

HARBOROUGH DISTRICT COUNCIL

BROUGHTON ASTLEY REVIEW NEIGHBOURHOOD PLAN DECISION STATEMENT

1. Summary

- 1.1 Following an Independent Examination, Harborough District Council now confirms that the Broughton Astley Review Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum **on 26 November 2026**.

- 1.2 This decision statement can be viewed at:

Harborough District Council Offices

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

opening hours: Monday, Tuesday, Thursday, Friday: 8:45am to 5pm; Wednesday
9:30am to 5pm

- **Broughton Astley Parish Council office, 40 Station Rd, Broughton Astley, Leicester LE9 6PT**
- **Broughton Astley Library, Main St, Broughton Astley, Leicester LE9 6RD**
- **Broughton Astley Leisure Centre, Broughton Way, Broughton Astley, Leicester LE9 6AZ**

2. Background

- 2.1 In July 2012 Broughton Astley Parish Council, as the qualifying body, applied for Broughton Astley Parish to be designated as a Neighbourhood Area for the purpose of preparing a neighbourhood plan. After a six week consultation period the Neighbourhood Area application was approved by Harborough District Council (the Council) on 29 October 2012 in accordance with the Neighbourhood Planning (General) Regulations (2012) 2, Regulation 7.
- 2.2 After a successful referendum the Broughton Astley Neighbourhood Plan was 'made' on 20 January 2014..
- 2.3 Broughton Astley Parish Council as the Qualifying Body took the decision to review the neighbourhood plan and submitted the review plan to the Council on 28 April 2026. A six week consultation period was held from 27 May 2026 to 8 July 2026
- 2.4 The Qualifying Body submitted a statement of the changes to the plan and consideration whether they changed the nature of the Plan. The Council also submitted their statement to the Examiner. Both Council and Qualifying Body considered that the Plan would need an examination and referendum.
- 2.5 The Council, with the agreement of the Qualifying Body, appointed an independent examiner, Dr Louise Brooke-Smith, to review whether the changes to the Plan were significant as to change the nature of the Plan. **The Examiner determined that an examination and referendum would be required.** The examiner considered the changes against the Basic Conditions required by legislation and that the Plan

should proceed to referendum with some modifications.

- 2.3 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 The Director for Planning has agreed that all the Examiner's recommended modifications should be accepted and that the amended Neighbourhood Plan should proceed to a referendum.
- 3.2 The modifications proposed by the examiner have been made to secure that the draft plan meets the basic conditions. **Appendix A** of the decision statement sets out these modifications, the reasons for them and the action to be taken in respect of each of them.
- 3.3 The District Council agrees with the Examiner's view that there is no reason to extend the Neighbourhood Plan area 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 Broughton Astley to help it decide planning applications in the neighbourhood area?'

will be held in the Parish of Broughton Astley.

- 3.5 The date on which the referendum will take place is agreed as **26 November 2026**.

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

Amendment Ref no	Policy No.	Policy Title	Original Text	Examiner comments	Suggested Revised Text	Decision and Reasons
1	BASIC CONDITIONS		n/a	To avoid any confusion, I consider that the BCS is modified to either set out the updated conditions and requirements further to its reference to the LURA, or an addendum statement is prepared by the QB to accompany the BCS	n/a	Agreed, for clarity
2	Para 4.4.13 of the examiners report		n/a	I suggest that it would be helpful for specific reference to be made to the 2026 revised Basic Conditions and the QB may, at its discretion, wish to consider adding an addendum to the BCS referring to this. This is not a formal modification – but is suggested to assist future users of the NP.	n/a	Agreed, for clarity although noting this is not a formal modification

3	Para 5.2.1 of the examiners report		n/a	I The introductory sections, including the vision for the Plan, are clear and explain why the 'made' BANP is being updated. It would have helped, however, if the extant BANP policies had been set out in in table form, with the revised policies so the changes were clearer. While not a formal modification, I suggest that the QB consider clarifying this matter at section 1.4 of the Revised BANP	n/a	Agreed, for clarity although noting this is not a formal modification
4	Para 4.1 of the Plan		Policy DS01 in the emerging Local Plan identifies a net housing requirement for Broughton Astley of 475 homes. Policy SA01 allocates a site for residential development for 475 dwellings on land off Frolesworth Road within the Neighbourhood Area.	The Plan identifies, at the end of the supporting text at 4.1, the emerging Local Plan's proposed allocation of 475 dwellings at Frolesworth Rd (Policy SA01). This is an important fact that underpins several policies. By virtue of stating this, the Revised BANP technically avoids conflict with strategic policy. However, this matter needs	Addition of text to make it expressly clear that the BANDP supports the emerging Local Plan strategic allocation	Agreed for clarity

