# Stoke Golding Neighbourhood Development Plan

# Summary of representations submitted by Hinckley & Bosworth Borough Council to the independent examiner following the Regulation 16 Draft Plan consultation, held between 9th June 2021 and 21st July 2021

## Schedule of responses received

|  | Type of response | Customer | Agent (if applicable) | Date received |
| --- | --- | --- | --- | --- |
| 1 | Online | Member of the Public 01 |  | 09.06.21 |
| 2 | Email | NHS West Leicestershire CCG |  | 09.06.21 |
| 3 | Email | Sport England |  | 15.06.21 |
| 4 | Email | Coal Authority |  | 23.06.21 |
| 5 | Online | Member of the Public 02 |  | 24.06.21 |
| 6 | Email | Natural England |  | 25.06.21 |
| 7 | Email | Historic England |  | 02.07.21 |
| 8 | Email | Severn Trent |  | 05.07.21 |
| 9 | Online | Member of the Public 02 |  | 13.07.21 |
| 10 | Email | Jelson Homes | Avison Young | 13.07.21 |
| 11 | Email | National Grid | Avison Young | 14.07.21 |
| 12 | Online | Springbourne Homes | Marrons Planning | 16.07.21 |
| 13 | Email | Environment Agency |  | 19.07.21 |
| 14 | Email | Highways England |  | 20.07.21 |
| 15 | Email | Leicestershire County Council |  | 20.07.21 |
| 16 | Email | Canal and River Trust |  | 20.07.21 |
| 17 | Online | Everards Brewery | Marrons Planning | 21.07.21 |
| 18 | Email | Mrs Jean Quinney et al | Marrons Planning | 21.07.21 |
| 19 | Email | Davidsons Developments | Pegasus Group | 21.07.21 |
| 20 | Email | Richborough Estates | Fisher German | 21.07.21 |
| 21 | Email | Stronghold Homes | Marrons Planning | 21.07.21 |
| 22 | Online | Member of the Public 03 |  |  |

## Stoke Golding Neighbourhood Development Plan

**Summary of representations submitted by Hinckley & Bosworth Borough Council to the independent examiner following the Regulation 16 Draft Plan consultation, held between 9 June 2021 and 17:00 on 21 July 2021.**

| **Rep Number** | **Name** | **Full representation** |
| --- | --- | --- |
| 1 | Member of the Public 01 | **We would like to know whether you support the plan, would support the plan with some modifications, or oppose the plan. Overall I:** Oppose the plan  **Would you like to be informed of any decisions we make (either make/adopt the neighbourhood plan or refuse to make/adopt the neighbourhood plan)?:** Yes  **Please select which policy or policies you would like to comment on:** SG1: Housing requirement, SG5: Affordable housing  **Do you support or oppose policy SG1: Housing requirement?:** Oppose  **Please provide your reason for this view:** OVER POPULATION OF VILLAGE. ROAD NETWORK UNABLE TO COPE. SCHOOL TRAFFIC GRID LOCK ROADS ESPECIALLY HINCKLEY ROAD. NO MORE DEVELOPMENTS AFTER ROSEWAY SITE.  **Do you support or oppose policy SG5: Affordable housing?:** Oppose  **Please provide your reason for this view:** AFFORDABLE HOUSING CAUSES MORE TRAFFIC, CRIME AND REDUCES THE VALUE OF CURRENT HOMES WITHIN THE VILLAGE WITH GREAT HISTORICAL VALUE.  **Please select which section you would like to comment on::** Housing  **Do you support or oppose the housing section?:** Oppose  **Please confirm the paragraph number(s) for example, 4.1:** PARAGRAH IN RELATION TO PROSED SITE STOKEIELDS FARM, HINCKLEY ROAD.  **Please provide your reason for this view:** HINCKLEY ROAD UNSAFE DURING SCHOOL PICK UP AND DROP OFF. HEALTH AND SAFETY ISSUE IN RELATION TO CHILDREN AND HEAVY TRAFFIC.  **Upload any supporting information: (Attach up to three documents):**  **Additional comments on the plans (if applicable):** DONT DESTROY HISTORICAL VILLAGES. USE LAND AROUND HBBC OR EMPLY COMMERCIL SITES TO MEET HOUSING REQUIREMENTS. IE. SITES IN HINCKLEY CENTRE SUCH AS STOCKWELL HEAD, HINCKLEY. |
| 2 | NHS West Leicestershire CCG | We are writing in response to the draft Neighbourhood Plan for Stoke Golding  The LLR Clinical Commissioning Groups (CCGs) are supportive of the vision set out in your draft plan and would want to work collectively with you to understand in more detail how the local NHS can contribute to its delivery.  Many of the themes identified in the plan will impact upon the wider determinants of health and as a result population health outcome. We would therefore welcome working together to maximise the opportunity for health and wellbeing within the vison outlined in your plan. In particular we would welcome:   * Actions to support the development of community identity; maximising opportunities for residents to come together to create community cohesion and support each other. * Maximise the opportunities and provision of green space and local recreational facilities that actively promote enable residents to access and undertake physical activity with ease (both formal and informal). Consideration for this type of provision should be varied, evidenced based and compatible with local leisure, and open space strategies. Types of provision could range from (but not limited to) built leisure centre facilities, community centres to play areas to structures walking trails, café / social facilities, or semi nature accessible open space. * The actions to create local jobs (Logistics Park) are welcome as this is a large contributor to people’s health and wellbeing. We would like employers to consider how they support the health and wellbeing of their employees. * That the development is designed in such a way to encourage and enhance physical and mental health and wellbeing and demonstrate compatibility with published national guidance from Sport England, Public Health England, NHS, Design Council and others e.g Active Design Guidance, Building for Life 12, Manual for Streets, Spatial Planning for Health * Ensure that there are a range of options for travel (including active travel) within the development that enables residents to get to and from work and leisure easily. * Infrastructure for Active Travel should be actively encouraged with provision for high quality cycling and walking routes within the development, good connectively to surrounding settlements and ease of access to public transport. * Designs that support the reduction in carbon emissions, as this has a direct impact on some resident’s health   As well as the above generic comments it is important to note that an increase in the number of new residents in any area will have a direct impact upon local NHS services whether that is primary, hospital or community care. Local primary care services are already under high demand and therefore any additional demand from housing developments will require developer contribution to mitigate this.  Thank you for the opportunity to comment on your vision and I look forward to working together to make the most of the opportunity and mitigate any impacts from increases in population upon local NHS services. |
| 3 | Sport England | Thank you for consulting Sport England on the above neighbourhood plan.  Government planning policy, within the **National Planning Policy Framework** (NPPF), identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.  It is essential therefore that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 96 and 97. It is also important to be aware of Sport England’s statutory consultee role in **protecting playing fields** and the presumption against the loss of playing field land. Sport England’s playing fields policy is set out in our Playing Fields Policy and Guidance document.  <https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy>  Sport England provides guidance on **developing planning policy** for sport and further information can be found via the link below. Vital to the development and implementation of planning policy is the evidence base on which it is founded.  <https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications>  Sport England works with local authorities to ensure their Local Plan is underpinned by robust and up to date evidence. In line with Par 97 of the NPPF, this takes the form of **assessments of need and strategies for indoor and outdoor sports facilities**. A neighbourhood planning body should look to see if the relevant local authority has prepared a playing pitch strategy or other indoor/outdoor sports facility strategy. If it has then this could provide useful evidence for the neighbourhood plan and save the neighbourhood planning body time and resources gathering their own evidence. It is important that a neighbourhood plan reflects the recommendations and actions set out in any such strategies, including those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery.  Where such evidence does not already exist then relevant planning policies in a neighbourhood plan should be based on a proportionate assessment of the need for sporting provision in its area. Developed in consultation with the local sporting and wider community any assessment should be used to provide key recommendations and deliverable actions. These should set out what provision is required to ensure the current and future needs of the community for sport can be met and, in turn, be able to support the development and implementation of planning policies. Sport England’s guidance on assessing needs may help with such work.  <http://www.sportengland.org/planningtoolsandguidance>  If **new or improved sports facilities** are proposed Sport England recommend you ensure they are fit for purpose and designed in accordance with our design guidance notes.  <http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>  Any **new housing** developments will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then planning policies should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered. Proposed actions to meet the demand should accord with any approved local plan or neighbourhood plan policy for social infrastructure, along with priorities resulting from any assessment of need, or set out in any playing pitch or other indoor and/or outdoor sports facility strategy that the local authority has in place.  In line with the Government’s NPPF (including Section 8) and its Planning Practice Guidance (Health and wellbeing section), links below, consideration should also be given to how **any new development**, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England’s Active Design guidance can be used to help with this when developing planning policies and developing or assessing individual proposals.  Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity. The guidance, and its accompanying checklist, could also be used at the evidence gathering stage of developing a neighbourhood plan to help undertake an assessment of how the design and layout of the area currently enables people to lead active lifestyles and what could be improved.  NPPF Section 8: <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities>  PPG Health and wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>  Sport England’s Active Design Guidance: <https://www.sportengland.org/activedesign>  *(Please note: this response relates to Sport England’s planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.)* |
| 4 | Coal Authority | Thank you for consulting The Coal Authority on the above.  Having reviewed your document, I confirm that we have no specific comments to make on it. |
| 5 | Member of the Public 02 | **We would like to know whether you support the plan, would support the plan with some modifications, or oppose the plan. Overall I:** Support the plan with modifications  **Would you like to be informed of any decisions we make (either make/adopt the**  **neighbourhood plan or refuse to make/adopt the neighbourhood plan)?:** Yes  **Please select which policy or policies you would like to comment on:** SG3: Windfall housing  development  **Do you support or oppose policy SG3: Windfall housing development?:** Oppose  **Please provide your reason for this view::** This plan redraws the settlement boundary to take into account the approved outline planning of 65 houses on land east of Roseway (see map 3 pg22). However, within this new settlement boundary field LT101541 (ordnance survey plan reference SP 4097) has also been included within the village settlement boundary. This field of 0.09 hectares is not connected with the proposed development of 65 houses but is adjacent to it. Indeed this smaller field which is directly adjacent to 77 Roseway has successfully had planning refused multiple times and appeals dismissed due to amongst other things its impact on the open countryside (see 16/00317/FUL).  Therefore, this field needs removing from being within the settlement boundary of the village. I suspect this is an oversight when the map with new proposed settlement boundary was drawn  **Please select which section you would like to comment on:** Housing  **Do you support or oppose the housing section?:** Oppose  **Please confirm the paragraph number(s) for example, 4.1:** 4.22  **Please provide your reason for this view::** This plan redraws the settlement boundary to take into account the approved outline planning of 65 houses on land east of Roseway (see map 3 pg22). However, within this new settlement boundary field LT101541 (ordnance survey plan reference SP 4097) has also been included within the village settlement boundary. This field of 0.09 hectares is not connected with the proposed development of 65 houses but is adjacent to it. Indeed this smaller field which is directly adjacent to 77 Roseway has successfully had planning refused multiple times and appeals dismissed due to amongst other things its impact on the open countryside (see 16/00317/FUL).  Therefore, this field needs removing from being within the settlement boundary of the village. I suspect this is an oversight when the map with new proposed settlement boundary was drawn.  See attached document which highlights this field in blue.  **Upload any supporting information: (Attach up to three documents):** 14-00674-FULSept2015PlnComt.pdf [It was clarified with Mr Robert Crowfoot that this attachment was submitted in error. Mr Crowfoot submitted a PNG file on 28/06/21 that illustrates the field on a copy of Map 3 of the Neighbourhood Plan submission version] |
| 6 | Natural England | **Planning Consultation:** Stoke Golding Neighbourhood Plan – Regulation 16  Thank you for your consultation on the above dated 07 June 2021  Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.  Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.  Natural England has reviewed the draft Stoke Golding Neighbourhood Plan and has the following comments to make:  **Policy SG2: Housing Reserve Site at Mulberry Farm, High Street**  The plan states that an allocation of a further 25 dwellings at Mulberry Farm will be made available if it becomes necessary to provide for additional homes in Stoke Golding in accordance with the new Hinckley and Bosworth Local Plan. We note that this reserve site has been put forward as suggested by Hinkley and Bosworth Borough Council, as the housing requirement for the Borough has not yet been determined.  We welcome the allocation on a brownfield site, and particularly welcome the inclusion of point 14, a requirement for a suitable SuDS scheme on the site, which considers Quality, Quantity, Amenity and biodiversity.  As we have advised before, Natural England would recommend that we would only expect to consider the potential for significant effects on the Kendall’s Meadow Site of Special Scientific Interest (located to the north of the Neighbourhood Area) if a threshold of 50 houses outside a settlement and 100 houses within a settlement were to be proposed.  **Policy SG8: Green Infrastructure**  Natural England welcome the policy which states development which compromised Green Infrastructure would not be supported. The support for a pedestrian and cycle route along the former Ashby and Nuneaton Joint railway, and for links along the former railway and Ashby Canal, are welcomed.  We also welcome Policy SG9 and the support for protection and enhancement of Public Rights of Way in the area.  **Policy SG11: Ecology and Biodiversity**  We further welcome this policy which states that development should not harm the network of local ecological features and habitats and that new development will be expected to maintain and enhance the local environment.  Natural England strongly supports the policy that development proposals should provide for Biodiversity Net Gain. We recommend that development proposals utilise the Net Gain Metric 2.0 (soon to be updated to the Net Gain Metric 3.0). The advantage of using a recognised metric to deliver net gain is that it provides a clear, transparent and evidence-based approach to assessing a project’s biodiversity impacts that can assist with “de-risking” a development through the planning process and contribute to wider place-making.  We also refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.  **Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities**  **Natural environment information sources**  The Magic1 website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map)** and **Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available here2.  **Priority habitats** are those habitats of particular importance for nature conservation, and the list of them can be found here3. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.  **National Character Areas** (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found here4.  There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can’t find them online.  If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty** (AONB), the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.  General mapped information on **soil types** and **Agricultural Land Classification** is available (under ’landscape’) on the Magic5 website and also from the LandIS website6, which contains more information about obtaining soil data.  **Natural environment issues to consider**  The National Planning Policy Framework7 sets out national planning policy on protecting and enhancing the natural environment. Planning Practice Guidance8 sets out supporting guidance.  **Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.**  Landscape  Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.  If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.  Wildlife habitats  Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed here9), such as Sites of Special Scientific Interest or Ancient woodland10. If there are likely to be any adverse impacts you’ll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.  Priority and protected species  You’ll also want to consider whether any proposals might affect priority species (listed here11) or protected species. To help you do this, Natural England has produced advice here12 to help understand the impact of particular developments on protected species.  Best and Most Versatile Agricultural Land  Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 171. For more information, see our publication Agricultural Land Classification: protecting the best and most versatile agricultural land13.  **Improving your natural environment**  Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:  • Providing a new footpath through the new development to link into existing rights of way.  • Restoring a neglected hedgerow.  • Creating a new pond as an attractive feature on the site.  • Planting trees characteristic to the local area to make a positive contribution to the local landscape.  • Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.  • Incorporating swift boxes or bat boxes into the design of new buildings.  • Think about how lighting can be best managed to encourage wildlife.  • Adding a green roof to new buildings.  You may also want to consider enhancing your local area in other ways, for example by:  • Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.  • Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.  • Identifying green areas of particular importance for special protection through Local Green Space designation (see Planning Practice Guidance on this 14).  • Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).  • Planting additional street trees.  • Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.  • Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).  1 <http://magic.defra.gov.uk/>  2 <http://www.nbn-nfbr.org.uk/nfbr.php>  3http://webarchive.nationalarchives.gov.uk/20140711133551/http:/www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx  4 <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>  5 <http://magic.defra.gov.uk/>  6 <http://www.landis.org.uk/index.cfm>  7https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/807247/NPPF\_Feb\_2019\_revised.pdf  8 <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>  9http://webarchive.nationalarchives.gov.uk/20140711133551/http:/www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx  10 <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>  11http://webarchive.nationalarchives.gov.uk/20140711133551/http:/www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx  12 <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>  13 <http://publications.naturalengland.org.uk/publication/35012> |
| 7 | Historic England | Email 02/07/21:  Thank you for your email consulting us on the Regulation 16 Stage of the Stoke Golding Neighbourhood Plan.  Further to our previous correspondence on 23 December 2020 at Regulation 14 Stage of the Stoke Golding Neighbourhood Plan (original letter attached), I can confirm that we have no further comments at Regulation 16 Stage.  PDF Attachment. Letter of 23/12/20:  Dear Ms Case  Neighbourhood Plan for Stoke Golding  Thank you for consulting Historic England about your Neighbourhood Plan.  The area covered by your Neighbourhood Plan includes a number of important designated heritage assets. In line with national planning policy, it will be important that the strategy for this area safeguards those elements which contribute to the significance of these assets so that they can be enjoyed by future generations of the area.  If you have not already done so, we would recommend that you speak to the planning and conservation team at your local planning authority together with the staff at the county council archaeological advisory service who look after the Historic Environment Record. They should be able to provide details of the designated heritage assets in the area together with locally-important buildings, archaeological remains and landscapes. Some Historic Environment Records may also be available on-line via the Heritage Gateway [www.heritagegateway.org.uk](http://www.heritagegateway.org.uk)  <http://www.heritagegateway.org.uk>  It may also be useful to involve local voluntary groups such as the local Civic Society or local historic groups in the production of your Neighbourhood Plan.  Historic England has produced advice which your community might find helpful in helping to identify what it is about your area which makes it distinctive and how you might go about ensuring that the character of the area is retained. These can be found at:-  <https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood>  You may also find the advice in “Planning for the Environment at the Neighbourhood Level” useful. This has been produced by Historic England, Natural England, the Environment Agency and the Forestry Commission. As well as giving ideas on how you might improve your local environment, it also contains some useful further sources of information. This can be downloaded from:  <http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT_6524_7da381.pdf>  If you envisage including new housing allocations in your plan, we refer you to our published advice available on our website, “Housing Allocations in Local Plans” as this relates equally to neighbourhood planning. This can be found at <https://content.historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans/heag074-he-and-site-allocation-local-plans.pdf/> |
| 8 | Severn Trent | Thank you for the opportunity to comment on your consultation, We note that a number of the recommendations we have previously made have been incorporated into the Plan, and would like to share our appreciation with you. There are however, still several parts of the plan that may benefit from minor changes:  **Policy SG12: Trees and hedgerows**  As detailed in our previous response we recognise the importance of existing trees and hedgerows and the need to protect these features, as key corridors for wildlife through the urban landscape the biodiversity they enable are vital, we would however note that watercourses also provide habitats, and support the ecology whilst also providing a conveyancing route for surface water. It is also common to fince watercourses (including ditches) that form part of the boundary treatment to a property. Due to these similarities we would recommend that watercourses are also highlighted within Policy SG12.  **Policy SG15: Design**  It is noted that we did not comment on policy SG15 in our last response and that you have acknowledged our comments regarding policy SG1 for Mulberry Farm, however it is felt that the inclusion of similar wording to policy SG15 would support the delivery of wider sustainable development on windfall sites. In particular the use of Sustainable Drainage Systems (SuDS), implementation of the drainage hierarchy, and water efficient design.  **Drainage Hierarchy**  The drainage hierarchy outlined the principles of where surface water should be discharged, the hierarchy is outlined within Planning Practice Guidance paragraph 80 (Reference ID: 7-080-20150323). Severn Trent request evidence that the drainage hierarchy has been followed by developers in our conversations, however by raising the expectation at the Neighbourhood Plan stage it consideration can be incorporated into the initial a site designs resulting it better continuity of surface water through development.  To aid in the interpretation of this request we would recommend that the following wording is incorporated into Policy SG15:  ***All applications for new 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.***  **SuDS (Sustainable Drainage Systems)**  Severn Trent note that Planning Policy already requires major development to incorporate SuDS through the written Ministerial Statement for Sustainable Drainage (HCWS 161) and NPPF. However current policy is very flexible on how SuDS can be incorporated into development, by incorporating appropriate references to SuDS in Policy SG15, the need for developers to deliver high quality SuDS can be secured. Current Industry Best Practice for SuDS (The SuDS Manual CIRIA C753) highlights the need to consider SuDS from the outset of the design process and not to fit SuDS to the development site post layout. To aid in the delivery of this recommendation we would recommend wording to the effect of:  ***All major developments 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.***  ***Where possible, all non-major development should look to incorporate these same SuDS principles into their designs.***  The supporting text for the policy should also include:  *Sustainable Drainage Systems (SuDS) should be designed in accordance with current industry best practice, The SuDS Manual, CIRIA (C753), to ensure that the systems deliver both the surface water quantity and the wider benefits, without significantly increasing costs. Good SuDS design can be key for creating a strong sense of place and pride in the community for where they live, work and visit, making the surface water management features as much a part of the development as the buildings and roads.*  We would also note that as the Lead Local Flood Authority (LLFA) are the statutory consultee for the planning process in relation to surface water management that they should also be consulted on any wording regarding SuDS.  **Water Efficiency**  Water efficient design and technology is important for ensuring the sustainability of the water supply system for the future, both supporting existing customers and future development. NPPF supports the delivery of sustainable development and the Humber River Basin Management Plan promotes the use of the tighter Water Efficiency Target within Building Regulations Part G. We would recommend that this detailed with Policy SG15 so that developers are aware of what is expected of them from the outset of the design process.  To aid with the implementation fop the recommendation we have provided some example wording below:  ***All development should demonstrate that they are water efficiency, where possible incorporating innovative water efficiency and water re-use measures, demonstrating that the estimated consumption of wholesome water per dwelling is calculated in accordance with the methodology in the water efficiency calculator, should not exceed 110 litres/person/day.***  **Policy SG16: Local Green Space**  Severn Trent understand the need for Local Green Space and the need for it to be protected, however local green spaces can provide suitable locations for schemes like flood alleviation to be delivered without adversely impacting on the primary function of the open space. If the correct scheme is chosen, the flood alleviation scheme can result in additional benefits to the local green space in the form of biodiversity or amenity improvements. We would therefore recommend that the following comment is added to Policy SG16:  ***Development of flood resilience schemes within local green spaces will be supported provided the schemes do not adversely impact the primary function of the green space.***  Please keep us informed when your plans are further developed when we will be able to offer more detailed comments and advice.  For your information we have set out some general guidelines that may be useful to you.  **Position Statement**  As a water company we have an obligation to provide water supplies and sewage treatment capacity for future development. It is important for us to work collaboratively with Local Planning Authorities to provide relevant assessments of the impacts of future developments. For outline proposals we are able to provide general comments. Once detailed developments and site specific locations are confirmed by local councils, we are able to provide more specific comments and modelling of the network if required. For most developments we do not foresee any particular issues. Where we consider there may be an issue we would discuss in further detail with the Local Planning Authority. We will complete any necessary improvements to provide additional capacity once we have sufficient confidence that a development will go ahead. We do this to avoid making investments on speculative developments to minimise customer bills.  **Sewage Strategy**  Once detailed plans are available and we have modelled the additional capacity, in areas where sufficient capacity is not currently available and we have sufficient confidence that developments will be built, we will complete necessary improvements to provide the capacity. We will ensure that our assets have no adverse effect on the environment and that we provide appropriate levels of treatment at each of our sewage treatment works.  **Surface Water and Sewer Flooding**  We expect surface water to be managed in line with the Government’s Water Strategy, Future Water. The strategy sets out a vision for more effective management of surface water to deal with the dual pressures of climate change and housing development. Surface water needs to be managed sustainably. For new developments we would not expect surface water to be conveyed to our foul or combined sewage system and, where practicable, we support the removal of surface water already connected to foul or combined sewer.  We believe that greater emphasis needs to be paid to consequences of extreme rainfall. In the past, even outside of the flood plain, some properties have been built in natural drainage paths. We request that developers providing sewers on new developments should safely accommodate floods which exceed the design capacity of the sewers.  To encourage developers to consider sustainable drainage, Severn Trent currently offer a 100% discount on the sewerage infrastructure charge if there is no surface water connection and a 75% discount if there is a surface water connection via a sustainable drainage system. More details can be found on our website  <https://www.stwater.co.uk/building-and-developing/regulations-and-forms/application-forms-and-guidance/infrastructure-charges/>  **Water Quality**  Good quality river water and groundwater is vital for provision of good quality drinking water. We work closely with the Environment Agency and local farmers to ensure that water quality of supplies are not impacted by our or others operations. The Environment Agency’s Source Protection Zone (SPZ) and Safe Guarding Zone policy should provide guidance on development. Any proposals should take into account the principles of the Water Framework Directive and River Basin Management Plan for the Severn River basin unit as prepared by the Environment Agency.  **Water Supply**  When specific detail of planned development location and sizes are available a site specific assessment of the capacity of our water supply network could be made. Any assessment will involve carrying out a network analysis exercise to investigate any potential impacts.  We would not anticipate capacity problems within the urban areas of our network, any issues can be addressed through reinforcing our network. However, the ability to support significant development in the rural areas is likely to have a greater impact and require greater reinforcement to accommodate greater demands.  **Water Efficiency**  Part G of Building Regulations specify that new homes must consume no more than 125 litres of water per person per day. We recommend that you consider taking an approach of installing specifically designed water efficient fittings in all areas of the property rather than focus on the overall consumption of the property. This should help to achieve a lower overall consumption than the maximum volume specified in the Building Regulations.  We recommend that in all cases you consider:  • Single flush siphon toilet cistern and those with a flush volume of 4 litres.  • Showers designed to operate efficiently and with a maximum flow rate of 8 litres per minute.  • Hand wash basin taps with low flow rates of 4 litres per minute or less.  • Water butts for external use in properties with gardens.  To further encourage developers to act sustainably Severn Trent currently offer a 100% discount on the clean water infrastructure charge if properties are built so consumption per person is 110 litres per person per day or less. More details can be found on our website  <https://www.stwater.co.uk/building-and-developing/regulations-and-forms/application-forms-and-guidance/infrastructure-charges/>  We would encourage you to impose the expectation on developers that properties are built to the optional requirement in Building Regulations of 110 litres of water per person per day.  We would also encourage the use of rainwater harvesting on larger developments, either residential or commercial. This helps to reduce the demand on public supply, associated carbon impact of supply and also reduced site run off and sewer flows. Rainwater Harvesting as a development rather than on a property by property basis is more cost efficient and can produce greater benefits.  Both the [River Severn River Basin Management Plan](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/718336/Severn_RBD_Part_1_river_basin_management_plan.pdf) (Page 52) and the [Humber River Basin Management Plan](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/718328/Humber_RBD_Part_1_river_basin_management_plan.pdf) (page 46) recommend that Local Plan set out policies requiring homes to meet the tighter water efficiency standard of 110 litres per person per day *as described in Part G of Schedule 1 to the Building Regulations 2010*. As such Severn Trent’s recommendation is consistent with wider objectives within our water supply regions.  We hope this information has been useful to you and we look forward in hearing from you in the near future. |
| 9 | Member of the Public 05 | **We would like to know whether you support the plan, would support the plan with some modifications, or oppose the plan. Overall:** Support the plan with modifications  **Would you like to be informed of any decisions we make (either make/adopt the**  **neighbourhood plan or refuse to make/adopt the neighbourhood plan)?:** Yes  **Please select which policy or policies you would like to comment on:**  **Please select which section you would like to comment on:**Housing  **Do you support or oppose the housing section?:** Oppose  **Please confirm the paragraph number(s) for example, 4.1::** 4.13  **Please provide your reason for this view:** Given that this Neighbourhood Plan outlines a minimum housing allocation of 57 dwellings for Stoke Golding it seems inappropriate to allocate this to land east of Roseway given it ranks poorly (9th) on the Site Assessment Framework results (ref EV7/EV8). Now that an application for 70 houses has been submitted on Hinckley road (21/00656/OUT) this should become the selected site for the village to comfortably meet its minimum development given that this ranked 3rd on the list of site Assessment Framework and hence is far more suitable. Therefore 4.13 section needs altering to reflect this and Map 3 showing the settlement boundary redrawn accordingly. |
| 10 | Jelson Homes | Avison Young is town planning advisor to Jelson Homes and is instructed in respect of a parcel of land off Hinckley Road in Stoke Golding which is available for housing development. Jelson is a family owned Leicester-based housebuilder that has been delivering quality homes in the East Midlands for over 130 years.  Jelson wishes to engage in the Neighbourhood Plan process and in May 2019 we submitted a proforma to the Parish Council providing details of the site. Jelson also submitted representations to the “pre-submission” (Regulation 14) version of the Neighbourhood Plan on 14 May 2021. The content of that submission is repeated in this letter.  Our Client welcomes the opportunity to engage in, and contribute to, the plan-making process. Accordingly, we have reviewed the draft version of the Neighbourhood Plan and in this letter we provide our observations and explain why we believe the Plan ought to be amended so that it meets the basic conditions of the Localism Act 2011.  **Statutory Context**  In advance of examining the draft Stoke Golding Neighbourhood Plan in detail, we must first give consideration to the statutory context within which these types of plan are made. The Localism Act 2011 sets out that a neighbourhood plan must meet a set of basic conditions before it can be put to a referendum and be ‘made’. The basic conditions advise that a neighbourhood plan must:  a) be in general conformity with the strategic policies contained in the Development Plan for the area of the authority (in this case Hinckley and Bosworth Borough Council);  b) contribute to the achievement of sustainable development;  c) have regard to national policies and advice contained in guidance issued by the Secretary of State, such as the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG); and  d) be compatible with European obligations and human rights requirements.  In subsequent sections of this letter we consider the extent to which some of these basic conditions have not been met by the draft Neighbourhood Plan.  **Housing Needs (Draft Policy SG1)**  By way of context, we note that guidance contained in paragraph 29 of the NPPF states that “neighbourhood plans should not promote less development than set out in strategic policies or undermine strategic policies”. In other words, they must be in general conformity with the strategic policies relevant to the area.  In this case, we note that the relevant strategic policies relating to housing need in the Hinckley and Bosworth Local Plan are out-of-date. The Borough Council does not yet have any fixed housing requirements for the period to 2039. In itself, this raises many uncertainties about the emerging Neighbourhood Plan and the possibility that it could quickly become out-of-date. We understand that prior to the publication of the pre-submission version of the Plan, the Parish approached the Borough Council to seek an indicative housing requirement figure for the Stoke Golding Neighbourhood Area to 2039. The Borough was unable, at that time, to provide a figure to the Parish. Consequently, the Stoke Golding Neighbourhood Plan Advisory Committee undertook its own assessment to provide an indicative housing requirement for the Neighbourhood Area. Draft Policy SG1 in the pre-submission version suggested that the additional housing need to 2039 would be 25 dwellings. This policy was updated in the Submission Version and the plan now proposes **a minimum of 57 dwellings**, which it says will be met by the committed 65 dwellings on land east of Roseway as well as windfall development.  The supporting text to draft policy SG1 sets out how the Parish has identified its housing need. It says that the figure of 57 dwellings should be used, based on the equivalent of 3 dwellings per year being delivered over a 19-year plan period. This was on the logic that the current Local Plan policy also requires the equivalent of 3 dwellings a year in Stoke Golding (i.e. 60 homes over the 20 year period) and that the annual requirement for the Borough as a whole using the Standard Methodology (452 homes pa) is similar to the one under the current Local Plan (450 homes pa), and that identified in the Leicester and Leicestershire Strategic Growth Strategy (454 homes pa).  We note however that in the intervening time between production of the pre-submission and submission versions of the Neighbourhood Plan, the Borough Council did, in its formal response to the Regulation 14 consultation, provide advice to the Parish in respect of the housing requirement.  The Borough Council explained its position that the housing requirement for Stoke Golding ought to be **158 dwellings** (i.e. 101 dwellings more than the submission version draft of the Neighbourhood Plan suggests). The Borough’s methodology seeks to apportion the Standard Method figure between settlements based on population size plus a 10% buffer for flexibility. It appears that the Parish has not followed the approach suggested by the Borough when drafting the submission version, resulting in a shortfall in the proposed housing need figure. In our view, whilst the Borough’s figure is only indicative at this stage, it does offer a more robust starting point for assessing housing needs and it uses an approach endorsed by an inspector in the Burbage Neighbourhood Plan.  The position on housing need will crystalise in the coming months when the new Hinckley and Bosworth Local Plan is examined. On the face of what we know now, the Borough’s figure is only likely to increase once further work reveals how much of Leicester City’s unmet housing need Hinckley and Bosworth will need to accommodate.  It is plain that draft Policy SG1 is not reflective of the latest evidence. The figure of 57 homes proposed does not help the Borough to achieve its strategic requirements based on the Standard Method and therefore it would be inappropriate for the Neighbourhood Plan to rely on this figure.  In our view, the draft Plan does not currently meet the basic conditions in respect of Policy SG1. The draft Plan does not conform with strategic policies because the housing requirement policies in the adopted Local Plan are out-of-date and emerging figures based on the Standard Method have not yet been independently scrutinised. The draft Neighbourhood Plan cannot be planning for sustainable development if the housing requirement is not fully understood and in the absence of robust evidence it cannot be having regard to national policies and advice.  **Housing Reserve Site at Mulberry Farm, High Street (Draft Policy SG2)**  The draft Plan proposes to allocate a site at Mulberry Farm as a “reserve site” to be brought forward for housing in the event that it is required to do so by the emerging Local Plan. The draft policy suggests that the site could deliver around 25 dwellings. In our view, however, there appears to be reason to doubt the deliverability of this site within the Plan period. We are not aware of any developer intent for the site and have seen nothing which provides comfort on whether access and heritage constraints are resolvable.  Even if the Mulberry Farm site is deliverable, its capacity (possibly 25 homes) in addition to the 65 homes permitted at Roseway falls significantly short of the Borough Council’s latest suggested requirement of 158 homes. It seems highly unlikely that the shortfall could be made up through windfalls alone and we would therefore recommend that the Plan allocates other land for housing.  **Area of Separation (Draft Policy SG7)**  The Jelson site is currently shown to fall within an “Area of Separation” between Stoke Golding and Dadlington on the Policies Map that accompanies the draft Plan. The corresponding draft policy (Policy SG7) states that the open character of the area will be retained and that the construction of new buildings or inappropriate uses of land which adversely affect the open character of this area or the character and setting of the villages will not be supported.  Jelson is mindful of the sensitivity around maintaining the separate identities of the two settlements. However, it is entirely possible to develop the Jelson site whilst still maintaining a gap between the villages. In the event that a scheme is pursued on the site, it could be designed so that the built development follows the line of the permitted scheme to the west (land off Roseway) and a green buffer is maintained along the northern boundary. This buffer, together with the field directly to the north, would continue to act as an area of separation of over 100 metres between the settlements.  In a situation where housing need is likely to increase across the Borough, a proposed Area of Separation policy which seeks to prohibit housing development would need to be underpinned by robust evidence. We have not seen any detailed analysis of the Jelson site in this context. The extent of the Area of Separation should be limited to that which is evidenced to be required to maintain identity, not simply all open land between the settlements.  In order to ensure that sufficient land is made available for housing, with an allowance for flexibility, we would recommend that the Jelson site is removed from the proposed Area of Separation. We provide a more detailed analysis of the Area of Separation in later paragraphs.  **Settlement Boundary (Draft Policy SG6)**  The proposed settlement boundary is drawn tightly around the existing urban edge of the village. Our main concern with this approach is that there is very little capacity within the defined boundary to accommodate future housing.  The Jelson site is currently shown to fall outside of the settlement boundary, in the countryside, where there is a presumption against residential development. Following the logic above on housing needs, we would recommend that draft Policy SG6 (Countryside) is reviewed in the light of a robust, up-to-date assessment of objectively assessed needs and that the line is amended so that the Jelson site falls within the defined settlement.  **Sustainability**  The draft Neighbourhood Plan identifies the need to protect existing community facilities. New housing development in rural settlements can help to support local services and facilities and ensure that they remain viable. In this regard, the NPPF makes it clear that, to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services (paragraph 78).  The NPPF makes it clear that all settlements can play a role in delivering sustainable development in rural areas and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.  The Government recognises the important contribution residential development can make to create thriving rural communities. It notes that in rural areas where a high demand for homes can make the cost of living a particular challenge, there are opportunities to go further to support a mix of sites and meet rural housing needs. This is especially so where scope exists to expand settlements in a way which is sustainable and helps provide homes for local people.  Taking all this into account, it is clear that Stoke Golding is a sustainable settlement and it is therefore capable of accommodating levels of housing development in excess of those anticipated by the draft Neighbourhood Plan. The resultant increase in population would help to sustain existing services and facilities in the village as well as to support employment opportunities, thereby satisfying two of the primary objectives of the Plan.  **Jelson’s Land off Hinckley Road**  Jelson controls land off Hinckley Road, on the north eastern edge of the village. The land holding extends to approximately 2.5 hectares, and, of this, around 1.65 hectares would form a logical development site comprising around 1.1 hectares of built development, accommodating approximately 35 dwellings. We have enclosed with this letter a ‘Development Framework’ plan (dated 12 May 2021) to illustrate the form that a development could take.  The land directly to the south of the site has recently been developed for housing by Morris Homes. The land adjacent to the site to the west (east of Roseway) has an outline planning permission for up to 65 dwellings (LPA ref 20/00779/OUT). There is potential for development of the Jelson site to link in with the Morris Homes scheme and the newly permitted scheme, making for a complimentary, well connected area of new housing. In our view, development of the Jelson site would form a logical extension to the two adjacent schemes and a rounding off of the settlement.  The enclosed plan has various boundaries marked on it. The red line shows the extent of land (1.1 hectares) that could be subject to future built development and green infrastructure / tree planting. The boundary of the proposed Area of Separation (from the draft Neighbourhood Plan) is shown by a light blue line. The effective area of separation (i.e. what is seen in reality, looking beyond the Neighbourhood Plan boundary) is shown by blue diagonal lines. The area is much wider when considered in this context. What is clear from the illustration is that it is possible to provide houses on the Jelson land whilst still retaining a significant Area of Separation. For these reasons we believe that the proposed Area of Separation boundary should be adjusted to that shown by the blue dashed line.  Jelson is a local housebuilder and the site is not therefore subject to any ownership constraints and is available for development now. There are no known technical / physical constraints that would prohibit development. A scheme could therefore realistically be delivered within five years and quickly help to address the Borough’s housing needs. Unlike proposals for small sites (of less than 9 dwellings) development of this site could make significant contributions to affordable housing and other infrastructure such as the school, surgery and village hall, if required.  With the above points in mind, we would recommend that the Jelson site is allocated for residential development as a means of helping to meet the housing need for the plan period.  **Summary and Next Steps**  It is our view that, in its present form, the draft Neighbourhood Plan does not meet the basic conditions set out in the Localism Act.  The housing requirement figure will need to be treated with caution until properly tested, but what is clear now is that the current version of the Plan does not make a sufficient allowance for new housing to meet objectively assessed needs.  We believe that the Neighbourhood Plan should plan positively for housing and include a greater degree of flexibility of sites so that needs can be met. The Jelson site off Hinckley Road is available now and could help to address the housing shortage. Unlike other potential development sites in Stoke Golding, the Jelson site off Hinckley Road does not present any concerns about deliverability. The land is not constrained by ownership, access or heritage and Jelson is a reputable housebuilder who would work constructively and mindfully to design a scheme that retains a gap between Stoke Golding and Dadlington and respects what is important to the community. Jelson and its project team would welcome the opportunity to work with the Neighbourhood Plan Group and the Examiner to discuss how this can be achieved and would be pleased to arrange a meeting at your convenience.  With the above points in mind, we respectfully request that further detailed analysis be undertaken to provide a reasoned justification for the strategy proposed and that Jelson’s land be allocated for residential development as a means of achieving some of the housing need for the plan period.  We would welcome an opportunity to engage further in the neighbourhood plan process and would be grateful if we could be kept fully informed of the progress of the Stoke Golding Neighbourhood Plan. We would be happy to discuss any aspect of the above further and can be contacted using the details provided below.  Map of the housing site suggested by Jelson Homes but not included in the Neighbourhood Plan |
| 11 | National Grid | **Proposed development sites crossed or in close proximity to National Grid assets:**  An assessment has been carried out with respect to National Grid’s electricity and gas transmission assets which include high voltage electricity assets and high-pressure gas pipelines.  National Grid has identified that it has no record of such assets within the Neighbourhood Plan area.  National Grid provides information in relation to its assets at the website below.  • www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/ |
| 12 | Springbourne Homes | **Introduction**  1. These representations have been prepared by Marrons Planning on behalf of our client, Springbourne Homes. Our client is an award-winning property company which has been established for over 25 years with a record of delivering a mix of high quality homes throughout the Midlands.  2. Springbourne Homes has an interest in land to the south of Station Road, Stoke Golding. This Neighbourhood Plan representation seeks to assist the process by highlighting the submission Neighbourhood Plan’s failure to meet the basic conditions as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as applied to neighbourhood plans and orders by section 38A of the Planning and Compulsory Purchase Act 2004) and at Regulations 32 and 33 of the Neighbourhood Planning (general) Regulations 2012 (as amended).  3. In summary the basic conditions for Neighbourhood Plans are:   * *having regard to national policies and advice contained in guidance issued by the Secretary of State;* * *contributing to the achievement of sustainable development; and* * *being in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area* * *Not being in breach of and otherwise compatible with EU obligations* * *Prescribed conditions are met and have been complied with – these are as set out within the Neighbourhood Planning (general) Regulations*   4. Springbourne Homes’ position is that the draft Neighbourhood Plan (DNP) fails to meet basic conditions by:   * Pursuing a requirement for just 57 dwellings during the period 2020 – 2039 based on the level of growth envisaged in the current 2006 Core Strategy. This approach is considered to be too simplistic, and fails to provide for unmet housing need from the city of Leicester. As a result it does not accord with national policy or contribute to the achievement of sustainable development; * Failing to identify a flexible strategy to deal with housing growth within the plan area by relying purely on a single allocation and windfall contributions within a tightly drawn settlement boundary. This approach does not accord with national policy or contribute to the achievement of sustainable development; * Making no specific provision for the need for later living units or self-build projects within the plan area. This does not meet with national policy or contribute to the achievement of sustainable development; * Preventing opportunities for later living and self-build which can be achieved on our client’s site which should be allocated for a modest amount of residential development (19 units), contributing to the achievement of sustainable development; and * Identifying a local wildlife site, (91289), without review as to whether it meets LWS criteria. The failure to follow an evidenced approach does not accord with national policy or contribute to the achievement of sustainable development.   **Site Description**  5. Our client’s site is a green field site on the south-western boundary of Stoke Golding, and benefits from an existing point of access on to Higham Lane. The application site borders the settlement boundary for Stoke Golding, whereby the residential curtilages of 27 Station Road, and No’s 33 to 39 Station Road, adjoin the boundary of the application site. To the west of the site access lies a ribbon of houses extending southwards along Higham Lane. As a result the site is visually and physically well related to the settlement. The map at Appendix 1 shows the location and extent of the site. It should be noted that it forms part of a wider SHELAA site and for ease the area of this is shown at Appendix 2.  6. The site forms part of a larger field, which has historically been used for the growing of agricultural crops and for livestock grazing and at present is pasture. The topography of the wider site features a high point in the north-eastern corner, which gradually slopes down to the south-western corner. Mature hedgerows, interspersed with mature tree specimens, are located upon the wider site’s southern and western boundaries. A small cluster of trees is located in the middle of the wider field, which forms the southern boundary of the site.  7. To the eastern boundary of the site is a Scheduled Ancient Monument named as *“Hlaew and medieval farmstead immediately south west of Park House”* (List Entry Number 1017678). A small area of the site which forms part of the northern boundary is located within the Stoke Golding Conservation Area. Approximately 120m to the north of the site is Bosworth Battlefield, List Entry Number 1000004. The scale and design of any development on the site can be designed through an appropriate constraints-led masterplan exercise to protect and enhance the significance of these important heritage assets.  8. There are no trees or landscape features within the site itself although there is a strong field hedge along Higham Lane to the west and there are several mature and notable trees to the east of the site adjacent to the Scheduled Ancient Monument. These features would not be impacted by development of our client’s site. Indeed, such development offers the potential to create valuable habitat and to restore historic hedgerow alignment to the south.  **Planning Policy Assessment**  ***i. Hinckley and Bosworth Core Strategy (2009)***  9. Spatial Objective 5 of the Core Strategy states that the Council will ensure sufficient housing is provided to enable all residents of the borough to have access to a suitable home which they can afford in a range of sustainable locations, tenures and house types. Although the objective focuses on Hinckley it recognises the need for some growth within rural areas. The site offers the potential to allow small scale development to reflect rural need and to provide for the needs of older residents.  10. Spatial Objective 9 states that new development should contribute to the local distinctiveness of the borough, and enhance settlement identity and environment through quality sustainable design. Design and other measures will be used to develop strong community identities and neighbourhood pride. The site could easily accommodate a high quality design, reflecting the context whilst promoting a design that seeks to retain and enhance the key features of the site.  11. Spatial Objective 10 states that development should enhance and protect the borough’s distinctive landscapes, woodlands, and biodiversity and encourage its understanding, appreciation, maintenance and development. The site could provide development which would protect the existing ecology on-site and, enhance the site’s existing ecological value through an appropriate landscaping scheme.  