

## Fleckney Neighbourhood Plan

### Summary of representations submitted by Harborough District Council to the independent examiner pursuant to Regulation 17 of Part 5 of The Neighbourhood Planning (General) Regulations 2012

Name	Policy /Page	Full Representation
Anglian Water Services Limited Thorpe Wood House, Thorpe Wood, Peterborough, PE3 6WT	General	<p>Thank you for the opportunity to comment on the Fleckney Submission Draft Neighbourhood Plan. The following comments are submitted on behalf of Anglian Water.</p> <p>I would be grateful if you could confirm that you have received this response.</p> <p>It would appear that Fleckney Parish is located outside of our area of responsibility. (We serve part of Harborough District but not Fleckney Parish). Therefore we have no comments relating to the content of the Submission Draft Plan. The views of Severn Trent Water who are responsible for potable (clean) water and wastewater services in the Parish should be sought on the Neighbourhood Plan.</p>
Harborough District Council	Heritage Section	<p>Its always encouraging to see reference made to listed buildings and the inclusion of a local heritage interest list.</p> <p>With regards to this – I think the list would greatly benefit from an accompanying map to show the location and extent of the assets.</p> <p>In general, I think it would help to have more descriptive information attributed to each asset on the list to explain why they are of significance for example 2 Kibworth Road, could mention the decorative brickwork and bargeboards, Stapleton house could mention that it is a prominent local landmark.</p> <p>Some of the older buildings on Main Street around 30-38 could have also been included?</p>
	Para 8.11	<p>Re the below, there is a slight technical inaccuracy in 8.11. Currently it reads:</p> <p><i>8.11 In February 2019, a full planning application2 (Ref: 17/02146/FUL) was granted planning permission for 44 dwellings, a three-storey building (containing 8 flats and approximately 285 square metres of retail floor space), a new public plaza, replacement car parking and a location for a new scout hut at land off the High Street.</i></p> <p>However, the application was only approved subject to completion of the S106 and as such, Planning Permission hasn't yet been granted. The S106 is likely to be signed in the next month or so, so 8.11 should be amended to reflect</p>

	Policy F1	the approval when it is issued.  Policy F1- Should Policy GD4 of the Harborough Local Plan be added to the policy? <i>[further HDC comment – the policy makes reference to GD3 and in turn GD3 makes reference to 'rural housing in accordance with Policy GD4 new Housing in the countryside'. The reference to being in accordance with GD3 (and as a result GD4 which is one of the criterion of GD3) raises a potential conflict with the approach to housing development set out in F9 which only takes elements of GD4 into account]</i>
	Policy F3	Policy F3- Ecology and Biodiversity Plan- Not clear. The size of the green points isn't clear in contrast to the rights of way and the linear features are covered by the pink neighbourhood plan area line. Features on Ecology and Biodiversity map (page 12) would be clearer if Neighbourhood Plan Area boundary was drawn more finely. Currently it hides features referred to in the Policy (C, D, E, F, G, I).
	Policy F5	Policy F5/Appendix 1 – Full addresses needed and a map showing their locations would be beneficial. The points/labels on the policies map cannot easily be identified.
	Policy F6	Policy F6- The wording is a bit clumsy. Refers to the distinctive and traditional character of Fleckney but there is nothing in the supporting text outlining what this is, or what features in particular the village want to see in new developments or what they want to avoid. There is an opportunity to add detail to this. F6(3) regarding amenity does not include a sense of over-dominance/enclosure which would normally be assessed.  Policy F6 Criteria 4 potentially goes further than NPPF para. 109 which states that 'development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.
	Policy F7	Area B is allocated as LGS in the Harborough Local Plan (2019). The Reasons for Designation table does not specify the local significance and importance of each proposed LGS. This may be useful in justifying the allocation
	Policy F8	Policy F8/Housing- Given the criteria of para. 14 (b) <i>the neighbourhood plan contains policies and allocations... (my emphasis)</i> of the NPPF, it may be beneficial for the NP to make some specific allocations for housing. The QB should note the risks of not allocating a housing site should the district 5 year housing supply not be achieved in the future.
	Para 4.9	Refers to updated Limits to Development. It should be noted that at present there are no limits to development as the Local Plan does not define them for any settlement. Suggest deleting 'updated' from second sentence for accuracy.
	Policy F9	Policy F9- Limits to development – For the avoidance of doubt the red limits to development line should be clearly visible where it

