



# **THE SCRAPTOFT NEIGHBOURHOOD DEVELOPMENT PLAN**

## **INDEPENDENT EXAMINERS REPORT TO HARBOROUGH DISTRICT COUNCIL**

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## CONTENTS

	<b>Page</b>
<b>1.0 Introduction</b>	<b>3</b>
<b>2.0 Role of the Independent Examiner</b>	<b>5</b>
<b>3.0 The Neighbourhood Area</b>	<b>6</b>
<b>4.0 Consideration of the Basic Conditions</b>	<b>7</b>
<b>5.0 Regard to the National Planning Policy Framework</b>	<b>10</b>
<b>6.0 Contribution to Sustainable Development</b>	<b>12</b>
<b>7.0 Conformity with the Strategic Policies of the Local Area</b>	<b>13</b>
<b>8.0 Conformity with European Union Obligations</b>	<b>13</b>
<b>9.0 Background Documents and information considered</b>	<b>15</b>
<b>10.0 Evidence Base and Public Consultation</b>	<b>16</b>
<b>11.0 Scraftoft Neighbourhood Plan Policies</b>	<b>19</b>
<b>12.0 Key Issue 1: Housing</b>	<b>20</b>
<b>13.0 Key Issue 2: Local identity</b>	<b>25</b>
<b>14.0 Key Issue 3: Services and Facilities</b>	<b>30</b>
<b>15.0 Key Issue 4: Transport</b>	<b>31</b>
<b>16.0 Summary and Recommendation</b>	<b>32</b>

## **1.0 Introduction: Preparation of plan, legislative background and summary of findings**

1.1 Neighbourhood Planning is a relatively new process. It was introduced in the Localism Act 2011. It allows local communities to prepare plans and allocate sites for housing and other uses in their own neighbourhood. The Plan once approved will guide future development and become part of the Development framework and will be taken into account when considering future development proposals.

1.2 The Neighbourhood Development Plan (the Plan) has been developed by the Scraftoft Parish Council.

1.3 The Plan has been prepared by a steering group of interested residents and parish councillors, assisted by the District Council and Planning consultants from the Rural Community Council (Leicestershire and Rutland) and Planit-X.

1.4 The Plan explains that there are a number of reasons for promoting the Neighbourhood Plan for Scraftoft. It seeks to ensure that local people have a greater say in how the area develops and the vision for the area in 2028 is that its identity and important open areas will have been protected. The vision envisages new homes and a multi use community centre being provided in a neighbourhood where traffic flows well and which is served by a regular bus service.

1.5 The Plan area is located in the north of Harborough District on the eastern fringe of Leicester in the designated Leicester Principal Urban Area. (PUA). The Plan supports the policies and land use proposals that are included within the Harborough Core strategy. The Plan identifies four Key Issues facing Scraftoft. These relate to:

- Housing- ensuring local people have the opportunity of living in a decent home they can afford

- Local identity- preventing the village core merging with neighbouring settlements
- Services and facilities- ensuring access to basic services without the need to travel
- Transport- addressing traffic congestion, the lack of parking facilities and seeking to improve levels of service.

1.6 Having carried out the examination, for the reasons set out below and subject to all of the modifications indicated in the following sections of this examination report being accepted, I consider that the Plan meets the basic conditions in terms of:

- having appropriate regard to national planning policy
- contributing to the achievement of sustainable development
- being in general conformity with the strategic policies in the development plan for the local area
- being compatible with human rights requirements
- being compatible with European Union obligations

1.7 If the Plan becomes subject of a referendum and achieves more than 50% of votes in favour, then the Plan would be “made”. The Plan would then be used to guide and determine planning decisions in Scraftoft Parish by Harborough District Council.

## **2.0 Role of the Independent Examiner**

2.1 I was appointed by Harborough District Council in July 2015, with the agreement of the Scraftoft Parish Council to conduct this examination. The role is known as Independent Examiner. My selection has been facilitated by the Neighbourhood Planning Independent Examiner Referral Service. I am required to consider whether the Plan is legally compliant and has met the Basic Conditions required of a Neighbourhood Plan.

2.2 Under the terms of the Neighbourhood Planning legislation I am required to make one of three determinations:

- The Plan should go forward to referendum because it meets all the legal requirements, “the Basic Conditions”
- The Plan should proceed to Referendum if modified
- The Plan should not proceed to Referendum because it does not meet all the legal requirements

2.3 In making my recommendation I must also determine whether the referendum should involve a wider area than the boundary of the Scraftoft Neighbourhood Plan (NP) boundary.

2.4 I am a Chartered Town Planner with nearly 40 years experience working in senior roles in Local Government, regeneration agencies and the private sector. I am independent of Harborough Council and the Scraftoft Parish Council. I am an experienced Independent Examiner of Neighbourhood Plans. I am independent of residents and stakeholders in the area and have no interest in any of the land within the Neighbourhood Plan area.

### **The Examination Process**

2.5 Harborough District Council has indicated that in their opinion that the Scraftoft NP is a less complex NP and that no public hearing will be necessary and that the examination should consider written evidence only. An

Examiner can ask for a public hearing if it is considered that certain aspects need to be more fully explored or to allow individuals to outline their case more fully. In view of the straight forward nature of the plan proposals and the fact that there have been limited representations through the consultation period I consider that no public hearing is required. I consider that I am able to make a recommendation based on the extensive evidence that has been provided. ***Where modifications are recommended in this document they are highlighted in bold and italics.***

### **3.0 The Neighbourhood Plan Area**

3.1 Scraptoft parish is located on the eastern fringe of Leicester in what is termed the Leicester Principal Urban Area. The NP covers the entire parish. The parish is predominantly rural with the small settlement of Scraptoft being located on the western edge. Although the southern part of the village forms the eastern edge of the city of Leicester, the village core of Scraptoft is separated from the city by two areas of open space identified in previous plan policies: a “Green Wedge” to the north and east of the village and an “Area of Separation” to the south. These have served to ensure that the original village of Scraptoft has not joined with the city of Leicester.

