



Hinckley & Bosworth  
Borough Council

## **Stoke Golding Neighbourhood Plan**

### **Examiner's recommended modifications and HBBC's proposed response**

#### **(Part of the Regulation 18 Decision Statement)**

**11<sup>th</sup> October 2021**

As outlined in the 'Decision Statement', Regulation 18 of The Neighbourhood Planning (General) Regulations 2012 also requires the LPA to outline what action to take in response to the recommendations the Independent Examiner made in their report.

Mr Chris Collison issued his report on 6<sup>th</sup> September 2021.

Below is a table of all the modifications listed in his report, the Local Planning Authority's response to each, and the associated action, as required.

**Table 1: Examiner's proposed modifications and HBBC's proposed response**

More detail and reasoning are given by the Examiner for his recommendations in the different sections throughout his report (September 2021).

The modifications text is coloured navy blue so that it can be distinguished from the Borough Council's explanatory text.

Modifi- cation Ref.	Page Number of plan	Paragraph number of Examiner's Report, and Examiner's explanation/supporting text	Examiner's recommended modification	HBBC Response and Action
1	12-15	94. The Neighbourhood Plan meets the Basic Conditions in so far as it will not promote less development than set out in the strategic policies for the area, and will not undermine those strategic policies. I am satisfied it is appropriate for Policy SG1 to indicate the scale of development that is being planned for and that this should reflect the method of calculation recommended by the Borough Council. I am satisfied the policy will not preclude sustainable development schemes in accordance with Policy SG3 that result in the achievement of a greater total number of dwellings. This is consistent with the fact the Neighbourhood Plan places no cap or limit on the number of dwellings that can be provided within the Settlement Boundary nor on the number of dwellings that can be provided outside the Settlement Boundary subject to it being of types that are consistent with Policy SG2 or Policy SG6 of the Neighbourhood Plan, and national and strategic planning policy. In the context of the characteristics of the Neighbourhood Area those policies relevant to housing provision will significantly boost the supply of housing.	In Policy SG1 <ul style="list-style-type: none"> <li>replace "57" with "158"</li> <li>after "OUT)" insert "; and the committed development of 55 dwellings at Wykin Lane (19/01324/OUT); and the allocation of a site at Mulberry Farm, High Street for the development of approximately 25 dwellings in accordance with Policy SG2;"</li> </ul>	Agree with Examiner's recommendation. <p><b>Policy SG1</b> should be amended to:</p> <p><b>Policy SG1: Housing Requirement</b></p> <p>The housing requirement for Stoke Golding for the period 2020 to 2039 is a minimum of 158 dwellings. This will be met by the committed development of 65 dwellings on land east of Roseway (20/00779/OUT) and the committed development of 55 dwellings at Wykin Lane (19/01324/OUT); and the allocation of a site at Mulberry Farm, High Street for the development of approximately 25 dwellings in accordance with Policy SG2; and windfall development in accordance with Policy SG3.</p>
2	15-20	104. Fifteen sites were put forward by developers and landowners for housing development. Paragraph 4.16 of the Neighbourhood Plan states most of these were identified by the Borough Council in its Strategic Housing Land Availability Assessment. The Neighbourhood Plan website includes information gathered for each site. Paragraph 4.18 of the Neighbourhood Plan refers to the opportunity given to members of the public to express views on housing site options. Representations state some potential housing sites should be scored and ranked differently to the outcome of the Site Assessment undertaken. I am satisfied the Site Assessment undertaken has been adequately explained and is appropriate for its purpose. I am satisfied it is appropriate for the Neighbourhood Plan to allocate the site at Mulberry Farm as a housing site as part of the shared vision of the local community in accordance with paragraph 29 of the Framework and that a process that is appropriate to the preparation of the Neighbourhood Plan has been followed with respect to site selection. I do not see any reason to delay the environmental improvement that will result from development of the site. I have recommended a modification to allocate this site as a housing development site without the need for potential delay arising from its	In Policy SG2 <ul style="list-style-type: none"> <li>Delete the second sentence and "In this circumstance" from the third sentence.</li> <li>in part 1 replace "around" with "approximately"</li> <li>delete part 2</li> <li>delete the final sentence of part 7</li> <li>delete the first sentence of part 8</li> <li>delete part 15</li> </ul>	Agree, with Examiner's recommendation. <p><b>Policy SG2</b> should be amended to:</p> <p><b>Policy SG2: Mulberry Farm, High Street</b></p> <p>Some 0.9 hectares of land at Mulberry Farm, High Street, as shown on Maps 3 &amp; 4 and the Policies Maps (pages 69 &amp; 70), is allocated for housing development. Development will be supported subject to the following criteria:</p> <ol style="list-style-type: none"> <li>The development shall provide approximately 25 dwellings;</li> <li>The principal access should be off High Street;</li> <li>Every effort should be made to retain the traditional brick buildings at Mulberry Farm, unless removal is necessary to provide a safe and suitable access;</li> <li>Development proposals should be supported by a Heritage Statement including an appraisal of the likely impact of the design, materials, layout, scale, height and mass of the proposal on the Registered Battlefield, Stoke Golding Conservation Area, Church of St Margaret, the Grade I</li> </ol>

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		<p>designation as a reserve site. I have noted the Parish Council Housing Note accepts this approach.</p> <p>105. The term “<i>around</i>” is less universally understood than the term “<i>approximately</i>”, the latter being more appropriate for a formal document. It is unnecessary and confusing to refer to other policies of the Neighbourhood Plan in parts 2, 7, 8 and 10. All of the policies of the Neighbourhood Plan apply throughout the Neighbourhood Area unless a smaller area is specified. Local planning authorities may use nationally recognised optional technical standards where there is evidence to show these are required. However, Neighbourhood Plans may not be used to apply these.<sup>58</sup> The Written Ministerial Statement to Parliament of the Secretary of State (CLG) on 25 March 2015 included the following: “<i>From the date the Deregulation Bill 2015 is given Royal Assent, local planning authorities and qualifying bodies preparing neighbourhood plans should not set in their emerging Local Plans, neighbourhood plans, or supplementary planning documents, any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings</i>”. I have recommended part 15 of the policy is deleted in this respect so that the policy has sufficient regard for national policy. I have recommended a modification in all these respects so that the policy has sufficient regard for national policy and “<i>is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals</i>” as required by paragraph 16d) of the Framework.</p>		<p>listed Church of St Margaret, Grade II listed The Birches and other designated and non-designated heritage assets and their setting. The development should seek to enhance the significance of heritage assets and their setting;</p> <p>5. As a site potentially containing heritage assets of archaeological interest, developers should submit an appropriate desk-based assessment;</p> <p>6. As there is a reasonable likelihood of a protected species being present, developers should submit an appropriate Ecological Assessment (including protected species) Survey;</p> <p>7. The hedge along the western boundary of the site shall be retained or replaced;</p> <p>8. The residential amenities of existing and planned properties on the west side of High Street are protected;</p> <p>9. Suitable mitigation measures should be in place to ensure that the residential amenities of future occupiers are protected from business activities associated with the White Swan PH;</p> <p>10. The site layout should create a sensitive transition to the countryside to the west;</p> <p>11. The site shall be cleared, and any contamination present safely remediated prior to the commencement of any development;</p> <p>12. Development shall demonstrate that all surface water discharges have been carried out in accordance with the principles laid out within the drainage hierarchy, in such that a discharge to the public sewerage systems are avoided, where possible;</p> <p>13. Development shall ensure that Sustainable Drainage Systems (SuDS) for the management of surface water run-off are put in place unless demonstrated to be inappropriate. All schemes for the inclusions of SuDS should demonstrate they have considered all four aspects of good SuDS design, Quantity, Quality, Amenity and Biodiversity, and the SuDS and development will fit into the existing landscape. The completed SuDS schemes should be accompanied by a maintenance schedule detailing maintenance boundaries, responsible parties and arrangements to ensure that the SuDS are maintained in perpetuity.</p>
3	20-21	<p>112. It is confusing and inappropriate for the policy to refer to “<i>permission</i>” as paragraph 2 of the Framework makes it clear material considerations must be considered. When commenting on the Borough Council representations the Parish Council state “<i>we believe the full list of housing development types that are appropriate outside the Settlement Boundary, along with appropriate cross referencing is helpful to the reader</i>” and “<i>we also note the</i></p>	<p>Replace Policy SG3 with “Housing development proposals will be supported within the Settlement Boundary identified on Map 3 and the Policies Maps.”</p> <p>Adjust the settlement boundary to include the land subject to planning application reference 19/01324/OUT at Wykin Lane and to include the</p>	<p>Agree with Examiner's recommendation.</p> <p><b>Policy SG3</b> should be amended to:</p> <p><b>Policy SG3: Infill Housing Development</b></p>