12. The Core Strategy under Policy 7 supports housing developments that provide a mix of housing types within Key Rural Centres such as Stoke Golding. At Policy 11 the Strategy makes provision for at least 60 new homes over the plan period which meet current housing needs.  13. Policy 15: Affordable Housing requires 40% of dwellings to be affordable within rural areas.  14. Policy 16 of the Core Strategy requires a mix of housing types and tenures based on the need profile set out within the plan but also includes reference to other evidence such as studies of older peoples housing needs.  15. Policy 17 allows for small scale development to meet a local need adjacent to settlement boundaries, provided that need is a) identified in a plan such as a Neighbourhood Plan, and b) cannot be met within the settlement and is otherwise acceptable.  16. The policies relating to housing provision within the Core Strategy are clearly out of date in terms of quantity of development and settlement boundaries. Our client’s site offers the opportunity for a specialist housing type immediately adjacent to a Key Rural Centre, which follows the basic approach advocated by the Core Strategy.  ***ii. Site Allocations and Development Management Policies DPD (July 2016)***  17. Policy DM1 states that where there are no policies relevant to the application or the relevant policies are out of date at the time of making the decision, then the Borough Council will grant permission unless material considerations indicate otherwise, taking into account whether: a) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or b) specific policies in that Framework indicate that development should be restricted. The benefits arising from the development of the site are considered to significantly outweigh any alleged harm arising from the proposals.  18. Policy DM4 allows development where it does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside; and it does not undermine the physical and perceived separation and open character between settlements. The site immediately adjoins the edge of the village and offers the potential to improve and enhance land to the south improving its landscape and ecological value.  19. Policy DM6 requires proposals to demonstrate how they conserve and enhance features of natural and geological value, including proposals for their long term future management. On site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term. The proposed development will not cause undue harm to the surrounding countryside or ecological features on-site. The proposals can be adequately mitigated against through the use of pre-commencement conditions and appropriate landscaping.  20. The proposals would not create or exacerbate flooding due to the site being located away from areas of flood risk, in accordance with Policy DM7.  21. The proposals would be for 19 high quality residential dwellings that would support the objectives of Policy DM10 Development and Design. The proposed site layout would respect the surrounding area in terms of density and pattern of built development.  22. A safe and secure access can be secured for the proposals and the introduction of 19 residential units would not lead to undue harm upon the surrounding road network, in full accordance with Policy DM17 Highways and Transportation.  23. The proposed site layout would secure an appropriate level of vehicle parking for the size of dwellings proposed, in accordance with the objectives of Policy DM18.  ***iii. Hinckley and Bosworth Local Plan Consultation Draft Plan June 2021)***  24. The Borough Council have recently produced a consultation draft plan for the Borough which outlines the emerging approach to development across the wider area. This confirms Stoke Golding’s Key Rural Centre status and sets out within the preferred strategy for growth that each Key Rural Centre should provide for a minimum of 200 dwellings to maintain settlement vitality and viability. Emphasis is also placed on the need for this growth to reflect other policy priorities in the plan.  25. The Council say they will consider all sites included within the SHELAA and it should be noted that our client’s site along with a larger area of land has been included in the SHELAA as a “developable” site. Appendix 3 below provides the SHELAA pro forma for the wider site.  26. The consultation draft also recognises at HO02 the importance of providing a mix of housing to meet evidenced housing need. There is explicit reference within the draft to the importance of provision for people over the age of 65 and to the need for bungalows, particularly in locations where there is evidence of low occupancy of large dwellings, and in rural locations and areas where low density housing suits area character.  27. The Draft also increases the requirement for self-build units making an element compulsory for larger schemes and offering support for units on smaller schemes.  ***iv. National Planning Policy Framework (2019, “NPPF”)***  28. The Borough Council’s latest published estimate (1st April 2020) confirms a marginal 5.15 years-worth of supply. However, a recent public inquiry at Stoke Golding confirmed the figure as being 4.2 years which along with out of date Local Plan housing policies means paragraph 11(d) of the NPPF is triggered for decision making.  29. This means that the current Development Plan policies for housing are failing to engage the presumption in favour of sustainable development within the NPPF at paragraph 11 and that they cannot be used as the basis for a new Neighbourhood Plan. Doing so would automatically render the Neighbourhood Plan out of date and mean that 11(d) is engaged within its area.  30. Paragraph 14 of the NPPF states that where 11(d) is engaged there are circumstances where a current neighbourhood plan is likely to significantly and demonstrably outweigh the benefits of a proposal. However, this requires the Neighbourhood Plan to contain policies and allocations to meet its identified housing requirement. The Submission Neighbourhood Plan fails to identify any requirement beyond the out of date Local Plan or to make provision for such a requirement within its policies, setting only a reserve.  31. Paragraph 15 reiterates the need for plans to be up to date and to provide a framework for addressing housing need and paragraph 16 reinforces the need for plans to have the objective of achieving sustainable development.  32. Paragraphs 28 – 30 are specifically concerned with non-strategic policies such as those within a Neighbourhood Plan. They make it clear that the role of these policies is to translate strategic level policies down to a local level. A Neighbourhood Plan would, for example, make local level housing allocations based on achieving strategic policies within a local plan. The NPPF also clarifies that where a neighbourhood Plan is made its non-strategic policies take precedence over those existing non-strategic policies within a local plan. Footnote 16 makes it clear that neighbourhood plans must be in conformity with strategic policies in force for the area. In this instance the strategic policies that relate to housing are out of date and under review. Accordingly non-strategic neighbourhood plan policies must respond to national guidance and this evolving strategic context.  33. Paragraph 31 of the NPPF confirms that the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals. Reliance on an out of date housing strategy could not be considered to do this.  34. Paragraph 33 says that policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and that relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly.  35. Paragraph 37 confirms the basic conditions that neighbourhood Plans must meet.  36. Paragraph 59 requires sufficient land to be identified to meet needs particularly of groups with specific housing requirements. Paragraph 61 defines specific groups for which housing need should be addressed.  37. The Framework recognises at paragraph 68 that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions. The proposals are considered to represent a windfall site and the site is considered both achievable and deliverable for development in the short-term. Paragraph 69 highlights that neighbourhood planning groups should consider opportunities for such sites within their area.  38. Paragraph 78 seeks to promote sustainable development in rural areas which includes identifying opportunities for villages to grow and thrive. This site offers clear opportunities for proportionate growth within the village.  39. Paragraph 91 requires development to provide safe, healthy and inclusive places. The site offers the opportunity for safe accommodation for later living that is well integrated with this sustainable rural community.  40. The site could be developed in a way that would accord with the objectives of paragraph 108 of the Framework, which requires development to mitigate against impacts upon the highways network to an acceptable degree. The planned development of approximately 19 dwellings is not considered to give rise to an unacceptable impact upon the local highway network, in accordance with paragraph 109 of the Framework.  41. Paragraph 122 requires planning policies and decisions to support development that makes efficient use of land, taking into account the identified need for different types of housing and other forms of development, local market conditions and viability, the availability and capacity of infrastructure and services and the desirability of maintaining an area’s prevailing character and setting. Developments should be well-designed, attractive and healthy places. The site can deliver a size and type of home that is required within the Borough, and maintain the prevailing character and setting of the surrounding area by being a low density development.  42. Paragraph 130 states that where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. The site could be developed in a way which would secure a high quality design that considers surrounding landscape characteristics to secure a high quality residential development of an appropriate density and site layout.  43. Development of the site would not impact existing on-site biodiversity and there is the opportunity for ecological enhancement through the retention and improvement of existing hedgerows and tree groups and via the provision of a new ecology rich area to the south. There are no risks arising from the contamination of soil or instability, with the proposals being a negligible contamination end-use.  44. Paragraph 180 requires planning policies and decisions to ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. The proposed use of the site for residential mirrors surrounding development and it is not anticipated that the noise environment will be adversely affected by the proposed development. The existing and future amenity of residents can be ensured by the proposed site layout, retaining the existing quality of life.  45. Paragraphs 193 – 201 deal with assessing the impact of development on the significance of heritage assets. The site is close to a number of heritage assets but could be sensitively designed to conserve the significance of these and to avoid harm that is not outweighed.  **The Submission Neighbourhood Plan Housing requirement**  46. The Housing Requirement for the area is set out in the Hinckley and Bosworth Core Strategy December 2009. That plan provided for the level of housing identified in the East Midlands Regional Plan published in 2009 – 9,000 homes between 2006 and 2026 (450 homes a year).  47. The Core Strategy recognised Stoke Golding as a Key Rural Centre and the vision recognises that rural growth will be focused on these centres to support rural communities and provide local choice (paragraph 3.37). Whilst this context is very much of its time, the Core Strategy allocates land for the development of a minimum of 60 new residential dwellings at Stoke Golding through Policy 11: Key Rural Centres Stand Alone.  48. The Hinckley and Bosworth Site Allocations and Development Management Policies DPD (July 2016) recognised that sufficient development was committed at that time to meet Core Strategy Policy 4 and that the residual need for allocations at Stoke Golding was 0 homes (as of 1 September 2015 - Table 3: Page 13).  49. The emerging local plan proposes a minimum of 200 homes at Stoke Golding in recognition of its status as a Key Rural Centre. The issue of housing requirements for Neighbourhood Plans is helpfully considered within the National Planning Practice Guidance (PPG) which states that a Neighbourhood Planning Body may need to determine a housing requirement figure themselves, taking account of relevant policies, [including] the existing and emerging spatial strategy (paragraph: 105 Reference ID: 41-105-20190509).  50. It is quite clear that the Neighbourhood Plan has not had regard for this emerging position. In this respect it might be noted that the PPG advises that qualifying bodies and local planning authorities should discuss and aim to agree the relationship with emerging local plan policies where a neighbourhood plan is brought forward before an up-to-date local plan (Paragraph: 009 Reference ID: 41-009-20190509).  51. Even if a view is taken that the emerging local plan requirement for Stoke Golding is too nascent then an apportionment of the Standard Housing Methodology figure (of 8,588 homes over the 2020-2039 plan period) to Stoke Golding (the approach advocated by the District Council in response to the Submission Draft Neighbourhood Plan) would result in a figure of 144 dwellings for Stoke Golding 2020-2039.  52. Additionally this figure does not include a buffer to give flexibility to the plan and allow for both the emerging Borough wide plan and unmet need from the city of Leicester. If a buffer (the borough suggest 10%) is factored in, the figure for Stoke Golding would increase to 158 homes. This is the approach that was suggested by the Borough Council in response to the submission draft. This figure of 158 is an almost a threefold increase, from the 57 dwellings suggested within the submission Neighbourhood Plan. The emerging local plan figure of 200 homes is almost a fourfold increase.  53. Furthermore the Consultation Draft Local Plan suggest an even higher figure of 200 homes is necessary within each Key rural Centre to deliver an up to date housing growth strategy. It is our client’s position that the Neighbourhood Plan must be future proof and provide for the 200 dwellings within the emerging Local Plan.  **The Flexibility of the Housing Strategy within the Plan**  54. The Neighbourhood Plan submission goes on to state that the figure it identifies (57) has already been met due to an outline planning permission granted in 2020 at Roseway (20/00779/OUT). As a result it fails to make any further provision for housing beyond a reserve allocation for around 25 dwellings at Mulberry Farm and small scale infill development within the settlement boundaries that are shown on Map 3.  55. This approach falls far short of the approach advocated within the NPPF as it fails to provide adequate flexibility to allow a supply of housing to be maintained throughout the plan period. It relies almost entirely on an existing consent, and a single relatively small allocation (made in reserve only). Paragraph 4.15 then states that all *“further flexibility will be provided through windfall development mainly in the form of small-scale infill development within the updated settlement boundaries”*. However, inspection of Map 3 shows the settlement boundaries are tightly drawn to existing properties and it is difficult to see where opportunities for any windfall development truly lie.  56. Neighbourhood plans should consider allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new local plan (PPG Paragraph: 009 Reference ID: 41-009-20190509).  57. It is our clients’ view that the plan should recognise the direction of travel in the emerging plan for a housing requirement of a minimum of 200 homes for Stoke Golding and should include greater flexibility to accommodate that housing allocation figure. This can either be done by way of further housing allocations, of which our clients’ site could form one, or by allowing development within and adjoining the settlement boundary.  **Making no clear provision for specialist housing needs**  58. Paragraph 61 of the NPPF makes it clear that planned housing need should include provision for affordable housing, family homes, older people, students, people with disabilities, service families, travellers, people who wish to rent and people who wish to build or commission their own homes.  59. The Neighbourhood Plan Submission supports a mix of housing types with Policy SG4 but it is unclear how, given the limited flexibility in housing provision, this would in reality be provided for. Stoke Golding has a significant number of residents who are aged over 65 and many of these are living within larger homes which are or may in time become unsuitable for their needs. Given the population profile of the village, it would be sensible to seek opportunities which provide for that profile. Whilst utilising a generic mix policy (such as SG4) in combination with less restrictive settlement boundaries would work; an allocation purely for later living accommodation would provide full certainty regarding delivery of this much needed accommodation.  60. Equally the Submission Neighbourhood Plan makes no provision for “self-build” units seemingly dismissing any need at paragraph 4.32 because there are no entries on the self-build register that require a plot in Stoke Golding. There are, however, a number of list entries that require a rural location. This is highlighted as being 22 requests in October 2020 within the Council’s response to the Submission Draft but has not been reflected within the current submission version.  61. Central government has consistently sought to boost the supply of self-build units alongside what is clear demand for this type of housing. The requirement to deliver self-build units is now enshrined in national guidance via the NPPF and accompanying NPPG. There is also a statutory duty under the Self-Build and Custom Housebuilding Act (2015) (as amended by the Housing and Planning Act 2016) for Council’s to keep a register of individuals who wish to acquire serviced plots, and to have regard to it in carrying out planning functions. Since 2016 this has included a duty to grant sufficient permissions to meet the demand registered over three year base periods. For each October – October year period there must be the appropriate number of consents granted within the following three year period to meet that demand.  62. Whilst the Borough retain a register of demand for self-build plots there is no clear data available to show how this demand has been met with the most recent monitoring report referring only to this being addressed by way of local plan review. It appears from this that the Borough overall has not been meeting its duty to meet the demand on its self-build register. This is a significant shortcoming which the Neighbourhood Plan is well placed to assist in rectifying. Our client’s site offers the ideal opportunity to provide for such plots in a proportionate way within the overall site. This would be a resilient approach to planning for varied housing need which would remain in check with emerging planning policy.  **Preventing a sustainable development on Land to the south of Station Road**  63. As described above our client’s site offers the potential for a small and sensitively designed development on the edge of the village which would support local services and allow this key rural centre to thrive. It offers the opportunity to provide both for later living and self-build need in the area.  64. As part of the Neighbourhood Plan site selection and evaluation process, fifteen potential housing sites from the SHELAA were assessed against a number of locally derived criteria and ranked accordingly. This assessment formed the basis for the reserve allocation within the Local Plan which was the only one of the fifteen sites selected for any recognition within the Submission plan. It should be noted that the site being promoted by our client does not form the whole of the SHELAA site only the northern part of it (Appendix 1 shows the extent of our client’s site and Appendix 2 the SHELAA site).  65. We have reviewed the site assessment framework (SAF), and have concerns relating to several areas of this process.  66. We note that the site scores negatively, along with all the larger sites, by way of “size of site to accommodate dwellings”. This is simply because the wider site is “considered too large to achieve villager objectives”. Whilst this a somewhat arbitrary conclusion it is also incorrect with regard to our client’s site which would only be partially developed to accommodate 19 dwellings, placing it firmly within the green “site capable of accommodating 25 dwellings” category.  67. The site is also scored poorly in terms of its links and access to various village facilities. This is particularly difficult to follow as the site is immediately adjacent to the village, close to facilities and public transport and offers the opportunity for a new pedestrian link direct to Station Road. In fact, if measurements are taken from the pedestrian access point onto Station Road many of the walking distance based scores are greatly improved and should be differently coded. This of course also greatly improves its scoring with regard to traffic impact and sustainable transport where it is marked as amber despite having good public transport access.  68. The SAF returns an amber rating for the compatibility of the site with adjoining uses because it concludes it would require mitigation to ensure it would be compatible. It is difficult to see how this conclusion can have been reached without a proposed layout for the site. The overall site is large and there is ample space to ensure that a sensitive design is reached without adverse impacts on adjacent uses. A similar conclusion should be reached with regard to village character and heritage assets which the SAF concludes as a red result overall (despite several green returns within the individual categories). The site in fact offers ample potential for a well-designed scheme with no unmitigated impact on the significance of nearby heritage assets.  69. Where biodiversity and habitats are considered the site is scored as an amber rated site (despite 3 of the 4 component criteria being green). This appears to be based entirely on the possible loss of important hedgerow and trees. The proposals do not involve the removal of any important hedgerow (there is an existing field gate), and would increase the amount of hedgerow by restoring historic field patterns to the south. There are no veteran or protected trees which would be impacted if the site were to be developed.  70. At Appendix 4 below we have summarised our conclusions with regard to the site and its suitability for allocation and have set out the reasoning for our conclusions with regard to the SAF criteria.  71. We suggest that the Submission Neighbourhood Plan fails to deliver sustainable development in its wrongful exclusion of our client’s site by way of a flawed site selection process. We suggest that our client’s site is specifically allocated (possibly for later living), or that the Neighbourhood Plan is amended in a way that would allow it to be developed in a sustainable manner.  **Designation of Local Wildlife Site ref: 91289**  72. Submission Policy SG11 identifies local ecological features and lists local wildlife sites. Within this list it includes an Ash Tree on Higham Lane immediately adjacent to our client’s site. This reflects a spot listing within the 2016 Leicestershire and Rutland Biodiversity Action Plan. The policy goes on to say that new development will be expected to maintain and enhance these BAP priority Habitats.  73. Whilst the recognition of Local Wildlife Sites (LWS) is an important part of the neighbourhood plan process it should be noted that the LWS designation system itself is a continuous one. LWS sites and the criteria for their selection evolve and must be regularly reviewed. Sites will be lost, new sites gained and the criteria for assessment will change.  74. The most recent criteria for LWS selection relating to mature trees state that Ash trees may be designated if they have dead branches or evidence of heart rot in the form of visible rot hollows, bracket fungi AND a girth of 3 metres at a point 1.3 metres above root level ( Leicester, Leicestershire and Rutland BAP 2016 Appendix 1.)  75. Targeted surveys of the Ash tree have identified that the tree supports Ivy, contains a number of rot holes and areas of decay. The current circumference/girth of the trunk and Ivy stems at 1.3 metre above ground is 3.2 metres. However, this includes the Ivy stems which are not insignificant and matted around the perimeter of the trunk and hence excluding these the tree alone is below the 3-metre girth threshold (see Table 1) to be considered as part of the above classification criteria. It is noted that no measurement of the tree was completed as part of its promotion for a LWS point designation.  76. Accordingly the Ash tree simply does not meet the basic classification criteria for LWS designation and it our client’s view that it should not be indicated as a LWS within the Neighbourhood Plan.  **Summary**  77. Whilst the difficulties with the strategic policy context are acknowledged it is not appropriate for a Neighbourhood Plan to rely solely on strategic policies which are known to be out of date. This situation must be recognised and a more robust and resilient housing requirement reached for the area. The plan must remain in step with national guidance which will allow it to be more resilient and in step with the newly emerging strategy for the Borough.  78. We are also clear that in failing to provide any allocation beyond a reserve site and windfall opportunities within very tightly drawn settlement boundaries that the plan would fail to meet an appropriately determined housing requirement. Our clients are mindful of the advice in paragraphs 14 of the NPPF and consider that this plan does not meet the basic conditions set out at paragraph 3 of this representation.  79. Furthermore the housing target set within the plan makes no recognition of the diverse elements of evidenced housing need in the area such as for later living or for rural self-build. We are concerned that this does not fit with either national or strategic policy objectives.  80. We retain concerns that this restricted and inflexible approach to housing supply thwarts the delivery of otherwise sustainable development such as that proposed for our client’s site and that this again runs counter to the basic conditions set out at paragraph 3 of this representation. On examination of the site selection process there are a number of clear errors and inconsistencies which suggest this process is flawed.  81. Finally, we highlight that the inclusion of the mature Ash tree adjacent to our client’s site as Local wildlife Site is incorrect as it fails to meet the tests set out in the Leicester, Leicestershire and Rutland BAP 2016.  82. Our client supports the preparation of Neighbourhood Plans which meet the basic conditions as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004).  83. We consider that in order to pass examination and proceed to referendum and be made that the Neighbourhood Plan should re-assess the level of housing required and be re-drafted with policies and allocations that meet that identified housing requirement. It should also make provision for varied housing need that exists in the area and ensure that LWS allocations included are viable. Our client is willing to work with the Parish Council to seek allocation of the site at Station Road.  **Conclusion**  84. In light of the above, this representation should be read as an objection to the Stoke Golding Neighbourhood Plan Submission at this time albeit we are prepared to positively engage with the Parish Council to encourage and negotiate reasonable amendments in order to allow the Neighbourhood Plan to meet the basic conditions and proceed to referendum.  85. In the absence of any amendments our client will unfortunately maintain an objection and wishes to have that heard by the Examiner with a view to preventing the Neighbourhood Plan from being made due to a failure to meet the basic conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004). |
| 13 | Environment Agency | Thank you for giving the Environment Agency the opportunity to comment the Stoke Golding Neighbourhood Plan.  We have reviewed the environmental constraints affecting the Plan area and which lie within our remit, e.g. areas of flood risk, 'Main Rivers' and consider they are such that we have no formal comment to make on the Neighbourhood Plan as submitted. |
| 14 | Highways England | We welcome the opportunity to comment on the submission version of the Stoke Golding Neighbourhood Plan which covers the period 2020-2039. The document provides a vision for the future of the area and sets out a number of key objectives and planning policies which will be used to help determine planning applications.  Highways England has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth. In relation to the Stoke Golding Parish Council area, our principal interest is in safeguarding the operation of A5 which routes south of the proposed Plan area.  We understand that a Neighbourhood Plan is required to be in conformity with relevant national and Borough-wide planning policies. Accordingly, the Neighbourhood Plan for Stoke Golding Parish is required to be in conformity with the Hinckley and Bosworth Local Plan (2006-2026) and the new draft Local Plan (2020-2039) once finalised. This is acknowledged within the document.  We note that Stoke Golding is classified under ‘Key Rural Centres’ within the Hinckley and Bosworth Local Plan. The characteristics of such locations “provide a range of services to meet most of the day to day needs of residents and act as a focal point to help meet the needs of the surrounding rural communities.”  The Neighbourhood Plan highlights that a total of 142 dwellings has been delivered. Whilst there was a minimum allocation of 60 new homes between 2006-2026. Due to the limited level of growth currently being proposed across the Neighbourhood Plan area, we do not expect that there will be any serve impacts on the operation of the SRN.  We have no further comments to make and trust the above is useful in the progression of the Stoke Golding Neighbourhood Plan. |