		<p>meets the neighbourhood plan area line in pink.</p> <p>Criterion 1 does not refer to the enhancement of their immediate setting. This is referred to in the Local Plan GD4(1c) and in NPPF para. 79c) and may be a helpful addition.</p> <p>F9(3)- Although the term isolated accords with para 79 of the NPPF this policy may conflict with Policy GD4 e) of the Local Plan- in the Local Plan there is no requirement for a dwelling with exceptional quality/innovative design to be isolated. Furthermore, the NPPF and Local plan require for such dwellings to also significantly enhance its immediate setting, this additional phrase may be beneficial to the policy.</p> <p>F9(4)- Refers to replacement dwellings in accordance with Harborough Local Plan Policy GD4d. GD4d refers to subdivision or existing dwellings. It is GD4f which refers to replacement dwellings. The cross reference should be updated.</p> <p>Policy F13- This conflicts with LCC Highways design guidance, although it must be acknowledged the LCC document is <b>guidance only</b>. The policy asks for four spaces for four-bedroom or larger dwellings, the highways design guidance only requires three spaces. The policy may be difficult to uphold if there is no formal highways objection. Furthermore the provision of four spaces in certain situations may not be appropriate if it harms the design or character of the area through extensive hard standing.</p> <p>Policy F16 –The blue area that designates the village centre omits the Health Centre however the boundary chosen for the Fleckney Plan corresponds with that of the Local Plan.</p> <p>Employment section appears to be amongst the housing section. It needs a separate section heading. The accuracy of the employment area boundary should be reviewed as it appears some adjacent dwelling gardens are included within the boundary</p>
<p><b>Highways England</b>  <b>The Cube</b>  <b>199 Wharfside</b>  <b>Street</b>  <b>Birmingham</b>  <b>B1 1RN</b></p>	General comments	<p>Consultation on the Submission Version of the Fleckney Neighbourhood Plan</p> <p>We welcome the opportunity to comment on the Submission Version of the Fleckney Neighbourhood Plan which has been produced for public consultation and covers the Plan period 2018 to 2031. The document provides a vision for the future of the area and sets out a number of key objectives and planning policies which will be used to help determine planning applications.</p> <p>Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth. In relation to the Fleckney Neighbourhood Plan, our principal interest is in safeguarding the A46 Trunk Road, A14 Trunk Road and M1 Motorway which route about 12 miles North, 6 miles South</p>

		<p>and 9 miles West of the Plan area respectively.</p> <p>We understand that a Neighbourhood Plan is required to be in conformity with relevant national and Borough-wide planning policies. Accordingly, the Neighbourhood Plan for the Parish of Fleckney is required to be in conformity with the adopted Harborough Local Plan (2011-2031) and this is acknowledged within the document.</p> <p>We note that Fleckney is classified as Rural Centre with the Harborough Local Plan and has an allocated housing requirement of 295 dwellings in addition to completions and commitments at September 2017. As this target has been met and exceeded with the approval of over 500 dwellings, the Neighbourhood Plan limits new housing development mainly to infill, as per policy F8.</p> <p>Due to the small scale of development growth being proposed, it is not considered that there will be any impacts on the operation of the SRN in the area.</p>
<b>Natural England Hornbeam House Crewe Business Park Electra Way Crewe Cheshire CW1 6GJ</b>	General Comment	<p>Thank you for your consultation on the above dated 31 July 2019 which was received by Natural England on 31 July 2019</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>No new allocations outside of the Harborough Local Plan (the Plan) have been put forward. Our consultation comments on allocations within the Plan still apply. Natural England welcomes the commitment in the plan for development in the countryside to be controlled in accordance with the Harborough Local Plan.</p> <p>Natural England further welcomes the commitment that new development should provide opportunities to protect, enhance and create habitats. The importance of retaining ecological areas and wildlife corridors is recognised by the inclusion of policies relating to the maintenance of wildlife networks and the retention of trees and hedgerows. It would be useful to refer to the concept of green infrastructure and the importance of considering it in new developments.</p> <p>Green infrastructure also contributes to improvements in public health and quality of life.</p>
<b>Persimmon Homes Meridian East Meridian Business Park Leicester LE19 1WZ</b>	Policy F13	<p>Overall Persimmon Homes North Midlands support the Fleckney Neighbourhood Plan and its objectives. However we have made the following observations;</p> <p>This policy contrives the Local Plan advice to follow the 6Cs design guidance in relation to the level of parking for plots and additionally would lead to potential layout issues and parking dominated schemes which should be avoided.</p>
<u><a href="#">Severn Trent Water growth.developme</a></u>		<p>Review of previous comments</p> <p>It is noted that from the Fleckney Neighbourhood Development Plan: Consultation Statement that recorded as having commented on the Policy Paragraph Water Management. However we are</p>

