

## HARBOROUGH DISTRICT COUNCIL

### ARNESBY NEIGHBOURHOOD PLAN DECISION STATEMENT

#### 1. Summary

1.1 Following an Independent Examination, Harborough District Council now confirms that the Arnesby Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum **on 28<sup>th</sup> February 2019.**

1.2 This decision statement can be viewed at:

#### **Harborough District Council Offices**

The Symington Building,  
Adam & Eve Street,  
Market Harborough  
Leicestershire  
LE16 7AG

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

#### **Fleckney Library**

School Street  
Fleckney, Leicester  
LE8 8AS

Monday: 14:00-19:00  
Tuesday - Wednesday: Closed  
Thursday: 14:00-17:00  
Friday: 9:00-13:00  
Saturday: 10:00-13:00  
Sunday: Closed

#### **And Arnesby Village Hall, Mill Road, Arnesby LE8 5WG**

#### 2. Background

2.1 In May 2016 Arnesby Parish Council, as the qualifying body, applied for Arnesby Parish to be designated as a Neighbourhood Area for the purpose of preparing a neighbourhood plan. After a six week consultation period the Neighbourhood Area application was approved by Harborough District Council (the Council) on 4<sup>th</sup> September 2016 in accordance with the Neighbourhood Planning (General) Regulations (2012)

2.2 Following the submission of the Arnesby Neighbourhood Plan to the Council, the Plan was publicised for a six week period and representations were invited. The consultation period closed on 1<sup>st</sup> August 2018.

2.3 The Council, with the agreement of Arnesby Parish Council, appointed an independent examiner, Mr Martin Lee, 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 14<sup>th</sup> January 2019, the Executive Committee agreed that all the Examiner's recommended modifications should be accepted and that the amended Neighbourhood Plan should proceed to a referendum (see Executive Committee resolution at Appendix 1).

3.2 The modifications proposed by the examiner have been made 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 District Council agrees with the Examiner's recommendation that there is no reason to extend the Neighbourhood Plan area (Parish of Arnesby) 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 District Council concurs with this view and that the Plan complies with the provision made by or under sections 38A and 38B of the 2004 Act. 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 Arnesby to help it decide planning applications in the neighbourhood area?'**

will be held in the Parish of Arnesby.

3.5 The date on which the referendum will take place is agreed as **28<sup>th</sup> February 2019.**

## **Appendix 1: Executive Committee Resolution in respect of Arnesby Neighbourhood Plan**

### ***Arnesby Neighbourhood Plan Proposal Decision***

#### **RESOLVED that:**

- (i) the Independent Examiner's recommended changes to the Arnesby Neighbourhood Plan are accepted as set out in the schedule at Appendix A to the report, and the recommendation that the amended Arnesby Neighbourhood Plan should proceed to a referendum of voters within the Parish of Arnesby to establish whether the Plan should form part of the Development Plan for the Harborough District be noted.
- (ii) the holding of a referendum relating to the Arnesby Neighbourhood Plan on the 28<sup>th</sup> February 2019 that will include all of the registered electors in the Arnesby Parish be approved.

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

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
1	Policy S1	Limits to Development	Development proposals within the Neighbourhood Plan area will be supported on the sites within the Limits to Development (LTD) boundary as shown in Figure 2 (below) where the proposal complies with the policies in this Neighbourhood Plan including the need to achieve positive design and amenity standards. Land outside the defined Limits to Development will be treated as open countryside, where development will be strictly controlled in line with local and national strategic policies.	<b><i>Development proposals within the Neighbourhood Plan area will be supported on sites within the Limits to Development (LTD) boundary as shown in Figure 2 (below) where the proposal complies with the policies in this Neighbourhood Plan including the need to achieve positive design and amenity standards.</i></b>	To simplify the structure and provide greater clarity to enable easier interpretation of the policy to enable more effective application for development management purposes
2	Policy H1	Residential Site Allocation	Land is allocated for residential development at the location shown above at figure 3 and within the new LTD boundary (figure 2). Development will be supported at this location subject to the following criteria: <ul style="list-style-type: none"> <li>• The development will provide for about 7 dwellings;</li> <li>• An area of land within the scheme will be set aside for a children's play area;</li> <li>• The tarmac public footpath be continued along the south side of Lutterworth Road to serve the development (and play area);</li> <li>• The retaining brick wall between the site and the front garden of Westfield House be retained and maintained.</li> </ul>	<b><i>Residential development of the site shown in red in figure 3 will be supported provided it makes provision for the following:</i></b> <ul style="list-style-type: none"> <li>• <b><i>Only between 6 to 8 new dwellings;</i></b></li> <li>• <b><i>A new children's play area;</i></b></li> <li>• <b><i>Extension of tarmac public footpath along southern side of Lutterworth Road to serve both the proposed residential development and children's play area;</i></b></li> <li>• <b><i>Retention and maintenance of existing brick retaining wall between site and front garden of Westfield House.</i></b></li> </ul>	To provide greater clarity of phrasing and render the policy more robust and practicable to use for effective development management purposes

