

Hinckley & Bosworth Borough Council

Consultation Response to the Stoke Golding Neighbourhood Plan Review

20 December 2023



**Hinckley & Bosworth
Borough Council**

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1. Background to Stoke Golding Neighbourhood Plan Review

Neighbourhood plans are not required to meet the tests of soundness which local plans and other development plan documents must meet. Instead, for them to be able to be put to referendum, they must meet the 'basic conditions' set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990. Those relevant to neighbourhood plans are as follows:

- (a). having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).
- (d). the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.
- (e). the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
- (f). the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.
- (g). prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).

The Stoke Golding Neighbourhood Plan was "made" on 3rd March 2022. Following the 'making' of the Plan Stoke Golding Parish Council commenced a review of the neighbourhood plan concluding that some material changes were required to the neighbourhood plan, but that the broad nature of it should not change. The Draft Review to the neighbourhood plan were published for consultation under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 as amended from 9 May 2023 to 20 June 2023. The Parish responded to the representations received with submission of the final draft review to the neighbourhood plan in October 2023.

HBBC began the Regulation 16 Publicity consultation stage on 8 November 2023. The consultation ended 20 December 2023. HBBC invited representations from all those previously consulted through the Pre-submission consultation stage (Regulation 14) as prescribed in the Stoke Golding Neighbourhood Plan Consultation Statement, those on the Hinckley and Bosworth Local Plan Consultation Database and any others prescribed by regulation.

Following the Regulation 16 Draft Plan consultation, HBBC will make all representations received available to the independent examiner.

2. Hinckley and Bosworth Borough Council's response to Stoke Golding Neighbourhood Plan Review submission documents

The submission of the Stoke Golding Neighbourhood Plan Review to Hinckley and Bosworth Borough Council in October 2023 included the following items:

- a) The Consultation Statement which:
 - i. contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;
 - ii. explains how they were consulted;
 - iii. summarises the main issues and concerns raised by the persons and bodies consulted; and
 - iv. describes how these issues and concerns were considered and, where relevant, addressed in the proposed neighbourhood development plan.
- b) The Draft Stoke Golding Neighbourhood Plan Review document;
- c) The Basic Conditions Statement which explains how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act and The Regulations. The Basic Conditions Statement also contains a statement of reasons for the determination that under regulation 9(1) of those Environmental Assessment of Plans and Programmes Regulations 2004(a) that the plan proposals neither require a Strategic Environmental Assessment nor a Habitat Regulations Assessment;
- d) A map of the Stoke Golding Designated Area which is the area designated for the Neighbourhood Plan (included within the Basic Conditions Statement)
- e) A copy of the Minutes of the Stoke Golding Parish Council meeting held on 6th September 2023 confirming approval for submission of the draft Neighbourhood Plan Update.

The above documents are considered to adequately fulfil the submission requirements under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 and Schedule 4b of the Town and Country Planning (Basic Conditions Statement) identifying the area to which the plan relates Act 1990, as inserted into Schedule 10 of the Localism Act 2011.

Hinckley and Bosworth Borough Council are satisfied that the qualifying body of Stoke Golding Parish Council has satisfied the relevant regulatory requirements to advance the Stoke Golding Neighbourhood Plan Update to the Publicity and Consultation Stage (Regulation 16) and subsequent submission of the Neighbourhood Plan Review proposal for examination.

3. Hinckley & Bosworth Borough Council's comments on the Draft Plan

At this 'draft plan' stage of the neighbourhood plan process the Local Planning Authority is not required to consider whether the updates to the draft plan meet the basic conditions. It is only after the independent examination has taken place and after the examiner's report has been received that the local planning authority comes to its formal view on whether the draft neighbourhood plan updates meet the basic conditions.

The local planning authority should provide constructive comments on plan updates before they are submitted.

In June 2023, during the pre-submission consultation stage, Hinckley & Bosworth Borough Council (HBBC) provided constructive comments on the draft updates. Comments were provided from Planning Policy, Development Management, the Senior Planning Officer for Conservation, and the Housing Strategy and Enabling Officer.

Table 1 shows HBBC's Pre-Submission consultation comments provided in June 2023 and a response to the submission consultation, December 2023. The Borough Council's Submission comments are colour coded to show whether changes have been made or whether the Borough Council has outstanding concerns.

Code	Meaning
	Amended and no further comments
	Amended to a certain extent – still requires some further modification.
	No changes made following previous comments – HBBC recommends significant modification.
Silent	No further comments or N/A

Table 1A: Hinckley and Bosworth Borough Council (HBBC) responses to Stoke Golding Neighbourhood Plan Update at Regulation 14 and Regulation 16 – Specific Policies and Paragraphs

Policy reference / Page number	HBBC Regulation 14 Pre-submission Comments 9 May 2023 – 20 June 2023	Policy reference / Page number	HBBC Regulation 16 Comments
		Section 1, page 3, Paras 1.8-1.9	Requires update in light of the recent publication of the NPPF (19th and 20 th December 2023 please note an updated NPPF was published during the Regulation 16 Consultation period.)
Section 1, page 6, Policy SG1	No comments, support the inclusion of this policy.	Section 1, page 5, Policy SG1	No changes required; policy supported.
Section 3, page 10, para 3.5 – 3.6	Some plans require a Strategic Environmental Assessment and/or a Habitat Regulations Assessment. Stoke Golding NDP Review has undertaken an updated screening; all three statutory consultation bodies confirmed that the limited changes proposed to the plan do not require another full SEA to be undertaken. The LPA are content that this satisfies all SEA requirements and basic conditions at this stage.	Section 3, page 9, para 3.5 – 3.6	No changes required.
Section 4, Page 12, Para 4.2	At para 4.2 the plan states: <i>“As with the first Stoke Golding Neighbourhood Plan, the Borough Council is unable to provide an indicative housing provision for Stoke Golding Neighbourhood Area to 2039. Consequently, Stoke Golding Parish Council has undertaken its own assessment to provide an indicative housing requirement for the Neighbourhood Area.”</i>	Section 4, Page 11, Para 4.2	The current Hinckley and Bosworth Local Plan consists of the Core Strategy (2009), Site Allocations and Development Management Policies DPD (2016), Hinckley Town Centre AAP (2011) and the Earl Shilton and Barwell AAP (2014). The current Local Plan sets out the policies that the Council uses to manage growth and change as well as to determine planning applications.

