

## HARBOROUGH DISTRICT COUNCIL

### BROUGHTON ASTLEY NEIGHBOURHOOD PLAN DECISION STATEMENT

#### 1. Summary

1.1 Following an Independent Examination, Harborough District Council now confirms that the Broughton Astley Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum.

1.2 This decision statement can be viewed at:

#### **Broughton Astley Parish Council Office**

40 42 Station Road  
Broughton Astley  
Leics

The Office is open on Monday, Tuesday, Thursday and Friday between 9 am and 1 pm. The Office is closed to the public on Wednesdays, at weekends and on public holidays.

#### **Harborough District Council Office**

Millers House  
Market Harborough  
Leicestershire LE16 7PQ

Open - Mon/Tues/Thu/Fri: 8.45am - 5pm. Wed: 9.30am - 5pm

#### **Broughton Astley Library**

Main Street  
Broughton Astley  
Leics LE9 6RD

<b>Monday</b>	9.30am - 5.00pm
<b>Tuesday</b>	9.30am - 5.00pm
<b>Wednesday</b>	Closed
<b>Thursday</b>	9.30am - 7.00pm
<b>Friday</b>	9.30am - 5.00pm
<b>Saturday</b>	10am - 1pm

#### 2. Background

2.1 In July 2012 Broughton Astley Parish Council, as the qualifying body, applied for Broughton Astley Parish to be designated as a Neighbourhood Area for the purpose of preparing a neighbourhood plan. The Neighbourhood Area application was approved by Harborough District Council (the Council) on 29 October 2012 in accordance with the Neighbourhood Planning (General) Regulations (2012)

2.2 Following the submission of the Broughton Astley Neighbourhood Plan to the Council, the Plan was publicised and representations were invited. The consultation period closed on Monday 12 August 2013.

2.3 The Council, with the agreement of Broughton Astley Parish Council, appointed an independent examiner, Mr Nigel McGurk, to review whether the Plan met the Basic Conditions required by legislation and should proceed to referendum.

2.4 The Examiner's Report concludes that, subject to making the modifications proposed by the Examiner, the Neighbourhood Plan meets the Basic Conditions set out in the legislation and should proceed to a Neighbourhood Planning referendum.

### **3. Decision and Reasons**

3.1 At its meeting on 11<sup>th</sup> November, the Council agreed that the Examiner's recommended modifications should be accepted and that the amended Neighbourhood Plan should proceed to a referendum (see Council resolution at Appendix 1).

3.2 The District Council has made the modifications, proposed by the examiner, to secure that the draft plan meets the basic conditions. Appendix 2 sets out these modifications and the action to be taken in respect of each of them.

3.3 The Council agrees with the Examiner's recommendation that there is no reason to extend the Neighbourhood Plan area (Broughton Astley Parish) for the purpose of holding the referendum.

3.4 The Examiner has concluded that with the specified modifications the Plan meets the basic conditions and other relevant legal requirements. The Council concurs with this view. Therefore to meet the requirements of the Localism Act 2011 a referendum which poses the question 'Do you want Harborough District Council to use the Neighbourhood Plan for Broughton Astley to help it decide planning applications in the neighbourhood area?' will be held in the Parish of Broughton Astley (comprising Astley, Broughton, Primethorpe and Sutton Wards).

3.5 The date on which the referendum will take place is agreed as Thursday 16<sup>th</sup> January 2014.

## **Appendix 1: Council Resolution in respect of Broughton Astley Neighbourhood Plan**

### ***Broughton Astley Neighbourhood Plan Proposal Decision***

#### **RESOLVED:**

- (i) That the Council accepts the Independent Examiner's recommended changes to the Broughton Astley Neighbourhood Plan as set out in schedule at Appendix 1 and notes the recommendation that the amended Broughton Astley Neighbourhood Plan should proceed to a Referendum of voters within the Parish of Broughton Astley;
- (ii) That the holding of a Referendum in Broughton Astley, to include the Parish of Broughton Astley on Thursday January 16th 2014, be approved; and
- (iii) That Broughton Astley be congratulated as the first Parish Council in the East Midlands to have reached this point in Neighbourhood Planning and respects the hard work carried out by the Steering Group.