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
3	Policy H2	Housing Mix	<p>New housing development proposals should provide a mixture of housing types specifically to meet identified local needs in Arnesby as evidenced in the Parish Housing Needs Report (2016) and the 2017 HEDNA or more recent documents updating either of these reports.</p> <p>Dwellings of 3 bedrooms or fewer and single storey accommodation suitable for older people will be supported where in accordance with other policies.</p> <p>The inclusion of four-bedroom or larger houses in housing developments will be supported where they are subservient in number to one, two or three-bedroom accommodation.</p>	<p><b><i>New housing development shall provide a mixture of housing types which meets identified current local needs in Arnesby Parish. Development incorporating new dwellings of three or fewer bedrooms and/or single storey accommodation suitable for older people will be supported, whilst dwellings of four or more bedrooms will be supported only where they are subservient in number to any one, two or three-bedroom accommodation in any development.</i></b></p>	To provide a more robust policy for application in development management.
4	Policy H3	Windfall Sites	<p>Development proposals for infill and redevelopment sites (individual dwellings or small groups of dwellings) will be supported where:</p> <ul style="list-style-type: none"> <li>• The location is within the LTD boundary for Arnesby;</li> <li>• It retains existing important natural boundaries such as gardens, trees, hedges and streams;</li> <li>• It provides for a safe vehicular and pedestrian access to the site and does not diminish parking provision;</li> <li>• It does not reduce garden space to an extent where it adversely impacts on the character of the area, or the amenity of neighbours and the occupiers of the dwelling(s);</li> </ul>	<p><b><i>Development of infill and/or redevelopment sites comprising individual dwellings or small groups of dwellings within the LTD will be supported where it:</i></b></p> <ul style="list-style-type: none"> <li>• <b><i>retains existing important natural boundary features of gardens, trees, hedges and streams;</i></b></li> <li>• <b><i>provides for safe vehicular and pedestrian access;</i></b></li> <li>• <b><i>does not diminish existing parking provision, and;</i></b></li> <li>• <b><i>does not reduce existing garden space to such an extent it adversely impacts on the character of the area or provides inadequate levels of private residential amenity of neighbouring and proposed</i></b></li> </ul>	To enhance effectiveness of the policy for development management purposes

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
				<i>dwelling(s).</i>	
5	Policy D1	Design	<p>Development proposals including one or more houses, replacement dwellings and extensions are encouraged to have regard to the following building design principles to a degree that is proportionate to the development.</p> <p>a) Development will enhance the local distinctiveness and character of the area in which it is situated, particularly within the Conservation Area, and proposals should clearly show within a Design and Access Statement how the general character, scale, mass, density and layout of the site, of the building or extension fits in with the aspect of the surrounding area. Care should be taken to ensure that the development does not disrupt the visual amenities of the street scene and impact adversely on any wider landscape views;</p> <p>b) Adequate off-road parking should be provided in line with the Highways '6Cs' standards;</p> <p>c) All new housing should continue to reflect the character and historic context of existing developments within the Parish and incorporate a range of local materials where possible. However, contemporary and innovative materials and design will be supported where positive improvement can be robustly demonstrated without detracting from the historic context;</p> <p>d) Development proposals should, where possible, retain existing trees and hedgerows;</p>	<p><b><i>All development shall have strict regard to the following building design principles and demonstrate within both the drawn proposals and accompanying design and access statement how it:</i></b></p> <p><b><i>a) respects and/or positively enhances of local distinctiveness and character, particularly within the Conservation Area, local streetscene and wider landscape views;</i></b></p> <p><b><i>b) provides adequate off-road parking;</i></b></p> <p><b><i>c) reflects the character and historic context of existing development, incorporating a range of local materials;</i></b></p> <p><b><i>d) retains or provides boundary enclosures utilising existing trees and hedgerows, new native species hedging, wood fencing or brick/stone walling of rural design/character;</i></b></p> <p><b><i>e) incorporates sustainable design and construction techniques to meet high standards for energy and water efficiency, including the use of renewable and low carbon energy technology, solar panels, rainwater harvesters and photovoltaic glass, without adversely detracting from the visual amenity of the current street scene;</i></b></p> <p><b><i>f) incorporates sustainable drainage</i></b></p>	<p>The muddled policy structure, phraseology and wording weaken unduly its potential effectiveness. I consider adjustment is necessary to enhance clarity and effectiveness of the policy for development management purposes and accordingly suggest the following amended wording</p>

