# HARBOROUGH DISTRICT COUNCIL

# TUR LANGTON NEIGHBOURHOOD PLAN DECISION STATEMENT

### 1. Summary

- **1.1** Following an Independent Examination, Harborough District Council now confirms that the Tur Langton Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum on 27th June 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

Kibworth Library, Paget Street, Kibworth Beauchamp, LE8 0HW Saturday 10am–1pm Sunday Closed Monday 2–6pm Tuesday 10am–1pm Wednesday 2–5pm Thursday Closed Friday 9am–1pm, 2–5pm

# And Tur Langton Telephone Kiosk, Main Street, Tur Langton

# 2. Background

- 2.1 In March 2015 Tur Langton Parish Council, as the qualifying body, applied for Tur Langton 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 20<sup>th</sup> March 2015 in accordance with the Neighbourhood Planning (General) Regulations (2012)
- 2.2 Following the submission of the Tur Langton Neighbourhood Plan to the Council, the Plan was publicised for a six week period and representations were invited. The consultation period closed on 3<sup>rd</sup> October 2018.
- 2.3 The Council, with the agreement of Tur Langton 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

Tur Langton Neighbourhood Plan Decision Statement 17<sup>th</sup> May 2019

- 3.1 At its meeting on 25<sup>th</sup> April 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 Tur Langton) 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 Tur Langton to help it decide planning applications in the neighbourhood area?'

will be held in the Parish of Tur Langton.

3.5 The date on which the referendum will take place is agreed as **27th June 2019**.

# Appendix 1: Executive Committee Resolution in respect of Tur Langton Neighbourhood Plan

#### **Tur Langton Neighbourhood Plan**

**RESOLVED** that:

(i) The Executive accepts the Independent Examiner's recommended changes to the Tur Langton Neighbourhood Plan in full as set out in the schedule at Appendix A to the officer's report and notes the recommendation that the amended Tur Langton Neighbourhood Plan should proceed to a referendum of voters within the Parish of Tur Langton to establish whether the Plan should form part of the Development Plan for the Harborough District.

(ii) The Executive approves the holding of a referendum relating to the Tur Langton Neighbourhood Plan on 27th June 2019 that will include all of the registered electors in Tur Langton Parish.

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
1	Policy S1	Limits to Development	Residential development proposals within the Neighbourhood Plan area will be supported on sites within the Limits to Development as identified in Figure 2 (above) where it complies with the policies of this Neighbourhood Plan and subject to design and amenity considerations.	Residential development proposals will be supported on sites within the Limits to Development as identified in Figure 2 (above).	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 S2	Development Proposals Outside the Limits of Development	Land outside the defined Limits to Development will be treated as open countryside, where development will be carefully controlled in line with local and national strategic planning policies.	Remove policy and the reference be placed within the supporting text	There is no need for any policy to reference as to how development outside the defined limit will be viewed, as this is the prerogative of strategic policies contained within the Harborough Core Strategy and emerging replacement Local Plan
3	Policy H1	Windfall Sites	Small residential development proposals of up to three dwellings on infill and redevelopment sites within the Limits to Development will be supported subject to proposals being well designed and meeting all relevant requirements set out in other policies in this Plan and the District–wide planning policies and where such development: a) Comprises a restricted gap in the continuity of	Minor residential development proposals within the defined Limits to Development will be supported where they incorporate: a) high quality design, highway frontage development which does not include tandem/backland development, and; b) does not reduce existing garden space to such an extent it adversely impacts on the	to provide greater clarity of phrasing and render the policy more robust and practicable to use for effective development management purposes:

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

Tur Langton Neighbourhood Plan Decision Statement 17<sup>th</sup> May 2019

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
			<ul> <li>existing frontage buildings or on other sites within the Limits to Development;</li> <li>b) 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; and</li> <li>c) Involves single-fronted dwellings where appropriate and avoids tandem development.</li> </ul>	character of the area or provides inadequate levels of private residential amenity of neighbouring and proposed dwelling(s).	
4	Policy H2	Housing Mix	Developments comprising housing of 3 or fewer bedrooms and those suitable for older people will be supported on sites that meet the policies of this plan. Rental units are supported. Dwellings with 4+ bedrooms will only be supported where local need is adequately evidenced.	New housing development shall provide a mixture of housing types which meets identified current local needs in Tur Langton Parish. Development incorporating new dwellings of three or fewer bedrooms and/or single storey accommodation suitable for older people, particularly properties to rent, 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.	The wording requires revision to simplify the structure, make the requirements clearer and make the policy more effective. Accordingly, I suggest the following amended wording to secure a more robust policy for development management
5	Policy H3	Building Design Principles	All new development proposals of one or more houses, replacement dwellings and extensions are encouraged to have regard to the building design principles outlined below: a) New development should enhance and reinforce the local distinctiveness and character of the area in which it is situated, particularly within the Conservation Area, and proposals should clearly show how the general character, scale, mass, density	Residential development proposals involving erection of new buildings, conversion and/or extension of existing structures shall have regard to the following building design principles and clearly demonstrate: a) enhancement and reinforcement of local distinctiveness and visual character, particularly within the Conservation Area, through a consistent design approach in the	The current wording of the multiple criteria is overly complex, repetitive and unwieldy. Restructuring and simplification will make it a more robust development management tool that is

Tur Langton Neighbourhood Plan Decision Statement 17<sup>th</sup> May 2019

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
			<ul> <li>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 negatively on any significant wider landscape views;</li> <li>b) New buildings should follow a consistent design approach in the use of materials, fenestration and the roofline to the building. Materials should be chosen to complement the design of the development and add to the quality or character of the surrounding environment and of the Conservation Area;</li> <li>c) Adequate off-road parking should be provided as a minimum of two car parking spaces for dwellings of three bedrooms or less and three spaces for dwellings of four bedrooms or more, in line with Leicestershire County Council policy;</li> <li>d) All new housing should reflect the character and historic context of existing developments within the Parish. However, contemporary and innovative materials and design will be supported where positive improvement can be robustly demonstrated without detracting from the historic context;</li> <li>e) Redevelopment, alteration or extension of historic farmsteads and agricultural buildings within the Parish should be sensitive to their distinctive character, materials and form;</li> <li>f) Proposals should minimise the impact on general</li> </ul>	use of materials, fenestration and rooflines, with external materials which complement both the proposed design and the quality and visual character of their setting, showing respect for that context in terms of visual character, scale, form, mass, density and layout by either reflecting the visual character and historic built context of existing development or, where contemporary and innovative materials and design are proposed, clearly demonstrating positive enhancement to visual character; b) incorporation of features that promote biodiversity and sensitivity to local topography, with existing trees and hedges retained where practicable and reinstatement of historic enclosures temporarily removed to facilitate construction reinstated in keeping with the original and provision of new enclosures comprising native hedging, wooden fencing, or local stone/brick wall design/materials, with any historic enclosures; c) lack of adverse impact on private residential living quality in terms of noise, odour and/or light pollution, with security lighting proportionate, unobtrusive and energy efficient; d) sustainable design and construction techniques to meet high standards for energy	easier for everyone to understand and use for all forms of residential development. The adjustment is needed 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
			<ul> <li>amenity and give careful consideration to noise, odour and light. Light pollution should be minimised wherever possible and security lighting should be appropriate, unobtrusive and energy efficient;</li> <li>g) Development should incorporate features that promote biodiversity and relate well to the topography of the area, with existing trees and hedges preserved whenever possible;</li> <li>h) Where possible, enclosure of plots should be of native hedging, wooden fencing, or stone/brick wall of rural design. Any enclosures that are necessarily removed through the development process should be reinstated in keeping with the original;</li> <li>i) 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, as appropriate; and</li> <li>j) Development should incorporate sustainable drainage systems with maintenance regimes to minimise vulnerability to flooding and climate change; ensuring appropriate provision for the storage of waste and recyclable materials.</li> </ul>	and water efficiency, including the use of renewable and low carbon energy technology; e) sustainable drainage system design with maintenance regimes which minimise vulnerability to flooding and climate change; f) provision of adequate off-road parking to Leicestershire County Council parking standards, and; g) provision for storage and collection of waste and recyclable materials.	
6	Policy ENV1	Protection of Local Green Spaces	<ul> <li>Within the area of Local Green Space sites designated in this policy and identified on the map below (Figure 4), development is ruled out other than in very special circumstances.</li> <li>Old Pits Meadow (inventory site and map reference 239)</li> </ul>	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 the supporting Environmental Inventory), or their settings:	Restructuring and positive rewording to give it a positive form and strength which will enable the policy to perform more