Policy reference / Page number	HBBC Regulation 14 Pre-submission Comments 9 May 2023 – 20 June 2023	Policy reference / Page number	HBBC Regulation 16 Comments
	<p>For context, the LPA are unable to provide indicative housing figures for neighbourhood plan groups for a number of reasons:</p> <ul style="list-style-type: none"> • Standard Method figures, affordability ratios changing • The Leicester and Leicestershire Housing & Economic Needs Assessment (HENA): <ul style="list-style-type: none"> ○ The Statement of Common Ground is being considered by the Leicestershire partners, including Hinckley & Bosworth • National uncertainty for planning, no sign of the updates to the NPPF at the time of writing • Leicestershire awaits the outcomes of Charnwood Borough Council's Examination in Public • The Hinckley & Bosworth Local Plan is not far enough advanced to delegate indicative housing figures to settlements <p>Affordability Ratios for 2022 can be viewed on the following link: https://www.pegasusgroup.co.uk/briefing-papers/2022-affordability-ratios/</p> <p>The Borough Council is also required to prepare and annually review an Action Plan, to show how the council is responding to the challenge of ensuring more homes are built in the Hinckley and Bosworth Borough and faster. In line with national planning practice guidance, it identifies the reasons for under-delivery and sets out measures the council intends to</p>		<p>The Hinckley & Bosworth Local Plan Review 2020-2041 is intended as a comprehensive review of local planning for the Borough, using the current Local Plan policies as a basis and updating or evolving them where necessary. Additional allocations and policies will be added based on new evidence and changed or updated guidance.</p> <p>The Borough Council has commenced the Local Plan Review process with the initial consultation exercise being the Scope, Issues and Options Consultation (January 2018 to February 2018), New Directions for Growth (January 2019), Sustainability Appraisal (November 2020 to January 2021), Draft Local Plan (June 2021 to August 21) and Local Plan Regulation 19 Consultation (February to March 2022).</p> <p>Since the Local Plan Regulation 19 Consultation, the Local Plan Timeframe has been extended to 2041 to allow for a 15-year timeframe and key evidence base documents such as housing and employment need to be revisited to take account of a number of emerging issues including changes to housing need. The Borough Council are also in the process of producing other evidence work including highways modelling work, infrastructure capacity study and viability work. However, emerging indications from the evidence work and other national and regional considerations are indicating that the current Regulation 19 approach may not be deliverable. Therefore, the Borough</p>

Policy reference / Page number	HBBC Regulation 14 Pre-submission Comments 9 May 2023 – 20 June 2023	Policy reference / Page number	HBBC Regulation 16 Comments
	<p>take to try and improve levels of delivery. You can view the latest Action Plan reports on the following link: https://www.hinckley-bosworth.gov.uk/info/856/local_plan_2006_to_2026/395/monitoring_and_land_availability/4</p> <p>Nevertheless, the Local Plan Regulation 19 document includes some helpful information for groups, for example the Housing Needs Study and the subsequent Rural Housing Numbers Methodology Statement. The Regulation 19 plan also sets the overall strategy for growth across the borough, closely adhering to the current adopted Local Plan settlement hierarchy of Urban settlements, followed by Key Rural Centres, followed by Rural Villages.</p> <p>Due to the increase in housing requirements, the Council will be looking to update the settlement hierarchy and required numbers in each settlement to ensure the Local Plan is delivering the appropriate amount of development at each level, but still aligning with our overarching strategy for growth.</p> <p>In terms of the Local Plan, there is outstanding work to be undertaken that is required in order to submit a sound and legally compliant plan to the Secretary of State. This includes working with our partners at Leicestershire County Council on highways/transport modelling, but also other evidence bases such as the Infrastructure Delivery Plan, the Infrastructure Capacity Study, and the Sustainability Appraisal.</p>		<p>Council need to look at alternative development strategies and undertake a further Regulation 18 consultation. This further consultation is scheduled to take place in Spring 2024 and then Regulation 19 pre-submission consultation can take place towards the end of 2024 into early 2025. This allows the council to still meet the government's June 2025 deadline.</p> <p>The current Local Development Scheme is being revised and will be published in January 2024.</p> <p>As per the Regulation 14 consultation comments, other than minor comments on the delivery of housing and the explanation around the commitments (see below), the Council are content that Stoke Golding NP Review has considered how it will be meeting its housing need.</p>

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	<p>These are all critical to the success of the Local Plan at submission and EiP stage.</p> <p>The Council is also committed to the ongoing work to deliver both Sustainable Urban Extensions (SUEs) at Barwell and Earl Shilton.</p> <p>With the increase in the standard method figure, and the outcomes of the HENA and Statement of Common Ground (as outlined above), the Council are revisiting the housing and employment sections of the plan, including the preferred and alternative sites for allocation. The Council will be working with parishes and neighbourhood plan groups moving forward.</p> <p>It also worth noting that the NPPF is due to be updated following the Levelling-up and Regeneration Bill (LURB), and the NPPG will no-doubt follow. After which, neighbourhood plans should take account of any changes made.</p> <p>In lieu of the Council being unable to give Neighbourhood Plan groups a requirement figure, there are options that the groups can take to avoid delaying the preparation of their plan. It is reasonable for the groups to work towards their own housing figures as the basis of their strategy, housing policies and allocations. Other than minor comments on the delivery of housing and the explanation around the commitments (see below), the Council are content that Stoke Golding NP Review has considered how it will be meeting its housing need.</p>		