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		<p><i>relevant Site Allocations and Development Management Policies are out of date.</i>" The limitation to exclude entry-level exception sites where need has not already been met within the Borough Council area, does not have sufficient regard for national policy. The policy does not have regard for national policy regarding housing development that represents the optimal viable use of a non-derelict heritage asset or would be appropriate enabling development to secure the future of heritage assets. The policy does not have sufficient regard for national policy by supporting innovative development as a circumstance where housing development in the countryside will be supported. It is confusing and unnecessary to refer to Stoke Golding; to strategic Policies DM5, DM14, and DM15; and to other policies of the Neighbourhood Plan. 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. All of the policies of the Neighbourhood Plan apply throughout the Neighbourhood Area unless a smaller area is specified. Paragraph 16 of the Framework states plans should avoid unnecessary duplication of policies that apply in a particular area. The Guidance states a neighbourhood plan should not be used to constrain the delivery of a strategic site allocated for development in the local plan. As recommended to be modified the policy would not be in conflict with strategic policy should any future strategic housing allocation be made in the Neighbourhood Area. My recommended modifications have necessitated an appropriate modification of the policy title. I note the Parish Council has stated the map title does not need to be changed as Map 3 addresses the housing policies of the plan but I agree with the Borough Council that Map 3 should be re-titled to reflect its primary function. The Borough Council states the settlement boundary ought to be re-drawn to include the Wykin Lane permission for up to 55 dwellings granted at appeal. As Policy SG1, as recommended to be modified takes account of commitments, Map 3, which already includes the housing commitment on land east of Roseway within the Settlement Boundary, should similarly include the housing commitment at Wykin Lane. As Policy SG2, as recommended to be modified, allocates a housing site at Mulberry Farm, High Street this should also be included within the Settlement Boundary to clarify its status throughout the plan period. I have recommended a modification in these respects so that the policy has sufficient regard for national policy and <i>"is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals"</i> as required by paragraph 16d) of the Framework.</p> <p>116. Whilst justification for the alignment of the settlement boundary in its entirety has not been presented, where the</p>	<p>housing allocation at Mulberry Farm made in Policy SG2.</p> <p>Amend the policy title to "Infill housing development"</p> <p>Re-title Map 3 as "Settlement Boundary"</p>	<p>Housing development proposals will be supported within the Settlement Boundary identified on Map 3 and the Policies Maps.</p> <p><b>Map 3</b> should be re-titled "Settlement Boundary" and amended so that the settlement boundary includes the land subject to planning application reference 19/01324/OUT at Wykin Lane and to include the housing allocation at Mulberry Farm made in Policy SG2.</p>

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		<p>proposed settlement boundary follows the alignment which has Development Plan status and has been subject to examination, I regard this as sufficient justification for the boundary. The most significant variations from the Development Plan are the exclusion of the Mulberry Farm site subject to Policy SG2 and the inclusion of land east of Roseway. I am satisfied the choices made in determining the settlement boundary where it varies from that included in the Development Plan have been adequately explained.</p> <p>120. The small patch of land east of 77 Roseway is included in the Neighbourhood Plan settlement boundary. I have seen nothing to suggest the land east of 77 Roseway has heritage or particular biodiversity value, nor is it a valued landscape. The land has not been included in the area of separation that Policy SG7 seeks to establish within which new buildings or inappropriate uses of land which adversely affect the open character of this area or the character or setting of the villages of Dadlington or Stoke Golding villages will not be supported. The Parish Council refer to the dismissal of an appeal following refusal of a proposed dwelling on this land and an access on adjoining land, however circumstances have changed markedly since that decision in 2016. At the time of the appeal the small patch of land was seen as acting as a visual endpoint of the suburban character of Roseway and contributing to the wider landscape. Planning permission has been granted on 23 June 2021 in respect of residential development of 65 dwellings on land east of Roseway which is included within the Neighbourhood Plan settlement boundary. Implementation of this planning permission will result in the small patch of land east of 77 Roseway having residential development to its east, west, and south. In this setting and given the small size of the piece of land in question it will make a negligible or very limited contribution to the wider landscape. I do not consider any adjustment of the settlement boundary adjacent to the small patch of land east of 77 Roseway is necessary to meet the Basic Conditions.</p> <p>122. The settlement boundary does not define the built-up area of Stoke Golding village as it excludes some adjacent buildings. The settlement boundary is intended to indicate a physical limit to development within which infill development will be conditionally supported over the plan period. I have stated Policy SG3, as recommended to be modified, uses the settlement boundary as a mechanism to define the area within which proposals for housing development will be conditionally supported, and will guide development to sustainable solutions. Extant planning permissions and allocations can be included within the settlement boundary. Whilst the settlement boundary referred to in Policy SG3 has been subject to community engagement and</p>		