				to be more explicitly expressed.		
5	4.6	Housing Needs	4.6 Housing Needs 4.5.1 Housing Mix 4.5.2 Affordable Housing etc	Paragraphs following 4.6 of the Revised BANP are incorrectly numbered – they revert to 4.5.1 etc. This should be addressed.	4.6 Housing Needs 4.6.1 Housing Mix 4.6.2 Affordable Housing etc	Agreed for accuracy and clarity
6	4.6	Housing Mix	The 2017 Leicester and Leicestershire Housing and Economic Development Need Assessment identifies a range of factors which influence the need for different types of homes. This includes demographic trends, and in particular a growing older population, market dynamics and affordability.	Paragraph 4.6 refers to the 2017 HEDNA. This was updated in 2022 and should have been picked up by AECOM in its housing needs assessment work. While this doesn't expressly change the wording or intent of Revised BANP housing policies, it is important to note in the supporting text of section 4.6.	The 2017 Leicester and Leicestershire Housing and Economic Development Need Assessment (updated in 2022) identifies a range of factors which influence the need for different types of homes. This includes demographic trends, and in particular a growing older population, market dynamics and affordability.	Agreed for accuracy and clarity
7	Para 1.3	Basic Conditions	n/a	the QB may wish to include additional explanatory text at Paragraph 1.3 of the Revised BANP as follows;	<i>All policies in this Neighbourhood Plan shall be interpreted and applied in a manner that: a) does not prevent or reduce the delivery of housing proposed in the Harborough Local Plan,</i>	Agreed for clarity

					<i>including strategic allocations;</i> <i>b) secures measurable climate-change mitigation and adaptation, consistent with section 98 of the Levelling-up and Regeneration Act 2023;</i> <i>c) supports and takes account of the Leicestershire Local Nature Recovery Strategy, ensuring habitat creation, enhancement and connectivity;</i> <i>d) contributes positively to sustainable development in Broughton Astley.</i>	
8	Para 4.1 and Policy 1	Harborough Local Plan 2011 to 2031 and Residential Site Allocation (figure 2)	The emerging Local Plan identifies the housing requirement for Harborough District as 13,182 up to 2041. The annual housing requirement is 657 homes per year up to	Figure 2, identifying the proposed Witham Villa site fails to identify the potential allocation of land in Frolesworth Rd. Indeed, other than one reference in the text at 4.1, the Frolesworth Rd site is not	<i>As such, I consider that the QB need to identify the Frolesworth Rd Site at Figure 2 and add more explicit supporting text to explain that the Witham Villa site has been identified to complement</i>	Agreed for clarity

			2036, and 534 homes per year between 2036 and 2041. Policy DS01 in the emerging Local Plan identifies a net housing requirement for Broughton Astley of 475 homes. Policy SA01 allocates a site for residential development for 475 dwellings on land off Frolesworth Road within the Neighbourhood Area. 	clearly identified clearly. This needs to be addressed given that the QB are relying on that site in terms of a strategic land allocation.	<i>the emerging LP District housing supply. There should also be an acknowledgement that should the Frolesworth Rd site (SA01) not be formally allocated further to the conclusion of the emerging LP examination, but other land comes forward in its place, that the Revised BANP would be the subject of further revision. This would be consistent with the 2026 Housing Delivery Test.</i>	
9	4.4	Limits to Development	Figure 3	As the Frolesworth Rd allocation has not been formalised, I can	<i>'Development of land in Frolesworth Road, for housing purposes is</i>	Agreed for clarity

