



Hinckley & Bosworth
Borough Council

Barlestone Neighbourhood Plan

Examiner's recommended modifications and HBBC's proposed response

(Part of the Regulation 18 Decision Statement)

29/03/2022

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

Mr Andrew Ashcroft issued his report on 31st January 2022.

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

Table 1: Examiner’s proposed modifications and HBBC’s proposed response

More detail and reasoning are given by the Examiner for his recommendations in the different sections throughout his report (January 2022). The Examiner’s format is **bold** text for policy modifications and *italics* for changes to supporting text.

In addition to the Borough Council’s conclusions and instructions the modifications text is in **bold** for policy, *italics* for supporting text and **blue text strikethrough** for additions and deletions.

Modification Ref.	Submission Plan Policy	Paragraph number of Examiner’s Report, and Examiner’s explanation/supporting text	Examiner’s recommended modification	HBBC Response and Action
	Housing Need Page 15	<p>7.129 The representation from HBBC makes a series of comments on the initial sections of the Plan. I have found these comments very helpful within the wider context of the examination. In some cases, the overall HBBC comments have helped to inform the recommended modifications to the policies as set out earlier in this report.</p> <p>7.130 Based on the HBBC comments, I recommend the following modifications to the general parts of the Plan insofar as they are necessary to ensure that they meet the basic conditions:</p>	<i>Delete the first two paragraphs of the ‘What is the Leicestershire housing need?’ section (page 15)</i>	<p>Agree with examiner’s modification.</p> <p>Change required.</p> <p>Delete first two paragraphs of the “What is the Leicestershire Housing Need” section as follows</p> <p>The Leicester and Leicestershire Local Authorities including Hinckley and Bosworth Borough Council (HBBC) and the Local Enterprise Partnership (LEP) commissioned a Housing and Economic Development Needs Assessment (HEDNA) analysis from G-L Hearn (part of the Capita group) to assess future housing needs, the scale of future economic growth and the quantity of land and floor space required across Leicestershire between 2016 and 2036. The HEDNA report provides a major element of the evidence base for the preparation of statutory local development plans for individual local authorities, a non-statutory growth plan for Leicester and Leicestershire and a refresh of the LEP’s strategic economic plan.</p> <p>The HEDNA report was published in January 2017 and revealed an increase in housing need from earlier projections and this need has since increased further by local issues including the findings of the Leicester Housing Market Assessment (2017) which identified Leicester City as being unable to accommodate its own housing need requirement based upon the HEDNA figures. In addition, a reduction in housing delivery in the city meant a corresponding increase in the required housing delivery in the surrounding areas, of which HBBC and therefore Barlestone are included. The LEP signed a ‘memorandum of understanding with the local authorities committing all the relevant local planning authorities to collectively delivering this housing need to 2036 through the local plan framework. The Local Plan end date has since been moved to 2039.</p>
	Page 16	<p>7.129 The representation from HBBC makes a series of comments on the initial sections of the Plan. I have found these comments very helpful within the wider context of the examination. In some cases, the overall HBBC comments have helped to inform the recommended modifications to the policies as set out earlier in this report.</p> <p>7.130 Based on the HBBC comments, I recommend the following modifications to the general parts of the Plan</p>	<p><i>In the ‘Delivering sustainable growth to meet housing need’ section (page 16) insert the following additional wording at the end of the first paragraph:</i></p> <p><i>‘Whilst the findings of this report do not directly contribute towards the overall assessment of housing need, they</i></p>	<p>Agree with examiner’s modification.</p> <p>Change required.</p> <p>Modify the first paragraph of the Delivering sustainable growth to meet housing need’ section (page 16) as follows:</p> <p><i>In January 2019, the Borough and Parish Council commissioned the Midlands Rural Housing Trust (MRHT) to conduct a</i></p>

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		insofar as they are necessary to ensure that they meet the basic conditions:	<i>nevertheless provide a context to the ongoing need for affordable housing to be delivered in the parish'</i>	<i>comprehensive housing need survey for the Parish. The report was published in April 2019 and allowed a recent and meaningful evidence base to be considered. The aim of the survey was to provide a projection of affordable and market housing need for both the immediate, current situation and a projection for the next five years, to inform the Parish Council's and HBBC's housing and planning strategies (full survey Appendix 2). Whilst the findings of this report do not directly contribute towards the overall assessment of housing need, they nevertheless provide a context to the ongoing need for affordable housing to be delivered in the parish.</i>
	H1 Page 16	<p>7.19 Given the uncertainty that exists on the eventual outcome Local Plan and the fluidity of the position with regard to the determination of planning applications in the parish (see paragraph 7.16 above), I am not convinced that providing clarity on potential growth by way of a specific policy is either desirable or practicable at this stage. In effect, it is a matter which will be determined by two related matters. The first is the outcome of the Local Plan examination. The second is the ongoing decisions which HBBC make on current and future planning applications in the parish. In any event, the submitted neighbourhood plan is assessed against the adopted development plan rather than the emerging Local Plan.</p> <p>7.20 In these circumstances, I recommend that the policy is deleted. I also recommend that the existing associated supporting text is modified so that it reflects the matters which I have raised in this part of the report.</p>	<p>Delete the policy</p> <p>Renumber the remainder of the Housing policies accordingly</p> <p>Replace the 'What is the Barlestone housing need' with:</p> <p><i>'Information in the emerging Local Plan (the Consultation Draft Plan June 2021) indicates that the gross housing requirement for the Borough for 2020 – 2039 is 9280 dwellings. As at April 2020, 4087 dwellings were committed</i></p> <p><i>Based on an approach which apportions the overall housing need in the Borough to Barlestone based on its share of population (2.3%), the housing requirement for Barlestone up to 2039 is 194 dwellings or 214 dwellings with a 10% uplift to provide for an appropriate degree of flexibility.</i></p> <p><i>The existing Site Allocations DPD identifies a total of 148 dwellings as commitments on two sites. The first is Garden Farm, (Barl02). Planning permission has now been granted for the development of 99 dwellings. The second is Spinney Drive, South of Brookside, (Barl27) with capacity for 49 dwellings.</i></p> <p><i>Based on the current approach in the emerging Local Plan this leaves a residual target of 46 dwellings. When outstanding permissions are taken into account (18 homes in total), the housing requirement for Barlestone is 28 homes. In the event that the 10% flexibility as proposed by the Borough Council is applied, the residual requirement would be 48 homes.</i></p> <p><i>The housing allocations identified in Policy H2 of this Plan provide for a maximum of 57 dwellings over the Plan period. This is proposed as a positive approach to the uncertainty</i></p>	<p>Agree with examiner's modification.</p> <p>Change required.</p> <p>Delete Policy H1</p> <p>POLICY H1: HOUSING PROVISION TO MEET IDENTIFIED NEED—New housing development will provide a minimum of 57 additional residential units in the Parish to be delivered by 2039.</p> <p>Replace all text of the section "What is the Barlestone housing need up to and including "...57 dwellings over the plan period" with the following:</p> <p><i>Information in the emerging Local Plan (the Consultation Draft Plan June 2021) indicates that the gross housing requirement for the Borough for 2020 – 2039 is 9280 dwellings. As at April 2020, 4087 dwellings were committed</i></p> <p><i>Based on an approach which apportions the overall housing need in the Borough to Barlestone based on its share of population (2.3%), the housing requirement for Barlestone up to 2039 is 194 dwellings or 214 dwellings with a 10% uplift to provide for an appropriate degree of flexibility.</i></p> <p><i>The existing Site Allocations DPD identifies a total of 148 dwellings as commitments on two sites. The first is Garden Farm, (Barl02). Planning permission has now been granted for the development of 99 dwellings. The second is Spinney Drive, South of Brookside, (Barl27) with capacity for 49 dwellings.</i></p> <p><i>Based on the current approach in the emerging Local Plan this leaves a residual target of 46 dwellings. When outstanding permissions are taken into account (18 homes in total), the housing requirement for Barlestone is 28 homes. In the event that the 10% flexibility as proposed by the Borough Council is applied, the residual requirement would be 48 homes.</i></p>

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			<p><i>which exists leading up the submission of the Local Plan and the eventual outcome of its examination.</i></p> <p><i>In these circumstances, the Parish Council will continue to assess the impact of the Borough Council's determination of applications for residential development in the parish and will monitor progress of the Local Plan leading up to its eventual adoption. In the event that committed sites do not come forward and/or the emerging Local Plan (once adopted) requires additional homes to be developed in the neighbourhood area the Parish Council will actively consider a review of the Plan. This matter is addressed in further detail in the Monitoring and Review section of this Plan.</i></p>	<p><i>The housing allocations identified in Policy H2 of this Plan provide for a maximum of 57 dwellings over the Plan period. This is proposed as a positive approach to the uncertainty which exists leading up the submission of the Local Plan and the eventual outcome of its examination.</i></p> <p><i>In these circumstances, the Parish Council will continue to assess the impact of the Borough Council's determination of applications for residential development in the parish and will monitor progress of the Local Plan leading up to its eventual adoption. In the event that committed sites do not come forward and/or the emerging Local Plan (once adopted) requires additional homes to be developed in the neighbourhood area the Parish Council will actively consider a review of the Plan. This matter is addressed in further detail in the Monitoring and Review section of this Plan.</i></p>
H2 Fig 2 Page 17		<p>7.33 In general terms I am satisfied that the policy's approach is clear and provides clarity for the landowners and developers concerned. HBBC suggest that the word 'around' for the various housing yields is replaced by 'approximately'. I consider that this approach will bring the clarity required by the NPPF. It will also be consistent with the approach taken in recent neighbourhood plans in the Borough.</p> <p>7.34 HBBC comments about the scale of Figure 2 in the Plan which shows the location of the three sites. Whilst the sites were readily identified for examination purposes, I agree with HBBC's comment that Figure 2 is unsatisfactory for development plan purposes. As such, I recommend that it is replaced either by a single plan which more clearly shows the three sites or is supplemented by additional maps showing the nature of the three sites concerned.</p>	<p>Throughout the policy replace 'around' with 'approximately'</p> <p><i>Either Replace Figure 2 either by a single plan which more clearly shows the three sites or supplement Figure 2 with detailed maps showing the nature of the three sites concerned.</i></p>	<p>Agree with examiner's modification.</p> <p>Change required:</p> <p>Throughout the policy replace 'around' with 'approximately'</p> <p>POLICY H2: RESIDENTIAL SITE ALLOCATIONS – the following sites are allocated for residential development (See figure 2) subject to meeting the requirements for housing mix specified in Policy H4; Affordable Housing in Policy H5 and Design in H6.</p> <ul style="list-style-type: none"> • Site 1. Land is allocated for the site to the North of Bagworth Road for around approximately forty units of residential accommodation, subject to linkages being provided between the development and existing housing to improve access to local facilities and amenities, via, where appropriate, footpaths and the creation of clear and safe entryways to the site. • Site 2. Land is allocated at the site behind 11-19 Newbold Road for around approximately six units of residential accommodation. Sustainable Drainage Systems (SuDS) should be utilised in the development proposals. • Site 3. Land is allocated for the site at Newbold Road for around approximately eleven units of residential accommodation. Sustainable Drainage Systems (SuDS) should be utilised in the development proposals. <p>Replace Figure 2 with more (a) map(s) showing the nature of the three sites in more detail.</p>