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
			<p>e) Wherever possible, enclosure of plots should be of native hedging, rural wooden fencing, or brick/stone wall of rural design;</p> <p>f) Development should incorporate sustainable design and construction techniques to meet high standards for energy and water efficiency, including the use of renewable and low carbon energy technology, solar panels, rainwater harvesters and photovoltaic glass. These features should not adversely detract from the visual amenity of the current street scene;</p> <p>g) Development should incorporate sustainable drainage systems with maintenance regimes to minimise vulnerability to flooding and climate change;</p> <p>h) Development should ensure appropriate provision for the storage of waste and recyclable materials;</p> <p>i) New development should incorporate measures for controlling light pollution, including managing the detrimental effects on wildlife. There should be no decorative uplighting on houses; street and footpath lighting should be located at low level; security lights should be operated by intruder-triggered sensors; site and sports facility lighting should be off during agreed curfew hours between March and October (following best practice guidelines (e.g. Bats and Lighting Leicestershire &amp; Rutland Wildlife Trust 2014); and maximum light spillage onto known bat foraging areas should be 1 lux.</p>	<p><b><i>systems with maintenance regimes which minimise vulnerability to flooding and climate change;</i></b></p> <p><b><i>g) ensures adequate provision for storage of waste and recyclable materials;</i></b></p> <p><b><i>h) incorporates measures for avoiding light pollution, including minimisation of detrimental effects on wildlife, by ensuring there is no decorative uplighting, ensuring street/footpath lighting is at low level, security lights are operated by intruder-triggered sensors, site/sports facility lighting switches off during agreed curfew hours between March and October (following best practice guidelines, e.g. Bats and Lighting Leicestershire &amp; Rutland Wildlife Trust 2014) and limiting maximum light spillage onto known bat foraging areas to no greater than 1 lux. Contemporary and innovative materials and design will be supported where positive improvement can be robustly demonstrated without detracting from historic built context.</i></b></p>	

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
6	Policy ENV1	Local Green Space	Development proposals that would result in the loss of, or have an adverse effect on, the following designated Local Green Spaces (map Figure 4, detailed in supporting information), or their settings, is ruled out other than in exceptional circumstances. a) St Peter's Churchyard (inventory reference 153) b) Baptist Chapel burial ground (066) c) Manor House grounds (151)	<b><i>Development will be supported only where it would not result in the loss of, or have an adverse effect on, the following designated Local Green Spaces (map Figure 4, detailed in supporting information), or their settings: a) St Peter's Churchyard (inventory reference 153) b) Baptist Chapel burial ground (066) c) Manor House grounds (151)</i></b>	The policy is currently negatively worded and to meet the criteria required for Neighbourhood Plan policies requires restructuring and rewording to give it a positive form and strength which will enable the policy to perform more effectively as a robust development management tool
7	Policy ENV2	Protection of Other Sites and Features of Environmental Significance	36 sites (as described in the environmental inventory and shown in map Fig 5. above) have been identified as being of local significance for biodiversity (species and habitats) and / or history. They are important in their own right and are locally valued. Development proposals that affect them will be expected to protect or enhance the identified features. Planning permission will be refused unless the need for and the benefits arising from the development in that location clearly outweigh the loss.	<b><i>Development proposals will be supported only where they not only do not adversely affect, but actually protect and/or enhance, the identified features shown in Figure 5, or the need for and benefits arising from development adequately outweigh/compensate their damage/loss.</i></b>	The phrasing and wording of the policy requires modification to secure its effectiveness.
8	Policy ENV3	Other Important Open Spaces	16 sites (environmental inventory and map, figure 6 below) have been identified as being of local significance for their high community value, and for recreational, amenity or village landscape reasons. Development that changes	<b><i>Development will be supported which does not adversely affect the character and features of the following sites identified in Figure 6: a) St Peter's Churchyard (inventory</i></b>	Adjustments are required to ensure the policy is positively worded and becomes an effective