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
			<ul> <li>East Field (240)</li> <li>Old Chapel paddock (417)</li> <li>Manor Gardens earthworks meadow (418)</li> <li>South Meadow (433)</li> </ul>	a) Old Pits Meadow (239) b) East Field (240) c) Old Chapel paddock (417) d) Manor Gardens earthworks meadow (418) e) South Meadow (433)	effectively as a robust development management tool. The addition of enumeration to each of the sites listed will further assist in their referencing and identification.
7	Policy ENV2	Protection of Other Sites of Environmental (Natural and Historical) Significance	The following sites (environmental inventory and map figure 5) are of local significance for wildlife 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 their identified features. Field with site of Roman villa (inventory site 404) Field with Anglo-Saxon site and woodland (411) John Stanhope Memorial Wood (413a) Ridge and furrow field north of village (120) Small enclosure field north of 'St Andrews View' (122) Small enclosure field north of South View farm (125) Long field west of Shangton Road (130) Field east of [name] (238) Gravel pits spinney (231)	Development proposals affecting the following sites (map figure 5, detailed in the supporting Environmental Inventory) will be expected to protect or enhance their identified features. a) Field with site of Roman villa (404) b) Field with Anglo-Saxon site and woodland (411) c) John Stanhope Memorial Wood (413a) d) Ridge and furrow field north of village (120) e) Small enclosure field north of 'St Andrews View' (122) f) Small enclosure field north of South View farm (125) g) Long field west of Shangton Road (130) h) Field east of modern agricultural buildings (238)	Site 238 requires insertion of a name where the square brackets currently sit. The Examiner saw no sign of a name for the two, large agricultural buildings which sit to the west of this field and has inserted a suggestion which the Parish may be able to replace with something more specific from local knowledge. Enumeration of each of
			Ridge and furrow field with pond north of Cranoe Road (234) King Charles's Well field (225) Croxfield spinney and field (213) Ridge and furrow field (228)	<ul> <li>i) Gravel pits spinney (231)</li> <li>j) Ridge and furrow field with pond north of Cranoe Road (234)</li> <li>h) King Charles's Well field (225).</li> <li>i) Croxfield spinney and field (213)</li> </ul>	the sites will make referencing same much easier. The phrasing and wording of the policy requires modification to

l Revised Policy Text	Reason
r field (228) v field with stream and	secure its effectiveness.
Village Hall Crown Inn n d 6.2, detailed in the Imental Inventory) and	The first sentence should be moved to the supporting text as it solely provides commentary/explanatio n for the policy itself. Enumeration of each of the sites will make referencing same much easier. Adjustments are required to ensure the policy is positively worded and becomes an effective development management tool
	Manor f Village Hall Crown Inn nd 6.2, detailed in the nmental Inventory) and d arboricultural, biodiversity er shall be protected from