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	H3 Fig 3 Pages 18-19	<p>7.40 HBBC raise a series of detailed comments about the details of the settlement boundary as proposed in the Plan and their relationship between the settlement boundary in the SADMP. Based on its comments I recommend that the way in which the Spinney Drive site is shown in the neighbourhood plan is amended to exclude the strategic landscaping as shown in the masterplan associated with the now-expired planning permission. I am satisfied that BPC has correctly interpreted the settlement boundary in respect of land North of Little Mill Close, South of 132 Newbold Road and South of 182 Newbold Road.</p> <p>7.41 The policy itself takes an approach which supports development within the identified settlement boundary subject to a series of criteria which include respecting the character of the surrounding area and compliance with other Plan policies. The second element applies national and local countryside policies to land outside the settlement boundary. The policy meets the basic conditions.</p>	<p><i>Revise the proposed settlement boundary to exclude the strategic landscaping as shown in the masterplan associated with the development of Spinney Drive (see Appendix 1 of the HBBC representation)</i></p>	<p>Agree with the Examiner's modification.</p> <p>Change required:</p> <p>Revise the proposed settlement boundary in Figure 3 to exclude the strategic landscaping associated with the development of Spinney Drive as shown in the masterplan of HBBC's representation.</p>
	H4 Page 19	<p>7.43 In general terms, I am satisfied that the approach in the policy meets the basic conditions. In particular it will focus new development in locations which are inherently sustainable and have good access to a range of services. The policy supplements the approach in Policies H1-3 and will allow an ongoing delivery of windfall development within the built form of the settlement. Nevertheless, I recommend detailed changes to the wording and structure of the policy to bring the clarity required by the NPPF. In particular the recommended modifications identify the need for any such development to be well-designed to be identified as an additional criterion rather than within the opening part of the policy.</p> <p>7.44 I also recommend modifications to the supporting text in order to bring the clarity required by the NPPF. In doing so I have taken account of BPC's helpful response to the clarification note and of HBBC's representation to the Plan.</p>	<p>Replace 'subject to proposals being well-designed and meeting all Development Plan requirements and where such development:' with 'where they meet the following criteria:</p> <p>Replace the first bullet point with 'they assist in the delivery of identified housing needs in the parish'</p> <p>In the second bullet point replace 'Provides for' with 'they incorporate'</p> <p>In the third bullet point replace 'Retains or enhances' with 'they retain or enhance'</p> <p>In the fourth bullet point replace 'Does' with 'they do'</p> <p>Add a fifth bullet point to read: 'they are well-designed in general terms and take account of the details of Policy H7 of this Plan'</p> <p><i>In the supporting text delete the [third second]* sentence. At the end of the section of the supporting text add 'Proposals for windfall development outside the settlement boundary will be considered against Policy H3 of this Plan and other relevant development plan policies'</i></p> <p>*Andrew Ashcroft confirmed by email 3/2/22 that his report should have cited the third sentence to be deleted.</p>	<p>Agree with the examiner's modifications.</p> <p>Change Required:</p> <p>Modify Policy H4 as follows:</p> <p>POLICY H4: WINDFALL SITES - Small residential development proposals within the Settlement Boundary will be supported subject to proposals being well-designed and meeting all Development Plan requirements and where such development where they meet the following criteria:</p> <ul style="list-style-type: none"> • Supports the delivery of the identified housing need for the Parish they assist in the delivery of identified housing needs in the parish; • Provides for they incorporate a safe vehicular and pedestrian access to the site; • Retains or enhances they retain or enhance existing important natural boundaries such as trees, hedges and streams; • Does they do not reduce garden or green space to an extent where it adversely impacts on the character of the area or on the amenity of neighbours and the existing and future occupiers of the dwelling(s) • they are well-designed in general terms and take account of the details of Policy H7 of this Plan <p>Modify the supporting text as follows:</p> <p><i>A windfall site is defined in the NPPF as one which has not been specifically identified as an allocation through the Local Plan or</i></p>

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				<p><i>Neighbourhood Plan process. These sites normally comprise of previously developed land that unexpectedly becomes available. To help protect the amenity and character of the Parish beyond the three housing allocations described above, further residential development will be restricted to windfall sites wholly within the Settlement Boundary. Proposals for windfall development outside the settlement boundary will be considered against Policy H3 of this Plan and other relevant development plan policies</i></p>
	<p>H6 Pages 20-21</p>	<p>7.49 The policy has attracted representations from HBBC, Gladman Developments and Maruti Developments Limited. In an overlapping fashion, they comment that either the policy is an unnecessary repetition of existing local planning policy or incorrectly interprets the contents of that policy. Having taken account of all the relevant information, including BPC's response to the clarification note, I recommend that the overlaps between the submitted Policy and the contents of Policy H15 of the adopted Core Strategy are deleted from the policy. National policy is clear that neighbourhood plans should not repeat or restate either national or local planning policies. I also recommend consequential modifications to the supporting text. I am satisfied that the remaining elements of the policy should remain with necessary modifications which would bring the clarity required by the NPPF.</p>	<p>Replace the policy with:</p> <p>'Affordable housing should be provided and delivered on residential development sites to meet the following criteria:</p> <ul style="list-style-type: none"> • they deliver the number and type of affordable homes as set out in Policy H15 of the adopted Core Strategy; • they demonstrate how the proposal will meet the current and future housing needs of the parish as evidenced in the Parish Housing Needs Survey Report 2016 (Appendix 2) and the HBBC Housing Needs Study (2019) or any more recent document updating either of these reports; • the affordable units should be integrated within the design and layout of a development such that they are externally indistinguishable from market housing on the same site; and • wherever practicable, new affordable housing shall in the first instance be made available to eligible households with a connection to the Parish' <p><i>In the supporting text delete the paragraph which provides the definition of affordable housing within the NPPF 2019</i></p> <p><i>Replace the final two paragraphs of the supporting text with:</i></p> <p><i>'Policy H15 of the HBBC Core Strategy sets out the Borough Council's approach to this important matter. Local consultation has demonstrated support its continued application whilst the emerging Local Plan is finalised. Feedback has also commented about the need for more affordable units to be provided across a range of tenures.</i></p> <p><i>Policy H6 of this Plan also comments about the nature of the affordable housing to be delivered on development sites. Its approach has been designed to ensure that affordable housing units directly address local housing</i></p>	<p>Agree with the examiner's modifications.</p> <p>Changes Required:</p> <p>Replace Policy H6 with the following:</p> <p>POLICY H6: AFFORDABLE HOUSING PROVISION Affordable housing should be provided and delivered on residential development sites to meet the following criteria:</p> <ul style="list-style-type: none"> • they deliver the number and type of affordable homes as set out in Policy H15 of the adopted Core Strategy; • they demonstrate how the proposal will meet the current and future housing needs of the parish as evidenced in the Parish Housing Needs Survey Report 2016 (Appendix 2) and the HBBC Housing Needs Study (2019) or any more recent document updating either of these reports; • the affordable units should be integrated within the design and layout of a development such that they are externally indistinguishable from market housing on the same site; and • wherever practicable, new affordable housing shall in the first instance be made available to eligible households with a connection to the Parish'. <p>Modify the supporting text as follows:</p> <p><i>An analysis of land registry data shows some interesting features (see Appendix 1b). Over the twenty- two-year period from 1995 to 2017, the property market in Barlestone has fluctuated from a minimum number of yearly transactions of 17 to a maximum number of 79. The mean annual transactions rate is 46 dwellings. Approximately 10% of these transactions have been new build units (99 out of 1007) and about 90% have been re-sold properties (908 units). There has been a slight upward trend in sale prices over this period but over the last five years prices have increased significantly on an annual basis. In the Barlestone local area a low to mid-priced property costs on average £157,500 which is somewhat higher than the national average. Assuming a 15% deposit, prospective buyers would require a household income of £29,750 (against a £26,444 East Midlands</i></p>

