

Market Bosworth Neighbourhood Development Plan Review

Summary of representations submitted by Hinckley & Bosworth Borough Council to the independent examiner following the Regulation 16 Draft Plan consultation, held between 9am on Friday 13 September 2024 and 5pm on Friday 8 November 2024.

1. Schedule of responses received

No.	Type of response	Customer	Date received
01	Email	Simon Jones, Cultural Services Manager	13/09/2024
02	Online Form	MOP01	13/09/2024
03	Online Form	MOP02	14/09/2024
04	Online Form	MOP03	14/09/2024
05	Online Form	MOP04	14/09/2024
06	Online Form	MOP05	14/09/2024
07	Online Form	MOP06	15/09/2024
08	Online Form	MOP07	16/09/2024
09	Email	Ehssen Mahmood on behalf of Rose Thompson Historic England	19/09/2024
10	Online Form	MOP08	23/09/2024
11	Email	Sharron Wilkinson, Sport England	24/09/2024
12	Email	MOP09	25/09/2024
13	Email	Eve Gibson-Field, National Highways	26/09/2024
14	Online Form	MOP10	26/09/2024
15	Email	MOP11	29/09/2024
16	Email	MOP12	30/09/2024
17	Online Form	MOP13	01/10/2024
18	Online Form	MOP14	01/10/2024
19	Online Form	Dr Chris Peat, Carlton Parish Council	08/10/2024
20	Online Form	MOP15	14/10/2024
21	Online Form	Matthew Roe Marrons on behalf of Statute Homes	17/10/2024
22	Email	Tom Wignall, Avison Young on behalf of National Gas	29/10/2024
23	Email	Sally Wintle, Natural England	01/11/2024
24	Email	Ian Dickinson, Canal and River Trust	05/11/2024
25	Email	Richard Brown, Pegasus on behalf of the Landowner of Cedar Drive, Market Bosworth	06/11/2024
26	Email	MOP16	07/11/2024
27	Email	Angela Brooks, Fisher German on behalf of Richborough	08/11/2024
28	Email	Nick Wakefield, Environment Agency	08/11/2024
29	Email	Nathan Rillie, Nineteen 47 on behalf of Miller Homes	08/11/2024
30	Email	Nik Green, Leicestershire County Council	08/11/2024
31	Email	Megan Streets, Gladman	08/11/2024
32	Email	Richard Thresh, Development Services, Hinckley & Bosworth Borough Council	08/11/2024

2. Summary of representations

Please note, for data protection purposes, any Members of the Public that provided their name and address/email address have been given a MOP number to be included instead of their name in all public documents. The Independent Examiner, Hinckley & Bosworth Borough Council and the Parish Council all have sight of the full information provided in case any respondents need to be contacted about a representation, or updates on next steps need to be communicated.

For those respondents who used the online form to respond, the relevant questions on the form that were filled in have been included below. Any questions that were blank have not been included.

Rep No.	Name	Summary of Representation	HBBC Notes
01	S Jones, Cultural Services Manager, Hinckley & Bosworth Borough Council	<p>I'm not sure if relevant but I can't seem to see any references in the draft to the following documents:</p> <p>Rural Strategy 2024 – 2028</p> <p>https://lictp.sharepoint.com/:b:/s/HBCCulturalServicesManagerial/Edz5zBgFS0JLoRHJ40zhqdoBxTIs0xWh8qCsPvfQjQf5ZA?e=TZWaRs</p> <p>Tourism Strategy 2024 – 2028</p> <p>https://lictp.sharepoint.com/:b:/s/HBCCulturalServicesManagerial/EZVGdJ07WsVCjUbCLWZ0dW0BsMDKOCcCzaXutVEDOgeUSw?e=qWo3Hr</p> <p>Cultural Strategy 2024 – 2028</p> <p>https://lictp.sharepoint.com/:b:/s/HBCCulturalServicesManagerial/EcqC7d0XRFVPrhnfEc47jdYBcVPDHOpINK7ZqGVIJ4boqQ?e=bPI36F</p> <p>There are elements within each that could potentially assist and would demonstrate join up/alignment.</p>	Documents linked are available on the HBBC website, and have been provided to the Examiner & Parish Council
02	MOP01	<p>Overall, how do you feel about the plan?: I support the plan</p> <p>Please let us know your reason(s) for this decision: I think these houses are the total number Market Bosworth can cope with and no more.</p>	
03	MOP02	<p>Overall, how do you feel about the plan?: I support the plan</p> <p>Please let us know your reason(s) for this decision: I support the Market Bosworth Neighbourhood Plan. It has been updated and completed in consultation with residents from Market Bosworth and therefore is a true reflection of what the majority of residents want.</p>	

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04	MOP03	<p>Overall, how do you feel about the plan?: I oppose the plan</p> <p>Please let us know your reason(s) for this decision: Myself and my husband strongly oppose plans in LPR80, LPR196, LPR49A, LPR152 for Groby and Ratby. Not only is this not conducive with the strategy for the area of The National Forest but we do not have the infrastructure for additional cars on the road, or additional places for doctors and schooling. What areas we do have to enjoy walking and leisure activities you are now trying to take away. Groby and Ratby already are practically joined together with their individual identities being lost. When will this senseless building stop? There are plenty of houses that are unoccupied without building any more and taking away more of our cherished countryside.</p>	<p>Please note: the Market Bosworth Neighbourhood Plan Review consultation was running at the same time as the Hinckley & Bosworth Local Plan Regulation 18 consultation, therefore this response could have been meant for that, however included here for transparency.</p>
05	MOP04	<p>Overall, how do you feel about the plan?: I support the plan</p> <p>Please let us know your reason(s) for this decision: As it was done in consultation with the local community and is best suited to not damage the character and undue damage on the infrastructure. Supporting the Miller homes and Owl homes completing construction is just about the maximum the MB infrastructure can cope with.</p>	
06	MOP05	<p>Overall, how do you feel about the plan?: I support the plan</p> <p>Please let us know your reason(s) for this decision: The Market Bosworth Neighbourhood plan was formulated in consultation with local residents. The proposed development by Miller Homes and the almost finished Owl development do not place undue pressure on the local roads or infrastructure but do represent a significant increase to the dwellings in Market Bosworth, showing that Market Bosworth is supportive of the correct type of development within reasonable numbers.</p>	
07	MOP06	<p>Overall, how do you feel about the plan?: I support the plan</p> <p>Please let us know your reason(s) for this decision: The Parish Council work extremely hard to develop and maintain an up to date Neighbourhood Plan, and always fully consult with the local residents and community of Market Bosworth to get their buy in and support. This is extremely important within the community because of the unique nature of Market Bosworth as a historic centre with many heritage assets that the community strongly feels, should be protected. In addition, it is essential that any new additional housing developments represent sustainable development for the area, given the medieval infrastructure of the town and Market Place, and the</p>	

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		<p>relationship between the urban centre and rural surrounding areas. To that end, it is particularly noteworthy that the updated plan incorporates an independent housing needs assessment to ensure that Market Bosworth is fulfilling its responsibilities related to the housing needs for Hinckley and Bosworth Borough Council.</p> <p>Therefore, in summary I strongly support the draft modified plan and feel this is a valuable document for the community of Market Bosworth in ensuring that local residents have a say in how the town grows and evolves, whilst retaining its important historic and heritage assets.</p>	
08	MOP07	<p>Overall, how do you feel about the plan?: I support the plan</p> <p>Please let us know your reason(s) for this decision:</p> <p>Comments on the Market Bosworth Neighbourhood plan</p> <p>The Parish Council work extremely hard to develop and maintain an up to date Neighbourhood Plan, and always fully consult with the local residents and community of Market Bosworth to get their buy in and support. This is extremely important within the community because of the unique nature of Market Bosworth as a historic centre with many heritage assets that the community strongly feels, should be protected. In addition, it is essential that any new additional housing developments represent sustainable development for the area, given the medieval infrastructure of the town and Market Place, and the relationship between the urban centre and rural surrounding areas. To that end, it is particularly noteworthy that the updated plan incorporates an independent housing needs assessment to ensure that Market Bosworth is fulfilling its responsibilities related to the housing needs for Hinckley and Bosworth Borough Council.</p> <p>Therefore, in summary I strongly support the draft modified plan and feel this is a valuable document for the community of Market Bosworth in ensuring that local residents have a say in how the village/town grows and evolves, whilst retaining its important historic and heritage assets.</p>	
09	Ehssen Mahmood on behalf of Rose Thompson Historic England	<p>The area covered by your Neighbourhood Plan includes a number of important designated heritage assets. In line with national planning policy, it will be important that the strategy for this area safeguards those elements which contribute to the significance of these assets so that they can be enjoyed by future generations of the area.</p> <p>If you have not already done so, we would recommend that you speak to the planning and conservation team at your local planning authority together with the staff at the county council archaeological advisory service</p>	

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		<p>who look after the Historic Environment Record. They should be able to provide details of the designated heritage assets in the area together with locally-important buildings, archaeological remains and landscapes. Some Historic Environment Records may also be available on-line via the Heritage Gateway (www.heritagegateway.org.uk). It may also be useful to involve local voluntary groups such as the local Civic Society or local historic groups in the production of your Neighbourhood Plan.</p> <p>Historic England has produced advice which your community might find helpful in helping to identify what it is about your area which makes it distinctive and how you might go about ensuring that the character of the area is retained. These can be found at:-</p> <p>https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/</p> <p>You may also find the advice in "Planning for the Environment at the Neighbourhood Level" useful. This has been produced by Historic England, Natural England, the Environment Agency and the Forestry Commission. As well as giving ideas on how you might improve your local environment, it also contains some useful further sources of information. This can be downloaded from:</p> <p>http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT_6524_7da381.pdf</p> <p>If you envisage including new housing allocations in your plan, we refer you to our published advice available on our website, "Housing Allocations in Local Plans" as this relates equally to neighbourhood planning. This can be found at https://content.historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans/heag074-he-and-site-allocation-local-plans.pdf/</p>	
10	MOP08	<p>Overall, how do you feel about the plan?: I oppose the plan</p> <p>Please let us know your reason(s) for this decision: The Plan wrongly and cynically categorises Market Bosworth as a District Centre based on a number of criteria that is incorrect. This then leads to consider other applications wrongly and will have a major impact on the quality of life of the residents. This has either been done deliberately to get around the planning or incompetence. Either way should be dismissed or corrected.</p>	
11	Sharron Wilkinson, Sport England	<p>Sport England is a statutory consultee on planning applications affecting playing field land. We assess planning consultations against the five exceptions in our Playing Fields Policy and Guidance Document https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport which reflects the</p>	

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		<p>wording in paragraph 103 of the National Planning Policy Framework (2023). Paragraph 103 offers clear advice on how sport facilities and playing fields should be considered in the planning system.</p> <p>Sport England notes that the Neighbourhood Plan Review makes reference to the Council's Open Space, Sports and Recreational Facilities Study (Oct 2016). Also of relevance to this review is the Council's Playing Pitch Strategy (2019) which is currently being updated. The Playing Pitch and Outdoor Sport Strategy (2024) currently being produced for the Borough includes an objective assessment of the outdoor sports facilities located in the Neighbourhood Plan area. The Strategy provides a quantified assessment of current and future demand and the needs for outdoor sports in this area. This includes an assessment of the impact on these existing facilities, some of which are already operating at capacity in the Market Bosworth area.</p>	
12	MOP09	<p>I wish to register my comments on the above Plan</p> <ol style="list-style-type: none"> 1. There are already 70 + houses under construction on the Sedgemere Development, accessed via Station Road, the main road through the town, which is gridlocked daily due to both school traffic, and 'passing through' vehicles. 2. In addition there has been an application from Miller Homes to build 140 homes on Station Fields - also accessed via Station Road. 3. The town currently has a large number of 'holiday lodges' on the Water Park site and there is now a further proposal to build further holiday accommodation on the Golf Course site (which has already had consent to build a hotel). - this will also add to the traffic using Station Road. 4. There has been a further application from Gladman Homes to build 105 new homes on land off Shenton Lane - this time amended to provide vehicle access from York Close - which will result in further traffic using Station Road. 5. If the further applications are accepted the town will be unable to sustain the amount of traffic using its roads. 6. The town population will increase dramatically - our facilities such as the doctor's surgery, schools, etc, are already stretched. We have also lost our permanent Post Office, Bank, and a proportion of our bus services over the last few years. 7. The Gladman proposed development if it comes to fruition will permanently destroy the pleasing open countryside aspect on the approach to the town via Shenton Lane. 	

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		<p>Whilst I am fully aware that there is a need for new housing, I feel that the Market Bosworth infrastructure is barely coping with the current building taking place, and will certainly be unable to cope with further development.</p>	
13	Eve Gibson-Field, National Highways	<p>National Highways welcomes the opportunity to comment on the reviewed submission draft of the Market Bosworth Neighbourhood Plan which covers the period from 2020 to 2039. We note that the document provides a vision for the future of the area and sets out a number of key objectives and planning policies which will be used to help determine planning applications.</p> <p>National Highways (formally Highways England) has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth.</p> <p>In responding to development plan consultations, we have regard to DfT Circular 01/2022: The Strategic Road Network and the Delivery of Sustainable Development ('the Circular'). This sets out how interactions with the Strategic Road Network should be considered in the making of plans and development management considerations. In addition to the Circular, the response set out below is also in accordance with the National Planning Policy Framework (NPPF) and other relevant policies.</p> <p>In relation to the Market Bosworth Neighbourhood Plan, our principal interest is in safeguarding the operation of the SRN, the nearest routes of which are the A5 and the M69, located approximately 8.5 km southwest, 10km southeast of the plan area respectively. The scope and scale of proposed development identified in the current Hinckley & Bosworth Local Plan (accounted for within the Market Bosworth Neighbourhood Plan), is modest and shall not have any significant impact on the operation of the SRN.</p> <p>Considering the limited level of growth proposed across the Neighbourhood Development Plan area, as well as that already delivered within the Local Plan period, we do not expect that there will be any significant impacts on the operation of the SRN.</p> <p>We therefore have no further comments to provide and trust the above is useful in the progression of the Market Bosworth Neighbourhood Plan.</p>	
14	MOP10	<p>Overall, how do you feel about the plan?: I oppose the plan</p> <p>Please let us know your reason(s) for this decision: The plan describes Market Bosworth as a</p>	

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		<p>district centre, which it demonstrably is NOT. Whilst it has a small central area in which there are businesses, there are no banks, no open space in that area and the road network and transportation links are very restricted.</p> <p>The plan calls for an increase in housing well beyond the neighbourhood plan developed by the parish council and supported by residents. Unfortunately the plan does not address the lack of infrastructure investment to allow for this increase. Market Bosworth simply has physical constraints to any road network and parking improvements that would prove difficult to overcome even if investment was proposed. The impact of the increase, as proposed in the local plan, on traffic volume, pedestrian safety, parking, schools, doctors and dentists have not been adequately evaluated at all. Given that the local plan appears to be seeking a further 200+ dwellings above that already contained in the neighbourhood plan, when dwelling numbers have already markedly increased with the developments by the canal and Station Field, it is hard to believe that the local plan really cares about neighbourhood planning!</p> <p>The county council say they want Market Bosworth to have an increasing amount of tourists and the development of the old golf course was allowed because of that.</p> <p>How is the road network, parking, and pedestrian safety going to be addressed when literally hundreds of extra vehicles and people descend on the center of Bosworth, whether they be permanent residents or visitors? Vehicle movements will be substantially higher than now as the Coop has nowhere to expand and people will go to either Hinckley or Ashby for main shopping, both of which are served by roads that can cope with that amount of traffic.</p> <p>Market Bosworth will simply become a congestion nightmare. It is already unsafe at school times with parents dropping off their children or collecting them-parking on pedestrian crossings, pavements, and even in the fire station. The result of pressing ahead with a plan that appears to be more concerned with "making the numbers" than the people who live in Market Bosworth will be catastrophic. Everyone will suffer-unless and until a solution can be found that allows an already overstretched infrastructure to safely handle increases.</p> <p>The suffering will likely extend to impacts on property values too, which is another factor that should not be ignored.</p> <p>So in summary, if you can show us how you propose to invest in the infrastructure to allow for hundreds of more people and traffic movements BEFORE any further dwelling development takes place than we should seriously listen to that. Absent that however, then the neighbourhood plan</p>	

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		that is supported by Market Bosworth residents should be paramount in guiding next steps.	
15	MOP11	<p>We are current residents in Market Bosworth and have been for the past 25 years. Over this time we have seen a significant decline in the quality of life within our small Market Town.</p> <p>Please be aware that living off station road is an absolute nightmare with car, lorry & tractor vehicles constantly causing over congestion along with parked cars along our singular main road. We have 3 schools, a care home, library, industrial estate, water park and marina and we are already in dire straights with the limited facilities we have now, its absolutely pathetic, and we are paying council tax, for what?</p> <p>The co-op is so tiny older demographics cannot use it for all food as it runs out so quickly, they cannot keep up with demand. The doctors has 8 parking bays and disabled and elderly patients are constantly struggling to get parked, that is if they can get an appointment. The situation is now critical, Station road is an extremely dangerous road for drivers and pedestrians. The pavements are inadequate for the number of people we already have living here let alone adding more volume to that. There is no care or attention given for people walking to school by the golf course, the pathways are overgrown and nobody clears and maintains it on a regular basis. We have false promises of what developers are going to do and then nothing transpires that is helpful to our over populated small market town, the facilities are now disastrous and acutely inefficient for our community.</p> <p>We strongly oppose over development and in the long run adding a ridiculous number of new developments is very short sighted and idiotic for the long term sustainability of this area. I urge you to consider this and the local people before ploughing ahead with the new development plans. It is not the right time our infrastructure is at breaking point as it is. This needs to be addressed before any new developments are considered. You are verging on the point of current residents not wanting to live here anymore let alone new residents.</p>	
16	MOP12	I fully support this Neighbourhood Plan and urge you to press on with getting it approved.	
17	MOP13	<p>Overall, how do you feel about the plan?: I support the plan</p> <p>Please let us know your reason(s) for this decision: I fully support the Market Bosworth Neighbourhood Plan, as it strikes an essential balance between development and the preservation of the unique character of our local area. The proposed areas for development are thoughtfully and proportionately aligned with the actual needs of our community, ensuring that any growth is both sustainable and in harmony with the town's infrastructure and resources.</p> <p>A key strength of the Plan is its commitment to safeguarding the rich heritage that defines Market</p>	

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		<p>Bosworth. By focusing development in appropriate areas, the Plan ensures that our historical buildings, landscapes, and cultural identity are preserved for future generations. This careful approach maintains the distinct charm of the town, which is a cornerstone of its appeal to both residents and visitors.</p> <p>It should be noted that the Hinckley and Bosworth Borough Council Local Plan is not proportionate to the needs of Market Bosworth and there has been excessive levels of speculative development to be sustainable. Neither the Local Plan nor the recent speculative developments align to the needs case for the county and certainly not for Market Bosworth.</p> <p>In summary, the Neighbourhood Plan provides a forward-thinking vision for development that is tailored to the needs of our community while protecting the heritage and character that makes Market Bosworth so special. The Neighbourhood Plan should be the maximum allowance for development in Market Bosworth.</p>	
18	MOP14	<p>Overall, how do you feel about the plan?: I support the plan</p> <p>Please let us know your reason(s) for this decision: I fully support the Market Bosworth Neighbourhood Plan, as it strikes an essential balance between development and the preservation of the unique character of our local area. The proposed areas for development are thoughtfully and proportionately aligned with the actual needs of our community, ensuring that any growth is both sustainable and in harmony with the town's infrastructure and resources.</p> <p>A key strength of the Plan is its commitment to safeguarding the rich heritage that defines Market Bosworth. By focusing development in appropriate areas, the Plan ensures that our historical buildings, landscapes, and cultural identity are preserved for future generations. This careful approach maintains the distinct charm of the town, which is a cornerstone of its appeal to both residents and visitors.</p> <p>It should be noted that the Hinckley and Bosworth Borough Council Local Plan is not proportionate to the needs of Market Bosworth and there has been excessive levels of speculative development to be sustainable. Neither the Local Plan nor the recent speculative developments align to the needs case for the county and certainly not for Market Bosworth.</p> <p>In summary, the Neighbourhood Plan provides a forward-thinking vision for development that is tailored to the needs of our community while protecting the heritage and character that makes Market Bosworth so special. The Neighbourhood Plan should be the maximum allowance for</p>	


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		development in Market Bosworth.	
19	Dr Chris Peat, Carlton Parish Council	<p>Overall, how do you feel about the plan?: I support the plan</p> <p>Please let us know your reason(s) for this decision: Carlton PC considers the Plan to be appropriate and fit for purpose.</p> <p>Carlton Parish Council (the PC) wishes to submit the following comments:</p> <ol style="list-style-type: none"> 1. The PC fully supports the above Neighbourhood Plan. 2. It is not clear why this Plan is for the period 2020-2039 when the H&BB Local Plan is for 2020-2041. 3. The draft H&BB Local Plan proposes to allocate additional land for residential development adjacent to the site covered by Policy BD2. The PC suggests that this additional site is identified in the MBNP for the avoidance of doubt and in order to avoid speculative proposals for development on other less suitable sites. 4. Para 5.2.1. The PC suggests an additional aim: To maintain and improve walking and cycling routes and access to the countryside. 5. Para 6.5.10. The PC suggests the addition of a statement that these views and vistas, combined with a network of well-maintained walking routes are a significant element of the local tourism offering. 6. Para 7.2.5. The PC suggests the following aspirational projects: To create a pedestrian link between the Arboretum and the gated road; To create an off-road link suitable for pedestrians, cyclists and mobility buggies between Sustrans 52, the Ashby Canal towpath, the Sedgemere site, the BD2 site allocation, York Close, and Market Bosworth town centre. 	
20	MOP15	<p>Overall, how do you feel about the plan?: I would support the plan with some modifications</p> <p>Please let us know your reason(s) for this decision:</p> <p>Dear Sir/Madam,</p> <p>As a resident who will be directly affected by the Plan, I am puzzled as to why we were consulted</p>	

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		<p>on the original Plan, when it would appear that any regard for existing residents is being overlooked at the last minute.</p> <p>To be more precise, the original plan made it clear that the dwellings to be built adjacent to existing properties at the end of Heath Road (number 83 onwards into the cul-de-sac) would be single storey in design to minimise impact on us as existing residents. However, the Millers Homes plans clearly show that in fact these are to be two-storey in design. Whilst I have no doubt that this meets permitted requirements, I am dismayed that, despite the Neighbourhood Plan being developed to supposedly consider current residents, it would no appear that there is a total disregard for those of us who are already in residence, in favour of how much profit the developers are able to earn through construction and sale of two-storey dwellings. In addition, the number of properties to be built has grown significantly, cutting down on the amount of green space, which was one of the 'selling points' of the original Neighbourhood Plan.</p> <p>Secondly, I am pleased to see the inclusion of awareness of nature and wildlife. However, there is no mention of the boundary to be erected between existing properties on Heath Road (of which mine is one) and the development site. I assumed that the developer would be expected to construct sturdy wooden boundaries to allow privacy for us, both during development and to create a secure boundary between ourselves and the new gardens. My neighbour has already had a meeting with a member of your planning department and her understanding is that there is no intention to erect such boundary fences, and that hedging will be planted instead. I hope you can understand my concern if this is the case - this will provide neither security nor privacy between our property and the development site. Surely she must be mistaken? Planting hedging against new fencing would be ideal to solve both issues. Without proper permanent fencing, the development site will be insecure, and there will be easy access from garden to garden for animals, children and even less desirable individuals who would be able to move seamlessly from one property to the next.</p> <p>One fence already in existence is situated along one side of my property and is to form the boundary of the public footpath from the site onto Heath Road. This area is currently extremely overgrown and will need to be extensively cleared as part of the plan. This will inevitably unsettle and disturb the ground into which the fence is based, especially as the land drops quite significantly at this point between my property and the area of land. This fence is my property according to the deeds. Is the plan for this boundary to be hedging too? I would assume that it is my responsibility to replace the fence, but as I have no plans to do so, can I be assured that it will be replaced on my behalf should it be damaged or disturbed during clearance and path development? If the fence at the end of this plot of land (which is the property of the landowner - I</p>	