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
			enhancement will be supported. Proposals should be accompanied by a tree survey of at least (currently) BS5837 standard, or the standard in force at the time, that establishes the health and longevity of any affected trees. (maps below, figures 6.1 and 6.2). Development should seek to preserve these trees and hedgerows and where damage is unavoidable replacements should be planted16 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 their character and features will not be supported.	loss or damage in development proposals and integrated into their design. Proposals which enhance their visual and ecological contribution will be supported. Proposals shall be accompanied by a tree survey (BS5837 standard or its replacement) to establish the health and longevity of affected trees. Development shall retain these trees and hedgerows or, where damage or loss is unavoidable, secure replacement planting.	
9	ENV4	Biodiversity	Development proposals will be expected to protect local habitats and species, and where possible and viable, to create new habitats for wildlife.	Development proposals shall safeguard locally significant habitats and species and/or create new habitats for wildlife.	subtle rewording to ensure the policies effectiveness
10	ENV5	Ridge and Furrow Fields	The surviving areas of ridge and furrow fields (figure 7) are non-designated heritage assets and any harm arising from a development proposal will need to be balanced against their significance as heritage assets.	Any loss or damage from development of ridge and furrow earthworks (map Figure , detailed in supporting Environmental Inventory) shall be avoided and the demonstrable benefits of development balanced against the significance of the ridge and furrow features as heritage assets.	The policy for heritage assets is compromised by poor/weak phrasing and wording which may be readily remedied. Changes are to make the policy more effective for development management purposes
11	ENV6	Footpaths and Bridleways	Exiting footpaths and rights of way must be preserved. Any development that impacts on rights	Development will be supported provided it does not result in the loss of, or have a	In addition to correcting a spelling error in the

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
			of way must ensure that adverse impacts are minimised and that any loss is replaced by alternative routes	significant adverse effect on, the existing network of footpaths and bridleways (map Figure 8) and where it facilitates maintenance/upgrade/extension/effective diversion.	first word, the policy only requires modest amendment to increase its usability for development management purposes and ensure consistency of enumeration with other policies of the Plan
12	ENV7	Sustainable Development	Development proposals that are compliant with the aims of a low carbon economy, and contribute to mitigating and adapting to climate change including sustainable design, energy generation, drainage and construction techniques and practices will be viewed positively, where (whether in isolation or in combination with existing infrastructure) the development: a) Does not have a materially adverse impact on the health, wellbeing or amenities of local residents and visitors, or on biodiversity; b) Does not have a materially adverse impact on the area in relation to views or the character of the surrounding landscape; and c) Is of an appropriate scale for the size, character and level of other facilities, the built environment and services in Tur Langton parish.	Where development proposals help achieve the aim of a low carbon economy, contributing to mitigating and adapting to climate change by including sustainable design, energy generation, drainage and construction techniques and practices (in isolation or in combination with existing infrastructure) they will be supported provided they do not materially detract from: a) health, well-being, privacy (aural or visual) of property occupants; b) biodiversity; c) visual character of the built environment and local landscape, or; c) are disproportionate in scale to the size/level of local facilities/services.	Minor change is suggested, as follows, to simplify the structure and increase effectiveness
13	ENV8	Rivers and Flooding	Development proposals of appropriate scale and where relevant will be required to demonstrate that:	Development will be required to demonstrate that:	With minor rewording and restructuring the

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
			<ul> <li>a) Its location takes geology, flood risk and natural drainage into account, including undertaking a hydrogeological study whose findings must be complied with in respect of design, groundworks and construction;</li> <li>b) Its design includes, as appropriate, sustainable drainage systems (SuDS), other surface water management measures and permeable surfaces;</li> <li>c) It does not increase the risk of flooding to third parties.</li> </ul>	<ul> <li>a) the selected location takes full account of geology, hydrology and potential flood risk, ensuring it does not increase the risk of flooding to third parties, and;</li> <li>b) its design includes sustainable drainage systems (SuDS), incorporating surface water management measures and permeable surfaces.</li> </ul>	policy's legibility and effectiveness is improved
14	CF1	The Retention of Community Facilities	Development leading to the loss of an existing community facility (including the Village Hall, St Andrews Church and Crown Pub) will not be supported unless it can be demonstrated that: a) There is no longer any need or demand for the existing community facility; or b) The existing community facility is no longer economically viable; or 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.	Development leading to the loss of an existing community facility (including the Village Hall, St Andrew's Church and The Crown Inn) will only be supported where it can demonstrate: a) there is no longer any need or demand for the existing community facility; b) the existing community facility is no longer economically viable, or; c) the proposal makes alternative provision for the relocation of the existing community facility to an equally or more appropriate and accessible location.	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
15	CF2	New or Improved Community Facilities	Proposals that improve the quality and/or range of community facilities, particularly those for young people, will be supported provided that the development: a) Meets the design criteria stated in policy H4; b) Will not result in unacceptable traffic movements	Proposals that improve the quality and/or range of community facilities, will be supported provided that the development will: a) meet design criteria of Policy H3; b) not detract from residential amenity by merit of excessive traffic movement or other	The need to make specific reference to the design criteria of Policy H3 (erroneously cited as non-existent Policy H4) could have been

