means that's all council websites (and documents on that website available for download) must be accessible to customers who may have a disability. These disabilities include: hearing impairment/deaf, visual impairment/blind, mobility issues, dexterity issue (for example difficulty using their hands) and cognitive disability (for example dyslexia or autism). This means that all PDF, Word and Excel documents published on our website after Sep 2018 must comply. Overall all the documents on the HBBC website must comply by the end of 2020. HBBC has an obligation to make sure any new documents meet the criteria, and **it is the responsibility of the author to create an accessible document.**

If you have Microsoft Word 2016 or newer an easy way to check accessibility in a word document is as follows: Click on File in the top left corner, go to Info, and click on Check for Issues under the Inspect Document function. You can then click on Check Accessibility. This will scan the document for any areas that may be difficult for people to read if they are using specific software to read the document out loud etc.

Unfortunately HBBC does not have the resources to amend documents for you, so please ensure that all neighbourhood plan documents, including the plan itself, comply with the accessibility standards before submitting the plan to the LPA at Regulation 15 ready for the Regulation 16 Consultation. If HBBC finds that there are extensive parts of the plan that have not been checked for their accessibility, the plan will be returned to the group.

Prior to formal submission (Reg 15) it would be advisable for the group to send the document to the Local Planning Authority to do an initial check that the document is accessible. The LPA can then raise any further areas for amendment with the group before it is formally submitted.

Community Proposals

It is helpful that the Barlestone NP shows community proposals distinctively from planning policies. These enable community wishes, desires and intentions to be set out that rely upon mechanisms other than the planning system for their achievement, for example grant funding or commitments of other bodies such as the highway authority. By using a different name (Community Action XXX) and different coloured font these are clearly distinguished from the planning policies, which will help the planning authority responsible for planning decisions.