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		<p>assume to now also be Miller Homes) is removed, pedestrians will have direct access onto my land next to my driveway, which of course would be unacceptable and be considered to be trespass. Hedging will not stop easy access onto my property and a new fence is the only acceptable way to avoid this.</p> <p>Finally, the area on the plan to be given over to the footpath is extensive. What considerations have been made to minimise this area being used for illegal activities (such as drug-taking/dealing) or as an area easily utilised by groups of youths, as an area to drop litter, add graffiti or other unpleasant activities which have been relatively rare in Market Bosworth to date. I had offered to purchase this area from the church to extend my garden to avoid this as it would have limited the available space to a simple footpath without the considerable additional space, but they were insistent it were sold as part of the development, even though it has separate deeds.</p> <p>I would be very grateful if I could discuss these points with someone who can clarify the full facts and discuss ways to overcome these issues. I do hope that you recognise the scale of this development on those of us who live at this end of Heath Road, both during and after construction and will do everything within your power to support exiting residents as the plan moves forward, rather than supporting only the developers whose only goal is to maximise their profits, with little or no regard for those of us who already live here.</p> <p>I thank you in advance for having read my comments and I look forward to hearing from you soon.</p>	
21	Matthew Roe Marrons on behalf of Statute Homes	<p>Overall, how do you feel about the plan?: I oppose the plan</p> <p>Please let us know your reason(s) for this decision: Please refer to representations letter prepared by Marrons.</p> <p>Details of the representation letter:</p> <p>1. These representations have been prepared by Marrons on behalf of our client, Statue Homes Ltd who maintain an interest in Kyngs Golf and Country Club. The land in question is allocated as a leisure and tourism character area within the Regulation 16 Neighbourhood Plan ("NP") and 4 additional vistas are now proposed at the site within the Landscape Review Document, prepared by David Hickie Associates (version 3.0 March 2024 version), these being Vistas F, G, H and J.</p> <p>2. To confirm, reference to the "NP" within these representation is pursuant to the Regulation 16 NP currently under consultation. Any reference to the adopted Neighbourhood Plan (2015) is identified as such.</p>	<p>Due to the size of the appendices, these are available on request.</p> <p>The appendices are:</p> <p>Appendix 1: Site Location Plan</p> <p>Appendix 2: Full Planning History for the Kyngs Golf and Country Club site</p> <p>Appendix 3: Decision notice for appeal ref:</p>

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		<p>3. The Neighbourhood Plan underwent a minor review in 2020, with the only update being a publishing of a housing needs assessment of July 2020. The Neighbourhood Plan is currently undergoing a major review, with the Regulation 14 consultation commencing in September 2023 and concluding in October 2023. Hinckley & Bosworth Borough Council formally accepted the Market Bosworth Modified Neighbourhood Plan (Regulation 15 Submission) on 19 August 2024 for Regulation 16 Consultation and examination.</p> <p>4. The Regulation 16 consultation to which these represents relates commenced on 13 September 2024, and will conclude on 08 November 2024.</p> <p>5. In the period between the completion of the aforementioned Landscape Review Document, the commencement and completion of the Regulation 14 consultation and this current Regulation 16 consultation, our client has submitted five separate planning applications at the site. These applications are confirmed as follows:</p> <ul style="list-style-type: none"> • 24/00019/FUL, for the proposed erection of a 50x room Golf and leisure accommodation facility with associated works (part revised scheme to that approved under 19/01437/FUL), granted planning permission on 12 April 2024; • 24/00026/FUL, for the erection of 2 subterranean golf holiday lodges with associated works, granted planning permission on 07 June 2024; • 24/00027/FUL, Erection of 4 golf holiday lodges and associated works, refused planning permission on 09 May 2024; • 24/00513/FUL, Erection of 4 holiday lodges and associated works (resubmission of 24/00027/FUL), granted planning permission on 26 September 2024; and • 24/00769/FUL, Change of use of land and the siting of 9 single storey holiday lodges with vehicle parking and associated works (Revised Scheme 23/00508/FUL), awaiting decision <p>6. These planning permissions confirm that the Kyngs Golf and Country Club site is a sustainable location for new leisure and tourism development in principle, with those developments according with the objectives of CS Policy 11, Key Rural Centres Standalone, alongside CS Policy 23, Tourism Development of the adopted Core Strategy (2009). By granting permission Hinckley and Bosworth Borough Council have also confirmed that leisure and tourism related development at the site accords with the objectives of Policy DM24, Cultural and Tourism Facilities of the Site Allocations and Development Management Policies DPD (2016). The grant of permission also confirms that the development of leisure and tourism facilities at the site accords with the objectives of policies CE1, Character and Environment and CE5, Landscape of the Wider Parish of the current adopted Market Bosworth Neighbourhood Plan (2015). A full planning history for the Kyngs Golf and Country Club site is provided at appendix 2 of these representations.</p>	<p>APP/K2420/W/18/3218401 APP/K2420/W/18/3229633</p> <p>Appendix 4: Decision Notice for appeal ref: APP/K2420/W/24/3337087</p> <p>Appendix 5: Approved plans for planning permission ref: 19/01437/FUL</p> <p>Appendix 6: Approved plans for planning permission ref: 24/00019/FUL</p>

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		<p>7. At the time of submission of this representation, the Kyngs Golf and Country club site extends to 126 acres, with an extant use as a golf course, granted under planning permission ref: 98/00963/COU. This use ceased in 2016 due to the previous site owners going into receivership, with our client maintaining the land at considerable expense, amounting to circa. £65,000 per annum.</p> <p>8. As noted by recent appeal decision ref: APP/K2420/W/24/3337087 (appendix 4) at para. 12, the appeal site at present forms “part of an existing recreation facility which benefits from a modified landscape and some existing and approved built development”.</p> <p>9. The Kyngs Golf and Country club site is not isolated from the settlement of Market Bosworth, with the site access adjacent to the settlement boundary on Station Road. This access, which has recently been reinstated and re-gravelled to represent its appearance when the site was in use as a golf course, extends deep into the site, connecting the site entrance to the “half way house” existing single storey building located between holes 7 and 8 of the golf course. The extent of the track is shown in figure 1 below, with the halfway house highlighted for convenience. The bunkers for some of the holes of the golf course are also visible.</p>	


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		 <p data-bbox="454 1195 1061 1230">Figure 1: Google Earth screenshot of the site on 21 April 2015, with the access track clearly visible. The halfway house is marked in red</p> <p data-bbox="439 1273 1682 1362">10. Two public rights of way traverse the site, these being footpaths S70 and S68. Footpath S70 connects footpath S69 at Market Bosworth to Carlton Road, west of King's Bridge. Footpath S68 connects Barton Road, north of Market Bosworth to Turn Bridge, Shackerstone.</p>	

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		<p>11. Despite the proposal to continue to allocate our clients land as a Leisure and Tourism Character Area under Policy DC1 of the emerging NP, no formal letter of correspondence was received by our client notifying them of this intended designation. Our client first became aware of the proposed designation, and the Important Vistas identified within the accompanying Landscape Review Document for the emerging NP when reviewing the Parish Council comments for planning permission ref: 24/00513/FUL. If our client had not happened to review these comments for that application, they would have been unaware of the proposed designation. These comments extended to 6 pages and objected to those proposals on landscape grounds, contrary to the case officer recommendation for the application. These comments were highlighted to the case officer before committee and a note was added into the late items which provided a rebuttal to the observations raised. Planning permission was granted for those proposals in any event, with the comments raised by the Parish Council not considered relevant to the determination of the application and a unanimous decision for granting planning permission was made, further establishing the lawful use of the Kyns Golf and Country club site as an appropriate location for leisure and tourism development.</p> <p>12. This representation reviews the Submission Neighbourhood Plan and associated materials provided as part of the Regulation 16 consultation, providing commentary on the proposed planning policies before critically reviewing the Landscape Review evidence.</p> <p>13. For the reasons set out within this representation, inclusive of a consideration of the sites recent planning history and the considerations set out within National Planning Practice Guidance, the position of Statue Homes Ltd is that the proposed NP revision fails to meet the basic conditions set out within Planning Practice Guidance. The Neighbourhood Plan is considered to require significant r2visions prior to being made and comprising part of the Development Plan.</p> <p>14. This representation should be read in conjunction with the following appendices: Appendix 1: Site Location Plan Appendix 2: Full Planning History for the Kyns Golf and Country Club site Appendix 3: Decision notice for appeal ref: APP/K2420/W/18/3218401 APP/K2420/W/18/3229633 Appendix 4: Decision Notice for appeal ref: APP/K2420/W/24/3337087 Appendix 5: Approved plans for planning permission ref: 19/01437/FUL Appendix 6: Approved plans for planning permission ref: 24/00019/FUL</p> <p>Basic Conditions</p> <p>15. Under paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended), neighbourhood plans must meet certain “basic conditions” and other legal requirements before they can come into force. The basic conditions, as they are relevant to neighbourhood plans, are:</p>	

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		<ul style="list-style-type: none"> • 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; and • (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). <p>16. The submission version of the Neighbourhood Plan has now been accompanied by the Parish Council's Basic Conditions Statement. This is required to be a detailed statement setting out how the basic conditions have been met, in respect of each policy. We have had regard to this in drafting this consultation response.</p> <p>17. We have also had regard to the submitted Consultation Statement, which sets out the Parish Council's response to the comments it received during the Regulation 14 consultation. Comments on the scope and detail of the Draft Neighbourhood Plan i. National Guidance on Neighbourhood Plan Preparation and Relevant Adopted Planning Policy</p> <p>18. Further guidance on the preparation of Neighbourhood Plans is provided within National Planning Practice Guidance ("NPPG") at paragraph: 040 Reference ID: 41-040-20160211 onwards. This paragraph makes clear that "Whilst there are prescribed documents that must be submitted with a neighbourhood plan or Order there is no 'tick box' list of evidence required for neighbourhood planning. <u>Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order</u>".</p> <p>19. Paragraph 044 Reference ID: 41-044-20190509 states "a neighbourhood plan can allocate additional sites to those in a local plan (or spatial development strategy) where this is supported by evidence to demonstrate need above that identified in the local plan or spatial development strategy. Neighbourhood plans should not re-allocate sites that are already allocated through these strategic plans". This paragraph continues, stating "the resulting draft neighbourhood plan must meet the basic conditions if it is to proceed. National planning policy states that it <u>should support the strategic development needs set out in strategic policies for the area, plan positively to support local development and should not promote less development than set out in the strategic policies (see paragraph 13 and paragraph 29 of the National Planning Policy</u></p>	

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		<p><u>Framework). Nor should it be used to constrain the delivery of a strategic site allocated for development in the local plan or spatial development strategy.</u></p> <p>20. Within the adopted Core Strategy, Market Bosworth is allocated as a Key Rural Centre Standalone, the most sustainable location for new development within the Borough outside of the Hinckley Urban Area. Policy 7: Key Rural Centres of the Core Strategy states that in order to support key rural centres and ensure they can provide key services to their rural hinterland, the Council will “support the development of the tourism industry in line with Policy 23”.</p> <p>21. Policy 11: Key Rural Centres Stand Alone makes clear that there is an expectation for Market Bosworth to deliver proportionate levels of growth throughout the plan period. More specifically, this policy explicitly states that the Council will “support the role of Market Bosworth as a tourist destination in its own right and linked to the Bosworth Battlefield and Ashby Canal Corridor in line with Policy 23”.</p> <p>22. Turning to Policy 23: Tourism Development, this policy is explicitly supportive of the development of new and extended visitor attractions, stating that support will be given for “new holiday lodge accommodation in suitable locations where:</p> <ul style="list-style-type: none"> • The development can help to support existing local community services and facilities and • Is of a design and at a scale which is appropriate to minimise impact and assimilate well with the character of the surrounding area with acceptable landscaping and • The development adds to Hinckley & Bosworth’s local distinctiveness and • Complements the tourism themes of the borough and • The development adds to the economic wellbeing of the area” <p>23. Within the adopted Site Allocations and Development Management DPD, Policy DM7: Safeguarding the Countryside and Settlement Separation states that development within the countryside will be considered sustainable where it is for outdoor sport or recreation purposes (and ancillary buildings) and that it can be demonstrated that it cannot be provided within or adjacent to settlement boundaries. Developments that significantly contribute to economic growth, job creation and/or diversification of rural businesses will also be supported provided that it does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside, does not undermine physical and perceived separation and open character between settlements, and does not exacerbate ribbon development.</p> <p>24. Policy DM10: Development and Design states that development will be supported where it complements or enhances the character of the surrounding area with regards to scale, layout, density, mass, design, materials and architectural features and incorporates a high standard of landscaping where this would add to the quality of the design and siting.</p>	

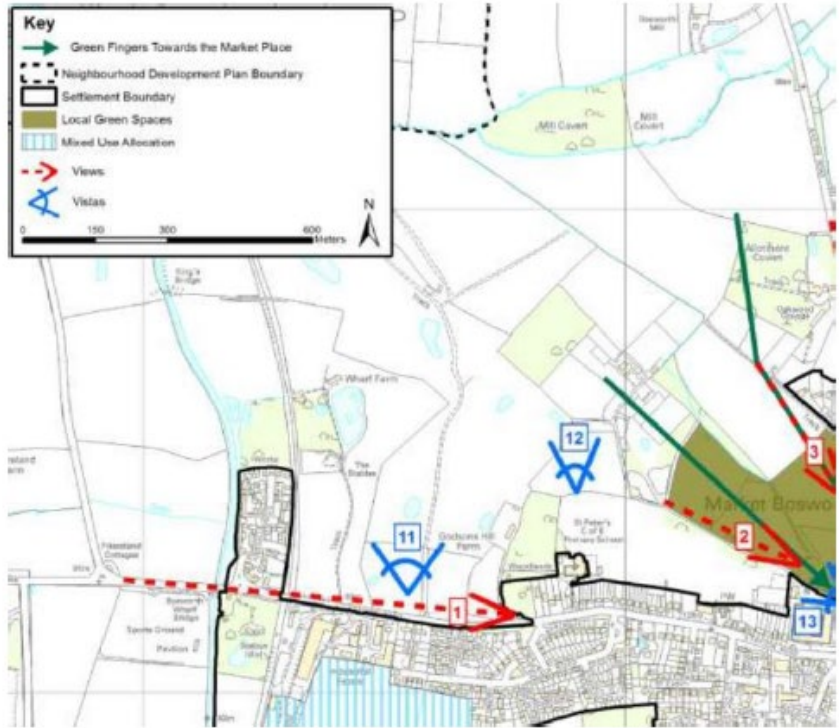
Rep No.	Name	Summary of Representation	HBBC Notes
		<p>25. Policy DM24: Cultural and Tourism Facilities expressly supports the retention and development of new cultural and tourism facilities across the Borough.</p> <p>26. The role of Market Bosworth as a Key Rural Centre Standalone is reflected within the adopted Market Bosworth Neighbourhood Plan 2014 – 2026 (September 2015). Turning specifically to the planning policies of relevance to the Kyngs Golf and Country Club, the entirety of the site is located within Character Area A, a leisure and tourism character area. The Kyngs Golf and Country Club site is also currently subject to 2 separate important views and vistas, these being Vista 11, looking north from Station Road at the site entrance, and Vista 12, which looks north over the eastern part of the site from footpath S70.</p> <p>27. Para. 4.3b of the adopted NP identified the Kyngs Golf and Country Club as “a large, landscaped 126 acre site forming an 18 hole golf course and associated facilities. The course spans north up to the parish boundary with Carlton”. The land uses within Character Area A have a defined character of “open landscape features including open bodies of water and green countryside landscape... large wide open aspect (within individual sites)...outdoor leisure pursuits including water-based activities, and heritage-style leisure resources”.</p> <p>28. Policy CE1: Character and Environment requires all new development within Market Bosworth should be in keeping with its Character Area with regards to scale, layout and materials to retain local distinctiveness and create a sense of place.</p> <p>29. Policy CE3: Important Views and Vistas states that “development that harms important views into or vistas out of Market Bosworth will be resisted. The location and direction of these views and vistas are indicated on the Views and Vistas map and described in Section 6.1p. New development will not be supported if it has a significantly adverse impact on an important view or vista”.</p> <p>30. Policy CE5 of the adopted NP states that within the landscape of the wider parish, new development will only be permitted where it contributes to the local economy, involves the re-use of an existing building, is for sports and recreation, or for new dwellings in the circumstances identified under (then) paragraph 55 of the Framework.</p> <p>ii. The Regulation 16 Neighbourhood Plan Emerging Policies and Landscape Evidence Base</p> <p>31. As with the adopted NP, the entirety of the Kyngs Golf and Country Club is proposed to be allocated as a Leisure and Tourism Character Area. The extent of the designation is set out at Appendix 1, Character Area Map. This categorisation is supported by our client given the site has a clear extant use as a golf course and</p>	

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		<p>the recent planning history for the site, set out at appendix 2 of this representation being for leisure and tourism related development.</p> <p>32. Significant leisure and tourism development has been approved at the Kyngs Golf and Country Club within the last 5 years, including a new clubhouse, a new 50 bed golf and leisure hotel and 7 holiday lodges at various locations around the wider site. All of these planning permissions confirm that leisure and tourism related development at the site has been judged to accord with the relevant policies of the development plan, listed at para. 6 of these representations. The locations of each of these permissions are identified at figure 2 below for convenience.</p>  <p>Figure 2: Google Earth satellite image of the Kyngs Golf and Country Club site with the locations of the leisure and tourism planning permissions identified (not to scale)</p> <p>33. The western edge of Market Bosworth can be appreciated from within the Kyngs Golf and Country Club from numerous locations. The most notable location for this is site entrance, the site of the existing golf clubhouse on-site, the location of the clubhouse permitted under planning permission ref: 19/01437/FUL, and the 50 bed golf and leisure hotel granted under planning permission ref: 24/00019/FUL.</p>	

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		<p>34. The decision notice for appeal ref: APP/K2420/W/18/3218401 and APP/K2420/W/18/3229633 is included within these representations at appendix 3. The proposed development was for the resubmission of refused planning application (LPA ref: 17/00528/FUL) for the erection of multi-functional recreational building, the erection of a golf simulator building, the erection of a golf buggy garage, formation of a new car parking areas and new access roads and the proposed erection of 15 golf holiday homes and all associated ancillary works and landscaping. Within that appeal decision at para. 31, the Inspector made clear that the landscape within which the Kyngs Golf and Country club resides in has at most a local importance and that the site is not located within a national or regionally valued landscape as identified at para. 182 of the NPPF (“the Framework”).</p> <p>35. On a similar note, attached at appendix 4 is appeal decision ref: APP/K2420/W/24/3337087, erection of nine single storey holiday lodges with vehicle parking and associated works. The Inspector considers the character and appearance of the appeal site and Kyngs Golf and Country Club at para. 8 onwards of the decision, stating at para. 12 as follows:</p> <p>Based on my visit I acknowledge that because of the limited built forms and the green and generally natural appearance of the site and its immediate surrounds, this complements the intrinsic character and beauty of the countryside which surrounds the town. <u>Nevertheless, I am mindful that the appeal site forms part of an existing recreation facility which benefits from a modified landscape and some existing and approved built development. Also, as already stated, subject to the reinstatement the golf course use, in principle, the appeal site is suitable for the type of development proposed.</u></p> <p>36. What is clear is that, whilst the Kyngs Golf and Country club represents a large extent of managed grassland, the aforementioned two appeal decisions have recognised that the character of the site is one which has a local significance at most, and that the character of the site comes from existing and permitted development for leisure and tourism purposes, alongside the rolling, modified landscape character from the extant golf course use.</p> <p style="padding-left: 40px;">a. Proposed Policy DC1: Design Codes</p> <p>37. Turning to the proposed policies of the Regulation 16 NP, Policy DC1 states that “development proposals <u>must demonstrate</u> how they contribute positively to the following 10 character areas, and will be supported where they in conformity with the essential design considerations for the relevant character area, the general design principles set out in the Market Bosworth Design Codes and other Neighbourhood Plan policies as applicable” (our emphasis). The Leisure and Tourism Character Area is identified as one such area.</p>	

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		<p>38. The Framework sets out the Government’s ambitions for design, noting that clarity about design expectations, and how these will be tested, is essential and so too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process (para.131). The Framework goes on to say that “plans should set out a clear design vision and give applicants as much certainty as possible about what is likely to be acceptable. Design policies should reflect local aspirations and be <u>grounded in an understanding and evaluation of each area’s defining characteristics</u>” [emphasis added]. It is entirely appropriate for neighbourhood plans to identify the special qualities of each area and explain how this should be reflected in development (para. 132).</p> <p>39. Para. 135c requires planning policies to be “sympathetic to local character and history, including the surrounding built environment and landscape setting, <u>while not preventing or discouraging appropriate innovation or change (such as increased densities)</u>”.</p> <p>40. Policy DC1 is myopic in its approach and unnecessarily restrictive, seeking only design of a character that fully accords with the character area within which it resides. No appropriate innovation or change, as required under para. 135c of the Framework is accounted for in any way. This is a stronger policy requirement than for development within a conservation area, for example. Importantly, para. 135c notes that innovation or change should not be prevented or discouraged. The myopic approach of Policy DC1 is perplexing given that Policy CE1a of the NP explicitly supports appropriate “innovation and outstanding design, provided that it raises the overall quality of the Character Area”. As written policy DC1 is at odds with the Framework, contradicts the design objectives of emerging policy CE1a and requires modification if it is to meet the basic conditions test.</p> <p style="padding-left: 40px;">b. Proposed Policy CE3: Important Views and Vistas and Landscape Character</p> <p>41. At para. 6.6.1 of the NP features that were considered as “special” to Market Bosworth by 80% of residents are listed. It is telling that Market Bosworth’s designation as a Key Rural Centre under CS Policy 7 is listed as one of its special features.</p> <p>42. As set out at para. 19 of these representations, Policy 7: Key Rural Centres of the Core Strategy states that in order to support key rural centres and ensure they can provide key services to their rural hinterland, the Council will “<u>support the development of the tourism industry in line with Policy 23</u>” (our emphasis).</p> <p>43. Policy 23 explicitly supports the development of new tourism facilities were the development can help to support existing local community services and facilities. Proposals should be of a design and at a scale which is appropriate to minimise impact, allowing assimilation well with the character of the surrounding area with acceptable landscaping, adding to Hinckley & Bosworth’s local distinctiveness, complementing the tourism</p>	

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		<p>themes of the borough. Development should also add to the economic wellbeing of the area". Whilst suitable areas are not explicitly identified within the adopted Core Strategy, the aforementioned appeal decisions attached at appendix 3 and 4 of these representations make explicitly clear that the Kyngs Golf and Country Club is one such location, subject to accordance with the other relevant policies of the Development Plan.</p> <p>44. Despite the current adopted policies of the Development Plan explicitly supporting the principle of new leisure and tourism development at our clients site, as established through the granting of the planning permissions listed at appendix 2 of these representations, the NP effectively seeks to restrict any further development of any kind through the proposed Important Views and Vistas ("IVV") identified at emerging Policy CE3.</p> <p>45. Prior to examination of the proposed Important Views and Vistas and the relevant evidence, it is worth revisiting the current IVV's within the adopted NP. The current IVVs are set out at page 23 of that document, with the IVVs at the site being views across the site from Station Road (IVV11), with another view from footpath S70 looking north along the eastern edge of the Kyngs golf and country club site (IVV12). These views are shown at figure 3 below.</p>	