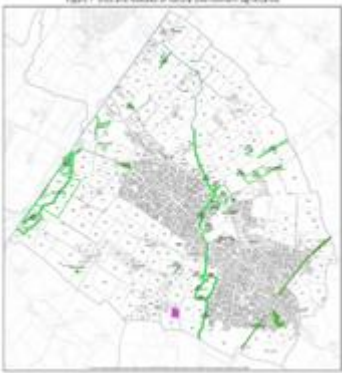
				understand why the QB has chosen to not to highlight it at Figure 3. While I note and welcome the final sentence of Policy 2, clearer explanatory text should be included within Section 4.4 of the Revised BANP to explain that; For consistency, it would also be important to reflect my recommendation for Policy 1 and Figure 2, and identify the Frolesworth Rd site at Figure 3, as an area that might require inclusion within the Limit to Development boundary subject to the adoption of the emerging Local Plan.	<i>acknowledged, in principle, as helping to meet the area's housing needs and is supplemented by the site at Witham Villa. If the Frolesworth Rd site comes forward as a formal development site, further to the adoption of the emerging Local Plan, the 'Limit of Development' will be revised to include it. '</i>	
10	Policy 2 – second para	Limits of Development	Land outside the Limits to Development is treated as open countryside, where development will be carefully managed in line with the provisions of this Neighbourhood Plan,	I recommend that, in addition to appropriate supporting explanatory text referring to the future addition of housing land beyond the existing built form of the village of at Broughton Astley, the	<i>'...Land outside the Limits to Development is treated as open countryside, where development will be supported if it aligns with the strategic policies of the Local Plan, policies within the Neighbourhood Plan</i>	

			the strategic policies of the Local Plan and national policies.	second paragraph of Policy 2 should be redrafted as follows;	<i>and relevant national policies. ‘</i>	
11	Policy 3	Windfall Housing	Although no new housing allocations are required, the Harborough Local Plan identifies Broughton Astley as a settlement suitable for infill development.	The second paragraph of the supporting text suggest that Local Plan requires no new housing allocations but sees the village as suitable for infill development. While this is correct when referring to the extant LP, I recommend that that the sentence is redrafted as follows, to avoid confusion;	<i>‘The extant Harborough Local Plan identified Broughton Astley as a settlement suitable for infill development. The emerging LP suggests that the settlement is suitable for additional larger proposals, as explained earlier in this document.’</i>	Agreed for clarity and accuracy
12	Policy 5	Affordable Housing	Para 4.5.2 supporting text	the policy needs to reflect the district’s overall affordable housing policy (40% on major sites in the adopted Local Plan). The HNA itself warns that exceeding district percentages would need “an extremely high standard of justification” and could harm viability. To address this I recommend that the supporting text	<i>‘The NP does not seek a higher overall percentage than the Local Plan, but guides tenure mix within that percentage. Hence, affordable housing requirements should be applied flexibly where necessary to maintain viability, ensuring that the policy does not reduce the overall delivery of homes required by the Local Plan.’</i>	

				explicitly states within section 4.5.2 of the Revised BANP that;		
13	Para 6.2.3 And Para 3.1	Coventry Road Business Park	Our first Neighbourhood Plan allocated land north of Coventry Road for mixed employment/service and leisure use to provide greater employment opportunities for local people and support the local economy. An outline planning application (Ref: 19/00856/OUT) was submitted for a mixed-use development in May 2019 and it remains undetermined.	The outline planning application (Ref: 19/00856/OUT) for a mixed-use development was determined and reserved matters approved. I am advised that a lawful start has been made on site, but development has not been completed. The current text at para 6.2.3 is therefore inaccurate and requires correcting. While there is never a guarantee that development of any permitted site is completed, for either technical or viability reasons, the approval of consent for this site indicates its potential for development. Similarly, paragraph 3.1 of the Revised BANP referring to the outline planning	Amend text of 6.2.3 and para 3.1 to reflect current status of the applications	Agreed for accuracy

	Policy 11	Coventry Road Business Park	5. Land north of Coventry Road that was allocated for mixed employment/service and leisure use is currently the subject of an outline planning application. POLICY 11: COVENTRY ROAD BUSINESS PARK Some 6.9 hectares of land off north of Coventry Road, as shown on Figure 5 and the Policies Maps, is allocated for mixed-use development. Development will be supported subject to the following criteria:	application of the Coventry Rd site needs updating to state that consent has been granted. Reference is made in the first sentence of the policy to ‘...Figure 5 and the Policies Maps...’ While Figure 5 is clearly indicated, it is unclear what is meant by the ‘Policies Maps’. To avoid confusion, this reference should be either clarified or removed.	Amend Policy 11 to clarify the ‘policy maps’	Agreed for accuracy Agreed for clarity
14	Section 9	Infrastructure	Although we have no plans for additional large-scale development, any major new housing development will still need to contribute to	I have concern that the third paragraph of Section 9 of the Revision BANP states that ‘..we have no plans for additional large-scale development...’ but then	Amend the text to reflect that; if the Frolesworth Rd site does not come forward then alternative provision	Agreed for clarity