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		consultation during the Plan preparation process I have recommended a modification to include the Wykin Lane permission for up to 55 dwellings granted at appeal and the housing allocation at Mulberry Farm so that there is consistency between Neighbourhood Plan policies as recommended to be amended, and so that the Neighbourhood Plan as a whole <i>"is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals"</i> as required by paragraph 16d) of the Framework.		
4	21-22	<p>127. Paragraph 61 of the Framework requires that within the context of paragraph 60 the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. The identification of particular types of housing need at the time of plan preparations will guide the preparation of development schemes. The policy acknowledges changes in housing need may occur throughout the plan period. I am satisfied the approach adopted in these respects has sufficient regard for national policy.</p> <p>128. The meaning of the final sentence of the policy is unclear. Paragraph 16 of the Framework requires plans to be deliverable. I have recommended a modification to refer to viability in this respect. In this way the policy accommodates possible changes in viability considerations, referred to in paragraph 57 of the Framework. I have recommended a modification in this respect so that the policy has sufficient regard for national policy and is <i>"clearly written and unambiguous, so it is evident how a decision maker should react to development proposals"</i> as required by paragraph 16d) of the Framework.</p>	<p>In Policy SG4</p> <ul style="list-style-type: none"> <li>• replace "local housing need" with "viability evidence"</li> <li>• after "up-to-date" insert "local"</li> </ul>	<p>Agree with Examiner's recommendation.</p> <p><b>Policy SG4</b> should be amended to:</p> <p><b>Policy SG4: Housing Mix</b>  New housing development of more than four dwellings shall provide for a mix of housing types that will reflect the recommendations of the Housing Needs Study 2019 (see table at paragraph 4.26). Variations in the housing mix will be supported where justified by viability evidence or by more up-to-date local housing need evidence.</p>
5	23-24	<p>133. The use of the term <i>"may also be permitted"</i> is inappropriate as it introduces uncertainty and paragraph 2 of the Framework requires consideration of material considerations which will not be known until the time of determination of a proposal. 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 have recommended 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. The Parish Council and the Borough Council have confirmed support for the modification I have recommended. The Borough Council has indicated the first paragraph of the policy could also be deleted and a consequential change made to the third paragraph. Whilst the first paragraph of</p>	In Policy SG5 delete the second paragraph	<p>Agree with Examiner's recommendation.</p> <p>Amend <b>Policy SG5</b> as follows:</p> <p><b>Policy SG5: Affordable Housing</b>  For developments of 10 or more homes, or if the site has an area of 0.5 hectares or more, the minimum affordable housing provision is 40%. This may be negotiated on a site by site basis taking into account identified local need, existing provision, characteristics of the site and viability.</p> <p>All affordable housing will be subject to conditions, or a planning obligation will be sought, to ensure that when homes are allocated or sold, priority is given to people with a local connection to Stoke Golding Parish (i.e. including living, working or with close family ties in the Parish).</p>

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		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 " <i>clearly written and unambiguous, so it is evident how a decision maker should react to development proposals</i> " as required by paragraph 16d) of the Framework.		
6	25-27	<p>139. In response to my request for clarification how Policy SG6 has regard for 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 the Parish Council supports inclusion of this in the policy. The Borough Council refer to emerging policy and state, Policy SG6 is silent on enabling development. It has potential to consider any special circumstances of Stoke Golding's historic assets or landscape.</p> <p>140. 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 "<i>may be considered sustainable</i>" does not provide a basis for the determination of development proposals. Inclusion of the term "<i>adjacent to</i>" 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 have recommended a modification in these respects so that the policy has sufficient regard for national policy and "<i>is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals</i>" as required by paragraph 16d) of the Framework.</p> <p>141. In response to my invitation to comment on my draft proposed modifications the Borough Council state support on the basis of improved clarity and removal of duplication with local plan policy. The Parish Council does not support deletion of what it refers to as cross-referencing and state it</p>	<p>In Policy SG6 replace the second sentence and bullet points with; "In countryside locations only the following types of development will be supported:</p> <ol style="list-style-type: none"> <li>1. Recreation and tourism that cannot be provided within the Settlement Boundary;</li> <li>2. Development by statutory undertakers or public utility providers;</li> <li>3. Subdivision of an existing dwelling; and</li> <li>4. Development that is otherwise in accordance with: national policies; or strategic planning policies or allocations; or with the other policies of the Neighbourhood Plan."</li> </ol>	<p>Agree with Examiner's recommendation.</p> <p><b>Policy SG6</b> should be amended to:</p> <p><b>Policy SG6: Countryside</b>  The Countryside (land outside Settlement Boundary as defined on Map 3 and the Policies Maps (pages 69 &amp; 70)) will be protected for the sake of its intrinsic character, beauty, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all. In countryside locations only the following types of development will be supported:</p> <ol style="list-style-type: none"> <li>1. Recreation and tourism that cannot be provided within the Settlement Boundary;</li> <li>2. Development by statutory undertakers or public utility providers;</li> <li>3. Subdivision of an existing dwelling; and</li> <li>4. Development that is otherwise in accordance with: national policies; or strategic planning policies or allocations; or with the other policies of the Neighbourhood Plan</li> </ol>

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		is imperative Policies SG3 and SG6 should address development outside settlement boundaries. Both Councils refer to an appeal decision at Wykin Lane but draw different conclusions in relation to that. It is beyond my remit to consider planning appeal decisions or another Neighbourhood Plan referred to by the Parish Council. In response to comments made I have included the word "only" in my recommended modification so that the policy <i>"is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals"</i> as required by paragraph 16d) of the Framework.		
7	28-30	154. Through inclusion of the term <i>"compromise"</i> 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 have recommended a modification so that the policy has sufficient regard for national policy. The Parish Council and the Borough Council support such a modification.	In Policy SG8 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."	Agree with the Examiner's recommendation.  Amend <b>Policy SG8</b> to:  <b>Policy SG8: Green Infrastructure</b> The creation of a pedestrian and cycle route along the former Ashby and Nuneaton Joint Railway is supported. Development in the vicinity of the Willow Park Industrial Estate should seek to create links along the former railway and with the Ashby Canal.  To be supported development proposals must be located and designed to avoid or minimise adverse impacts on the Green Infrastructure Network.
8	30-31	161. Paragraph 100 of the Framework states planning policies should protect and enhance public rights of way. Paragraph 179 of the Framework states plans should identify and safeguard wildlife corridors. I agree with the representation of the Borough Council that Figure 9 is inadequate. The Figure is not necessary for interpretation of Policy SG9 and I have recommended it is deleted. It is unnecessary and confusing for the policy to state "within the Neighbourhood Area" as all of the policies of the Neighbourhood Plan apply throughout the Neighbourhood Area unless a lesser area is specified. The term "where appropriate" introduces uncertainty. I have recommended a modification in these respects so that the policy has sufficient regard for national policy and is <i>"clearly written and unambiguous, so it is evident how a decision maker should react to development proposals"</i> as required by paragraph 16d) of the Framework.	In Policy SG9 replace the text before "including" with "Development proposals should protect and enhance public rights of way"  Delete Figure 9 and insert a statement that the definitive map and statement of rights of way can be accessed on the Leicestershire County Council website.	Agree with Examiner's recommendation.  Amend <b>Policy SG9</b> to:  <b>Policy SG9: Public Rights of Way Network</b> Development proposals should protect and enhance public rights of way, including for their biodiversity value, and wherever possible create new links to the network including footpaths, bridleways and cycleways.  Delete Figure 9 and insert a statement that the definitive map and statement of rights of way can be accessed on the Leicestershire County Council website.
9	31-34	166. Paragraph 170 of the Framework includes <i>"Planning policies ... should contribute to and enhance the natural and local environment by: ... b) recognising the intrinsic character and beauty of the countryside..."</i> . I am satisfied the general approach adopted in Policy SG10 has sufficient regard for national policy in this respect. Paragraph 170 of the Framework refers to protection of valued landscapes. To be valued landscape, a landscape needs to be more than popular with local residents but must demonstrate physical attributes beyond "ordinary".60 Policy SG10 is not seeking	In Policy SG10  • delete "; the potential to enhance the landscape should be considered wherever possible"  • replace "views" with "locally important views from publically accessible locations"	Agree with the Examiner's recommendation.  Amend <b>Policy SG10</b> to:  <b>Policy SG10: Locally Important Views</b> Development should be located and designed in a way that is sensitive to the open landscape, with extensive vistas dominated by natural features that characterise the Neighbourhood Area. Proposals will not be supported if potential impacts on landscape cannot be adequately mitigated through design and landscaping. Particular sensitivity should