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			<p><i>needs and are incorporated in an attractive way into the wider site concerned'.</i></p>	<p><i>average) and savings of £26,275. The savings figure comprises of an estimated £2,000 for legal and moving costs and £23,625 for a 15% deposit and £650 for stamp duty. Anecdotal evidence shows that very few people in the Parish have access to this level of resources and access to the owner-occupied sector is very limited. In addition, the rural housing premium, i.e. the higher price of rural compared with urban housing, for the Parish (set out in detail in Appendix 2) shows that it is approximately £55,000.</i></p> <p><i>The private rented sector provides only short term lets with limited security of tenure and is also very expensive. An analysis of rental data for January 2020 shows a range of monthly rent between £750 and £925 for a three bedroomed (unfurnished) dwelling.</i></p> <p><i>Affordable housing is defined in the NPPF (2019) as "housing for sale or rent, for those whose needs are not met by the market". The definition refers to affordable housing for rent, starter homes, discounted market sales housing and other affordable routes to home ownership, including shared ownership and equity loans.</i></p> <p><i>The HBBC Core Strategy requires 40% Affordable Housing on sites of four dwellings or more in rural areas such as Barlestone.</i></p> <p><i>Local consultation has demonstrated support for more affordable units to be provided across a range of tenures. Similarly, the local consultation activities support provision of starter homes so these will be supported to help achieve a balanced community. In line with the HEDNA report the NDP seeks a tenure split for the 40% of total site provision that is affordable housing as 80% social and affordable rented and 20% intermediate housing to be delivered.</i></p> <p><i>Policy H15 of the HBBC Core Strategy sets out the Borough Council's approach to this important matter. Local consultation has demonstrated support its continued application whilst the emerging Local Plan is finalised. Feedback has also commented about the need for more affordable units to be provided across a range of tenures.</i></p> <p><i>Policy H6 of this Plan also comments about the nature of the affordable housing to be delivered on development sites. Its approach has been designed to ensure that affordable housing units directly address local housing needs and are incorporated in an attractive way into the wider site concerned</i></p>
	<p>H7 Pages 21-22</p>	<p>7.51 The policy is underpinned by the Character Assessment (Appendix 5). It assesses 13-character areas in the neighbourhood area. It is an excellent piece of work undertaken by the local community. It is also an excellent</p>	<p>In the opening part of the policy replace 'Development proposals of' with 'Development proposals for'</p>	<p>Agree with the examiner's modifications:</p> <p>Changes Required</p> <p>Modify Policy H7 as follows:</p>

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		<p>local response to the national design agenda as captured in the NPPF.</p> <p>7.52 The policy has been carefully developed so that it would apply as appropriate to the scale, nature and location of the development concerned. In addition, whilst there is a focus on development which reflects existing character contemporary and innovative design is supported in the first criterion where it will not conflict with the wider character of the neighbourhood area. I recommend a series of detailed modifications to the wording used in the criteria to bring the clarity required by the NPPF. In some cases, the wording used does not naturally flow from the initial part of the policy itself. In certain respects, criteria e and g overlap with each other. I recommend a consolidation of the issues raised by way of modifications.</p> <p>7.53 In the absence of any specific evidence to support the car parking standards in the second criterion which are higher than those in the Leicestershire Highways Design Guide I recommend that this element of the policy is modified accordingly</p>	<p>In a) replace 'Development should fit in with' with 'Proposals should respect' and 'where possible' with 'where practicable'</p> <p>Replace b) with: 'Sufficient off-road parking should be provided at a minimum of the standards in the Leicestershire Highways Design Guide. In particular there should be adequate parking areas for residents and visitors within each development'</p> <p>In c) replace 'Does' with 'The proposal does'</p> <p>In d) replace 'Development' with 'Proposals' and 'whenever possible' with 'whenever practicable'. In the second sentence replace 'must' with 'should'. In the third sentence replace 'whenever possible' with 'whenever practicable'</p> <p>In e) delete the final sentence</p> <p>In f) replace 'Development' with 'Proposals'</p> <p>Replace g) with: 'Development should incorporate sustainable drainage systems such as use of water butts, permeable surfaces and balancing ponds to retard surges and to minimise the vulnerability to flooding and poor drainage. Development proposals should demonstrate that all surface water discharges have been addressed in a sustainable way so that discharge to the public sewerage systems is avoided. 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'</p> <p>Replace h) with: 'The lighting design, location, type, lux levels of development proposals should take account of best practice including advice from the Institute of Lighting Professionals'</p> <p>Replace i) with: 'Development proposals should make appropriate provision for the storage of waste and recycling'</p>	<p>POLICY H7: – DESIGN STANDARDS - Development proposals of one or more properties, replacement dwellings and extensions will be supported where they meet the following building design principles to a degree that is proportionate to the scale of the development:</p> <p>a) Development should fit in with Proposals should respect the character and historic context of nearby existing development within the village. Proposals should demonstrate how they meet the design features as described in the Character Assessment (Appendix 5) and incorporate local materials where possible practicable. Contemporary and innovative materials and design will be supported where positive improvement can be demonstrated without detracting from the historic context. Care should be taken to ensure that the development does not disrupt the visual impact of the street scene or adversely affect any wider landscape views;</p> <p>b) Owing to the poor public transport and existing parking and congestion problems, sufficient off-road parking should be provided at a minimum of two car parking spaces per two bedroomed house, three parking spaces per three bedroomed house, four parking spaces per four bedroomed house and above. There should be adequate parking areas for residents and visitors within each development; Sufficient off-road parking should be provided at a minimum of the standards in the Leicestershire Highways Design Guide. In particular there should be adequate parking areas for residents and visitors within each development</p> <p>c) Does The proposal does not result in an unacceptable loss of amenity for neighbouring occupiers by reason of loss of privacy, loss of daylight, visual intrusion or noise;</p> <p>d) Development Proposals should be enhanced by landscaping with existing trees, protecting existing trees and hedges whenever possible practicable to promote biodiversity. Where watercourses (either man-made or natural), dry ditches, or other water drainage exists, these must should be retained. Wherever possible practicable, plots should be enclosed by native hedging, wooden fencing or walls in keeping with the local style;</p> <p>e) Development should incorporate sustainable design and construction techniques, to a minimum of the standards contained within the relevant Building Regulations in force at the time of development and proportionate to the scale of the development, 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; All applications for new development shall demonstrate that all surface water discharges have been carried out in accordance with the principles laid out</p>

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				<p>within the drainage hierarchy, in such that a discharge to the public sewerage systems are avoided, where possible;</p> <p>f) Development Proposals should provide species friendly features, such as holes in fencing for hedgehog movements and bat boxes as required with roof and wall construction following technical best-practice recommendations for integral bird nest boxes and bat breeding and roosting sites;</p> <p>g) Development should incorporate sustainable drainage systems such as use of water butts, permeable surfaces and balancing ponds to retard surges and to minimise the vulnerability to flooding and poor drainage. 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. 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; Development should incorporate sustainable drainage systems such as use of water butts, permeable surfaces and balancing ponds to retard surges and to minimise the vulnerability to flooding and poor drainage. Development proposals should demonstrate that all surface water discharges have been addressed in a sustainable way so that discharge to the public sewerage systems is avoided. 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;</p> <p>h) Lighting design, location, type, lux levels and times of use should follow current best practice, e.g. by applying the guidelines in Guidance note 08/18 Bats and artificial lighting in the UK: Bat Conservation Trust / Institution of Lighting Professionals, 2018, as well as regulations; The lighting design, location, type, lux levels of development proposals should take account of best practice including advice from the Institute of Lighting Professionals and</p> <p>i) Appropriate provisions for the storage of waste and recycling should be made Development proposals should</p>

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				make appropriate provision for the storage of waste and recycling.
	ENV1 Pages 26-27	<p>7.56 I looked carefully at the proposed LGSs during my visit. I saw their different uses. They range from the peaceful churchyard to the more open playing fields. Information provided by BPC in its response to the clarification note confirmed that the four sites are local in character and not extensive tracts of land. I am satisfied that it meets the three criteria in paragraph 102 of the NPPF.</p> <p>7.57 In addition, I am satisfied that the proposed designations would accord with the more general elements of paragraph 101 of the NPPF. Firstly, I am satisfied that the designations are consistent with the local planning of sustainable development. They do not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. Indeed, they are established and well-used elements of the local environment and has existed in its current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed LGSs would not endure beyond the end of the Plan period.</p> <p>7.58 As submitted, the policy identifies the policy implications of the designation. The policy implications have a rather complicated format and go beyond the rather matter of fact approach on this matter in the NPPF. I recommend modification both to the policy and to the supporting text to remedy this matter. The recommended modifications take account of recent court cases (see paragraph 3.1 of this report) which addressed the way in which LGS should be designated.</p>	<p>Replace the policy with: 'The Plan designates the following as Local Green Space (and as shown on Figure 6): [List the four sites]</p> <p>Development proposals within designated local green spaces will only be supported in very special circumstances'</p> <p><i>At the end of the supporting text add:</i> <i>'Policy ENV1 designates the four spaces as a local green space. In doing so it follows the matter-of-fact approach in the NPPF. In the event that development proposals come forward on local green spaces within the Plan period, they can be assessed on a case-by-case basis by the Borough Council. In particular it will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the 'very special circumstances' required by the policy.</i></p>	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Replace Policy ENV1 with the following:</p> <p>The Plan designates the following as Local Green Space (and as shown on Figure 6):</p> <ul style="list-style-type: none"> • St Giles churchyard (inventory reference 1013) • The Boardwalk (inventory reference 1015) • Bosworth Road Playing Fields (inventory reference 1001) • Old Pasture (inventory reference 2001) <p>Development proposals within designated local green spaces will only be supported in very special circumstances.</p> <p>At the end of the supporting text add the following:</p> <p><i>Policy ENV1 designates the four spaces as a local green space. In doing so it follows the matter-of-fact approach in the NPPF. In the event that development proposals come forward on local green spaces within the Plan period, they can be assessed on a case-by-case basis by the Borough Council. In particular it will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the 'very special circumstances' required by the policy.</i></p>
	ENV2 Page 28	<p>7.60 The policy takes a balanced and well-researched approach to this important matter. The various sites have been assessed as part of the wider work undertaken in Appendix 6.</p> <p>7.61 I recommend two detailed modifications to the wording of the policy. The first substitutes 'historical environment features' with 'non-designated heritage assets'. This will better reflect the wording used in the NPPF. The second is to ensure that the balancing act in the policy more fully takes account of the contents of paragraph 203 of the NPPF. This is particularly important as both the policy itself and figure 7.1 addresses sites with differing status.</p>	<p>Replace 'The sites listed.... archaeology)' with 'The sites listed and mapped (figure 7.1) are non-designated local heritage assets and have been identified as being of significance for their historical environmental features (built heritage or archaeology) ...'</p> <p>At the end of the policy add: 'having regard to the scale of any harm or loss and the significance of the heritage asset'.</p>	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Modify Policy EN2 as follows:</p> <p>POLICY ENV 2: PROTECTION OF SITES OF HISTORICAL ENVIRONMENTAL SIGNIFICANCE – The sites listed and mapped (figure 7.1) have been identified as being of significance for their historical environment features (built heritage or archaeology). The sites listed and mapped (figure 7.1) are non-designated local heritage assets and have been identified as being of significance for their historical environmental features (built heritage or archaeology). They are important in their own right and are locally valued. The historical and cultural significance of the sites and the features present on them should be balanced</p>