Rep No.	Name	Summary of Representation	HBBC Notes
		 <p>The map shows the Kyngs Golf and Country Club site with various planning boundaries and features. A key in the top left corner defines symbols for 'Green Fingers Towards the Market Place' (green arrow), 'Neighbourhood Development Plan Boundary' (dashed line), 'Settlement Boundary' (solid line), 'Local Green Spaces' (yellow), 'Mixed Use Allocation' (blue hatched), 'Views' (red dashed arrows), and 'Vistas' (blue arrows). A scale bar indicates 0, 150, 300, and 600 meters. The map highlights several views and vistas: View 1 (red arrow) from Station Road, Vista 11 (blue arrow) from Godsons Hill, Vista 12 (blue arrow) from St Peter's Primary Academy, and Vista 13 (blue arrow) from the Market Bosworth area. Other features include Mill Covert, Northside Covert, and Market Bosworth.</p> <p>Figure 3: The Important Views and Vistas that relate to the Kyngs Golf and Country Club site as identified within the adopted NP at page 23</p> <p>46. Within the adopted NP commentary on the current IVV's is provided at page 32 of that document as follows:</p> <p>11 - Standing on Station Road pavement at the junction with Godsons Hill the vista starts with housing on the west side enclosed by trees, turning northwards to mature trees and wooded areas stretching across the golf course the land undulates with fields and woods to the horizon. Turning east across grazing land which rises up to woods with a couple of dwellings on the edge to the right. This vista is important because it gives extensive views of north west Leicestershire.</p> <p>12 - Standing on footpath S70 just beyond the playing fields of St Peters Primary Academy, from this</p>	

Rep No.	Name	Summary of Representation	HBBC Notes
		<p>elevated position an extensive 180 degree vista spans from the west across the golf course, landing strip, pasture land with mature trees and wooded areas dotted amongst the fields. Turning northwards the village of Carlton and Bosworth Mill can be seen with Nailstone church spire on the horizon. Turning east to a tree lined hedge running back up to the footpath on the right. This vista is important because of its elevated position it gives a long, unbroken view of north-west Leicestershire.</p> <p>47. As set out within appeal decision ref: APP/K2420/W/18/3229633, provided at appendix 3, the Inspector when considering IVV 11 of the adopted NP commented as follows:</p> <p>From lower ground at IVV 11, however, views of the wider golf course <u>are largely screened by the solid hedgerow which runs across the front boundary of the site</u>, though the higher ridge to the eastern side is apparent. (our emphasis)</p> <p>48. When considering the clubhouse and courtyard parts of that proposal, with regards to its impact upon the character and appearance of the surrounding area, including IVV 11, the following commentary is provided:</p> <p><u>Though the buildings would be set within a stretch of largely open land along Station Road, its surroundings offer clear indications of the site's proximity to Market Bosworth. In particular, there is continuous development, both industrial and residential to the opposite side of Station Road. Moreover, the approach from the west is already subject to urbanising influence from the scale and prominence of Bosworth Marina and the residential development at Pipistrelle Drive, such that the site, despite its openness, is contained between these developments and the hill of Market Bosworth itself, resulting in a localised impact on the landscape.</u> This combination of these factors, in my view, means that the proposed buildings would not harm the landscape character of the area, nor detract unacceptably from the identified IVV 11 of the MBNP. (our emphasis)</p> <p>49. Whilst that appeal was dismissed on grounds of landscape impact due to the detached holiday lodges that formed part of that planning application, the Council will be aware that the courtyard and clubhouse part of those proposals found acceptable by the Inspector were resubmitted and planning permission ref: 19/01437/FUL was granted on 16 June 2020. The clubhouse is a substantial, two storey building that will be constructed from brick, stone and slate. This planning permission has been implemented at the site with the relevant pre-commencement planning conditions discharged. This forms a highly material baseline against which any future proposed IVVs at the site should be considered, with the relevant approved plans attached at appendix 5 of these representations.</p> <p>50. Similarly, planning permission has been granted for a 50 bed golf and leisure hotel and associated works within IVV 11, planning permission ref: 24/00019/FUL granted on 12 April 2024. The approved plans and</p>	

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		<p>elevations are provided at appendix 6 of these representations with the Officer Report to Planning Committee, and again represent a highly material consideration for the proposed IVVs at the site. The approved hotel is a substantial two storey building which, when considering its placement on an elevated section of land and the levels that will be required for the foundations of the building, will give the hotel the effective height of a three storey building. When considering matters of landscape impact, para. 8.47 of the Officer Report reads as follows:</p> <p>The location of the courtyard building lies to the north of Station Road. The building would be visible from Station Road but situated behind a large hedge which would help to screen it from view. The Officers Committee report for extant permission (19/01437/FUL) and the Inspectors Appeal decision for appeal ref: (APP/K2420/18/3218401) <u>stated that in terms of the courtyard building the development would result in localised impact on the landscape, however in combination of the scale, siting and wider context, the building was not considered to result in harm to the landscape character of the area, nor detract from the identified vista 11 of the MBNP.</u> (our emphasis)</p> <p>51. Emerging Policy CE3 is supported by the March 2023 Landscape Review document prepared by David Hickie Associates. Para. 2.13 confirms the definition of a vista as follows: Vistas refer to series of significant views (often linear in nature along a footpath or road; or panoramic from one location) that afford a high quality of visual experience.</p> <p>52. Para. 4.1 of the Landscape Review confirms that site visits took place in autumn 2022 and January 2023. It is disappointing that site visits did not take place during summer months when vegetation is in full leaf so a comparative exercise could have been undertaken. In any event, when considering the proposed important views and vistas, it is stated that “all views are experienced from public footpaths (and a permissive footpath on private land) or from public roads. <u>It is considered whilst there are many pleasant views and vistas across the parish only those of significant positive value should be identified as requiring protection”.</u> (our emphasis)</p> <p>53. What is clear upon reviewing figure 5, Vistas and Views of the Landscape Review is that seemingly all footpaths emanating from Market Bosworth have been deemed as important views and / or vistas, with these views and vistas covering all directions looking out of Market Bosworth.</p> <p>54. The veracity of the identified IVVs is challenged on this basis, as it appears that any footpath located adjacent to Market Bosworth has been designated as an important view of vista. Whilst the public rights of way bring undoubtable amenity benefits and in some locations provide clear, attractive views of the settlement and surrounding countryside, this does not justify a blanket designation of PROWs as important views and vistas in its own right. The designations would benefit from a more subjective analysis that also takes into consideration other highly material considerations such as planning history.</p>	


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		<p>55. There is a clear conglomeration of these vistas to the south of Market Bosworth and to the west. The vistas to the south are somewhat more understandable given the clear historical significance of the land, including Bosworth Battlefield. Vista D, for example notes the “Bosworth Battlefield Museum” visible on the skyline as a positive feature on the landscape.</p> <p>56. Turning to the Kyngs Golf and Country Club site, 4 IVVs are proposed across the site with important views identified looking north from Station Road (Vista I), looking north from footpath S68 (Vista G), looking north-west along footpath S70 (Vista F) and looking east across the entirety of the middle of the golf course (Vista H). The location of the vistas are shown in figure 4 below.</p> <p>57. In effect, should the proposed important vistas be adopted in their current locations, the entirety of the Kyngs Golf and Country club would be covered by important vista designations. The wording of the relevant emerging policies, discussed in further detail would effectively prohibit any development at the site, contrary to both the wider policies and strategic directions of the development plan for the Borough of Hinckley and Bosworth and even the emerging policies within the NP. The implications of these proposed designations are considerable as set out within the following paras.</p> <div data-bbox="465 770 1104 1289" data-label="Figure"> </div> <p>Figure 4: Extract of figure 5 from the NP with the IVVs of Market Bosworth shown. The IVVs extend in all directions from Market Bosworth, with the only criteria for their selection seemingly being that they are views and vistas from public rights of way</p>	

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		<p>58. Firstly, the views available from each vista appear to be arbitrarily drawn and do not reflect what is actually visible to members of the public when experienced “on the ground”. A critique of the apparent viewing distance of vista I is provided at para.70 below, and it is wholly reasonable to request that the “vista corridors” are accurately drawn to reflect the actual viewing experience of pedestrians passing through the vistas.</p> <p>59. Dealing with each proposed vista at the site alphabetically, Vista F is identified as a “view from Public Footpath emerging into open countryside from Back Lane. Field of view 180 degrees along length of footpath including views back into settlement”. The positive features identified include foreground and middle distance views of grass fields with hedgerows, and distant views of hedgerows and woodland to the skyline. To the east, the built settlement is identified as another positive feature. The landscape features identified as beneficial are therefore localised in scope, and encompass landscape features which are neither unique, nor particularly notable to the surrounding area.</p> <p>60. The vista goes on to identify neutral features as “view of settlement edge dwellings”, which is somewhat confusing as the view to the east identified such dwellings as a positive feature. This contradictory position should be clarified prior to adoption of the NP.</p> <p>61. Regarding the management recommendations, these include “<u>Protect vista from future further encroachment of development both within the settlement and on edge of settlement, as well as development within open countryside</u>”. This recommendation is entirely contrary to the policies of the Council’s adopted development plan for Market Bosworth, which supports the principle of development within the settlement boundary under CS Policies 7 and 11. Regarding development within the countryside, it is clear that this vista does not include any landscape designations or features of significant note and the management recommendation of “protect vista from further encroachment” is overly restrictive, contrary to para. 88 of the Framework which states that planning policies “<u>should enable sustainable growth of all types of business in rural areas...the development and diversification of agricultural and other land-based rural business; and sustainable rural tourism and leisure developments which respect the character of the countryside</u>”.</p> <p>62. For Vista G, Footpath emerging from Back Lane past School Playing Fields to Golf Course, this is an extended vista that is located within the general vicinity of IVV 12 within the adopted NP. The description of this vista is inaccurate insofar as it does not acknowledge in any way the presence of Kyngs Golf Course within the vista, describing the golf course as “grass field with hedgerows”, seemingly in an attempt to elevate the ecological and landscape significance of this location. There is no mention of the golf course being a highly modified landscape, nor the existing and permitted development at the golf course in any way. No mention of the vista being adjacent to the Bosworth High School playing fields is made either, nor the</p>	

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		<p>majority of the vista being within a leisure and tourism character area. The positive landscape features are identified as “foreground and middle-distance views of grass field with hedgerows. Distant views of hedgerows and woodland on the skyline. To the east –built settlement” and, for the reasons outlined previously, are not landscape features that are rare nor overly special given the context of the surrounding area.</p> <p>63. The confusing categorisation of dwellings being positive, neutral and negative features of the landscape continues, with the built settlement to the east being both a positive and neutral feature, yet “modern housing development” being identified as a negative feature. It is unclear which modern development this critique refers to.</p> <p>64. As with Vista F, the management recommendation of “protect vista from further encroachment” is overly restrictive, contrary to CS policies 7 and 11 and para. 88 of the Framework which states that planning policies “should enable sustainable growth of all types of business in rural areas...the development and diversification of agricultural and other land-based rural business; and sustainable rural tourism and leisure developments which respect the character of the countryside”.</p> <p>65. Vista H is a newly identified important vista with a “view from Public Footpath on bridge over railway. Field of view 120 degrees”. No justification for its now inclusion is provided within the Landscape Review other than it is located upon PROW S70. The positive features of the vista are confirmed as “foreground and middle-distance views of grass of golf course and field with hedgerows. Distant views of hedgerows and woodland on the skyline. To the east –built settlement”. Again, neutral features include edge of settlement dwellings. Negative landscape features include the single tree planting of the golf course, which is considered to appear as “unnatural”. No clarification as to how it is unnatural is provided, and the stance of tree planting within the countryside being a “negative” feature is also questioned.</p> <p>66. Vista H, View from Public Footpath - Bridge over Railway is a location from which the aforementioned approved development at the site would be visible, especially the approved clubhouse, planning permission ref: 19/01437/FUL and the 50 bed golf and leisure hotel. No mention of the approved nor implemented development is accounted for within the vista description and the appearance and influence of the planning permissions at the site has been ignored when preparing the Landscape Review. Had they been accounted for, this development would have logically been considered to be either a positive and / or neutral landscape feature, given the clear leisure and tourism character of the golf course. This would have, in turn clearly had implications upon the management recommendations for the vista.</p> <p>67. Despite the vista being taken from the point at which footpath S70 crosses the Battlefield Railway Line and the Ashby De La Zouch canal being clearly visible from the footbridge, notwithstanding the clear view of</p>	

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		<p>the golf course and sites of the associated approved leisure and tourism development, no reference is made to the leisure and tourism character of the vista. Nor is any reference made to the adopted NP which clearly identifies the character of the Kyngs Golf and Country Club as a leisure and tourism facility.</p> <p>68. The Management Recommendations are to “protect vista from future further encroachment of development”. As set out at para. 6 and appendix 2 of these representations, the recent planning history for the entirety of the Kyngs Golf and Country Club site clearly demonstrates that under the current development plan the locating of appropriately scaled leisure and tourism development is acceptable at the site. The Management Recommendations seek to undermine the adopted policies of the development plan by effectively putting a stop to any future development at the site and as such are contrary to CS policies 7 and 11 and para. 88 of the Framework. The recommendations as written also allow zero flexibility on development moving forward, contradicting the wording of emerging Policy CE1a which state that “innovation and outstanding design, provided that it raises the overall quality of the Character Area” will be supported.</p> <p>69. The final vista that is proposed at the Kyngs Golf and Country Club site is Vista I, Station Road Approach. This proposed vista is in the same general location as existing IVV 11, albeit extended to now encompass the length of Station Road running along the front of the Kyngs Golf and Country Club site.</p> <p>70. Firstly, it is clear that the Vista Corridor as shown at Figure 33, page 47 of the Landscape Review is wholly inaccurate in terms of the actual viewing distance. The limits of the visibility of the countryside of the wider countryside from this location was recognised by the Inspector for appeal decision ref: APP/K2420/W/18/3218401 at para. 22, which reads as follows:</p> <p><u>From lower ground at IVV 11, however, views of the wider golf course are largely screened by the solid hedgerow which runs across the front boundary of the site</u>, though the higher ridge to the eastern side is apparent. (our emphasis)</p> <p>71. This stance is confirmed when reviewing figures 31 and 32 of the Landscape Review. At most, only the southern edge of the golf course is visible, with the first landform ridges within the site limiting any views further north. Figure 5 below is a Google Earth Viewshed of Vista I, taken 2m above ground, showing the extent to which the golf course is theoretically visible from this location. This viewshed is based off of the terrain of the landscape only, and does not take into account any existing buildings, nor on-site vegetation, which will have an even greater screening effect of the golf course and wider countryside when in full bloom than what is presented below.</p> <p>72. Figure 5 confirms that there are effectively no long range views into the golf course beyond the southernmost area of the site, which includes the existing clubhouse. Whilst the viewshed includes some</p>	

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		<p>areas of theoretical visibility from within the site, due to the extensive vegetation planted on-site and the existing buildings there are no views into these areas from proposed vista 11. When the clubhouse and 50 bed golf and leisure hotel are constructed, these views will be even further limited. For the vista I corridor to suggest that there are extensive long range views of Carlton from Station Road is, put simply, wholly inaccurate. At the very least, the range of the vista I corridor should be substantially reduced to provide a more accurate representation of what is actually visible from this location.</p>	

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		 <p data-bbox="450 1058 1099 1185">Figure 5: View shed from Vista 11 on Station Road, showing the zone of theoretical visibility from a 2m height in this location. It is evident that only the entrance to the golf course is visible, with the substantial boundary hedgerows and other planting severely limiting the long range views of the site</p> <p data-bbox="450 1222 1727 1342">73. As with Vista G, there is no mention of the vista including the extensive golf course grounds, save for passing reference to the golf club entrance being a negative landscape feature. As a result, there is yet again no mention of this area having a clear leisure and tourism character area, nor of the aforementioned approved developments within this area of the site which will have a clear influence upon the character and</p>	

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		<p>appearance of Vista I. These are highly material considerations which should be accounted for when considering the extent and nature of the proposed vista.</p> <p>74. Once again, the proposed Management Recommendations are overly restrictive, contrary to CS policies 7 and 11 and para. 88 of the Framework which states that planning policies “should enable sustainable growth of all types of business in rural areas...the development and diversification of agricultural and other land-based rural business; and sustainable rural tourism and leisure developments which respect the character of the countryside”.</p> <p>75. Turning to the wording of Policy CE3 itself, the overly restrictive wording of the Landscape Review document has been incorporated into the wording of Policy CE3. The wording and inherently negative wording of the policy is contradictory to the objective of emerging Policy CE1a as identified above, with Policy CE3 effectively restricting all development on a site where the development and diversification of a leisure and tourism site is otherwise supported under adopted and other emerging planning policy. Development within the countryside that would otherwise be supported and encouraged under paragraph 88 of the Framework would not be supported under the policy in any circumstance.</p> <p>76. Put simply, emerging Policy CE3 requires modification in order to meet the basic conditions test as set out within NPPG. As set out within these representations, the evidence base on which the policy appears to have been prepared is considered flawed, lacking in detail and in some cases, fundamentally misrepresenting the present day appearance of our clients site. The emerging policy and evidence base is contradictory to the Council’s adopted planning policy and, in places, even contradictory to the objectives of other emerging policies within the NP.</p> <p>c. Policy CE5: Landscape of the wider parish</p> <p>77. The wording of emerging Policy CE5 appears to be a direct copy of the wording of adopted Policy CE5 of the NP. As such, the policy does not accord with paragraph 88 of the Framework and should be reworded to reflect the requirements of national planning policy. More specifically, the policy should be worded to expressly make clear that leisure and tourism related developments, which respect the character of the countryside will be supported in principle.</p> <p>d. Policy CE6: Provision of wildlife in new development</p> <p>78. Whilst the objectives of the policy are supported, especially in light of the recent Environmental Targets (Biodiversity) (England) Regulations 2023 which require all new developments to deliver 10% biodiversity net gain unless certain exemptions apply, the wording of the policy should be reflected to require all</p>	

Rep No.	Name	Summary of Representation	HBBC Notes
		<p>developments to deliver a biodiversity net gain unless exempt, not just housing developments.</p> <p>Conclusions</p> <p>79. Our client supports the preparation of Neighbourhood Plans which meet the basic conditions as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004).</p> <p>80. It is disappointing that the Regulation 16 Neighbourhood Plan has been drafted in such a way that it appears to cynically prevent any future development on the Kyngs Golf and Country club site through an over-application of important views and vistas. The Neighbourhood Plan as presented is based on an unstable footing. The landscape evidence for those proposed important views and vistas is light touch in detail and, in the case of our client's site, fundamentally misrepresents the character and visibility of their site from the surrounding public realm. No mention of their raft of approved and / or implemented leisure and tourism developments is accounted for, nor are any considerations had on the impact this approved development would have upon the character and landscape of the site and surrounding area.</p> <p>81. The Parish Council appear to have directly copied the wording of the emerging policies directly from the presently adopted policies. Given the age of the adopted Neighbourhood Plan and the numerous revisions to the Framework that have occurred in the interim, including the major review in 2019, it is evident that the wording of policy CE1a and especially Policy CE3 are myopic and over restrictive, not reflecting the clear aims of national policy to assist in the delivery of sustainable rural enterprises and tourism businesses within the rural area.</p> <p>82. As presented, there must be some doubt that the Neighbourhood Plan is setting a framework that meets the basic conditions as set out within the NPPG.</p> <p>83. We consider that in order to pass examination and proceed to referendum and be made that the Neighbourhood Plan should re-assess the landscape evidence base and the assessment of the individual vistas, especially those at our clients site which appear to have been cynically drawn to prevent any further development at the site. The emerging Neighbourhood Plan should be re-drafted with policies and allocations that meet that identified need for continued support for rural leisure and tourism.</p> <p>84. Our client is willing to work with the Parish Council to this end with a view to their interest at Station Road being appropriately allocated to meet the clear objective of the Neighbourhood Plan to support the tourism associated with Market Bosworth.</p>	

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		<p>85. In light of the above, this representation should be read as an objection to the Neighbourhood Plan at this time, albeit we are hopeful that further work and amendments can be made in order to allow the Neighbourhood Plan to meet the basic conditions and proceed to referendum. In the absence of any amendments our client must, regretfully, maintain their objection. Our client wishes to have that heard by the examiner, with a view to preventing the Neighbourhood Plan from being made. This due to the clear failure to meet the basic conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004).</p>	
22	Tom Wignall, Avison Young on behalf of National Gas	<p>National Gas Transmission has appointed Avison Young to review and respond to Neighbourhood Plan consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.</p> <p>About National Gas Transmission National Gas Transmission owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.</p> <p>Proposed sites crossed or in close proximity to National Gas Transmission assets: An assessment has been carried out with respect to National Gas Transmission's assets which include high-pressure gas pipelines and other infrastructure.</p> <p>National Gas Transmission has identified that no assets are currently affected by proposed allocations within the Neighbourhood Plan area.</p> <p>National Gas Transmission provides information in relation to its assets at the website below.</p> <ul style="list-style-type: none"> • https://www.nationalgas.com/land-and-assets/network-route-maps <p>Please also see attached information outlining guidance on development close to National Gas Transmission infrastructure.</p> <p>Distribution Networks Information regarding the gas distribution network is available by contacting: plantprotection@cadentgas.com</p>	

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23	Sally Wintle, Natural England	<p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.</p> <p>Natural England does not have any specific comments on this draft neighbourhood plan.</p> <p>However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan and to the following information.</p> <p>Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require a Strategic Environmental Assessment. Further information on protected species and development is included in Natural England's Standing Advice on protected species.</p> <p>Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant a Strategic Environmental Assessment. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission standing advice.</p> <p>We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a Strategic Environmental Assessment is necessary.</p> <p>Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If an Strategic Environmental Assessment is required, Natural England must be consulted at the scoping and environmental report stages.</p>	
24	Ian Dickinson,	<p>We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the</p>	


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	Canal and River Trust	<p>strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Canal & River Trust (the Trust) is a statutory consultee in the Development Management process, and as such we welcome the opportunity to input into planning policy related matters to ensure that our waterways are protected, safeguarded and enhanced within an appropriate policy framework.</p> <p>The Trust has reviewed the Neighbourhood Plan Review document and we can confirm that we have no comment to make.</p>	
25	Richard Brown, Pegasus on behalf of the Landowner of Cedar Drive, Market Bosworth	<p>1. Introduction</p> <p>1.1. This representation have been submitted by Pegasus Group on behalf the landowners of Cedar Drive, Market Bosworth in response to the Market Bosworth Neighbourhood Plan Regulation 16 consultation 13th September – 8 November 2024.</p> <p>1.2. The site is at Cedar Drive, Market Bosworth as shown at Appendix A to this representation.</p> <p>2. Rationale for Updating Neighbourhood Plan</p> <p>2.1. The Neighbourhood Plan at paragraph 1.3.1 notes that: "planning guidance states policies in a neighbourhood plan may become out of date, for example if they conflict with policies in a local plan covering the neighbourhood area that is adopted after the making of the neighbourhood plan. In such cases, the more recent plan policy takes precedence".</p> <p>2.2. Paragraph 1.3.3 then notes that: "Market Bosworth Parish Council and the Bosworth Vision Planning Group subsequently agreed that it would be prudent to undertake a major review and subsequently modify the Market Bosworth Neighbourhood Plan, to ensure that it remains in conformity with national and local plans and ensure that the policies remain relevant and appropriate to use for determining planning decisions in the extended Plan period to 2039".</p> <p>2.3. It is vital therefore that the Neighbourhood Plan is up to date so that it carries weight in decision making, and the Neighbourhood Plan review achieves what it sets out to do.</p> <p>3. Housing Requirement</p>	<p>Due to the size of the appendices, these are available on request.</p> <p>The appendices are:</p> <p>Appendix A: Land south of Cedar Drive, Market Bosworth</p> <p>Appendix B: Representations to the Hinckley And Bosworth Local Plan Regulation 18 Consultation September 2024.</p>