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
			<p>their character and features will not be supported.</p> <p>St Peter's Churchyard (inventory reference 153) (cemetery) EXISTING OSSR</p> <p>Baptist Chapel burial ground (066) (cemetery; amenity greenspace; provision for children and young people) EXISTING OSSR (part)</p> <p>Village green, Mill Hill Road (166) (amenity greenspace) EXISTING OSSR</p> <p>Green lanes south of St Peter's Road (173) (greenway/green corridor) NEW</p> <p>Village green, St Peter's Road (171) (amenity greenspace) EXISTING OSSR</p> <p>Footpath Y104a (jitty) from Robert Hall Rd to Lutterworth Rd (174) (greenway)</p> <p>Arnesby Village Hall (frontage etc.) (175) (amenity greenspace) EXISTING OSSR (part)</p> <p>Wide verge, Mill Hill Road (177) (amenity greenspace) NEW</p> <p>Village allotments, Loseby Wood and meadow (048, 050) (allotments and community gardens, natural and semi-natural greenspace) NEW</p> <p>Stoneleigh open space (160) (natural and semi-natural greenspace) NEW</p> <p>Village Green, Mill Hill Rd / Lutterworth Rd (169) (Registered Village Green) NEW</p> <p>Village Green, Robert Hall Rd / Lutterworth Rd (170) (Registered Village Green) NEW</p> <p>Village Green, The Bank (172) (Registered Village Green) NEW</p> <p>Open space, frontage of bungalows, Lutterworth</p>	<p><b>reference 153) (cemetery) EXISTING OSSR</b></p> <p><b>b) Baptist Chapel burial ground (066) (cemetery; amenity greenspace; provision for children and young people) EXISTING OSSR (part)</b></p> <p><b>c) Village green, Mill Hill Road (166) (amenity greenspace) EXISTING OSSR</b></p> <p><b>d) Green lanes south of St Peter's Road (173) (greenway/green corridor) NEW</b></p> <p><b>e) Village green, St Peter's Road (171) (amenity greenspace) EXISTING OSSR</b></p> <p><b>f) Footpath Y104a (jitty) from Robert Hall Rd to Lutterworth Rd (174) (greenway)</b></p> <p><b>g) Arnesby Village Hall (frontage etc.) (175) (amenity greenspace) EXISTING OSSR (part)</b></p> <p><b>h) Wide verge, Mill Hill Road (177) (amenity greenspace) NEW</b></p> <p><b>i) Village allotments, Loseby Wood and meadow (049, 050) (allotments and community gardens, natural and semi-natural greenspace) NEW</b></p> <p><b>j) Stoneleigh open space (160) (natural and semi-natural greenspace) NEW</b></p> <p><b>h) Village Green, Mill Hill Rd / Lutterworth Rd (169) (Registered Village Green) NEW</b></p> <p><b>i) Village Green, Robert Hall Rd / Lutterworth Rd (170) (Registered Village Green) NEW</b></p>	<p>development management tool.</p>

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
			Road (176) (amenity greenspace, community garden) NEW 'Sunnydene' paddock (155) (important open area) NEW May Fair field (145) (amenity greenspace) NEW	<b><i>j) Village Green, The Bank (172) (Registered Village Green) NEW k) Open space, frontage of bungalows, Lutterworth Road (176) (amenity greenspace, community garden) NEW l) 'Sunnydene' paddock (155) (important open area) NEW m) May Fair field (145) (amenity greenspace) NEW</i></b>	
9	Policy ENV4	Biodiversity and Wildlife Corridors	New development will be expected to safeguard locally significant habitats and species and, where possible and viable, to create new habitats for wildlife.	<b><i>Development proposals shall safeguard locally significant habitats and species and/or create new habitats for wildlife.</i></b>	The policy aims of supporting biodiversity requires subtle rewording to ensure its effectiveness.
10	Policy ENV5	Heritage Assets of Local Historical and Architectural Interest	Development proposals will be required to describe the significance of any heritage assets affected and the impact of the proposal on that significance in accordance with NPPF Section 128 and to include proposals to conserve and where appropriate enhance the structure and setting of such structures or buildings, proportionate to the asset's importance. The building of local interest identified as such is the post-medieval well.	<b><i>Development proposals shall include statements of significance for any heritage assets affected which fully assess impact and include proposals to conserve and where appropriate enhance the structure and setting of such assets in proportion to an asset's importance.</i></b>	The final sentence is also a descriptive element which should be removed to the supporting text as it only provides justification/explanation for the policy and does not form part of any policy requirements. To make the policy more effective for development management purposes