<a href="mailto:nt@severntrent.co.uk">nt@severntrent.co.uk</a>	Para 2.25  Para 2.18  Policy F7	<p>concerned that the response has been miss interpreted, the response was issued in relation to Policy F9, noting that as these developments are already within the Planning arena, they have already been commented on through the planning process. The response goes on to highlight the importance of SuDS and the sustainable discharge of surface water through the principles of the Drainage Hierarchy. You then identify that Policy F5 has been deleted and that a statement has been included as paragraph 2.25.</p> <p>Whilst Severn Trent do not object to the wording of paragraph 2.25, it is anticipated that the inclusion of a specific Policy to support the delivery of SuDS and the sustainable discharge of surface water would be more effective, ensuring compliance with NPPF, the Non-Statutory Technical Standards and the Written Ministerial Statement for Sustainable Drainage (HCWS 161).</p> <p><b>Additional points</b></p> <p>Paragraph 2.18 Severn Trent are supportive of the approach to protect and enhance wildlife and ecology. In particular where schemes can also improve water quality. We are supportive of Policy F3: Ecology and Biodiversity in particular the statement</p> <p>“New development will be expected to maintain and enhance existing ecology to maintain and enhance existing ecological corridors and landscape features (such as watercourses, hedgerows and tree-lines) for biodiversity thus demonstrating overall net-gain.”</p> <p>We would however also recommend that where culverted watercourses are identified within a site, [they] are where feasible day lighted, this will reduce flood risk and facilitate sustainable drainage outfalls, minimising the impact of development on the sewerage network.</p> <p>Whilst Severn Trent acknowledges that Trees and Hedgerows are important and require protection, it is also important that watercourses are protected, the loss of watercourses can have a negative impact on the biodiversity, ecology and flood risk. The loss of watercourses can reduce the ability for surface water to be discharged sustainably.</p> <p>We are generally supportive of Policy F7: Local Green Spaces, but the policy should be clear to support flood resilience works within local green spaces provided that they do not have an adverse impact on the primary function of the green space.</p> <p>As per our previous response it is important that new development considered the drainage hierarchy and directs surface water to sustainable outfalls such as infiltration or watercourse. The Drainage Hierarchy is outlined within Planning Practice Guidance Paragraph 80. Please keep us informed when your plans are further developed when we will be able to offer more</p>
--	---	---

	<p>detailed comments and advice. For your information we have set out some general guidelines that may be useful to you.</p> <p><b>Position Statement</b></p> <p>As a water company we have an obligation to provide water supplies and sewage treatment capacity for future development. It is important for us to work collaboratively with Local Planning Authorities to provide relevant assessments of the impacts of future developments. For outline proposals we are able to provide general comments. Once detailed developments and site specific locations are confirmed by local councils, we are able to provide more specific comments and modelling of the network if required. For most developments we do not foresee any particular issues. Where we consider there may be an issue we would discuss in further detail with the Local Planning Authority. We will complete any necessary improvements to provide additional capacity once we have sufficient confidence that a development will go ahead. We do this to avoid making investments on speculative developments to minimise customer bills.</p> <p><b>Sewage Strategy</b></p> <p>Once detailed plans are available and we have modelled the additional capacity, in areas where sufficient capacity is not currently available and we have sufficient confidence that developments will be built, we will complete necessary improvements to provide the capacity. We will ensure that our assets have no adverse effect on the environment and that we provide appropriate levels of treatment at each of our sewage treatment works.</p> <p><b>Surface Water and Sewer Flooding</b></p> <p>We expect surface water to be managed in line with the Government's Water Strategy, Future Water. The strategy sets out a vision for more effective management of surface water to deal with the dual pressures of climate change and housing development. Surface water needs to be managed sustainably. For new developments we would not expect surface water to be conveyed to our foul or combined sewage system and, where practicable, we support the removal of surface water already connected to foul or combined sewer.</p> <p>We believe that greater emphasis needs to be paid to consequences of extreme rainfall. In the past, even outside of the flood plain, some properties have been built in natural drainage paths. We request that developers providing sewers on new developments should safely accommodate floods which exceed the design capacity of the sewers.</p> <p>To encourage developers to consider sustainable drainage, Severn Trent currently offer a 100% discount on the sewerage infrastructure charge if there is no surface water connection and a 75% discount if there is a surface water connection via a sustainable drainage system. More details can be found on our website.</p>
--	---

		<p><a href="https://www.stwater.co.uk/building-and-developing/regulations-and-forms/application-forms-andguidance/infrastructure-charges/">https://www.stwater.co.uk/building-and-developing/regulations-and-forms/application-forms-andguidance/infrastructure-charges/</a></p> <p><b>Water Quality</b></p> <p>Good quality river water and groundwater is vital for provision of good quality drinking water. We work closely with the Environment Agency and local farmers to ensure that water quality of supplies are not impacted by our or others operations. The Environment Agency's Source Protection Zone (SPZ) and Safe Guarding Zone policy should provide guidance on development. Any proposals should take into account the principles of the Water Framework Directive and River Basin Management Plan for the Severn River basin unit as prepared by the Environment Agency.</p> <p><b>Water Supply</b></p> <p>When specific detail of planned development location and sizes are available a site specific assessment of the capacity of our water supply network could be made. Any assessment will involve carrying out a network analysis exercise to investigate any potential impacts. We would not anticipate capacity problems within the urban areas of our network, any issues can be addressed through reinforcing our network. However, the ability to support significant development in the rural areas is likely to have a greater impact and require greater reinforcement to accommodate greater demands.</p> <p><b>Water Efficiency</b></p> <p>Part G of Building Regulations specify that new homes must consume no more than 125 litres of water per person per day. We recommend that you consider taking an approach of installing specifically designed water efficient fittings in all areas of the property rather than focus on the overall consumption of the property. This should help to achieve a lower overall consumption than the maximum volume specified in the Building Regulations.</p> <p>We recommend that in all cases you consider:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Single flush siphon toilet cistern and those with a flush volume of 4 litres.</li> <li><input type="checkbox"/> Showers designed to operate efficiently and with a maximum flow rate of 8 litres per minute.</li> <li><input type="checkbox"/> Hand wash basin taps with low flow rates of 4 litres or less.</li> <li><input type="checkbox"/> Water butts for external use in properties with gardens.</li> </ul> <p>To further encourage developers to act sustainably Severn Trent currently offer a 100% discount on the clean water infrastructure charge if properties are built so consumption per person is 110 litres per person per day or less. More details can be found on our website  <a href="https://www.stwater.co.uk/building-and-developing/regulations-and-forms/application-forms-andguidance/infrastructure-charges/">https://www.stwater.co.uk/building-and-developing/regulations-and-forms/application-forms-andguidance/infrastructure-charges/</a></p> <p>We would encourage you to impose the expectation on developers that properties are built to the optional requirement in Building Regulations of 110 litres of water per person per day.</p>
--	--	---