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		<p>3.1. A key aspect of the Neighbourhood demonstrating that it is up to date is that its housing requirement is up to date.</p> <p>3.2. The Neighbourhood Plan proposes a housing requirement informed by the Market Bosworth Housing Needs Assessment 2022. (HNA). Paragraphs 79 to 86 of the HNA sets out the rationale for an overall Housing Need Figure (HNF). The HNA states that:</p> <p>"Hinckley and Bosworth's local housing need figure has been broken down with the aim of allocating an appropriate share to Market Bosworth with reference to the strategy for the pattern and scale of new development across the district as expressed in the latest local development plan, which takes into account the sustainability and suitability of the district's various settlements for growth. This was not possible to quantify based on the available information, and so a portion of Hinckley and Bosworth's need has been attributed to Market Bosworth based on population statistics alone"</p> <p>3.3. The HNA recommends an overall HNF of 179 dwellings for Market Bosworth, which equates to 9.4 dwellings per year between 2020 and 2039, or a residual HNF of 154 dwellings between 2022 and 2039 after completions to date have been deducted. There are, in addition, currently 77 dwelling commitments outstanding in the NA. If implemented, this will halve the residual HNF, leaving a further 77 homes to potentially be accommodated.</p> <p>3.4. The HNA then goes on to state that:</p> <p>At the time any final Neighbourhood Plan housing requirement figure is provided by Hinckley and Bosworth, it can be considered to supersede the provisional calculation within this study. Consequently, there is a need for the neighbourhood group to continue to engage with the LPA to confirm the final housing figure for the Neighbourhood Plan.</p> <p>3.5. It can be seen therefore the figure provided by the HNA is provisional. The final housing in the Market Bosworth Neighbourhood Plan requirement will be greatly influenced by the emerging Hinckley and Bosworth Local Plan which concluded its Regulation 18 consultation 27 September.</p> <p>4. Hinckley and Bosworth Local Plan</p> <p>4.1. Pegasus Group made representations to the Hinckley and Bosworth Local Plan Regulation 18 consultation. The representation is attached at Appendix B.</p>	

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		<p>4.2. Our representation to the Local Plan highlighted that the scale of housing provision with the Plan needs to significantly increase to include two further years in the plan period, to provide essential flexibility, to address unmet need within the Housing Market Area and also to reflect the government new standard method for calculating local housing need.</p> <p>4.3. Market Bosworth is identified in the Local Plan a Key Rural Centre and is therefore, the 2nd most sustainable tier of settlement within the borough. The Borough Council's Settlement Hierarchy Review 2021 notes that Market Bosworth: <i>"benefits from a range of facilities including a primary school and two secondary schools (including one private school), a GP surgery, convenience store, a village hall and an employment area. It also offers a broad range of secondary facilities including retail and restaurants, pubs, a dentist and library"</i></p> <p>4.4. Market Bosworth and Key Rural Centres have a key role in meeting identified needs for development, particularly housing. It is considered that Key Rural Settlement can support a number of housing allocations within each and still maintain their role and function within the settlement hierarchy and form part of a balanced and effective overall spatial strategy.</p> <p>4.5. The compelling reasons to increase borough wide housing provision combined with Market Bosworth position within the second most sustainable tier of settlement means it is highly likely that Market Bosworth will need to plan for increased number of homes, as Hinckley and Bosworth recast their Local Plan and prepare their Regulation 19 consultation draft. It would be prudent that the Neighbourhood Plan increase housing provision so that it remains up to date, carries force in decision making on planning applications and the Neighbourhood Plan therefore achieves its central purpose.</p> <p>5. Site at Cedar Drive</p> <p>5.1. The site at Cedar Drive is comprised of approximately 0.55ha of pastoral land, located to the South of Cedar Drive, Market Bosworth (see Appendix A). The site is currently accessed via a gate located at the end of Cedar Drive. The site is bounded by trees to the south, dwellings to the north, agricultural fields to the west, and Market Bosworth Country Park to the east.</p> <p>5.2. The site is located within flood zone 1; the area at least risk from flooding. The site is not subject to any other statutory environmental or historical designations. The adopted Neighbourhood Plan for Market Bosworth identifies the site as falling beyond the existing</p>	

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		<p>assessment boundary and therefore comprises countryside but does not allocate the site for any other purpose. The site does not fall within an identified important view or vista and does not comprise an area of local green space. The centre of Market Bosworth contains a number of listed buildings, however, these are located some distance from the site and the site does not form part of their setting.</p> <p>5.3. Our assessment of the site confirms that there are no technical constraints on the site and reflect the conclusions in the Borough Council's Strategic Housing Land Availability Assessment, that the site is suitable, available and achievable. However, we consider that development can be brought forward within 5 years, rather than the 6-10 years identified in the SHELAA.</p> <p>6. Conclusion</p> <p>6.1. The site a Cedar Drive represents a suitable site, free of constraints and well related to the services and facilities within the town of Market Bosworth. The site at Cedar Drive should be allocated in the Neighbourhood Plan as part of meeting the housing needs of the Town and of the wider Borough of Hinckley and Bosworth.</p>	
26	MOP16	<p>Overall, how do you feel about the plan?: I support the plan</p> <p>Please let us know your reason(s) for this decision: This plan has been developed with very active community involvement and should be supported.</p> <p>The plan offers a development opportunity for land south of station road for a greater number of dwellings than identified in the last housing needs assessment and one of these is at planning application stage. This includes affordable housing. The current "owl homes "development adjacent to the canal has developed more homes than originally planned (including affordable) yet the site hasn't been sold out - so where is the demand for further homes? The OWL site proclaims on a large entrance billboard that some section 106 funding has provided funding for refurbished bus stops. This is laughable as the local bus terminus has closed and moved to the town centre around a mile up hill to the town centre and there are very few daily buses making it impossible to use public transport for any workers.</p> <p>Residents are fed up with the speculative planning applications that appear outside the plan. These include comments such as providing new residents with season tickets for buses to reduce the need for private traffic. Who do they think they are kidding?? Our neighbourhood plan is the</p>	

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		<p>only document we can use to get our views to planning officers.</p> <p>For any new developments near the canal site (one already open, one in construction and one at planning) we should be provided adequate or at least minimal public transport.</p> <p>The plan identifies the need for a new doctors surgery to support the increasing ageing population. There are also challenges with capacity and infrastructure around the dentists. The plan should be updated to state that any future developments should specify that a new health centre should be built as a priority with easy road and walking access. This should be built on site before housing development takes place. This happens in other areas so maybe Market Bosworth need to be more assertive in our requirements.</p> <p>The plan states that there are 3 schools within the neighbourhood. Technically this is now 5 - primary school, high school, dixie prep, dixie secondary and Hinckley House special needs. Along with the nursery provision these bring significant demand on the road network within the town with little benefit to local traders. Should we state that any further school/nursery provision must include a transport plan for shared use transport (e.g. buses mini buses) to restrict town centre traffic, irresponsible driver behaviour and crazy parking.</p>	
27	Angela Brooks, Fisher German on behalf of Richborough	<p>01 Introduction</p> <p>1.1 These representations are prepared on behalf of Richborough in respect of their land interests north of Station Road, Market Bosworth as illustrated on Figure 1 below. An outline planning application will be submitted on the site for up to 126 dwellings in the near term, which responds positively to historic reasons for refusal.</p>	<p>Due to the size of the appendix, these are available on request.</p> <p>Appendix 1: Neighbourhood Plan Note October 2024</p>

Rep No.	Name	Summary of Representation	HBBC Notes
		 <p data-bbox="443 687 631 707">Figure 1: Site Location Plan</p> <p data-bbox="443 743 685 770">Planning Framework</p> <p data-bbox="443 807 1688 922">1.2 Paragraph 8(1a) of Schedule 4B to the Town and Country Planning Act 1990, as applied to Neighbourhood Plans by Section 38A of the Planning and Compulsory Purchase Act 2004, affirms that during the Examination, the Examiner must consider “<i>whether the draft neighbourhood development order meets the basic conditions</i>”.</p> <p data-bbox="443 959 1680 1074">1.3 In order to pass an Examination and proceed to referendum, the Neighbourhood Plan must pass a number of basic conditions. Whilst for reviews a Neighbourhood Plan may not need a referendum, clearly it must still satisfy the basic conditions. The basic conditions applicable to Neighbourhood Plans are set out below (section 8(2));</p> <ul style="list-style-type: none"> <li data-bbox="443 1082 1671 1141"><i>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).</i> <li data-bbox="443 1145 1576 1204"><i>d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.</i> <li data-bbox="443 1209 1621 1268"><i>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).</i> <li data-bbox="443 1273 1675 1332"><i>f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.</i> <li data-bbox="443 1337 1608 1396"><i>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).</i> 	

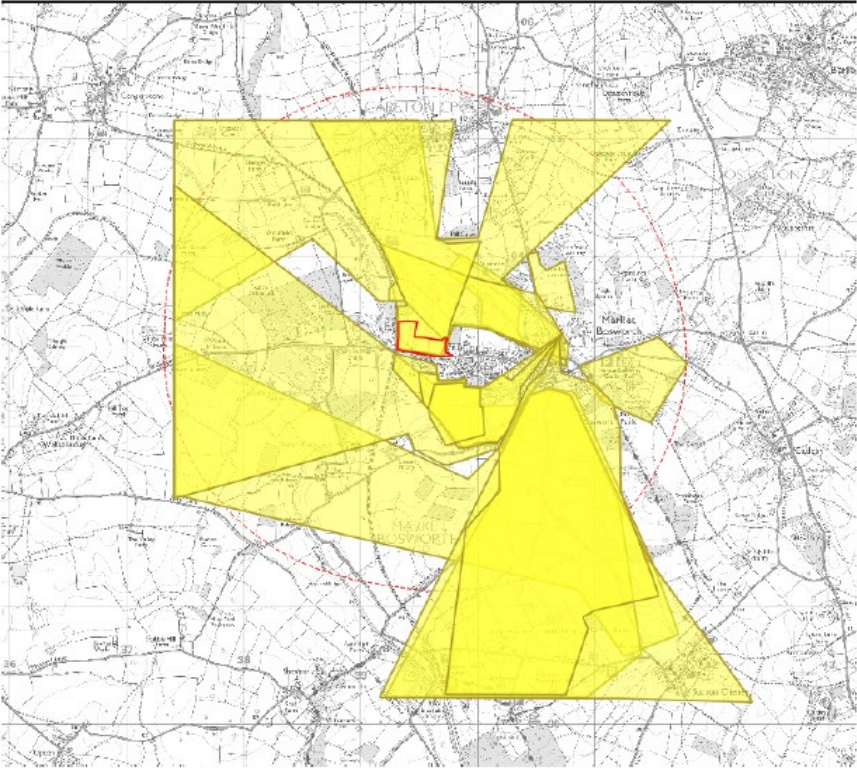
Rep No.	Name	Summary of Representation	HBBC Notes
		<p>1.4 The NPPF confirms at Paragraph 29 that <i>“Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies”</i>.</p> <p>1.5 Paragraph 30 confirms that <i>“Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently”</i>.</p> <p>1.6 Footnote 16 of the NPPF confirms that <i>“Neighbourhood Plans must be in general conformity with the strategic policies contained in any development plan that covers their area”</i>.</p> <p>1.7 Paragraph 31 states <i>“the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals”</i>.</p> <p>1.8 Paragraph 67 states that <i>“strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period. Within this overall requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations”</i>.</p> <p>1.9 Paragraph 68 continues <i>“where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority”</i>.</p> <p>1.10 The Planning Practice Guidance (PPG) (Paragraph: 065 Reference ID: 61-065-20190723) confirms that when updating Plans consideration can be given to <i>“whether issues have arisen that may impact on the deliverability of key site allocations”</i>.</p> <p>1.11 The PPG confirms that where strategic policies do not set out a housing requirement figure, and where they are otherwise disinclined to provide a figure for whatever reason, exceptionally Neighbourhood Plan</p>	

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		<p>Groups may opt to determine its own housing need figure. There is a provided Government toolkit to undertake this work. Such a self-generated housing requirement must take account of relevant policies, the existing and emerging spatial strategy, and characteristics of the neighbourhood area, etc (Paragraph: 102 Reference ID: 41-102-20190509).</p> <p>1.12 The PPG is further clear that “<i>a neighbourhood plan can allocate additional sites to those in a local plan (or spatial development strategy) where this is supported by evidence to demonstrate need above that identified in the local plan or spatial development strategy. Neighbourhood plans should not re-allocate sites that are already allocated through these strategic plans</i>” [our emphasis] (Paragraph: 044 Reference ID: 41-044-20190509).</p> <p>1.13 The Development Plan within Market Bosworth consists of the Hinckley and Bosworth Core Strategy Development Plan Document (Adopted December 2009), the Hinckley and Bosworth Site Allocations and Development Management Policies Development Plan Document (Adopted July 2016), and the Market Bosworth Neighbourhood Development Plan (Made 2015).</p> <p>1.14 The Core Strategy identifies Market Bosworth as a ‘<i>Key Rural Centre</i>’. The Core Strategy sets out that Key Rural Centres are “<i>villages that have populations over 1,500 people, have a primary school, local shop, post office, GP, community/leisure facilities, employment and a 6 day a week bus service (hourly). Key Rural Centres that provide localised provision of facilities permit access by foot, cycle and local bus and can minimise car journeys</i>”.</p> <p>1.15 Policy 11 (Key Rural Centres Stand Alone) of the Core Strategy sets settlement specific policies for a number of the Key Rural Centres, which do not relate to the Leicester Urban Area or the National Forest. In respect of Market Bosworth, the Council set out that to support local services and maintain rural population levels, the Council will:</p> <ul style="list-style-type: none"> • Allocate land for the development of a minimum of 100 new homes. Developers will need to demonstrate the housing proposed meets the needs of Market Bosworth, having regard for the latest Housing Market Assessment and local housing needs surveys. • Support the improvement of GP facilities in Market Bosworth to support the increase in population. • Address the existing deficiencies in the quality, quantity and accessibility of green space and play provision in Market Bosworth. • Implement the Strategic Green Infrastructure Network detailed in Policy 20. • Deliver safe cycle routes. • Protect the fingers of green open land which penetrate towards the market place as these are 	

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		<p>important to the rural setting of the town.</p> <ul style="list-style-type: none"> • Seek improvements to the high school indoor sports facilities, outdoor pool and the playing fields near Bosworth Water Trust. • Require new development to respect the character and appearance of the Market Bosworth Conservation Area by incorporating locally distinctive features of the conservation area into the development. <p>1.16 Hinckley and Bosworth Council have commenced work on a review of their current Development Plan, and whilst they had advanced to Regulation 19, they had to return to Regulation 18 to reflect Leicester City's unmet need, as well as changes to Local Housing Need calculations. They have however recently consulted on a second Regulation 18 document with a selection of strategic allocations, including an additional allocation within Market Bosworth.</p> <p>1.17 Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 at point 2 affirms the requirements of "Consultation Statements" which form part of the documents needed to be submitted at Regulation 16. Part 2C states that there is a requirement for the consultation statement to summarise <i>"the main issues and concerns raised by the persons consulted"</i>. Part 2D that the consultation statement should describe "how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan".</p> <p>02 Representations</p> <p>Policy DC1: Design Codes</p> <p>2.1 The Planning Practice Guidance (PPG) on the purpose of design codes. It states: <i>"Design codes are a set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area. The graphic and written components of the code should build upon a design vision, such as a masterplan or other design and development framework for a site or area."</i> <i>Paragraph:</i> <i>008 Reference ID: 26-008-20191001</i></p> <p>2.2 Whilst we have no objection to the use of design codes, we are concerned that the Design Codes (June 2023) report prepared by AECOM includes 'actions' which read like land use policies directing where development can and cannot go. For example, in the chapter covering 'cultural and tourism facilities' contains a section covering isolated development and states <i>"residential development in open countryside is normally not appropriate. Proposals for tourist development should weigh up the benefits of a tourist development against any disadvantages arising from its location"</i>. It is for the development plan to direct the location of</p>	

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		<p>land uses. Design codes should merely be used to establish parameters for the physical development of an area, as the PPG advises. The Design Code report therefore requires significant alterations if it is to be linked to Policy DC1.</p> <p>2.3 We are also concerned that the Design Codes include requirements which have not been subject to viability testing. For example, the Design Codes recommends green roofs or use of solar shingles on new development. These measures may not be feasible and will certainly add cost for a development. It will be necessary to assess the viability of these measures if they are to be included in the Design Codes.</p> <p>2.4 Finally, the PPG advises that design codes can be adopted as a supplementary planning document or appended to Neighbourhood Plan. In the case of the current draft Neighbourhood Plan the Design Codes are provided as a standalone document. If the Town Council intend to link the Neighbourhood Plan to a set of design codes, then these should be appended to avoid ambiguity.</p> <p>CE3: Important Views and Vistas and Landscape</p> <p>2.5 This draft policy represents a significant variation from the extant policy, in both the written text of the policy but also in the areas identified, with significant creep from the views and vistas identified in the Made Plan. The extant Plan identifies 9 views and 6 vistas, with the Plan showing these included within the Neighbourhood Plan itself. The approach proposed within the NDPR is a significant reduction in views, down to only 3, and a significant increase in Vistas, both in overall terms with 14 now being identified, but also how they are demonstrated on a Plan, with each covering providing a significant 'corridor' as demonstrated on a plan for each. We have significant concerns with the approach proposed by the Town Council. We consider it to be intrinsically in conflict with the Framework and consider draft Policy CE3 requires removal or significant amendment to meet the basic conditions. These comments should be read in accordance with the Neighbourhood Plan Note provided by Tyler Grange (Appendix 1).</p> <p>2.6 Our primary concern is this draft Policy essentially seeks to protect every route into and out of Market Bosworth from development. It is clearly not proportionate for a complete moratorium for development on main arteries of a key sustainable settlement, nor is it consistent with the NPPF. It is not reasonable that there will be no new development to occur in Market Bosworth having regard for the settlement's spatial standing and increasing housing need, as discussed below. It would also be in direct conflict with draft Policy CE5 which does allow development in the areas identified.</p> <p>2.7 Whilst Market Bosworth is an attractive settlement, it is not entirely washed by a Conservation Area and there needs to be reasonable avenues for growth. Our opinion, likely shared with the community, is that the southern, eastern and northern parts of the town, which align with historic assets, public open space and</p>	

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		<p>other key views and vistas, are considerably more sensitive than the west, which is already the key growth direction as demonstrated by the Local Plan allocations and recent planning permissions.</p> <p>2.8 It is important to note that there has been no material change in circumstances in respect of national policy or industry guidance to endorse the approach proposed. Instead, it essentially amounts to 'mission creep', where the designation loses almost all meaning, as it covers such a significant area around Market Bosworth's urban fringe. It is apparent, that the role of the designation has moved away from protecting the most valuable views and vistas, to an approach to create essentially a belt of land, not dissimilar to Green Belt in terms of the ultimate impact of the policy when in effect in respect of the protection offered and impact on development proposals, in a manner which is not commensurate nor consistent with the Framework, which seeks to restrict blanket restrictions on development.</p> <p>2.9 Whilst the Town Council will argue that the criteria allow for development, the reality is very limited development would be acceptable on land impacted by a proposed view/vista. Whilst the group have provided an updated plan showing the views and vistas, this has now been excluded from the Plan. We assume this is a deliberate decision, as it is telling the extent Plan shows the views/vistas (page 23), but the emerging Plan seeks to move this out of the body of the Plan, where it would be easily accessible. As currently drafted the Regulation 16 version does not accord with the paragraph 16 d) of the NPPF as policy not clearly written and creates ambiguity. Unless expressly forming part of the Plan it will carry limited weight. The updated views and vistas Plan should be identified in the Maps appendix at the end of the Plan. It is noted that the Local Green Spaces policy is provided here, further adding credence to the assumption that there has been a deliberate attempt to hide the implications of the change of this policy in particular. The potential assumption of many reading the Plan will be that views and vistas may not have materially changed from the extent plan, which is demonstrably not the case.</p> <p>2.10 For each Vista, the evidence document does helpfully provide a corridor isochrone, demonstrating the extent of each vistas extremity. Whilst the group does not provide an overlay showing all vista viewing corridors overlaid on a single plan, to demonstrate the extent of Vista coverage as part of the proposed Plan, consultants working on behalf of Richborough have created such a plan.</p>	

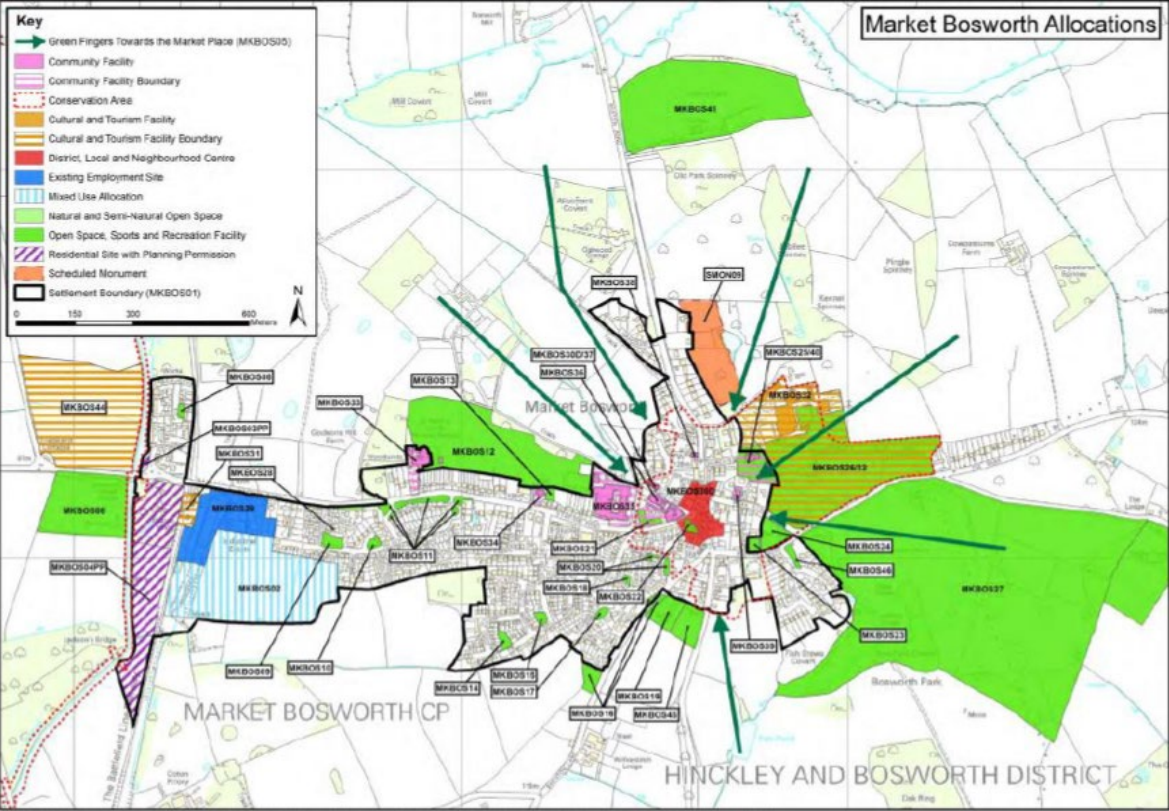
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		 <p data-bbox="454 1027 931 1050"><i>Figure 2:Market Bosworth NDP Proposed Vista Overlay Plan</i></p> <p data-bbox="439 1094 1686 1246">2.11 As demonstrated by the above, the proposals introduced by this Plan would seek to introduce almost universal coverage of Market Bosworth’s urban fringe, something which is not commensurate with the protection afforded by the Policy, which brings it closer to Local Green Space/Green Belt level of protection. It is clearly inappropriate that the coverage be increased by such a significant amount, whilst the Policy remains largely unchanged in terms of its implications on new development.</p> <p data-bbox="439 1278 1704 1396">2.12 Both the extant and proposed policies state “development that harms important views into or vistas out of Market Bosworth will be resisted” and “new development will not be supported if it has a significantly adverse impact on an important view or vista”. The proposed policy adds further however stating that development which has a significant adverse impact on the “the landscape character of the Parish”, which</p>	