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
11	ENV6	Ridge and Furrow	The areas of ridge and furrow earthworks mapped above (Figure 9) are non-designated heritage assets. Any loss or damage arising from a development proposal (or a change of land use requiring planning permission) is to be avoided; the demonstrable benefits of such development should be balanced against the significance of the ridge and furrow features as heritage assets.	<b><i>Any loss or damage from development of ridge and furrow earthworks identified in Figure 9 shall be avoided and the demonstrable benefits of development balanced against the significance of the ridge and furrow features as heritage assets.</i></b>	The first sentence of the policy is purely descriptive and should thus be removed to supporting text. Otherwise the policy requires simple rewording to become an effective development management tool
12	ENV6	Ridge and Furrow	The areas of ridge and furrow earthworks mapped above (Figure 9) are non-designated heritage assets. Any loss or damage arising from a development proposal (or a change of land use requiring planning permission) is to be avoided; the demonstrable benefits of such development should be balanced against the significance of the ridge and furrow features as heritage assets.	<b><i>Any loss or damage from development of ridge and furrow earthworks identified in Figure 9 shall be avoided and the demonstrable benefits of development balanced against the significance of the ridge and furrow features as heritage assets.</i></b>	To become an effective development management tool
13	ENV7	Important views	To be supported development proposals must not significantly harm these views where seen from publicly accessible locations: A. From footpath Y89 at the end of South Close, west and northwest to Foston, Countesthorpe and distantly to Charnwood Forest (25 kms). B. From Lutterworth Road beyond Westfield House southwest over rolling open country toward Bruntingthorpe C. From footpath Y1 and bridleway 0104 north over Peatling and across Leicester to Bradgate	<b><i>Development will be supported where it does not significantly harm the following landscape views from publicly accessible locations identified in Figure 10: A Footpath Y89 at the end of South Close, west and northwest to Foston, Countesthorpe and distantly to Charnwood Forest (25 kms). B Lutterworth Road beyond Westfield House southwest over rolling open</i></b>	To increase its usability for development management purposes and ensure consistency of enumeration with other policies of the Plan

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
			<p>Park (25kms)</p> <p>D. From the Baptist Chapel ground and the field to its east, northeast over the Soar valley to Billesdon Coplow (15kms)</p> <p>E. From Welford Road west across the medieval manor house site (Scheduled Monument) to the parish church and the village</p> <p>F. From Welford Road southwest across ridge and furrow fields to the windmill (Listed Building).</p>	<p><b>country toward Bruntingthorpe</b></p> <p><b>C Footpath Y1 and bridleway 0104 north over Peatling and across Leicester to Bradgate Park (25kms)</b></p> <p><b>D Baptist Chapel ground and the field to its east, northeast over the Soar valley to Billesdon Coplow (15kms)</b></p> <p><b>E Welford Road west across the medieval manor house site (Scheduled Monument) to the parish church and the village</b></p> <p><b>F Welford Road southwest across ridge and furrow fields to the windmill (Listed Building).</b></p>	
14	ENV8	Footpaths and Bridleways	<p>Development proposals that result in the loss of, or have a significant adverse effect on, the existing network of footpaths and bridleways will not be supported.</p> <p>The maintenance, upgrade and, where appropriate, extension of the pedestrian footpath network in the Parish will be supported in order to:</p> <p>a) Service new developments and connect them to the existing pedestrian footpath network; and</p> <p>b) Encourage walking over car use for making journeys within the parish; and</p> <p>c) Provide an improved and more extensive footpath network to support exercise and leisure activities for Arnesby residents and visitors as stated in policy CF2.</p>	<p><b>Development will be supported provided it does not result in the loss of, or have a significant adverse effect on, the existing network of footpaths/bridleways and where it facilitates the maintenance/upgrade/extension of the pedestrian footpath network to:</b></p> <p><b>a) service new development connecting to the existing pedestrian footpath network;</b></p> <p><b>b) encourage walking over car use, and;</b></p> <p><b>c) support exercise and leisure activities.</b></p>	To provide augmented strength for development management purposes