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		to identify valued landscapes but is seeking to ensure development proposals are sensitive to the open landscape. The policy requires development to be located and designed in a way that is sensitive to the open landscape. I have visited the viewpoints identified in the policy. I found it difficult to replicate precisely the view shown in the evidence base photograph from viewpoint B which appears to distort the view as seen on the ground. I agree with the representation that viewpoint B does not sit comfortably with the principal characteristic of views identified in the policy which refers to the <i>"open landscape with extensive vistas dominated by natural features that characterise the Neighbourhood Area"</i> . The requirement of the policy for development to be located and designed in a way that is sensitive to these attributes is without effect in cases where those attributes do not exist. I found viewpoint D to be deficient in the same way. I have recommended a modification to delete locally important views B and D. 167. The term <i>"should be considered wherever possible"</i> does not provide a basis for the determination of development proposals. It is not clear how development proposals may have the potential to enhance the landscape. The viewpoints and direction of view are identified on Map 7. The policy should refer to Map 7 to assist interpretation of the policy. It is evident from Map 7 that the viewpoints are accessible to the general public. I have recommended a modification so that the policy is clear that it will operate in the public interest by stating it applies to the identified locally important views when seen from locations that are freely accessible to members of the general public. I have recommended a modification in all the above respects so that the policy has sufficient regard for national policy and <i>"is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals"</i> as required by paragraph 16d) of the Framework.	<ul style="list-style-type: none"> <li>• after "listed below" insert "and identified on Map 7"</li> <li>• delete "B. View from Wykin Lane (Compass Field farm) looking towards Stoke Golding" and "D. View from Ashby Canal bridge near Willow Park looking north"</li> </ul>	<p>be shown for the locally important views from publically accessible locations that are regarded as highly characteristic, as listed below and identified on Map 7:</p> <p>A. View from the track adjacent to Convent Drive looking towards Stapleton and Sutton Cheney</p> <p>C. View from Ashby Canal towpath looking towards Stoke Golding</p> <p>E. View from Ashby Canal near marina looking towards Stoke Golding (Ivy House Farm)</p> <p>F. View from Ivy House Farm looking towards Dadlington</p> <p>G. View from Stoke Lane towards Stoke Golding.</p> <p>Major development proposals, and proposals that could affect the above Locally Important Views should be supported by a Landscape Visual Impact Assessment.</p>
10	34-35	176. The policy would represent a burdensome scale of obligations in respect of some development proposals, and in some cases the requirement to <i>"maintain"</i> may not be practical or viable. Paragraph 16 of the Framework requires plans to be deliverable. The first sentence of the policy does not provide a basis for decision making in respect of development proposals. The terms <i>"will be expected to"</i> and <i>"the priorities for"</i> do not provide a basis for the determination of development proposals. The terms <i>"other ecological corridors and landscape features"</i> and <i>"such as"</i> introduce uncertainty. I have recommended a modification in these respects so that the policy has sufficient regard for national policy and <i>"is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals"</i> as required by paragraph 16d) of the Framework.	<p>In Policy SG11</p> <ul style="list-style-type: none"> <li>• replace the text before the list of sites with "To be supported development proposals that cannot avoid harm to the biodiversity or the geological significance of the following sites must include adequate mitigation, or as a last resort compensate for that harm:"</li> <li>• replace "81289" with "91289"</li> <li>• delete the sentence commencing "New development"</li> <li>• replace "The priorities for biodiversity enhancement are" with "Proposals for biodiversity</li> </ul>	<p>Agree with Examiner's recommendation.</p> <p>Amend <b>Policy SG11</b> to:</p> <p><b>Policy SG11: Ecology and Biodiversity</b></p> <p>To be supported development proposals that cannot avoid harm to the biodiversity or the geological significance of the following sites must include adequate mitigation, or as a last resort compensate for that harm:</p> <p>A. Ashby Canal &amp; Sutton Wharf Grassland LWS 11241, 81288</p> <p>B. Meadow and pond, Brook Farm LWS 58178</p> <p>C. Upton Lane Ash LWS 90122</p> <p>D. Stoke Golding Old Cemetery LWS 91266</p> <p>E. Playing Field Oak LWS 91267</p> <p>F. Hinckley Road Grassland LWS 91268</p> <p>G. Hinckley Road Hedgerows LWS 91269</p> <p>H. Stoke Road Hedgerows (3) LWS 91270, 91271, 91272</p>

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			<p>conservation or enhancement of the following types will be supported"</p> <p>Include in supporting text explanation of the term Midlands style hedge-laying.</p>	<p>I. Stoke Road Oak LWS 91273 J. Wykin Lane Oak LWS 91274 K. Stoke Golding New Cemetery LWS 91275 L. Wykin Lane Hedgerow LWS 91276 M. Wykin Lane Hedgerow and Ash LWS 91277 N. Hinckley Road Oak LWS 91278 O. Crown Hill Grassland LWS 91279 P. Hedgerow east of Higham Lane and 4 Mature Trees LWS 91280 Q. 4 mature Oaks, Lodge Farm track LWS 91281 R. Oak trees east of St Martins LWS 91282 S. Lodge Farm Track hedgerow LWS 91283 T. Streamside hedgerow 1 LWS 81284 U. Streamside hedgerow 2 LWS 81285 V. Stoke Golding hedgerow and oak LWS 81286 W. Hedgerow west of Westmoreland Farm LWS 81287 X. Higham Lane Ash LWS 91289 Y. Wykin Fields Ash LWS 91361 Z. Stoke Golding Basin Bridge Farm hedges LWS 91373 AA. Stoke Lane Hedgerow LWS 91492</p> <p>Development proposals should provide for biodiversity net-gain. Proposals for biodiversity conservation or enhancement of the following types will be supported:</p> <ol style="list-style-type: none"> <li>1. The conservation and creation of deciduous woodland and mesotrophic grassland1;</li> <li>2. The creation of connections between the network of features and habitats,</li> <li>3. The use of traditional 'Midlands' style' hedge-laying to manage hedgerows, improving their structure and biodiversity value and strengthening landscape character; and</li> <li>4. Tree planting to regenerate mature/veteran trees as they come to the end of their lives.</li> </ol> <p>Include in supporting text explanation of the term Midlands style hedge-laying.</p>
11	35-36	181. The Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO) sets out what is required from applicants when submitting planning applications. The 'Guidance on Information Requirements and Validation' document published by the Department for Communities and Local Government Department (DCLG) in 2010 provides more information on the mandatory national information requirements and states that a valid planning application should include <i>'information</i>	<p>In Policy SG12</p> <ul style="list-style-type: none"> <li>• continue the first sentence with "unless this is demonstrated not to be possible"</li> <li>• delete the final sentence</li> </ul>	<p>Agree with the Examiner's recommendation.</p> <p>The first sentence and title of <b>Policy SG12</b> should be amended to:</p> <p><b>Policy SG12: Trees and Hedgerows</b> New and existing trees should be integrated into new developments unless this is demonstrated not to be possible. Development that damages or results in the loss of ancient trees, hedgerows or trees of good arboricultural and amenity value will not normally be supported.</p>

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		<p><i>to accompany the application as specified by the local planning authority on their local list of information requirements'. The use of local lists of information was again promoted in the Framework requiring that local lists be reviewed on a frequent basis to ensure that they remain 'relevant, necessary and material'. The DMPO states that validation requirements imposed by local planning authorities should only be those set out on a local list which has been published within 2 years before the planning application is made to ensure information requirements are robust and justified on recent research. The Growth and Infrastructure Act 2013 makes clear that local planning authority information requirements must be reasonable having regard to the nature and scale of the proposed development and the information required must be a material consideration in the determination of the application. The policy is seeking to establish information requirements that are outside the statutory framework relating to local lists of information to be submitted in support of planning applications. I have recommended a modification in this respect so that the policy "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></p> <p>182. Paragraph 131 of the Framework states planning policies should ensure new streets are tree-lined; opportunities are taken to include trees elsewhere in developments; and existing trees are retained wherever possible. Paragraph 174 of the Framework states planning policies should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland. Paragraph 180 of the Framework states development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons (for example infrastructure projects including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills, where the public benefit would clearly outweigh the loss or deterioration of habitat) and a suitable compensation strategy exists. Paragraph 16 of the Framework states plans should serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area including policies in the Framework where relevant. I have recommended 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</p>		Proposals should be designed to retain ancient trees, hedgerows or trees of arboricultural and amenity value.