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		<p>has the potential further broaden the scope of the land which could be caught by this policy, even if not included in an identified view or vista. The policy further includes “proposals should include an assessment, appropriate to the scale of development, of the impact on the landscape character of Market Bosworth with reference to the core document Landscape Review for Market Bosworth Neighbourhood Plan and Market Bosworth Landscape Character Assessment Report (2017)”, but this does not materially change what would be reasonably expected for most new greenfield developments anyway and does not dilute the policy protection afforded.</p> <p>2.13 As set out previously, this creep in the policies remit is not supported by any change of circumstances at a national or local level, which would support a differing approach. The approach proposed is not commensurate, and not consistent with the NPPF, which does not support what would amount to a blanket ban on development, as almost every development in any view and vista would have the potential to harm said view or vista, thus in accordance with the Policy should be resisted. Thus is a very low bar, as slight harm would qualify as harm and thus would need to be weighed negatively against this policy. If the group want to increase the coverage of the policy, the logical approach would be a dilution of the policy and a change in policy wording to be more permissive, and in accordance with the NPPF.</p> <p>2.14 Turning to the evidence which supports the policy, it is clearly flawed in that every assessed site has been designated as an important view and vista. There has been no objective assessment of all potential views and vistas, discerning which are considered of a high enough quality to be designated. All views and vistas identified in evidence are identified in the document and are in proposed to be in effect. This is clearly inappropriate, as it demonstrates that there has been no objective assessment of views and vistas. It has instead been an exercise of simply identifying views and designating them. This evidence does not support the policy approach advocated, as the evidence does not state or support a view that any harm to a view of vista should be resisted.</p> <p>2.15 The evidence also fails to provide detailed assessment of the valued characteristics of each Vista or View to help guide development, nor does it provide any mitigation recommendations for which development could seek to meet (Neighbourhood Plan Note paragraph 1.12). The evidence does not differentiate between any of the views and vistas in terms of value, nor is there any link to the applicable Landscape Character Area (Neighbourhood Plan Note paragraph 1.15).</p> <p>2.16 The evidence lacking critical evaluation of all sites, nor benefitting a comprehensive methodology under which any party could challenge whether an identified view or vista was suitable for designation or not. The NPPF (paragraph 31) is unequivocal that <i>“the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned”</i> [our emphasis]. The evidence underpinning this</p>	

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		<p>policy states that “<i>a number of key views and vistas have been identified</i>”, but does not explain the process of identification, or a consistent methodology. If the evidence is to be relied upon, the process of identification was simply walking and identifying the views and vistas which are of positive value, and excluding all others, despite being potentially pleasant views and vistas themselves. Though there is no methodology or explanation as to the differentiation between the two and instead the evidence is underpinned by an ad hoc personal assessment by the person undertaking the survey. This issue is significantly compounded by the fact that this is ultimately the evidence to underpin a significant quantum of Market Bosworth’s urban fringe with a policy which seeks to universally resist development if there is any harm at all.</p> <p>2.17 It is apparent that the emerging Hinckley and Bosworth Local Plan conflicts with these designations, and should the Council proceed with the Phase 2 extension of Station Road South, which is one of the most impacted areas with potential coverage of 4 Vistas (versus only one for our client’s interests north of Station Road), it will demonstrate that housing need absolutely can outweigh harm to a view or vista.</p> <p>2.18 What is absolutely clear is that at the very least the draft policy needs to be reworded in a way which is commensurate for both the extent of the designation now proposed, but also the evidence. However, our firm view is that the evidence provided lacks a critical methodology, or assessment of all candidate views and vistas, is inherently flawed and thus not capable of supporting any planning policy proposed to be introduced into the development plan. In accordance with NPPF, the policy is not supported by evidence which is directly relevant to what is proposed, not adequate and proportionate given it lacks the critical assessment of all potential views and vistas or endorses what essentially amounts to blanket ban of development and would limit the ability to meet needs over the plan period. Our view is this critical failing of the evidence would leave the Plan at threat of Judicial Review, so this is a matter which should be considered very strongly through examination. If it is agreed that the evidence has failed to undertake the required steps, which we would insist inclusion of a consistent methodology and critical examination of all potential views and vistas, then the Policy cannot be supported and must be deleted from the Plan in accordance with NNP Paragraph 31. There is no scope for this examination to amend this key evidence, nor ‘cherry pick’ parts of the evidence, as ultimately that is not what the evidence was written to support nor recommends. The critical failing of this evidence is ultimately critical to the policy it underpins and for which the policy directly relates.</p> <p>2.19 It is noted that respect landscape consultants Tyler Grange concluded that “the decision to include the vistas in their presently identified undevelopable capacity within the neighbourhood plan is misguided and inappropriate from a landscape and visual perspective, with limited evidence to provide weight to the claims that the whole area surrounding Market Bosworth should be considered as valued and inappropriate for</p>	

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		<p>development” (Neighbourhood Plan Note paragraph 1.19). The only recourse available for this examination to ensure compliance with the Basic Conditions is for this Policy to be deleted.</p> <p>Policy CE4: Trees and Hedgerows</p> <p>2.20 Paragraph 16 of the NPPF advises against the duplication of policies that apply in a particular area. In the case of draft Policy CE4 it is considered that Policy DM6 of the adopted Site Allocations and Development Management Development Plan Document provides more than adequate protection for irreplaceable habitats, including s ancient woodland, veteran trees or ancient hedgerow. It should also be noted that paragraph 186 of the Framework provides similar protection. Consequently, there is already considerable policy protection for the most important trees and hedgerows.</p> <p>2.21 Notwithstanding this, many of the trees identified within Bosworth Vision Planning Groups ‘A Survey of Important Trees and Hedgerows in the Parish of Market Bosworth (December 2022)’ are afforded protection either by a Tree Preservation Orders or their location within the Conservation Area. Any works to these trees will require the consent of the local planning authority.</p> <p>2.22 In our view there is no justification for applying further policy protection. We therefore consider draft Policy CE4 should be deleted.</p> <p>Policy CE6: Provision for wildlife in new development</p> <p>2.23 Draft Policy CE6 seeks to promote wildlife in new development, however this policy has largely been superseded by the introduction of Biodiversity Net Gain (BNG), placing a mandatory requirement for all developments to have a positive impact (“net gain”) biodiversity.</p> <p>2.24 The draft policy also requires a Sustainable Drainage System (SuDS) approach to natural water management, but again this is already a requirement for new development with the Hierarchy of Drainage set out in the Planning Practice Guidance.</p> <p>2.25 The only requirement of the draft policy not covered by an existing development plan policy is flood resilience (Policy CE6 E) but this is only relevant to development at risk of flooding and very few locations in the Neighbourhood Plan area are at risk of fluvial flooding therefore arguably there is no need for a policy covering the topic.</p> <p>2.26 It is considered that due to changes in legislation and national policy and guidance there is no longer a requirement for draft Policy CE6 and therefore it should be deleted.</p>	

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		<p>Policy BD1: Affordable housing</p> <p>2.27 The percentage of affordable housing is set by strategic policy in the adopted Core Strategy (Policy 15). The wording of draft Policy BD1 should be amended to make clear that the Core Strategy has established the affordable target.</p> <p>2.28 It is noted that the recommendations on affordable housing tenure in the AECOM Housing Needs Assessment (2022) have not been incorporated into policy. This assessment found a “slightly higher priority to affordable home ownership options (65%) than the emerging Local Plan default (44%), with the remainder protecting affordable rented provision”. Based on this evidence we would recommend an amendment to draft Policy BD1 so that it responds to this tenure split.</p> <p>2.29 Part b of draft Policy BD1 states “Developments of 6-10 dwellings will be required to make an equivalent cash payment commuted until after the completion of the dwellings on the site”. Paragraph 65 of the Framework is very clear that affordable housing should not be sought on residential developments that are not major development (i.e 10 or more). The wording of draft Policy BD1 should be amended to ensure that development of less than 10 are not required to provide affordable housing.</p> <p>Policy BD2: Site allocation south of Station Road and Heath Road</p> <p>2.30 In consideration of this allocation, it is important to establish principles from national policy, guidance and the adopted Development Plan of Hinckley and Bosworth. The Hinckley and Bosworth Site Allocations and Development Management Policies DPD (adopted July 2016) allocates the site as a “mixed use allocation including a community facility, B1, B2 and B8 employment provision, open space and a <i>minimum of 100 dwellings</i>” (Policy SA5, page 76 and preceding table. Page 75), as identified within the Plan (figure 3 below).</p>	

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		 <p data-bbox="459 1077 1579 1109"><i>Figure 3: The Hinkley and Bosworth Site Allocations and Development Management Policies DPD Extract (page 81)</i></p> <p data-bbox="436 1149 1691 1212">2.31 It is therefore a matter of fact, whatever the original genesis of the allocation, that it forms an adopted allocation within the District's development plan. This is highly material.</p> <p data-bbox="436 1244 1713 1364">2.32 Firstly, as a matter of principle, the PPG is absolutely clear that "<i>Neighbourhood plans should not re-allocate sites that are already allocated through these strategic plans</i>" [our emphasis]. This is a clear instruction from the PPG and is unequivocal as to what is expected from Neighbourhood Plans in respect of allocations of land already allocated through Strategic Policies.</p>	

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		<p>2.33 The NPPF is also clear on this matter, with Paragraph 16 confirming that Plans should “<i>serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area</i>”. Again, the terminology used is clear and unequivocal, that Plans should avoid duplication of policies. It is therefore abundantly clear that this allocation should be deleted from the Neighbourhood Plan, as required by Basic Condition A.</p> <p>2.34 The NPPF is also clear at Paragraph 29 that “Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies”. The allocation of this site in the local plan is clear there is an expectation to deliver a minimum of 100 dwellings to meet the requirement for Market Bosworth as defined in the Core Strategy. However, the Neighbourhood Plan policy requires a minimum of only 77 dwellings. This being almost a quarter less than directed, clearly serves to promote less development and undermines Policy SA5 of the Hinckley and Bosworth Site Allocations and Development Management Policies DPD. Again, there is a clear conflict, this time with Basic Condition E, and as such this Policy should be deleted.</p> <p>2.35 Another fundamental issue with the Neighbourhood Plan’s “allocation” of the land south of Station Road is that the PPG (Paragraph: 098 Reference ID: 41-098-20190509) is absolutely clear that where a “neighbourhood planning body intends to allocate sites for development, it will need to carry out an appraisal of options and an assessment of individual sites against clearly identified criteria”. No such assessment of candidate options has been undertaken, because the Neighbourhood Plan seeks to simply allocate those sites already allocated by district wide documents, but as set out above this is in itself in conflict with the PPG and NPPF. Had this Neighbourhood Plan wanted to introduce allocations itself, then it should have undertaken the requisite steps as outlined. Should it wish to simply continue with the adopted regime of allocations, which is the approach proposed, then it should have not sought to allocate the same sites, as instructed by the NPPF and PPG. Again, the policy should therefore be deleted.</p> <p>2.36 Having regard for our conclusions above, attempting to modify the allocation would not render it in compliance with Basic Condition A. The only way for the Plan to proceed is for the policy to be deleted, as is absolutely clear in the NPPF and PPG.</p> <p>Commentary – Housing Need</p> <p>2.37 This Plan does not identify a housing requirement within its policies. We have no objection to this approach and there is no requirement of a Neighbourhood Plan to formally identify a housing requirement, nor meet an identified housing requirement to be found to pass the basic conditions, so long as it does not “not promote less development than set out in the strategic policies for the area, or undermine those strategic policies” which is required to meet Basic Condition E.</p>	

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		<p>2.38 It is acknowledged that there is no adopted, 'in-date', housing requirement for Market Bosworth, therefore the options open to the Neighbourhood Plan Group are to either (1) formally identify a housing requirement in accordance with the steps set out at NPPF Paragraph 67-68, (2) await the advancement of a new housing target through the emerging Local Plan or (3) not identify a housing requirement at all. As there is no policy which identifies a housing requirement, we assume the latter applies here. Richborough have no objection to the Plan proceeding on this basis. However, for the avoidance of doubt the examination cannot attempt to introduce a housing requirement as this has not formed a draft policy at Regulation 14 or 16 and thus does not form scope of what the Plan is attempting to achieve.</p> <p>2.39 An indicative housing requirement is included within the reasoned justification, but this should be a policy of the Plan to hold statutory weight. Considering the quantum, the Group have increased the housing requirement slightly (despite the plan rolling forward an additional 13 years), but have not seemingly positively engaged with Hinckley and Bosworth Borough Council, nor reflected the Leicester and Leicestershire Statement of Common Ground in respect of Leicester City's unmet need. The 2022 Market Bosworth Housing Needs Assessment is clear it is predicated solely on a calculation of Local Housing Need, despite the acceptance of Hinckley and Bosworth that it will meet a proportion of Leicester City's unmet need, albeit not the full quantum as expressed within the Statement of Common Ground.</p> <p>2.40 The housing requirement of Hinckley and Bosworth to be in compliance of the NPPF, will need to provide a strategy which "as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development" (NPPF paragraph 35a). NPPF paragraph 11 states for Plan Making, "all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area" and that in respect of the overarching strategic policies should "as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas". It is unequivocal that strategic needs include unmet needs, and thus the strategy advanced by Market Bosworth in respect of the housing figure within its reasoned justification is flawed in that it is generated on the basis of meeting Hinckley and Bosworth's base Local Housing Need only, not even the agreed uplift applicable having regard for Leicester City's unmet needs.</p> <p>2.41 In respect of the NPPF and Neighbourhood Plans seeking a housing requirement, the NPPF endorses a hierarchical approach, broadly as follows:</p> <ol style="list-style-type: none"> 1) Adopting a housing requirement from adopted policies 2) Seeking a housing requirement from the LPA in the absence of a contemporary housing requirement 	

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		<p>3) When it is not possible to achieve 1 or 2, developing a housing requirement for the area.</p> <p>2.42 It is not clear whether a housing requirement has been requested from Hinckley and Bosworth since Regulation 14, but our assumption is not, as it is evident from both the previous Regulation 19 and subsequent Regulation 18, that Hinckley and Bosworth clearly anticipate further housing growth in Market Bosworth, beyond just the identified allocations and commitments. It is incongruous that the Council would be satisfied with the approach advocated in the Neighbourhood Plan as being robust, whilst clearly promoting a strategy with at least 180 additional dwellings allocated to the settlement (with the strong potential for further growth given the Council have only published strategic allocations at this stage and further allocations required at Regulation 19 being the confirmed position of the Council). Furthermore, in respect of the Council's Regulation 14 response, the Council explicitly state there is a likely a requirement for additional land and the Group should consider this, albeit the Group stated there was no need for this (a position again in conflict with the draft H&B Reg 18 Plan).</p> <p>2.43 We do not consider this Plan identifies a housing requirement within its policies. The housing requirement referenced in the reasoned justification in our view remains just that, an informative, not a formal housing requirement. This approach is supported by the conclusions of the High Court Appeal decision in respect of The Queen on the application of Cherkley Campaign Limited v Mole Valley District Council v Longshot Cherkley Court Limited (March 2014).</p> <p>2.44 Within Paragraph 16 of the decision, it states "the supporting text consists of descriptive and explanatory matter in respect of the policies and/or a reasoned justification of the policies. That text is plainly relevant to the interpretation of a policy to which it relates but it is not itself a policy or part of a policy, it does not have the force of policy and it cannot trump the policy."</p> <p>2.45 Therefore, if a housing requirement of a local plan or Neighbourhood Plan is to hold weight, and not simply be an informative, it must form part of distinguishable policy, not simply be asserted within the Reasoned Justification.</p> <p>2.46 This conclusion is supported within the Housing Need Assessment also, which states at Paragraph 41 that "the indicative figure provided by AECOM has a lower status to one provided by an LPA and could, in theory, be automatically superseded if an LPA-provided figure emerges in future". Paragraph 42 states "as well as having a different status to an LPA-provided housing figure, AECOM's indicative figure is more limited in how it can be calculated". Paragraph 44 affirms "AECOM's approach in HNAs is quite limited and simplistic for reasons of consistency and because certain judgements would require a wider scope and/or remain in the remit of the LPA". Finally, and tellingly, Paragraph 45 affirms the that the figure provided in the Housing Needs Assessment is not a housing requirement, instead "the number provided here is termed a Housing</p>	

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		<p>Need Figure (HNF) rather than sharing the terminology generally used by LPAs, which would speak of a Housing Requirement Figure (HRF). A need figure is a simpler expression of what might be needed, irrespective of the additional objectives, constraints and wider targets that might go into a more formal requirement or housing target". It is further apparent therefore within the evidence which underpins the Neighbourhood Plan, that the evidence was never intended to provide a housing requirement figure.</p> <p>2.47 However, should this be treated as a formal housing requirement for the purposes of Paragraph 14 of the NPPF, then it requires formal consideration through the examination. Our view is that is demonstrably flawed in that it makes no allowances for Leicester City's unmet needs, despite a signed Statement of Common Ground affirming that Hinckley and Bosworth will take on an element of Leicester City's unmet need, and this will inform the housing requirement above Local Housing Need, which even using the logic applied by AECOM should be included in any established housing requirement. This is a point acknowledged by AECOM at Paragraph 8 of the Market Bosworth Housing Needs Assessment which states "<i>the housing figure for Hinckley and Bosworth is derived from the Government's standard method and is likely to change annually as ONS publishes new affordability data each year and new household projections approximately every two years. Furthermore, the overall housing target for the Borough will be informed by other factors in addition to standard method, notably the distribution of Leicester's unmet needs. This could impact on the number of homes required in Hinckley and Bosworth and any indicative housing requirement figure provided by Hinckley and Bosworth for neighbourhood areas</i>" [our emphasis].</p> <p>2.48 Hinckley and Bosworth have been consistent in the affirmation that Market Bosworth is anticipated to take more housing, both in the Regulation 19 consultation (pre accepting Leicester City's unmet needs) and more recent Regulation 18 consultation (where the Council acknowledged they would meet an element of Leicester City's unmet needs), both of which include significant additional housing growth amounting to at least 180 dwellings in Market Bosworth. Regardless of whether the Council have recently been requested for a requirement (particularly in the year since Regulation 14 consultation), and if so whether a figure was forthcoming, it is absolutely clear that the 77 residual need is significantly below the reasonable need of Market Bosworth having regard for available evidence.</p> <p>2.49 For the reasoning provided at paragraph 2.3, we do not think that the failure to identify a correct housing requirement should be critical to the Neighbourhood Plan's examination, particularly in the context that the group does not include a policy on the housing requirement. However, in this circumstance Paragraph 14 of the NPPF is not applicable. Even if a higher housing requirement figure is identified, this could not be remedied through this Plan as it has never been in the scope or remit of this Neighbourhood Plan to increase the land allocated for housing. Should the group wish to further update the Plan to reflect the wider allocations required, then this would need to be undertaken through further formal Plan review.</p>	

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		<p>2.50 For the avoidance of doubt, it is not within the remit or scope of this Plan to attempt to identify the Phase 2 Station Road land, and in doing so would clearly be inconsistent with the Plan's own evidence and policies. This Plan has no housing requirement within a policy and again given this has not formed either of the consultation documents, it is not open to this Examination to introduce such a fundamental policy at this stage. The Neighbourhood Plan's approach in respect of not establishing a housing requirement is not in conflict with the Basic Conditions so again not within the remit of this examination to fail the Plan or attempt to modify this issue. To do so would almost certainly induce legal challenge.</p> <p>Commentary – Nature of the Plan</p> <p>2.51 Whilst the Plan now helpfully includes commentary as to the nature of the plan, the Neighbourhood Plan Review Regulation 14 consultation was not explicit whether the modifications are significant or substantial as to change the nature of the Plan with reasons (PPG Paragraph: 084 Reference ID: 41-084-20190509 and 41-085-20180222). In particular as set out within the PPG, which states that if a qualifying body wants to update a neighbourhood plan in a way which does “materially affect the policies in the plan, they should follow the process set out in guidance on updating a neighbourhood plan, with the following additional requirements:</p> <ul style="list-style-type: none"> • the qualifying body must (at the pre-submission publicity and consultation stage and when the modified plan is submitted to the local planning authority) state whether they believe that the modifications are so significant or substantial as to change the nature of the plan and give reasons • the local planning authority must (when sending the modified plan to the independent examiner) state whether they believe that the modifications are so significant or substantial as to change • the nature of the plan and give reasons. The local planning authority must also submit a copy of the original plan to the independent examiner • the qualifying body must decide whether to proceed with the examination after the examiner has decided whether the modifications proposed change the nature of the plan <p>2.52 Whilst the Plan does clearly explain the process now, there was no explicit statement identifiable in the Regulation 14 Plan or other supporting documents which confirms the nature of the modifications at that time. This opinion is explicitly required by the PPG at Regulation 14 (the pre-submission publicity stage). If there was to be any doubt, advancing the Plan to referendum would seem the most sensible option, to protect against potential judicial review.</p> <p>Commentary – Plan Examination Procedure</p>	

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		<p>2.53 Whilst we understand Neighbourhood Plan's are usually examined in a way which is 'light touch' when compared to the examination of Local Plans and the basic conditions test are different to the tests of legal compliance and soundness, it must be remembered that a Neighbourhood Plan holds the same status as a Local Plan once it has passed referendum/been made. Having regard for this, and the nature of the implications of the proposed policies, we believe a Hearing is the most suitable procedure to explore these issues in their totality and with sufficient attention. We know from experience in Market Bosworth the implications of these policies and given the creep in scope it is considered reasonable that these matters are explored fully prior to introduction, so the examiner can make the most informed adjudication on the compliance of the proposed Plan, its policies, against the Basic Conditions.</p>	
28	Nick Wakefield, Environment Agency	<p>Overall, how do you feel about the plan?: Support</p> <p>Whilst we do not suggest any modifications are required to ensure the Plan is sound, we do have the following comments to make.</p> <p>It is noted that in instances where a Neighbourhood Plan is silent on issues then any planning proposal must be in line with the district/borough council's Local Plan and NPPF Policies.</p> <p>Whilst we note that areas of flood risk are restricted to land outside of the main settlement area there are nonetheless areas of Flood Zone lying within land designated as the Plan area. It may therefore have been prudent to include a policy concerning flood risk.</p> <p>Whilst mandatory requirements need not be repeated in either Local or Neighbourhood Plan Policies, the absence of any mention of Biodiversity Net Gain throughout the document is noticeable.</p> <p>Policy BD2:</p> <p>The immediate proximity of the railway line to this proposed allocation site is evidence enough to make the assumption that there is a potential history of potentially contaminative uses within the red-line boundary. Any planning application should demonstrate that the construction process (and for the lifetime of the development) shall not pose a risk of pollution to controlled waters.</p>	
29	Nathan Rillie, Nineteen 47 on behalf of Miller Homes		