<p><b>Sport England</b>  <b>Sport Park,</b>  <b>3 Oakwood Drive,</b>  <b>Loughborough,</b>  <b>Leicester,</b>  <b>LE11 3QF</b></p>	<p>Thank you for consulting Sport England on the above neighbourhood plan.</p> <p>Government planning policy, within the National Planning Policy Framework (NPPF), identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.</p> <p>It is essential therefore that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 96 and 97. It is also important to be aware of Sport England's statutory consultee role in protecting playing fields and the presumption against the loss of playing field land. Sport England's playing fields policy is set out in our Playing Fields Policy and Guidance document.  <a href="http://www.sportengland.org/playingfieldspolicy">http://www.sportengland.org/playingfieldspolicy</a></p> <p>Sport England provides guidance on developing planning policy for sport and further information can be found via the link below. Vital to the development and implementation of planning policy is the evidence base on which it is founded.  <a href="http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/">http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/</a></p> <p>Sport England works with local authorities to ensure their Local Plan is underpinned by robust and up to date evidence. In line with Par 97 of the NPPF, this takes the form of assessments of need and strategies for indoor and outdoor sports facilities. A neighbourhood planning body should look to see if the relevant local authority has prepared a playing pitch strategy or other indoor/outdoor sports facility strategy. If it has then this could provide useful evidence for the neighbourhood plan and save the neighbourhood planning body time and resources gathering their own evidence. It is important that a neighbourhood plan reflects the recommendations and actions set out in any such strategies, including those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery.</p> <p>Where such evidence does not already exist then relevant planning policies in a neighbourhood plan should be based on a proportionate assessment of the need for sporting provision in its area. Developed in consultation with the local sporting and wider community any assessment should be used to provide key recommendations and deliverable actions. These should set out what provision is required to ensure the current and future needs of the community for sport can be met and, in turn, be able to support the development and implementation of planning policies. Sport England's guidance on assessing needs may help with such work.  <a href="http://www.sportengland.org/planningtoolsandguidance">http://www.sportengland.org/planningtoolsandguidance</a></p> <p>If new or improved sports facilities are proposed Sport England recommend you ensure they are fit for purpose and designed in accordance with our design guidance notes.</p>
--	---

		<p><a href="http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/">http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/</a></p> <p>Any new housing developments will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then planning policies should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered. Proposed actions to meet the demand should accord with any approved local plan or neighbourhood plan policy for social infrastructure, along with priorities resulting from any assessment of need, or set out in any playing pitch or other indoor and/or outdoor sports facility strategy that the local authority has in place.</p> <p>In line with the Government's NPPF (including Section 8) and its Planning Practice Guidance (Health and wellbeing section), links below, consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing planning policies and developing or assessing individual proposals.</p> <p>Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity. The guidance, and its accompanying checklist, could also be used at the evidence gathering stage of developing a neighbourhood plan to help undertake an assessment of how the design and layout of the area currently enables people to lead active lifestyles and what could be improved.</p> <p>NPPF Section 8: <a href="https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities">https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities</a></p> <p>PPG Health and wellbeing section: <a href="https://www.gov.uk/guidance/health-and-wellbeing">https://www.gov.uk/guidance/health-and-wellbeing</a></p> <p>Sport England's Active Design Guidance: <a href="https://www.sportengland.org/activedesign">https://www.sportengland.org/activedesign</a></p>
<p><b>National Grid</b>  <b>National Grid</b>  <b>House</b>  <b>Warwick</b>  <b>Technology Park</b>  <b>Gallows Hill</b>  <b>Warwick</b>  <b>Warwickshire</b>  <b>CV34 6DA</b>  <b>Tel: 01926 439116</b>  <a href="mailto:n.grid@woodplc.com"><u>n.grid@woodplc.com</u></a></p>		<p><b>Fleckney Neighbourhood Plan Consultation</b>  <b>SUBMISSION ON BEHALF OF NATIONAL GRID</b></p> <p>National Grid has appointed Wood to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the above Neighbourhood Plan consultation.</p> <p><b>About National Grid</b></p> <p>National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales and National Grid Electricity System Operator (NGESO) operates the electricity transmission network across the UK. The energy is then distributed to the eight electricity distribution network operators across England, Wales and Scotland.</p> <p>National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK,</p>