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		<i>proposals</i> " as required by paragraph 16d) of the Framework.		
12	36-39	187. The policy seeks to establish that the Neighbourhood Area is not a suitable location for wind turbine installations. In response to my request to direct me to the existing evidence that justifies ruling out all scales of wind turbine proposals regardless of location and impact the Parish Council referred to part of the Guidance that states wind energy development should only be granted if the proposal has the backing of the affected local community. The Parish Council also draw attention to the response to question 50 of the 2017 Neighbourhood Plan Consultation Survey. The Parish Council states Policy SG13 makes it clear that wind energy development in Stoke Golding does not have the backing of the local community. This component of the policy has not been adequately justified to rule out all scales of wind turbine proposals regardless of location and impact. In response to the same request, I made for clarification the Borough Council draw attention to the criteria-based policy for determining renewable energy developments (Policy DM2) and confirm <i>"no areas of Hinckley &amp; Bosworth are designated as being inappropriate for wind turbine development."</i> Paragraph 154 and Footnote 49 of the Framework set out national policy in respect of the determination of renewable and low carbon development proposals. National policy refers to the identification of areas suitable for wind energy development. There is no reference to the identification of areas as being <i>"not a suitable location for wind turbine installations"</i> . I have taken into consideration the part of the Guidance which states <i>"The written ministerial statement made on 18 June 2015 is quite clear that when considering applications for wind energy development, local planning authorities should (subject to the transitional arrangement) only grant planning permission if: the development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing. Whether the proposal has the backing of the affected local community is a planning judgement for the local planning authority."</i> I have recommended a modification in this respect so that the policy has sufficient regard for national policy.	In Policy SG13 delete the final sentence	The Borough Council agrees with the Examiner's recommendation.  Amend <b>Policy SG13</b> to:  <b>Policy SG13: Renewable Energy</b> Ground-mounted solar photovoltaic farms will be supported provided that: 1. Wherever possible previously developed (brownfield) or non-agricultural land is used; 2. Their impact on heritage assets, where applicable, has been fully assessed and addressed; 3. Their location should be sensitive to the character of the landscape. Their visual impact, both individually and cumulatively, should be fully addressed in accordance with current guidance; 4. The proposal provides for biodiversity net-gain in accordance with Policy SG11. Where sites are not to be retained for agriculture, measures such as boundary hedge and tree planting and wildflower planting underneath and between panels should be implemented provided there will be no adverse effects on landscape character; 5. The installations are removed when they are no longer in use, and the land is fully restored to provide a net improvement in landscape quality.
13	41-48	193. The policy refers to <i>"balance the need or public benefit of the proposed development"</i> . This approach does not have sufficient regard for paragraph 203 of the Framework which requires a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset. I have recommended a modification in this	In Policy SG14 • replace "features of local heritage interest" with "locally valued heritage assets"  • replace the first sentence after "70))" with "will be assessed having regard to the scale of any	Agree with the Examiner's recommendation.  Amend <b>Policy SG14</b> to:  <b>Policy SG14: Locally Valued Heritage Assets</b> The determination of planning applications which would affect locally valued heritage assets (as listed below and shown on Map 10 and the



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		respect so that the policy has sufficient regard for national policy. .	harm or loss and the significance of the heritage asset:"	<p>Policies Maps (pages 69 and 70)) will be assessed having regard to the scale of any harm or loss and the significance of the heritage asset. New development should take opportunities to enhance heritage assets or better reveal their significance.</p> <p>A. Ivy House Farm, High Street</p> <p>B. Zion Baptist Chapel, High Street</p> <p>C. 54-56 High Street</p> <p>D. Honeysuckle Cottage &amp; The Cottage, High Street</p> <p>E. Mulberry Farmhouse, High Street</p> <p>F. The White Swan PH, 47 High Street</p> <p>G. 1-4 Blacksmiths Yard</p> <p>H. Blacksmiths Shop &amp; Cottage, Blacksmiths Yard</p> <p>I. 5 Church Walks</p> <p>J. The Old School, 8 Church Walks</p> <p>K. Baxter Hall, High Street</p> <p>L. Rose Cottage, High Street</p> <p>M. Three Horseshoes PH, High Street</p> <p>N. 2 Church Walks</p> <p>O. The George &amp; Dragon PH, Station Road</p> <p>P. 4-10 Station Road</p> <p>Q. Park House, Main Street (including Saddleback Barn and Chestnut Cottage)</p> <p>R. Methodist Church, Main Street</p> <p>S. 21 Station Road</p> <p>T. 31 Station Road</p> <p>U. 45, 47 &amp; 49 Station Road</p> <p>V. The Courtyard, Higham Lane</p> <p>W. 40 Station Road</p> <p>X. Crown Hill Farm, Station Road</p> <p>Y. Wayside, Upton Lane</p> <p>Z. Midland House, Willow Park Industrial Estate, Upton Lane</p> <p>AA. Former Stoke Golding Railway Station</p> <p>BB. Stoke Road/Hinckley Road- turnpike road</p> <p>CC. Flint scatter north of Millfield Farm</p> <p>DD. Medieval ditches/boundaries, Laburnum Cottage, High Street</p> <p>EE. WW2 observation tower south of Stoke Golding</p>
14	48-50	198. In a representation the Borough Council state support for this policy as it seeks to preserve the historic environment but with some additional wording it may also present opportunities to enhance the historic environment. The representation also states <i>"In the policy text after the word protect in limbs 2, 6i and 6ii consider adding to this so it reads protect and where possible enhance...The place making requirement of criterion 6 may be difficult to achieve for certain types of development. Could add "As appropriate to the scale of development..." to the beginning of the</i>	<p>In Policy SG15</p> <ul style="list-style-type: none"> <li>• in parts 2, 6i, and 6ii after "protect" insert "and where possible enhance"</li> <li>• commence part 6 with "As appropriate to the scale of development"</li> <li>• in point 8 after "buildings" insert "are"</li> </ul>	<p>Agree with the Examiner's Recommendation.</p> <p>Amend <b>Policy SG15</b> to:</p> <p><b>Policy SG15: Design</b> Only development that reflects the traditional character of Stoke Golding will be supported unless the development is of exceptional quality or innovative design. Development must also:</p> <ol style="list-style-type: none"> <li>1. Be in keeping with the scale, form and character of its surroundings;</li> </ol>