Policy reference / Page number	HBBC Regulation 14 Pre-submission Comments 9 May 2023 – 20 June 2023	Policy reference / Page number	HBBC Regulation 16 Comments
Section 4, page 14, para 4.11 & 4.12	<p>Please note, HBBC consider that a further apportionment of 102 dwellings per year (85 dwellings per year lower than the apportionment of 187) to be an initial justified apportionment of Leicester’s unmet need, however the additional 85 should be tested through their Local Plan work and through further strategic work. The Statement of Common Ground is being deliberated by the Leicestershire partners, including Hinckley & Bosworth.</p> <p>Therefore, at this time, the Council consider that the figure of 659 dwellings per annum used as a basis for Stoke Golding’s Neighbourhood Plan is appropriate.</p>	Section 4, page 13, para 4.11 & 4.12	<p>The standard method calculation is set out in the Planning Practice Guidance (PPG) and provides a starting point for considering overall housing need. This method is based on the 2014 based household projection with an uplift for affordability subject to ‘cap’. The publication of new national affordability data by ONS in April 2022 has resulted in the Borough Council having an annual housing number of 472 dwellings. In addition, the Borough Council also need to consider the calculation of Leicester City Council’s unmet needs as set out in the Housing and Economic Needs Assessment. The Borough Council maintain an objection to the full proposed distribution of unmet need from the City (an additional 187 dwellings per annum), however this figure still needs to be fully tested through the preparation of the Local Plan, For Hinckley and Bosworth, the outcome of this testing will determine whether or not the Council can meet both its own need as well as the unmet need apportioned by the Leicester and Leicestershire Statement of Common Ground (SOCG) (Hinckley and Bosworth have not agreed to this SOCG). The SoCG sets out that if any council can evidence that it cannot meet this need, then the apportionment of unmet need will need to be jointly reviewed and updated so as not to cause undue delay to the preparation of Local Plans.</p>

Policy reference / Page number	HBBC Regulation 14 Pre-submission Comments 9 May 2023 – 20 June 2023	Policy reference / Page number	HBBC Regulation 16 Comments
Section 4, page 14, para 4.13	<p>The plan states <i>“An additional flexibility allowance would not be necessary for Stoke Golding as there is considerable certainty that the large housing sites proposed for the village will come forward for development.”</i></p> <p>Would it be beneficial in this para to reference the map over the page (map 3), on page 15, and para 4.15? For example, rephrase as follows: <i>“An additional flexibility allowance would not be necessary for Stoke Golding as there is considerable certainty that the large housing sites proposed for the village will come forward for development, as referenced in para 4.15 and in map 3”.</i></p> <p>The explanation given by the Parish Council in the document called ‘Summary of the Key Revisions to the Plan’, linked here, under ‘Section 4 Housing’ is helpful, in particular the following paragraph: <i>“On the supply side, the approval of the three major applications (Roseway, Wykin Lane and Hinckley Road) adds 190 homes to the housing supply and the Plan has been updated to reflect these approvals. The Mulberry Farm allocation (which will be retained) adds a further 25 homes, bringing the supply to 215. In addition, there will inevitably be some infill which will further increase the supply. Therefore, the allocations proposed for meeting the target of 213 homes are viable.”</i></p> <p>Another thing to note, the housing sites identified (particularly the three commitment sites at Roseway, Wykin Lane and Hinckley Road) I would anticipate being coming forward within 5-10 years, in the first half of the plan period. How does the neighbourhood</p>	Section 4, pages 13/14, para 4.13 & 4.15	<p>Changes not made in relation to the insertion of map references in paragraphs 4.13 and 4.15.</p> <p>The Regulation 14 comments highlighted: <i>‘the housing sites identified (particularly the three commitment sites at Roseway, Wykin Lane and Hinckley Road) I would anticipate to be coming forward within 5-10 years, in the first half of the plan period. How does the neighbourhood plan intend to deliver the required housing in the latter parts of the plan period? If this is through another review of the plan please could there be some commentary around this. Otherwise it would be good to see an explanation of the trajectory of delivery of sustainable housing throughout the plan period’.</i> This has not been reflected in the Regulation 16 Plan.</p> <p>In regard to comment: <i>‘Has the neighbourhood plan had regard to the fact that a housing need is a minimum, and the neighbourhood plan can plan for more?’</i> please see the Borough Council’s response to SG2 below.</p>

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	<p>plan intend to deliver the required housing in the latter parts of the plan period? If this is through another review of the plan, please could there be some commentary around this. Otherwise, it would be good to see an explanation of the trajectory of delivery of sustainable housing throughout the plan period.</p> <p>In addition, it is worth noting that the NPPG, para 001, states (my emphasis added): “<i>The standard method for calculating <u>local housing need</u> provides a minimum number of homes to be planned for. Authorities should use the standard method as the starting point when preparing the housing requirement in their plan, unless <u>exceptional circumstances</u> justify an alternative approach.</i>” Has the neighbourhood plan had regard to the fact that a housing need is a minimum, and the neighbourhood plan can plan for more?</p>		
n/a	n/a	Section 4, page 14, Policy SG2	Policy SG2 has been amended to read ‘The housing requirement for Stoke Golding for the period 2020 to 2041 is a minimum of 235 dwellings’. The Borough Council support the inclusion of the word minimum which is inline with the NPPG.
		Section 4 Page 18, Policy SG3	<p>Comment from Development Management:</p> <p>Point 7 – the wording does beg the question replaced with what? It’s assumed it means replaced with new hedging – it would assist that greater clarity was provided.</p> <p>Point 11 saying that the site shall be cleared before the commencement of development does feel that it</p>