## Appendix 2: Schedule of Modifications Recommended in the Examiner's Report

Page in Examination Version of the Plan	Examiners Recommendation	Reason	Action to be taken
4	Part of a sentence is missing at the top of the second column on Page 4. Insert missing sentence.	To correct errors in the drafting of the Plan.	Insert missing part of sentence: 'The parish of Broughton Astley including the'
5	There is no reason for the statement at the top of Page 5 to be in the same box as the title for Figure 1 below. Separate the summary statement box (which adds visual interest) and Figure 1 title. It would be appropriate to begin the Introduction with the wording in the summary box and move text across to Page 5, as necessary.	To make the Plan more user friendly.	Separate the summary statement box and the Figure 1 title.
5	The text in Figure 1 is difficult to read and should be increased in size.	To make the Plan more user friendly.	Increase size of text in Figure 1.
4-8	Parts of the Introduction will need to be deleted or updated (for example, in paragraph 3 on Page 6, "The Next Steps" on Page 8) should the Plan progress to Referendum.	To reflect the fact that the Plan is progressing to referendum.	Update as necessary to reflect Plan is no longer Examination Version.
6	Last sentence in table at bottom of Page 6 should read "life <b>or</b> property at risk <b>of</b> flooding".	To correct errors in the drafting of the Plan.	Insert missing words.
7	Section 1.5 first paragraph, second line on page 7 should read "sustainability <b>appraisal</b> provided..."	To correct errors in the drafting of the Plan.	Insert missing word.
13	Enhance the presentation of the Proposals Map.	To make it more user friendly.	Improve map by increasing size of font and clarity.
Various	Delete the word "Statement" in policy titles	To prevent confusion and improve clarity.	'Statement' to be removed from policy titles (e.g. Policy H1).
14	Policy H1 (iv) end of second line to read "...development <b>on</b> the identified..."	To correct errors in the drafting of the Plan	Insert missing word.
15	Policy H1 delete sub-section (viii) – this is an unnecessary reference as this matter is covered in a separate policy elsewhere in the Neighbourhood Plan.	To avoid repetition.	Delete sub-section (viii).
18	Policy S1 (ii) replace reference to "Site 1B" with " <b>Site 1A.</b> "	To ensure the Plan meets the	Replace '1B' with '1A'.

Page in Examination Version of the Plan	Examiners Recommendation	Reason	Action to be taken
		Basic Conditions.	
18-19	Combine policy S1 (ii) and (iii) into new (ii) as follows: <b>(ii) In order to prevent additional journeys out of the village for weekly food shopping, the provision of a new supermarket on Site 1A will be supported. This should be between 20,000 – 30,000 sq ft, in an accessible and central position, adjacent to the existing settlement and provide good links to the existing settlement and other community facilities.</b>	To ensure the Plan meets the Basic Conditions.	Insert new S1 (ii) and renumber rest of policy as necessary.
19	Policy S1 (v) first line to read “Any proposals for <b>retail</b> development...”	To correct errors in the drafting of the Plan.	Amend ‘retails’ to ‘retail’.
19	Policy S1 (vi) second bullet to read “...to thrive <b>through</b> initiatives...”	To correct errors in the drafting of the Plan.	Amend ‘thorough’ to ‘through’.
20	Policy E1 (ii) second line to read “...Key <b>Employment</b> Area.”	To correct errors in the drafting of the Plan.	Amend ‘employment’ to ‘Employment’.
22	Key issues, second line of third bullet point (top of page 22) to read “...people <b>within</b> the village.”	To correct errors in the drafting of the Plan.	Replace ‘with’ by ‘within’.
24	Delete sub-section (ii) of Policy W1.	To ensure the Plan meets the Basic Conditions.	Delete existing W1 (ii).
24	New sub-section (ii) to replace sub-section (ii), (iii) and (iv), to read: <b>“Land for a healthcare facility will be provided within Site 1B. Funding for the new facility will be sought through developer contributions and other sources, to ensure that medical facilities remain near to the centre of the existing village, being convenient and accessible enough to meet the needs of local people.”</b>	To ensure the Plan meets the Basic Conditions.	Insert new W1 (ii) and delete old (ii), (iii) and (iv).
25	Delete EH1 sub-section (ii). Change sub-section (iii) to read <b>“The green spaces at Frolesworth Road Recreation Ground, War Memorial, Cottage Lane, and the disused railway, which have been demonstrated to be of significance to the local</b>	To ensure the Plan meets the Basic Conditions.	Delete EH1 (ii) and amend (iii) as set out. Amend numbering of sub-sections as appropriate.

Page in Examination Version of the Plan	Examiners Recommendation	Reason	Action to be taken
	<b>community, are designated as Local Green Spaces, in order to protect their identity. The Local Green Spaces are identified in Figure 6.”</b>		
25	Policy EH1 (i) first line to read “...Highway <b>Authority</b> , developers, and local environmental groups, improved...”	To correct errors in the drafting of the Plan.	Amend ‘authority’ to ‘Authority’.
25	Change sub-section (iv) to read “ <b>Existing areas of public open space and Local Green Spaces will be preserved in order...</b> ”	To ensure the Plan meets the Basic Conditions	Amend EH1 (iv).
25	Delete EH1 sub-section (vi). Delete paragraph 3 under the Justification on page 26.	To avoid repetition.	Delete EH1 (vi) and paragraph 3 of justification.
25	I recommend that sub-section (vii) is re-worded to read “ <b>Broughton Astley’s Listed Buildings – St Mary’s Church, Sutton in the Elms Baptist Church, Quaker Cottage and the Stone House – will be protected in line with national policy.</b> ”	To ensure the Plan meets the Basic Conditions.	Amend EH1 (vii).
25	Unless an appropriate alternative approach along the above lines is introduced, policy EH1 sub-section (viii) should be deleted.	To ensure the Plan meets the Basic Conditions.	Delete EH1 (viii).
13 and 27	Remove Clump Hill from Figures 1 and 6.	To ensure the Plan meets the Basic Conditions.	Amend Figures 1 and 6 by removing Clump Hill.
27	Change the title of Figure 6 to “ <b>Local Green Spaces.</b> ”	To ensure the Plan meets the Basic Conditions.	Amend title of Figure 6.
27	It would be helpful to show clearer boundaries to each of the sites by enlarging and re-centring Figure 6.	To ensure the Plan meets the Basic Conditions.	Show clearer Local Green Space boundaries on Figure 6.
28	Reconsider the title of Figure 7, in line with the above.	To ensure the Plan meets the Basic Conditions.	Retitle Figure 7 as Listed Buildings and show only Listed Buildings.
29	Recommend that Policy BA7 becomes Policy <b>SD1</b> .	To correct errors in drafting the Plan.	Amend policy number.
29	Delete from the start of paragraph 3 “Where there are no policies...” to the end of the policy. Delete the final	To ensure the Plan meets the Basic Conditions.	Delete part of policy and last paragraph of justification.