		<p>gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.</p> <p>National Grid previously owned part of the gas distribution system known as 'National Grid Gas Distribution limited (NGGDL). Since May 2018, NGGDL is now a separate entity called 'Cadent Gas'.</p> <p>To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect National Grid's assets.</p> <p><b>Specific Comments</b></p> <p>An assessment has been carried out with respect to National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high-pressure gas pipelines.</p> <p>National Grid has identified that it has <b>no record</b> of such apparatus within the Neighbourhood Plan area.</p> <p><b>Electricity Distribution</b></p> <p>The electricity distribution operator in Harborough District Council is Western Power Distribution. Information regarding the transmission and distribution network can be found at: <a href="http://www.energynetworks.org.uk">www.energynetworks.org.uk</a></p> <p><b>Appendices - National Grid Assets</b></p> <p>Please find attached in:</p> <ul style="list-style-type: none"> <li>• Appendix 1 provides a map of the National Grid network across the UK.</li> </ul> <p>Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our infrastructure. We would be grateful if you could add our details shown below to your consultation database.</p>
<b>Environment Agency</b> <b>Trentside Offices</b> <b>Scarrington Road</b> <b>Nottingham</b> <b>NG2 5BR</b>	4. Housing (pgs 25-26).	<p>The Environment Agency notes that the Limits of Development as shown within the Pre-Submission Draft – June 2018 of the Fleckney Neighbourhood Plan 2017-2031, excluded areas at risk of fluvial flooding, as defined by the Environment Agency's Flood Map for Planning.</p> <p>By contrast, the currently submitted Plan has an amended Limits of Development red outline. Within the extended extent of the Limits of Development is planning application ref. 17/02146/FUL, located on the Eastern side of the settlement.</p> <p>Land within the red line boundary of planning permission 17/02146/FUL lies within Flood Zones 2 and 3. Reference to the National Planning Policy Framework and its accompanying guidance makes clear that development proposal within Flood Zone 2 and 3 should be deemed to have passed the (flooding) Sequential Test and that this determination is made by the Local Planning Authority. Further, whilst the Plan states that planning permission has been granted to this proposal (subject to the completion of a S106 agreement) (page 25 of the Plan, section 4.6), according to Environment Agency records we still have an outstanding formal objection to the proposals due to the absence of an acceptable Flood Risk Assessment (FRA) being submitted as part of the planning application submission.</p>
<b>Gladman Developments Ltd</b> <b>Gladman House</b>		<p><b>Re: Fleckney Neighbourhood Plan Submission (Reg 16) Consultation</b></p> <p>Dear Sir/Madam,</p> <p>This letter provides Gladman Developments Ltd (Gladman) representations in response to the draft version of the</p>

<p><b>Alexandria Way Congleton Business Park Congleton Cheshire CW12 1LB</b></p>	<p>Fleckney Neighbourhood Development Plan (FNP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. This letter seeks to highlight the issues with the plan as currently presented and its relationship with national and local planning policy. Gladman has considerable experience in neighbourhood planning, having been involved in the process during the preparation and examination of numerous plans across the country, it is from this experience that these representations are prepared.</p> <p><b>Legal Requirements</b></p> <p>Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions set out in §8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The basic conditions that the FNP must meet are as follows:</p> <ul style="list-style-type: none"> <li>(a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.</li> <li>(d) The making of the order contributes to the achievement of sustainable development.</li> <li>(e) The making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).</li> <li>(f) The making of the order does not breach, and is otherwise compatible with, EU obligations.</li> <li>(g) The making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.</li> </ul> <p><b>Revised National Planning Policy Framework</b></p> <p>On the 24th July 2018, the Ministry of Housing, Communities and Local Government (MHCLG) published the revised National Planning Policy Framework. The first revision since 2012, it implements 85 reforms announced previously through the Housing White Paper. On 19th February 2019, MHCLG published a further revision to the NPPF (2019) and implements further changes to national policy.</p> <p>§214 of the revised Framework makes clear that the policies of the previous Framework will apply for the purpose of examining plans where they are submitted on or before 24th January 2019. Submission of the FNP ultimately occurred after this date, and the comments below reflect the relationship between Neighbourhood Plans and the National Planning Policy Framework adopted in 2018 and corrected in February 2019.</p> <p><b>National Planning Policy Framework and Planning Practice Guidance</b></p> <p>On 24th July 2018, the Ministry of Housing, Communities and Local Government (MHCLG) published the Revised National Planning Policy Framework (NPPF2018). This publication forms the first revision of the Framework since 2012 and implements changes that have been informed through the Housing White Paper, The Planning for the Right Homes in the Right Places consultation and the draft NPPF2018 consultation. On 19th February 2019, MHCLG published a further revision to the NPPF (2019) and implements further changes to national policy.</p> <p>The Revised Framework sets out the Government's planning policies for England and how these are expected to be applied. In doing so it sets out the requirements of the preparation of neighbourhood plans within which locally-</p>
--	---