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
15	ENV9	Managing Flood Risk	Development proposals will be required to demonstrate that: a) Its location takes geology, hydrology and flood risk into account,; b) Its design includes, as appropriate, sustainable drainage systems (SuDS), surface water management measures and permeable surfaces; and c) It does not increase the risk of flooding to third parties.	<b><i>Development will be required to demonstrate that: a) the selected location takes full account of geology, hydrology and flood risk, ensuring it does not increase the risk of flooding to third parties, and; b) its design includes sustainable drainage systems (SuDS), incorporating surface water management measures and permeable surfaces.</i></b>	To remove repetition and increase effectiveness:

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
16	Policy CF1	The Retention of Community Facilities and Amenities	<p>Development leading to the loss of an existing community facility (as described below) will not be supported unless it can be demonstrated that:</p> <p>a) There is no longer any need or demand for the existing community facility; or</p> <p>b) The existing community facility is, demonstrably, no longer economically viable; or</p> <p>c) The proposal makes alternative provision for the relocation of the existing community facility to an equally or more appropriate and accessible location within the Parish which complies with the other general policies of the Neighbourhood Plan.</p> <p>The Community Facilities are as follows:</p> <ul style="list-style-type: none"> <li>• Restaurant</li> <li>• The Baptist Chapel</li> <li>• St. Peters Church</li> <li>• Village Hall</li> <li>• School</li> <li>• Care Home</li> <li>• Allotments and Community Woodland</li> <li>• Playing Field</li> </ul>	<p><b><i>Development leading to the loss of an existing community facility (as listed below) will only be supported where it can demonstrate:</i></b></p> <p><b><i>a) There is no longer any need or demand for the existing community facility;</i></b></p> <p><b><i>b) The existing community facility is no longer economically viable, or;</i></b></p> <p><b><i>c) The proposal makes alternative provision for the relocation of the existing community facility to an equally or more appropriate and accessible location.</i></b></p> <p><b><i>The Community Facilities are as follows:</i></b></p> <ul style="list-style-type: none"> <li>• <b><i>Restaurant</i></b></li> <li>• <b><i>The Baptist Chapel</i></b></li> <li>• <b><i>St. Peters Church</i></b></li> <li>• <b><i>Village Hall</i></b></li> <li>• <b><i>School</i></b></li> <li>• <b><i>Care Home</i></b></li> <li>• <b><i>Allotments and Community Woodland</i></b></li> <li>• <b><i>Playing Field</i></b></li> </ul>	<p>The phrasing of the policy requires to be made positive and enabling rather than negative in order to be more effective and robust for development management purposes</p>
17	Policy CF2	New or Improved Community Facilities	<p>Proposals that improve the quality and/or range of community facilities, will be supported provided that the development:</p> <p>a) Meets the design criteria described in Policy D1; and</p>	<p><b><i>Proposals that improve the quality and/or range of community facilities, will be supported provided that the development will:</i></b></p> <p><b><i>a) meet design criteria of Policy D1;</i></b></p>	<p>To be more effective for development management purposes</p>

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
			<p>b) Will not result in unacceptable traffic movements or other disturbance to residential properties; and</p> <p>c) Will not generate a need for parking that cannot be adequately catered for within the site; and</p> <p>d) Is of a scale appropriate to the needs of the locality and conveniently accessible for residents of the village wishing to walk or cycle; and</p> <p>e) Takes into account the needs of people with disabilities.</p>	<p><b><i>b) not detract from residential amenity by merit of excessive traffic movement or other disturbance;</i></b></p> <p><b><i>c) not generate parking need that cannot be adequately catered for within the site;</i></b></p> <p><b><i>d) be of a scale proportionate to local need, and</i></b></p> <p><b><i>e) be readily accessible for cycle, pedestrian or physically impaired.</i></b></p>	
18	Policy T1	Traffic Management	<p>With particular regard to the rural highway network of the Parish and the need to minimise any increase in vehicular traffic all development must:</p> <p>a) Be designed to minimise additional traffic generation and movement through the village; and</p> <p>b) Incorporate sufficient off-road parking in line with policy D1; and</p> <p>c) Not remove or compromise the use of any existing off-road parking areas unless a suitable equivalent alternative is provided; and</p> <p>d) Provide any necessary improvements to site access, communal parking and the highway network either directly or by financial contributions; and</p> <p>e) Consider, where appropriate, the improvement and where possible the creation of footpaths and cycleways to key village services.</p>	<p><b><i>With particular regard to the rural highway network of the Parish and the need to minimise any increase in vehicular traffic all development must:</i></b></p> <p><b><i>a) be designed to minimise additional traffic generation and movement through the village;</i></b></p> <p><b><i>b) incorporate sufficient off-road parking in line with policy D1;</i></b></p> <p><b><i>c) not remove or compromise the use of any existing off-road parking areas unless a suitable equivalent alternative is provided;</i></b></p> <p><b><i>d) provide any necessary improvements to site access, communal parking and the highway network either directly or by financial contributions, and where relevant;</i></b></p> <p><b><i>e) improve/create footpaths and cycleways to key village services.</i></b></p>	To enhance the effectiveness of the policy