3.2 Natural England and Harborough District Council have identified that Scraptoft is located in the High Leicestershire Landscape Character Area. According to Harborough District Council the area is characterised by: “steep undulating hills; high concentration of woodland; parkland areas with narrow gated roads; a rural area with a mix of arable farming on lowlands and pasture on hillsides; scattering of traditional villages and hamlets through the area; encroachment of Leicester to the west of the Area”.

3.3 Harborough District Council note that in the west of the area the urban influence of Leicester city becomes far more apparent. “Larger suburban centres that are more readily associated with Leicester city than the rural

character of High Leicestershire are located in this area including Scraptoft, Bushby, Thurnby and Great Glen.”

3.4 Scraptoft village has a population of just over 1800 in 734 households according to the 2011 census. The historic core of the village has conservation area status and there are 12 listed buildings, the Church of All Saints being Grade 1, the remainder being Grade 2 or 2\*.

3.5 The NP area is identified on a Plan on Page 1. ***The small scale of this map makes it unclear and I recommend that a larger scale plan using the Policy Map is produced which will better identify the NP area.***

#### **4.0 Consideration of the Basic Conditions**

4.1 There are a number of basic conditions that the Scraptoft Neighbourhood Plan has to meet in order for it to go forward to a Referendum. These are set out in the Neighbourhood Planning (General) Regulations 2012 and paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended by the Localism Act 2011).

4.2 Paragraph 8 sets out the requirements for Neighbourhood Plans to meet these “Basic conditions”, before they may come into force.

“Neighbourhood Plans must:

- have appropriate regard for national policy
- contribute towards the achievement of sustainable development
- be in general conformity with the strategic policies of the development plan for the local area
- be compatible with human rights requirements and
- be compatible with EU obligations.”

A Neighbourhood Plan Basic Conditions Statement that outlines how the Plan meets these requirements has been prepared by the Scraptoft Parish Council Steering group which consisted of Councillors, residents and the parish clerk with support from consultants CTC (Leicestershire and Rutland) and officers from Harborough District Council. This was published in March 2015.

### **Qualifying Body and Neighbourhood Area designation**

4.3 Harborough District Council supported a bid from the Scraptoft Parish Council for grant funding under the Neighbourhood Planning Front Runners Programme to support preparation of a Neighbourhood Development Plan.

4.4 This bid was successful and approved by the Department of Communities and Local Government in March 2012. Scraptoft became one of four Neighbourhood Planning Frontrunners in the District.

4.5 On 4 July 2012 Scraptoft Parish Council submitted an application for the designation of the Scraptoft parish as a Neighbourhood Planning Area to Harborough Council as the relevant Planning Authority.

4.6 The Local Planning Authority publicised the application for designation as a Neighbourhood Area for a six week consultation period from 12<sup>th</sup> July to 23<sup>rd</sup> August 2012. The application was published on the Council's website and was available at various locations throughout the parish. The application received no objections.

4.7 The Council assessed that there was no overlap with any other proposed neighbourhood plan area and that the proposed boundary did not overlap with any adjoining parish or designated area.

4.8 On 29 October 2012 Harborough District Council approved a report at its Executive meeting to designate the area as the Scraptoft Neighbourhood Development Plan Area and to publicise the designation as required under the Neighbourhood Planning (General) Regulations 2012.



4.9 The Council considered that the Parish Council satisfied the conditions required for a Qualifying Body and Neighbourhood Forum.

4.10 I am satisfied that the Scraftoft Neighbourhood Development Plan meets the basic condition of having a suitable Qualifying Body, a relevant body in accordance with section 61F (5) of the 1990 Town and Country Planning Act, the Scraftoft Parish Council.

### **Basic condition: Neighbourhood Plan Area**

4.11 I am satisfied that the Scraftoft Neighbourhood Plan meets the basic condition of having a suitable Neighbourhood Plan area designated as outlined in Section 5 of the Neighbourhood Planning (General) Regulations 2012.

4.12 I am also satisfied that the Scraftoft Neighbourhood Plan (the Plan), does not relate to more than one neighbourhood area and that there is no other Neighbourhood Development Plan in place within this neighbourhood area.

4.13 The Scraftoft Plan covers the period to 2028. ***The title page of the Plan needs to be amended to delete the word “submission” and insert 2015 to 2028. A contents page should be produced on the next page outlining the sections with page and paragraph numbers.*** Subject to these amendments the Plan covers the period of the Harborough Core Strategy, which relates to the period 2006 -2028.

4.14 I am, therefore, satisfied that the Plan meets the Basic Condition relating to the timeframe of the Plan period.

4.15 The Basic Conditions Statement confirms that the Plan does not deal with County matters, any nationally significant infrastructure or any other matters set out in S61K of the Town and Country Planning Act 1990.

## **5.0 Regard to the National Planning Policy Framework**

5.1 As outlined in paragraph 4.2 Neighbourhood Plans need to meet the basic condition of having regard to national and local planning policies.

5.2 I have therefore considered the Scraftoft Neighbourhood Plan in line with National Guidance, the Harborough Core strategy and the emerging Harborough District Council Local Plan. Although the Core Strategy was only approved in 2011 it is already considered to be out of date since it did not deliver enough housing to meet the District's future needs.