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				against the local benefit of any development that would affect or damage them having regard to the scale of any harm or loss and the significance of the heritage asset.
	ENV3 Fig 7.2 Pages 28-29	<p>7.64 The policy has regard to the approach taken in the NPPF (Sections 15 and 16). In particular it is non-prescriptive to the extent that it requires that development proposals should demonstrate that the development's local value outweighs the environmental significance of the site or feature.</p> <p>7.65 In general terms I am satisfied that the policy meets the basic conditions. It seeks to take an approach which reflects the relationship between the importance of the site concerned and the development proposed. This is particularly important given that Figure 7.2 identifies sites with differing levels of significance. However, in this wider context, I recommend that the policy is consolidated to relate its coverage to the sites included in Figure 7.2. Finally, I recommend that the basis of the replaced policy element is incorporated within the existing supporting text. I also recommend that the existing supporting text is updated to take account of the replacement of the NPPF 2019 with the NPPF 2021.</p> <p>7.66 Gladman Developments Limited raises a technical query with regard to the small area edged in yellow on Figure 7.2 to the immediate west of Bosworth Road (and the identified site 2002). As there is no information in the details in Appendix 6, I recommend that the yellow strip is deleted from Figure 7.2.</p> <p>7.67 Land Allocation raises a separate issue with regards to parcels of land 4004 and part of 4005 on Figure 7.2. In relation to 4004 the representation comments that the presence of a pond and other associated wildlife does not justify identifying the site as a site of biodiversity significance. In relation to 4005 it comments that the importance of the identified hedgerow has been identified in the current planning application for the development of land off Bagworth Road (21/00460/OUT). On the balance of the information and evidence available to me, I recommend that 4005 is retained in the Plan and that 4004 is deleted.</p> <p>7.68 Appendix 6 underpins this and other environmental policies. It is both comprehensive and detailed in the way in which it addresses and scores the various site. However, it is presented in scoring order rather than in site numbering order. This makes an understanding of its contents very difficult. I recommend that it is rearranged so that the various sites appear in numerical order.</p>	<p>Replace the policy with:</p> <p>The Plan identifies a series of sites (as shown on Figures 7.1 and 7.2) as having significance for their natural environment features (habitats and species).</p> <p>Development proposals affecting the identified sites should safeguard and where practicable enhance their environmental features. To be supported development which would affect the identified sites should demonstrate that the development's value outweighs the natural environment significance of the site or features.</p> <p><i>In the second paragraph of supporting text update the references and paragraph numbers to take account of the 2021 version of the NPPF.</i></p> <p><i>At the end of the supporting text add:</i></p> <p><i>'Policy ENV2* seeks to safeguard these important features of the neighbourhood area. It balances the significance of the sites with the importance of the development proposed to the local community. The sites have been identified as being of local significance for their environmental features (natural and/or historic). They are ecologically important in their own right, their historical features are extant and have visible expression, or there is proven buried archaeology on the site, and they are locally valued'</i></p> <p><i>Delete site 4004 from Figure 7.2 as a site of biodiversity significance</i></p> <p><i>Delete the yellow strip to the immediate west of Bagworth** Road (and to the west of site 2002) from Figure 7.2 as a Local Wildlife Site</i></p> <p><i>Reorder Appendix 6 so that the sites appear in numerical order</i></p> <p>[* The Examiner subsequently confirmed by email that this paragraph should refer to Policy ENV3 not ENV2 and ** the reference to Bagworth Road should read Bosworth Road]</p>	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Replace Policy ENV1 with the following:</p> <p>The Plan identifies a series of sites (as shown on Figures 7.1 and 7.2) as having significance for their natural environment features (habitats and species).</p> <p>Development proposals affecting the identified sites should safeguard and where practicable enhance their environmental features. To be supported development which would affect the identified sites should demonstrate that the development's value outweighs the natural environment significance of the site or features.</p> <p>Modify the supporting text as follows:</p> <p><i>Policy ENV2 applies the basic principles of sustainable development (NPPF 2019-2021, page 5 and paragraph 11) to require planning decisions in the Plan Area to balance the environmental significance of features that would be destroyed or adversely affected against any local economic or societal value of a development proposal. It is also in conformity with the letter and spirit of NPPF paragraphs 170 174, 171 175, 174 179 and 175 180. The need to protect habitats and species throughout England is now widely acknowledged but will only be achieved if Planning decisions at the local level apply these NPPF Policies (and associated Guidelines) rigorously.</i></p> <p><i>Policy ENV2 seeks to safeguard these important features of the neighbourhood area. It balances the significance of the sites with the importance of the development proposed to the local community. The sites have been identified as being of local significance for their environmental features (natural and/or historic). They are ecologically important in their own right, their historical features are extant and have visible expression, or there is proven buried archaeology on the site, and they are locally valued</i></p> <p>Revise Figure 7.2 by Deleting site 4004 as a site of biodiversity significance Deleting the yellow strip to the immediate west of Bosworth Road (and to the west of site 2002) as a Local Wildlife Site</p> <p>Make available Appendix 6 in numerical and score order. Set out the scoring criteria too.</p>

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	ENV4 Fig 8 Pages 30-31	<p>7.69 This policy identifies a series of open spaces with a sport and/or recreation function, amenity value, or significance for the contribution they make to the setting and character of the parish. They are shown on Figure 8. It then comments that development proposals that result in their loss, or have a significant adverse effect on their character or use, will not be supported unless the open space is replaced by equivalent or better provision in an equally suitable location, or unless it can be demonstrated that the open space's amenities are no longer required by the community.</p> <p>7.70 The policy recognises the importance of the various open spaces to the character of the neighbourhood area. I recommend that the schedule excludes any open spaces which have been designated as LGSs in Policy ENV1. Those sites already would benefit from the specific protection which arises from such designation.</p> <p>7.71 I recommend detailed modifications to the wording used so that they have the clarity required by the NPPF. Otherwise, the policy meets the basic conditions. It will do much to ensure that open spaces are safeguarded.</p>	<p>Replace the opening sentence of the first part of the policy with:</p> <p>'The Plan identifies the following sites (and as shown on Figure 8) as open spaces with a sport and/or recreation function, amenity value, or significance for the contribution they make to the neighbourhood area's setting and character. [Thereafter list the sites]</p> <p>Delete the first two sites in the schedule.</p>	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Modify Policy ENV4 as follows:</p> <p>POLICY ENV 4: IMPORTANT OPEN SPACES – The following open spaces in Barlestone (figure 8) are of high value for recreation, beauty, amenity, tranquillity or as green spaces within or close to the built-up area. The Plan identifies the following sites (and as shown on Figure 8) as open spaces with a sport and/or recreation function, amenity value, or significance for the contribution they make to the neighbourhood area's setting and character.</p> <ul style="list-style-type: none"> • St Giles Churchyard (also Local Green Space); inventory reference 1013; owned by Diocese of Leicester, maintained by Barlestone PC; H&BBC churchyards & cemeteries BARL12 • Bosworth Road Playing Fields (also Local Green Space); inventory reference 1001; owned by Barlestone PC; H&BBC formal park, provision for children and teenagers; outdoor sports facilities BARL10 • The Bullpiece; inventory reference 1006; Glebe Land owned by St Giles church rented by Barlestone PC; designated in this plan as natural and semi-natural green space • May Meadow; inventory reference 1014; owned by Barlestone PC; H&BBC amenity greenspace and outdoor sports facility BARL16 • The Roundhouse Spinney and Mine Wheel; inventory reference 1011; part owned by Barlestone PC (spinney), part owned by Leicestershire CC Highways (wheel area), maintained by Barlestone PC; H&BBC amenity greenspace BARL11 • Barlestone Cemetery; inventory reference 1010; owned by Barlestone PC; H&BBC churchyards & cemeteries BARL06 • Barlestone allotments; inventory reference 1016; owned by H&BBC, maintained by Barlestone PC; H&BBC allotments BARL15 • St Giles Sports & Social Club Grounds; inventory reference 1009; owned by club members; H&BBC outdoor sports facilities BARL05; also (this plan) provision for children and teenagers • Avondale Road/Kirkman Close amenity greenspace; inventory reference 1002; owned and maintained by