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		<p>clause?" When commenting on this representation the Parish Council state the policy <i>"concerns the creation of well-designed buildings and spaces. It is not just about heritage though it does require developments to respect the prevailing character of the area"</i>. I agree with the suggestions of the Borough Council and have recommended appropriate modifications 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.</p> <p>199. Paragraph 128 of the Framework states <i>"To provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high quality standard of design. Their geographic coverage, level of detail and degree of prescription should be tailored to the circumstances and scale of change in each place, and should allow a suitable degree of variety"</i>. Paragraph 127 of the Framework refers to being clear about design expectations and how these will be tested, and Paragraph 127 of the Framework states <i>"Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development."</i> I have recommended a modification in this respect 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.</p>		<p>2. Protect and where possible enhance important features such as jitties, traditional walls, hedgerows and trees;</p> <p>3. Have safe and suitable access;</p> <p>4. Integrate into its surroundings by reinforcing existing connections and creating new ones, while also respecting existing buildings and land uses around the development site;</p> <p>5. The amenities of residents in the area should not be significantly adversely affected, including by loss of daylight/sunlight, privacy, air quality, noise and light pollution;</p> <p>6. As appropriate to the scale of development create a place with a locally inspired or otherwise distinctive character and:</p> <p>i) Protect and where possible enhance the setting of the canal and battlefield site, particularly through the integrity of farmsteads and dispersed built form on the main approaches to the village;</p> <p>ii) Protect and where possible enhance Stoke Golding's historic street pattern, including jitties and yards;</p> <p>iii) Development in Stoke Golding Conservation Area should respond to the prevalent 18th and 19th century styles which incorporate a range of domestic, industrial, agricultural, and commercial influences;</p> <p>7. Take advantage of existing topography, landscape features (including water courses), wildlife habitats, existing buildings, site orientation and microclimates;</p> <p>8. Ensure buildings are designed and positioned to enhance streets and spaces;</p> <p>9. Be designed in a way that encourage low vehicle speeds;</p> <p>10. Ensure parking is integrated so that it does not dominate the street;</p> <p>11. Ensure public and private spaces are clearly defined and designed to be attractive, well managed and safe; and</p> <p>12. Provide adequate external storage space for bins and recycling as well as vehicles and cycles.</p>
15	51-52	<p>207. Decision makers must rely on paragraph 103 of the Framework that states <i>"Policies for managing development within a Local Green Space should be consistent with those for Green Belts"</i> and the part of the Framework that relates to 'Protecting Green Belt land', in particular paragraphs 147 to 151. That part of the Framework sets out statements regarding the types of development that are not inappropriate in Green Belt areas. Policy SG16 seeks to introduce a more restrictive approach to development proposals than apply in Green Belt without sufficient justification, which it may not.<sup>62</sup> I have recommended a modification so that the policy has sufficient regard for national policy.</p> <p>215. I find that the area proposed as Local Green Space is suitable for designation and has regard for paragraphs 101</p>	Replace Policy SG16 with "The Zion Baptist Church Allotments identified on Map 11, and on the Policies Maps, is designated as Local Green Space"	<p>Agree with Examiner's recommendation.</p> <p>Amend <b>Policy SG16</b> to:</p> <p><b>Policy SG16: Local Green Spaces</b> The Zion Baptist Church Allotments identified on Map 11, and on the Policies Maps, is designated as Local Green Space</p>

Modifi- cation Ref.	Page Number of plan	Paragraph number of Examiner's Report, and Examiner's explanation/supporting text	Examiner's recommended modification	HBBC Response and Action
		to 103 of the Framework concerned with the identification and designation of Local Green Space.		
16	53	220. Policy DM 25 includes <i>"Retention of Existing Provision - The Borough Council will resist the loss of community facilities including ancillary areas. The redevelopment or loss of community facilities will only be appropriate where it can be demonstrated that: a) An equivalent range of replacement facilities will be provided in an appropriate location within a reasonable distance of the local community; or b) There is a surplus of the facility type within the immediate locality exceeding the needs of the community; or c) The loss of a small portion of the site would result in wider community benefits on the remainder of the site. Loss of Existing Facilities - where replacement facilities will not be provided or a surplus cannot be demonstrated and the scheme would not result in wider community benefits on the remainder of the site, the loss of a community facility would only be considered acceptable where it can be demonstrated that: d) The facility has been proactively marketed for a community use for a reasonable period of time at a reasonable marketed rate as supported and demonstrated through a documented formal marketing strategy. e) It has been offered to the local community for them to take ownership of the facility."</i> I have recommended a modification in these respects so that the policy is in general conformity with the strategic policy and provides an additional level of detail to that set out in the strategic policy. Subject to this modification the policy is in general conformity with the strategic policies included in the Local Plan 2006 to 2026 and relevant to the Neighbourhood Plan and provides an additional level of detail or distinct local approach to that set out in the strategic policies.	In Policy SG17 replace the text before "in accordance" with "The community facilities listed below should be retained"	Agree with Examiner's recommendation.  <b>Policy SG17</b> should be reworded to:  <b>Policy SG17: Community Services and Facilities</b> The community facilities listed below should be retained in accordance with Site Allocations and Development Management Policies DPD Policies DM8, DM22 and DM25: A. St Margaret's CE Primary School B. Stoke Golding Surgery C. Stoke Golding Recreation Ground D. Village (Sehmbi) convenience store E. Village pub: The George and Dragon, The Three Horseshoes, The White Swan, Stoke Golding Club F. Community halls: The Baxter Hall, Methodist Hall, Village Hall, Stoke Golding Club G. Places of Worship: St. Margaret's Church, Methodist Church, Zion Chapel H. Allotments
17	56-57	222. This policy defines the village centre and seeks to establish approaches to the determination of development proposals in order to maintain or enhance the vitality and viability of the village centre.  223. The terms <i>"do not detract from the character of the area"</i> and <i>"over-concentration"</i> are imprecise and do not provide a basis for the determination of development proposals. The time limit and size thresholds have not been sufficiently justified. The inclusion of a Class F2a) shop where there is no other such facility within 1000 metre radius is without logic. The non-inclusion of wine bars and drinking establishments with expanded food provision is not justified. The term <i>"takeaway"</i> is imprecise. It is confusing and unnecessary to refer to permitted development. The policy duplicates national policy set out in paragraphs 86 to 91 of the Framework in part, and seeks to introduce variations from national policy that have not been sufficiently justified. Policy SG18 is not in conformity with parts a) and	Replace Policy SG18 with "Development proposals that will enhance the commercial, business and service functions of the Village Centre defined on Map 12 and the Policies Maps, will be supported. Development proposals that will adversely affect the vitality and viability of the Village Centre, or detract from the character of the area, will not be supported."	Agree with the Examiner's recommendation.  Replace <b>Policy SG18</b> with:  <b>Policy SG18: Commercial, business and services uses in the Village Centre</b> Development proposals that will enhance the commercial, business and service functions of the Village Centre defined on Map 12 and the Policies Maps, will be supported. Development proposals that will adversely affect the vitality and viability of the Village Centre, or detract from the character of the area, will not be supported.