	<p>prepared plans for housing and other development can be produced. Crucially, the changes to national policy reaffirm the Government's commitment to ensuring up to date plans are in place which provide a positive vision for the areas which they are responsible for to address the housing, economic, social and environmental priorities to help shape future local communities for future generations. In particular, paragraph 13 states that:</p> <p><b>"The application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies."</b></p> <p>Paragraph 14 further states that:</p> <p><b>"In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:</b></p> <ul style="list-style-type: none"> <li><b>a. The neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;</b></li> <li><b>b. The neighbourhood plan contains policies and allocations to meet its identified housing requirement;</b></li> <li><b>c. The local planning authority has at least a three-year supply of deliverable housing sites (against its five year supply requirement, including the appropriate buffer as set out in paragraph 73); and</b></li> <li><b>d. The local planning authority's housing delivery was at least 45% of that required over the previous three years."</b></li> </ul> <p>The Revised Framework also sets out how neighbourhood planning provides local communities with the power to develop a shared vision for their area in order to shape, direct and help deliver sustainable development needed to meet identified housing needs. Neighbourhood plans should not promote less development than set out in Local Plans and should not seek to undermine those strategic policies. Where the strategic policy making authority identifies a housing requirement for a neighbourhood area, the neighbourhood plan should seek to meet this figure in full as a minimum. Where it is not possible for a housing requirement figure to be provided i.e. where a neighbourhood plan has progressed following the adoption of a Local Plan, then the neighbourhood planning body should request an indicative figure to plan taking into account the latest evidence of housing need, population of the neighbourhood area and the most recently available planning strategy of the local planning authority.</p> <p>In order to proceed to referendum, the neighbourhood plan will need to be tested through independent examination in order to demonstrate that they are compliant with the basic conditions and other legal requirements before they can come into force. If the Examiner identifies that the neighbourhood plan does not meet the basic conditions as submitted, the plan may not be able to proceed to referendum.</p> <p><b>Planning Practice Guidance</b></p> <p>Following the publication of the NPPF2018, the Government published updates to its Planning Practice Guidance (PPG)</p>
--	--

		<p>on 13th September 2018 with further updates being made in the intervening period. The updated PPG provides further clarity on how specific elements of the Framework should be interpreted when preparing neighbourhood plans. Although a draft neighbourhood plan must be in general conformity with the strategic policies of the adopted development plan, it is important for the neighbourhood plan to provide flexibility and give consideration to the reasoning and evidence informing the emerging Local Plan which will be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested against. For example, the neighbourhood planning body should take into consideration up-to-date housing needs evidence as this will be relevant to the question of whether a housing supply policy in a neighbourhood plan contributes to the achievement of sustainable development. Where a neighbourhood plan is being brought forward before an up-to-date Local Plan is in place, the qualifying body and local planning authority should discuss and aim to agree the relationship between the policies in the emerging Neighbourhood Plan, the emerging Local Plan and the adopted Development Plan<sup>1</sup>. This should be undertaken through a positive and proactive approach working collaboratively and based on shared evidence in order to minimise any potential conflicts which can arise and ensure that policies contained in the neighbourhood plan are not ultimately overridden by a new Local Plan.</p> <p>It is important the neighbourhood plan sets out a positive approach to development in their area by working in partnership with local planning authorities, landowners and developers to identify their housing need figure and identifying sufficient land to meet this requirement as a minimum. Furthermore, it is important that policies contained in the neighbourhood plan do not seek to prevent or stifle the ability of sustainable growth opportunities from coming forward. Indeed, the PPG emphasises that;</p> <p>1 PPG Reference ID: 41-009-20160211</p> <p><b>"A wide range of settlements can play a role in delivering sustainable development in rural areas, so blanket policies restricting housing development in some types of settlements will need to be supported by robust evidence of their appropriateness"<sup>2</sup></b></p> <p><b>Relationship to Local Plan</b></p> <p>To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, neighbourhood plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan. The development plan that covers the Fleckney Neighbourhood Plan area and the development plan which the FNP will be tested against is the Harborough Local Plan which was formally adopted by Harborough District Council (HDC) in April 2019. The Local Plan sets out a spatial vision for the area, and key strategic objectives and strategic policies for development. The Inspector's Report into Harborough Local Plan included a modification to Policy IMR1 to deal with an early review should it become apparent that housing is required above that identified in the Local Plan or if Harborough are required to assist Leicester in meeting their housing needs.</p> <p>Clearly therefore, to be effective plans need to be kept up-to-date. The NPPF2019 states policies in local plans and spatial development strategies, should be reviewed to assess whether they need updating at least once every 5 years. Gladman consider it necessary for the Parish Council to ensure sufficient flexibility is established in the FNP policies, ensuring that the plan and the area can respond to a Review of the Local Plan in the future. This degree of flexibility is required to ensure that the FNP is capable of being effective over the duration of its plan period and not ultimately</p>
--	--	--