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			contradicts point 3 that every effort should be made to retain the traditional brick buildings. There are many points in SG3 but none that relate to design quality which seems inappropriate.
		Section 4, Page 19, Table	It is recommended that all tables include a table number and title so that they can be easily cross-reference when applying policy SG5. This table should also have the source data referenced, in this case the Housing and Economic Needs Assessment 2022.
Section 4, page 22, policy SG5	Policy SG5 – as there is limited evidence provided to justify the restriction on the types of market housing, the council wouldn't support this at this time. In particular it is important to note that 4+ bedroom properties can provide more than just the typical family home, i.e. more bedrooms can serve elderly/disabled family members who require care, or for younger members of the family needing to live at home longer in order to save to buy their own home, for example.	Section 4, page 20/21, Policy SG5	This policy has been amended to remove the restrictions on the housing mix and the policy now refers to the recommendations of the 2022 Leicester and Leicestershire Housing and Economic Needs Assessment (HENA). The policy allows for a deviation from HENA 2022 with the caveat: '...or by more up to date local housing need evidence', which provides reassurance to the Borough Council that when the HENA 2022 is inevitably updated the new evidence document can be used in accordance with this policy. The policy refers to the table at paragraph 4.23, it would be beneficial for all tables within the NDP to contain a table number and title so that it can be easily referred to in the decision-making process.
Section 4, page 22, para 4.31	The most up to date information on Self-Build and Custom Build is on the council's website here . This states that there are currently 37 individuals on the register. One individual specifically mentions Stoke Golding/Dadlington as a preferred area of interest, however there are many entries that state they are	Section 4, page 21 paragraph 4.32	The most recent data is as follows: - In base period 4, someone said anywhere within Leicestershire and preferably within a 5 mile radius of Witherley and google maps saying Stoke

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	flexible on location but would prefer a rural setting, of which Stoke Golding is.		<p>Golding is 4.4 miles as the crow flies so I guess that one would count (1 total)</p> <ul style="list-style-type: none"> - One in base period 6 said north of the A5, very vague but I guess it is south of the borough and north of the A5, so that could count (1, 2 running total) - Four in base period 6 said N/A (4, 6 running total) – whether you count these is up for debate - Two in base period 6 said rural (2, 8 running total) - One in base period 7 said flexible (1, 9 running total) - One in base period 7 specifically referenced Stoke Golding and Dadlington (1, 10 running total) - One in base period 8 said south or east of the borough (rural) (1, 11 running total) - One in base period 8 specifically said Stoke Golding, Market Bosworth or around the Holywell Park area of Hinckley (1, 12 running total) - One in base period 8 said anywhere in Leicestershire (1, 13 running total)
Page 22, Para 4.33	<p>Comment from the Strategic Housing Enabling Officer: For para 4.33 could you please just add “for rent” i.e. <i>“To apply for council and housing association properties for rent local people need to apply to go on Hinckley and Bosworth Borough Council’s Housing Register.”</i></p>	Page 21, Para 4.34	Change made no further comment

Policy reference / Page number	HBBC Regulation 14 Pre-submission Comments 9 May 2023 – 20 June 2023	Policy reference / Page number	HBBC Regulation 16 Comments
Section 5, pages 26 & 27, Policy SG8	Just one matter for clarification on Policy SG7 Areas of Separation – the term “inappropriate uses of land” is not defined anywhere in the policy or supporting text (para’s 5.8 & 5.9). Does this follow the similar intentions of Policy SG6 Countryside? Or are there different inappropriate uses in the area of separation?	Section 5, pages 26 & 27 Policy SG8	<p>The policy has been amended to refer back to Policy SG7 and states that ‘<i>The construction of new buildings or inappropriate uses in land in accordance with Policy SG7 which adversely affect the open character and setting of Dadlington and Stoke Golding villages will not be supported</i>’. Although reference has been added to try to explain what is meant by inappropriate, I’m not sure the inclusion of the reference to SG7 provides sufficient clarity. SG7 lists acceptable uses in the countryside not inappropriate uses, are the same uses allowed in the areas of separation and if so, how do areas of separation differ to countryside?</p> <p>Comment from Development Management:</p> <p>Yes, it’s worth noting that loads of buildings that were appropriate in terms of SG7 would effectively completely close the gap between the two settlements – not sure how that can be addressed but worth pointing out to the PC nevertheless</p>
Section 5, page 33, Policy SG11	Support the strengthening of Policy SG11 through increase evidence provided in Appendix 1.	Section 5, page 32, Policy SG11	No further comment
Section 7, page 54, para’s 7.1 – 7.3 & Policy SG17 Local Green Spaces	Please could it be made clearer where the evidence supporting the choice/designation of Local Green Spaces is held on the Parish Council website please? In addition, the names of the sites don’t seem to match between the plan itself, the ‘Summary of the Key Revisions to the Plan’ document here , the main NP evidence page here , and the 2023 revisions page here .	Section 7, page 53, paras 7.1-7.3 & Policy SG17	<p>LGS Toolkits for the two new LGS can now be found on the Stoke Golding Revisions web page.</p> <p>It is noted that the Hinckley Road proposed LGS in the Regulation 14 version of the NDP Review has been removed from the Regulation 16 Version of the Plan following consultation responses from the Regulation 14 Plan.</p>