5.3 Should the Neighbourhood Plan be confirmed after a referendum it will achieve a status in the Development Plan hierarchy. However the new Local Plan which is scheduled for adoption in 2017 will supersede the Core strategy and therefore the NP will need to be reviewed at that point to ensure that it conforms to the new proposals and requirements. ***A short Monitoring section should be added at the end of the Plan which confirms that the plan will be reviewed once the Local Plan has been adopted.***

## **National Planning Policy Framework (NPPF) (2012)**

5.4 Paragraphs 183 -185 of the National Planning Policy Framework (NPPF) outline the Governments view on Neighbourhood Plans. Government consider that neighbourhood planning gives communities direct power to

develop a shared vision for their neighbourhood and deliver the sustainable development they need and that neighbourhood forums can use neighbourhood planning to set planning policies through neighbourhood plans to determine decisions on planning applications.

5.5 Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. Provided that neighbourhood plans do not promote less development than set out in the relevant Development Plans or undermine the strategic policies, neighbourhood plans may shape and direct sustainable development in their area.

5.6 I am satisfied that the Plan has adequate regard to the policies in the NPPF. In reaching this opinion I have been greatly assisted by the Basic Conditions Statement.

5.7 The Basic Conditions statement outlines how the Scraftoft Neighbourhood Plan contributes positively to the planning principles that underpin the framework. ***As currently presented the Basic Conditions Statement does not directly relate to the twelve core planning principles outlined in paragraph 17 of the NPPF. I recommend that a table is produced which identifies the core principles with a specific response outlining how each one is addressed by the Plan.***

5.8 I do, however, consider that the Plan has evolved through extensive consultation with residents and relevant organisations and agencies and will provide a framework for future development. I consider that it will support sustainable economic development through support to enhance the village centre and the promotion of highway improvements.

5.9 I consider that the Plan provides a series of policies aimed at maintaining and enhancing the local character and amenities. It provides a framework for promoting environmental improvements and protecting valuable open spaces.

## **6.0 Contribution to Sustainable Development**

6.1 The United Nations General assembly defined sustainable development as “meeting the needs of the present without compromising the ability of future generations to meet their own needs” (Resolution 42/187).

6.2 The NPPF outlines the Government view in paragraphs 6 and 7. The purpose of the Planning system is to contribute to the achievement of sustainable development. There are three aspects of sustainability, namely economic, social and environmental.

6.3 Harborough District Council has adopted a positive approach in seeking to meet objectively assessed development needs of the District. The policies in the emerging plan provide a clear framework to guide sustainable growth and the management of change, thereby following the Government’s presumption in favour of sustainable development. The Council has confirmed that the Neighbourhood Plan is in general conformity with the emerging Harborough District Council Local Plan.

6.4 Paragraphs 17 and 18 of the Neighbourhood Plan Basic Conditions Statement provide extensive details of the policies contained in the Scraftoft NP that support the sustainability principles.

6.5 I consider that the development that will be delivered through the proposals in the Plan should deliver sustainable development within the parish of Scraftoft.

## **7.0 Conformity with the Strategic Policies of the Local Area**

7.1 The Neighbourhood Plan Basic Conditions statement confirms that the Plan has been prepared in general conformity with the Harborough Core Strategy and Local plan 2006-2028.

7.2 The vision for the Neighbourhood Plan is consistent to that of the Emerging Draft Local Plan, the overarching objective of which is that by 2031: “Harborough will be a vibrant, safe and prosperous district which retains its distinct identity as a predominantly rural area of villages and market towns and where local communities enjoy a high quality of life”.

7.3 Paragraphs 19-21 of the Basic Conditions statement provide evidence that the Plan makes a positive contribution to 11 of the adopted Core strategy policies. The table provides helpful cross references to the relevant sections of the Core strategy. It should be noted that there are a number of objectives in the Local Plan that are not relevant to the NP area.

7.5 I am satisfied that the Scraftoft Neighbourhood Plan is in general conformity with the adopted 2011 Core Strategy and the emerging Harborough District Local Plan.

## **8.0 European Union (EU) obligations, Habitat and Human Rights requirements**

8.1 A Neighbourhood Plan must be compatible with EU regulations in order to be legally compliant. The Strategic Environmental Assessment (SEA) Directive seeks to provide high level protection of the environment by integrating environmental considerations into the processing of plans.

8.2 It is the responsibility of the local authority to decide whether or not any of the proposals of the Plan are significant enough for the Plan to require an SEA. Harborough District Council undertook an SEA and Habitat Regulation

Act screening exercise to establish whether a full SEA was required. This was published in March 2015. The Council concluded that it is unlikely that there will be any significant environmental effects arising from the Scraftoft NP that had not already been covered in the Sustainability Appraisal of the Core Strategy. As such the Council determined that a full SEA was not required. As part of the pre submission consultation comment was made that this document had not been made available. ***I agree with the view that a full SEA is not required but recommend that to improve transparency the Scraftoft NP SEA Screening report should be added as an Appendix to the plan.***

8.3 As part of this process the Council consulted Natural England, English Heritage and the Environment Agency and each confirmed that no SEA was required though English Heritage suggested that further consideration should be given regarding the site identified in the Plan as a reserve site if a development proposal was brought forward. In light of the subsequent planning approval granted for the reserve site the Local Planning Authority were asked whether further consideration was needed regarding the need for an SEA. The Council confirmed that a SEA was still not required. English Heritage (now Historic England) was not consulted specifically on the planning application since no heritage assets were considered to be affected by the proposal.

8.4 Harborough District Council carried out a full Habitat Regulation Assessment Screening report in 2011 as part of the Core Strategy and concluded that it was unlikely to have an adverse impact on any of the Natura 2000 sites within c25km of the district boundary. The proposals in the NP have also been considered and the Council has concluded that the Plan is unlikely to have adverse effects. I agree with this.