Modification Ref.	Page Number of plan	Paragraph number of Examiner's Report, and Examiner's explanation/supporting text	Examiner's recommended modification	HBBC Response and Action
		b) of Policy DM22. I have recommended a modification in all the above respects so that the policy has sufficient regard for national policy and is " <i>clearly written and unambiguous, so it is evident how a decision maker should react to development proposals</i> " as required by paragraph 16d) of the Framework. As recommended to be modified the policy is in general conformity with the strategic policies included in the Local Plan 2006 to 2026 and relevant to the Neighbourhood Plan and provides an additional level of detail or distinct local approach to that set out in the strategic policies.		
18	60-61	<p>227. It is appropriate for the Neighbourhood Plan to identify priorities for the utilisation of any locally determined element of developer contributions. The opening statement of the policy is imprecise and the use of the term "<i>where appropriate</i>" introduces uncertainty. I have recommended a modification in these respects so that the policy has sufficient regard for national policy and "<i>is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals</i>" as required by paragraph 16d) of the Framework. The Borough Council has suggested cross-referencing of GP surgery and school capacity issues in Section 8 of the Neighbourhood Plan to Policy SG19. I agree with the Parish Council that paragraph 8.37 refers to this matter.</p> <p>228. The policy is in general conformity with the strategic policies included in the Local Plan 2006 to 2026 and relevant to the Neighbourhood Plan and provides an additional level of detail or distinct local approach to that set out in the strategic policies, in particular Policy DM3.</p>	In Policy SG19 replace the text before "1" with "Any locally determined element of developer contributions will be utilised for new or improved infrastructure relating to the following:"	<p>Agree with the Examiner's recommendation.</p> <p>Amend <b>Policy SG19</b> to:</p> <p><b>Policy SG19: Infrastructure</b>  Any locally determined element of developer contributions will be utilised for new or improved infrastructure relating to the following:</p> <ol style="list-style-type: none"> <li>St Margaret's CE Primary School</li> <li>Stoke Golding Surgery</li> <li>Stoke Golding Recreation Ground</li> <li>Stoke Golding Village Hall</li> </ol> <ol style="list-style-type: none"> <li>Environmental improvements in the Village Centre;</li> <li>The provision of park, amenity greenspace, natural and semi-natural open space, facilities for young people;</li> <li>Green Infrastructure improvements;</li> <li>Community infrastructure improvements including the provision of parish notice boards, seats, children's play area equipment, bus shelters, litter bins.</li> </ol> <p>Contributions are governed by the provisions of the Community Infrastructure Regulations 2010. To ensure the viability of housing development, the costs of the Plan's requirements may be applied flexibly where it is demonstrated that they are likely to make the development undeliverable.</p>
19	64-65	232. Paragraph 84 of the Framework states plans should enable the sustainable growth and expansion of all types of business in rural areas both through the conversion of existing buildings and well-designed new buildings. Paragraph 84 also states planning policies should enable sustainable rural tourism and leisure developments which respect the character of the countryside. It is confusing and unnecessary to refer to another policy of the Neighbourhood Plan as all of the policies of the Neighbourhood Plan apply throughout the Neighbourhood Area unless a smaller area of application is specified. I have recommended a modification in these respects so that the policy has sufficient regard for national policy and " <i>is clearly written and unambiguous, so it is evident how a decision maker</i>	In Policy SG20 delete the final sentence	<p>Agree with Examiner's recommendation.</p> <p>Amend <b>Policy SG20</b> to:</p> <p><b>Policy SG20: Tourism</b>  The development of new tourism facilities associated with the Bosworth Battlefield and Ashby Canal will be supported where they respect the character of the countryside and heritage assets.</p>



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		<i>should react to development proposals</i> " as required by paragraph 16d) of the Framework.		
20	65-66	<p>235. This policy seeks to establish the identified Willow Park Industrial Estate will be safeguarded for defined employment development and seeks to establish support for new employment development and expansion of existing businesses.</p> <p>236. Paragraph 81 of the Framework states planning policies should help create the conditions in which businesses can invest, expand and adapt. Paragraph 83 of the Framework states planning policies should recognise and address the specific locational requirements of different sectors. Policy SG21 includes flexibility to support non-B class economic development uses subject to stated criteria however the safeguarding of the Willow Park Industrial Estate for Class B uses does not have sufficient regard for permanent change (Class of Schedule 2, Part 3) permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The term "<i>allowed</i>" does not provide a basis for the determination of development proposals and does not have sufficient regard for the need to consider material considerations as required by paragraph 2 of the Framework. I have recommended a modification in these respects so that the policy has sufficient regard for national policy and is "<i>clearly written and unambiguous, so it is evident how a decision maker should react to development proposals</i>" as required by paragraph 16d) of the Framework.</p>	<p>In Policy SG21</p> <ul style="list-style-type: none"> <li>• replace the first paragraph with "The expansion of existing businesses and new employment development will be supported within the Willow Park Industrial Estate defined on Map13 and on the Policies Maps."</li> <li>• commence the second paragraph with "In addition to development permitted by national policy"</li> <li>• replace "allowed" with "supported"</li> </ul>	<p>Agree with the Examiner's recommendation.</p> <p>Amend <b>Policy M19</b> to:</p> <p><b>Policy SG21: Willow Park Industrial Estate</b>  The expansion of existing businesses and new employment development will be supported within the Willow Park Industrial Estate defined on Map13 and on the Policies Maps.</p> <p>In addition to development permitted by national policy non-B class uses development will only be supported if it:</p> <ol style="list-style-type: none"> <li>1. Is for small-scale: <ol style="list-style-type: none"> <li>a. activities providing services to support the business on Willow Park Industrial Estate; or</li> <li>b. former B1 uses where the change of use to other E class uses is to be controlled by condition; and</li> </ol> </li> <li>2. Would not result in any significant loss in employment;</li> <li>3. Would, where possible, enhance the quality and attractiveness of the Industrial Estate; and</li> <li>4. Would not, alone or cumulatively, result in the Industrial Estate ceasing to be predominantly in B class use.</li> </ol>

**Table 2: Amendments made in response to Minor Updates, Clarifications and Corrections (including those raised in the Examiner's Report)**

a) Examiner's Report Minor Corrections to the Neighbourhood Plan

Paragraph Number of Examiner's Report and Examiner's explanation/supporting text	HBBC Response and Action
<p>248. A number of consequential modifications to the general text, and in particular the reasoned justification and other general text of policies sections, of the Neighbourhood Plan will be necessary as a result of recommended modifications relating to policies. Reasoned justification and other supporting text must not introduce any element of policy that is not contained within the Neighbourhood Plan policies.</p> <p>249. I am able to recommend modification of the Neighbourhood Plan in order to correct errors [Paragraph 10 (3)(e) of Schedule 4B to the Town and Country Planning Act 1990] I recommend minor change only in so far as it is necessary to correct an error, or where it is necessary so that the Neighbourhood Plan provides a practical framework which makes it evident how a decision maker should react to development proposals as required by paragraph 16 of the Framework. The following corrections are necessary:</p> <p>The term "large" in paragraph 5.26 is inconsistent with Policy SG10 and should be replaced with "major"</p> <p>Map 13 (employment area) copies HBBC's Employment Land and Premises Study (ELPS) outline for the industrial estate but the ELPS outline is wrong. The 2 dwellings to the front of the site should not be included. The Parish Council supports the removal of the dwellings from within the Willow Park Industrial Estate designation.</p> <p><b>Recommended modification 21:</b>  <b>Modify general text, figures or images to achieve consistency with the modified policies, to correct identified errors, and so it is evident how a decision maker should react to development proposals</b></p>	<p>Agreed. Changes to the supporting text as a consequence of modifying policies and correcting errors are set out below.</p>

b) Consequential changes to supporting text and other parts of the neighbourhood plan

