

# **GREAT BOWDEN NEIGHBOURHOOD PLAN**

## **Submission Draft Version**

**Questions to the Qualifying Body and Local Planning  
Authority on  
Great Bowden Neighbourhood Plan  
by Independent Examiner, Rosemary Kidd**

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## Great Bowden Neighbourhood Plan Examiner's Questions

Following my initial assessment of the Neighbourhood Plan and representations, I would appreciate clarification and further evidence on the following matters from the Qualifying Body and/or the Local Planning Authority. In order to ensure openness and transparency of the examination process, these questions and the responses should be published on the Council's website.

1. **Policy H1** states that the parish has exceeded its housing requirement and that the target for Great Bowden is for no further residential development. Would the QB and LPA confirm the source of this statement and the number of dwellings that are commitments.

**ANSWER:** The Local Plan Options Consultation Paper from September 2015 identified a minimum housing requirement for Great Bowden of 29 dwellings up to 2031, based on commitments and completions up to April 2016. Since April 2016 there has been a total of 173 planning approvals in the parish including an outline planning application for the erection of 6 dwellings on land at Langton Road,( ref 17/00416/OUT) – significantly greater than the number required. Accordingly, the evidence base for the submission version Local Plan specifies no allocation for Great Bowden.

[LPA comment: The proposed submission Local Plan does not allocate a housing target to Great Bowden. Completions and commitments have been counted up to 31<sup>st</sup> March 2017](#)

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2. Would you confirm that the Limits to Development have been revised to include all sites with planning permission.

**ANSWER:** The QB confirms that the Limits to Development will be amended to incorporate planning approvals since the NP was submitted to HDC. At present, this relates only to the 6 dwellings at Langton Road.

3. Would the QB explain how the term in **Policy H2** "they respect the shape and form of Great Bowden" is to be interpreted?

**ANSWER:** This means that the development proposal is wholly within the Limits to Development and comprises dwellings whose design complies with **Policy H6: Design Standards, Policy ENV 2: Protection Of Local Green Spaces** and **Policy ENV 3: Other Important Open Spaces..**

4. Has a Housing Needs Survey of the parish been undertaken? The report appears to rely solely on Census data.

**ANSWER:** The housing needs report dated May 2016 and referred to on p27 under supporting information, (<https://drive.google.com/drive/folders/0B117DGBZo0XDdUV5aERmY1VtOVE>) captures census data to reflect the make-up of dwellings in the parish but also draws on Land Registry

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data and references HDC policies and consultation. A similar approach has been applied satisfactorily in other Parishes. Furthermore, residents, in response to our questionnaire, gave an indication of the types of houses that they would like to see built in Great Bowden.

5. The final part of **Policy H5** seeks to have developments as tenure blind. Is this covered by guidance in SPD?

**ANSWER:** The NPPF (para 50) talks about the need to produce mixed and balanced communities. This cannot be achieved if all the affordable units are in one place within a development, creating a 'ghetto'. The Harborough Core Strategy says 'Development should integrate affordable housing and market housing, with a consistent standard of quality design and public spaces, to create mixed and sustainable communities'. (Policy CS3)

[LPA comment: LPA advice to developers is that new development should be tenure blind. No differentiation should be shown between open market and other housing. This is not noted in the Jan 2017 Developer Guidance Note but is given as verbal or written comment on applications](#)

6. What is the full title of the RSPB guidelines are referred to in **Policy H6** (f)?

**ANSWER:** <https://www.rspb.org.uk/birds-and-wildlife/advice/how-you-can-help-birds/roofs-for-wildlife/bird-nesting-boxes-in-the-roof/>

Also: <https://www.rspb.org.uk/globalassets/downloads/documents/conservation--sustainability/help-swifts/swift-bricks.pdf>

7. Sites a), b), d) and e) under **Policy ENV2** are also proposed to be designated as important open space under **Policy ENV3**. The Local Green Space designation is more restrictive than identification as important open space. The NPPF states that LGS are to be considered in the same manner as sites in the Green Belt and only development in very special circumstances should be permitted. Open space policy usually permits limited development to enhance the use of the site for sport and recreation etc. It is noted that there are proposals for improved facilities at the recreation ground which a Local Green Space designation may not be appropriate for. Which policy do the QB consider the most appropriate for the four sites?

