

# INDEPENDENT EXAMINATION OF THE STOKE GOLDING NEIGHBOURHOOD DEVELOPMENT PLAN

INDEPENDENT EXAMINER:  
Christopher Collison BA(Hons) MBA MRTPI MIED IHBC

To Hinckley and Bosworth Borough Council and Stoke Golding Parish Council

By email to Robin Coghlan, Planning Officer (Policy), Hinckley and Bosworth  
Borough Council and Sarah Beale, Clerk, Stoke Golding Parish Council

Dated 17 August 2021

Dear Sarah and Robin

## **Stoke Golding Neighbourhood Development Plan Independent Examination – Examiner Letter Seeking Clarification of Matters**

Further to my initial letter of 29 July 2021 I am writing to seek clarification of the following matters:

### **Emerging Local Plan**

1. What is the most recent estimate of timing for adoption of the new Local Plan?

### **Policy SG3**

2. Please direct me to the reasoned justification for the alignment of the settlement boundary.
3. A member of the public objects to the settlement boundary adjacent to 77 Roseway. The Borough Council has queried whether it was intended to include a small patch of land to the east of 77 Roseway within the settlement boundary. No modification is necessary in this respect to meet the Basic Conditions. I have noted when commenting on the representation of the Borough Council the Parish Council has stated “*Qualifying Body would support modification to remove the area east of 77 Roseway from the Settlement Boundary.*” It is unclear from this response whether or not the Parish Council consider an error has been made. If an error has been made, I am able to recommend a correction is made. This would only be a recommendation to the Borough Council. If the Borough Council subsequently resolved to make such an adjustment, that may be contested by interested parties. The Borough Council may have to consider whether or not it is appropriate a step, or steps, back in the process of plan preparation are taken. I request the Borough and Parish Councils advise me of the situation, in particular whether an error has been made in the submission version Neighbourhood Plan and that it was actually

intended the small area of land to the east of 77 Roseway should not be included within the Settlement Boundary and the reason for that non-inclusion. If an error has been made, please provide a map identifying the intended alignment of the Settlement Boundary, and identifying the area of land included in the Settlement Boundary in error.

### **Policy SG5**

4. Core Strategy Policy 17 establishes an approach to rural needs. Paragraph 16 of the Framework refers to the avoidance of unnecessary duplication of policies that apply in a particular area, including policies in the Framework. Variation from strategic policy has not been sufficiently justified. I intend to recommend deletion of the second paragraph of Policy SG5 as it is not in general conformity with the strategic policies contained in the development plan for the area. Whilst the first paragraph of Policy SG5 duplicates content of Core Strategy Policy 15 the latter must be read in the context of paragraph 64 of the Framework with respect to a threshold below which affordable housing is not to be sought. Under these circumstances I consider the first paragraph should be retained without modification so that the policy has sufficient regard for national policy and is *“clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”* as required by paragraph 16d) of the Framework. I invite comment on my intended approach.

### **Policy SG6**

5. The policy seeks to limit housing development outside the settlement boundary to stated types. How does this approach have regard for entry-level exception housing sites supported by national planning policy?
6. How does the policy relate to national policy regarding housing development that represents the optimal viable use of a non-redundant heritage asset or would be appropriate enabling development to secure the future of heritage assets?
7. Paragraph 16 of the Framework states plans should avoid unnecessary duplication of policies that apply in a particular area. The second sentence of the policy refers to Policy DM4 and part 2 of the policy refers to Policies DM14 and DM15 without any additional level of detail or distinct local approach. Although intended as helpful cross-referencing it is confusing and unnecessary for Parts 2, 3, and 7 of the policy to refer to other Neighbourhood Plan policies. It is confusing and unnecessary for Policies SG3 and SG6 to both seek to establish types of development that will be supported outside the defined settlement boundary. The term *“may be considered sustainable”* does not provide a basis for the determination of development proposals. Inclusion of the term *“adjacent to”* in Part 6 of the policy has not been sufficiently justified and is inconsistent with the other parts of the policy which differentiate without

qualification between land inside and outside the settlement boundary. I intend to recommend a modification in these respects so that the policy has sufficient regard for national policy and *“is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”* as required by paragraph 16d) of the Framework as follows: In Policy SG6 replace the second sentence and bullet points with; “The following types of development will be supported in countryside locations:

- Recreation and tourism that cannot be provided within the Settlement Boundary;
- Development by statutory undertakers or public utility providers;
- Subdivision of an existing dwelling; and
- Development that is otherwise in accordance with: national policies; or strategic planning policies or allocations; or with the other policies of the Neighbourhood Plan.” I invite comment on my intended approach.

### **Policy SG8**

8. Through inclusion of the term *“compromise”* Policy SG8 is seeking to establish a more restrictive approach to development of green infrastructure than is set out in the Framework where a more balanced approach is adopted. I invite comment on my intended modification to replace the final sentence with “To be supported development proposals must be located and designed to avoid or minimise adverse impacts on the Green Infrastructure Network.”

### **Policy SG10**

9. When commenting on the representations of the Borough Council the Parish Council has stated supporting evidence has been updated. Please explain this comment and provide me with a copy of any updated evidence, drawing attention to changes.
10. Please direct me to all of the existing evidence that supports inclusion of view point B as a Locally Important View.

### **Policy SG11**

11. A representation on behalf of Springbourne Homes states Local Wildlife Site reference 91289 (Ash Tree) does not meet the basic classification criteria for LWS designation and that it should not be indicated as a LWS within the Neighbourhood Plan. Please direct me to the evidence confirming that it is appropriate to identify a single tree as a Local Wildlife Site and provide details that any criteria are met in the case of the Ash tree in question.
12. Please also explain the relationship of the policy with Policy SG12 as far as it also relates to trees.

### **Policy SG13**

13. Please direct me to the existing evidence that justifies ruling out all scales of wind turbine proposals regardless of location and impact.

### **Policy SG16**

14. The Stoke Golding Neighbourhood Plan Evidence Base on the [Stokegolding.co.uk](http://Stokegolding.co.uk) website states the LGS designation form for the Zion Baptist Church allotments is available separately on request from the Parish Clerk. Please provide me with a copy of the document referred to. Please also confirm the reference in paragraph 7.3 of the Neighbourhood Plan is to this document.

I request any response to these requests for clarification is agreed as a joint response of the Parish and Borough Councils wherever possible. This request for clarification and any response should be published on the Borough Council website.

In order to maintain the momentum of the Independent Examination I would be grateful if any reply could be sent to me by 12.00 Noon on Tuesday 31 August 2021.

As the Independent Examination progresses, I may seek clarification with respect to other matters. For the avoidance of doubt recommendations of modification of the Neighbourhood Plan that may be contained in my report of Independent Examination will not be limited to those matters in respect of which I have requested clarification.

I should be grateful if the Borough Council and the Parish Council could acknowledge receipt of this email.

Best regards

Chris Collison  
Independent Examiner  
Planning and Management Ltd