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
19	Policy BE1	Support for Existing Employment Opportunities	There will be a strong presumption against the loss of commercial premises or land (B-class) which provides employment or future potential employment opportunities. Applications for a change of use to an activity that does not provide employment opportunities will only be supported if it can be demonstrated that: a) The commercial premises or land in question has not been in active use for at least six months; and b) The commercial premises or land in question has no potential for either reoccupation or redevelopment for employment generating uses and as demonstrated through the results both of a full valuation report and a marketing campaign lasting for a continuous period of at least six months.	<b><i>Change of use of commercial premises or land in business use to an activity that does not provide employment opportunities will be supported only if it can be demonstrated that it has: a) not been in active use for at least six months, and; b) no potential for either reoccupation or redevelopment for employment generating uses, as demonstrated through a full valuation/viability report supported by a continuous marketing campaign of no less than six months.</i></b>	The negative emphasis requires adjustment to provide a positive perspective. The wording is suggested in order to create a more effective development management tool
20	Policy BE2	Support for New Employment Opportunities	In supporting additional employment opportunities, new development will be required to: a) Fall within the boundary of planned limits of development for the village of Arnesby unless it relates to small scale leisure or tourism activities, or other forms of commercial/employment related development appropriate to a countryside location or there are exceptional circumstances; and b) Where possible, development should be sited in existing buildings or on areas of previously developed land; and c) Be of a size and scale not adversely affecting	<b><i>New employment development will be supported, provided it: a) falls within the LTD or relates to small scale leisure or tourism activities, or other forms of commercial/employment related development appropriate to a countryside location; b) involves change of use of any existing building or an area of previously developed land; c) is of a size and scale not adversely affecting the character, infrastructure and built environment of the village and surrounding neighbourhood plan area;</i></b>	The policy requires rephrasing to simplify its structure and legibility, in order to improve its strength. The adjustment in wording is suggested in order to create a more effective development management tool

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
			<p>the character, infrastructure and environment of the village itself and the neighbourhood plan area, including the countryside; and</p> <p>d) Not involve the loss of dwellings; and</p> <p>e) Not increase noise levels or light pollution or introduce any pollution to an extent that they would unacceptably disturb occupants of nearby residential property; and</p> <p>f) Not generate unacceptable levels of traffic movement; and</p> <p>g) Contribute to the character and vitality of the local area; and</p> <p>h) Be well integrated into and complement existing businesses.</p> <p>The following types of employment development will be supported:</p> <p>a) The small-scale expansion of existing employment premises across the Parish; and</p> <p>b) Small-scale new build development within or adjacent to Arnesby village.</p>	<p><b><i>d) does not involve the loss of dwellings;</i></b></p> <p><b><i>e) would not increase noise levels, light or other pollution detrimental to residential amenities of nearby residential property;</i></b></p> <p><b><i>f) will not generate unacceptable levels of traffic movement;</i></b></p> <p><b><i>g) contributes positively to the character and vitality of the local area;</i></b></p> <p><b><i>h) will integrate into and complement existing businesses.</i></b></p> <p><b><i>The following types of small scale employment development will be supported:</i></b></p> <p><b><i>a) expansion of existing employment premises across the Neighbourhood Plan area, and;</i></b></p> <p><b><i>b) new build development within or adjacent to Arnesby village.</i></b></p>	
21	Policy BE3	Working from Home	<p>Proposals for the use of part of a dwelling for office and/or light industrial uses, and for small scale free standing buildings within its curtilage, extensions to the dwelling or conversion of outbuildings for those uses, will be supported where:</p> <p>a) Such development will not result in unacceptable traffic movements and that appropriate parking provision is made within the site;</p> <p>b) No significant and adverse impact arises to</p>	<b><i>No amendments required</i></b>	The policy requires no adjustment to improve its strength.