	<p>superseded by s38(5) of the Planning and Compulsory Purchase Act 2004, which states that:  <b>“if to any extent, a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approached, or published (as the case may be).”</b>  <b>Fleckney Neighbourhood Development Plan</b></p> <p>This section highlights the key issue that Gladman would like to raise with regards to the content of the FNP as currently proposed. It is considered the requirements of national policy and guidance are not always reflected in the plan. Gladman have sought to recommend a modification to ensure compliance with basic conditions.</p> <p><b>Policy F1 – Countryside</b></p> <p>This Policy identifies a settlement boundary for Fleckney and states that land outside of this defined area will be treated as countryside, where development will be carefully controlled to those essential for agricultural operations. Gladman object to the use of settlement boundaries if these preclude otherwise sustainable development from coming forward.  2 Paragraph: 009 Reference ID: 67-009-20190722</p> <p>Policy GD2 in the adopted Harborough Local Plan allows for development adjacent to settlements in various tiers subject to meeting the criteria in the policy. As such, the use of a restrictive settlement boundary would be in direct conflict with basic conditions (a) and (d) if it does not allow for sites coming forward outside of these limits.</p> <p>The Framework is clear that sustainable development should proceed. Use of settlement limits to arbitrarily restrict suitable development from coming forward on the edge of settlements does not accord with the positive approach to growth required by the Framework and is again contrary to basic condition (a) and (d).</p> <p>As currently drafted, this is considered to be an overly restrictive approach and provides no flexibility to reflect the circumstances upon which the FNP is being prepared. Greater flexibility is required in this policy and Gladman suggest that additional sites adjacent to the settlement boundary should be considered as appropriate. Gladman recommend that the above policy is modified so that it allows for a degree of flexibility. The following wording is put forward for consideration:</p> <p><b>“When considering development proposals, the Neighbourhood Plan will take a positive approach to new development that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Applications that accord with the policies of the Development Plan and the Neighbourhood Plan will be supported particularly where they provide:</b></p> <p><b>New homes including market and affordable housing; or</b>  <b>Opportunities for new business facilities through new or expanded premises; or</b>  <b>Infrastructure to ensure the continued vitality and viability of the neighbourhood area.</b>  <b>Development adjacent to the existing settlement will be permitted provided that any adverse impacts do not significantly and demonstrably outweigh the benefits of development.”</b></p> <p>Indeed, this approach was taken in the examination of the Godmanchester Neighbourhood Plan. Paragraph 4.12 of the Examiner's Report states:</p>
--	--

	<p><b>“...Policy GMC1 should be modified to state that “Development ...shall be focused within or adjoining the settlement boundary as identified in the plan.” It should be made clear that any new development should be either infill or of a minor or moderate scale, so that the local distinctiveness of the settlement is not compromised. PM2 should be made to achieve this flexibility and ensure regard is had to the NPPF and the promotion of sustainable development. PM2 is also needed to ensure that the GNP will be in general conformity with the aims for new housing development in the Core Strategy and align with similar aims in the emerging Local Plan.”</b></p> <p><b>Policy F7 – Local Green Spaces</b></p> <p>Policy F7 identifies 15 tracts of land as potential Local Green Space designations. The designation of land as Local Green Space (LGS) is a significant policy designation and effectively means that once designated, they provide protection that is comparable to that for Green Belt land. As such, the Parish Council should ensure that the proposed designations are capable of meeting the requirements of national policy if they consider it necessary to seek LGS designation.</p> <p>The Framework 2018 is explicit in stating at paragraph 100 that '<i>Local Green Space designation will not be appropriate for most green areas or open space</i>'. With this in mind, it is imperative that the plan makers can clearly demonstrate that the requirements for LGS designation are met. The designation of LGS should only be used:</p> <ul style="list-style-type: none"> <li>• Where the green space is in reasonably close proximity to the community it serves;</li> <li>• Where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and</li> <li>• Where the green area concerned is local in character and is not an extensive tract of land.</li> </ul> <p>Gladman further note §015 of the PPG (ID37-015) which states, ‘§100 of the National Planning Policy Framework is clear that Local Green Space designation should only be used where the green area concerned is not an extensive tract of land. Consequently, blanket designation of open countryside adjacent to settlements will not be appropriate.</p> <p>Gladman do not believe that FNP supporting evidence is sufficiently robust to justify the proposed allocation of several of the sites as LGS, given their lack of particularly special features.</p> <p>The issue of whether LGS meets the criteria for designation has been explored in a number of Examiner’s Reports across the country and we highlight the following decisions:</p> <ul style="list-style-type: none"> <li>-- The Sedlescombe Neighbourhood Plan Examiner’s Report<sup>3</sup> recommended the deletion of an LGS measuring approximately 4.5ha as it was found to be an extensive tract of land.</li> <li>- The Oakley and Deane Neighbourhood Plan Examiners Report<sup>4</sup> recommended the deletion of an LGS measuring approximately 5ha and also found this area to be not local in character. Thereby failing to meet 2 of the 3 tests for LGS designation.</li> </ul>
--	---