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				<p>Leicestershire CC Highways; H&BBC <i>amenity greenspace</i> BARL09</p> <ul style="list-style-type: none"> • The Glebe amenity greenspace and play area; inventory reference 1003; land owned by Jelson; play equipment owned by Barlestone PC; maintained by Barlestone PC; H&BBC <i>amenity greenspace, facilities for children and teenagers</i> BARL08 • Cunnery Close amenity greenspace; inventory reference 1005; owned by Jelson, maintained by Barlestone PC; H&BBC <i>amenity greenspace</i> BARL04 • Meadow Road amenity greenspace; inventory reference 1000; owned by Wimpey, maintained by Barlestone PC; H&BBC <i>amenity greenspace</i> BARL13 • Barlestone Primary School Grounds; inventory reference 1008; jointly owned by LCC and the Diocese of Leicester, maintained by LCC; H&BBC <i>outdoor sports facilities</i> BARL07 • The Brook and Barle Stone; inventory reference 1017; owned by Leicestershire CC Highways; H&BBC <i>amenity greenspace</i> BARL14 • Field 1034 (The Fishing Lakes); privately owned. <p>Development proposals that result in their loss, or have a significant adverse effect on them, will not be supported unless the open space is replaced by equivalent or better provision in an equally suitable location, or unless it can be demonstrated that the open space is no longer required by the community.</p>
ENV5	Fig 9 Pages 32-33	<p>7.73 The policy is commendably evidence-based. Appendix 10 provides details about the proposed non-designated assets. They are also shown on Figure 9 of the Plan. In addition, the approach in the policy has regard to the approach on non-designated assets in the NPPF (paragraph 203).</p> <p>7.74 I recommend a series of recommended modifications. The first identifies the various buildings as non-designated heritage assets. This will better reflect the wording used in the NPPF. The second is that the policy draws attention to Figure 9 to provide clarity on the location of the identified buildings. Otherwise, the policy meets the basic conditions.</p>	<p>Replace the policy with:</p> <p>'The Plan identifies the following non-designated heritage assets (and as shown on Figure 9).</p> <p>Development proposals that affect the identified buildings or their settings, should conserve the significant features which make them important. In weighing planning applications that affect directly or indirectly a non-designated heritage asset a balanced judgment will be required having regard to the scale of any harm or loss and the significance of the building or structure'</p>	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Replace Policy ENV5 with the following:</p> <p>The Plan identifies the following non-designated heritage assets (and as shown on Figure 9). Development proposals that affect the identified buildings or their settings, should conserve the significant features which make them important. In weighing planning applications that affect directly or indirectly a non-designated heritage asset a balanced judgment will be required having regard to the scale of any harm or loss and the significance of the building or structure</p>
ENV6	Fig 10.1 Fig 10.2 Pages 33-35	<p>7.76 I am satisfied that the policy is evidence-based. The supporting text makes reference to work undertaken by English Heritage in the 1990s. Figure 10.1 also shows the findings of the 'Turning the Plough' survey</p> <p>7.77 I recommended modifications to the detailed wording of the policy to ensure that it has full regard to the balancing</p>	<p>In the first sentence of the policy replace 'are recorded here as' with 'are identified as'</p> <p>Replace the second sentence of the policy with: 'In assessing development proposals which would involve any loss or damage to an identified area of ridge and furrow earthwork on Figure 10.2 the benefits of the development will be balanced against the</p>	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Modify Policy ENV6 as follows:</p> <p>POLICY ENV 6: RIDGE AND FURROW - The areas of ridge and furrow earthworks mapped in figure 10.2 are recorded</p>

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		act in the NPPF and to bring clarity to its intentions. Otherwise, it meets the basic conditions.	significance of the feature concerned as a heritage asset'	here as are identified as non-designated heritage assets. Any loss or damage arising from a development proposal (or a change of land use requiring planning permission) is to be avoided; the benefits of such development must be balanced against the significance of the ridge and furrow features as heritage assets. In assessing development proposals which would involve any loss or damage to an identified area of ridge and furrow earthwork on Figure 10.2 the benefits of the development will be balanced against the significance of the feature concerned as a heritage asset.
ENV7 Fig 11 Pages 35-36	7.79 The policy takes an appropriate approach to this matter. As the Plan comments the parish enjoys a higher degree of tree cover than the remainder of the county. I recommend two detailed modifications to the wording of the policy to ensure that they have the clarity required by the NPPF. They do not affect its overall direction and approach.	<p>Replace the first sentence of the policy with: 'The Plan identifies notable trees, woodland and hedgerows (as shown in figure 11) as having high arboricultural, historical, ecological and/or landscape value'</p> <p>Replace the final sentence of the policy with: 'Where the loss of any features identified in figure 11 is unavoidable the principles of mitigation and biodiversity net gain should be applied in accordance with paragraph 32 of the NPPF'</p>	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Modify Policy ENV7 as follows:</p> <p>POLICY ENV 7: NOTABLE TREES, WOODLAND AND HEDGES – The notable trees, woodland and hedgerows mapped here (figure 11) have been identified (in addition to the four Tree Preservation Order subjects in the Plan area) as having high arboricultural, historical, ecological and/or landscape value (details in Appendix 11). The Plan identifies notable trees, woodland and hedgerows (as shown in figure 11) as having high arboricultural, historical, ecological and/or landscape value. Any proposals for new development should seek to incorporate existing trees and hedgerows. Any proposals which result in the loss of trees and hedgerow should be accompanied by an Arboricultural Survey to assess the quality of the tree and or hedgerow. Where removal is required replacement planting will be required elsewhere on the site. The principles of mitigation and biodiversity net gain should be applied where loss is unavoidable, in line with NPPF para 32. Where the loss of any features identified in figure 11 is unavoidable the principles of mitigation and biodiversity net gain should be applied in accordance with paragraph 32 of the NPPF</p>	
ENV8 Fig 12 Pages 36-38	<p>7.81 I recommend detailed modifications to the wording used in the policy. This will bring the clarity required by the NPPF. I also recommend that the descriptive element of the Bagworth to Market Bosworth Corridor in the policy is deleted and repositioned into the supporting text. This reflects its descriptive rather than policy-based nature.</p> <p>7.82 Gladman Developments raises a technical query about a parcel of land to the west of Bosworth Road. I have already addressed this matter in my assessment of the representation in Policy ENV3.</p>	<p>In the first sentence replace 'will be expected to' with 'should' and 'where possible' with 'where practicable'</p> <p>In the second sentence replace 'where possible' with 'where practicable'</p> <p>In the second sentence delete 'which is the green infrastructure corridor that spans Barlestone NP area'</p> <p><i>At the end of the supporting text under the Wildlife Corridor heading add: 'Policy ENV8 comments about the Bagworth to Market Bosworth Corridor which is the green infrastructure corridor that spans the parish'</i></p>	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Modify Policy ENV8 as follows:</p> <p>POLICY ENV 8: BIODIVERSITY AND HABITAT CONNECTIVITY - Development proposals will be expected to should safeguard all significant habitats and species, especially those protected by relevant English and European legislation, and, where possible-practicable, to create new habitats for wildlife. Development proposals should not damage or adversely affect, and where possible should seek to positively improve the habitat connectivity</p>	

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				<p>provided by the wildlife corridors identified on the map (figure 12) including the Bagworth to Market Bosworth Multifunctional Corridor which is the green infrastructure corridor that spans Barlestone NP area.</p> <p>Modify the supporting text as follows:</p> <p><i>While Policy ENV 3 deals with the protection of identified parcels of land of high biodiversity value, this policy (ENV 8) covers the general principal of biodiversity protection through the Planning system. It also identifies two wildlife corridors (figure 12), incorporating some of the best biodiversity sites in the parish and passing close to or through the village. These wildlife corridors will provide habitat connectivity to enable wildlife populations to move between the otherwise isolated surviving places for living, breeding, foraging and feeding, and (because of their proximity to the village) give opportunities for local people to enjoy the benefits of appreciation of the natural world. Policy ENV8 comments about the Bagworth to Market Bosworth Corridor which is the green infrastructure corridor that spans the parish.</i></p>
	<p>ENV9</p> <p>Pages 38-39</p>	<p>7.85 The policy takes a balanced and evidence-based approach to this matter. I recommend a detailed modification to the wording of the policy. This will ensure that it has the clarity required by the NPPF and provides an appropriate context for the criteria. Otherwise, it meets the basic conditions.</p>	<p>Replace the opening part of the policy with:</p> <p>'Development proposals should use independent research to determine the presence or absence of bats, bat roosts and commuting and foraging habitat in, and adjacent to, the site concerned.</p> <p>Based on the findings of the research, development proposals should:'</p>	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Modify Policy ENV9 as follows:</p> <p>POLICY ENV 9: BAT CONSERVATION – To ensure compliance with current legislation and best practice, development proposals should use independent research to determine the presence or absence of bats, roosts, commuting and foraging habitat in, and adjacent to, the development site. Based on the results, the development should: Development proposals should use independent research to determine the presence or absence of bats, bat roosts and commuting and foraging habitat in, and adjacent to, the site concerned. Based on the findings of the research, development proposals should:</p> <ul style="list-style-type: none"> • in known bat habitat areas, not incorporate exterior artificial lighting (on buildings or open areas) unless demonstrably essential; • in known or potential bat habitat areas, not remove trees unless demonstrably essential; • in all sensitive areas, apply mitigation methods in the design and location of artificial lighting using current best practice in respect of dark buffers, illuminance levels, zonation, luminaire specifications, curfew times, site configuration and screening;

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				<ul style="list-style-type: none"> in all locations, incorporate integral or external bat boxes in line with current best practice of boxes to number of buildings or site size.
	ENV10 Fig 13 Pages 39-40	<p>7.87 In general the policy provides a very positive approach to this important matter. As the supporting text comments 'a good network of footpaths and bridleways survives in the Plan Area. To some extent they are a characteristic historic feature, as well as being a well-used community asset that helps improve physical and mental wellbeing for local residents (and visitors)'.</p> <p>7.88 The policy has its own integrity and value. Elsewhere in this report, I have recommended the deletion of Policy TR3 which addresses very similar matters.</p> <p>7.89 The policy takes a positive and effective approach to this important matter. I recommend three detailed modifications to the wording used so that it has the clarity required by the NPPF. In addition, I recommend the insertion of an additional sentence at the beginning of the policy. It sets out a positive approach towards how development proposals should approach and address rights of way. Finally, I recommend that the wording of the second part of the policy is expanded to incorporate the added value of the contents of Policy TR3. It will complement the initial sentence in the submitted Plan. Otherwise, this policy meets the basic conditions and will contribute towards the delivery of the social dimension of sustainable development.</p>	<p>At the beginning of the policy add: 'Development proposals should take account of existing rights of way and be designed to respect their importance to the local community'</p> <p>In the first sentence replace 'significant adverse' with 'unacceptable'</p> <p>In the second sentence replace 'The creation.... existing footpaths' with 'The creation of new footpaths, or the enhancement, upgrading or extension of existing footpaths'</p> <p>In the second sentence replace 'is supported' with 'will be supported'</p>	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Modify Policy ENV10 as follows:</p> <p>POLICY ENV 10: RIGHTS OF WAY - Development proposals should take account of existing rights of way and be designed to respect their importance to the local community. Development proposals that result in the loss of, or have a significant adverse unacceptable effect on, the existing network of public rights of way (figure 13) will not be supported without appropriate mitigation.</p> <p>The creation of new footpaths, or the enhancement of existing footpaths The creation of new footpaths, or the enhancement, upgrading or extension of existing footpaths, to encourage walking from the new developments to the village amenities for leisure and wellbeing, is will be supported.</p>
	ENV11 Fig 14.1 Fig 14.2 Pages 40-42	<p>7.91 The policy carefully addresses a series of issues including climate change, sustainable drainage systems and the need to avoid the risks of development work causing flooding downstream (and beyond any planning application site). It takes an approach designed to be both relevant to an application site and proportionate to the development proposed. Whilst this is a practical way forward, I recommend modifications to the opening part of the policy so that it more closely reflects its ambitions and has the clarity required by the NPPF.</p>	<p>Replace the opening part of the policy with: 'As appropriate to their scale, nature and location development proposals should demonstrate that:'</p>	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Modify Policy ENV11 as follows:</p> <p>POLICY ENV 11: FLOOD RISK - Development proposals of appropriate scale and, where relevant, will be required to demonstrate that: As appropriate to their scale, nature and location development proposals should demonstrate that:</p> <p>a) The proposal demonstrates resilience to future climate-change-driven flood risk during the lifetime of this Plan and beyond;</p> <p>b) The location takes geology, flood risk from rivers, other watercourses and surface water into account;</p> <p>c) a hydrological study, whose findings must be complied with in respect of design, groundworks and construction, is carried out;</p> <p>d) The design includes, as appropriate, Sustainable Drainage Systems, other surface water management measures and permeable surfaces; the appropriate discharge of surface water is key to mitigating the risk of flooding as a result of development and the impacts of climate change.</p>