| 15 | Leicestershire County Council | **Highways General Comments**  The County Council recognises that residents may have concerns about traffic conditions in their local area, which they feel may be exacerbated by increased traffic due to population, economic and development growth.  Like very many local authorities, the County Council’s budgets are under severe pressure. It must therefore prioritise where it focuses its reducing resources and increasingly limited funds. In practice, this means that the County Highway Authority (CHA), in general, prioritises its resources on measures that deliver the greatest benefit to Leicestershire’s residents, businesses and road users in terms of road safety, network management and maintenance. Given this, it is likely that highway measures associated with any new development would need to be fully funded from third party funding, such as via Section 278 or 106 (S106) developer contributions. I should emphasise that the CHA is generally no longer in a position to accept any financial risk relating to/make good any possible shortfall in developer funding.  To be eligible for S106 contributions proposals must fulfil various legal criteria. Measures must also directly mitigate the impact of the development e.g. they should ensure that the development does not make the existing highway conditions any worse if considered to have a severe residual impact. They cannot unfortunately be sought to address existing problems.  Where potential S106 measures would require future maintenance, which would be paid for from the County Council’s funds, the measures would also need to be assessed against the County Council’s other priorities and as such may not be maintained by the County Council or will require maintenance funding to be provided as a commuted sum.  In regard to public transport, securing S106 contributions for public transport services will normally focus on larger developments, where there is a more realistic prospect of services being commercially viable once the contributions have stopped ie they would be able to operate without being supported from public funding.  The current financial climate means that the CHA has extremely limited funding available to undertake minor highway improvements. Where there may be the prospect of third-party funding to deliver a scheme, the County Council will still normally expect the scheme to comply with prevailing relevant national and local policies and guidance, both in terms of its justification and its design; the Council will also expect future maintenance costs to be covered by the third-party funding. Where any measures are proposed that would affect speed limits, on-street parking restrictions or other Traffic Regulation Orders (be that to address existing problems or in connection with a development proposal), their implementation would be subject to available resources, the availability of full funding and the satisfactory completion of all necessary Statutory Procedures.  **Flood Risk Management**  The County Council are fully aware of flooding that has occurred within Leicestershire and its impact on residential properties resulting in concerns relating to new developments. LCC in our role as the Lead Local Flood Authority (LLFA) undertake investigations into flooding, review consent applications to undertake works on ordinary watercourses and carry out enforcement where lack of maintenance or unconsented works has resulted in a flood risk. In April 2015 the LLFA also became a statutory consultee on major planning applications in relation to surface water drainage and have a duty to review planning applications to ensure that the onsite drainage systems are designed in accordance with current legislation and guidance. The LLFA also ensures that flood risk to the site is accounted for when designing a drainage solution.  The LLFA is not able to:  • Prevent development where development sites are at low risk of flooding or can demonstrate appropriate flood risk mitigation.  • Use existing flood risk to adjacent land to prevent development.  • Require development to resolve existing flood risk.  When considering flood risk within the development of a neighbourhood plan, the LLFA would recommend consideration of the following points:  • Locating development outside of river (fluvial) flood risk (Flood Map for Planning (Rivers and Sea)).  • Locating development outside of surface water (pluvial) flood risk (Risk of Flooding from Surface Water map).  • Locating development outside of any groundwater flood risk by considering any local knowledge of groundwater flooding.  • How potential SuDS features may be incorporated into the development to enhance the local amenity, water quality and biodiversity of the site as well as manage surface water runoff.  • Watercourses and land drainage should be protected within new developments to prevent an increase in flood risk.  All development will be required to restrict the discharge and retain surface water on site in line with current government policies. This should be undertaken through the use of Sustainable Drainage Systems (SuDS). Appropriate space allocation for SuDS features should be included within development sites when considering the housing density to ensure that the potential site will not limit the ability for good SuDS design to be carried out. Consideration should also be given to blue green corridors and how they could be used to improve the bio-diversity and amenity of new developments, including benefits to surrounding areas.  Often ordinary watercourses and land drainage features (including streams, culverts and ditches) form part of development sites. The LLFA recommend that existing watercourses and land drainage (including watercourses that form the site boundary) are retained as open features along their original flow path and are retained in public open space to ensure that access for maintenance can be achieved. This should also be considered when looking at housing densities within the plan to ensure that these features can be retained.  LCC, in its role as LLFA will not support proposals contrary to LCC policies.  For further information it is suggested reference is made to the [National Planning Policy Framework (March 2012), Sustainable drainage systems: Written statement - HCWS161 (December 2014) and the Planning Practice Guidance webpage](https://www.parliament.uk/globalassets/documents/commons-vote-office/December-2014/18-December/6.-DCLG-sustainable-drainage-systems.pdf).  Flood risk mapping is readily available for public use at the links below. The LLFA also holds information relating to historic flooding within Leicestershire that can be used to inform development proposals.  Risk of flooding from surface water map:  [https://flood-warning-information.service.gov.uk/long-term-flood-risk](https://flood-warning-information.service.gov.uk/long-term-flood-risk%20)  Flood map for planning (rivers and sea):  <https://flood-map-for-planning.service.gov.uk/>  **Planning: Minerals & Waste Planning**  The County Council is the Minerals and Waste Planning Authority; this means the council prepares the planning policy for minerals and waste development and also makes decisions on mineral and waste development.  Although neighbourhood plans cannot include policies that cover minerals and waste development, it may be the case that your neighbourhood contains an existing or planned minerals or waste site. The County Council can provide information on these operations or any future development planned for your neighbourhood.  You should also be aware of Minerals and Waste Safeguarding Areas, contained within the adopted [Minerals and Waste Local Plan](https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2019/10/3/Leicestershire-Minerals-and-Waste-Local-Plan-Up-to-2031-Adopted-2019.pdf) (Leicestershire.gov.uk). These safeguarding areas are there to ensure that non-waste and non-minerals development takes place in a way that does not negatively affect minerals resources or waste operations. The County Council can provide guidance on this if your neighbourhood plan is allocating development in these areas or if any proposed neighbourhood plan policies may impact on minerals and waste provision.  **Property Education**  Whereby housing allocations or preferred housing developments form part of a Neighbourhood Plan the Local Authority will look to the availability of school places within a two-mile (primary) and three-mile (secondary) distance from the development. If there are not sufficient places then a claim for Section 106 funding will be requested to provide those places.  It is recognised that it may not always be possible or appropriate to extend a local school to meet the needs of a development, or the size of a development would yield a new school.  However, in the changing educational landscape, the Council retains a statutory duty to ensure that sufficient places are available in good schools within its area, for every child of school age whose parents wish them to have one.  **Strategic Property Services**  No comment at this time.  **Adult Social Care**  It is suggested that reference is made to recognising a significant growth in the older population and that development seeks to include bungalows etc of differing tenures to accommodate the increase. This would be in line with the draft Adult Social Care Accommodation Strategy for older people which promotes that people should plan ahead for their later life, including considering downsizing, but recognising that people’s choices are often limited by the lack of suitable local options.  **Environment**  **Specific Comments**  • Pages 49 & 50, Policy SG15: Design. The design policy is not as strong as others we have seen and could be further strengthened by mentioning aspects such as roof and wall construction which follows technical best-practice recommendations for integral bird nest boxes and bat breeding and roosting sites, the provision of hedgehog friendly fencing and the incorporation of sustainable design and construction techniques to meet high standards for energy and water efficiency, including the use of renewable and low carbon energy technology (such as solar panels and rainwater harvesters).  • The plan makes no reference to flooding and the alleviation of flooding (if applicable).  • The plan makes no reference to electric vehicle charging. As the Government plans to end the sale of cars and vans powered wholly by petrol and diesel by 2030 in the UK, there will be a reliance on electric vehicles. This should be reflected in infrastructure (for example electric vehicle charging points for new developments and on-street charging points).  **General Comments**  With regard to the environment and in line with Government advice, Leicestershire County Council (LCC) would like to see Neighbourhood Plans cover all aspects of the natural environment including climate change, the landscape, biodiversity, ecosystems, green infrastructure as well as soils, brownfield sites and agricultural land.  **Climate Change**  The County Council through its Environment Strategy is committed to reducing greenhouse gas emissions in Leicestershire and increasing Leicestershire’s resilience to the existing and predicted changes in climate. Furthermore, LCC has declared a climate emergency along with most other UK councils. The County Council has committed to becoming carbon neutral as a council by 2030 and to working with others to keep global temperature rise to less than 1.5 degrees Celsius, which will mean in effect needing to achieve carbon neutrality for Leicestershire by 2050 or before. Planning is one of the key levers for enabling these commitments to be met and to meeting the legally binding target set by the government for the UK to be carbon neutral by 2050. Neighbourhood Plans should in as far as possible seek to contribute to and support a reduction in greenhouse gas emissions and to increasing the county’s resilience to climate change.  **Landscape**  The County Council would like to see the inclusion of a local landscape assessment taking into account Natural England’s Landscape character areas; Leicester, Leicestershire and Rutland Landscape and Woodland Strategy; the Local District/Borough Council landscape character assessments and the Landscape Sensitivity and Green Infrastructure Study for Leicester and Leicestershire (2017) which examines the sensitivity of the landscape, exploring the extent to which different areas can accommodate development without impacting on their key landscape qualities. We would recommend that Neighbourhood Plans should also consider the street scene and public realm within their communities, further advice can be found in the latest ‘Streets for All East Midlands’ Advisory Document (2006) published by English Heritage.  LCC would encourage the development of local listings as per the National Planning Policy Framework (NPPF) and LCC have some data on the social, cultural, archaeological and historic value of local features and buildings (<https://www.leicestershire.gov.uk/leisure-and-community/history-and-heritage/historic-environment-record>)  **Biodiversity**  The Natural Environment and Communities Act 2006 places a duty on all public authorities in England and Wales to have regard, in the exercise of their duties, to the purpose of conserving biodiversity. The National Planning Policy Framework clearly outlines the importance of sustainable development alongside the core principle that planning should contribute to conserving and enhancing the natural environment, providing net gain for biodiversity, and reducing pollution. Neighbourhood Plans should therefore seek to work in partnership with other agencies to develop and deliver a strategic approach to protecting and improving the natural environment based on local evidence and priorities. Each Neighbourhood Plan should consider the impact of potential development or management of open spaces on enhancing biodiversity and habitat connectivity, such as hedgerows and greenways. Also, habitat permeability for habitats and species which addresses encouragement of movement from one location to another such as the design of street lighting, roads, noise, obstructions in water, exposure of species to predation and arrangement of land-uses.  The Leicestershire and Rutland Environmental Records Centre (LRERC) can provide a summary of wildlife information for your Neighbourhood Plan area. This will include a map showing nationally important sites (e.g. Sites of Special Scientific Interest); locally designated Wildlife Sites; locations of badger setts, great crested newt breeding ponds and bat roosts; and a list of records of protected and priority Biodiversity Action Plan species.  These are all a material consideration in the planning process. If there has been a recent Habitat Survey of your plan area, this will also be included. LRERC is unable to carry out habitat surveys on request from a Parish Council, although it may be possible to add it into a future survey programme.  Contact: planningecology@leics.gov.uk, or phone 0116 305 4108  **Green Infrastructure**  Green infrastructure (GI) is a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities, (NPPF definition). As a network, GI includes parks, open spaces, playing fields, woodlands, street trees, cemeteries/churchyards allotments and private gardens as well as streams, rivers, canals and other water bodies and features such as green roofs and living walls.  The NPPF places the duty on local authorities to plan positively for a strategic network of GI which can deliver a range of planning policies including: building a strong, competitive economy; creating a sense of place and promote good design; promoting healthier communities by providing greater opportunities for recreation and mental and physical health benefits; meeting the challenges of climate change and flood risk; increasing biodiversity and conserving and enhancing the natural environment. Looking at the existing provision of GI networks within a community can influence the plan for creating & enhancing new networks and this assessment can then be used to inform CIL (Community Infrastructure Levy) schedules, enabling communities to potentially benefit from this source of funding.  Neighbourhood Plan groups have the opportunity to plan GI networks at a local scale to maximise benefits for their community and in doing so they should ensure that their Neighbourhood Plan is reflective of the relevant Local Authority Green Infrastructure strategy. Through the Neighbourhood Plan and discussions with the Local Authority Planning teams and potential Developers communities are well placed to influence the delivery of local scale GI networks.  **Brownfield, Soils and Agricultural Land**  The NPPF encourages the effective use of brownfield land for development, provided that it is not of high environmental/ecological value. Neighbourhood planning groups should check with Defra if their neighbourhood planning area includes brownfield sites. Where information is lacking as to the ecological value of these sites then the Neighbourhood Plan could include policies that ensure such survey work should be carried out to assess the ecological value of a brownfield site before development decisions are taken.  Soils are an essential finite resource on which important ecosystem services such as food production, are dependent on. They should be enhanced in value and protected from adverse effects of unacceptable levels of pollution. Within the governments “Safeguarding our Soils” strategy, Defra have produced a code of practice for the sustainable use of soils on construction sites which could be helpful to neighbourhood planning groups in preparing environmental policies.  High quality agricultural soils should, where possible be protected from development and where a large area of agricultural land is identified for development then planning should consider using the poorer quality areas in preference to the higher quality areas.  Neighbourhood planning groups should consider mapping agricultural land classification within their plan to enable informed decisions to be made in the future. Natural England can provide further information and Agricultural Land classification.  **Strategic Environmental Assessments (SEAs)**  Information for Neighbourhood Planning groups regarding Strategic Environmental Assessments (SEAs) can be found on the Neighbourhood Planning website (www.neighbourhoodplanning.org) and should be referred to. As taken from the website, a Neighbourhood Plan must meet certain basic conditions in order to be ‘made’. It must not breach and be otherwise compatible with EU obligations. One of these obligations is Directive 2001/42/EC ‘on the assessment of the effects of certain plans and programmes on the environment’ (Environmental Assessment of Plans and Programmes Regulations, 2004, available online). This is often referred to as the SEA Directive. Not every Neighbourhood Plan needs a SEA, however, it is compulsory to provide when submitting a plan proposal to the local planning authority either:  • A statement of reasons as to why SEA was not required  • An environmental report (a key output of the SEA process).  As the UK has now left the EU, Neighbourhood Planning groups should remain mindful of any future changes which may occur to the above guidance.  **Impact of Development on Household Waste Recycling Centres (HWRC)**  Neighbourhood planning groups should remain mindful of the interaction between new development applications in a district area and Leicestershire County Council. The County’s Waste Management team considers proposed developments on a case by case basis and when it is identified that a proposed development will have a detrimental effect on the local HWRC infrastructure then appropriate projects to increase the capacity to off-set the impact have to be initiated. Contributions to fund these projects are requested in accordance with Leicestershire’s Planning Obligations Policy (2019) and the relevant Legislation Regulations.  **Communities**  Consideration of community facilities is a positive facet of Neighbourhood Plans that reflects the importance of these facilities within communities and can proactively protect and develop facilities to meet the needs of people in local communities. Neighbourhood Plans provide an opportunity to;  1. Carry out and report on a review of community facilities, groups and allotments and their importance with your community.  2. Set out policies that seek to;  • protect and retain these existing facilities,  • support the independent development of new facilities, and,  • identify and protect Assets of Community Value and provide support for any existing or future designations.  3. Identify and support potential community projects that could be progressed.  You are encouraged to consider and respond to all aspects of community resources as part of the Neighbourhood Planning process. Further information, guidance and examples of policies and supporting information is available at <https://www.leicestershirecommunities.org.uk/np/useful-information>  **Economic Development**  We would recommend including economic development aspirations with your Plan, outlining what the community currently values and whether they are open to new development of small businesses etc.  **Fibre Broadband**  High speed broadband is critical for businesses and for access to services, many of which are now online by default. Having a fast broadband connection is no longer merely desirable but is an essential requirement in ordinary daily life.  All new developments (including community facilities) should have access to ultrafast broadband (of at least 100Mbps) and allow mechanisms for securing a full fibre broadband provision for each premise and business from at least one network operator, provided on an open access basis. Such provider must deploy a Fibre to the Premise (FTTP) access network structure in which optical fibre runs from a local exchange to each premise.  Developers should take active steps to incorporate adequate broadband provision at the pre-planning phase and should engage with telecoms providers to ensure fibre broadband is available as soon as build on the development is complete. Where practical, developers should consider engaging several telecoms providers to encourage competition and consumer choice.  The Council supports a ‘dig once’ approach for the deployment of communications infrastructure and a build which is sympathetic to the character and appearance of the surrounding area. The Council encourages telecommunications build which does not significantly impact on the appearance of any building or space on which equipment in located and which minimises street clutter.  **Equalities**  While we cannot comment in detail on plans, you may wish to ask stakeholders to bear the Council’s Equality Strategy 2020-2024 in mind when taking your Neighbourhood Plan forward through the relevant procedures, particularly for engagement and consultation work. A copy of the strategy can be view at: <https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2020/7/10/Equality-strategyTH-2020-2024.pdf>  The Neighbourhood plan should comply with the main requirements of the Public Sector Equality Duty. This requires public bodies to have due regard of the need to:  Eliminate discrimination  Advance equality of opportunity  Foster good relations between different people  **Accessible Documents**  In today’s working environment more and more information is being produced digitally. When producing information which is aimed at or to be viewed by the public, it is important to make that information as accessible as possible. At least 1 in 5 people in the UK have a long-term illness, impairment or disability. Many more have a temporary disability.  Accessibility means more than putting things online. It means making your content and design clear and simple enough so that most people can use it without needing to adapt it, while supporting those who do need to adapt things.  For example, someone with impaired vision might use a screen reader (software that lets a user navigate a website and ‘read out’ the content), braille display or screen magnifier. Or someone with motor difficulties might use a special mouse, speech recognition software or on-screen keyboard emulator.  Public sector organisations have a legal requirement to make sure that all information which appears on their websites is accessible. As Neighbourhood Plans have to be published on Local Planning Authority websites, they too have to comply with [government regulations for accessibility](https://www.gov.uk/guidance/accessibility-requirements-for-public-sector-websites-and-apps). Guidance for creating accessible Word and PDF documents can be found on the Leicestershire Communities website under the heading ‘Creating Accessible Documents’:-<https://www.leicestershirecommunities.org.uk/sr/> |
| 16 | Canal and River Trust | Thank you for consulting the Canal & River Trust on the final version of the Stoke Golding Neighbourhood Plan.  We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. It is of note that the Trust is also a statutory consultee in the Development Management process.  The Canal & River Trust owns and maintains the Ashby Canal; approximately 2.5km of the canal falls within the Plan area. We have reviewed the Plan and we are pleased to note the positive approach it takes to protecting and enhancing the Ashby Canal as a valuable community asset. In particular the support for the creation of links between the proposed pedestrian and cycle route along the former Ashby and Nuneaton Joint Railway and the canal (Policy SG8); the proposed protection of various views from the canal towpath (Policy SG10) and the setting of the canal generally (Policy SG15) are welcomed, as is the proactive approach advocated in Policy SG20 in supporting appropriate canal-related facilities to encourage leisure and tourism on the canal.  We therefore have no further comments to make |