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	<p>There are LGS assessment toolkits available for the sites, here, here and here, but it could be made clearer.</p> <p>In addition, are the available assessments up to date? For example, for the Hinckley Road LGS it states that the owner is being consulted, but the response is unknown as there has been no prior consultation.</p> <p>Sites B and C on map 12 are also covered by the areas of separation policy, meaning two restrictive policies are covering the same area. If an application was to come in for somewhere in this area, how does the NP intend for the case officer to apply both policies? Local Green Space policies are intended to be strict (similar to Green Belt); the policy states that development will only be supported in very special circumstances. Whereas the area of separation policy (SG8) only applies where development proposals adversely affect the open character of the area or the character and setting of Dadlington or Stoke Golding villages. Some clarity around this would be appreciated.</p>		<p>The Borough Council maintain their concerns in regard to the LGS B: Land to the south of Stoke Road having two restrictive designations applied to the land through this Neighbourhood Plan Review. Map 5 and Map 12 show the double policy allocation of Local Green Space and Area of Separation. If an application was to come in for somewhere in this area, how does the NP intend for the case officer to apply both policies? Local Green Space policies are intended to be strict (similar to Green Belt); the policy states that development will only be supported in very special circumstances. Whereas the area of separation policy (SG8) only applies where development proposals adversely affect the open character of the area or the character and setting of Dadlington or Stoke Golding villages. Clarity is still required on this.</p>
Numerous	<p>Comments from the Conservation Officer: I raise no concerns with the proposed revisions to the document that affect heritage assets, namely:</p> <ul style="list-style-type: none"> - The changes to the settlement boundary with the paddock to the rear of the White Swan (which is designated Battlefield land) being moved outside the settlement boundary. - The description of the locally important views and photos provided in Appendix I to support Policy SG11 - Locally Important Views 	Numerous	<p>Comments from the Conservation Officer: I have no comments to make on any of the conservation related content within the plan, with the very limited number of amendments and editing related to conservation matters are acceptable.</p>

Policy reference / Page number	HBBC Regulation 14 Pre-submission Comments 9 May 2023 – 20 June 2023	Policy reference / Page number	HBBC Regulation 16 Comments
	<ul style="list-style-type: none"> - Inclusion of areas of ridge and furrow as locally valued (non-designated) heritage assets in Section 6 and Policy SG15. 		
Section 10, Pages 67, 68 and 70.	<p>Comment from Principal Economic Development Officer: Small comment re the boundary for Willow Park Industrial Estate, page 70, the boundary cuts through some buildings towards the front of the site and doesn't encompass all buildings. Does the plan need to explain the reasons for this in paras 10.12 – 10.13 in the event that there are applications that straddle the boundary or on the buildings outside of the boundary and the case officer requires clarification.</p>	Section 10, pages 66-69	Reason for exclusion noted, no further comments

4. Consideration by Hinckley and Bosworth Borough Council of Minor (non-material) or Major (material) updates to the Made Stoke Golding Neighbourhood Plan (2022)

Planning process

The Stoke Golding Neighbourhood Plan passed Referendum with 94.99% yes votes on a turnout of 29.3% on 3 March 2022. However, since the Neighbourhood Plan has been made there have been changes in national guidance documents including amendments to National Planning Policy Framework in September 2023 and during the Regulation 16 consultation in December 2023. The Borough Council's Local Plan Review plan period has also been updated to now run until 2041. These developments resulted in the Parish Council taking the decision to formally review the Neighbourhood Plan to ensure that it remains relevant and shapes development within the Parish up to 2041 (previously 2039).

The opportunity has been taken to review all the current Plan policies and consider whether they now meet the needs of the community. The revised Neighbourhood Plan allocates one site for residential development and has reviewed the range of environmental protections. There is one additional new policy (SG1) whilst others have been amended to reflect changing policy and in light of new evidence. Other provisions within the Neighbourhood Plan remain unchanged from the version which passed referendum in 2022.

The process for reviewing the Neighbourhood Plan is set out in the Consultation Statement [\[Link\]](#) which is included within the Submission material. In addition to the Consultation Statement the Stoke Golding Neighbourhood Plan Review 2023 is accompanied by:

- Neighbourhood Plan Review Basic Conditions Statement [\[Link\]](#);
- Communications Plan for Regulation 14 [\[Link\]](#)
- Summary of key revisions to the Plan [\[Link\]](#)
- Local Green Space Toolkit – Stoke Road [\[Link\]](#)
- Local Green Space Toolkit – Land south of Station Road [\[Link\]](#)
- Other related documents can be found [here](#)

Planning Strategy

The timescale for the 'made' Stoke Golding Neighbourhood Plan aligned to the previous Local Plan timeframe to 2039, in reflecting a time period of 2016-2031. Since the Local Plan Regulation 19 Consultation, the Local Plan Timeframe has been extended to 2041 to allow for a 15-year timeframe and key evidence base documents such as housing and employment need to be revisited to take account of a number of emerging issues including changes to housing need. The Borough Council are also in the process of producing other evidence work including highways modelling work, infrastructure capacity study and viability work. However, emerging indications from the evidence work and other national and regional considerations are indicating that the current Regulation 19 approach may not be deliverable. Therefore, the Borough Council need to look at alternative development strategies and undertake a further Regulation 18 consultation. This further consultation is scheduled to take place in Spring 2024 and then Regulation 19 pre-submission consultation can take place towards the end of 2024 into early 2025. This allows the council to still meet the government's June 2025 deadline.

The current Local Development Scheme is being revised and will be published in January 2024.

Since the Stoke Golding Neighbourhood Plan was 'made', further revisions have been made to national planning guidance including the National Planning Policy Framework (NPPF) in September 2023 and December 2023. Paragraph 14 of the NPPF (December 2023) states that 'the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits', under specified circumstances if the Neighbourhood Plan provides additional housing. One reason behind the decision of the Qualifying Body to review the Neighbourhood Plan was to take advantage of this opportunity.