**ANSWER:** The double-designating is the result of applying the (inventory sites) scoring system as described. These sites are considered to be eligible for LGS designation (scoring above the threshold using all the NPPF LGS criteria); they also score highly enough in the 'community value' criteria to be included as important open space (within which informal category the Plan includes both OSSR sites and those not currently OSSR but identified as having social, recreational and/or village character value). By including them in both categories the QB has anticipated the unintended outcome that, if they were not included in the Plan as important open spaces, rejection as LGS during examination would result in their dropping out of the Plan altogether (while other, less valuable IOS sites stayed in).

It is our wish that the 4 sites listed under **Policy ENV 2** should be listed as local green spaces only.

However, if the inspector feels that these sites do not warrant classification under this designation then they should be listed under **Policy ENV 3** as other important open space.

The development of the recreation ground for sports-related purposes can be addressed by adding to **Policy ENV 2** ‘... other than in very special circumstances, unless it is consistent with the function of the Local Green Space.’

- 8. Policy ENV3** refers to the sites being safeguarded by ensuring that “development does not compromise their integrity or value”. Would the QB explain how this term is to be interpreted.

**ANSWER:** This is intended to mean that an important open space (with high community value scores, as specified in the inventory) should not be divided/split or reduced in area (integrity) or have its community asset value reduced or negated by development. Alternative wording for **Policy ENV 3** which would be acceptable to the QB is: All of the following Open Spaces, irrespective of any existing designations will be protected from destruction, modification or adverse effects caused by any type of development other than in exceptional circumstances.

- 9. Policy ENV3** Site B refers to some sites as Common Land and de-registered common land. Would the QB explain why it is proposed in the description of the sites listed under Policy ENV3 to include areas of unregistered common land which are described in the background evidence as land in private ownership and not accessible. The map headed Policy ENV3 appears to exclude the areas. Figure 6 does not appear to be consistent with the Map headed ENV3 Map Showing Common Land (CL70 – CL75).

**ANSWER:** The QB suggests that the references to de-registered common land in B and E in **Policy ENV 3** are removed but kept in supporting information so that people can check on any common land that has been fenced to ensure that it has been recorded and not an attempt to take it for unofficial private use. The QB believes the map in ‘supporting information’ headed ‘ENV 3 Map Showing Common Land (CL70 – CL75)’ will be correct after the unregistered common land has been removed from the text.. (<https://drive.google.com/drive/folders/0BwjLPC7NSRXARVhGblpqazhJeU0>)

- 10.** Would the QB explain what action will be pursued through Community Action ENV2 as Policy ENV3 will designate the appropriate sites. Would it be more appropriate for the Parish Council to work with HDC and landowners to safeguard and enhance the areas?

**ANSWER:** The QB is minded that **Community Action ENV 2** should be removed as it can be assumed that GBPC will work with HDC and landowners to safeguard these open spaces under **Policy ENV 3**.

- 11.** Has any expert advice been sought on the significance of the sites identified under

#### **Policy ENV4 and the ridge and furrow areas identified under Policy ENV5?**

**ANSWER:** The methodology for **ENV 4 and 5** extended the NPPF guidance for Local Green Space ('a matter for local discretion') to these, less restrictive, Policies. However, in this case there has been expert input: the environment theme group (the originators of this section of the Plan) included local history experts who routinely (in collaboration with County archaeologists) contribute to the Leicestershire & Rutland *Historic Environment Record* (which integrates with the Historic England *Heritage Gateway*). Most of the sites mapped in Fig 7 are recorded in the L&R HER; the rest are of less than County or national significance but are of Plan Area significance. Sites 1 to 7 (**ENV 4**) have been endorsed in earlier consultations by the historians at Leicestershire CC.

As far as the QB is aware, this is the first attempt to map the R & F and other earthworks visible on the landscape for the whole of the parish of Great Bowden. The work was completed as a desktop survey using Google Earth images from various years, LIDAR maps where available, and other literature sources, including surveys provided by Leicester County Council under the Historic Environment Record as well as research undertaken by the Great Bowden Heritage and Archaeology Group. All of these references are listed in the Supporting Information.