8.5 An Equalities Impact Assessment has been undertaken and was included in the Basic Conditions Statement. This provides evidence that the

impact of the NP proposals on each of “protected characteristics” in the Equality Act 2010 has been considered.

8.6 I consider therefore that the Neighbourhood Plan does not breach and is compatible with the EU obligations and Human Rights requirements.

8.7 I am satisfied that the Neighbourhood Plan meets the European Union, Habitat and Human Rights Basic condition requirements.

## **9.0 Background documents and Information considered**

9.1 In order to examine and reach conclusions on the Neighbourhood Plan Proposals of the Scraftoft Parish Council I have considered the following documents:

- Scraftoft Neighbourhood Plan as submitted to Harborough District Council by Scraftoft Parish Council in July 2015
- Scraftoft NP Basic Conditions Statement
- Scraftoft Consultation Statement
- Scraftoft NP Strategic Environmental Assessment Screening report
- Scraftoft NP Summary of Regulation 17 representations
- Harborough District Council Emerging Local Plan 2011 – 2031 Draft options Consultation paper
- Harborough District Council Core Strategy adopted 2011
- Harborough District Council Strategic Housing Land Availability Assessment November 2014
- Harborough District Council Strategic Housing Land Availability Assessment Site assessment Guide November 2014
- Harborough District Council Local Green Space Designation
- Town and Country Planning Act 1990 (as amended)
- National Planning Policy Framework (NPPF) (2011)
- The Localism Act (2012)
- The Neighbourhood Planning Regulations (2012)
- Planning Practice Guidance

- The detailed consultation responses to the Examination Proposal

9.2 I have also considered the written responses of the statutory consultees.

9.3 There were 12 representations made during the formal consultation period. I note that the Environment Agency and Natural England considered the NP acceptable. The Committee of the Thurnby and Bushby Society supported the NP. Anglian Water and Sport England had no specific comments. English Heritage, Highways England, Leicester County Council and Harborough District Council made a number of detailed comments which I will address later in the report. I have also taken the comments of Davidsons Developments and Gladman into consideration when making my final recommendation.

9.4 In addition, I visited the area unaccompanied for one day in July 2015.

## **10.0 Evidence base and Consultation**

10.1 One of the most important principles in the Neighbourhood Planning Regulations 2012 is that local communities must be given ample opportunity to help to shape the future of their area. Section 15 (1) (b) of the Neighbourhood Planning Regulations 2012 requires a Consultation Statement to be produced and submitted with the Neighbourhood Plan.

10.2 Section 15 (2) specifies that this must contain: details of the persons or bodies that were consulted about the proposed Neighbourhood Plan. It must explain how they were consulted and summarise the main issues and concerns raised by the persons consulted. Furthermore it must describe how these issues have been considered and, where relevant, addressed in the proposed Neighbourhood Development Plan.



10.3 Scraptoft Parish Council has provided information regarding the public consultation that took place in preparation of the Plan in the Neighbourhood Plan Consultation Statement published in March 2015. This confirms that as the designated Neighbourhood Forum they carried out extensive consultation with residents, community groups, schools, businesses and stakeholders at the key stages of Plan development.

10.4 The document provides a timeline and description of the consultation that took place. Consultation was led by the Parish Council supported by RCC (Leicestershire and Rutland) and Planit-X. An initial open Public meeting was held on 4 June 2013. This was followed by a survey to identify the Issues and Priorities between July to September 2013. A Community Consultation event was held in March 2014 followed by a further survey regarding Issues and Options between September 27 and October 12 2014. The formal Pre-submission consultation took place from January 19 to March 2 2015.

10.5 The Consultation Statement confirms that there was extensive publicity for the meetings and surveys via flyers to all premises, posters and information on the Parish website. There was a low turnout for the initial meeting. Only 44 people or 2.5% of the village population attended. The second phase issues and priorities attracted 45 attendees. The Community Consultation event which sought comments on the issues raised and to consider and prioritise the three potential development sites attracted just over 50 people. This meeting attracted representatives from neighbouring areas, local businesses and developers. The outcome of this enabled Scraptoft Parish Council to identify and short list potential sites for development, identify and prioritise open spaces to be protected and develop the detailed issues and options.

- ***There is a typing error in Section 5.15 of the Consultation Statement. Delete “Broughton Astley” and replace with “Scraptoft Parish”***

10.6 Further consultation took place on the Issues and Options between September and October 2014. This survey was available in hard copy and on line and secured a far better response from 118 or c16.1% of households in the Parish.

10.7 The Draft Plan was subject to formal public consultation between 19th January and 2nd March 2015. It was widely publicised through Press releases, letters and emails with copies being available on the Parish web site and paper copies were available.

10.8 The consultation received 18 responses. The neighbouring parishes of Thurnby, Bushby, Keyham and Beeby were broadly in favour of the Plan. Generally supportive comments were also received from Harborough District Council, Natural England and the Environment Agency. The principal concerns were expressed by Gladman and Davidson developments.

10.9 There were a number of the suggestions made during this phase of the consultation. The Consultation document provided detailed responses to each of the comments received and a number were taken on board and changes made to the final Plan as a consequence.

10.10 It is clear that considerable consultation has taken place throughout the various phases of the Plan development. Although low levels of responses have been generated the proposals have received support from respondents. Where concerns have been raised it is clear that steps have been taken to respond positively to the comments.

10.11 I am satisfied, therefore, that the Neighbourhood Plan Consultation statement, with the additions that I have recommended, complies with Section 15 (2) of part 5 of the 2012 Neighbourhood Planning Regulations.