Neighbourhood Plan Policies

The Review Neighbourhood Plan has introduced the following changes to the Neighbourhood Plan which was 'Made' in March 2022 (please note due to the inclusion of a new policy there are consequential policy number changes).

SG1: Decision Taking – This is a new policy. The Council considers that this is a modification which does not affect the nature of the Plan.

SG2: Housing requirement – This policy has been updated to include the new plan period 2020-2041 and the housing figure has been updated. This Policy is accompanied by Map 3 and the settlement boundary has been amended:

- The permitted Hinckley Road Planning Application site (22/00391/REM) has been brought inside the settlement boundary.
- The paddock to the rear of the White Swan (which is battlefield land) has been moved outside the settlement boundary.

The 'made' Plan did not allocate planning permission site 22/00391/REM for residential development, this land is identified as being outside the settlement boundary and as such countryside. The Review amends the settlement boundary to include this area of land within the settlement and also excludes a parcel of land from the settlement boundary. The Council considers this to be a **material change** requiring a Referendum as it introduces a significant modification which changes the nature of the Plan.

SG3: Mulberry Farm, High Street – No amendments have been identified.

SG4: Infill Housing Development – The following text has been added to the policy: *'provided they comply with all the policies of the Stoke Golding Neighbourhood Plan'*. The Council considers that this is a non-material change.

SG5: Housing Mix – This policy has been updated to refer to most up to date Leicester and Leicestershire Housing and Economic Needs Assessment (2022). The Council considers that this is a non-material change.

SG6: Affordable Housing – This policy has been amended to include 'First homes' and revisions have been made to the housing mix of affordable homes, obligations and location of affordable homes. The Council considers this to be a **material change** that does not affect the nature of the Plan, requiring Examination only.

SG7: Countryside – This policy has been amended and additional criteria included/revised. The Council considers this to be a **material change** that does not affect the nature of the Plan, requiring Examination only.

SG8: Areas of Separation – This policy has been amended to refer back to acceptable uses set out in policy SG7. The Council considers this to be a **material change** that does not affect the nature of the Plan, requiring Examination only.

SG9: Green Infrastructure – No amendments made.

SG10: Public Rights of Way – No amendments made.

SG11: Locally Important Views – The Policy has been amended to include reference to Policy I and the following text inserted: *‘The scope of the Locally Important View is shown at Appendix I and extends to the visible horizon’*. The Council consider this additional text for clarity, although Appendix I is an addition to the Plan which should be considered as a **material change** that does not affect the nature of the Plan, requiring Examination only.

SG12: Ecology and Biodiversity – This policy has been amended to make reference to a ‘minimum 10%’ Biodiversity Net Gain. The Council considers this to be a **material change** that does not affect the nature of the Plan, requiring Examination only.

SG13: Trees and Hedgerows – This policy has been expanded to include the following additional paragraph: *‘Proposals should incorporate arrangements for hedge and tree maintenance that takes account of ground conditions, agricultural land use, wildlife and highway safety. Development layouts should provide a natural vegetation buffer zone of at least 5 metres alongside all retained hedgerow’*. The Council considers this to be a **material change** that does not affect the nature of the Plan, requiring Examination only.

SG14: Renewable Energy – No amendments made.

SG15: Features of Local Heritage Interest – Policy has been amended to include reference to Map 11 and the final paragraph is additional: *‘Ridge and Furrow sites are non-designated heritage sites of archaeological interest’*. The Council considers this to be a **material change** that does not affect the nature of the Plan, requiring Examination only.

SG16: Design – This policy has been amended to include additional criteria 6 vi) v) *‘Development in, or affecting the setting of, Stoke Golding Conservation Area should respond to the prevalent 18th and 19th century styles which incorporate a range of domestic, industrial, agricultural, and commercial influences’*. The Council considers this to be a **material change** that does not affect the nature of the Plan, requiring Examination only.

SG17: Local Green Spaces – This policy has been amended to include two additional local green spaces; these are: B) Land to the south of Stoke Road C) Land to the south of Station Road. The Council considers this to be a **material change** requiring a Referendum as the two Local Green Space designations are significant in size in different parts of the village which introduces new restrictions on what is acceptable in these locations and therefore it introduces a significant modification which changes the nature of the Plan.

SG18: Community Services and Facilities – This Policy has not been amended.

SG19: Commercial, business and services uses in the Village Centre – This Policy has not been amended.

SG20: Infrastructure - This Policy has not been amended.

SG21: Tourism - This Policy has not been amended.

SG22: Willow Park Industrial Estate - This Policy has not been amended.

SG23: Business Conversion of Rural Buildings - This Policy has not been amended.

Note on the Nature of the Changes

It is stated on page i of the Stoke Golding Neighbourhood Plan Submission Draft that the Parish believes that the changes made to the plan are material modifications which do not change the nature of the plan or order would require examination but not a Referendum.

Extract below:

'In accordance with Planning Policy Guidance, the Qualifying Body needs to take a view on the changes and whether they are so substantial as to change the nature of the Stoke Golding Neighbourhood Plan. We believe that the modifications do not change the nature of the Plan because the objectives and broad strategy of the Plan are unaltered. If the Planning Authority and Independent Examiner agree, a referendum is not required.'

Nicola Smith Chair

Stoke Golding Parish Council' (Stoke Golding Neighbourhood Plan Review: Submission Draft, page i)

Planning Practice Guidance, reviewed in May 2019, introduces the following categories:

1. Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.
2. Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.
3. Material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.

The Review Neighbourhood Plan has been amended to allocate housing site (22/00391/REM) South of Hinckley Road for residential development and continues to direct growth through a newly defined settlement boundary, housing mix and additional Local Green Space protection policies.

How are these changes regarded by the Qualifying Body?