| 17 & 18 | Everards Brewery | **Introduction**  1. This representation has been prepared by Marrons Planning on behalf of our client, Everards Brewery Ltd. Our client is the owner and operator of The White Swan public house which is located at 47 High Street, Stoke Golding, Nuneaton, CV13 6HE. The map at Appendix 1 outlines the extent of the site which includes land to the west of the existing car park.  2. This Neighbourhood Plan representation seeks to assist the process by highlighting the submission Neighbourhood Plan’s failure to meet the basic conditions as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as applied to neighbourhood plans and orders by section 38A of the Planning and Compulsory Purchase Act 2004) and at Regulations 32 and 33 of the Neighbourhood Planning (general) Regulations 2012 (as amended).  3. In summary the basic conditions for Neighbourhood Plans are:   * having regard to national policies and advice contained in guidance issued by the Secretary of State; * contributing to the achievement of sustainable development; and * being in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area) * Not being in breach of and otherwise compatible with EU obligations * Prescribed conditions are met and have been complied with – these are as set out within the Neighbourhood Planning (general) Regulations   4. We consider that the draft Neighbourhood Plan (DNP) fails to meet basic conditions by:   * Pursuing a requirement for just 57 dwellings during the period 2020 – 2039 based on the level of growth envisaged in the current 2006 Core Strategy. This approach is considered to be too simplistic, and fails to provide for unmet housing need from the city of Leicester. As a result it does not accord with national policy or contribute to the achievement of sustainable development; * Failing to identify a flexible strategy to deal with housing growth within the plan area by relying purely on a single allocation. This approach does not accord with national policy or contribute to the achievement of sustainable development; * Disregarding suitable sites located within the settlement boundary of the village which are developable and can contribute to unmet housing need. This approach does not accord with national policy or contribute to the achievement of sustainable development.   **Site Description**  5. Our client’s site includes the existing public house, associated car park and vacant land to the west. The developable areas of the site including the section of vacant land are surrounded by existing built-form on three sides with Mulberry Farm to the north, the host building fronting High Street to the east and two storey dwellings to the south orientated around the cul-de-sacs of Church Close and Andrew Close.  6. The photos below help to portray the visual containment of the site as described within this section:  Aerial Photo of land suggested by Everards for housing development but not included in the Neighbourhood Plan  Aerial photo of land suggested by Everards for housing from a different angle.  Land not included in the Neighbourhood Plan for housing  7. The area of vacant land within the site can be described as being fairly featureless and the only aspects worthy of note include greenery along curtilage boundaries and the topography where there is a changing level and downward gradient east-to-west. Other than trees along the west boundary there appears to be nothing significant of ecological value whist there are remnants of previous use including areas with a fixed surface structure. Beyond the west boundary open undeveloped sloping fields can be appreciated and are associated with the agricultural character of the Battle of Bosworth Field Registered Battlefield.  8. The western section of the site falls within the Bosworth Battlefield designation which also includes Mulberry Farm to the north. The entire site is located within the Stoke Golding Conservation Area.  9. There are two Listed Buildings in the vicinity of the site. The Birches at No.55 High Street to the north is a Grade II Listed Building. Existing built-form within the village ensures that there is no inter-visibility between developable areas of the site and this heritage asset. The Grade I Listed Building Church of St Margaret is to the south where green space within the churchyard has a close relationship and direct views into immediate surrounding properties at Church Close, Andrew Close and Blacksmiths Yard.  10. There are no Public Rights of Way which cross the site or are near to any boundaries.  11. The site falls within Flood Zone 1 where there is a low probability of flooding.  12. Overall, the site is experienced as underutilised land with a high degree of visual containment whilst it is perceived as being strongly linked to the village settlement due to its association with the public house which is identified as an Important Local Building and proximity to existing built-form to the north and to the south.  **Planning Policy Assessment – Up to 6 Dwellings at the Site**  **i. Hinckley and Bosworth Core Strategy (2009)**  13. Spatial Objective 5 of the Core Strategy states that the Council will ensure sufficient housing is provided to enable all residents of the borough to have access to a suitable home which they can afford in a range of sustainable locations, tenures and house types. Although the objective focuses on Hinckley it recognises the need for some growth within rural areas. The site offers the potential to allow small scale development to reflect rural need.  14. Spatial Objective 9 states that new development should contribute to the local distinctiveness of the borough, and enhance settlement identity and environment through quality sustainable design. A high quality windfall housing scheme could easily come forward at the site. Individual housetype designs could be created and the scheme could reflect the development of 5 houses at Labernum Close to the south. This nearby development was granted planning permission under ref: 18/01031/CONDIT (original permission ref: 17/00484/FUL) on a site located within the Conservation Area, on land designated as a Key Space and close to the Grade I Listed Building Church of St Margaret.  15. Spatial Objective 10 states that development should enhance and protect the borough’s distinctive landscapes, woodlands, and biodiversity and encourage its understanding, appreciation, maintenance and development. The site could provide development which would protect existing trees along the west boundary whilst giving priority to new tree planting, laying out new landscaping and planting greenery in the interests of protecting and enhancing biodiversity.  16. The Core Strategy under Policy 7 supports housing developments that provide a mix of housing types within Key Rural Centres such as Stoke Golding. At Policy 11 the Strategy makes provision for at least 60 new homes over the plan period which meet current housing needs.  17. Policy 16 of the Core Strategy requires a mix of housing types and tenures based on the need profile set out within the plan.  18. Policy 17 allows for small scale development to meet a local need adjacent to settlement boundaries, provided that need is a) identified in a plan such as a Neighbourhood Plan, and b) cannot be met within the settlement and is otherwise acceptable.  19. The policies relating to housing provision within the Core Strategy are clearly out-of-date in terms of quantity of development. Our client’s site offers the opportunity for windfall housing on an infill ‘gap’ site which is a logical place for development as houses will appear directly related to the established pattern of built-form and would constitute sustainable growth of the village.  **ii. Site Allocations and Development Management Policies DPD (July 2016)**  20. Policy DM1 states that where there are no policies relevant to the application or the relevant policies are out of date at the time of making the decision, then the Borough Council will grant permission unless material considerations indicate otherwise, taking into account whether: a) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or b) specific policies in that Framework indicate that development should be restricted. The benefits arising from the development of the site are considered to significantly outweigh any alleged harm arising from the proposals.  21. Policy DM4 allows development where it does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside; and it does not undermine the physical and perceived separation and open character between settlements. The development of the site would be considered as infill of an existing gap which has never been recognised as a Key Space and is not perceived as being related to the agricultural undeveloped fields of the Registered Battlefield due to its strong visual containment and association with the public house. The topography of the site with downward gradient east-to-west would also ensure that development is perceived in line with existing housing to the south and agricultural buildings of Mulberry Farm to the north whilst existing screening along the western boundary can be retained and enhanced. The proposal would not result in any harm upon the character of landscape as there would be no encroachment onto open sloping agricultural fields which are understandably associated and appreciated as Registered Battlefield.  22. Policy DM6 requires proposals to demonstrate how they conserve and enhance features of natural and geological value, including proposals for their long term future management. The proposed development will not cause undue harm to the surrounding countryside whilst the site itself does not have anything significant of ecological value apart from trees along the west boundary which would be retained as part of any scheme. For any scheme coming forward the proposed layout would be designed with priority given to laying out new landscaping and tree planting in the interests of achieving a net gain in biodiversity.  23. The proposals would not create or exacerbate flooding due to the site being located away from areas of flood risk, in accordance with Policy DM7.  24. The proposal would be for residential dwellings with traditional detailing that would support the objectives of Policy DM10 Development and Design. The proposed site layout would respect the surrounding area in terms of density and pattern of built development.  25. In terms of the historic environment development at the site would not harm the experience of heritage assets from any public vantage points and the character, significance, appearance and setting of the Church of St Margaret, the Stoke Golding Conservation Area and Registered Battlefield would be preserved. Accordingly, the scheme would comply with heritage Policies DM11, DM12 & DM13.  26. The proposal at the site can be designed where the existing access arrangement is utilised and improved in order to allow new plots to be safely accessed in addition to retaining a car park for the public house. The development would not prejudice the safe or efficient use of the highway and any highways impact would not be ‘severe’. Development would therefore be designed to achieve full compliance with Policy DM17 Highways and Transportation.  27. The site can come forward where each plot accommodates sufficient parking provision off-street in accordance with the objectives of Policy DM18.  **iii. Hinckley and Bosworth Local Plan Consultation Draft Plan (June 2021)**  28. The Borough Council have recently produced a consultation draft plan for the Borough which outlines the emerging approach to development across the wider area. This confirms Stoke Golding’s Key Rural Centre status and sets out within the preferred strategy for growth that each Key Rural Centre should provide for a minimum of 200 dwellings to maintain settlement vitality and viability. Emphasis is also placed on the need for this growth to reflect other policy priorities in the plan. The submission neighbourhood plan housing requirement is dealt with at paragraphs 50 to 57 of this representation.  29. Draft Policy HE01 states that the historic environment will be conserved, enhanced, sensitively managed and enjoyed for its contribution to quality of life, to the distinctive local character of places and spaces, and to sustainable development within the borough. Significant weight will be given to the conservation or enhancement of designated heritage assets and their settings in accordance with national policy and the Planning (Listed Buildings and Conservation Areas) Act 1990.  30. The development of the site would result in a contribution to local distinctiveness in place of a poor frontage and a detracting area of tarmac within the Conservation Area. Development at the site would therefore result in enhancement of the Conservation Area which is recognised as an improvement/opportunity area in compliance with emerging heritage policies.  **iv. National Planning Policy Framework (2019, “NPPF”)**  31. The Borough Council’s latest published estimate (1st April 2020) confirms a marginal 5.15 years-worth of supply. However, a recent public inquiry at Stoke Golding confirmed the figure as being 4.2 years which along with out of date Local Plan housing policies means paragraph 11(d) of the NPPF is triggered for decision making.  32. This means that the current Development Plan policies for housing are failing to engage the presumption in favour of sustainable development within the NPPF at paragraph 11 and that they cannot be used as the basis for a new Neighbourhood Plan. Doing so would automatically render the Neighbourhood Plan out of date and mean that 11(d) is engaged within its area.  33. Paragraph 14 of the NPPF states that where 11(d) is engaged there are circumstances where a current neighbourhood plan is likely to significantly and demonstrably outweigh the benefits of a proposal. However, this requires the Neighbourhood Plan to contain policies and allocations to meet its identified housing requirement. The Submission Neighbourhood Plan fails to identify any requirement beyond the out of date Local Plan or to make provision for such a requirement within its policies, setting only a reserve.  34. Paragraph 15 reiterates the need for plans to be up to date and to provide a framework for addressing housing need and paragraph 16 reinforces the need for plans to have the objective of achieving sustainable development.  35. Paragraphs 28 – 30 are specifically concerned with non-strategic policies such as those within a Neighbourhood Plan. They make it clear that the role of these policies is to translate strategic level policies down to a local level. A Neighbourhood Plan would, for example, make local level housing allocations based on achieving strategic policies within a local plan. The NPPF also clarifies that where a Neighbourhood Plan is made its non-strategic policies take precedence over those existing non-strategic policies within a local plan. Footnote 16 makes it clear that neighbourhood plans must be in conformity with strategic policies in force for the area. In this instance the strategic policies that relate to housing are out of date and under review. Accordingly non-strategic neighbourhood plan policies must respond to national guidance and this evolving strategic context.  36. Paragraph 31 of the NPPF confirms that the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals. Reliance on an out of date housing strategy could not be considered to do this.  37. Paragraph 33 says that policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and that relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly.  38. Paragraph 37 confirms the basic conditions that neighbourhood Plans must meet.  39. The Framework recognises at paragraph 68 that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions. The proposals are considered to represent a windfall site and the site is considered both achievable and deliverable for development in the short-term. Paragraph 69 highlights that neighbourhood planning groups should consider opportunities for such sites within their area.  40. Paragraph 78 seeks to promote sustainable development in rural areas which includes identifying opportunities for villages to grow and thrive. This site offers clear opportunities for proportionate growth within the village.  41. Paragraph 91 requires development to provide safe, healthy and inclusive places. The site offers the opportunity for safe accommodation for later living that is well integrated with this sustainable rural community.  42. The site could be developed in a way that would accord with the objectives of paragraph 108 of the Framework, which requires development to mitigate against impacts upon the highways network to an acceptable degree. The planned development of 6 dwellings is not considered to give rise to an unacceptable impact upon the local highway network, in accordance with paragraph 109 of the Framework.  43. Paragraph 122 requires planning policies and decisions to support development that makes efficient use of land, taking into account the identified need for different types of housing and other forms of development, local market conditions and viability, the availability and capacity of infrastructure and services and the desirability of maintaining an area’s prevailing character and setting. Developments should be well-designed, attractive and healthy places. The site can deliver a size and type of units that is required within the Borough, and maintain the prevailing character and setting of the surrounding area.  44. Paragraph 130 states that where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. The site could be developed as an infill scheme where spacious plots are occupied by housetypes which reflect traditional architectural features and achieve a high standard of appearance.  45. The site appears to have no habitats of conservation concern and development of the site is not expected to impact upon any protected species. As part of any scheme landscaping would be given priority to provide opportunity for ecological enhancement. Furthermore, the site can be safely developed and properties would only first be occupied once the site is rendered free to risks to human health from any contaminants that are identified in line with the NPPF.  46. Paragraph 180 requires planning policies and decisions to ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. The proposed use of the site for residential mirrors surrounding development and would allow new residents to enjoy quiet village life. Housetypes would be appropriately designed in the interests of private amenity and to protect occupiers from the outside noise environment.  47. Paragraphs 193 – 201 deal with assessing the impact of development on the significance of heritage assets. The site comprises an open tarmac car park on the High Street which is a highly visible place within the heart of the Conservation Area directly next to the public house which is a Locally Listed Building and approximately 50m from the churchyard of the Grade I Listed Building Church of St Margaret. This part of the Conservation Area is an eyesore and identified within the Conservation Area Appraisal as an improvement area/opportunity site. Development of the site would have positive heritage consequences with regards to the significance of the Conservation Area in a similar manner to the scheme which has been delivered to the south at Laburnum Close.  48. The development of the site with an appropriate layout and housetype designs would not impact upon the appreciation of the significance of the wider battlefield bearing in mind how very large the battlefield is and how very small the part of the site within it is, and how peripheral and visually separate it is from the heritage asset on the whole. Any degree of harm upon the significance of the battlefield is therefore not credible at an objective level.  49. The Grade I Church would continue to be experienced behind modern housing and the character, significance, appearance and setting of heritage assets would be preserved.  **The Submission Neighbourhood Plan Housing Requirement**  50. The Housing Requirement for the area is set out in the Hinckley and Bosworth Core Strategy December 2009. That plan provided for the level of housing identified in the East Midlands Regional Plan published in 2009 – 9,000 homes between 2006 and 2026 (450 homes a year).  51. The Core Strategy recognised Stoke Golding as a Key Rural Centre and the vision recognises that rural growth will be focused on these centres to support rural communities and provide local choice (paragraph 3.37). Whilst this context is very much of its time, the Core Strategy allocates land for the development of a minimum of 60 new residential dwellings at Stoke Golding through Policy 11: Key Rural Centres Stand Alone.  52. The Hinckley and Bosworth Site Allocations and Development Management Policies DPD (July 2016) recognised that sufficient development was committed at that time to meet Core Strategy Policy 4 and that the residual need for allocations at Stoke Golding was 0 homes (as of 1 September 2015 - Table 3: Page 13).  53. The emerging local plan proposes a minimum of 200 homes at Stoke Golding in recognition of its status as a Key Rural Centre. The issue of housing requirements for Neighbourhood Plans is helpfully considered within the National Planning Practice Guidance (PPG) which states that a Neighbourhood Planning Body may need to determine a housing requirement figure themselves, taking account of relevant policies, [including] the existing and emerging spatial strategy (paragraph: 105 Reference ID: 41-105-20190509).  54. It is quite clear that the Neighbourhood Plan has not had regard for this emerging position. In this respect it might be noted that the PPG advises that qualifying bodies and local planning authorities should discuss and aim to agree the relationship with emerging local plan policies where a neighbourhood plan is brought forward before an up-to-date local plan (Paragraph: 009 Reference ID: 41-009-20190509).  55. Even if a view is taken that the emerging local plan requirement for Stoke Golding is too nascent then an apportionment of the Standard Housing Methodology figure (of 8,588 homes over the 2020-2039 plan period) to Stoke Golding (the approach advocated by the District Council in response to the Submission Draft Neighbourhood Plan) would result in a figure of 144 dwellings for Stoke Golding 2020-2039.  56. Additionally this figure does not include a buffer to give flexibility to the plan and allow for both the emerging Borough wide plan and unmet need from the city of Leicester. If a buffer (the borough suggest 10%) is factored in, the figure for Stoke Golding would increase to 158 homes. This is the approach that was suggested by the Borough Council in response to the submission draft. This figure of 158 is an almost a threefold increase, from the 57 dwellings suggested within the submission Neighbourhood Plan. The emerging local plan figure of 200 homes is almost a fourfold increase.  57. Furthermore the Consultation Draft Local Plan suggest an even higher figure of 200 homes is necessary within each Key Rural Centre to deliver an up to date housing growth strategy. It is our client’s position that the Neighbourhood Plan must be future proof and provide for the 200 dwellings within the emerging Local Plan.  **The Flexibility of the Housing Strategy within the Plan**  58. The Neighbourhood Plan submission goes on to state that the figure it identifies (57) has already been met due to an outline planning permission granted in 2020 at Roseway (20/00779/OUT). As a result it fails to make any further provision for housing beyond a reserve allocation for around 25 dwellings at Mulberry Farm as shown on Map 3.  59. This approach falls far short of the approach advocated within the NPPF as it fails to provide adequate flexibility to allow a supply of housing to be maintained throughout the plan period. It relies almost entirely on an existing consent, and a single relatively small allocation (made in reserve only). Paragraph 4.15 then states that all “further flexibility will be provided through windfall development mainly in the form of small-scale infill development within the updated settlement boundaries”. Map 3 outlines that the settlement boundary now includes vacant land to the west of the White Swan public house. Our client’s site is therefore considered to be an opportunity for windfall housing which can be delivered and would constitute infill development within the village.  60. Neighbourhood Plans should consider allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new local plan (PPG Paragraph: 009 Reference ID: 41-009-20190509).  61. It is our clients’ view that the plan should recognise the direction of travel in the emerging plan for a housing requirement of a minimum of 200 homes for Stoke Golding and should include greater flexibility to accommodate that housing allocation figure. Our site falls within the settlement boundary and small scale schemes can play an important part in meeting unmet housing needs. Our clients’ site should form a further housing allocation.  **Preventing Sustainable Development on Land within the Settlement Boundary – Heritage Grounds**  62. Our client’s site offers the potential for a small scale scheme within the village where infill between existing built-form is a logical place for development and residents are directly close to local services giving them the best possible opportunity of interacting and integrating with the local community.  63. As part of the Neighbourhood Plan site selection and evaluation process, fifteen potential housing sites largely from the SHELAA were assessed against a number of locally derived criteria and ranked accordingly. This assessment formed the basis for the reserve allocation within the Local Plan which was the only one of the fifteen sites selected for any recognition within the Submission plan.  64. We have reviewed the site assessment framework (SAF), and have concerns relating to the process. Our clients’ site has been included within the settlement boundary and could therefore benefit from being assessed as windfall housing development under the first section of Draft Policy SG3. However, we consider that the submission Neighbourhood Plan fails to consider the housing requirement from the emerging local plan and reliance has been placed on a single reserve allocation whilst disregarding our client’s site with no justification for why it shouldn’t be allocated.  65. We note that the site scores strongly in all of the assessed criteria and is therefore ranked highly. There were no ‘red’ category results which suggests that there are no clear constraints that would prevent development. Notwithstanding this positive assessment and the inclusion of the site within the settlement boundary the site has failed to be allocated.  66. The Council’s Conservation Officer objected to a recent planning application at the site and raised significant heritage grounds. This view taken on the planning application emphasised harm and overplayed impact on relevant heritage assets whilst the benefits of the proposed development were downplayed. The Site Assessment Framework for the Neighbourhood Plan was developed with specific criteria including heritage grounds however this process is now undermined by recent planning history even though the site scored highly and has been specifically included within the settlement boundary.  67. The development of the site for housing can come forward in a similar form to the scheme at Laburnum Close to the south where 5 houses was granted planning permission on a site within the Conservation Area on land designated as a Key Space and with an identified Vista to be Protected. It is difficult to see how that scheme can have been considered to have no unmitigated impact on the significance of relevant heritage assets whilst our clients’ site has. It is our view that the two sites are comparable and that they should be evaluated consistently.  68. A proposed small scale housing scheme at the site would reflect the Laburnum Close development and would be perceived from within the village in the same manner as an infill between existing built-form. Frontage improvements would also enhance the appearance of the Conservation Area directly next to the White Swan public house which is an Important Local Building.  69. At Appendix 2 we attach views from Crown Hill where from every location tested the site is obscured from view. The proposed development would not therefore be visible from Crown Hill.  70. Furthermore, at Appendix 3 we attach verifiable photomontages where views from the canal are considered. Views from the canal towards the village are recognised as important within the Conservation Area Appraisal. These viewpoints have limited relevance with regard to the battlefield as the canal would not have been there during the time of the Battle of Bosworth. Such views do not therefore allow for an appreciation of the significance of the wider battlefield and its character where it is experienced as open countryside. The proposal would not impact upon the appreciation of the significance of the wider battlefield bearing in mind how very large the battlefield is and how very small the part of the site within it is, and how peripheral and visually separate it is from the heritage asset on the whole. Any degree of harm upon the significance of the battlefield is therefore not credible at an objective level.  71. With regards to the Grade I Listed Building Church of St Margaret, beyond its immediate churchyard setting there are surrounding dwellings where a significant proportion of the housing stock is highlighted under the Conservation Area Appraisal as falling under the category of ‘Weak Area / Building’. The Grade I Church would continue to be experienced behind modern housing.  72. Development at the site would come forward with high quality individually designed housetypes with traditional detailing similar to the new-build houses accepted nearby at Laburnum Close. In terms of the experience from public vantage points and importantly from the canal the photomontages highlight the visual containment of the site. Although there would be some limited visibility of new houses at the site the priority given to greenery and new tree planting along the west boundary in addition to the natural change in topography with downward gradient east-to-west, would ensure that any change to views once landscaping has matured would have a negligible effect. The proposal would not therefore result in any negative visual intrusion from viewpoints as there are no historic features which can be seen in conjunction with the site other than the church spire which is seen behind modern housing. The setting of historic assets would be preserved.  73. Overall, in terms of the historic environment development at the site would not harm the experience of heritage assets from any public vantage points and the character, significance, appearance and setting of the Church of St Margaret, the Stoke Golding Conservation Area and Registered Battlefield would be preserved.  74. We suggest that the Submission Neighbourhood Plan fails to deliver sustainable development in its wrongful exclusion of our client’s site as an allocation by way of a flawed site selection process where the Site Assessment Framework has been ignored and undue weight given to a single officer opinion. We suggest that our client’s site is specifically allocated in the Neighbourhood Plan in order to remove unnecessary barriers which are preventing sustainable development from coming forward.  **Summary**  75. Whilst the difficulties with the strategic policy context are acknowledged it is not appropriate for a Neighbourhood Plan to rely solely on strategic policies which are known to be out-of-date. This situation must be recognised and a more robust and resilient housing requirement reached for the area. The plan must remain in step with national guidance which will allow it to be more resilient and in step with the newly emerging strategy for the Borough.  76. We are also clear that in failing to provide any allocation beyond a reserve site the plan would fail to meet an appropriately determined housing requirement. Our clients are mindful of the advice in paragraphs 14 of the NPPF and consider that this plan does not meet the basic conditions set out at paragraph 3 of this representation.  77. We retain concerns that this restricted and inflexible approach to housing supply thwarts the delivery of otherwise sustainable development such as that proposed for our client’s site and that this again runs counter to the basic conditions set out at paragraph 3 of this representation. Our client’s site offers the opportunity for windfall housing on an infill ‘gap’ site which is a logical place for development as houses will appear directly related to the established pattern of built-form and would constitute sustainable growth of the village.  78. Our client supports the preparation of Neighbourhood Plans which meet the basic conditions as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004).  79. We consider that in order to pass examination and proceed to referendum and be made that the Neighbourhood Plan should re-assess the level of housing required and be re-drafted with policies and allocations that meet that identified housing requirement. We suggest that our client’s site is allocated for housing bearing in mind it ranked highly in the Site Assessment Framework and that the heritage impacts have been wrongly evaluated and are in fact much less substantial.  **Conclusion**  80. In light of the above, this representation should be read as an objection to the Stoke Golding Neighbourhood Plan Submission at this time albeit we are prepared to positively engage with the Parish Council to encourage and negotiate reasonable amendments in order to allow the Neighbourhood Plan to meet the basic conditions and proceed to referendum.  81. In the absence of any amendments our client will unfortunately maintain an objection and wishes to have that heard by the Examiner with a view to preventing the Neighbourhood Plan from being made due to a failure to meet the basic conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004). |