Page/Para	Change	Reason
Title Page	Amend Title from 'Submission Draft' to 'Referendum Version'	To reflect the current stage of the document.
Contents Page	The contents page should be updated to reflect the Referendum Version contents.	To reflect the latest amended version of the Plan.
P4, Para 1.15	Replacement text to update on the progress of HBBC's Local Plan. New text inserted: "Hinckley and Bosworth Borough Council consulted residents, community groups, businesses and other interested parties on the draft Local Plan (Regulation 18) from 30 June to 27 August 2021. Following this consultation, the Local Plan will be revised and subject to further sustainability appraisal, and remaining elements of evidence gathered. A Regulation 19 Submission Draft Plan will be prepared for further consultation in winter 2021/22, prior to submission to the Secretary of State for examination in 2022"	To update the description of the Local Plan to the most recent position of September 2021

P6, Paras 1.27 – 1.31	<p>Text updated to reflect the latest stage of neighbourhood plan preparation: New wording as follows:</p> <p>“1.27 In April 2021 the Plan was submitted to Hinckley and Bosworth Borough Council for publication and, under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012, public consultation took place between 9 June and 21 July 2021.</p> <p>1.28 Following the publicity and consultation stage, all comments were forwarded to the Neighbourhood Plan Examiner appointed by the Borough Council and Stoke Golding Parish Council. On 6 September 2021, the Report of the Independent Examination was published. The Examiner recommended modifications to the Plan, that have been incorporated into this document, and then for it to be submitted to a referendum.</p> <p>1.29 Hinckley and Bosworth Borough Council will now arrange a referendum. If the Plan is approved by a simple majority of those voting in the referendum, the Borough Council will adopt it.</p> <p>1.30 The Neighbourhood Plan comes into force as part of the statutory Development Plan once it has been approved at referendum. Hinckley and Bosworth Borough Council will continue to be responsible for determining most planning applications, but in the Stoke Golding Neighbourhood Area, the policies in the Neighbourhood Plan will form the basis of those decisions along with the adopted Local Plan and other material considerations.</p> <p>1.31 It should be noted that when considering a development proposal, ALL the relevant policies of the Neighbourhood Plan will be applied.”</p>	To reflect the current stage of the neighbourhood plan
P12, Para 4.4	Replace the year “2022” with “2023”	To update on the expected date for adoption of the HBBC Local Plan
PP 14-15, Paras 4.11 – 4.16	<p>Text updated for consistency with the modified version of Policy SG1:</p> <p>“4.11 Hinckley and Bosworth Borough Council has highlighted a simple approach of apportioning the overall borough housing need to parishes based on the share of population in those parishes.</p> <p>4.12 Based on population (2017 mid-year estimates) Stoke Golding Parish accounts for 1.7% of the total borough population. Based on this share Stoke Golding would have a housing requirement of 143 dwellings between 2020 and 2039.</p> <p>4.13 Hinckley and Bosworth Borough Council has indicated that it is likely to identify sufficient land for an additional 10% on top of the borough’s housing need figure to allow for sites that do not come forward for development etc. It has recommended that neighbourhood plans plan for flexibility too as this will reduce the chance of plans becoming out of date quickly. A housing requirement figure for Stoke Golding, including a 10% additional buffer, would be 158 houses between 2020 and 2039.</p> <p>4.14 In Stoke Golding parish, there were 9 dwellings in the pipeline (with planning permission at 1 April 2020) that will contribute to meeting the housing requirement.</p> <p>4.15 However, since 1 April 2020 planning permission has been granted for two major housing sites in the village totalling 120 dwellings. Both permissions were against the wishes of the Parish Council and local people, and contrary to the provisions of the then emerging Neighbourhood Plan:</p> <ul style="list-style-type: none"> <li>• Residential development of up to 65 dwellings including public open space, landscaping and associated infrastructure (Outline- access only) east of Roseway east of Roseway (20/00779/OUT)- permitted 23 June 2021</li> </ul>	To be consistent with Policy SG1 as modified

	<ul style="list-style-type: none"> <li>Construction of up to 55 dwellings, all matters reserved, except for access at Wykin Lane (19/01324/OUT)-allowed on appeal 21 May 2021ed on appeal 21 May 2021</li> </ul> <p>4.16 The Neighbourhood Plan has been updated to take account of this.”</p>	
P18, Paras 4.20 – 4.22	<p>Deletion of “reserve” from paragraph 4.22</p> <p>Updating page references to Maps.</p>	To reflect the status of the site as an allocation rather than a reserve site.
P20, Para 4.24	Modification to paragraph 4.24 to reflect modifications to policies SG3 and SG6. Paragraph reworded: “Outside the Stoke Golding Settlement Boundary, new build residential development will considered using SG6 Countryside.”	To ensure supporting text is consistent with policies SG3 and SG6 as modified.
P22, Para 4.35	<p>New wording to reflect anticipated delivery of affordable housing provision at the Wykin Lane development. Second sentence reworded to state: “The development of the sites east of Roseway and off Wykin Lane will provide 40% affordable housing....”</p> <p>Replace the word “reserve” with “allocated” to reflect the revised status of the proposed reserve site (Mulberry Farm) as an allocated site.</p>	<p>To reflect the latest position</p> <p>To be consistent with Policy SG2 as modified.</p>
P26, Para 5.7	<p>Additional wording to the summary of acceptable development within the rural setting for consistency with Policy SG6 as modified.</p> <p>To the first sentence “This rural setting is highly valued by local people so, within the countryside, development will be limited to agriculture, forestry, recreation, tourism and other developments that are suitable for a rural location”, add the words “in accordance with national and local planning policies.”</p>	To be consistent with Policy SG6 as modified.
P30, Para 5.21	<p>Deletion of Figure 9 map of public rights of way and replacement with new paragraph:</p> <p>5.21 “Only the Definitive Map itself provides conclusive evidence of the existence, location and status of a public right of way. The master Definitive Map can be viewed by appointment at County Hall. A copy of the Definitive Map can be viewed at Hinckley library.”</p>	To reflect the instructions of the report of examination.
P32, Fig 11	Since the view from Ashby Canal bridge near Willow Park looking north is one of the views deleted from modified Policy SG10, retention of this view in Figure 11 could be confusing and would be better replaced by one of the retained views.	To improve consistency with Policy SG10 as modified.
P34 Footnote 2	<p>Addition of footnote to explain “Midlands Style” hedging:</p> <p>Also known as bullock style. This hedge was designed to keep big heavy bullocks in their field. Typical features of the style are:</p> <ul style="list-style-type: none"> <li>Stake sides face road or plough land.</li> <li>Brush is on the animal side to stop them from eating new growth.</li> <li>Hedge slopes towards the animals, as stakes are driven in behind the line of the roots.</li> <li>Strong binding is below the top of the hedge (so that bullocks cannot twist it off with their horns).</li> </ul>	To reflect the instructions of the report of examination.
PP 44 - 45, Map 10, Para 6.29	Title of Map 10 renamed “Locally Valued Heritage Assets” and reference in para 6.29 revised accordingly.	To reflect the modified title of Policy SG14
PP 65-67 Map 13 and Policies Maps	Southern boundary of the Willow Park Industrial Estate redrawn to exclude cottages.	To reflect the instructions of the report of examination.
PP 66-67 Policies Maps	Changes to Settlement Boundary adding east of Roseway and Wykin Lane residential development areas.	To reflect modified Policy SG3