The Qualifying Body are supportive of the changes to the Made Neighbourhood Plan as described above and take the view that the changes to the Plan are material and affect the nature of the Plan. Amendments were considered following Regulation 14 consultation and changes incorporated into the Submission version of the Neighbourhood Plan as identified in the Regulation 14 Consultation Statement. The Stoke Golding Review Neighbourhood Plan

was formally approved to be submitted to the Borough Council by the Parish Council at its meeting on 6 September 2023.

Conclusion

It is the view of the Council that some of the changes are material and affect the nature of the Plan. In the view of the Council the Stoke Golding Review Plan requires examination and a referendum for the reasons set out in Section 5 of this document.

5. Stoke Golding NDP Update vs NPPF (December 2023) Compliance Table

Table 2 below sets out how Hinckley & Bosworth Borough Council (HBBC) considers that the Stoke Golding Neighbourhood Plan Review meets the requirements of Basic Condition (a) “having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan)”.

NDP Policy	Most relevant section of the NPPF (December 2023)	HBBC Representation on the Submission Draft and its Regard to National Policy
SG1: Decision-taking	Paragraphs 2, 30	The policy has appropriate regard and is considered to be consistent with the NPPF.
SG2: Housing Requirement	Paragraphs 61 66, 67, 68, 69, 82	<p>Paragraph 68 of the NPPF makes clear that a local planning authority should provide an indicative housing requirement figure where it has not been possible to set a requirement figure. Footnote 34 explains the circumstances where this will be necessary including where the neighbourhood plan comes before the local plan and where the strategic housing policies of the local plan are out-of-date. HBBC considers that these circumstances apply and as noted in the comments above accept the method Stoke Golding have identified to determine it’s housing requirement.</p> <p>Paragraph 61 of the NPPF refers to ‘the minimum number of homes needed’, the policy has been amended in the regulation 16 version of the document to include the word ‘minimum’ which the Borough Council are now happy that it is consistent with the NPPF.</p>
SG3: Mulberry Farm, High Street	Paragraphs 60, 61, 68, 69, 71, 83, 108, 123, 124, 131, 135, 158, 159, 175, 180, 185, 195, 197, 199, 200, 209	<p>NPPF policy expresses housing need in terms of minima to be provided for. Local Plans and Neighbourhood Plans should be expected to do likewise in terms of the dwelling capacities of site allocations. The policy wording states that the allocation is for ‘approximately 25 dwellings’ this allows for flexibility in the planning application process.</p> <p>The Mulberry Farm Site was a reserve site in the original Neighbourhood Plan, in the Review it is being made a full allocation. This is a brownfield site with no planning policy reason to resist the principle of housing development at present.</p>

NDP Policy	Most relevant section of the NPPF (December 2023)	HBBC Representation on the Submission Draft and its Regard to National Policy
SG4: Infill Housing Development	Paragraphs 69, 70, 71, 81, 82, 83, 123	The policy supports the development of housing on windfall sites within the settlement boundary and in other circumstances; therefore, the policy is largely consistent with NPPF policies.
SG5: Market Housing Mix	Paragraphs 61, 63, 82	Paragraph 63 of the NPPF states that 'the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies'. The policy is largely considered in general conformity with NPPF policies.
SG6: Affordable Housing	Paragraphs 61, 63, 64, 65, 82	The policy has appropriate regard to the NPPF
SG7: Countryside	Paragraphs 82, 84, 88, 160, 180,	The policy has regard to the NPPF in so far as it considers the intrinsic character and beauty of the countryside and setting out the types of development that could be acceptable beyond the settlement boundary.
SG8: Areas of Separation	Paragraphs 135, 180	The NPPF acknowledges the importance of development reflecting the defining characteristics and special qualities of different areas and recognises the intrinsic character of the countryside.
SG9: Green Infrastructure	Paragraphs 96, 102, 104	The policy is considered consistent with the NPPF.
SG10: Public Rights of Way Network	Paragraphs 104	The NPPF expects planning policies to protect and enhance public rights of way. Policy SG10 seeks protection and enhancement from development proposals but could go further in identifying particular routes and locations where enhancement opportunities exist.
SG11: Locally Important Views	Paragraphs 180	The NPPF acknowledges the importance of protecting areas of character and valued landscapes. Appendix 1 of the NDP sets out a brief description of the locally important views identified in Policy SG11.
SG12: Ecology and Biodiversity	Paragraphs 180, 181, 185, 186	Paragraph 185 states that plans should: 'Identify, map and safeguard components of local wildlife rich habitats and wider ecological networks'. A map is provided on page 28 of the NDP which links to the LWS record number.

NDP Policy	Most relevant section of the NPPF (December 2023)	HBBC Representation on the Submission Draft and its Regard to National Policy
SG13: Trees	Paragraphs 136, 158, 180, 186	The policy is considered consistent with the NPPF.
SG14: Renewable Energy	Paragraphs 162, 163, 166, 169	The policy is considered consistent with the NPPF.
SG15: Non-Designated Heritage Assets	Paragraphs 201, 202, 206, 207 & 215	Para 202 of the NPPF states: "Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account... c) the desirability of new development making a positive contribution to local character and distinctiveness..." The policy is considered to be in general conformity with NPPF.
SG16: Design	Paragraphs 128, 129, 131, 132, 135, 136	The policy is considered to be in general conformity with NPPF policies.
SG17: Local Green Spaces	Paragraphs 105, 106, 107	The Local Green Space Toolkits for Stoke Road and Land south of Station Road set out how the spaces meet the criteria of paragraph 106 of the NPPF
SG18: Retention of Key Services and Facilities	Paragraphs 88, 96, 97	Para 88 states "Planning policies should enable: ... d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship." Para 97 discusses similar aspirations for providing facilities and services to the community. Policy SG17 supports the retention of community facilities, and therefore the policy is considered in general conformity with the NPPF.
SG19: Commercial, business and services uses in the Village Centre	Paragraphs 90, 96, 97	The policy is seeking to support the health and vitality of the village centre and, as such, is considered in general conformity with NPPF policies
SG20 Infrastructure	Paragraphs 8, 28, 34, 57, 58	Policy SG20 sets out a list of infrastructure improvements needed in the village. The policy could be clearer as to how priorities will be delivered; it is broadly in conformity with NPPF policy.