| 18 | Mrs Jean Quinney et al | I write on behalf of my clients, Mrs Jean Quinney, Mrs Elaine Fotheringham, Mrs Karen Sewell Mr Andrew Quinney, to make representations on the Stoke Golding Neighbourhood Plan as part of the above consultation.  Our client is promoting land to the north of Roseway, and east of High Street, as a prospective housing site. They wish to support the Parish Council in preparing the Neighbourhood Plan and welcome the opportunity to engage with this process.  These representations support comments submitted to the Parish Council at the Regulation 14 consultation stage. They invite the Council to consider additional housing allocations to support the continued vitality of Stoke Golding. They reiterate our client’s land as a housing allocation.  **Background and Context**  The latest draft Neighbourhood Plan updates the Regulation 14 version consulted on in January 2021. In terms of housing provision, the key changes reflect the grant of planning permission on land east of Roseway for 65 dwellings (reference 20/00779/OUT) in December 2020. The Neighbourhood Plan makes clear the Parish Council did not support a grant planning permission.  The Basic Conditions test requires that the Neighbourhood Plan be in general conformity with the strategic policies contained in the development plan for the area. The Neighbourhood Plan argues that as a result of that planning permission having been granted, the housing figure for Stoke Golding, as set out in the current Hinckley Core Strategy, has now been exceeded.  Therefore, the previously proposed housing allocation at Mulberry Farm (Policy SG2), for 25 dwellings, has been amended to become a reserve allocation. Similarly, the previous reserve allocation at Stokesfield Farm (Policy SG3), for a further 25 dwellings off Hinckley Road, has been removed from the plan. This land is now the subject of a speculative application for 70 dwellings (reference 21/00656/OUT).  In the period since the Neighbourhood Plan consultation was published, the Borough Council has published a consultation version of the Draft Local Plan 2020-2039 (Regulation 18). In terms of the housing requirement, the Draft Local Plan uses the Government’s minimum housing targets as the basis for determining a requirement to deliver 444 dwellings per year (or 8,436 over the plan period).  Of that overall requirement, 2,900 dwellings were either committed or under construction as of April 2020. The Draft Local Plan does not identify proposed allocations at this stage, the intention is that these will be included in the next draft (at the Regulation 19 consultation stage).  **Policy SG1 (Housing Requirement): Support with Modifications**  Policy SG1 has been updated to reference the 65 dwelling approval east of Ridgeway (planning permission reference 20/00779/OUT). It now states the housing requirement for Stoke Golding for the period 2020-2039 is a minimum of 57 dwellings, which it states will be met by this permission and infill development in accordance with Policy SG3 (previously SG4 in the Pre-Submission Version).  Even if this approach were to meet the Basic Conditions requirement of general conformity with the strategic development plan policies, it does not embrace national policy set out in Chapter 5 of the National Planning Policy Framework (NPPF). Paragraph 59 of the Framework in particular, seeks to boost significantly the supply of housing. Paragraph 65 makes clear that the Local Plan housing figure is a minimum requirement and not a cap or upper limit.  This is supported by the Planning Practice Guidance (PPG), specifically paragraphs 41-009, 41-101 and 41-103. Paragraph 41-0103 expressly encourages neighbourhood planning bodies to plan to meet any housing apportionment to their area and to exceed it where possible. It further states that a sustainable choice of sites to accommodate housing will provide flexibility if circumstances change, and allows plans to remain up to date over a longer time scale.  In the context of the Local Plan Review, identifying additional land for housing development now will help the Parish Council to influence the future development of Stoke Golding. Importantly, the plan period for the Draft Local Plan aligns with that of the Neighbourhood Plan (2020-2039) and states that over that period, a minimum of 200 dwellings will be accommodated in each of the Key Rural Centres, including Stoke Golding.  The Draft Local Plan also states the final minimum housing provision for each settlement will consider planning policy priorities, constraints on land supply and other wider strategic planning issues (Draft Local Plan, page 28). This means the actual requirement for Stoke Golding could well be higher than the initial 200 dwelling figure, depending on constraints at other settlements.  The 200 dwelling requirement may also increase as the Borough Council assists in addressing the unmet need of Leicester, under the duty to co-operate. The Borough Council’s Draft Local Plan includes a 10% uplift on the standard methodology housing figure, to provide flexibility and the “potential requirement” to meet Leicester’s unmet need.  However, the extent of the unmet need is not defined in the Draft Local Plan, and is instead described as an “uncertainty” (Draft Local Plan, page 5). Leicester’s actual housing requirement increased by 35% following the Government’s December 2020 announcement on the standard methodology (para 2a-004 of the PPG, ‘cities and urban centres uplift’ refers). This is likely to increase the quantum of unmet need.  The Draft Local Plan timetable envisages consultation on a Regulation 19 Submission Draft Plan in winter 2021/22, prior to submission to the Secretary of State for examination in 2022, followed by adoption later that year. At that point, planning applications will be determined in accordance with the Local Plan, Section 38(5) of the Planning and Compulsory Purchase Act 2004 being clear that any conflict between the Neighbourhood Plan and development plan should be resolved in favour of the policy contained in the last document to become part of the development plan.  In this context, the Neighbourhood Plan could have a relatively short lifespan in terms of its ability to effectively direct future housing development at Stoke Golding.  Para 1.15 of the Neighbourhood Plan recognises there may be merit in a review of the Plan once the Local Plan is adopted. However, the Neighbourhood Plan can plan positively for the future development of the village by allocating additional land now, on its own terms. This would add to the number of committed homes for future iterations of the draft Local Plan to consider, and reduce the risk of housing sites at Stoke Golding being imposed by the Borough Council, as part of the Local Plan Review.  **Policy SG1 should be amended to provide for additional allocations for housing development, to plan positively for the future development of Stoke Golding.**  **Paras 4.22, 4.23 and Map 3 (Settlement Boundary): Support with Modifications**  The Neighbourhood Plan proposes a settlement boundary to support the operation of Policy SG3 (Windfall Development). This policy states that permission for housing development within the settlement boundary will be supported, where it meets the policies of the Neighbourhood Plan. Outside of this boundary, development market housing is largely restricted.  We would suggest, in line with submissions on Policy SG1, that additional housing allocations should be made, with associated changes to the settlement boundary. Our client’s land north of Roseway and east of High Street is available for development and should be included within the amended settlement boundary proposed in Map 3. Alternatively, policies should support sustainable development at the settlement boundary.  Including our client’s land would add to local housing supply against the current and emerging housing requirement, and would provide a more appropriate and balanced settlement boundary. Our client’s land (SHLAA site reference As542) is suitable for housing development and could contribute round 20 dwellings to local supply, helping to protect the planned development and continued vitality of the village. In particular:  The site represents a logical extension to the village, and would integrate well with the existing built form. It would represent a ‘rounding off’ of the settlement and would not impinge on the identified Area of Separation to Dadlington.  No listed buildings would be impacted and could be developed in a fashion sympathetic to the designated conservation area. The site’s development would not affect any of the Locally Important Views identified in the Plan.  The site is not subject to any landscape or ecology designations. The hedges and trees present are not affected by preservation orders and can be integrated into the development. There are no public rights of way crossing the site.  The site is wholly within Flood Zone 1 (low probably of flooding) and not at undue risk of surface water flooding.  Access can be taken from High Street. Our client’s vision for the site is to create a high quality scheme of new homes and would welcome dialogue with the Parish Council and local community.  **The settlement boundary shown on Map 3 should be updated to include our client’s land north of Roseway and east of High Street as a new housing allocation.**  **Policies SG5 and SG6: Support with Modifications**  As set out in point four of paragraph 4.26, there is a desire in the local community for a better mix of housing types to be delivered within Stoke Golding. By not allocating additional sites and small-scale infill sites to deliver the necessary homes, the Council is restricting the development of mixed housing developments. Whilst important, small infill sites are unlikely to be able to deliver schemes with recommended housing mixes sustainably.  To allow for appropriate affordable housing provision and housing mixes to be achieved in line with Policies SG4 and SG5, the proposed settlement boundary should be amended. It should include a suitable range of allocated and windfall sites which will allow for developments that can achieve the required housing types.  **The settlement boundary shown on Map 3 should be updated to include our client’s land north of Roseway and East of High Street as a new housing allocation.** |
| 19 | Davidsons Developments | Thank you for the opportunity to comment on the Submission Draft of the Stoke Golding Neighbourhood Plan. These representations are made on behalf of Davidsons Developments Limited in relation to their land interests at Wykin Lane, Stoke Golding.  We set out below our comments on various aspects of the plan and highlight concerns we have in relation to the compliance of the draft plan with the basic conditions as set out in Paragraph 8 of Schedule 4b of the Town and Country Planning Act 1990. Our main concern is that the plan needs to be amended to properly reflect the recent appeal decision (ref APP/K2420/W/20/3262295) which granted planning permission for the development of up to 55 dwellings on land at Wykin Lane, and that there should be sufficient flexibility to allow for further residential development to meet likely future requirements.  **Section 4 – Housing and Policy SG1: Housing Requirement**  Section 4 of the Submission Draft Plan sets out the approach to housing development in the village, referring to the minimum housing requirement of 60 dwellings over the period 2006-2026 as set out in the Hinckley and Bosworth Core Strategy. Paragraph 4.5 of the Draft Plan advises that the Neighbourhood Plan Group had approached the Borough Council to provide an indicative housing figure for the village to 2039 but the Council was unable to do so.  The Borough Council has now published its Regulation 18 Draft Local Plan for consultation. This identifies Stoke Golding as a Local Service Centre. The draft plan sets out a presumption of a minimum of 200 dwellings to be provided in each rural centre to provide for managed growth and maintain the vitality and viability of those settlements over the period to 2039. The Neighbourhood Plan needs to recognise this emerging requirement as set out in the Draft Local Plan and plan for it through appropriate allocations. With the consented sites at the Roseway and Wykin Lane and the 9 dwelling commitments as at April 2020 identified in the Draft Local Plan, there are commitments totalling some 129 dwellings. Against a minimum housing requirement of 200 dwellings to be identified in the Local Plan, this leaves a residual requirement of at least 71 dwellings. The Neighbourhood Plan should make specific allocations to meet this minimum requirement over the plan period.  Davidsons Developments has interests in additional land off Wykin Lane that provides a sustainable opportunity to help meet future housing requirements in the area and the site should be included as a specific allocation in the plan.  Policy SG1 should be amended to refer to a minimum housing requirement for 200 dwellings to be met by committed developments on land east of Roseway and land off Wykin Lane, approved on appeal, along with a specific allocation of additional land off Wykin Lane to provide a further 70-75 dwellings.  **Policy SG2: Housing Reserve Site at Mulberry Farm**  Policy SG2 includes provision for a reserve site at Mulberry Farm, to be made available for housing development if it becomes necessary to provide for additional homes in Stoke Golding in accordance with the Hinckley and Bosworth Local Plan.  We have set out above that the emerging Local Plan identifies a minimum requirement for 200 dwellings for each of the identified Service Centres. To meet this requirement there is a need to identify land to provide for at least 71 dwellings. This can be provided through the allocation of additional land off Wykin Lane which should be included as an allocation in the Neighbourhood Plan.  **Policy SG3 – Windfall Housing Development**  Policy SG3 advises that permission for housing development within the Stoke Golding settlement boundary as defined on Map 3, will be supported where it meets the other policies of the plan and that outside the Settlement boundary will be restricted. Whilst the settlement boundary shown on Map 3 includes the Roseway site, it does not properly reflect the consent for development on land off Wykin Lane. The Settlement Boundary should therefore be amended to include the consented site off Wykin Lane. As discussed above, there is also the need to make additional allocations to meet the likely additional housing requirement arising from the Hinckley and Bosworth Local Plan. Additional land off Wykin Lane, under the control of Davidsons Developments should be allocated to provide 70-75dwellings.  **Policy SG4: Housing Mix**  Policy SG4 proposes that developments of more than 4 dwellings should provide a mix of housing types reflecting the Housing Needs Study 2019, with variations being supported where justified by local housing need or by more up-to-date housing need evidence. An appropriate mix of housing is set out at paragraph 4.25 of the plan.  It is important that the policy recognises that there may be site specific circumstances and issues of viability that might mean a different housing mix on a site may be appropriate, and that the housing mix set out at paragraph 4.25 is the starting point for discussions, as confirmed in Policy 16 of the Hinckley and Bosworth Core Strategy.  **Policy SG5 Affordable Housing**  This policy requires a minimum of 40% affordable housing to be provided on developments of 10 or more homes. We have set out above that the plan should include an additional allocation at Wykin Lane. As with the consented site at Wykin Lane, this site will provide 40% affordable housing in accordance with policy requirements.  **Policy SG7 Area of Separation**  Policy SG7 identifies an Area of Local Separation between Stoke Golding and Dadlington to the north of the settlement. The designation of this Area of Local Separation is supported and demonstrates that the most suitable locations for further growth lie to the south of the settlement off Wykin Lane.  **Strategic Environmental Appraisal and Site Assessment Framework**  We have reviewed the supporting evidence in relation to the Submission Draft Plan and wish to comment on the robustness of this evidence, in particular the Site Assessment Framework Results (ref EV7) and Summary of Rationale for Site Selection (ref EV8) along with the Strategic Environmental Appraisal (SEA). The land off Wykin Lane is assessed under site reference 11 in the SEA and is ranked equal 4th in the site assessment which concludes as follows:  *11 Land at Stoke Lane (labelled as LPR41) The site is also ranked as 4th equal in the site assessment undertaken by the Parish Council. Development here would extend the built-up area into the countryside with an adverse impact on the landscape setting of Stoke Golding and important local views. Impact on trees and hedgerows. The site capacity exceeds housing provision. Bus stop is more than 400m away. The site has unsuitable access with traffic issues (entrance to cemetery). The site is also distant from village centre and facilities.*  We would challenge the basis of some of the assessments and red/amber/green (RAG) ratings set out in the assessment. The criteria for assessment as set out at Appendix 2 to the SEA and definition of RAG ratings are questionable and the conclusions in relation to the additional land off Wykin Lane are not justified based on the available evidence. This raises fundamental questions over the robustness of the site assessment process, its conclusions and selection of sites. We comment on key criteria as follows:  **Landscape Impacts –** For landscape impacts, two criteria are identified for assessment in Appendix 2, relation to the built-up area of Stoke Golding and visibility from public vantage points. For the former, previously developed sites within the limits to development are scored green, greenfield sites within the limits or brownfield sites adjoining the settlement are scored amber and greenfield sites outside or adjacent to the built-up area are scored red. This scoring takes no account of the extent to which greenfield sites adjoining the settlement may be well related to the existing settlement form and therefore results in all greenfield sites outside the limits being flagged red. We would suggest that a more appropriate scoring would be to score sites within the limits to development and brownfield sites adjoining the limits green, greenfield sites adjoining the limits but well related to the settlement amber and other greenfield sites red.  For the consented site off Wykin Lane, a detailed Landscape Assessment was submitted as part of the planning application and demonstrated that development could be successfully accommodated on this part of the site. The Inspector, in his report on the appeal, concluded that the development of that part of the site would be well-contained and seen against the context of the village settlement edge and therefore the impact on wider landscape character would be low. He also considered that the adverse visual impact of the proposal would be no greater than moderate (paras 35-41). There would be only limited impacts on trees and hedgerows with the majority capable of being retained as part of any development. Similar conclusions apply to the wider site, which should now be assessed in the context of the consented scheme to the north.  It is our submission that the wider site, relates well to the existing settlement form and should therefore be scored an amber based on the suggested revised assessment above. In terms of visibility from public vantage points, we would challenge the SEA assessment that the site is highly visible from Stoke Lane and west of the site. Existing landscaping limits views of the site and additional landscaping as part of any development would help to mitigate any impacts.  For the Mulberry Farm site, it is noted that the assessment treats the site as previously developed land. However, as a series of agricultural buildings, the site does not meet the definition of previously developed land as set out in the NPPF and the scoring should properly reflect this.  **Access to Services and Facilities –** Stoke Golding has a good range of services and facilities reflecting its status as a Key Rural Centre. The Inspector dealing with the recent appeal found no issues either in relation to access to local services or impacts of the development on these services. We comment below on the basis for the RAG rating for SEA Objective 5 , Health and Wellbeing which scores the site amber in relation to access to Health facilities. A more realistic assessment, reflecting guidance in the National Design Guide, would score the site green on this criterion.  **Access and Traffic Issues –** The summary assessment of the site refers to the site having an unsuitable access with traffic issues (entrance to cemetery). No clear evidence is presented to support this assertion. The recent planning appeal considered in detail access proposals for the northern part of the site and potential traffic impacts. The Inspector's report concludes that development would have an acceptable effect on traffic movements and highway safety, would not conflict with relevant Local Plan policies or the NPPF and that a safe and suitable access can be provided. As access to the wider land would be via this now approved access, there can be no justification for raising concerns about the suitability of access to the wider land.  **Historic Environment –** The site proforma at page 62 of the SEA also refers to impacts on ridge and furrow. The Archaeology and Heritage Assessment accompanying the recent planning application considered the potential impact on ridge and furrow for the application site and the wider land. This concluded that, given the absence of legible surviving earthworks, the buried remnant furrows were not considered to represent a heritage asset.  We would also question the SEA Site Appraisal Criteria for some SEA Objectives as set out in Appendix A to the SEA as follows:  **SEA Objective 4 – Population and Housing –** The objective aims to provide everyone with the opportunity to live in good quality, affordable housing which meets the needs of occupiers throughout their life. The assessment criteria looking at proximity of sites to transport, health or social facilities do not appear to relate to the objective of provide good quality housing. The allocation of additional land at Wykin Lane would provide good quality housing, fully in accordance with this SEA objective.  **SEA Objective 5 Health and Wellbeing -** Aims to protect and improve health and wellbeing by enhancing the quality and accessibility to open space, facilities for recreation and health. The RAG rating identifies a green rating for sites within 200m of green space and a transport network and within 300m of a healthcare facility, with red ratings being over 600m or 800m.  The basis for and justification for these distances is not set out. The Chartered Institution of Highways and Transportation (CIHT) publication Planning for Walking, 2015 refers to walking neighbourhoods as having a range of facilities with 10-minutes walk. The recent National Design Guide also defines walkable as local facilities within walking distance of 10 minutes or 800m. The measurement criteria as set out in the SEA are not therefore justified. Stoke Golding is a walkable settlement and the land off Wykin Lane is within 800m of the majority of services and facilities in the village, including Pine Close Surgery as shown in Figure 1 below.  Map of site suggested for housing by Davidsons Developments but not included in the Neighbourhood Plan  The assessment of the site set out in the SEA needs to be revisited in the context of the recent appeal decision. For completeness, relevant supporting evidence, including the Landscape and Visual Impact Assessment and Archaeology and Heritage Statement are included with this submission. In addition, we have included an Indicative Concept Plan that shows how the site presents a logical extension to the approved development off Wykin Lane.  On the basis of the above comments, we have undertaken a review of the scoring of the top 4 ranked sites including the land off Wykin Lane (Site ref 11). This is included at Appendix 1. This reduces the red scoring to 1 and as a result, the site compares very well with the reserve site proposed for allocation at Mulberry Farm. The revised assessment provides a more robust assessment of the sustainability credentials of the site and supports the site's inclusion in the Neighbourhood Plan as an allocation.  This evidence helps to demonstrate that the additional land is suitable for allocation and should be included as a specific site allocation in the plan to meet the likely required level of housing provision required in the settlement. |
| 20 | Richborough Estates | **INTRODUCTION**  1.1 These representations have been prepared on behalf of Richborough Estates in respect of their land interests at Hinckley Road, Stoke Golding, hereafter referred to as Stokesfield Farm. The land was a proposed reserve site in the Regulation 14 Stoke Golding Neighbourhood Plan, albeit is now an omission site. An outline planning application was submitted in May 2021 for the development of up to 70 dwellings (21/00656/OUT). An illustrative masterplan (Appendix A) has been prepared in support of the application and is illustrated on Figure 1 below to show how a policy compliant scheme can be brought forward on the site.  1.2 Richborough Estates are a respected midlands-based residential land promoter, with a previous track record of working with communities and Councils to deliver high-quality local developments. Richborough Estates have engaged with the Neighbourhood Plan throughout the process to date and look forward to continuing to engage with the Neighbourhood Plan as it proceeds towards examination.  1.3 With regards to the requirements of Neighbourhood Plans, Paragraph 8 (2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to Neighbourhood Plans by Section 38A of the Planning and Compulsory Purchase Act 2004 sets out that only a Neighbourhood Plan that meets each of a set of basic conditions can be put forward to referendum and be made. These basic conditions form the crux of any examination, as it will be for the Examiner to decide whether the Plan meets the basic conditions. The basic conditions are applicable to neighbourhood plans are:  A. Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan.  D. The making of the neighbourhood plan contributes to the achievement of sustainable development.  E. The making of the 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).  1.4 These representations set out fundamental concerns with the Plan as submitted, in that it has not followed guidance provided by the Local Authority in terms of establishing a robust housing requirement. Instead, the Plan has utilised a housing requirement derived from the 2009 Core Strategy, which is out of date and pre-dates even the first iteration of the NPPF. It is clear that when assessing a housing requirement, regard must be had for the Standard Method as set out in Planning Practice Guidance. The approach adopted by the Neighbourhood Plan group has resulted in a housing requirement a quarter of that outlined in the emerging Local Plan. This is entirely unacceptable, and the Plan should not proceed until this issue has been rectified.  1.5 These representations follow the order of the policies within the Draft Neighbourhood Plan, where we have not commented, we have no specific comments at this stage. If you have any questions regarding these representations, please contact the author.  **REPRESENTATIONS**  **Policy SG1: Housing Provision**  2.1 The Neighbourhood Plan Group have set out their preferred approach in relation to housing delivery within Chapter 4. This sets out that the housing requirement for Stoke Golding over the period 2006 to 2026 is 60 dwellings, derived from Core Strategy Policy 11. This equates to delivery averaging 3 dwellings per annum. In establishing a housing requirement moiving forward, the Group have assumed a continuation of 3 dwellings per annum as derived from the Core Strategy. Over the period 2020-2039, this equates to 57 dwellings, which the Group considers has been fully satisfied by the approval of 65 dwellings at Roseway (20/00779/OUT). Contingency is provided by the allocation of Mullberry Farm for 25 dwellings as a reserve site and through windfall development within the identified settlement boundary.  2.2 Since the Group decided to proceed and submit the Neighbourhood Plan to the Council for Regulation 16 consultation, there have been significant changes in circumstances which are highly material to the Neighbourhood Plan. The first is the approval of the Wykin Lane development (19/01324/OUT) at appeal, which will deliver up to 55 dwellings. The second is the publication of the Hinckley and Bosworth Draft Local Plan 2020 – 2039, which provides an update as to the Borough Council’s approach to housing delivery as part of the new Local Plan. This Plan confirms that Key Rural Centres, which includes Stoke Golding, are to deliver a minimum of 200 dwellings over the period 2020-2039. It is our understanding that the Council informed the Neighbourhood Plan of this likely housing requirement well in advance of the publication of the Regulation 16 Neighbourhood Plan, therefore it is highly disappointing that the Group have sought to continue to utilise the housing requirement from the 2009 Core Strategy, which pre-dates the NPPF and is significantly over five years old, thus out of date.  2.3 It is further noted that at Regulation 14 stage, the Borough Council were explicit that the housing requirement set out by the Group was likely to be significantly below that required, with the Council at that point in time recommending a housing requirement of a minimum of 158 dwellings. Whilst below the number now advocated in emerging Strategic Policy, this number at least has due regard for the Standard Method and would have formed a more robust housing requirement. The Group have not provided any rationale as to why the figure in the Core Strategy has been used, in the light of an indicative housing requirement provided by the Council, in accordance with Paragraph 66 of the NPPF. In our own Regulation 14 representation, having regard for the likely level of development directed towards Stoke Golding, we concluded that the housing requirement was likely to be in the region of 196-208 dwellings, a figure now fully supported by the emerging Local Plan.  2.4 There are outstanding large-scale commitments for 120 dwellings, 65 at Roseway and 55 at Wykin Lane. The addition of the Group’s windfall site at Mullberry Farm would provide for circa 145 dwellings. This leaves a residual residential requirement of circa 55 dwellings from the emerging target in the Local Plan. It is not considered that this quantum could reasonably be expected to be met through windfall development within what is a relatively tight settlement boundary, and as such additional allocated sites will be required.  