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30	Nik Green, Leicestershire County Council	<p>Leicestershire County Council is supportive of the Neighbourhood plan process and welcome being included in this consultation.</p> <p>Highways</p> <p>General Comments</p> <p>The County Council recognises that residents may have concerns about traffic conditions in their local area, which they feel may be exacerbated by increased traffic due to population, economic and development growth.</p> <p>Like very many local authorities, the County Council's budgets are under severe pressure. It must therefore prioritise where it focuses its reducing resources and increasingly limited funds. In practice, this means that the County Highway Authority (CHA), in general, prioritises its resources on measures that deliver the greatest benefit to Leicestershire's residents, businesses and road users in terms of road safety, network management and maintenance. Given this, it is likely that highway measures associated with any new development would need to be fully funded from third party funding, such as via Section 278 or 106 (S106) developer contributions. I should emphasise that the CHA is generally no longer in a position to accept any financial risk relating to/make good any possible shortfall in developer funding.</p> <p>To be eligible for S106 contributions proposals must fulfil various legal criteria. Measures must also directly mitigate the impact of the development e.g. they should ensure that the development does not make the existing highway conditions any worse if considered to have a severe residual impact. They cannot unfortunately be sought to address existing problems.</p> <p>Where potential S106 measures would require future maintenance, which would be paid for from the County Council's funds, the measures would also need to be assessed against the County Council's other priorities and as such may not be maintained by the County Council or will require maintenance funding to be provided as a commuted sum.</p> <p>In regard to public transport, securing S106 contributions for public transport services will normally focus on larger developments, where there is a more realistic prospect of services being commercially viable once the contributions have stopped ie they would be able to operate without being supported from public funding.</p> <p>The current financial climate means that the CHA has extremely limited funding available to undertake minor highway improvements. Where there may be the prospect of third-party funding to deliver a scheme, the County Council will still normally expect the scheme to comply with prevailing relevant national and local policies and guidance, both in terms of its justification and its design; the Council will also expect future</p>	


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		<p data-bbox="436 237 1702 387">maintenance costs to be covered by the third-party funding. Where any measures are proposed that would affect speed limits, on-street parking restrictions or other Traffic Regulation Orders (be that to address existing problems or in connection with a development proposal), their implementation would be subject to available resources, the availability of full funding and the satisfactory completion of all necessary Statutory Procedures.</p> <p data-bbox="436 422 748 448">Flood Risk Management</p> <p data-bbox="436 483 1729 727">The County Council are fully aware of flooding that has occurred within Leicestershire and its impact on residential properties resulting in concerns relating to new developments. LCC in our role as the Lead Local Flood Authority (LLFA) undertake investigations into flooding, review consent applications to undertake works on ordinary watercourses and carry out enforcement where lack of maintenance or unconsented works has resulted in a flood risk. In April 2015 the LLFA also became a statutory consultee on major planning applications in relation to surface water drainage and have a duty to review planning applications to ensure that the onsite drainage systems are designed in accordance with current legislation and guidance. The LLFA also ensures that flood risk to the site is accounted for when designing a drainage solution.</p> <p data-bbox="436 730 723 756">The LLFA is not able to:</p> <ul data-bbox="488 762 1626 887" style="list-style-type: none"> <li data-bbox="488 762 1626 820">• Prevent development where development sites are at low risk of flooding or can demonstrate appropriate flood risk mitigation. <li data-bbox="488 826 1281 852">• Use existing flood risk to adjacent land to prevent development. <li data-bbox="488 858 1128 887">• Require development to resolve existing flood risk. <p data-bbox="436 922 1688 979">When considering flood risk within the development of a neighbourhood plan, the LLFA would recommend consideration of the following points:</p> <ul data-bbox="488 986 1697 1279" style="list-style-type: none"> <li data-bbox="488 986 1697 1011">• Locating development outside of river (fluvial) flood risk (Flood Map for Planning (Rivers and Sea)). <li data-bbox="488 1018 1666 1075">• Locating development outside of surface water (pluvial) flood risk (Risk of Flooding from Surface Water map). <li data-bbox="488 1082 1697 1139">• Locating development outside of any groundwater flood risk by considering any local knowledge of groundwater flooding. <li data-bbox="488 1145 1626 1203">• How potential SuDS features may be incorporated into the development to enhance the local amenity, water quality and biodiversity of the site as well as manage surface water runoff. <li data-bbox="488 1209 1626 1267">• Watercourses and land drainage should be protected within new developments to prevent an increase in flood risk. <p data-bbox="436 1311 1702 1369">All development will be required to restrict the discharge and retain surface water on site in line with current government policies. This should be undertaken through the use of Sustainable Drainage Systems (SuDS).</p>	

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		<p>Appropriate space allocation for SuDS features should be included within development sites when considering the housing density to ensure that the potential site will not limit the ability for good SuDS design to be carried out. Consideration should also be given to blue green corridors and how they could be used to improve the bio-diversity and amenity of new developments, including benefits to surrounding areas.</p> <p>Often ordinary watercourses and land drainage features (including streams, culverts and ditches) form part of development sites. The LLFA recommend that existing watercourses and land drainage (including watercourses that form the site boundary) are retained as open features along their original flow path and are retained in public open space to ensure that access for maintenance can be achieved. This should also be considered when looking at housing densities within the plan to ensure that these features can be retained.</p> <p>LCC, in its role as LLFA will not support proposals contrary to LCC policies.</p> <p>For further information it is suggested reference is made to the National Planning Policy Framework (March 2012), Sustainable drainage systems: Written statement - HCWS161 (December 2014) and the Planning Practice Guidance webpage.</p> <p>Flood risk mapping is readily available for public use at the links below. The LLFA also holds information relating to historic flooding within Leicestershire that can be used to inform development proposals.</p> <p>Risk of flooding from surface water map: https://flood-warning-information.service.gov.uk/long-term-flood-risk</p> <p>Flood map for planning (rivers and sea): https://flood-map-for-planning.service.gov.uk/</p> <p>Public Rights of Way</p> <p>Leicestershire has an extensive network of Public Rights of Way which are key to allow people to explore the local countryside, link communities and give access to schools, shops, work and facilities. Public Rights of Way are recorded on the Definitive Map and a version of this can be viewed at: https://www.leicestershire.gov.uk/roads-and-travel/cycling-and-walking/where-to-walk-in-leicestershire</p> <p>Public Rights of Way are a material consideration in the determination of Planning applications. National Planning Policy Framework states that “Planning policies and decisions should protect and enhance Public Rights of Way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks...”.</p>	

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		<p>Leicestershire County Council will expect that where Public Rights of Way are impacted by development consideration is given not just to replacement or reinstatement but enhancement of the provision.</p> <p>Planning</p> <p>Minerals & Waste Planning</p> <p>The County Council is the Minerals and Waste Planning Authority; this means the council prepares the planning policy for minerals and waste development and also makes decisions on mineral and waste development.</p> <p>Although neighbourhood plans cannot include policies that cover minerals and waste development, it may be the case that your neighbourhood contains an existing or planned minerals or waste site. The County Council can provide information on these operations or any future development planned for your neighbourhood.</p> <p>You should also be aware of Minerals and Waste Safeguarding Areas, contained within the adopted Minerals and Waste Local Plan (Leicestershire.gov.uk). These safeguarding areas are there to ensure that non-waste and non-minerals development takes place in a way that does not negatively affect minerals resources or waste operations. The County Council can provide guidance on this if your neighbourhood plan is allocating development in these areas or if any proposed neighbourhood plan policies may impact on minerals and waste provision.</p> <p>Property Education</p> <p>Whereby housing allocations or preferred housing developments form part of a Neighbourhood Plan the Local Authority will look to the availability of school places within a two-mile (primary) and three-mile (secondary) distance from the development. If there are not sufficient places then a claim for Section 106 funding will be requested to provide those places.</p> <p>It is recognised that it may not always be possible or appropriate to extend a local school to meet the needs of a development, or the size of a development would yield a new school.</p> <p>However, in the changing educational landscape, the Council retains a statutory duty to ensure that sufficient places are available in good schools within its area, for every child of school age whose parents wish them to have one.</p> <p>Strategic Property Services</p> <p>No comment at this time.</p>	

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		<p>Adult Social Care</p> <p>It is suggested that reference is made to recognising a significant growth in the older population and that development seeks to include bungalows etc of differing tenures to accommodate the increase. This would be in line with the draft Adult Social Care Accommodation Strategy for older people which promotes that people should plan ahead for their later life, including considering downsizing, but recognising that people's choices are often limited by the lack of suitable local options.</p> <p>Environment</p> <p>Specific Comments</p> <p>Suggest the plan references that the provision for the storage of waste and recyclable material is in locations convenient and accessible for collection and emptying by waste collection vehicles.</p> <p>Suggest the plan references support for wind and solar farms where development allows.</p> <p>Heritage and Design</p> <p>A single policy has been written to cover Designated and Non-Designated Assets of Local Value: -</p> <p>Policy BD4: Heritage Asset Protection (p54) <i>“Proposals that will result in harm to, or unnecessary loss of, an Asset of Local Heritage Value, as listed in the evidence document “Review of Designated Heritage Assets and Non-Designated Assets of Local Value”, will be resisted, unless it can be demonstrated that there is a public benefit that outweighs the harm or loss.”</i> All Heritage Assets are then described in the supporting document “Review of Designated Heritage Assets and Non-Designated Assets of local value in the Parish of Market Bosworth”. The following notes are based on this Review document: -</p> <p>Comment 1: King Richard III Plaque, Market Place (p18) The King Richard III Plaque identifies the location of an historical event – while the ‘place’ could be identified as a heritage asset, the plaque itself is not an asset. The event will not be a consideration in the planning process. To understand what the evidence is that links the place to the event would be of interested – local tradition of a resting place for Richard’s body post-Bosworth. Is there something more than hearsay? How is the tradition documented and how early/ detailed/ substantial is the evidence?</p>	

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		<p>Comment 2: Ridge & furrow: Three fields, Shenton Lane (p22) (see comment 6)</p> <p>Comment 3: Landing strip (p25) The Neighbourhood Plan proposes the inclusion of The Landing Strip, Station Road as a non-designated heritage asset. The use of an airfield associated with the celebrated WW II flying ace, Group Captain Walter Churchill, is well documented and he is recorded as having visited the family factory in 1941-2, landing his aircraft to the north of Station Road. However, confirmation of the exact location of where Captain Churchill landed his aircraft in the field would be useful to tightly define the boundaries of the asset. Both historic mapping, aerial photographs on the HER and Lidar data (see figs1&2 below) show no clear-cut evidence of a landing strip – and indications of surviving ridge-and-furrow in the suggested field might imply a bumpy landing!</p> <p>The owner of Wharf Farm (north of landing strip field) is documented online as having prepared an East-West landing strip to the north of his farm in the late 1980's, adding a North-South extension (in the area indicated in the Review) around 2000. It may be that the southern part of this N-S strip was Churchills landing strip, but more empirical evidence would be desirable.</p>	

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		<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">  <p data-bbox="450 916 846 970"><i>Figure 3: LIDAR survey with 1958 OS map superimposed.</i></p> </div> <div style="text-align: center;">  <p data-bbox="898 906 1294 992"><i>Figure 3: 1969-70 LCC aerial photograph (note the field boundaries to the north of the area).</i></p> </div> <div style="text-align: center;">  <p data-bbox="1335 911 1664 997"><i>Figure 3: 2000 LCC aerial photograph with-shaped Wharf Farm Landing strip).</i></p> </div> </div> <p data-bbox="439 1043 1093 1072">Comment 4: Churchill Memorial, Station Road (p26)</p> <p data-bbox="439 1078 1727 1133">Installed in 2015, the monument is not a historic feature. This is not a heritage asset, but is a memorial that would benefit from protection under the provisions of the T&CP Act:</p> <p data-bbox="439 1139 1727 1257"><i>Local planning authorities are also required to consult the Secretary of State on planning applications for the full or partial demolition of a statue, monument, memorial or plaque, where it is, or is part of, a building which has been in place for a period of at least ten years on the date of any proposed demolition, and the LPA does not propose to refuse the application (NPPF para. 204;</i></p> <p data-bbox="439 1264 1709 1289">https://historicengland.org.uk/advice/planning/planning-system/contested-heritage-listed-building-decisions/)</p> <p data-bbox="439 1321 1048 1350">Comment 5: Sutton Lane, The Gated Road (p26)</p>	

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		<p>The area has also been identified under Policy CE2: Local Green Spaces. Historic roads are not generally recorded as monuments on the Historic Environment Record - they are very prolific and there is not enough information to sufficiently define the heritage asset. Sutton Lane could either be just protected as an Environment Asset or more detail provided in the supporting document outlining its historic singularity, with its extent indicated on a plan.</p> <p>Comment 6: Ridge and furrow, Bosworth Park (p28) The three fields to the west of Shenton Lane and 'several areas' in Bosworth Park are identified as having surviving ridge and furrow. The Bosworth Park areas need to be defined on a map. In identifying significant ridge & furrow the Neighbourhood Plan has partially replicated the Turning the Plough Survey (TTP1) information from the HER. While the TTP survey was undertaken by Historic England in c. 2000 and partially reviewed in 2012, much of the data is now 25 years old. Although some may remain accurate, it would be useful to reassess the survival of these earthworks in terms of presence and condition. This would involve ground checking and mapping the extent of surviving R&F – a visual check and each field with good quality earthworks marked on a plan.</p> <p>The parish may want to also consider whether there are further areas of ridge and furrow that it would be beneficial to include in the Neighbourhood Plan. Recent data can be accessed in free online LiDAR surveys (for example, the DEFRA Environment Agency Survey at https://arcg.is/1KSXDv) which could provide a useful starting point.</p> <p>It would be useful if any field identified as having R&F that constituted a 'local heritage asset' was then labelled on a map with a unique number to ensure accuracy in any subsequent correspondences. Suggest the plan references that the provision for the storage of waste and recyclable material is in locations convenient and accessible for collection and emptying by waste collection vehicles. Suggest the plan references support for wind and solar farms where development allows.</p> <p>General Comments With regard to the environment and in line with Government advice, Leicestershire County Council (LCC) would like to see Neighbourhood Plans cover all aspects of archaeology and the historic and natural environment including heritage assets, archaeological sites, listed and unlisted historic buildings, historic landscapes, climate change, the landscape, biodiversity, ecosystems, green infrastructure as well as soils, brownfield sites and agricultural land.</p> <p>Archaeology and the Historic Environment</p> <p>The planning process provides one of the most effective tools to manage the impact of land use change upon the historic environment. This is achieved both through the shaping of development plans (Local and</p>	

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		<p>Neighbourhood Plans) and the delivery of development management advice on individual planning applications. In that context, the inclusion of heritage in your Neighbourhood Plan, and the provision of relevant and effective policies, will significantly strengthen the management of these issues, and will be an effective way of the community identifying its own concerns and priorities.</p> <p>Ideally, Neighbourhood Plans should seek to work in partnership with other agencies to develop and deliver this strategic objective, based on robust local evidence and priorities. We recommend that each Neighbourhood Plan should consider the impact of potential development or management decisions on the conservation and enhancement of the historic environment. The historic environment is defined as comprising all aspects of the environment resulting from the interaction between people and places through time, including all surviving evidence of past human activity, whether upstanding, buried or submerged, as well landscapes and their historic components.</p> <p>The Leicestershire and Rutland Historic Environment Record (LRHER) can provide a summary of archaeological and historic environment information for your Neighbourhood Plan area. This will include gazetteers and maps describing the locally identified non-designated heritage assets, typically archaeological sites (both earthworks and buried archaeological remains), unlisted historic buildings and historic landscapes (parks and gardens). We will also provide information on medieval ridge and furrow earthworks to help you evaluate the surviving earthworks in your area.</p> <p>Information on Designated assets (Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Battlefields) is available from the National Heritage List for England (NHLE). https://historicengland.org.uk/listing/the-list/</p> <p>Consideration of the historic environment, and its constituent designated and non-designated heritage assets, is a material consideration in the planning process. While the data held by the LRHER is constantly maintained and updated, it is unlikely that the record represents an exhaustive list of all assets with the plan area. We suggest that information provided by the LRHER should be taken into account when preparing the Neighbourhood Plan and contribute to any list of locally identified heritage assets. Based upon a structured assessment process, this will be the basis of any non-designated heritage assets identified within the plan and given force through the preparation of appropriate heritage policy.</p> <p>Contact: her@leics.gov.uk, or phone 0116 305 8323</p> <p>For help with including heritage in your Neighbourhood Plan please see the following guidance: CBA Toolkit No. 10, Neighbourhood Planning (2017) https://www.archaeologyuk.org/asset/6FE3A721-B328-4B75-9DEBBD0028A4AEED/</p>	

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		<p>National Trust Guide to Heritage in Neighbourhood Plans (2019) https://www.nationaltrust.org.uk/documents/neighbourhood-planning-and-heritage-guidance.pdf</p> <p>Climate Change</p> <p>The UK Met Office predicts that in a business-as-usual (high emission) scenario, Britain could experience summers as much as 5°C hotter by 2070. Winters could be up to 4.2°C warmer, and sea levels could rise by up to 1.15 metres by 2100, leaving the UK coastline unrecognisable. Average summer rainfall could decrease by up to 47% by 2070, while there could be up to 35% more precipitation in winter.</p> <p>In June 2019 the Climate Change Act (2008) was amended committing the UK to achieving net zero carbon emissions by 2050. Achieving this will require households, communities, businesses and local authorities to be fully engaged and aligned with this government policy.</p> <p>The County Council, through its Environment Strategy and Net Zero Strategy and Action Plan, is committed to tackling climate change and lowering carbon emissions. The Council has a target to achieve net zero for its own operations by 2035 and working with Leicestershire people and organisations to become a net zero county by 2050. Along with most other UK local authorities, the council has declared a climate emergency and wants to play its part to help meet the Paris Agreement and keep global temperature rise to well below 2oC Leicestershire’s Net Zero Strategy and Action Plan is available here.</p> <p>Planning is one of the key levers for enabling these commitments to be met. Neighbourhood Plans should, as far as possible, align to Leicestershire County Council’s Net Zero Strategy and Action Plan by contributing to and supporting a reduction in greenhouse gas emissions and reducing the county’s exposure to the worst effects of climate change.</p> <p>Furthermore, Neighbourhood Plans should, as far as possible, seek to include measures which increase the neighbourhoods resilience to climate change such as avoiding building on flood plains, using sustainable urban drainage systems, using nature based solutions to reduce flood risk, reducing the amount of non-permeable hard surfaces and encouraging tree planting, green walls and roofs to provide natural shading and cooling.</p> <p>The National Planning Policy Framework (NPPF): Meeting the challenge of climate change, flooding and coastal change – paragraphs 157 to 179.</p> <p>Para 157 - <i>The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to</i></p>	

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		<p><i>radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.</i></p> <p>Landscape</p> <p>The County Council would like to see the inclusion of a local landscape assessment taking into account: Natural England’s Landscape character areas; the Leicestershire, Leicester and Rutland Historic Landscape Characterisation Project; the Local District/Borough Council landscape character assessments; and the Landscape Sensitivity and Green Infrastructure Study for Leicester and Leicestershire (2017), which examines the sensitivity of the landscape, exploring the extent to which different areas can accommodate development without impacting on their key landscape qualities.</p> <p>We would recommend that Neighbourhood Plans should also consider the street scene and public realm within their communities, further advice can be found in the latest ‘Streets for All East Midlands’ document (2018) published by Historic England https://historicengland.org.uk/images-books/publications/streets-for-all-east-midlands/. For more information on place-making within new development please review Manual for Streets and Manual for Streets 2 Wider Applications of the Principles. Leicestershire County Council are in the process of producing an updated Leicestershire Highways Design Guide which will concisely take account of and reference these guides and others.</p> <p>LCC would encourage the development of local listings as per the National Planning Policy Framework (NPPF) and LCC have some data on the social, cultural, archaeological and historic value of local features and buildings (https://www.leicestershire.gov.uk/leisure-and-community/history-and-heritage/historic-environment-record)</p> <p>Contact: her@leics.gov.uk or telephone: 0116 3058323</p> <p>Examples of policy statements for Landscape: POLICY X: LOCAL LANDSCAPE CHARACTER AREAS – Development proposals falling within or affecting the Local Landscape Character Areas (LLCAs), where possible, enhance the LLCA’s particular characteristics, important views and local distinctiveness. Proposals having a harmful effect on a Local Landscape Character Area’s character will not be supported. Landscape Assessment is a specialist area and accredited landscape consultants can provide advice. https://www.landscapeinstitute.org/</p> <p>Biodiversity</p>	

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		<p>The Natural Environment and Communities Act 2006 places a duty on all public authorities in England and Wales to have regard, in the exercise of their duties, to the purpose of conserving biodiversity. The National Planning Policy Framework (NPPF) 2023 clearly outlines the importance of sustainable development alongside the core principle that planning should contribute to conserving and enhancing the natural environment, providing net gain for biodiversity, and reducing pollution. Neighbourhood Plans should therefore seek to work in partnership with other agencies to develop and deliver a strategic approach to protecting and improving the natural environment based on local evidence and priorities. Each Neighbourhood Plan should consider the impact of potential development or management of open spaces on enhancing biodiversity and habitat connectivity, such as hedgerows and greenways. Habitat permeability for species which addresses encouragement of movement from one location to another such as the design of street lighting, roads, noise, exposure to chemicals, obstructions in water, exposure of species to predation, Invasive and Non-Native Species, and arrangement of land-uses should be considered.</p> <p>The Neighbourhood Plan can be used to plan actions for the parish council on its' own land (community actions) and guide the actions of others (policy actions).</p> <p>For specific advice on species and habitats of importance in the County and actions that can make a difference to their conservation and ways to increase the quality and quantity of these, please refer to the Leicestershire and Rutland Biodiversity Action Plan https://www.leicestershire.gov.uk/environment-and-planning/planning/biodiversity-strategy https://www.leicestershire.gov.uk/environment-and-planning/planning/planning-and-biodiversity</p> <p>The Leicestershire and Rutland Environmental Records Centre (LRERC) can provide a summary of wildlife information for your Neighbourhood Plan area. This will include a map showing nationally important sites (e.g. Sites of Special Scientific Interest); locally designated Wildlife Sites; locations of badger setts, great crested newt breeding ponds and ponds with high potential to support great crested newts' and bat roosts; and a list of records of protected and priority Biodiversity Action Plan species. These are all a material consideration in the planning process. If there has been a recent Habitat Survey of your plan area, this will also be included. LRERC is unable to carry out habitat surveys on request from a Parish Council, although it may be possible to add it into a future survey programme.</p> <p>Contact: LRERC@leics.gov.uk, or phone 0116 305 1087 https://www.leicestershire.gov.uk/environment-and-planning/planning/leicestershire-and-rutland-environmental-records-centre-lrerc,</p> <p>For informal advice on actions for nature that can be taken forward on parish land please contact EnvironmentTeam@Leics.gov.uk</p>	

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		<p>There are many protected species of plants and animals in England and often their supporting features and habitats are also protected. What you can and cannot do by law varies from species to species and may require a preliminary ecological appraisal. For information on protected species and the law please visit: https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications</p> <p>Examples of policy statements that can be added to the plan to support biodiversity: POLICY X: BIODIVERSITY PROTECTION IN NEW DEVELOPMENT – Consideration should be made in the design and construction of new development in the Plan Area to protect and enhance biodiversity, where appropriate, including:</p> <ul style="list-style-type: none"> • Roof and wall construction should incorporate integral bee bricks, bird nest boxes and bat breeding and roosting boxes. Target species and locations to be based on advice sought from the Local Authority’s Biodiversity Officer (or equivalent). • Hedges (or fences with ground-level gaps) should be used for property boundaries to maintain connectivity of habitat for hedgehogs and other terrestrial animals. • Work with landowners to ensure good maintenance of existing hedgerows, gap up and plant new hedgerows where appropriate and introduce a programme of replenishing hedgerow trees. • Avoidance of all unnecessary exterior artificial lighting: there is no legal duty requiring any place to be lit. • Security lighting, if essential, should be operated by intruder sensors and illuminated for no longer than 1 minute. Sports and commercial facility lighting should be switched off during agreed ‘curfew’ hours between March and October, following best practice guidelines in Bats and Lighting Leicestershire Environmental Records Centre, 2014. • 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. • Natural/semi natural grassland margins adjacent to hedges of up to 5m buffer. • Retain natural features wherever possible. • In creating habitats, consider the underlying geology and allow natural colonisation near local high-quality habitats. • Avoid use of topsoil to promote plant diversity, especially in areas of limestone or areas near to heathland - consider exposing sandy soils to encourage acid grassland and heath. 	