This work has added local detail to the mapping of ridge and furrow across the English Midlands in *Turning the Plough 2001* (English Heritage and Northamptonshire CC) and subsequently in the 2012 Update (English Heritage and Gloucestershire CC).

The R & F map and the field by field survey has been submitted to the Leicestershire Historic Environment Record and the Archaeological Data Service for England.

- 12.** Is it intended that the properties identified under **Policy ENV6** should be designated as non-designated heritage assets through the neighbourhood plan or does the LPA have a process for designating such assets? Would the QB confirm whether all the landowners / tenants have been consulted individually on the proposed designation? If the properties are to be designated through the neighbourhood plan it will be necessary to show the curtilage of each property on the Policies Map.

**ANSWER:** The intention is that NDHA are to be designated through the neighbourhood plan (NP). The NP has been well publicised which has allow private residents to be fully aware of the proposed designations. Likewise, stakeholders have been kept informed of the contents of The Plan.

We will refer to the cartilage on the latest land registry records.

[LPA Comment: The LPA does not have a mechanism for designating local heritage assets. This is considered to be a neighbourhood plan function.](#)

- 13.** **Policy ENV7** states that the views should be "respected". It is considered that this term is vague and unclear. Would the QB expand on their intentions of how they consider that the policy should be interpreted by decision makers when dealing with any planning applications for development in the areas covered by the arcs of the viewpoints. The PPG is clear that policies should be clear and unambiguous so that they can be interpreted consistently by decision makers.

**ANSWER:** This is a form of words that has been used in several other NPs without challenge. An alternative form of words is 'applications will be supported unless they impact materially and

adversely on the following locally important and valued views'. The purpose of the policy is to ensure that development proposals take the views into account and that development will be resisted where it impacts detrimentally on the view in question. The policy is in line with the NPPF which seeks to protect local character.

- 14.** Apart from sites 1 and 2 in **Policy ENV8**, all other sites are non designated wildlife sites. Is it the intention of the policy to designate them as Local Wildlife Sites? If so have the sites been independently assessed and found to be of sufficient ecological interest to justify the designation? If not is this simply a list of sites which may have some ecological interest which would warrant further investigation should any development affect them? On what basis have sites 23 – 27 been identified as priority habitat? Does this definition link in with those priority habitats in the Biodiversity Action Plan? Is there any reason why the trees should not be protected by Tree Preservation Orders or the hedgerows under the Hedgerow Regulations (1997)? Have the landowners been individually consulted?

**ANSWER:** The sites noted as LWS, pLWS and cLWS in the Plan have been so designated (or listed) by LCC in a Phase 1 Habitat Survey (2014). The Priority Habitat sites have been so mapped by Natural England and are as in the English BAP habitats list. (they are also in the Leicestershire BAP). Remaining sites of natural environmental significance have been identified in fieldwork for the Plan, based on the known occurrence of species of conservation concern (and are also national or Leicestershire BAP species) and/or habitats of local (Plan Area) significance.

- 15.** What is the route of the proposed wildlife corridor running east west to the south of the village with site 13 at its centre?

**ANSWER:** The route of this corridor is the Gunsbrook, which is a brook that drains water from the hills to the west to the river Welland to the east. The brook is part open and part culverted and the corridor protects the open sections that could be changed by development.

- 16. Policies CAF1 and CAF2** refer to “existing community facilities and amenities”. Would the QB confirm which facilities and amenities this policy refers to. Those listed in the justification to the policy local businesses which whilst serving the community are not community facilities as such. Others such as footpaths and open spaces are safeguarded under other policies. How is the Red Lion public house to be considered, as it closed to business?

**ANSWER:** The community facilities and amenities that these policies refer to are:

The Village Hall	The Church Hall	The Community Pavilion
St Peter & St Paul’s Church	Welton’s	Bowden Stores
The Shoulder of Mutton	The Red Lion	Great Bowden Academy
The public convenience on the recreation ground		The cemetery
Allotments off Leicester Lane		

It is understood that the Red Lion is to re-open shortly

**GBAC Response to examiner's questions Final 2018-02-05**

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