2.5 Whilst there is no legal imperative for the Neighbourhood Plan to be in broad conformity with an emerging plan, having regard for the difference between the likely scale of development applicable to Stoke Golding and that it is trying to advance through its Neighbourhood Plan, it is considered redundant to continue to advance a Neighbourhood Plan which so clearly under caters for its likely housing requirement. To do so would lead to one of the following outcomes, either be refused outright at Examination or by the Local Authority, or to be almost immediately superseded by the Strategic Policies of the Local Plan once adopted. In the interim period, the Neighbourhood Plan could not take advantage of Paragraph 14 of the NPPF, given it would be demonstrable that the Neighbourhood Plan does not meet a sensible identified housing requirement. A Neighbourhood Plan cannot be used to restrict established strategic development needs as set out by the Local Authority.  2.6 Having regard for the scale of the changes necessary to make the Neighbourhood Plan acceptable, this cannot be done through the Examination process, as such, the Neighbourhood Plan should be withdrawn as soon as practicable. It is not within the gift of an Examiner to recommend changes to a Neighbourhood Plan which would so considerably alter the submitted Plan. It is also considered that the scale of changes needed will alter the Neighbourhood Plan to such a degree, that it no longer accurately reflects the Plan as consulted through the Neighbourhood Plan process to date, and as such any revised Plan would likely need to undertake further consultation or be at risk from legal challenge. Whilst we appreciate this will come as a disappointment to many in the community, it would likely be the quickest way for a revised Neighbourhood Plan to proceed to being Made. Proceeding in the light of the housing figures provided by the Council, and as published in the emerging Local Plan, would be a clear attempt to compromise or delay the robustly determined housing requirement for the settlement as established in accordance with the NPPF and Planning Practice Guidance.  2.7 The NPPF is clear that when establishing a housing requirement, the Standard Method must be used, unless exceptional circumstances demonstrate otherwise. The Borough Council confirmed this in its Regulation 14 response. No attempt has been made by the Group to justify why an alternative approach has been adopted in this regard. Whilst the Group set out that the Plan must be developed in accordance with the adopted Development Plan, the Core Strategy is over five-years old and as per the NPPF its strategic housing requirement is out of date, and thus not a robust starting point to establish a robust housing requirement. As per the NPPF, where the strategic housing requirement is over five-years old, the Standard Method must be used. This approach should have been adopted by the Group, as was set out clearly by the Council.  2.8 Should the Plan not be withdrawn, then the examination must conclude that the Neighbourhood Plan must fail. Basic Condition A sets out that Neighbourhood Plans must have due regard to national policies and advice contained in guidance issued by the Secretary of State. The PPG sets out that the primary document of note in respect of this condition is the NPPF. The PPG also states that a Neighbourhood Plan “*must not constrain the delivery of important national policy objectives*”. Significantly boosting the supply of housing is clearly an important national policy objective. In failing to establish a robust housing requirement based on the standard method as set out by the Framework, the Group have not had due regard for the policies and advise set out by the Secretary of State and thus this criterion as failed and thus the Plan cannot be found as suitable to proceed at examination.  2.9 Similarly, the approach adopted by the Neighbourhood Plan Group also cannot meet Basic Condition D. In using a housing figure derived from the 2009 Core Strategy, which in itself is derived from the revoked East Midlands Regional Plan, the Neighbourhood Plan does not contribute the achievement of sustainable development. The NPPF sets out at Paragraph 8 that sustainable development has three overarching aims. Of these aims is a social objective, which sets out that “*sufficient number and range of homes can be provided to meet the needs of present and future generations*”. With proposals demonstrably delivering insufficient housing against robustly assessed housing needs, it is clear that the Neighbourhood Plan is not delivering sustainable development as defined by the NPPF, and thus must fail Basic Condition D also.  2.10 These are fundamental flaws in the Plan that cannot be rectified at Examination, as to do so would require a scale of change not permissible through Examiner modifications. To proceed on with this Plan would therefore result in the Plan failing examination, leading to unnecessary cost and delay when these issues can be fixed now by withdrawing the Plan and allocating land at Stokesfield Farm, which is available for development in the short term, and supported by a suite of technical evidence demonstrating its deliverability.  **Policy SG2: Land at Mulberry Farm, High Street**  2.11 We note the Groups preferred reserve allocation at Mulberry Farm, High Street. This site forms a now “largely derelict” poultry farm, with a number of farm buildings, sheds, associated hardstanding and paraphernalia. Whilst we have not objected to the principle of this site, we set out in our Regulation 14 response that the Group would need to provide evidence of deliverability to satisfy the NDP Examination, particularly in relation to accessing the site as well as viability, given the need to clear the site ready for redevelopment. Depending on how animals were stored, including flooring and cleaning, and intensity of farming, there may also need to be site remediation. We also remain concerned as to the impacts of the proposed development on the Battle of Bosworth Field Registered Battlefield. Clearly within such a location there is significant archaeological potential. As such, this site should be supported by archaeological evidence to satisfy an Examiner that its allocation would be acceptable and further evidence that modern housing development on the site would not result in undue harm to this designated asset. It does not appear that any evidenced has been provided to satisfy these concerns, and as such we are highly concerned to both the impacts of the proposed development on the Battlefield and whether the site is deliverable.  2.12 Paragraph 193 of the NPPF sets out that when “*considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be)*”. Paragraph 194 states that “*any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of.. registered battlefields.. should be wholly exceptional*”. There appears to be nothing in the way of evidence to demonstrate that an assessment has been undertaken as to the impacts of the proposed development on the heritage asset, and whether impacts would result in harm. Whilst impacts on the Conservation Area is mentioned at paragraph 4.21, with reference to the area being designated as an “improvement area” in the Conservation Area Management Plan, there is no discussion as to impacts on the Registered Battlefield. We remain of the position that the lack of such information means the allocation cannot proceed. It is not something which can reasonably be withheld until the planning application phase, given its importance to the Plan, being the only allocation now proposed, albeit as a reserve.  2.13 Your attention is also brought to the decision notice in relation to application 21/00070/FUL, in relation to an application for 6 detached dwellings at the White Swan, Stoke Golding, adjacent to Mullberry Farm. This application was refused by Hinckley and Bosworth Borough Council in May 2021. Of note, is the first reason for refusal, which is set out below.  “*The introduction of modern structures into a historically undeveloped space that contributes positively to the significance of the registered battlefield The Battle of Bosworth (Field) 1485 would have a degree of negative visual intrusion adding distraction into how the historic character of this area is experienced when viewed from across the battlefield, both in conjunction with the Church of St Margaret (when viewed from Ashby Canal) and from sections of Crown Hill - the final location of the battle. This would result a change to the historic context and character of the site and the loss of a positive space within the battlefield. For these reasons the proposal has adverse impacts upon the significance of this designated asset and this harm is not outweighed by the identified public benefits of the scheme. The proposal is therefore contrary to Policies DM11 and DM12 of the SADMP and paragraphs 193,194 and 196 of the NPPF*”  2.14 In this context, the need for supporting evidence to support the allocation is demonstrable. Whilst we accept there is not a detailed proposal for the scheme yet, it could still be assessed as to whether the redevelopment of the site could be reasonably achieved, and if so, any mitigatory measures necessary within the Policy to guide a future planning application and to ensure its impacts can be ameliorated.  2.15 There is no assessment as to the impacts of the proposed allocation in terms of the potential impacts on the significance or setting of either the Conservation Area or Registered Battlefield.  2.16 It is not considered appropriate for evidence to be provided at a later date to satisfy these concerns, as such evidence should have been made available for this consultation, so it could have been considered in detail. There is no evidence published on the Council’s webpage for the consultation which provides this information. Paragraph 31 of the NPPF states that “*the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals.*” The lack of supporting evidence to justify the reserve allocation would again be a conflict with the Framework and again classify as a failure to satisfy Basic Condition A. The only way this issue can be remedied would be through the publication of supporting evidence through another Regulation 16 consultation or the removal of the allocation, which again would necessitate another consultation given the importance of the allocation to the overall Plan. The land at Stokesfield Farm is supported by a suite of evidence documents, is in a far less sensitive area of the village and as such is considered to be a robust proposal for which the group could take advantage.  **Policy SG3: Windfall Housing Development**  2.17 This policy attempts to limit the development that can be brought forward outside of the Settlement Boundary. However, as already established given the likely shortfall in housing numbers when assessed against the emerging Local Plan, it is clear that the application of this policy will restrict housing development to a level which means robust and properly established needs cannot be met. A Neighbourhood Plan cannot through its policies frustrate a robust housing requirement, particularly when the advanced housing requirement delivers significantly less housing than required. Unless additional sites are allocated, this policy cannot continue in its current form as would restrict development commensurate with that established through the Standard Methodology and as such would be in conflict with the aims and policies of the NPPF, and as such would constitute a failure to satisfy Basic Condition A.  **Policy SG10: Locally Important Views**  2.18 This Policy sets out that development should be located and designed in a way that is sensitive to the open landscape. It sets out that proposals which cannot successfully mitigate impacts on the landscape will not be supported. Particular regard should be had for the views listed in the policy and illustrated on Map 7. Having had further regard for the proposed Locally Important Views, concern is raised in respect of View B. This view matches with Viewpoint 15 within the Stokesfield Farm Application LVIA, see Figure 2 below.  The maps illustrate the location of viewpoints which lack a rationale to justify local value.  2.19 There is no real evidence to support that this view has value, other than a single photograph in the supporting document. There is no rationale given as to why this view is important or why it has local value. Whilst it is described in both the evidence document and Neighbourhood Plan as a view which looks towards Stoke Golding, there are no views to Stoke Golding from the viewpoint, even filtered views, as demonstrated in the LVIA extract below (from planning application 21/00656/OUT).  Photograph from viewpoint B that shows that views do not reach as far as the Stoke Golding village  2.20 Having regard for the lack of justification as to why this local view has local value, and given it does not even afford views to Stoke Golding, we do not consider there is any justification for this view and it should be deleted.  **STOKESFIELD FARM**  3.1 We fully support the Group’s recognition that the site at Stokesfield Farm is one of the most favourable residential sites in the village. Stokesfield Farm was a reserve site in the Regulation 14 Neighbourhood Plan. Had other sites in the village have not achieved a permission, this site would still likely have been allocated, albeit having regard to the Group’s approach to housing delivery, this may well have only been a reserve site. An outline planning application was submitted in May 2021 for the development of up to 70 dwellings (21/00656/OUT) on land formed of the former reserve site and wider land to the south. This application is supported by a suite of technical reports, which demonstrate that the site is deliverable without unacceptable impacts.  3.2 Having regard for the demonstrable shortfall in housing provision against a robust housing requirement as established through use of the Standard Method, or the emerging Local Plan, it is considered necessary that further residential land needs to be allocated. The Neighbourhood Plan Group have already demonstrated that Stokesfield Farm is the next preferred site. This development would deliver enough dwellings to satisfy the emerging Local Plan housing requirement, which would then enable the Group to prevent further development. If Stokesfield Farm and Mulberry Farm were both allocated, then post Referendum the protections afforded by Paragraph 14 of the NPPF would be applicable.  3.3 The Stokesfield Farm site is bound by residential development on the northern and western sides, a solar park to the south and is defined by an existing farm track on the eastern side also, creating a logical development parcel adjacent to Stoke Golding. The site benefits from further containment by Stokesfield farmyard to the south east.  3.4 The site is adjacent to existing bus stops, which are served by the regular 6 service between Nuneaton, Hinckley and Burbage. The site is also short walk from the existing services and facilities of Stoke Golding. As such, residents would not be reliant on a personal car to access employment, education, services or facilities.  3.5 This site is located away from Stoke Goldings’ Conservation Area and Bosworth Battlefield. It is also located away from Stoke Goldings’ Listed Buildings, particularly the Grade I Listed Church of St Margaret. It is not within the Neighbourhood Plan’s area of separation. Vehicular access is achievable without undue impacts on safety or the operation of Hinckley Road. The site is located in Flood Zone 1. As such the site is considered to be largely unconstrained.  3.6 Stokesfield Farm, being to the east of the village, will not encourage the use of the narrow Wykin Lane, instead residents will likely use Stoke Road to head southbound towards Hinckley. This location also means residents will not need to travel through the village centre to travel towards Hinckley.  3.7 An illustrative masterplan, at Appendix A, has been prepared which shows how a scheme can be delivered in accordance with the site-specific criteria which was published for the site at Regulation 14 under Policy SG3, wherein the site was designated as a reserve site:  1. It shows how a scheme of 70 dwellings can be delivered on site, which better reflects the need for new housing still applicable in Stoke Golding, in excess of 200 dwellings in the emerging Local Plan;  2. It shows an inclusive of a mix of housing types, sizes and tenures;  The illustrative masterplan advanced illustrates the following mix however this is not fixed, and we are happy to engage with the Group on a preferred housing mix for this site.  **Market Housing Affordable Housing**  1 bed unit 0 1 bed unit 6  2 bed unit 15 2 bed unit 11  3 bed unit 21 3 bed unit 8  4 bed unit 6 4 bed unit 3  Total 42 Total 28  3. It shows the principal access off Hinckley Road which is staggered from Greenwood Road following highway consultant advice;  4. It demonstrates that the layout is self-contained, albeit has been slightly extended to deliver the additional quantum of units, however as set out at 3.3, is well contained and logical;  5. An archaeological desk-based assessment has been submitted with the application which demonstrates the development is acceptable;  6. (i) The scheme has been prepared having regard for the requirement to retain and protect existing trees and hedgerows;  (ii) New landscaping has been proposed to be provided along the southern and eastern boundaries including native species to maintain a soft development edge;  (iii) A suitable drainage scheme will be advanced in line with best practices that will offer biodiversity enhancements to the site.  7. The existing bus shelter is retained and a new pedestrian footway is proposed to provide access to it, alongside the site frontage. It is clearly in the benefit of both existing and any future residents that it should be remain in easy access;  8. Residential amenities of nearby residents are protected with adequate set-backs achievable.  9. The low voltage overhead power lines along the eastern field boundary will be diverted / undergrounded; and  10. Both surface water and foul water drainage strategies will form part of the scheme including an appropriately designed sustainable drainage system for the site.  3.8 The site will be able to deliver a policy compliant level of affordable housing and will be able to make appropriate contributions to infrastructure and services, including education. There are no known issues with viability or deliverability and the site could be brought forward quickly to respond to a lack of housing land supply.  3.9 Given the inherent need for further housing, we consider the site should be allocated, but at the very least the site should retain its reserve site status.  **CONCLUSIONS**  4.1 It is apparent that the Neighbourhood Plan’s approach to utilise housing figures derived from the 2009 Core Strategy in order to establish its housing requirement is not appropriate and clearly conflicts with the NPPF. Where the strategic housing requirement is over 5 years old, the Standard Method must be used in order to establish a robust housing requirement. The Core Strategy pre-dates the NPPF and is based on severely out of date housing figures. Whilst the Borough Council may not have provided an indicative housing requirement prior to Regulation 14, it is clear through their Regulation 14 response that they consider the approach adopted by the Neighbourhood Plan to be inappropriate and set clear guidance on a more appropriate approach. It is disappointing therefore that the Neighbourhood Plan has been advanced with the same approach, despite a clear warning from the Local Authority that the approach is flawed. Moreover, no justification has been provided to counter the comments of the Council. For the reasons set out in these representations, the Neighbourhood Plan clearly cannot satisfy Basic Condition A, and thus cannot pass examination.  4.2 Having regard for the scale of the difference between the Neighbourhood Plan’s adopted requirement and the housing requirement in the emerging Local Plan, it is evident that the additional housing allocations are needed to satisfy that need. It is furthermore considered that such changes cannot reasonably be made through the examination process. As such, the most prudent option would be to withdraw the Plan and reconsult on a new plan which includes the approved developments at Roseway and Wykin Lane, and also the submitted Stokesfield Farm site. These allocations will satisfy the emerging housing requirement for the village, ensuring that the Neighbourhood Plan can benefit from protections afforded by Paragraph 14 of the NPPF in a post referendum scenario.  4.3 The Neighbourhood Plan Group have already set out that Stokesfield Farm is the second-best residential site in the village and with the submitted application with its supporting evidence, an examiner can be easily persuaded that the site is acceptable and deliverable. The proposed development delivers a number of key community and ecological benefits and will assist greatly in helping the group meet its housing requirements. We are keen to continue to work with the Group, so that an acceptable Neighbourhood Plan, inclusive of Stokesfield Farm as an allocation, can proceed to Referendum as quickly as possible. |
| 21 | Stronghold Homes | We write on behalf of our client, Stronghold Homes, in respect of ‘Land at Mulberry Farm, High Street’. The purpose of this letter is to respond to the Neighbourhood Plan consultation, which is being undertaken between 9th June and 21st July 2021. We have reviewed the Stoke Golding Submission Neighbourhood Plan and have a number of concerns.  **Policy SG1: Housing Provision**  Policy SG1 has been changed from the Policy set out in the previous Pre-Submission Neighbourhood Plan which identified that the additional housing provision for Stoke Golding to 2039 is 25 dwellings. Policy SG1 in the revised Submission version sets out that the housing requirement for Stoke Golding for the period 2020 to 2039 is a minimum of 57 dwellings. The Neighbourhood Plan considers that this will be met by the committed development of 65 dwellings on land east of Roseway (20/00779/OUT) and windfall development.  The background to the identified housing requirement is set out in paragraphs 4.1-4.13 of the Plan. Paragraph 4.5 makes clear that the Neighbourhood Plan group approached the Borough Council to provide an indicative housing provision for Stoke Golding Neighbourhood Area to 2039, but the Borough Council was unable to do so, as the housing requirement for the Borough’s emerging Local Plan has not yet been determined.  Paragraph 29 of the National Planning Policy Framework (NPPF) sets out that Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies18. Footnote 18 is relevant in this case, as it requires Neighbourhood Plans to be in general conformity with the strategic policies contained in any development plan that covers their area.  The Neighbourhood Plan seeks to respond to this through a housing requirement assessment based upon the Hinckley and Bosworth Local Plan Core Strategy, The Strategic Growth Plan and the Standard Method for the Borough.  However, the Neighbourhood Plan must have the flexibility to accord with the Borough Council’s New Local Plan when adopted. The housing requirement for the Borough at that time remains unknown, but has potential to be higher than any of the scenarios examined in the Plan.  The ‘Government response to the local housing need proposals in “Changes to the current planning system”’ published 16th December 2020 set out that a 35 per cent uplift to the postcap number generated by the standard method is to be applied to Greater London and to the local authorities which contain the largest proportion of the other 19 most populated cities and urban centres in England. Leicester is one such urban centre impacted by the uplift. The Leicester annual housing requirement under the 2020 Standard Method, including urban uplift, is 2,341 dwellings. This is a dramatic rise from the adopted Local Plan figure of 1,280 dwellings per annum and has the potential to impact Hinckley and Bosworth through the Duty to Cooperate, or indeed whatever cross-boundary working mechanism is required should Duty to Co-operate be abolished. This is likely to result in the Borough accepting a proportion of the unmet need of Leicester, as the City Council has already indicated that it cannot accommodate its own housing need within its boundary. Hinckley and Bosworth accept this position within their Consultation Response to the Stoke Golding Neighbourhood Plan Pre-Submission Draft.  Additionally, it is imperative that Neighbourhood Plans have regard to the wider needs of the District/Boroughs in assessing housing numbers and not just the requirement of the Parish in which the Plan is located. This was highlighted in a recent appeal decision in Braintree District1, in which an Inspector only afforded modest weight to a recently examined Neighbourhood Plan as a result of uncertainty in whether its policies met its identified housing need. In this case the District Council were unable to provide a housing requirement figure to the Parish and the Neighbourhood Plan only sought to consider the requirements of the Parish as a proportion of the whole District’s need, without clear regard to the wider needs of the District. The Stoke Golding Neighbourhood Plan must be aware of this fact and be assured they have assessed their housing provision accordingly.  The approach taken in the Neighbourhood Plan to assume there will be “little change in the Borough’s annual housing provision or a development strategy that would suggest more growth in Stoke Golding” is un-evidenced and incorrect given the Urban Uplift required by the Standard Method and the implications for Hinckley and Bosworth being required to accepting a proportion of the unmet need of Leicester. In addition, the Strategic Growth Plan for Leicester and Leicestershire (December 2018) sets a housing requirement of 531 homes a year for the longer period to 2050 to support the delivery of strategic growth and infrastructure to the south of Leicester which the Neighbourhood Plan has not sought to analyse.  We consider that it is highly likely that additional growth will be directed to Stoke Golding within the Local Plan Review and the Borough Council has been systematically confirming to Neighbourhood Plan Groups that they should plan for growth. The Hinckley and Bosworth Borough Council Consultation Response to the Stoke Golding Neighbourhood Plan Pre- Submission Draft (Regulation 14) sets out that the housing requirement for Stoke Golding should be 158 dwellings for the period 2020-2039 based upon a population based assessment and should an alternative approach be pursued through the Neighbourhood Plan this would need to be based on sound evidence and justified so satisfy the examiner of the Neighbourhood Plan.  The Neighbourhood Plan is seeking to utilise an alternative approach and a lack of sound evidence is provided within the Plan and Evidence Base as justification. The Neighbourhood Plan’s approach to development is significantly below the recommended figure provided by Hinckley and Bosworth at just 36% of the total and should be reviewed prior to submission for Examination.  Furthermore, the recently published Hinckley and Bosworth Draft Local Plan 2020 – 2039 proposes a minimum of 200 homes at Stoke Golding in line with its status as a Key Rural Centre. The Neighbourhood Plan’s identified requirement of 57 dwellings is just 28.5% of this total.  We consider that given the subsequent comments provided by the Borough Council following a lack of certainty at the outset of the Plan, and indeed the need for flexibility with the plan, that Policy SG1 should not restrict development to the committed development at land east of Roseway (20/00779/OUT) and windfall development but enable the delivery of sustainable development within the Parish including at Mulberry Farm, High Street (Policy SG2).  The Plan should re-evaluate the level of housing required within the period 2020-2039 and as a minimum seek to meet the Council proposed Draft Local Plan requirement of 200 dwellings rather than 57 dwellings. In addition, the Plan should not seek to solely rely on the land east of Roseway in meeting housing need within the area given the significantly higher need identified by the Borough Council within the draft Local Plan and previous representations to the Stoke Golding Neighbourhood Plan.  **Policy SG2: Housing Reserve Site at Mulberry Farm, High Street**  The Neighbourhood Plan has sought to incorporate “some flexibility in their housing provision, the Neighbourhood Plan allocates a housing reserve site”, however the Submission Neighbourhood Plan reduces this flexibility by allocating Mulberry Farm as a “Housing Reserve Site” rather than an allocated site as in the Pre-Submission Plan.  