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		<ul style="list-style-type: none"> • Allow for structural diversity of habitats – for example long and tall grass, to maintain a suitable grassland habitat for wildlife. A management plan should accompany all planning applications. • Avoid development and hard landscaping next to watercourses. • Restore naturalness to existing watercourses for example by retaining some steeper earth banks suitable for Kingfisher and Water Vole breeding. • Retain areas of deadwood within the site to maintain biodiversity. • Plant 30% of trees with a selection of larger native species and create lines of trees (this could support the feeding zone of bats for instance and well managed hedges can do the same). <p>Green Infrastructure</p> <p>Green infrastructure (GI) is a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities (NPPF definition). GI includes parks, open spaces, playing fields, woodlands, street trees, cemeteries/churchyards, allotments and private gardens as well as streams, rivers, canals and other water bodies and features such as rain gardens, pocket parks and swales.</p> <p>The NPPF places the duty on local authorities to plan positively for a strategic network of GI which can deliver a range of planning policies including: building a strong, competitive economy; creating a sense of place and promoting good design; promoting healthier communities by providing greater opportunities for recreation and mental and physical health benefits; meeting the challenges of climate change and flood risk; increasing biodiversity and conserving and enhancing the natural and historic environment. Looking at the existing provision of GI networks within a community can influence the plan for creating & enhancing new networks.</p> <p>Neighbourhood Plan groups have the opportunity to plan GI networks at a local scale to maximise benefits for their community and in doing so they should ensure that their Neighbourhood Plan is reflective of the relevant Local Authority Green Infrastructure strategy. Through the Neighbourhood Plan and discussions with the Local Authority Planning teams and potential Developers communities are well placed to influence the delivery of local scale GI networks.</p> <p>Sites that are designated as Local Green Spaces can form an important strategic part of local Green Infrastructure and can be conserved and enhanced to make an important contribution to the district green infrastructure. Delivery of the conservation and enhancement can be dealt with in Policy and Community Actions.</p>	

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		<p>NPs should be aware of the emerging Local Nature Recovery Strategy for Leicester, Leicestershire and Rutland to consider how the sites and the management of them within the Neighbourhood area can contribute to the strategy and action for delivery. https://www.leicestershire.gov.uk/environment-and-planning/local-nature-recovery-strategy/what-a-local-nature-recovery-strategy-is</p> <p>Brownfield, Soils and Agricultural Land</p> <p>The NPPF encourages the effective use of brownfield land for development, except where this would conflict with other policies in the NPPF Framework, including causing harm to designated sites of importance for biodiversity. Neighbourhood planning groups should check with Defra and the District or Borough council who keep a register of brownfield sites to see if their neighbourhood planning area includes brownfield sites. Where information is lacking as to the ecological or heritage value of these sites then the Neighbourhood Plan could include policies that ensure such survey work should be carried out to assess the ecological and heritage value of a brownfield site before development decisions are taken.</p> <p>Soils are an essential finite resource on which important ecosystem services, such as food production, are dependent on. They should be enhanced in value and protected from adverse effects of unacceptable levels of pollution. Within the government's "Safeguarding our Soils" strategy, Defra have produced a code of practice for the sustainable use of soils on construction sites which could be helpful to neighbourhood planning groups in preparing environmental policies.</p> <p>High quality agricultural soils should, where possible, be protected from development and where a large area of agricultural land is identified for development poorer quality areas should be used in preference to the higher quality areas. Neighbourhood planning groups should consider mapping agricultural land classification within their plan to enable informed decisions to be made in the future. Natural England can provide further information and Agricultural Land classification and have produced the following guide. https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land.</p> <p>The British Society for Soil Science provide advice on what should be expected of developers in assessing land for development suitability. https://soils.org.uk/wp-content/uploads/2022/02/Assessing-Agricultural-Land-Jan-2022.pdf</p> <p>Strategic Environmental Assessments (SEAs)</p> <p>Information for Neighbourhood Planning groups regarding Strategic Environmental Assessments (SEAs) can be found on the Neighbourhood Planning website (https://neighbourhoodplanning.org/toolkits-and-</p>	

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		<p>guidance/understand-plan-requires-strategic-environmental-assessment-sea/) and should be referred to. A Neighbourhood Plan must meet certain basic conditions in order to be 'made'. It must not breach and be otherwise compatible with the Environmental Assessment of Plans and Programmes Regulations SI 2004/1633 (available online). These regulations deal with the assessment of environmental plans and programmes and implement Retained Reference Directive 2001/42 'on the assessment of the effects of certain plans and programmes on the environment'.</p> <p>Not every Neighbourhood Plan needs a SEA; however, it is compulsory to provide when submitting a plan proposal to the local planning authority either:</p> <ul style="list-style-type: none"> • A statement of reasons as to why SEA was not required • An environmental report (a key output of the SEA process). <p>As a rule of thumb, SEA is more likely to be necessary if both of the following two elements apply:</p> <ul style="list-style-type: none"> • a Neighbourhood Plan allocates sites for development (for housing, employment etc.); and • the neighbourhood area contains sensitive environmental assets (e.g. a Site of Special Scientific Interest (SSSI) or an Area of Outstanding Natural Beauty (AONB)) that may be affected by the policies and proposals in the Neighbourhood Plan. <p>In light of these two considerations, it is very unlikely that a Neighbourhood Plan would require SEA if the plan is not allocating land for development. This is because allocating land for development is more likely to generate physical changes which lead to significant effects.</p> <p>As the UK has now left the EU, Neighbourhood Planning groups should remain mindful of any future changes which may occur to the above guidance. Changes may be forthcoming as a result of the Government's Levelling Up and Regeneration Act (LURA). This proposes 'Environmental Outcome Reports' to replace the current system of Strategic Environmental Assessment (including Sustainability Appraisals) and Environmental Impact Assessment and introduce a clearer and simpler process where relevant plans and projects (including Nationally Significant Infrastructure Projects) are assessed against tangible environmental outcomes. Prior to the new Labour government taking office, the provisions in the Act to enable the EORs to be brought forward had not been enacted and this remains the situation as of summer 2024.</p> <p>Impact of Development on Household Waste Recycling Centres (HWRC)</p> <p>Neighbourhood planning groups should remain mindful of the interaction between new development applications in a district and borough area and the existing HWRC services delivered by Leicestershire County Council.</p>	

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		<p>The County Council's Waste Management team considers the impact of increased waste arisings from proposed developments on a case by case basis and when it is identified that a proposed development will have a detrimental effect on the local HWRC infrastructure then appropriate projects to maintain the capacity of the HWRC (most likely impacted) have to be initiated.</p> <p>Planning obligations to fund these projects are requested in accordance with the Leicestershire County Council's Planning Obligations Policy and the three CIL tests (as per Regulation 122 under the Community Infrastructure Regulations 2010 (as amended)) as described below;</p> <p>A planning obligation is a legally enforceable commitment (secured within a Section 106 agreement or S106 unilateral undertaking (as per s106 of the Town and Country Planning Act 1990 (as amended)) entered into to mitigate the impacts of development. Planning obligations can only be sought (and considered to be CIL compliant) where they meet the following 3 tests:</p> <ul style="list-style-type: none"> • necessary to make the development acceptable in planning terms; • directly related to the development; • fairly and reasonably related in scale and kind to the development; <p>Public Health</p> <p>Health is shaped by many different factors throughout our lives. Health is affected by the settings in which we live, work, learn and play. These influences start to determine health and opportunities for better health from birth and throughout the whole life course, for example the environment, community, transport, education and income.</p> <p>This complex range of interacting social, economic and environmental factors are known as the wider determinants of health or the social determinants of health.</p> <p>When there is a difference in these conditions it contributes to health inequalities- "Health inequalities are the preventable, unfair and unjust differences in health status between groups, populations or individuals that arise from the unequal distribution of social, environmental and economic conditions within societies" (NHS England).</p> <p>The diagram below illustrates types of wider factors that influence an individual's mental and physical health.</p>	

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		<div data-bbox="497 252 1249 730" data-label="Diagram"> </div> <p data-bbox="439 759 680 786">The diagram shows:</p> <ul data-bbox="439 791 1720 1074" style="list-style-type: none"> • personal characteristics at the core of the model and this includes sex, age, ethnic group, and hereditary factors • The layer around the core contains individual 'lifestyle' factor behaviours such as smoking, alcohol use, and physical activity • The next layer contains social and community networks including family and wider social circles • The next layer covers living and working conditions include access and opportunities in relation to jobs, housing, education and welfare services • The final outer layer is general socioeconomic, cultural and environmental conditions and includes factors such as disposable income, taxation, and availability of work <p data-bbox="439 1107 1615 1166">Research by the Robert Wood Johnson Foundation, looked into the major contributors to health and wellbeing and found that:</p> <p data-bbox="439 1171 1249 1198">Health Behaviours contribute to 30% of health outcomes made up of:</p> <ul data-bbox="439 1203 723 1326" style="list-style-type: none"> • Smoking 10% • Diet/Exercise 10% • Alcohol use 5% • Poor sexual health 5% <p data-bbox="439 1358 1171 1385">Socioeconomic Factors contribute to 40% of health outcomes:</p>	

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		<ul style="list-style-type: none"> • Education 10% • Employment 10% • Income 10% • Family/Social Support 5% • Community Safety 5% <p>Clinical Care contributes to 20% of health outcomes:</p> <ul style="list-style-type: none"> • Access to care 10% • Quality of care 10% <p>Built Environment contributes to 10% of health outcomes:</p> <ul style="list-style-type: none"> • Environmental Quality 5% • Built Environment 5% <p>Source: Robert Wood Johnson Foundation and University of Wisconsin Population Health Institute, Used in US to rank Counties by health Status.</p> <p>Therefore, due to the complex way in which the built environment and communities we live in impact on our health any opportunity to mitigate negative impacts and enhance positive outcomes should be taken. Completing a Health Impact Assessment (HIA) is a good practice to ensure neighbourhood concerns and recommendations are considered.</p> <p>Undertaking a HIA as part of your neighbourhood plans has the potential to influence all these areas, alongside influencing decisions made about access to care through transport and infrastructure.</p> <p>To aid you in undertaking a HIA please visit: https://www.healthyplacemaking.co.uk/health-impact-assessment/</p> <p>At the bottom of this page there are also links to a number of local data sheets at a district level. You can also familiarise yourself with the health profile for your area by visiting: https://fingertips.phe.org.uk/profile/health-profiles</p> <p>Dahlgren G, Whitehead M. (1991). Policies and Strategies to Promote Social Equity in Health. Stockholm, Sweden: Institute for Futures Studies.</p> <p>NHS England, "Reducing health inequalities resources," [Online]. Available: https://www.england.nhs.uk/about/equality/equality-hub/resources/ [Accessed February 2021].</p>	

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		<p>Communities</p> <p>Consideration of community facilities is a positive facet of Neighbourhood Plans that reflects the importance of these facilities within communities and can proactively protect and develop facilities to meet the needs of people in local community. Neighbourhood Plans provide an opportunity to;</p> <ol style="list-style-type: none"> 1. Carry out and report on a review of community facilities, groups and allotments and their importance with your community. 2. Set out policies that seek to; <ul style="list-style-type: none"> • protect and retain these existing facilities, • support the independent development of new facilities, and, • identify and protect Assets of Community Value and provide support for any existing or future designations. 3. Identify and support potential community projects that could be progressed. <p>We encourage you to including any Community Actions identified as part of your evidence gathering; although, they cannot always form part of the main plan, they can provide a good, evidence based, reference point for community aspirations, which can then be used by others who may want to invest in the area.</p> <p>You are encouraged to consider and respond to all aspects of community resources as part of the Neighbourhood Planning process. Further information, guidance and examples of policies and supporting information is available at www.leicestershirecommunities.org.uk/np/useful-information.</p> <p>Economic Development</p> <p>We would recommend including economic development aspirations with your Plan, outlining what the community currently values and whether they are open to new development of small businesses etc. There is some concern that development is focused on one site south of Station Road, which has been split into employment land and housing. Whilst there is an appreciation that there is a desire to have as little change as possible to retain the historic character of the centre, and housing needs have already been</p>	

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		<p>accommodated previously, there is little on the impact of traffic from this site. There is acknowledgement that traffic in the village centre is already an issue.</p> <p>Social housing is a key element of rural infrastructure, and it is positive to see mention of the Housing Needs Assessment and demand for social housing. The availability of affordable housing in rural areas is critical to attracting and retaining residents, particularly the younger working populations. According to the Rural Services Network in their report “Winning the Rural Vote – A Roadmap to Rural Success” (2024) houses in rural areas are less affordable to purchase for those in the bottom 25% of earners compared to urban. They also state that lower than average wages are earned in the rural economy, making accessing housing unaffordable. They also claim that rural areas suffer from a lack of affordable rental property. This could be given consideration when evaluating a need for affordable housing.</p> <p>In the Development Needs section (4.4) it might be helpful to include the new Bosworth 1485 Trail which has been designed to increase tourism in the area https://www.richardiiicountry.com/richard-iii/bosworth1485 and could have an impact on traffic and parking.</p> <p>Whilst Leisure and Tourism have been identified as one of the ten character areas, there has been no reference to the new Hinckley & Bosworth Culture Strategy (2024-2028). Ambitions in the document include increasing the number of public art pieces within the borough, developing a thriving events programme and sports facilities, all of which need sites.</p> <p>Fibre Broadband</p> <p>Our ambition is for a Digital Leicestershire. This includes the ambition for everyone to have access to fast, accessible, inclusive, reliable digital infrastructure and we are working to support government targets to achieve gigabit capable, lightning-fast broadband connections to 85% of the UK by December 2025, increasing to near universal coverage by 2030.</p> <p>A fast and reliable digital infrastructure will open new opportunities for residents, communities and businesses. It will underpin innovation, improve community and social networks and support learning and development for all. It will help to deliver a range of societal benefits including the more effective provision of public services, information and connect people to the support at the point of need.</p> <p>The Digital Leicestershire team manages programmes aimed at improving digital infrastructure in the county. This includes superfast, ultrafast and full fibre broadband. This work combines three approaches; engaging with commercial operators to encourage private investment in Leicestershire, working with all tiers of government to reduce barriers to commercial investment, and operating intervention schemes with public</p>	

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		<p>funds to support deployment of digital infrastructure in hard-to-reach areas that are not included in broadband suppliers' plans, reaching parts of the county that might otherwise miss out on getting the digital connectivity they need. We are currently providing support throughout the county with our Gigabit and Gigahub programmes.</p> <p>How does this role relate to neighbourhood plans?</p> <p>The UK government has brought into force new laws that require new homes in England to be built with gigabit broadband connections and enables telecoms firms to be able to get faster broadband to nine million people living in blocks of flats across the UK.</p> <p>Ministers have amended the Building Regulations 2010 to ensure that new homes constructed in England will be fitted with infrastructure and connections capable of delivering gigabit broadband - the fastest internet speeds on the market.</p> <p>The updated regulations mean that more people moving into new homes will have a gigabit-capable broadband connection ready when construction is completed, avoiding the need for costly and disruptive installation work after the home is built and enabling residents to arrange the best possible internet service at the point they move in.</p> <p>In a further boost to people's access to better broadband, another new law has made it easier to install faster internet connections in blocks of flats when landlords repeatedly ignore requests for access from broadband firms.</p> <p>Both of these new laws came into effect on 26 December 2022.</p> <p>The updated building rules mean home developers will be legally required to future-proof new homes in England for next-generation gigabit broadband as standard practice during construction.</p> <p>Connection costs will be capped at £2,000 per home for developers and they will work together with network operators to connect developments to the gigabit network. It is estimated over 98 per cent of premises fall within this cap, meaning moving into a new build property without lightning-fast internet speeds will become a thing of the past for the vast majority of people across England.</p> <p>Where a developer is unable to secure a gigabit-capable connection within the cost cap, developers must install the next fastest connection available.</p>	

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		<p>And even where a gigabit-capable connection is not available within the cost cap, gigabit-ready infrastructure, such as ducts, chambers and termination points, still needs to be installed. This will ensure that homes are fit for the digital age but may not be connected straight away.</p> <p>The Council supports a 'dig once' approach for the deployment of communications infrastructure and a build which is sympathetic to the character and appearance of the surrounding area. The Council encourages telecommunications build which does not significantly impact on the appearance of any building or space on which equipment is located and which minimises street clutter.</p> <p>Groups working on emerging neighbourhood plans are encouraged to visit the Digital Leicestershire web site to learn more about current and forthcoming full fibre broadband provision for their local area https://www.thinkbroadband.com/ and also BDUK (Building Digital UK)</p> <p>Further Information https://digital-leicestershire.org.uk/ Email: broadband@leics.gov.uk Building Regulations: Infrastructure for Electronic Communications (R)</p> <p>Equalities</p> <p>While we cannot comment in detail on plans, you may wish to ask stakeholders to bear the Council's Equality Strategy 2020-2024 in mind when taking your Neighbourhood Plan forward through the relevant procedures, particularly for engagement and consultation work. A copy of the strategy can be view at: https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2020/7/10/Equality-strategy-2020-2024.pdf</p> <p>The Neighbourhood plan should comply with the main requirements of the Public Sector Equality Duty. This requires public bodies to have due regard of the need to:</p> <ul style="list-style-type: none"> Eliminate discrimination Advance equality of opportunity Foster good relations between different people <p>Accessible Documents</p> <p>In today's working environment more and more information is being produced digitally. When producing information which is aimed at or to be viewed by the public, it is important to make that information as accessible as possible. At least 1 in 5 people in the UK have a long-term illness, impairment or disability. Many more have a temporary disability.</p>	

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		<p>Accessibility means more than putting things online. It means making your content and design clear and simple enough so that most people can use it without needing to adapt it, while supporting those who do need to adapt things.</p> <p>For example, someone with impaired vision might use a screen reader (software that lets a user navigate a website and 'read out' the content), braille display or screen magnifier. Or someone with motor difficulties might use a special mouse, speech recognition software or on-screen keyboard emulator.</p> <p>Public sector organisations have a legal requirement to make sure that all information which appears on their websites is accessible. As Neighbourhood Plans have to be published on Local Planning Authority websites, they too have to comply with government regulations for accessibility. Guidance for creating accessible Word and PDF documents can be found on the Leicestershire Communities website: Creating Accessible Word Documents Creating Accessible PDFs</p> <p>To enable Development Officers to implement your policies, it is important to make sure that they are clear, concise and worded in such a way that they are not open to interpretation. This Policy Writing Guide has been designed to provide you with a few key points to look out for: https://www.leicestershirecommunities.org.uk/uploads/policy-writing-guide-17.pdf?v=1667547963</p> <p>NIK GREEN (MRS) Policy Officer E: neighbourhoodplanning@leics.gov.uk Policy, Economy & Community, Chief Executive's Department, Leicestershire County Council, County Hall, Glenfield, Leicestershire LE3 8RA For further information visit: http://www.leics.gov.uk/index/environment/planning/neighbourhoodplanning.htm</p>	
31	Megan Streets, Gladman	<p>Overall, how do you feel about the plan?: Oppose. Additional information provided as follows:</p> <p>ADOPTED DEVELOPMENT PLAN</p> <p>To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, neighbourhood plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan.</p> <p>The adopted Development Plan relevant to the preparation of the MBNP and the Development Plan which the MBNP will be tested against is the Hinckley and Bosworth Core Strategy (2009) and Site Allocations and</p>	

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		<p>Development Management DPD (2014). The Core Strategy and Site Allocations and Development Management DPD are the overarching planning policy documents for the Borough and form the basis for the decision making process in relation to all planning applications looking forward to 2026, or such a time as it, or elements of it are superseded.</p> <p>Hinckley and Bosworth Borough Council (HBBC), recognise that the housing requirement within the adopted plan, was set in a different context to today, and does meet the current housing needs of the Borough. With that HBBC accepts that the settlement boundaries set in Policy DM 4 of the Site Allocations and Development Management DPD are out of date.</p> <p>EMERGING DEVELOPMENT PLAN</p> <p>The Hinckley and Bosworth emerging local plan is currently progressing alongside the neighbourhood plan. The Plan underwent regulation 18 consultation between 31st July 2024 and 27 September 2024. The Neighbourhood Plan is coming forward ahead of the emerging Local Plan, and as drafted is likely to conflict with the strategic policies of the emerging local plan. This needs to be recognised through the policies of the MBNP and sufficient flexibility incorporated within the policies to minimise any conflict.</p> <p>HBBC are currently planning for a housing requirement of 660 dwellings per annum (dpa), which uses the standard method figure as a starting point but looks to take into account Leicester's unmet need. The neighbourhood plan needs to meet the identified need within the settlement. As discussed further in Section 5 of these representations, the need identified by the MBNP does not take into account the housing need of the district and the identified need for the settlement. Predicated on the 2022 AECOM Housing Needs Assessment (HNA), there is a clear difference in the approach that is being taken at the strategic level when compared to the MBNP's proposals.</p> <p>The emerging HBBC Local Plan is proposing an allocation of 180 homes on land south of Station Road, this is in addition to the allocation made in the Adopted Hinckley and Bosworth Site Allocations Plan and the Made Neighbourhood Plan for 100 dwellings on the first phase of land South of Station Road.</p> <p>This indicates that Market Bosworth is likely to have a greater role to play in the borough's spatial strategy moving forward than the MBNP is proposing to plan for, and that the Neighbourhood Plan's housing requirement will need to be higher than the 154 dwellings the AECOM housing needs report identified between 2022 -2039, and its residual housing requirement of 77 dwellings.</p> <p>It is also relevant that the emerging HBBC Local Plan review also currently only allocates sites over 100 units, the plan states that sites for under 100 units will be allocated within the regulation 19 consultation</p>	