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
			or other disturbance to residential properties; c) Will not generate a need for parking that cannot be adequately catered for; and 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.	disturbance; c) not generate parking need that cannot be adequately catered for within the site; d) be of a scale proportionate to local need, and e) be readily accessible for cyclists and/or pedestrians.	avoided had that policy not been specifically tied to only residential development and thus been equally applicable to all forms of proposed development. and with the following suggested changes will be more effective for development management purposes
16	CF3	Support for New Employment Opportunities	In supporting additional employment opportunities, new development should: a) Be within the curtilage of Manor Farm (Figure 10) 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 proven exceptional circumstances; and b) Be sited, wherever possible, in existing buildings or on areas of previously developed land; and c) Be of a size and scale not adversely affecting the character, infrastructure and environment of the village itself and the Neighbourhood Plan area, including the countryside; and d) Not involve the loss of dwellings; and e) Not increase noise levels to an extent that they would unacceptably disturb occupants of nearby	The development of additional employment opportunities will be supported, where it would: a) be contained within the curtilage of Manor Farm (map Figure 10), unless it relates to small scale leisure or tourism activities, or other forms of commercial/employment related development requiring a countryside location; b) involve re-use of existing buildings or areas of previously developed land; c) be of a size and scale which does not adversely affect the visual character/setting of the village/countryside, existing infrastructure and/or biodiversity; d) not involve the loss of existing dwellings; e) not increase noise levels to an extent which would materially detract the aural privacy of	Slight re-ordering of the final criteria would enhance the effectiveness of the policy

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
			residential property; and f) Not generate unacceptable levels of traffic movement; and g) Contribute to the character and vitality of the local area; and h) Be well integrated into and complement existing businesses. The development of an Innovation Hub at Manor Farm to support the increasing numbers of people working from home would be supported.	residential property; f) not generate unacceptable levels of traffic movement; g) contribute positively to the visual character and vitality of the local area; and h) integrate with and/or complement existing local businesses. The development of an Innovation Hub at Manor Farm to support the increasing numbers of people working from home would also be supported.	
17	Policy CF4	Broadband Infrastructure	Proposals to provide access to a super-fast broadband service (minimum 30 mbps or greater over the lifetime of the Neighbourhood Plan to reflect currently unforeseen improvements in telecommunications infrastructure) and improve the mobile telecommunication network that will serve businesses and other properties within the Parish will be supported. This may require aboveground network installations, which must be sympathetically located and designed to integrate into the landscape and not be located in or near to open landscapes.	Development to provide increased access to a super-fast broadband service and improve the mobile telecommunications network serving businesses and other properties will be supported, provided any above ground installations are located and designed to minimise potential adverse visual impact.	Removing unnecessary reference to 'within the 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). Much over ground telecommunications development is enabled through the current 'permitted

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
					development' regime and so outside of the control of adopted planning policy. Reference to 'open landscapes' is too nebulous for development management purposes. The policy requires only minor adjustment its structure to improve its strength as a development management tool
18	Policy CF5	Working from Home	Development 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: a) There is no significant adverse impact on the amenity of neighbouring occupiers, having regard to matters including noise and disturbance, fumes, odour, outlook and privacy; and b) 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	Proposals involving 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: a) there is no significant adverse impact on the private enjoyment of neighbouring property as a consequence of noise, fumes, odour, privacy and openness; and b) any extension or free-standing building design meets the relevant criteria of Policy H3.	to provide further support for home working.

Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
			of height, scale, massing, location or the facing materials used in their construction.		