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				<p>e) The development does not increase the risk of flooding downstream.</p> <p>f) The development is not in an area of land likely to be required for future flood resilience, whether by 'rewilding' or infrastructural works.</p> <p>Proposals for flood risk resilience and mitigation infrastructural works, including landscaping for attenuation in the floodplain, roadside culverts, etc. and for natural mitigation measures (watercourse 'rewilding', tree planting, etc.) will be supported.</p>
	<p>ENV12</p> <p>Fig 15</p> <p>Pages 42-43</p>	<p>7.93 In general terms, I am satisfied that the views are appropriate and distinctive to the parish. They are based on public viewpoints. They help to provide a context to the village and its attractive rural setting. As the supporting text comments, the selection of the various views has been underpinned by the work undertaken on updating the Environmental Inventory.</p> <p>7.94 The policy identifies the important views and applies a policy format to safeguard the various views. However as submitted the approach is unclear. I recommend that the policy is recast so that it has the necessary clarity for a development plan policy. I also recommend consequential modifications to the supporting text.</p>	<p>Replace the policy with:</p> <p>'The Plan identifies the following important views (as shown on Figure 15).</p> <p>[List the views at this point]</p> <p>Development proposals which would affect the identified views should be designed to ensure that their layout, scale and mass respect the significance and character of the views concerned. Where necessary, development proposals should include measures to mitigate the effects of the development on the important view concerned'</p> <p><i>At the end of the relevant supporting text add: 'Policy ENV12 provides a context to ensure that new developments respect the identified views. Where necessary, development proposals should include appropriate mitigation measures. Plainly they will vary on a case-by-case basis. However, they could include reduced or varied heights of buildings, the provision of gaps through development by sensitive layout planning, landscaping or tree-planting to soften the impact of built structures in a rural landscape'</i></p>	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Add at the end of supporting text:</p> <p><i>"Policy ENV12 provides a context to ensure that new developments respect the identified views. Where necessary, development proposals should include appropriate mitigation measures. Plainly they will vary on a case-by-case basis. However, they could include reduced or varied heights of buildings, the provision of gaps through development by sensitive layout planning, landscaping or tree-planting to soften the impact of built structures in a rural landscape."</i></p> <p>Replace Policy ENV12 with the following:</p> <p>The Plan identifies the following important views (as shown on Figure 15).</p> <ol style="list-style-type: none"> 1. Village centre panorama 2a. Panoramic views of the allotments up the valley over the Boardwalk (LGS) and fishing lake 2b. Panoramic views around the lakes east of Garden Farm. 3. North over open fields to Hill Farm and toward Bardon Hill and Charnwood Forest 4a, 4b. Northwest from the edge of the village over open countryside, across the valley and toward the Nailstone ridge on the horizon 5a, 5b. South from the edge of the village to Hut Spinney <p>Development proposals which would affect the identified views should be designed to ensure that their layout, scale and mass respect the significance and character of the views concerned. Where necessary, development proposals should include measures to mitigate the effects of the development on the important view concerned</p>

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	CFA1 Pages 43-47	7.97 I recommend a detailed modification to ensure that the policy has the clarity required by the NPPF and more explicitly relates to the development management process. Otherwise, it meets the basic conditions. It will do much to ensure that the Plan contributes towards the delivery of the social dimension of sustainable development.	Replace 'Development leading to' with 'Development proposals which would result in'	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Modify Policy CFA1 as follows:</p> <p>POLICY CFA1: THE RETENTION OF COMMUNITY FACILITIES AND AMENITIES - Development leading to Development proposals which would result in the loss of existing community facilities, including the sports club and recreation ground, the village park and community centre, the existing pubs, the churches, the co-op and post office, the primary school and the pre-school playgroup, will not be supported unless it can be demonstrated that:</p> <p>There is no longer any need or demand for the existing community facility; or</p> <p>The existing community facility is, demonstrably, no longer economically viable or able to be supported by the community – such viability and support includes fundraising and volunteering by parishioners and others; or</p> <p>The proposal makes alternative provision for the community facility to an equally or more appropriate and accessible location within the Parish which complies with the other general policies of the Neighbourhood Plan.</p>
	CFA2 Page 47	<p>7.99 In general terms the policy meets the basic conditions. As with Policy CFA1 will contribute significantly to the delivery of the social dimension of sustainable development in the neighbourhood area.</p> <p>7.100 I recommend detailed modifications to some of the criteria to bring the clarity required by the NPPF. I also recommend that the second and third bullet points are refined and extended. This will provide a greater degree of granularity to their details. It will also ensure that their approach becomes positive rather than negative. Nevertheless, its overall effect is unchanged. Otherwise, it meets the basic conditions.</p>	<p>In a) replace 'stated' with 'set out' and add 'of this Plan' after 'Policy H5'</p> <p>Replace the second and third bullet points with:</p> <ul style="list-style-type: none"> • Can be satisfactorily incorporated in the local highway network; • Can be satisfactorily accommodated with any residential properties in the immediate locality; • Will provide appropriate levels of parking; 	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Modify Policy CFA2 as follows:</p> <p>POLICY CFA2: NEW AND IMPROVED COMMUNITY FACILITIES - Proposals that improve the quality and/or range of community facilities, will be supported provided that the development:</p> <ul style="list-style-type: none"> • Meets the design criteria stated set out in Policy H5 H6 of this Plan; • Will not result in unacceptable traffic movements or other loss of amenity to residential properties; • Will not generate a need for parking that cannot be adequately catered for; • Can be satisfactorily incorporated in the local highway network; • Can be satisfactorily accommodated with any residential properties in the immediate locality; • Will provide appropriate levels of parking; • Is of a scale appropriate to the needs of the locality and conveniently accessible for residents of the village wishing to walk or cycle; and

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				<ul style="list-style-type: none"> • Takes into full account the needs of people with disabilities. <p>[nb Policy H5 was an original error. It should have referred to the design policy H7, but this becomes Policy H6 in the consequential renumbering following deletion of Policy H1]</p>
	CFA3 Pages 47-48	<p>7.101 This policy offers support for extensions to the GP surgery. The policy is based on the expected increased need for medical services as the population of the neighbourhood area increases as a result of the development of new houses. Its ambition is wholly appropriate and will do much to contribute to the social dimension of sustainable development.</p> <p>7.102 I recommend that the explanatory supporting text in the initial part of the policy is deleted. It is already addressed in the excellent supporting text. I recommend that the remainder of the policy is recast so that it makes the distinction between the potential for an extension to the existing surgery and for a potential new facility. As submitted the criteria in the policy read as applying principally to the latter.</p>	<p>Replace the policy with:</p> <p>'Development proposals for the extension and/or adaptation of the existing surgery will be supported.</p> <p>Development proposals for the provision of a new surgery will be supported subject to the following criteria:</p> <ul style="list-style-type: none"> • it can be safely and conveniently accessed by pedestrians and cyclists; • it provides for appropriate levels of car parking; • it has an appropriate vehicular access and can be safely accommodated in the local highway network; and • it would not result in an unacceptable loss of open space and amenity to local residents or other adjacent uses.' 	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Replace Policy CFA3 with the following:</p> <p>Development proposals for the extension and/or adaptation of the existing surgery will be supported.</p> <p>Development proposals for the provision of a new surgery will be supported subject to the following criteria:</p> <ul style="list-style-type: none"> • it can be safely and conveniently accessed by pedestrians and cyclists; • it provides for appropriate levels of car parking; • it has an appropriate vehicular access and can be safely accommodated in the local highway network; and • it would not result in an unacceptable loss of open space and amenity to local residents or other adjacent uses.
	CFA4 Page 48	<p>7.103 This policy offers support to enhance the size and/or the range of facilities at the School and at the pre-school facilities in the village. It is criteria-based policy.</p> <p>7.104 I recommend similar modifications to the criteria as I have done for Policy CFA3. In this case I recommend the deletion of the reference to their accessible locations as the policy refers only to the extensions/adaptations of the facilities rather than to a potential relocation.</p>	<p>Replace the policy with:</p> <p>'Development proposals for the extension and/or adaptation of the existing school and pre-school facilities will be supported subject to the following criteria:</p> <ul style="list-style-type: none"> • they provide for appropriate levels of car parking; • they retain an appropriate vehicular access and can be safely accommodated in the local highway network; and • they would not result in an unacceptable loss of open space and amenity to local residents or other adjacent uses.' 	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Replace Policy CFA4 with the following:</p> <p>Development proposals for the extension and/or adaptation of the existing school and pre-school facilities will be supported subject to the following criteria:</p> <ul style="list-style-type: none"> • they provide for appropriate levels of car parking; • they retain an appropriate vehicular access and can be safely accommodated in the local highway network; and • they would not result in an unacceptable loss of open space and amenity to local residents or other adjacent uses.
	TR1 Fig 16 Pages 49-52	<p>7.105 This policy seeks to ensure that any housing and commercial development address a series of traffic management and capacity issues.</p> <p>7.106 Whilst the policy overlaps with national and local policies the supporting text ensures that it has a distinctive flavour which directly relates to circumstances in the parish</p>	<p>Replace the opening element of the policy with: 'As appropriate to their scale, nature and location new housing and commercial development should:'</p> <p>Replace the fourth bullet point with: 'provide any necessary improvements to site access, communal parking and the highway network (either directly or by financial contributions) where it is necessary to ensure</p>	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>At the end of the supporting text add:</p> <p><i>Policy TR1 seeks to address these various matters. In doing so it pays particular attention to the rural nature of the highway</i></p>