		<p>- The Alrewas Neighbourhood Plan Examiner's Report<sup>5</sup> identifies both proposed LGS sites 'in relation to the overall size of the Alrewas Village' to be extensive tracts of land. The Examiner in this instance recommended the deletion of the proposed LGSs which measured approximately 2.4ha and 3.7ha.</p> <p>3 <a href="http://www.rother.gov.uk/CHttpHandler.ashx?id=22996&amp;p=0">http://www.rother.gov.uk/CHttpHandler.ashx?id=22996&amp;p=0</a>          4 <a href="https://www.basingstoke.gov.uk/content/doclib/1382.pdf">https://www.basingstoke.gov.uk/content/doclib/1382.pdf</a>          5 <a href="https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Neighbourhoodplans/Downloads/Alrewas/Alrewas-Neighbourhood-Plan-Examiners-Report.pdf">https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Neighbourhoodplans/Downloads/Alrewas/Alrewas-Neighbourhood-Plan-Examiners-Report.pdf</a></p> <p>Highlighted through a number of Examiner's Reports set out above and other 'made' neighbourhood plans, it is considered several sites have not been designated in accordance with national policy and guidance and subsequently are not in accordance with the basic conditions.</p> <p>Gladman suggest that the Parish Council review the evidence supporting the proposed designations and ensure compliance with all the above requirements. Whilst the Parish Council have sought to undertake some form of evidence base it does not overcome the failure to meet the specific policy requirements set out above with regards to the scale of land to be designated, particularly in relation to '<i>F. Leicester Road Recreation Ground</i>' which appears to form an extensive tract of land. In terms of meeting the second test there is no evidence base to support all designated LGSs being 'demonstrably special to a local community.' In relation to their beauty, most are of no particular scenic quality. The Policy has not therefore been made in accordance with basic conditions (a) and (d). Gladman recommend that the LGS Policy be revisited to ensure the designations are compliant in their entirety.</p> <p><b>Policy F10: Housing Mix</b></p> <p>Policy F10, Housing Mix indicates a preference for bungalows and smaller dwellings. The NPPF 2019 sets out that housing policies should be underpinned by relevant and up to date evidence which supports and justifies the policies concerned (para 31). The housing needs for different groups should be assessed to justify any policies on the size, type and tenure of housing including a need for bungalows (older people) and affordable housing (paras 61 &amp; 62). However, whilst it is recognised that all households should have access to different types of dwellings to meet their housing needs, when planning for such, the focus should be on ensuring appropriate sites are allocated to meet the needs of specifically identified groups of households rather than setting a specific housing mix on individual sites. The Fleckney Neighbourhood Plan should ensure that suitable sites are available for a range of development types across a choice of appropriate locations. It is not clear how compliance with the policy should be demonstrated. Policy 10 does not comply with national policy and is not therefore made in accordance with basic condition (a) and should be removed. Matters regarding housing mix are covered by Policy H5 of the Harborough Local Plan 2011-2031. Their repetition in the FNP is superfluous and, to some extent, undermines the Harborough Local Plan. In this regard, Policy F10 does not comply with basic condition (e).</p>
--	--	---

	Policy F13	<p><b>Policy F13: Car Parking and New Housing Development</b></p> <p>The policy requires at least two off-street car parking spaces for each new dwelling and at least four spaces for four bedroom or larger dwellings. On-road parking is a lawful use of the road where traffic regulations permit. The requirement for more than a minimum of 2 off-street parking space for all properties and 4 parking spaces for 4 bed+ properties would represent an inefficient land-use which would be fully occupied only in exceptional circumstances and may not be necessary for all dwelling types (e.g. flats or bungalows). This would necessitate lower housing densities, inefficient land use and would actually serve to reinforce the accumulation of “hidden households”, where the younger car owners would benefit more from local housing growth as a route to home ownership rather than incentives to remain at the family home.</p> <p>The provision of such extreme levels of on-plot car parking is not a sustainable solution, nor is it supported by the Harborough Local Plan, which draws reference to the Leicestershire County Council Highway Design Guide (LCCHDG) for its parking guidelines. From paragraph 3.173 onwards of the LCCHDG, standards are outlined for a maximum of 3 spaces for “four-bedroom dwellings in suburban or rural areas”. For developments over 5 dwellings the LCCHDG defers to the DCLG paper method requiring a mix of “on-plot parking, on-street parking and parking courts”. As such, the policy does not comply with basic conditions (a), (d) and (e) and should be deleted.</p> <p><b>Conclusions</b></p> <p>Gladman recognises the role of neighbourhood plans as a tool for local people to shape the development of their local community. However, it is clear from national guidance that these must be consistent with national planning policy and the strategic requirements for the wider authority area. Through this consultation response, Gladman has sought to clarify the relation of the FNP as currently proposed with the requirements of national planning policy and the strategic policies for the wider area.</p> <p>Gladman is concerned that the plan in its current form does not comply with basic condition (a) in its conformity with national policy and guidance and is contrary to (d) the making of the order contributes to the achievement of sustainable development and (e) for the reasons set out above.</p> <p>Gladman hopes you have found these representations helpful and constructive. If you have any questions do not hesitate to contact me or one of the Gladman team.</p>
--	------------	--