			improvements to village services and facilities. However, our Neighbourhood Plan must be deliverable. Therefore, the developments identified in the Plan should not be subject to such a scale of obligations and burdens that their viable implementation is threatened. Contributions are governed by the provisions of the Community Infrastructure Regulations 2010.	accepts that ‘any major new housing development will still need to contribute....’. This is confusing. As noted above, while the Revised BANP does not formally propose major new development, it relies on the emerging LP proposal of housing at Frolesworth Rd. I have requested that this is explicitly explained earlier in this Report. As all parties are aware, if the Frolesworth Rd site does not come forward then alternative provision of the same general magnitude will need to come forward, given the status of the Village. I recommend that reference is made to this fact in the text at Section 9.	of the same general magnitude will need to come forward, given the status of the Village	
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15	Policy 22 Figure 7	SITES AND FEATURES OF NATURAL ENVIRONMENT SIGNIFICANCE		the sites highlighted at Figure 7 are difficult to specifically identify, are not listed out and appear to duplicate some land identified under Policy 21. Furthermore, no key is provided and hence it is unclear what the red/purple designation means. <i>I recommend that the sites and features indicated at Figure 7 are listed out in full with clear cross reference to Appendix D and the assessment undertaken to support the policy. A key should be added to Figure 7. The duplication with the sites proposed as LGS under Policy 21 should be addressed. I consider sufficient protection is offered under Policy 21 and hence the Disused Railway lines (081.082 and 085) and Broughton Lake (050) should be removed for Policy 22.</i>	<i>The sites and features indicated at Figure 7 are listed out in full with clear cross reference to Appendix D and the assessment undertaken to support the policy. A key should be added to Figure 7. The duplication with the sites proposed as LGS under Policy 21 should be addressed.</i> <i>Remove the Disused Railway lines (081.082 and 085) and Broughton Lake (050) from policy 22</i>	Agreed for clarity and consistency
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16	Policy 23	Countryside	POLICY 23: COUNTRYSIDE The Countryside (land outside the Broughton Astley and Sutton in the Elms Limits to Development) will be protected for the sake of its intrinsic character, beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all. Development in the Countryside will be strictly controlled in accordance with Harborough Local Plan Policies SS1, GD3, GD4 and Neighbourhood Plan Policy 1.	It proposes that any new development beyond the limit to development and hence deemed to lie within the 'countryside' should be strictly controlled. It cites extant LP policies and NP Policy 1. I consider the latter to be an error, and it should reference Policy 2. I recommend that Policy 23 should be redrafted as follows;	<i>The countryside (land outside the Broughton Astley and Sutton in Elms Limits to Development) will be protected for the sake of its intrinsic character, beauty, the diversity of its landscape, heritage</i>	Agreed for clarity and accuracy

					<i>and wildlife, the wealth of its natural resources and to ensure that it may be enjoyed by all. Development in the countryside will not be supported unless it fulfills a strategic housing need in accordance with Local Planning policies.</i>	
17	Figure 11.2 and Policy 28	Climate Change and Flood Risk	 Figure 11.2: Flooding events 2012 - 2030 (Flood Risk Zones 1 and 2, and Surface Water) Development proposals within the areas indicated in Figures 11.1 and 11.2 will be required, where appropriate, to demonstrate that the	I am advised that Figure 11.2 has been updated by the Environment Agency (EA) and to assist any user of the Plan, a link to the EA information relating to flood mapping, should be included in the supporting text <i>Reference to Figure 11.2 in the first sentence of the policy should be followed by the phrase; 'or any updated Flood Map issued by the Environmental Agency'.</i>	Development proposals within the areas indicated in Figures 11.1 and 11.2 <i>or any updated Flood Map issued by the Environmental Agency</i> will be required, where appropriate, to demonstrate that the benefit of development outweighs the harm in relation to its adverse impact on climate change targets, and on the likelihood of it conflicting with locally applicable	Agreed for clarity and accuracy