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		<p>and is directly related to its scale and nature. In general terms it meets the basic conditions.</p> <p>7.107 To ensure that the policy has the clarity required by the NPPF, I recommend that the element of the policy which is explanatory in nature in the opening part of the policy is deleted and repositioned into the supporting text. I also recommend that the fourth bullet point is modified so that it meets the requirements of the Community Infrastructure Levy Regulations which require that contributions should only be sought from developers where they are essential to make the proposal acceptable and are related in scale and nature to the proposal concerned.</p>	<p>that the development can proceed in a satisfactory manner and is directly related to its scale and nature'</p> <p><i>At the end of the supporting text add: Policy TR1 seeks to address these various matters. In doing so it pays particular attention to the rural nature of the highway network, and the need to minimise any increase in vehicular traffic as the population of the parish increases in the Plan period'</i></p>	<p><i>network, and the need to minimise any increase in vehicular traffic as the population of the parish increases in the Plan period.</i></p> <p>Modify Policy TR1 as follows:</p> <p>POLICY TR1: TRAFFIC MANAGEMENT - With particular regard to the rural highway network of the Parish, and the need to minimise any increase in vehicular traffic, all housing and commercial development must: As appropriate to their scale, nature and location new housing and commercial development should:</p> <ul style="list-style-type: none"> • Be designed to minimise additional traffic generation and movement through the village; • Incorporate sufficient off-road parking in line with Leicestershire County Council standards; • Not remove or compromise the use of any existing off-road parking areas unless a suitable equivalent alternative is provided; • Provide any necessary improvements to site access, communal parking and the highway network either directly or by financial contributions; Provide any necessary improvements to site access, communal parking and the highway network (either directly or by financial contributions) where it is necessary to ensure that the development can proceed in a satisfactory manner and is directly related to its scale and nature; and • Consider, where appropriate, the improvement and where possible the creation of footpaths and cycle ways to key village services.
	<p>Community Action</p> <p>CTR1</p> <p>Page 52</p>	<p>7.125 The Plan identifies two community actions. They are non-land use actions which have naturally come forward as the Plan was prepared. They are as follows: CA CFA1 – Cemetery CA CTR1 – Traffic Management</p> <p>7.126 National policy comments that such community actions should be captured in a separate part of the Plan to distinguish them from the land use policies. In this case they are weaved into the body of the Plan and within the topic-based elements of the Plan. Taking account of all the evidence, I am satisfied that this approach is appropriate in the circumstances of the Plan. I have reached this conclusion for three related reasons. The first is that the Actions complement the related land use policies. The second is that their position in the Plan adds to its overall legibility. The third is that they are shown in a different text and colour from the land use policies.</p>	<p><i>Replace the title of CA TR1 from 'Traffic Management' to 'Traffic and Parking'</i></p>	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Modify the title of Community Action CTR1 as follows:</p> <p><i>Community Action TR1: Traffic Management Traffic and Parking- The Parish Council will develop a coherent action plan to address traffic and parking issues that have been identified through the Neighbourhood Plan including:</i></p> <p><i>Undertake an ongoing awareness exercise to make explicit the negative impact on residents of inconsiderate parking;</i></p> <p><i>Work to achieve improvement of car parking provision for the Parish for residents and visitors;</i></p>

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		7.127 I recommend that the title of CA TR1 is modified so that it is different from that of Policy TR1. This will avoid any uncertainty for development management purposes.		<p><i>Develop appropriate traffic management/calming/ parking measures for the Parish; and</i></p> <p><i>Work with the school to resolve parking issues at drop off and pick up times.</i></p>
	TR2 Pages 52-53	<p>7.108 This policy sets out the Plan's approach towards the need for electric vehicle charging points in new dwellings. It appropriately looks to plan for the future and to take account of the government's ambitions for the roll out of sustainable vehicles.</p> <p>7.109 I recommend two modifications. The first removes any direct reference to the technical standards of charging facilities. This acknowledges the likelihood that technology will be refined during the Plan period as electric vehicles increasingly become embedded in driving habits. The second introduces a viability element to the policy. In some cases, the costs of implementing the policy may affect the viability of development proposals. This has the greater ability to affect smaller schemes and in the earlier years of the Plan period until the technical challenges associated with vehicle charging are overcome and the costs reduce.</p>	<p>Replace the policy with:</p> <p>'Residential development of one dwelling or more should provide cabling to industry standards in place at that time and to the most practical point in the home to facilitate subsequent installation of a home electric vehicle charging point unless such provision would not be commercially viable.</p> <p>The provision of communal vehicular charging points within the Parish will be supported so long as they would allow universal access and they do not have an unacceptable impact on the availability of existing parking within the Parish'</p>	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Replace Policy TR2 with the following:</p> <p>Residential development of one dwelling or more should provide cabling to industry standards in place at that time and to the most practical point in the home to facilitate subsequent installation of a home electric vehicle charging point unless such provision would not be commercially viable.</p> <p>The provision of communal vehicular charging points within the Parish will be supported so long as they would allow universal access and they do not have an unacceptable impact on the availability of existing parking within the Parish</p>
	TR3 Pages 53-54	7.110 This policy offers support for the upgrading and extension of the public footpath network. It takes an appropriate and supportive approach. Nevertheless, it largely repeats the contents of Policy EV10. I have already recommended modifications to that policy to take account of the specific details of Policy TR3. In these circumstances I recommend that Policy TR3 is deleted from the Plan. I am satisfied that the supporting text associated with the policy should remain in the Plan with an addition to its content to make a connection with Policy EV10.	<p>Delete the policy</p> <p><i>At the end of the supporting text add: These various matters are addressed in Policy ENV10 of this Plan (in the Environment Section)</i></p>	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Delete Policy TR3</p> <p>Add the following to the end of the supporting text:</p> <p><i>These various matters are addressed in Policy ENV10 of this Plan (in the Environment Section)</i></p>
	BE1 Pages 54-55	<p>7.111 This policy sets out a strong presumption for the protection of existing business operations from change of use proposals to non-commercial uses. It comments that proposals which would result in the loss of business premises will only be supported where the premises have not been in use for a period of twelve months and there is no potential for its reoccupation or redevelopment for other employment uses based on a detailed valuation has been undertaken associated with a marketing campaign.</p> <p>7.112 I recommend a modification to the second sentence of the policy so that its effect has the clarity required by the NPPF. Otherwise, it meets the basic conditions. It will contribute significantly to the delivery of the economic dimension of sustainable development.</p>	<p>Replace the second sentence of the policy with:</p> <p>'Development proposals for a change of use or the redevelopment of a business or commercial use to an activity which does not provide employment opportunities will only be supported where it can be demonstrated that:'</p>	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Modify Policy BE1 as follows:</p> <p>POLICY BE1: SUPPORT FOR EXISTING BUSINESSES & EMPLOYMENT OPPORTUNITIES There will be a strong presumption against the loss of commercial premises or land that provides employment or future potential employment opportunities. Applications for a change of use to an activity that does not provide employment opportunities will only be supported if it can be demonstrated that: Development proposals for a change of use or the redevelopment of a business or commercial use to an activity which does not provide employment</p>

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				<p>opportunities will only be supported where it can be demonstrated that:</p> <ul style="list-style-type: none"> • The commercial premises or land in question has not been in active use for at least 12 months; and • The commercial premises or land in question has no potential for either reoccupation or redevelopment for employment generating uses and as demonstrated through the results both of a full valuation report and a marketing campaign lasting for a continuous period of at least six months. • The business function of the land or premises would not be undermined by an alternative use on an underused part of the land or floor space, for example living above a shop.
	<p>BE2 Page 55</p>	<p>7.113 This policy has a focus on new business opportunities. It sets out a series of requirements which any proposed such uses should meet. The policy takes a positive approach to this matter. In particular it has regard to national policy as set out in paragraphs 81-85 of the NPPF. 7.114 I recommend modifications to the wording in the criteria so that they relate to the use of the plural in the opening element of the policy. In addition, I recommend that the final criterion is modified so that it has a clearer focus on land use issues. As submitted, its use of 'complements' suggests that the intention is to mirror existing business uses rather than to compete with them commercially. Business competition is not a land use matter.</p>	<p>In the various criteria replace 'It is' with 'They are'</p> <p>Replace the final bullet point with: 'They relate to the existing distribution of employment uses in the neighbourhood area'</p>	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Modify Policy BE2 as follows:</p> <p>POLICY BE2: SUPPORT FOR NEW BUSINESSES AND EMPLOYMENT - New employment-generating opportunities, including small workshops and office space, will be supported where:</p> <ul style="list-style-type: none"> • It is They are located within the settlement boundary of Barlestone Parish, unless it relates to small-scale leisure or tourism activities, or other forms of commercial/employment related development appropriate to a countryside location, or there are exceptional circumstances; • It is They are sited in existing buildings or on areas of previously developed land; • It is They are of a size and scale not adversely affecting the character, infrastructure and environment of the village itself and the neighbourhood plan area, including the countryside; • It does They do not have an adverse impact on any archaeological, architectural, historic or environmental features; • It does They do not involve the loss of dwellings; • There is no significant adverse impact on neighbours through noise, light or other pollution, increased traffic levels or increased flood risk; • The local road system is capable of accommodating the traffic generated by the proposed new use and adequate parking can be accommodated within the site; and • They are well integrated into, and complements, existing businesses.