## **11.0 The Scraftoft Neighbourhood Plan Policies**

11.1 The Scraftoft Neighbourhood Plan has a vision that by 2028 the local people will have a bigger say over how the area develops and that the identity of Scraftoft should be protected along with protection for important open areas. New homes will have been provided to meet local housing needs while traffic will be able to flow well through the village centre which will have enhanced parking and community facilities and improved bus services.

11.2 There is an emphasis in the vision on protecting and enhancing the key assets of the village. This is an understandable aspiration.

11.3 The Plan conforms to the policies of the adopted Harborough District Council Local Plan and the Harborough District Council Core Strategy 2006 – 2028.

11.4 The Scraftoft Neighbourhood Plan has identified 4 Key Issues and 17 Policies that will help the Plan deliver the vision. The four key issues are:

- 1 Housing
- 2 Local identity
- 3 Services and facilities
- 4 Transport

11.5 The 17 Policies identify how and where the Parish Council would like future development to be undertaken. The Parish Council will need to work with other agencies, principally Harborough District Council, to realise the vision for the area by 2028. A number of the proposals are not land use matters and it is clear that the Parish Council will need to use its best endeavours to influence the priorities of the key delivery agencies. This will be particularly important as there is likely to be a reliance on S106 or the possibility of Community Infrastructure funding being available to fund some of the projects.

11.6 There is no specific section on the objectives of the Plan. They can, however, be gleaned from the statements in the Vision diagram. **I recommend that a section is included in the Plan to articulate the Objectives using the statements in the Vision.** This should follow the Vision in paragraph 23 on page 4.

11.7 It should be noted that some of the objectives in the Plan are aspirational and not land use planning matters (e.g. providing a regular weekend and evening bus service) and will be difficult to deliver in view of the funding requirements. **These should be considered as Parish aspirations.**

## **12.0 Key Issue 1: Housing**

12.1 The Plan is being brought forward before an up to date local plan is in place. Planning Practice Guidance confirms that it is acceptable to produce NPs in advance of Local Plans. The Plan recognises that it is essential to support the strategic development needs that have been set out in the Core Strategy but considers that Scraptoft has already accommodated an appropriate amount of growth. It is evident that Scraptoft has experienced considerable housing growth over the last ten years. Major developments have taken place on the former Scraptoft Campus site along Covert Lane / Beeby Road from c2007 – 2012. In addition there are currently over 300 homes under construction on three sites, Strawberry Fields (113 homes), Scraptoft Hall (61 homes), and land off Pulford Drive, (130 homes). One of the key issues of the Plan was consideration of where the limits of development should be located. The recommended Limits to Development are shown on the Policy Map. This is drawn tightly around the existing settlement apart from in two places. Firstly, the land to the south and east off Pulford Drive where a Planning application has been approved. From my site visit it is clear that this development is now on site. Secondly, to the north east of the village off Beeby Road which the Plan identified as a Reserve site. **In view of the subsequent planning approval for this site the Limits to Development on the Policy map will need to be amended to reflect the changed position.**

12.2 The Core Strategy sets out a requirement of a minimum of 880 dwellings to be built in the Leicester Principal Urban Area. The PUA consists of Scraftoft together with the neighbouring areas of Thurnby and Bushby, and the requirement was not split further between them. The Local Authority have confirmed that by the summer of 2015 a total of 1014 dwellings had either been built or committed in the PUA, of which Scraftoft had taken in excess of 60% of the development and commitments, compared to Thurnby and Bushby. This is, therefore, significantly above the 880 minimum target for the PUA. The approval of the application on what the Parish Council identified as a NP reserve site has increased this figure to 1192. It is inevitable that the allocation of housing sites in this area would be of great interest to landowners and developers as well as residents. The approach in the NP has been to assess future need in relation to the level of recent development and future commitments with the prioritisation of a reserve site having carried out an option appraisal.

### 12.3 Policy S1 Housing Provision

12.4 This notes that the minimum provision in terms of current requirements has been met and that development within the Limits to Development will be permitted subject to certain conditions. The recommendations regarding the type of housing that will be granted are appropriate.

- ***The Large Housing Commitments Plan on page 6 is inadequate and out of date. I recommend that a larger scale map incorporating the developments that have been completed or on site should be produced. This map should also name and identify the preferred Local Green Spaces; the conservation area boundary and the relevant wild life corridors.***

12.5 **Recommendation:** Subject to the above amendments being included I do not recommend any changes to this policy.

### Policy S2 Housing Reserve Site

12.6 The Plan recognises the benefit of allocating a Reserve site to accommodate future housing requirements. The Plan outlines the consultation that took place before finalising a preferred site. The NP would only support

this if it is necessary to accord with the new development plan, due for adoption in 2017.

12.7 During the later stages of preparation of the Plan, however, the reserve site became subject of a Planning application. This was considered and approved by the Local Planning Authority on July 28 2015 subject to agreement on S106 obligations. On 29 July the Council received notification that the Secretary of State had received a request to consider the call-in of the application against the Government's Call-in Policy.

12.8 In view of the significance of this application to the NP following discussion with the District Council I agreed to defer completing the Independent Examination of the Neighbourhood Plan until a decision on the possible Call-in had been made. On October 8 2015 the District Council were notified by the Department of Communities and Local Government that the Minister did not intend to call in the application and that it should be determined by the Council as the Local Planning Authority.