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
			nearby residents or other sensitive land uses from noise, fumes, light pollution, or other nuisance associated with the work activity; and c) Any extension or free-standing building shall be designed having regard to policies in this Plan and should not detract from the quality and character of the building to which they are subservient by reason of height, scale, massing, location or the facing materials used in their construction.		
22	Policy BE4	Re-Use of Agricultural and Commercial Buildings	Notwithstanding permitted development rights granted by the Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014 or any subsequent amendment, and, in order to support farm diversification and the sustainable growth and expansion of businesses, the conversion of existing agricultural and commercial buildings will be supported subject to: a) The proposed conversions will be expected to satisfy the design criteria in Policy D1 Building Design Principles; and b) The use proposed is appropriate to the rural location c) The conversion/adaptation works respect the local character of the surrounding area; and d) The development will not have an adverse impact on any archaeological, architectural, historic or environmental features; and e) The local road system is capable of	<b><i>Notwithstanding permitted development rights granted by the Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014 or any subsequent amendment, and, in order to support farm diversification and the sustainable growth and expansion of businesses, the conversion of existing agricultural and commercial buildings will be supported subject to: a) proposals satisfying the design criteria in Policy D1; b) the use being appropriate to a rural location; c) the conversion/adaptation works respecting the local built character; d) no adverse impact on any archaeological, architectural, historic or environmental features;</i></b>	minor adjustment to improve strength

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			<p>accommodating the traffic generated by the proposed new use and adequate parking can be accommodated within the site; and</p> <p>f) There is no significant adverse impact on neighbours through noise, light or other pollution, increased traffic levels or increased flood risk.</p>	<p><b><i>e) the site access and local road system being assessed as capable of accommodating the traffic to be generated and adequate parking provision being made within the site;</i></b></p> <p><b><i>f) there being no significant adverse impact on neighbouring residential amenity through noise, light or other pollution, and;</i></b></p> <p><b><i>g) no increase in flood risk.</i></b></p>	
23	Policy BE5	Tourism	<p>Support will be given to facilities that enhance tourism where they:</p> <p>a) Are within or adjoining Arnesby, on a scale appropriate to the settlement;</p> <p>b) Do not have a detrimental effect on the distinctive rural character of the Parish;</p> <p>c) Do not adversely affect the surrounding infrastructure, particularly local road networks and water supply and sewerage;</p> <p>d) Benefit the local community, through for instance, provision of local employment opportunities and improvements to local service provision, and is proportionate to the size of settlement in which it is located; and</p> <p>e) Where feasible,</p>	<p><b><i>Support will be given to facilities that enhance tourism where they:</i></b></p> <p><b><i>a) are within or adjoining Arnesby, on a scale appropriate to the settlement;</i></b></p> <p><b><i>b) do not have a detrimental effect on the distinctive rural character of the Parish;</i></b></p> <p><b><i>c) do not adversely affect the surrounding infrastructure, particularly local road networks and water supply and sewerage;</i></b></p> <p><b><i>d) benefit the local community through, for instance, provision of local employment opportunities and improvements to local service provision appropriate in scale to their location;</i></b></p> <p><b><i>e) involve the re-use of existing buildings, or;</i></b></p> <p><b><i>f) form part of farm diversification.</i></b></p>	<p>minor adjustment its structure to improve its strength as a development management tool</p>
24	Policy BE6	Broadband Infrastructure	<p>Proposals to provide increased access to a super-fast broadband service (including future</p>	<p><b><i>Proposals to provide increased access to a super-fast broadband service and</i></b></p>	<p>Remove unnecessary reference to 'within the</p>

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			developments at present unforeseen) and improve the mobile telecommunications network that will serve businesses and other properties with the Parish will be supported.	<b><i>improve the mobile telecommunications network serving businesses and other properties will be supported.</i></b>	Parish' is essential, as the Plan (by definition) can only cover development within the Neighbourhood Area boundary. Reference to the 'unforeseen' needs to be removed due to its nebulous nature (e.g. potentially beyond the Plan period). The policy requires only minor adjustment its structure to improve its strength as a development management tool
25		General recommendation			I would recommend that whilst each of the main sections of the Submission Version of the Plan is numbered that there is a practical requirement for each and every Sub-Section (i.e. those titles in green print) and all individual paragraphs of the Plan to be enumerated for

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					greater ease of future reference and legibility by those endeavouring to make practical use of it for development management purposes in the future.