The Land at Mulberry Farm, High Street relates to our client’s land and we have a number of comments in relation to the Neighbourhood Plan’s approach to the site and its reserve allocation status.  Policy SG2 sets out that the site “will be made available for housing development if it becomes necessary to provide for additional homes in Stoke Golding in accordance with the new Hinckley and Bosworth Local Plan”. In such circumstance, the policy supports development subject to the 15 criteria listed.  Land at Mulberry Farm is a previously-developed site containing a former poultry farm and is identified within the Stoke Golding Conservation Area Management Plan as an ‘improvement area’. Not only that, but the site is located within the existing settlement boundary established within the Hinckley and Bosworth Site Allocations and Development Management Policies DPD - adopted July 2016. It is not clear from the plan contained at page 17 of the Neighbourhood Plan (Map 3) whether Mulberry Farm is to be retained within the settlement boundary for the village, but there is certainly no justification whatsoever to consider its removal from the settlement boundary through the Neighbourhood Plan process and no evidence is available to understand the reasoning behind this change. On that basis, development of Mulberry Farm for housing would be entirely in accordance with Policy SG3: Windfall Housing Development of the Neighbourhood Plan.  Furthermore, the National Planning Policy Framework (NPPF) requires effective use of land and paragraph 120 parts c and d set out that policies and decisions should;  c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;  d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively  This approach is at odds with Policy SG2 which seeks to impose a needs based test upon the development of a site that would otherwise be acceptable in planning policy terms as redevelopment of currently under-utilised brownfield land within the settlement boundary. There is a perverse irony here that the Housing Reserve status given to Mulberry Farm through the overly stringent Policy SG2, will actually prevent the development of the site for housing over and above a non-designated previously-development site elsewhere within the village’s settlement boundary, which could of course come forward for development under Policy SG3 and indeed NPPF and NPPG policy guidance noted above.  Policy SG2 as written seeks to restrict the delivery of a suitable brownfield site where the principle of development is acceptable, given the re-use of under-utilised land, to a point in future where housing development ‘becomes necessary’. We consider significant issues exist with the housing requirement for Stoke Golding set out in Policy SG1 which equates to just 36% of the requirement identified by the Council and therefore there is undoubted need for housing development which the Plan has not sought to explore.  The Mulberry Farm site was identified as the preferred option by the local community and is supported by policies within the NPPF. Policy SG2 should be allocated as a housing site within the Neighbourhood Plan, as it was in the Pre-Submission draft, rather than a Housing Reserve Site which restricts development and further removes flexibility from a plan.  A number of the 15 criteria within the policy are considered unnecessary, overly onerous and act to reduce the flexibility to redevelop the site and should be re-examined. Criteria 5, states that the “development should seek to enhance the significance of heritage assets and their setting”. This is not the correct test as identified within the NPPF which sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. Paragraph 200 states; “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification”.  Paragraph 201 adds further clarification, that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Criteria 5 should be amended to reflect the wording set out in the NPPF, rather than applying an over stringent restriction on development in this location. For example criteria 5 should reflect the wording set out below;  5. 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 listed Church of St Margaret, Grade II listed The Birches and other designated and non-designated heritage assets and their setting. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal;  **Policy SG6: Countryside**  Policy SG6 seeks to protect the countryside for the sake of its intrinsic character, beauty, heritage and wildlife, the wealth of its natural resources. The Policy identifies 7 types of development which is considered sustainable in the countryside.  Paragraph 174 of the NPPF requires developments to contribute to and enhance the natural and local environment, with part b) requiring the recognition of the intrinsic character and beauty of the countryside. This represents a more measured approach to development and particularly where development can be undertaken without unacceptable harm.  We consider that Policy SG6 should be amended to reflect the ability to create sustainable development adjacent to the Settlement Boundary when in conformity with other policies of the Local and Neighbourhood Plan. This will allow both further flexibility in housing delivery but also facilitate further sustainable development within the village.  **Conclusions**  Our client supports the preparation of a Neighbourhood Plan which meet the basic conditions as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004).  Whilst the difficulties of the strategic policy context are acknowledged it is not appropriate for a Neighbourhood Plan to determine a housing requirement which is un-evidenced and relates 6 to only 36% of the housing requirement identified by the Borough Council for Stoke Golding in their previous Representations and 28.5% of the broad figure identified in the Draft Local Plan.  The Neighbourhood Plan is seeking to amend the settlement boundary to exclude Land at Mulberry Farm, High Street without any justification or evidence to support this change.  The Neighbourhood Plan is based on an unstable footing and together with the absence of evidence to support the housing requirement there must be some doubt that the Neighbourhood Plan is setting a framework that meets the basic conditions.  We consider that in order to pass examination, proceed to referendum and be made that the Neighbourhood Plan should re-assess the level of housing required and be re-drafted with policies and allocations that meet that identified housing requirement, including amendment to Policy SG2 towards an allocation rather than a Housing Reserve Site.  In light of the above, this representation should be read as an objection to the Stoke Golding Neighbourhood Plan at this time, albeit we are hopeful that further work and amendments can be made in order to allow the Neighbourhood Plan to meet the basic conditions and proceed to referendum. In the absence of any amendments our client must, regretfully, maintain an objection and wishes to have that heard by the examiner with a view to preventing the Neighbourhood Plan from being made due to a failure to meet the basic conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004).  Please do not hesitate to contact me if you wish to discuss this submission or you require anything further at this time. I reiterate; we would welcome the opportunity to discuss the allocation and the Neighbourhood Plan and look forward to hearing from you in due course. |
| 22 | Member of the public 3 | **We would like to know whether you support the plan, would support the plan with some modifications, or oppose the plan**. Overall I:: Support the plan with modifications  **Would you like to be informed of any decisions we make (either make/adopt the neighbourhood plan or refuse to make/adopt the neighbourhood plan)?**: Yes  **Please select which policy or policies you would like to comment on:**  **Please select which section you would like to comment on:** Key Issues, sustainable development and vision, Housing, Countryside, Services and facilities, Traffic and transport  **Do you support or oppose the key Issues, sustainable development and vision section?:** Support  **Please confirm the paragraph number(s) for example, 3.1:** 3.1 and 3.3  **Please provide your reason for this view:** 3.1 The key issues list of 11 points have been identified on more than one occassion as being important to the village.  3.3 Whilst supporting the document under 3.3, there are some important provisos which are explained in more detail in my attached document; 'General observations relating to the Neighbourhood Plan 2021'.  **Do you support or oppose the housing section?:** Oppose  **Please confirm the paragraph number(s) for example, 4.1:** 4 and 4.13  **Please provide your reason for this view:** 4. HOUSING: Stoke Golding has already exceeded the minimum 60 homes requirement by some 82 homes. A moratorium is required whilst the HBBC draw up and finalise a local plan of housing requirements over the forthcoming years. The NP team have worked in the absence of such data and calculated a projection, for which they should be commended.  Unless a halt is called on what can only be described as opportunistic developments which are and will continue to deface and damage Stoke Golding, future generations will look back at the first two decades of this millennium as we look back at the 1960â€™s and ponder how did they allow this to happen?  4.13 Revision of Neighbourhood Plan Settlement Boundary  The redrawing of the village settlement boundary following to outline planning approval of the Roseway housing development is both regrettable and understandable in order to move the process on. (Map 3 Page 17).  Given that this Neighbourhood Plan outlines a minimum housing allocation of 57 dwellings for Stoke Golding it seems inappropriate to allocate this to land east of Roseway given it ranks poorly (9th) on the Site Assessment Framework results (ref EV7/EV8). Now that an application for 70 houses has been submitted on Hinckley Road (21/00656/OUT), this should become the selected site for the village to comfortably meet its minimum development given that this ranked 3rd on the list of site Assessment Framework and hence is far more suitable. Therefore 4.13 section needs altering to reflect this and Map 3 showing the settlement boundary redrawn accordingly to its previous boundary position.  Again see both attached documents.  **Do you support or oppose the countryside section?:** Support  **Please confirm the paragraph number(s) for example, 5.1:** 5.8 and 5.9  **Please provide your reason for this view:** AREAS OF SEPARATION  5.9 The Roseway development will reduce the separation between Stoke Golding and Dadlington considerably; it will be further reduced if an application is forthcoming for land west of the Roseway site and abutting Hinckley Road. (Map 5 Page 26).  The separation of villages and hamlets is part of the character and diversity of communities around the country. As evidenced by London and many cities around the UK., and more local to home, towns like Nuneaton and Hinckley begin to absorb what were separate communities like Weddington and Burbage respectively, and by doing so lose their identity to the past which made them special. Stoke Golding must not be allowed to suffer the same fate.  See attached document.  **Do you support or oppose the services and facilities section?:** Oppose  **Please confirm the paragraph number(s) for example, 8.1:** 8.1  **Please provide your reason for this view:** Whilst maybe having a 'good range of services', they are woefully inadequate currently, and will be unable to provide for any further increase in population numbers. Strong messages and conditions are required - if permitted in NP's - to ensure further development is genuinely suported by developers and not just given lip service.  **Do you support or oppose the traffic and transport section?:** Oppose  **Please confirm the paragraph number(s) for example, 9.1:** Section 9  **Please provide your reason for this view:** 9.1 to 9.12 Whilst supporting these sections which clearly highlight the issues, they don't appear to offer direction or definative plans of how to overcome these issues - hence my 'oppose' selection.  Without strong direction on future transport strategies for the village, the situation is likely to deteriate further.  Upload any supporting information: (Attach up to three documents): GENERAL OBSERVATIONS RELATING TO THE NEIGHBOURHOOD PLAN 2021.docx, THE STOKE GOLDING DEVELOPMENT GUIDE C1986 AND NEIGHBOURHOOD PLAN 2021. July 2021..docx  **Additional comments on the plans (if applicable):** Not an easy task to put together a Neighbourhood Plan, a bit like hearding cats, but the team should be commended for their tenacity and determination to produce an end result and my comments should be taken in the constructive and positive tone intended.  **Signature (please type your name):**: Graham Vallis  **Date:**: 20/07/2021  **General observations relating to the Neighbourhood Plan 2021**  I make these observations both in support of the neighbourhood plan, in admiration for the voluntary work and effort the NP team have put in to producing such a document, adding some thoughts and observations and the odd change maybe, and in recognising that such a process and ultimate document has to work within certain parameters and deliver a mutually acceptable document to a broad ‘audience’.  3. KEY ISSUES - SUSTAINABLE DEVELOPMENT AND VISION  3.1 Whilst all 11 points under the above heading in the NP are key and important, the following nine are of paramount importance in any effort to positively, pro-actively and sympathetically develop Stoke Golding:  a. Maintaining the rural character of the area  b. Conserving local heritage  c. Protecting important views and open spaces  d. Retaining the separation from Dadlington  e. Protecting the character of Stoke Golding and preventing loss of character through more housing estates  f. Improving or retaining local services and facilities  g. Managing through traffic  h. Controlling speeding traffic  i. Inconsiderate parking  3.3 Sustainable Development  The planning system has three overriding objectives- Economic, Social and Environment. In response to these as detailed in the NP, I would draw attention to the following:  **1 Economic:**  *‘to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure’.*  When Boris Johnson made his announcement in 2020 concerning ‘Build, Build Build’, such a strategy did not advocate building on green field land unless absolutely necessary:   * ‘…. reduce the pressure to build on green field land…’ * ‘Developers will still need to adhere to high standards and regulations….’ * ‘Create new homes from the regeneration of vacant and redundant buildings.’ * ‘….improving the environment, contributing to net zero goals….”   Stoke Golding has a brown field site which is being offered for development, should we not prioritise that before destroying more green fields and heritage? The housing development which has taken place over the last decade in Stoke Golding has not – and by its nature, cannot, demonstrate that it has supported growth, innovation or improved productivity, possibly because there has been no meaningful investment in infrastructure. Sadly developers appear to have not fulfilled some planning agreements or offer pitiful little by way of planning gains. In simple terms the promised employment is temporary whilst the sites are being built by sub-contractors and there is a cost to providing new infrastructure, or a negative cost if the required infrastructure is not forthcoming. If not in Stoke Golding, housing could be provided elsewhere and Stoke Golding would still exist. So does housing provide economic growth – questionable?  **2 Social:**  *‘to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being’.*  **Robert Jenrick** (Secretary of State for Housing, Communities and Local Government) Ministerial Forward in the Governments response to the Living with Beauty report in January 2021:   * ‘We must also have the confidence to say no to schemes which we know are bad for the people destined to live in and near them’. * ‘And we need to do everything we can to encourage everyone to take a longer-term, sustainable view of communities as places that must grow and evolve, in a way that works well for people.’ * ‘…. and empowers communities to set out the detail of what beauty means in their areas…...’ * ‘I am determined to work towards the goal the Commission has set in the report’s conclusion - that we should aspire to pass our heritage to our successors, not depleted but enhanced, and that we oversee a profound and lasting improvement in our built environment. Indeed, this is a challenge that everyone involved in the planning and development process should embrace. This document sets out how the Government will play its part in leading the way’.   Such communities traditionally have formed through gradual development over time with the ebb and flow of employment and the like, not what might be termed – but disliked - ‘social engineering’.  Housing design has become of standard ‘stock’ design for the most part with a ‘nod’ to local street scene and character, but sadly without particular architectural merit or sympathy to where it will be placed.  By continually increasing the housing stock in Stoke Golding along with the associated traffic and movement of school-children to school and parents to work, a safe built environment becomes a forlorn hope, as can accessible services when they are either non-existent (shops) or in very limited supply (bus services, school places, doctors surgery, etc.).  It is also reasonably argued that that health, social and cultural well-being is supported by open spaces and access to the countryside, so how does this ‘square’ with building over the natural habitat and countryside that has built up over the centuries and replace it with man-made green spaces?  **3 Environment:**  *‘to contribute to protecting and enhancing the natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, mitigating and adapting to climate change, including moving to a low carbon economy’.*  **Policy Paper – 25 Year Environment Plan -** Department for Environment, Food & Rural Affairs – 11th January 2018, Updated 16th May 2019:   * **Reducing the risks of harm from environmental hazards:**   Bringing the public, private and third sectors together to work with communities and individuals to reduce the risk of harm – traffic pollution, increased traffic?  Both laudable objectives but by overdevelopment in and around Stoke Golding, the natural resources are being depleted and the CO2 emissions considerably increased because of increased traffic movements. On 23rd June 2021, a traffic count of vehicles entering and leaving Stoke Golding between 8.00am and 9.00pm 539 vehicles travelled into the village and 522 travelled out – some 1061 traffic. No doubt some of those movements were people passing through the village, but much of it was traffic bringing schoolchildren to school. All such activity is what might be considered ‘normal’ behaviour in the past, but if we are to deliver the Governments 25 year environment plan then surely past habits and behaviours will only change through good housing design located in places which reduce or eliminate personal vehicle travel?  4 HOUSING  Stoke Golding has already exceeded the minimum 60 homes requirement by some 82 homes. A moratorium is required whilst the HBBC draw up and finalise a local plan of housing requirements over the forthcoming years. The NP team have worked in the absence of such data and calculated a projection, for which they should be commended.  Unless a halt is called on what can only be described as opportunistic developments which are and will continue to deface and damage Stoke Golding, future generations will look back at the first two decades of this millennium as we look back at the 1960’s and ponder how did they allow this to happen?  4.13 Revision of Neighbourhood Plan Settlement Boundary  The redrawing of the village settlement boundary following to outline planning approval of the Roseway housing development is both regrettable and understandable in order to move the process on. (Map 3 Page 17).  **Given that this Neighbourhood Plan outlines a minimum housing allocation of 57 dwellings for Stoke Golding it seems inappropriate to allocate this to land east of Roseway given it ranks poorly (9th) on the Site Assessment Framework results (ref EV7/EV8). Now that an application for 70 houses has been submitted on Hinckley Road (21/00656/OUT), this should become the selected site for the village to comfortably meet its minimum development given that this ranked 3rd on the list of site Assessment Framework and hence is far more suitable. Therefore 4.13 section needs altering to reflect this and Map 3 showing the settlement boundary redrawn accordingly to its previous boundary position.**  5.8 AREAS OF SEPARATION  5.9 The Roseway development will reduce the separation between Stoke Golding and Dadlington considerably; it will be further reduced if an application is forthcoming for land west of the Roseway site and abutting Hinckley Road. (Map 5 Page 26).  The separation of villages and hamlets is part of the character and diversity of communities around the country. As witnessed by London and many cities around the UK., and more local to home, towns like Nuneaton and Hinckley begin to absorb what were separate communities like Weddington and Burbage respectively, and by doing so lose that identity to the past which made them special. Stoke Golding must not be allowed to suffer the same fate.  5.23 IMPORTANT VIEWS  Map 7 Page 32 appears to miss out two important viewpoints looking south-west and east from Stoke Lane and Hinckley Road respectively. Views that will be lost forever should the Roseway development materialise.  8.11 VILLAGE CENTRE  Sadly, Stoke Golding doesn’t really have a village centre in the recognised meaning of this term – no village green, no benches, no café by the green, etc. The area identified in the NP is what might be considered the physical village centre and once had the war memorial located on what is now a busy road junction. Ironically this was moved to the cemetery many years ago to facilitate traffic movement! It would be encouraging to see in the NP a vision for creating a village centre where people can meet and pass the time of day, maybe by the purchase of adjacent land to create a sitting area beneath the beautiful established chestnut tress which are a feature of this area. It wouldn’t be an easy project and is likely to take some years to accomplish, but then anything worthwhile can be a challenge but would be a true legacy to pass on.  **THE STOKE GOLDING DEVELOPMENT GUIDE C1986 AND THE NEIGHBOURHOOD PLAN C 2021 (Submission)**  **Comparison of the current situation facing Stoke Golding and the well observed insightful Stoke Golding Development Guide of 1986.**  This concise and simply written 10 page document which follows on page 4 was produced over three decades ago but still shines a significant and relevant light on the issues facing the village today.  I include it as a supporting document to my ‘comments’ by way of supporting the Neighbourhood Plan submission of 2021. It does no harm to compare the points raised in 1986 to those facing us today and which the NP addresses with maybe the odd exception…  For easy cross-referencing to the guide, those relevant section numbers appear to the left of relevant comment:  31.1 INTRODUCTION  31.1.4 The significance and value of the geography and village setting was recognised then but is in danger of being overlooked currently.  31.1.5 ‘New development has primarily in filled the north-east quadrant of the village and its more formal suburban arrangement and uniform detail contrasts unfortunately with the older attractive core’.  This very area east of Roseway is now proposed to have another housing development, thus further exacerbating this problem of suburbanisation. Originally this development area fell outside the village settlement boundary but this boundary was redrawn following the initial outline planning permission for this Roseway development (20/00779/OUT) prior to the submitted NP (Map 3 page 22).  Given that this Neighbourhood Plan:  • outlines a minimum housing allocation of 57 dwellings for Stoke Golding  • the land east of Roseway ranks poorly (9th) on the Site Assessment Framework results (ref EV7/EV8)  • an application for 70 houses has now been submitted on Hinckley Road (21/00656/OUT), and so this should become the selected site for the village to comfortably meet its minimum development, given that this ranked 3rd on the list of site Assessment Framework and hence is far more suitable. (as per comments made back in 1986!)  • Therefore 4.13 section needs altering to reflect this and Map 3 showing the settlement boundary redrawn accordingly to exclude the Roseway development field.  31.2 PLANNING BACKGROUND  **Considering that in 2021 the village has already exceeded what was its projected housing quota, the following points from the guide become even more salient.**  31.2.1 Highlights ‘minor expansion’ for the village.  31.2.2 ‘Stoke Golding was limited to limited infilling only’  31.2.3 Since this time ‘The Goldings’, Crownhill’ Convent Drive’, Bosworth Manor’ housing estates have been built plus various infill sites!  31.2.4 Whilst Stoke Golding may in 1986 have fulfilled certain criteria concerning ‘Key Settlement’ status, it can no longer be considered applicable as services and facilities are overburdened requiring residents to go outside the village and perversely with schoolchildren travelling into the village. A situation that will only get worse if the population is allowed to grow through excessive housing development.  31.3 OBJECTIVES OF THE LOCAL PLAN FOR STOKE GOLDING  31.3.1 (ii) Roseway will significantly increase vehicle movements on the village roads. Somewhat at odds with the well thought through commentary of this paragraph in the guide.  (iii) Modern housing developments are not sympathetic to the village and such designs can be found in many parts of the UK.  31.4 THE LEVEL OF FUTURE GROWTH  31.4.2 The trend for building was just as prevalent in 1980’s, however level of refusals saved the village for future generations, sadly this doesn’t appear to be the case currently as applications appear to go through whatever the level of objections and credibility of the arguments!  31.4.3 Those views are as relevant today as then and should be heeded and reflected in plans for the village.  31.4.4} Totally relevant to today and should be revisited.  31.4.5}  31.5 POPULATION  31.5.4 Sadly, facilities have not kept pace with increasing housing development, schoolchildren’s needs, retailing demand (8 shops down to 1), employment opportunities (two hosiery firms gone). S106 agreements/planning gains appear to be used by developers as merely a ‘sop’ to garner and obtain planning approval.  31.6 THE ROLE OF THE VILLAGE AND ITS FACILITIES  31.6.1 Only sub-point (i) could be said to be applicable today, agriculture directly connected to the village has diminished with something in the region of 2% employment associated with-it.  (ii) a service centre role for the hinterland is not possible with the limited services available.  31.6.2 The situation remains the same with limited employment opportunities available.  31.6.4 Good insightful point borne out by vehicle volumes.  31.6.8 (i) Shopping facilities now one small shop and no post office.  (ii) Sadly, the reverse has happened.  (iii) Unforeseen at the time, but internet shopping has and is changing consumer habits – Covid has possibly accelerated this – leading to an influx of delivery vehicle movements and the associated pressures.  31. 6 SOCIAL FACILITIES  From cradle to grave and the bit in between are reasonably catered for, but some of the points under i, ii, iii and iv are still valid.  31.7 THE CAPACITY OF THE INFRASTRUCTURE  31.7.1 Sewage Disposal Facilities  A seemingly on-going problem which periodically creating flooding, smells, etc., It appears that a combination of a lack of system capacity and awareness of how pipes were laid and direction of fall creates these issues. Some of the pipework was never designed to take the capacity is it now required to take.  31.7.3 PEDESTRIAN AND VEHICULAR CIRCULATION  (ii) and (iii) all very salient points and will all be compromised if traffic is allowed to use the village roads mentioned to access and egress the Roseway housing development, should it go ahead.  31.7.5 SERVICING OF PREMISES  Amazon, DPD, Hermes, etc., are daily visitors to the village, their increasing use being a trend unlikely to diminish and adding a further dimension to vehicular movements and parking.  31.7.7 BUS SERVICES  Very limited service with no Sunday services. Not a situation to encourage public transport use nor of particular use to those most in need of such services, e.g., the elderly, young families, teenagers looking to travel into and out of the village like they would around a town or city, or those wishing to pursue a more environmentally form of transport on occasion..  31.8 VILLAGE CHARACTER AND LANDSCAPE  31.8 (i) and (ii), the commentary in this section perfectly describes the assets of the village. Point (ii) highlights the ‘Surbiton character’ and all that that entails.  (iii) Very topical and salient points made where the development of the land east of Roseway is concerned and where such a development will further damage the village boundaries and the separation from Dadlington for all the reasons mentioned.  (iv) absolutely correct when written and still as valid today, and the opportunity now exists with the Hinckley Road application (21/00656/OUT) to fulfil these well observed comments in this section of the guide and avoid the issues in point (ii) above.  31.8.3 FUTURE POLICIES  31.8.3 (ii) The Core Area: Of the sites described in this section, the following is the situation:  • Site 1 Built on  • Site 2 Built on  • Site 3 Built on  • Site 5 Built on  • Site 6 Built on  • Site 7 Built on  • Site 8 Built on  • Site 9 Built on  [for copy of Stoke Golding Development Guide from Hinckley Draft District Plan 1986 – see PDF Attachment] |