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		<p>document. There are an additional 500 homes to find throughout the District, given that Market Bosworth is a Key Rural Centre and second tier within the settlement hierarchy, and is highly sustainable, HBBC may seek to allocate further homes within the settlement.</p> <p>The MBNP should align with the emerging Local Plan and seek to meet the identified needs within the settlement. Paragraph 29 of the NPPF states that neighbourhood plans should not undermine strategic policies; the MBNP does currently undermine the emerging Local Plan in respect of its proposed housing requirement, which does not align with the housing requirement identified for Market Bosworth as part of HBBC's Local Plan proposals.</p> <p>The relationship between the findings of the 2022 Market Bosworth Housing Needs Assessment (HNA) and HBBC's proposed housing requirements is discussed further in Section 5 of these representations, including the relevant requirements of the PPG in this regard.</p> <p>In this respect, it is further noted that the MBNP plan period ends in 2039, whereas the emerging HBBC Local Plan period extends to 2041. As well as suggesting a potential need to revisit the lifespan of the MBNP, this is a further misalignment between the Neighbourhood Plan and HBBC's proposals.</p> <p>Given the process of the emerging local plan and the housing numbers it is clear that the MBNP would not meet the needs identified within the emerging strategy.</p> <p>POLICY CE3: IMPORTANT VIEWS AND VISTAS AND LANDSCAPE CHARACTER</p> <p>Policy CE3 sets that development that harms important views or vistas will not be supported. The NPPF at paragraph 180 states that we should recognise the intrinsic character and beauty of the countryside. Policy CE3 goes further than this and seeks to restrict development. This policy should be reworded to reflect the NPPF paragraph 180.</p> <p>Gladman are concerned that the proposed policy will seek to prejudice the delivery of sustainable development proposals from coming forward. The emphasis of this policy is on the 'protection' of the landscape of the surrounding area rather than seeking to integrate new sustainable development opportunities within the existing landscape and character of the local area.</p> <p>Furthermore, to be valued, a view would need to have some form of physical attributes demonstrating its significance. The policy must allow for a decision maker to come to a view as to whether particular locations contain physical attribute that would 'take it out of the ordinary' rather than designating vast swathes of land which may not have any landscape significance and are based solely on community support.</p>	

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		<p>Opinions on landscape are highly subjective and therefore without robust evidence to demonstrate why these areas are considered special beyond the fact that they are 'an area of attractive and unspoilt countryside, it is unclear whether the requirements of this policy have been appropriately justified and evidenced.</p> <p>In this context, we would observe that the important Views and Vistas identified in the March 2023 MBNP Landscape Review cover the majority of the area around Market Bosworth, appearing to support this view and concern. Gladman recommend that this policy is reviewed and should not be taken forward in its current form.</p> <p>POLICY CE5: LANDSCAPE OF THE WIDER PARISH</p> <p>Policy CE5 states that new development outside the settlement boundary will only be supported where it meets the national and development plan policy requirements, to contribute to the local economy re-use or extend existing buildings, sports or recreation and new dwellings in accordance with NPPF paragraph 84.</p> <p>Policy CE5 should be re-drafted to reflect national policy and the presumption in favour of sustainable development, and to Government's objective to significantly boost the supply of housing. The MBNP needs to allow flexibility to adapt to changes in circumstances such as a fall in housing land supply, or changes in national policy.</p> <p>Given that the MBNP doesn't currently reflect the emerging HBBC policy, and with the potential for an updated NPPF it is important to allow this flexibility to meet allow for housing needs to be met. Through the current drafting of the MBNP the identified housing needs are not currently being met.</p> <p>Outside of site allocations this policy is the only mechanism to bring forward additional development. Only supporting development in these limited instances is a restrictive approach which does not accord with national policy which sets out a presumption in favour of sustainable development and the national policy imperative which seeks to significantly boost the supply of housing.</p> <p>Gladman suggest that flexibility should be added to this policy to also include instances where development of greenfield opportunities would be supported. Gladman recommend that Policy CE5 is modified to be consistent with the requirements of national policy to ensure flexibility and to enable the Plan to react in changes in circumstance over the plan period. Accordingly, the proposed wording is put forward for the Parish Council's consideration:</p>	

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		<p>“The Market Bosworth Neighbourhood Plan will support new development that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Applications that accord with the policies of the Development Plan and the Market Bosworth Neighbourhood Plan will be supported particularly where they provide:</p> <ul style="list-style-type: none"> - New homes including market and affordable housing; or - Opportunities for new business facilities through new or expanded premises; or - Infrastructure to ensure the continued vitality and viability of the neighbourhood area. <p>Development proposals adjacent to the existing settlement will be supported provided that any adverse impacts do not significantly and demonstrably outweigh the benefits of development.”</p> <p>POLICY BD2: SITE ALLOCATION SOUTH OF STATION ROAD AND HEATH ROAD</p> <p>The MPNP allocates 77 dwellings at South of Station Road and Heath Road. This site was allocated in the adopted Site Allocations DPD and the Made neighbourhood plan. In this regard, it is noted that a planning application for 138 dwellings has now been submitted on the site, and the adopted Site Allocations and the Station Road Masterplan SPD allocated the site for a minimum of 100 dwellings.</p> <p>The MBNP has taken the residual number of homes identified within the AECOM Housing Needs Assessment (77 dwellings) and used this as the basis for allocating the Station Road/Heath Road site. However, this doesn't appear to align with HBBC's proposals.</p> <p>In this context, we believe the MBNP should consider allocating further sites, when considering the emerging HBBC Local Plan, that the housing need for Market Bosworth is higher than that set out within the AECOM housing needs report, and that the HBBC Local Plan period will extend to 2041, and not 2039.</p> <p>The emerging Local Plan seeks to allocate an additional 180 homes in the current regulation 18 Draft Plan. Furthermore, HBBC have not allocated any sites under 100 dwellings and therefore further allocations are still to be made. The MBNP should look to allocate additional housing sites to meet the identified need.</p> <p>POLICY BD4: HERITAGE ASSET PROTECTION</p> <p>Policy BD4 deals with heritage assets and where proposals will harm or cause loss of a heritage asset, or a non-designated heritage asset. This policy should reflect national policy.</p>	

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		<p>Paragraph 209 of the NPPF deals with non-designated heritage assets, this suggest a balanced judgement should be required when considering harm against a nondesignated heritage asset. The balancing exercise which is required if different to that of a designated heritage asset. Policy BD4 should be spilt into two parts to reflect national policy.</p> <p>LOCAL HOUSING NEEDS ASSESSMENT</p> <p>The MBNP is supported by Market Bosworth Housing Needs Assessment by AECOM (December 2022). The NP uses this to base what it considers the housing requirement for the MBNP. However, this is not in accordance with National Policy, when considering paragraph 67 and 68 of the NPPF.</p> <p>As set out in paragraph 67 of the NPPF the ‘Strategic Policy making authority’ should establish the housing requirement. Therefore, HBBC should identify the housing requirement. Paragraph 68 states when it is not possible to provide a requirement figure, for example as within this case, the strategic policies are out of date, the Local Planning Authority should give an indicative figure. HBBC did not provide an indicative housing requirement for Market Bosworth, the outcome of the AECOM report has been used without consideration from HBBC.</p> <p>The AECOM report does not set a housing requirement, it identifies a housing needs figure. The housing requirement is to be set by the Emerging Local Plan. HBBC have identified a higher housing requirement than that of the Standard Method housing needs figure within the emerging Local Plan.</p> <p>Noting the background to the NHA’s preparation, the PPG advises neighbourhood planning groups may exceptionally (our emphasis) need to determine a housing requirement figure themselves, going on to explain that this should have regard to relevant policies, the existing and emerging spatial strategy and the characteristics of the neighbourhood area.</p> <p>In this case, HBBC are proposing to deliver 660 dwellings per annum over the plan period, compared with the 472 dpa as set out within the AECOM report. This is a significant difference, also noting the difference in the strategy approach that is being taken by HBBC for the settlement more broadly with regard to its suggested allocation, and that the local planning authority is yet to identify additional sites for less than 100 dwellings as part of its emerging Local Plan proposals and spatial strategy, which has the potential to lead to a further allocation/allocations with the settlement, as one of the borough’s Key Rural Centres.</p> <p>The Local Authority would be best placed to set the housing requirement, as is the expectation of national policy and guidance, as further considerations clearly need to be taken into account on a borough wide basis. Whilst the AECOM report proportions the housing needs based on population, further thought is needed</p>	

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		<p>when setting a housing requirement, such as constraints across the Borough as a whole and the settlement hierarchy, as evidenced above.</p> <p>We believe that the MBNP is currently premature, is predicated on a housing requirement that sits apart from the direction being taken by HBBC and does not accord with the requirements of national planning policy, and needs to be brought forward alongside the Emerging Local Plan rather than before. This would allow for a robust housing requirement for the settlement to be set.</p> <p>Paragraph 29 of the NPPF clearly states that neighbourhood plans should not promote less development than set out within strategic policies, or undermine those strategic policies. The housing requirement set within the MBNP currently undermines the emerging Local Plan, and is promoting less development than that of the adopted Local Plan, and emerging Local Plan. At the current time the housing needs figure of 154 dpa for Market Bosworth is not supported by National Policy or Guidance.</p> <p>LAND OFF YORK CLOSE, MARKET BOSWORTH</p> <p>Gladman Developments Ltd have been promoting a site for up to 100 dwellings on land off York Close. A Planning Application was validated on 2nd September 2024. The Application is currently pending consideration by the Local Planning Authority.</p> <p>The planning application is a resubmission on the site, following a dismissed appeal on the site. The Planning Application addresses the concerns raised by the Inspector.</p> <p>The Inspector within the appeal decision stated that the site itself and Market Bosworth is suitable and a sustainable location for future growth. The Inspectors concerns with the proposals relationship between Shenton Lane and Warwick Lane have been addressed through the revised application (illustrative masterplan below).</p>	

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		 <p data-bbox="443 1093 1093 1125">LAND EAST SHENTON LAND, MARKET BOSWORTH</p> <p data-bbox="443 1157 1702 1244">Gladman are also promoting Land east of Shenton Lane. This site comprises of 3.6ha and would deliver up to 90 dwellings. The site is well related to the settlement edge and would create a natural extension to the settlement of Market Bosworth (illustrative masterplan below)</p>	

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		 <p>This drawing is the property of FPCR Environment and Design Ltd and is issued on the condition it is not reproduced, retained or disclosed to any unauthorised person, either wholly or in part without written consent of FPCR Environment and Design Ltd.</p> <p>Ordnance Survey Mapping - Crown Copyright. All rights reserved. Licence Number: 100019980 (Cartographic.com)</p> <ul style="list-style-type: none"> Site Boundary 3.80 Ha Built Development Residential Area Up to 90 Units 2.48 Ha Proposed indicative Primary Road Potential Vehicular Access Point off Shenton Lane Existing Residential Development Existing Roads <p>Green Infrastructure</p> <ul style="list-style-type: none"> Proposed Green Infrastructure 1.12 Ha Proposed Attenuation Pond (Location subject to engineers recommendation) Proposed Play Area (LEAP) Proposed Structural Planting Proposed Pedestrian Links Existing Public Rights of Way Existing Trees & Hedgerows Drained allotments utilised for off-road car parking and pedestrian footpath connection <p>Scale: 1:1250 @ A3</p>	
		SUMMARY	

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		<p>These representations have been drafted with reference to the revised National Planning Policy Framework (NPPF2023) and the requirements of the Neighbourhood Plan Basic Conditions.</p> <p>Gladman have provided comments on a number of the issues that have been identified in the Regulation 16 version of the MBNP. As currently drafted, we submit that there is a need to revisit the Neighbourhood Plan's proposals, particularly with regard to the relationship between the MBNP and HBBC's borough-wide housing requirements and strategy and the process that has been undertaken to identify a proposed housing requirement for the parish and settlement. We hope you have found these representations informative and useful towards the preparation of the Market Bosworth Neighbourhood Plan. We would be grateful for the opportunity to elaborate on the points that have been raised as relevant during the MBNP independent Examination process, and to be notified of any intention to progress the Examination by way of an oral hearing.</p>	
32	Richard Thresh, Development Services, Hinckley & Bosworth Borough Council	<p>The comments made below are in relation to particular policy issues in the Neighbourhood Plan; in particular, the need for the plan to include option(s) for additional areas of housing development. However, there are a few more general points that should be made.</p> <p>The Plan is a lengthy and complex document and whilst it cross-references other documents, plans and analyses, it does not do that particularly consistently; on occasion using different terms and descriptions. As a result, there are some parts of the plan's content that are possibly less clear than they might be and, as a result (if retained in the Made plan) could cause problems of interpretation when using it as a guide for the consideration of planning applications.</p> <p>For example, the plan shows "green fingers" towards the Market Place but reference to "fingers" in the text of the plan is limited and is not featured in any policy. The map showing the "fingers" appears at odds with that shown in the Design Code, which calls the fingers "approaches" but doesn't include the green finger along Shenton Lane. There are other examples, but the general point to be made is that the plan as a whole is a little fragmented and needs some tidying to become a clear and useful document for the purposes of bringing forward the local plan and making decisions on planning applications.</p> <p>The policy-specific comments are as follows (the bulk of which is in relation to Policy BD2)</p> <p>Policy DC1: Design Codes</p> <p>The introduction of the Design Code is welcomed in principle. However, whilst the policy intent of DC1 is clear, some of the wording used has the potential to be confusing. For example:</p>	

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		<ul style="list-style-type: none"> • It states that development proposals must demonstrate how they contribute positively to 10 character areas. It does not say how they are to demonstrate that, and it does not specify which type of applications must demonstrate conformity. • The Design Codes document is, perhaps, overly long and not particularly user-friendly • There is some duplication between DC1 and CE1a – these policies may need to be more precise. <p>Policy CE1: All new development within Market Bosworth</p> <p>CE1a may need to refer to size, massing, siting and volume</p> <p>Policy CE2: Local Green Space</p> <p>CE2 is a little unclear on what the compatible or incompatible uses with Local Green Space are.</p> <p>Policy CE3: Important Views and Vistas and Landscape Character</p> <p>CE3 refers to views <u>into</u> Market Bosworth. However, the views depicted in the Design Codes have arrows pointing in <u>both</u> directions (and the views and vistas shown differ from the revised views and vistas shown in Landscape Review, resulting in the potential for confusion.)</p> <p>Policy CE4: Trees and Hedgerows</p> <p>It may be helpful if Policy CE4 refers to the 2:1 tree replacement policy mentioned in the Design Codes</p> <p>Policy CE5: Landscape of the wider Parish</p> <p>The Landscape review document identifies all the views and vista in detail. This is welcomed in principle. However, some of the wording is a little unclear.</p> <p>Policy CE6: Provision for wildlife in new development</p> <p>CE6 should be clearer particularly in light of mandatory Biodiversity Net Gain</p> <p>Policy BD2: Site allocation south of Station Road and Heath Road</p> <p>With several uncertainties remaining at this time, HBBC is presently unable to provide indicative housing figures to neighbourhood plan groups. These uncertainties include a recent NPPF consultation and</p>	

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		<p>anticipated changes to the planning system, Leicester City's ongoing Local Plan examination and countywide conversations around unmet needs, and the borough's standard method calculation, resulting from the identified uncertainties.</p> <p>In the meantime, all neighbourhood plan groups are encouraged to explore options to set their own figures and determine their own housing requirements. HBBC continues to support groups in various methods of calculating their own housing figures. Many groups, including Market Bosworth, have used external consultancies for support in this. Market Bosworth's reviewed plan is supported by a Housing Needs Assessment (HNA) conducted by AECOM, which can be found here.</p> <p><u>Flexibility & contingencies</u></p> <p>Given the Market Bosworth Neighbourhood Plan Review may come forward prior to the emerging Local Plan setting housing figures, HBBC would encourage the neighbourhood planning groups to plan for flexibility with a sufficient buffer on top of the housing figure as this will reduce the chance of the plan policies becoming out of date quickly, or other matters leaving figures superseded. Including a buffer means that, if sites were to not come forward during the plan period (or not deliver the intended number of dwellings), or if the housing requirement were to increase for any number of reasons, then there is sufficient contingency built in to allow the plan to keep meeting its need for the whole of the plan period, and may mean the plan does not need to be reviewed as quickly after it is made. This will also assist with meeting requirements in the NPPF, such as Paragraph 14, which is discussed later in these comments.</p> <p>All neighbourhood planning groups also need to consider other scenarios that may arise over the coming years, such as changing affordability ratio figures which may increase or decrease the borough's standard method calculation for housing - again, emphasising the need for flexibility.</p> <p>The Market Bosworth Neighbourhood Plan HNA states: <i>"This HNA recommends an overall HNF of 179 dwellings for Market Bosworth, which equates to 9.4 dwellings per year between 2020 and 2039, or a residual HNF of 154 dwellings between 2022 and 2039 after completions to date have been deducted. There are, in addition, currently 77 dwelling commitments outstanding in the NA. If implemented, this will halve the residual HNF, leaving a further 77 homes to potentially be accommodated."</i></p> <p>As the HNA forms a key piece of evidence in how the plan is meeting the housing requirement, it is suggested that either the plan lists the data (i.e., commitments etc.) within the plan document itself (or in an appendix), or the plan references the HNA directly, perhaps in the text on page 52, so users know where to find the information.</p>	

	<p><u>Allocation South of Station Road</u></p> <p>The Market Bosworth Neighbourhood Plan Review proposes a site allocation of 77 dwellings at Land South of Station Road and Heath Road (Policy BD2), as well as employment and open space, for an updated plan period of 2020 – 2039.</p> <p>HBBC supports the allocation of the South of Station Road site in Policy BD2, and the site is supported by the adopted HBBC SPD ‘Market Bosworth South of Station Road Masterplan Supplementary Planning Document’, which can be viewed here. The site has also been a proposed allocation in recent Local Plan consultation documents, such as the Regulation 19 in 2022, here, and most recently the Regulation 18 in 2024, here.</p> <p>It is important to note here the difference in plan period end dates between the proposed HBBC Local Plan, and the reviewed neighbourhood plan. The proposed plan period for the HBBC Local Plan is 2020 – 2041, whereas the reviewed neighbourhood plan is proposing a plan period of 2020 – 2039.</p> <p>The site allocation has been carried forward from the made neighbourhood plan (previously covering a plan period of 2014 – 2026). Previously the allocation was for 55 dwellings, the reviewed plan now suggests 77 dwellings in Policy BD2.</p> <p><u>Delivery of housing site(s) in the neighbourhood area</u></p> <p>The neighbourhood plan does not currently contain any commentary around when the South of Station Road site is anticipated to be delivered, although it is presumed the allocation is now intended to meet the housing requirement for the new plan period of 2020-2039. There is currently a planning application live for the site, see details below. Without forthcoming information on trajectory or delivery timescales it would be pertinent to refer to the HBBC Strategic Housing and Economic Land Availability Assessment (SHELAA) for the time being. The latest report can be found on the HBBC website here. The SHELAA states that the site could be delivered within a 6-10 year timeframe. Therefore, it could be anticipated that the site would be delivered at around the halfway point of the reviewed plan’s new plan period of 2020 – 2039. There is nothing obviously to the contrary in the application documents.</p> <p>If the reviewed neighbourhood plan is to continue with the single housing allocation, which as discussed is anticipated to be delivered within 6-10 years, how does the neighbourhood plan intend to deliver housing numbers in the latter parts of the plan period? The plan is not clear whether this would be through windfall, or if there is an intention to review the neighbourhood plan and HNA again to provide an updated view on housing requirements, particularly considering the commentary above around flexibility and buffers. In any case, HBBC would welcome some commentary around this within the plan text. Likewise, it would be helpful to see an explanation of the trajectory of delivery of sustainable housing throughout the new plan period. This</p>	
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		<p>would also assist in going forward with the application of Paragraph 14 of the NPPF (particularly Para 14b) in circumstances where the presumption in favour of sustainable development at Paragraph 11d of the NPPF is applied.</p> <p><u>Current planning applications</u></p> <p>The site is currently subject to a planning application, ref 24/00560/HYB, description as follows: 138 dwellinghouses along with landscaping, public open space, drainage infrastructure and new access following demolition of two existing dwellinghouses; and outline planning permission (all matters reserved except for point of access) for 0.55ha of employment uses (Classes E (g) (i, ii and iii), B2 and B8).</p> <p>The 138 dwellings proposed in the application is more than that allocated in the made neighbourhood plan (55 dwellings), and the proposed review of the neighbourhood plan (77 dwellings). It's also more than the site Masterplan SPD suggests (100 dwellings).</p> <p>Market Bosworth Parish Council responded to the application consultation with the following: "Market Bosworth Parish Council (MBPC) supports all the principles of development outlined in this planning application. Although it is proposed to deliver more homes than identified in the various iterations of the MBNP, the application has considered the main parameters identified in the Neighbourhood Plan policies, the Station Field Design Brief and the Hinckley & Bosworth Masterplan for Market Bosworth."</p> <p>It is for the HBBC case officer to come to a view on application 24/00560/HYB, however if the reviewed neighbourhood plan progresses at a pace in which the application has been decided before any modifications are suggested via this examination, the neighbourhood plan may need to be amended to take account of any decision.</p> <p>In addition, there is currently one other significant live planning application in Market Bosworth 24/00831/OUT - Land North of Shenton Lane - up to 100 dwellings (including 40% affordable housing) with public open space, landscaping, sustainable drainage system (SuDS), a vehicular access point and the demolition of one residential dwelling. All matters reserved except for means of access (re-submission of 22/00167/OUT).</p> <p>HBBC welcomes the Examiner's views on all the above comments, but particularly:</p> <ul style="list-style-type: none"> • Building in flexibility around the plan's housing requirements • Is the plan proposing to deliver sustainable development over the whole of the plan period, not just the first half of the plan period via the allocation in Policy BD2 	

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		<ul style="list-style-type: none"> • If modifications to the plan would be required if a decision was made on the live planning application 24/00560/HYB during examination • In light of all the above, once the reviewed neighbourhood plan is made, will the neighbourhood plan meet Paragraph 14 of the NPPF (particularly Para 14b) in circumstances where the presumption in favour of sustainable development at Paragraph 11d of the NPPF is applied <p>Another matter for wider context: the Hinckley & Bosworth Local Plan (Regulation 18, July-Sept 2024, linked above) identified an allocation of 'South of Station Road, Phase 2', adjacent to the neighbourhood plan site, for 180 dwellings. This would require the 'Phase 1' site to come forward to allow delivery of Phase 2, and therefore would be anticipated that the 'Phase 2' site would be delivered in the latter half of the HBBC Local Plan plan-period (and the latter half of the new neighbourhood plan period). It is a matter for consideration whether the allocation of a reserve site in the neighbourhood plan would be appropriate in order to meet the flexibility requirements, and potentially a buffer on top of the housing requirement, discussed earlier in these comments. The allocation of the whole of the South of Station Road site Phase 1 and the allocation of a reserve site in Phase 2 would help to future-proof the neighbourhood plan, prevent speculative development that falls outside of the local plan and neighbourhood plan system, and also ensure the reviewed neighbourhood plan is in line with the HBBC Local Plan Regulation 18 draft plan.</p> <p><u>Level of review</u></p> <p>Notwithstanding the above, a requirement at this stage is for the Borough Council to state what level of review we believe the neighbourhood plan is meeting. The Neighbourhood Planning PPG states the following (Paragraph: 106. Reference ID: 41-106-20190509. Revision date: 09 05 2019):</p> <p><i>“There are 3 types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves:</i></p> <ul style="list-style-type: none"> • <i>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.</i> • <i>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</i> 	

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		<p><i>decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.</i></p> <ul style="list-style-type: none"> <i>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.”</i> <p>As the neighbourhood plan stands, the Regulation 15 submission version, the Borough Council believes the plan meets the second level of review: material modifications which do not change the nature of the plan or order would require examination but not a referendum. This is due to the fact that the neighbourhood plan is allocating the same site as in the made neighbourhood plan, and no other major site allocations. If the neighbourhood plan is modified following comments above, including potentially any other major site allocations or reserve site allocations, then the review potentially falls into the third category of review: material modifications which do change the nature of the plan or order would require examination and a referendum. The Borough Council welcomes the Parish Council and Examiner’s view on this.</p>	