		benefit of development outweighs the harm in relation to its adverse impact on climate change targets, and on the likelihood of it conflicting with locally applicable flood mitigation strategies and infrastructure. Proposals to construct new (or modify existing) floodwater management infrastructure (ditches, roadside gullies, retention pools, etc.), including within or close to the built-up areas, will be supported, provided they do not adversely affect important open spaces or sites and features of natural or historical environment significance. Development proposals of one or more dwellings	<i>-Criterion (vi) is superfluous and criterion (vii) vague with no guidance as to how any users should indicate how they have 'taken climate change into account'.</i> <i>Criterion (viii) is covered by (iii).</i> <i>-I recommend that criteria (vi) (vii) and (viii) are removed from Policy 28 and the remaining criterion renumbered.</i>	flood mitigation strategies and infrastructure. Proposals to construct new (or modify existing) floodwater management infrastructure (ditches, roadside gullies, retention pools, etc.), including within or close to the built-up areas, will be supported, provided they do not adversely affect important open spaces or sites and features of natural or historical environment significance. Development proposals of one or more dwellings and/or for employment or agricultural development should demonstrate that: i. if in a location susceptible to flooding from rivers or surface water, no alternative site to meet the local	
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			and/or for employment or agricultural development should demonstrate that: i. if in a location susceptible to flooding from rivers or surface water, no alternative site to meet the local residential development need is available; ii. its location and design respect the geology, flood risk and natural drainage characteristics of the immediate area and is accompanied by a hydrological study whose findings must be complied with in respect of design, groundworks and construction; iii. it includes a Surface Water Drainage Strategy, subject to viability, which demonstrates that the proposed drainage scheme, and site layout and design, will prevent		residential development need is available; ii. its location and design respect the geology, flood risk and natural drainage characteristics of the immediate area and is accompanied by a hydrological study whose findings must be complied with in respect of design, groundworks and construction; iii. it includes a Surface Water Drainage Strategy, subject to viability, which demonstrates that the proposed drainage scheme, and site layout and design, will prevent properties from flooding from surface water, including allowing for climate change effects, and that flood risk elsewhere will not be exacerbated by increased levels of surface water runoff and that the	
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			properties from flooding from surface water, including allowing for climate change effects, and that flood risk elsewhere will not be exacerbated by increased levels of surface water runoff and that the development will not threaten other natural habitats and water systems; iv. its design includes, as appropriate, sustainable drainage systems (SuDS) with ongoing maintenance provision, other surface water management measures and permeable surfaces; v. proposed SuDs infrastructure includes, where practicable, habitat creation comprising e.g. landscaping, access and egress for aquatic and		development will not threaten other natural habitats and water systems; iv. its design includes, as appropriate, sustainable drainage systems (SuDS) with ongoing maintenance provision, other surface water management measures and permeable surfaces; v. proposed SuDs infrastructure includes, where practicable, habitat creation comprising e.g. landscaping, access and egress for aquatic and terrestrial animals, and native species planting; vi. proposals will not lead to heightened flood risk within the site itself, locally or further downstream in the catchment; and vii. new developments, including their infrastructure, should be	
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			terrestrial animals, and native species planting; vi. it does not increase the risk of flooding to third parties; vii. it takes the effects of climate change into account; viii. surface water run off rates from the site are suitable and sustainable in the face of rapidly intensifying rainfall and flooding events; ix. proposals will not lead to heightened flood risk within the site itself, locally or further downstream in the catchment; and x. new developments, including their infrastructure, should be capable of retaining functionality in the event of exceptional but increasingly common rainfall events including those exceeding 20mm in		capable of retaining functionality in the event of exceptional but increasingly common rainfall events including those exceeding 20mm in an hour and over 200mm in 24 hours.	
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			an hour and over 200mm in 24 hours.			
18	Policy 29	SITES OF HISTORICAL ENVIRONMENT SIGNIFICANCE		It would help any user of the Plan if the sites subject to Policy 29 are listed out within the supporting text and a clear key is added to Figure 12. Some sites have been scored highly in the inventory at Appendix D but not included in Figure 12. It is unclear whether this is an oversight. The sites concerned are; 001 St Marys Churchyard, 014 Baptist burial ground and 314 Iron Age site. This should be addressed for consistency.	Add key to Figure 12. List sites in supporting text. Clarify status of 001 St Marys Churchyard, 014 Baptist burial ground and 314 Iron Age site	Agree for clarity and consistency