NDP Policy	Most relevant section of the NPPF (December 2023)	HBBC Representation on the Submission Draft and its Regard to National Policy
SG21: Tourism	Paragraphs 88, 180	The policy seeks to promote development associated with tourism providing it is in respects the countryside and features of heritage. As such it is broadly in conformity with NPPF policy.
SG22: Willow Park Industrial Estate	Paragraphs 85, 86, 88	In safeguarding and promoting new business accommodation at Willow Park Industrial Estate, Policy SG21 is in conformity with NPPF policy.
SG23: Business Conversion of Rural Buildings	Paragraph 85, 86, 88, 89, 135	The policy responds to the need for business accommodation in the countryside with appropriate criteria to safeguard interests of importance in conformity with NPPF policy.

6. Stoke Golding NDP Review vs Local Plan Compliance Assessment

The policies of Stoke Golding NDP are assessed against the relevant adopted plans of HBBC, which include the Core Strategy 2009 and the Site Allocations and Development Management Policies Plan 2016, and the draft Local Plan (Regulation 19) of February 2022.

Policy updates with major conformity issues

None

Policy updates with minor conformity issues

None

Policy updates in conformity

SG1: Decision Taking

SG2: Housing requirement

SG3: Mulberry Farm, High Street

SG4: Infill Housing Development

SG5: Housing Mix

SG6: Affordable Housing

SG7: Countryside

SG8: Areas of Separation

SG9: Green Infrastructure

SG10: Public Rights of Way

SG11: Locally Important Views

SG12: Ecology and Biodiversity

SG13: Trees and Hedgerows

SG14: Renewable Energy

SG15: Features of Local Heritage Interest

SG16: Design

SG17: Local Green Spaces

SG18: Community Services and Facilities

SG19: Village Centre

SG20: Infrastructure

SG21: Tourism

SG22: Willow Park Industrial Estate

SG23: Business Conversion of Rural Buildings.

7. Hinckley and Bosworth Borough Council's response to the SEA Screening Decision

Basic Conditions (f):

(f). the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.

Point (f) above relates to certain obligations which plans must adhere to, primarily in relation to habitats and environmental impacts. Some plans require a Strategic Environmental Assessment and/or a Habitat Regulations Assessment (SEA/ HRA respectively).

Stoke Golding undertook an SEA screening, in which it was determined a full SEA would not be required, as agreed by the three statutory bodies: Historic England, Natural England and The Environment Agency. Below is HBBC's decision statement, issued to the Qualifying Body.

In regard to Habitat Regulations Assessment of the Stoke Golding Neighbourhood Plan Review it was determined that one is not required due to there being no adverse comments from the statutory consultation bodies and for the reasons set out in the Stoke Golding Strategic Environmental Assessment Screening Statement 2023.

Below are HBBC's decision statements regarding SEA and HRA issued to the Qualifying Body, the consultation responses received from the Statutory Bodies can be found in Appendix 3 of the Stoke Golding Screening Statement (March 2023)



Hinckley & Bosworth
Borough Council

Stoke Golding Neighbourhood Plan

The Environmental Assessment of Plans and Programmes Regulations 2004

Screening Determination notice under Regulation 9(1)

Regulation 9 of the above Regulations requires Hinckley and Bosworth Borough Council, on behalf of Stoke Golding Parish Council (the “responsible authority”), to determine whether the Stoke Golding Neighbourhood Plan Review is likely to have significant environmental effects.

Hinckley and Bosworth Borough Council, following consultation with the Environment Agency, Natural England and Historic England, has determined that the Stoke Golding Neighbourhood Plan Review is unlikely to have significant environmental effects. It is therefore considered that a Strategic Environmental Assessment (SEA) is not required.

This notice fulfils the publicity requirements in accordance with Regulations 11(1) and 11(2). A copy of this screening opinion and the associated screening report will be available on the Council’s website or can be viewed at:

Hinckley Hub

Rugby Road

Hinckley

Leicestershire

LE10 0FR

For further information, please email planningpolicy@hinckley-bosworth.gov.uk

March 2023



**Hinckley & Bosworth
Borough Council**

Stoke Golding Neighbourhood Plan

Habitat Regulations Assessment Determination

Schedule 2 of the Neighbourhood Planning (General) Regulations 2012 makes provision in relation to the Habitats Directive. The Directive requires that any plan or project, likely to have a significant effect on a European site, must be subject to an appropriate assessment. To achieve this, paragraph 1 prescribes a basic condition that the making of a neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site.

Habitat Regulations Assessment (HRA) screening is a requirement of the Conservation of Habitats and Species Regulations 2017. HRA considers the potential adverse impacts of plans and projects on designated Special Areas of Conservation (SACs), classified Special Protection Areas (SPAs) and listed Ramsar sites – collectively known as the Natura 2000 network.

It is the opinion of Hinckley & Bosworth Borough Council that a full Habitats Regulations Appropriate Assessment of the current Stoke Golding Neighbourhood Plan Review is not required, as it is unlikely to have a significant effect on any designated sites. The justification for this is contained within the Stoke Golding Neighbourhood Plan Review Strategic Environmental Assessment Screening Report (March 2023).

A copy of this screening opinion and the associated screening report will be available on the Council's website (Neighbourhood Planning webpage) or can be viewed at:

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March 2023