Page in Examination Version of the Plan	Examiners Recommendation	Reason	Action to be taken
	paragraph in the Justification.		
29	Also, in the Objective at the beginning of the policy, and also at the end of the second paragraph within the policy, delete the words “conditions in” and replace with “ <b>sustainability of</b> ”. The policy is concerned with sustainability.	To ensure the Plan meets the Basic Conditions.	Replace ‘conditions in’ with ‘sustainability of’.
29	Policy SD1 second paragraph third line to read “...which <b>mean</b> that...”	To correct errors in the drafting of the Plan.	Replace ‘means’ with ‘mean’.
30	I recommend that Policy BA8 becomes Policy <b>C11</b> .	To correct errors in drafting the Plan.	Amend policy number.
30	Re-word the Objective to state: “ <b>For new development to contribute to the improvement of infrastructure and facilities in Broughton Astley as appropriate.</b> ” Re-word sub-sections (i) and (ii) to begin “ <b>Financial contributions will be required, as appropriate, to...</b> ”	To ensure the Plan meets the Basic Conditions.	Amend Objective and BA8 (i) and (ii) as set out.
30	Key issues final bullet (top of page 30) to read “...provision – <b>for example</b> , community...”	To aid clarity and make it more user friendly.	Amend wording.
30	Justification line 6 to read “...Astley is <b>a</b> key...”	To correct errors in the drafting of the Plan.	Insert ‘a’.
31	Page 31 top of second column line 2 to read “...and <b>brings</b> benefits...”	To correct errors in the drafting of the Plan.	Amend ‘bring’ to ‘brings’.
33 - 42	Ensure title for each policy in this section reads “ <b>Development and Requirements Policy.</b> ”	To correct errors in drafting the Plan.	Amend policy titles in Section 3.15.
33 - 42	Add Design Brief requirement for each allocated site to each relevant policy.	To ensure the Plan meets the Basic Conditions	Insert Design Brief requirement into each policy.
33 - 42	Consider including reference to the criteria set out in Building for Life 12.	To ensure good design is factored into proposals from the beginning.	Insert reference to Building for Life 12 as appropriate.
33	Page 33 second paragraph line 2 to read “...as <b>are</b> the policy...”	To correct errors in the drafting of the Plan.	Replace ‘is’ with ‘are’.
34	Page 34 second column line 4 to read “...and <b>its</b> amenities...”	To correct errors in the drafting of the Plan.	Replace ‘it’ with ‘its’.

Page in Examination Version of the Plan	Examiners Recommendation	Reason	Action to be taken
35	Page 35 first column line 4 (top of page) to read "...Site <b>1B</b> ..."	To correct errors in the drafting of the Plan.	Replace '1A' with '1B'.
37	Page 37 first column line 5 to read "...and <b>its</b> northern..."	To correct errors in the drafting of the Plan.	Insert 'its'.
37	Page 37 first column final bullet to read "...position and <b>is</b> relatively flat, <b>and</b> therefore..."	To correct errors in the drafting of the Plan.	Insert 'is' and 'and'
38	Policy BANP2 (4) line 2 to read "... <b>policy C11</b> ."	To correct errors in drafting the Plan.	Replace 'policy statement BA.8' with 'policy C11'.
40	Policy BANP Reserve Site 1 (3) line 2 to read "... <b>policy C11</b> ..."	To correct errors in drafting the Plan.	Replace 'policy statement BA.8' with 'policy C11'.
41	Page 41 first column line 1 to read "The site <b>lies</b> to the..."	To correct errors in the drafting of the Plan.	Insert 'lies'.
42	Policy BANP EMP1 (9) line 1 to read "Due to <b>the</b> elevated..."	To correct errors in the drafting of the Plan.	Insert 'the'.
42	Page 42 first column bullet 3 to read "...incorporate <b>landscaping</b> such as..."	To correct errors in the drafting of the Plan.	Amend 'landscape' to 'landscaping'.
Whole document	Recommend a further, final check of this following any modifications, should the Neighbourhood Plan progress to Referendum.	To ensure consistency and removal of errors in final version before Referendum.	Final check/proof reading to be undertaken before finalisation and any minor editorial modifications to correct errors in the Plan to be made by the Strategic Planning and Housing Manager prior to publication .