12.9 Clearly this will be a disappointment to the Parish Council which had wished to defer the development until later in the life of the Plan. It would be appropriate for Policy S2 to be deleted in view of the recent planning approval. However it is clear that the Local Planning Authority have taken on board the majority of the recommended conditions from the Plan. While acknowledging that the proposal for deferment of development has been superseded a revised Policy S2 could still be included. This reflects the significant influence that the Plan has made on the future development. This can be presented to show in tabular form the original proposals in the Plan and the actual requirements that have been included in the approval as indicated below:

<b>Policy S2 Criteria</b>	<b>NP Proposed Requirement</b>	<b>S106 requirement / planning condition</b>
A	40% affordable housing, around 130 dwellings total	40% affordable housing on site, up to 178 dwellings in total
B	Provision of a community hall	£177,288 towards a community hall
C	Provision of allotments on site	Up to £12,225, plus maintenance, for allotment provision
D	Single vehicular access from Beeby Road	Indicative layout proposes 1 access from Beeby road
E	Provision of improvements to Station Lane / Covert lane junction	No requirement
F	Provision of footway along Beeby Road to the site	Condition 16 requires tactile paving and dropped kerbs, and layout plan shows a footway along Beeby Road
G	New footpaths and cycleways to:	
	Strawberry Fields	Shown on indicative layout plan, will be reserved matter as per condition 1
	Community Hall	Shown on indicative layout plan, will be reserved matter as per condition 1
	Existing footpath	Shown on indicative layout plan, will be reserved matter as per condition 1
H	Landscaping i), ii) and iii)	Shown on layout plan, reserved matters
	iv) drainage	Covered by condition 8 – Foul, surface and waste water drainage
I	Within 400m of bus stop served by a 30min bus	Condition 14 for travel plan, plus in the S106 provision of a new Beeby Road bus stop, shelter, info display, RTI system together with travel packs

12.10 In addition the LPA have indicated that since the S106 is not completed as yet, it would be possible for the NP to retain criteria that would inform any reserved matters application for the site. Thus anything identified as indicative and for reserved matters could remain as criteria in the NP.

12.11 Recommendation: Subject to the above amendments I do not recommend any changes to the policy.

### **Policy S3 Housing Mix.**

12.12 The Plan supports a proposal that a mix of house types in line with the latest Strategic Housing Market Assessment should be provided, with particular emphasis on the needs of older people. The Plan seeks to promote housing that meets the needs of Leicester and those living locally. Much of the recent development has been for larger Executive houses and the Plan sensibly seeks to ensure that the future needs of an ageing population are also met.

12.13 Recommendation: I do not recommend any changes to this policy.

### **Policy S4 Affordable Housing**

12.14 Policy S4 relates to the allocation of affordable housing. This has regard to National Policy which requires plans to provide for a wide choice of homes and set policies for the provision of affordable housing. It seeks priority to be given to applicants with a local connection. I understand that the Council operates a Choice Based Lettings policy which takes local connections along with other qualifying factors into account. There is a change to the definition of affordable housing to include starter homes that has been included in the Housing Bill that was published on 13<sup>th</sup> October 2015. The monitoring arrangements for the Plan will need to take account of the changes that are included once the Housing Act had been approved.

**12.15 *Recommendation: Subject to the amendments outlined above I do not recommend any changes to this policy***



### **13.0 Key Issue 2: Local Identity**

13.1 This is a key issue within the Plan in view of the location of Scraptoft on the urban / rural fringe and the recognised landscape quality of the eastern part of the parish. The original settlement was mentioned in the Domesday Book and the Plan understandably seeks to retain an element of the local identity that has been seriously eroded over the last 15 years through extensive development. The majority of the NP area is rural and unusually remote considering how close it is to the city of Leicester. This is demonstrated by the fact that Covert Lane, the main access point to part of the village, continues east as a single track road that culminates in a dead end after two miles.

### **Policy S5 Landscape Protection**

13.2 This policy recognises the existing quality of the NP landscape and seeks to prevent any development that would have a significant adverse impact on the historic landscape. Natural England has welcomed the broad principles of the Plan.

13.3 Recommendation: I do not recommend any changes to this policy.

### **13.4 Policy S6 Green Wedge**

13.5 The developed part of the NP area is situated on the western part of the Parish. Scraptoft consists essentially of two distinct parts linked by a linear development on the western side of Station Lane; the older historic core to the north and an urban extension to the south which is linked directly to the parishes of Bushby and Thurnby and the city of Leicester. Although there has been considerable development in recent years its location has ensured that the historic core of the village remains separate and distinct from the City. The Green Wedge strategy in the Harborough Core Strategy (Policy CS8 and CS15) has ensured that the separation of the village core from the eastern edge of Leicester has been maintained. The NP Policy to retain this Green Wedge is understandable and appropriate since development in this area

would further erode and threaten the separation between the Plan area and the City of Leicester.

13.6 The 2014 Strategic Housing Land Availability Assessment (SHLAA) considered part of this site (land off Scruptoft Rise, land at Nether Hall farm and land at Hamilton Lane) but considered that as the current Green Wedge policy applied to the whole site it was not currently suitable for residential development.

13.7 Recommendation: I do not recommend any changes to this policy.

### **13.8 Policy S7 Area of Separation**

13.9 The Area of Separation strategy in the Harborough Core Strategy (Policy CS8 and CS15) identified the area to the south of Covert Lane and east of Station Lane to be protected to retain the identity of the village core and to ensure that Scruptoft did not join together with Bushby and Thurnby.

13.10 The 2014 SHLAA considered the land east of Pulford Drive and south of Covert Lane and considered the site not currently suitable for development. The SHLAA also identified that previous applications for development on part of this site had been turned down on appeal but noted that the site was “developable for residential development. A change in policy defining the Area of Separation would be needed to re-classify the site as deliverable” with a timeframe of 16+ years. The NP Policy is to retain the existing Area of Separation. If Scruptoft is to retain any of its original identity it will be important for this area of separation to be maintained.