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				<ul style="list-style-type: none"> • They relate to the existing distribution of employment uses in the neighbourhood area
	BE3 Page 56	<p>7.115 This policy offers support for homeworking. It sets out a series of criteria against which such proposals will be assessed. It is a very timely policy in the Covid era.</p> <p>7.116 I recommend a modification so that the policy acknowledges that not all such proposals will need planning permission. In several circumstances, HBBC may take the view that homeworking does not bring about a material change of use of the host property. I also recommend detailed modifications to the wording of the second and third criteria of the policy. In both cases they will bring the clarity required by the NPPF. Otherwise, the policy meets the basic conditions. It will do much to contribute to the delivery of both the economic and the social dimensions of sustainable development.</p>	<p>At the beginning of the policy add: 'Insofar as planning permission is required'</p> <p>In b) replace 'significant and adverse' with 'unacceptable'</p> <p>In c) replace 'shall be designed having regard to' with 'is designed to take account of'</p>	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Modify Policy BE3 as follows:</p> <p>POLICY BE3: HOMEWORKING - Insofar as planning permission is required proposals for the use of part of a dwelling for office and/or light industrial uses, and for small-scale free-standing buildings within its curtilage, extensions to the dwelling or conversion of outbuildings for those uses, will be supported where:</p> <p>a) Such development will not result in unacceptable traffic movements and that appropriate parking provision is made;</p> <p>b) No significant and adverse unacceptable impact arises to nearby residents or other sensitive land uses from noise, fumes, light pollution, or other nuisance associated with the work activity; and</p> <p>c) Any extension or free-standing building shall be designed having regard to is designed to take account of policies in this Plan and should not detract from the quality and character of the building to which they are subservient by reason of height, scale, massing, location or the facing materials used in their construction.</p>
	BE4 Pages 56-57	<p>7.117 This policy offers general support for farm diversification to promote sustainable growth, the expansion of businesses and for the conversion of existing agricultural buildings.</p> <p>7.118 As submitted the policy is unclear on the acceptable alternative uses for existing agricultural buildings. I recommend a modification to remedy this matter. I also recommend detailed modifications to the criteria to bring the clarity required by the NPPF. Otherwise, it meets the basic conditions and has the ability to contribute to the delivery of the economic dimension of sustainable development.</p>	<p>Replace the opening element of the policy with:</p> <p>'Proposals for the conversion of existing agricultural buildings to employment-related uses or community uses will be supported subject to:'</p> <p>In c) replace 'adverse' with 'unacceptable'</p> <p>Replace e) with: 'the proposed development would not cause unacceptable harm to the amenities of residential properties in the immediate locality'</p>	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Modify Policy BE4 as follows:</p> <p>POLICY BE4: FARM DIVERSIFICATION - In order to support farm diversification and the sustainable growth and expansion of businesses, the conversion of existing agricultural and commercial buildings will be supported subject to: Proposals for the conversion of existing agricultural buildings to employment-related uses or community uses will be supported subject to:</p> <p>a) The use proposed is appropriate to the rural location;</p> <p>b) The conversion/adaptation works respect the local character of the surrounding area;</p> <p>c) The development will not have an adverse unacceptable impact on any archaeological, architectural, historic or environmental features;</p>

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				<p>d) The local road system is capable of accommodating the traffic generated by the proposed new use and adequate parking can be accommodated within the site; and</p> <p>e) There is no significant adverse impact on neighbours through noise, light or other pollution, increased traffic levels or increased flood risk. the proposed development would not cause unacceptable harm to the amenities of residential properties in the immediate locality.</p>
	<p>BE5</p> <p>Pages 57-58</p>	<p>7.120 The policy takes a positive approach to this important matter. Nevertheless, some of the development anticipated by the policy may not generate the need for a planning application as a consequence of the permitted development regime. On this basis I recommend a modification to the policy to address this matter.</p> <p>7.121 The opening part of the policy is a broad statement of ambition rather than a planning policy. As such I recommend its deletion. However, to capture the ambition I recommend that wording is repositioned into the supporting text.</p> <p>7.122 Otherwise, the meets the basic conditions. It will make a positive contribution to the delivery of the social dimension of sustainable development</p>	<p>Delete the opening component of the policy.</p> <p><i>Reposition the opening component of the policy to the end of the supporting text.</i></p>	<p>Agree with the examiner's modifications subject to revised ordering of Policy BE5</p> <p>Changes Required</p> <p>Modify Policy BE5 as follows:</p> <p>POLICY BE5: BROADBAND AND MOBILE PHONE INFRASTRUCTURE - The Parish wishes to maximise the quality of its broadband and mobile phone infrastructure AND to be at the forefront of any future enhancements to communications technology. Proposals to provide access to superfast broadband for all businesses and households in Barlestone Parish will be supported;</p> <p>a) Improvements to the mobile telecommunication network that will serve all businesses and households within the Parish will be supported. Where new masts are installed, more than one provider should share these where possible; and</p> <p>b) Any infrastructure improvements, possibly requiring above ground network installations, must be sympathetically located, designed to integrate into the landscape and not be in or near to open landscapes.</p> <p>Add the following deleted element from Policy BE5 to the end of the supporting text:</p> <p><i>The Parish wishes to maximise the quality of its broadband and mobile phone infrastructure AND to be at the forefront of any future enhancements to communications technology.</i></p>
	<p>Plan Review</p> <p>Section 5</p> <p>Page 58</p>	<p>7.124 In particular Section 5 comments that BPC 'proposes to formally review the Neighbourhood Plan on a five-year cycle commencing in 2023 or to coincide with the review of the Hinckley & Bosworth Local Plan if this cycle is different'. Within the context of this very positive statement, I recommend that additional wording is included to highlight the importance of the adoption of the emerging Local Plan and the way in which BPC would respond to any conflicts which may exist between the two plans at that time. This approach takes account of section 38(5) of the Planning and</p>	<p><i>At the end of the final paragraph of Section 5 of the Plan add: 'In this context the Parish Council will assess the implications of the adoption of the emerging Local Plan on the contents of a 'made' neighbourhood plan. Where necessary it will assess the scale, nature and extent of any conflicts and consider how best to review the Plan. It will also ensure that the made or reviewed Plan is monitored on a regular basis to test the effectiveness of the policies and to respond accordingly'</i></p>	<p>Agree with the examiner's modifications</p> <p>Changes Required</p> <p>Modify the final paragraph under "Monitoring and Review" as follows:</p> <p><i>The Parish Council proposes to formally review the Neighbourhood Plan on a five-year cycle commencing in 2023 or to coincide with the review of the Hinckley & Bosworth Local</i></p>

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		<p>Compulsory Purchase Act 2004 which requires that any such conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan. This legislative context has the potential to make elements of any 'made' neighbourhood plan (and as assessed for general conformity against the existing Core Strategy/SADMP) out of date.</p>		<p><i>Plan if this cycle is different. In this context the Parish Council will assess the implications of the adoption of the emerging Local Plan on the contents of a 'made' neighbourhood plan. Where necessary it will assess the scale, nature and extent of any conflicts and consider how best to review the Plan. It will also ensure that the made or reviewed Plan is monitored on a regular basis to test the effectiveness of the policies and to respond accordingly</i></p>
	General	<p>7.128 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of the recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for HBBC and BPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.</p>	<p><i>Modification of general text (where necessary) to achieve consistency with the modified policies.</i></p>	<p>Agree with the examiner's suggestions</p>
	Other	<p>7.131 The Plan makes several references to the NPPF 2019. As I have commented in paragraph 3.4 of this report the Plan was finalised and submitted for examination immediately prior to the publication of the updated version of the NPPF in July 2021. I recommend that any references to the NPPF 2019 in the Plan which are not otherwise addressed in this report are updated to refer to the NPPF 2021.</p>	<p><i>Replace any references in the Plan to the NPPF 2019 with the NPPF 2021</i></p>	<p>Agree with the examiner's suggestions</p>
	Other	<p>7.132 HBBC comments about the lack of paragraph numbering in the Plan and its potential effects on the clarity of development management reports in the event that the Plan is 'made'. I agree with HBBC that the Plan would be more legible if it included paragraph numbers. Indeed, some of the recommended modifications in this report would have been easier to describe if this had been the case.</p> <p>7.133 The inclusion of paragraph numbers is not basic conditions point and as such I do not specifically recommend this course of action. One of the key principles of the localism agenda has been to allow communities to bring forward their own plans with individual designs and layouts. Nevertheless, I would strongly encourage BPC to work with HBBC to agree on how best the Plan can be arranged and organised.</p>	<p>No specific recommendation</p>	<p>Agree with the examiner's suggestions</p>

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

Page/Para	Change	Reason
Page 10	Delete "a shoe shop" twice in third paragraph	Shoe shop no longer exists
Page 30	Update reference from NPPF (2019) paragraphs 96 and 97 to NPPF (2021) paragraphs 98 and 99	To update references to the latest version of the NPPF
Page 33	In the list of heritage assets in Policy ENV5, delete B27 and renumber accordingly	B27 has been demolished.
Appendix 9	Deleted B27 and renumbered accordingly	B27 has been demolished
Page 44	Update to status of Red Lion public house	To reflect current situation
Page 45	Delete reference to shoe shop	Shoe shop no longer exists
Page 46	Delete reference to cricket pitch	Cricket pitch no longer exists
	Text added after May Meadow Boardwalk "(currently closed for safety reasons)"	To reflect current situation
Page 54	Delete reference to shoe shop	Shoe shop no longer exists