13.11 Recommendation: I do not recommend any changes to this policy.

### **13.12 Policy S8 Countryside**

13.13 The NP has identified Limits to Development to prevent further urbanisation. The NP accepts that outside the Limits to Development only appropriate development related to agriculture, forestry, renewable energy, recreation, tourism will be permitted. This policy is designed to ensure that the

qualities of the rural part of the NP area are protected while ensuring that appropriate development should be allowed. I agree with this proposal.

13.14 Recommendation: I do not recommend any changes to this policy.

### **13.15 Policy S9 Local Green Spaces (LGS)**

13.16 Although it is possible for a Neighbourhood Plan to allocate areas of Local Green Space Section 77 of the NPPF states that Local Green Space is not appropriate for most locations. The Plan seeks to allocate five areas of LGS. This section of the Plan allocating LGS is a significant proposal but needs considerable amendment. By considering previous Council reports and the Consultation document I have tried to reach a conclusion on the recommendations but it has proved very difficult.

13.17 During 2012 and 2013 Harborough District Council asked communities to submit sites that they would like to nominate as Green Spaces. The Council subsequently published a Local Green Space, Open Space, Sport and Recreation site report in 2014. This considered the proposals of each Parish and identified whether LGS was appropriate. It considered six sites that had been submitted by the Parish Council. It recommended that Stocks Green should be allocated as LGS. The report noted that since the Scruptoft Woodland would be protected as part of the S106 agreement on the Beeby Road development scheme LGS was not appropriate; Stoneygate Rugby Playing field already had protection under the NPPF and there was insufficient evidence to include either Scruptoft Glebe land or the Mount. In any event the report identified that no further LGS sites would be designated until Local Plan adoption.

13.18 The NP Policy Map identifies a number of green spaces within the developed part of the village core that should be protected. The scale of the Plan is too small to be able to identify the sites with any certainty and there is no identification in the Key to the Policy Map. There is therefore insufficient detail in the report to be able to identify them properly in order to decide

whether LGS status is appropriate. The written text of the Plan provides no explanation of their special significance to the local community. The Plan therefore needs amendment to include:

- ***A large scale map of the proposed Local Green Space sites with the sites identified by name and location***
- ***Justification for each proposed allocation***
- ***The five proposed Local Green Space areas should be identified with precise boundaries and also listed on the Policy Map.***

13.19 In the absence of clarity in the main body of the Plan I initially therefore considered the five important green spaces that had been identified as part of the Issues and Priorities survey in the Consultation Statement. These were: Edith Cole Memorial Park; Green in front of Scraptoft Hall / Church; the wooded area and green space off Covert Lane / Station Lane; the grounds of Scraptoft Hall and the Green Wedge between Scraptoft and Leicester City. These however did not tie in with the sites identified on the Policy Map.

13.20 The Local Green Space proposals were finally clarified on October 17 2015 as being Stocks Road, All Saints Church and Scraptoft Hall, the Mount and Scholars Grange 1 and 2. Stocks Green as previously indicated has been accepted as LGS by the Council. Some of the green area around All Saints Church and Scraptoft Hall has been protected via a S106 agreement as have the green spaces identified at Scholars Grange 1 and 2 therefore these areas are not appropriate as LGS. There is no justification in the text for the inclusion of the Mount as LGS and therefore if this recommendation is to remain a justification will need to be prepared.

***13.21 Recommendation: The proposed Local Green Spaces need to be shown clearly on an enlarged map. Stocks Green should be included as a LGS proposal. The section should be amended to include justification for the Mount to be considered as LGS. The recommendations regarding Scholars Grange 1 and 2 and the land at All Saints Church should be amended to reflect the fact that protection has been given to the sites via S106 agreements.***

### 13.22 Policy S10 Design

13.23 The NP seeks to ensure that new development should contribute positively and be sensitive to the character of the local area. This is in line with the NPPF which considers good design to be a key aspect of sustainable development. There has been significant development within the village over the last 15 years, some of which has been executive homes. The older core of the village that has conservation area status has a number of listed buildings within in it including the Grade 1 listed Church of All Saints and the Grade 2\* Scraftoft Hall, Wall, Gates and Gate piers. The Local Planning Authority has supported the need to maintain and enhance the village core environment. The current work to renovate Scraftoft Hall and surroundings is evidence that the Council through its planning approval process will encourage retention and enhancement of key village features. ***The conservation area forms a small part of the village and it would be appropriate for new developments within it to reflect the special features. Beyond the village core it would be more appropriate to use the existing Council planning standards to encourage appropriate quality design reflecting the traditional architectural features and building materials.*** The policy contributes to the achievement of sustainable development and meets the basic conditions.

13.24 Recommendation: Subject to the above amendments I do not recommend any changes to this policy.

### 13.25 Policy S11 Biodiversity

13.26 The NP highlights the diversity of habitats within the Parish which includes a Local Nature Reserve forming part of the Green Wedge with the City of Leicester, five wildlife corridors and other landscape features. The Plan seeks to protect these and to retain and enhance the Local Nature Reserve.

**13.26** Recommendation: I do not recommend any changes to this policy.

### **14.0 Key Issue 3: Services and facilities**

14.1 The NP outlines the range of services and facilities that the village has which includes shops, post office, a pub and small business area but highlights the lack of a primary school or GP surgery.

### **14.2 Policy S12 New Community Hall**

14.3 Scraftoft has a small village hall with limited facilities. The NP considers that a new expanded facility would be beneficial. It has allocated a site and obtained planning permission. The Policy confirms that it will create a multi-use facility capable of hosting a GP surgery. A GP surgery is a laudable ambition but any provision will be influenced by the future priorities and availability of funding of the Health Sector.

14.4 Recommendation: I do not recommend any changes to this policy

### **14.5 Policy S13 Allotments**

14.6 The NP outlines the benefits that owning an allotment brings and allocates a site for that purpose. A site has been identified on the east of Beeby Road adjacent to the proposed Community Hall. The implementation of this policy will be dependent on availability of funding. The S106 agreement for the Beeby Road site has included a financial sum towards to provision of allotments. The provision of allotments is a positive proposal.

14.7 Recommendation: I do not recommend any changes to this policy.

### **14.8 Policy S14 Infrastructure**

14.9 The NP recognises that new development will have an impact on existing infrastructure and seeks to secure financial contributions from developers to meet increased requirements. The scale of new development identified in the NP is far less than has taken place over the last ten years. Although it may be necessary to provide additional school places at Fernvale Primary School there is no detailed justification for this. ***I recommend therefore that Policy***

***S14 (1) should be amended to include “subject to confirmation from the Local Education Authority.”***

14.10 Recommendation: Subject to the above amendment I do not recommend any changes to this policy

#### **15.0 Key Issue 4: Transport**

15.1 The NP recognises that it is important to improve accessibility to local facilities and public transport to the city of Leicester and has sought to achieve improvements through three policies relating to parking and bus travel. From my site visit it was evident that there is little parking in the older village core where the retail and business facilities are situated. There is an aspiration in the Plan to improve the public transport service connecting to the city.

#### **15.2 Policy S15 Village Centre Parking**

15.3 The NP seeks to provide a new Community Hall on a site off Beeby Road (Proposal S12). This would enable the Parish to consider demolishing the existing Village Hall and the site used for much needed off street car parking close to the village facilities. If implemented this would improve the amenities within the village. Detailed discussions would need to take place with the County Council concerning the design and access.

15.4 Recommendation: I do not recommend any changes to this policy

#### **15.5 Policy S16 Parking Standards**

15.6 The NP recognises that appropriate levels of off street car parking need to be provided for new dwellings and proposes two off street spaces for each dwelling and three for four bed or larger homes. This is in line with Harborough District Council policy.

15.7 Recommendation: I do not recommend any changes to this policy

#### **15.8 Policy S17 Travel Packs**

15.9 I understand that travel packs are included as conditions in some planning applications. Although the Policy is an aspiration for the Parish it is not a land use and development policy. It could feature as one of the projects that the Parish Council wishes to pursue.

- ***I recommend that policy S17 be deleted but the text in Paragraph 81 can be retained as a Parish project.***

## **16.0 Summary and Recommendation**

16.1 I would like to congratulate the Scraptoft Parish Council for the considerable amount of work that they have undertaken to produce the Scraptoft Neighbourhood Plan. The Parish Council recognise that the Neighbourhood Plan will not solve all of the problems that face the residents in the area and that it will be necessary to use its best endeavours to support and influence the policies of key organisations such as Harborough District Council and Leicestershire County Council. The Plan demonstrates, however, the clear vision and aspiration of the community to protect and maintain the physical environment and improve amenities.

16.2 It is evident that the Council have supported the process.

16.3 I have recommended a number of modifications to the Plan as part of its consideration against the Basic Conditions but in accordance with Schedule 4B to the Town and Country Planning Act 1990, outlined below is a summary of my findings.

16.4 I am satisfied that the Scraptoft Parish Council is an appropriate Qualifying Body and is therefore able to produce and submit a Neighbourhood Development Plan for the Scraptoft Parish. I am satisfied that the area included in the Scraptoft Neighbourhood Plan is appropriate and was designated accordingly by Harborough District Council in July 2012. I am also satisfied that the Scraptoft Neighbourhood Plan does not relate to more than one neighbourhood area and that there is no other Neighbourhood Development Plan in place within this neighbourhood area. I am required to consider whether the Referendum area should be extended beyond Scraptoft Parish Neighbourhood Plan Area. There is no evidence to support this.



16.5 The Plan covers the period from 2015 to 2028. This is aligned with the emerging Harborough District Council Local Plan which covers the period 2012 to 2028.

16.6 I am satisfied that the Scraftoft Neighbourhood Plan takes sufficient regard to the policies in the National Planning Policy Framework and that the Plan does not make any provision for any excluded development.

16.7 I consider that the Scraftoft Neighbourhood Plan policies, subject to minor modification, will make a positive contribution to sustainable development. The policies could promote economic growth and serve to improve the physical appearance and image of the area. The production of the Plan should provide confidence to the community.

16.8 I understand that Harborough Council undertook an SEA and Habitat Regulation Act screening exercise to establish whether a full SEA was required. It concluded that there were no policies included in the Neighbourhood Plan that had not already been tested by the emerging Local Plan and Core strategy. I consider therefore that the legal requirements of the EU's SEA Directive have been met. The Neighbourhood Plan proposals will have no significant effects on the environment or any European sites.

16.9 I consider that the Plan complies with the rights outlined in the Human Rights Act.

16.10 I consider that extensive public consultation has taken place, led by the community but supported by the Local Authority, the RCC and Planit-X and am satisfied that it meets the requirements. I am satisfied that the public consultation meets the requirements of Section 15 (2) of Part 5 of the Neighbourhood Planning Regulations 2012.

16.11 I conclude that the Plan meets the basic conditions as defined in the Localism Act 2011, Schedule 10 and Schedule 4B, 8 (2) of the Town and Country Planning Act 1990.

16.12 In accordance with the Town and Country Planning Act 1990, Schedule 10 (2) (b) I recommend the modifications specified in this report are made and that the draft Neighbourhood Plan for Scraftoft is submitted for a Referendum.

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30 November 2015