Billesdon Neighbourhood Development Plan 2013 - 2028

Report by Independent Examiner

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CHEC Planning Ltd

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Introduction

1. I was appointed as an independent Examiner for the Billesdon Neighbourhood Development Plan 2013 - 2028 in March 2014.

2. On 29 October 2012, Harborough District Council (HDC) approved that the Billesdon Neighbourhood Area be designated in accordance with the Neighbourhood Planning (General) Regulations 2012. The Area covers the whole of the parish of Billesdon.

3. The qualifying body is Billesdon Parish Council. The plan has been prepared by the Billesdon Neighbourhood Development Plan Group (BNDPG), which is led by Billesdon Parish Council. The plan covers the period to 2028.

Legislative Background

4. As an independent Examiner, I am required to determine, under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether:

    - the policies in the Plan relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004;

    - the Plan meets the requirements of Section 38B of the 2004 PCPA where the plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one Neighbourhood Area; and

    - that the Plan has been prepared for an area that has been designated under the Localism Act 2011 and has been developed and submitted for examination by a qualifying body.

5. Subject to the modifications I have recommended in this report, I am content that these requirements have been satisfied.

6. I am obliged to determine whether the plan complies with the Basic Conditions. These are that the Plan is required to:

    - have regard to national policies and advice contained in guidance issued by the Secretary of State;

    - contribute to the achievement of sustainable development;

    - be in general conformity with the strategic policies contained in the Development Plan for the area; and

    - not breach, and is otherwise compatible with, EU obligations and human rights requirements.

7. HDC has prepared a Strategic Environmental Assessment Screening Report, within which it has stated that the Plan does not require a full Strategic Environmental Assessment and does not require an assessment for future development under Article 6 or 7 of the Habitats Directive.

8. I am satisfied that the Plan is compatible with EU obligations and does not breach the European Convention on Human Rights obligations.

Policy Background

9. *The National Planning Policy Framework 2012* (NPPF) sets out the Government's planning policies for England and how these are expected to be applied.

10. Prior to my examination of the Plan, the Government published the *Planning Practice Guidance*. Having regard to the issues addressed in the Plan, the evidence base and the representations submitted, I am satisfied that no party's interests will be prejudiced by my judging the Plan and representations against the *Planning Practice Guidance*.

11. Billesdon Parish is within the local authority area of Harborough District Council (HDC). The development plan for the Billesdon Neighbourhood Development Plan Area comprises the *Harborough District Local Development Framework: Core Strategy 2006 – 2028*, adopted in 2011. The strategic policies in the Core Strategy include policies regarding climate change, the provision of housing and the protection and enhancement of green infrastructure.

The Neighbourhood Plan Preparation

12. I am required under The Localism Act 2011 to check the consultation process that has led to the production of the plan. The requirements are set out in Regulation 14 in The Neighbourhood Planning (General) Regulations 2012.

13. The initial consultation process included public open meetings, questionnaires, primary school projects and consultation with managers of services and facilities. Reports on each consultation were printed in monthly articles in the Billesdon and District Parish News and Views, which is received in every dwelling within the Neighbourhood Area.

14. The Consultation period on the pre-submission draft of the Plan ran from 12 August 2013 to 23 September 2013. The pre-submission draft of the Plan was placed on the village website and hard copies were posted into every home and business in the Parish. Copies were made available in the doctor's surgery and Community Post Office. During the consultation period, there were two information events. 47 representations were received. A

summary of all comments was prepared together with an analysis of comments and proposed changes to the Plan arising from these comments.

15. I am satisfied that the pre-submission consultation and publicity has met the requirements of Regulation 14 in The Neighbourhood Planning (General) Regulations 2012. The consultation and publicity went well beyond the requirements and it is clear that the BNDPG went to considerable lengths to ensure that local residents were able to engage in the production of the Plan. I congratulate them on their efforts.

16. HDC publicised the submission Plan for comment during the publicity period between 9 December 2013 and 24 January 2014 in line with Regulation 16 in The Neighbourhood Planning (General) Regulations 2012. A total of 17 responses were received. I am satisfied that all these responses can be assessed without the need for a public hearing.

17. Some responses suggest additions and amendments to policies. My remit is to determine whether the Plan meets the Basic Conditions. Where I find that policies do meet the Basic Conditions, it is not necessary for me to consider if further suggested additions or amendments are required. Whilst I have not made reference to all the responses in my report, I have taken them into consideration.

18. I have been provided with detailed evidence base in background supporting documents. This has provided a useful and easily accessible source of background information.

The Billesdon Neighbourhood Development Plan 2013-2028

Background To The Neighbourhood Plan

19. The Plan area covers the whole Parish of Billesdon. The background section includes Policy BP1, which is a general policy referring to the NPPF and the Core Strategy. Background information in this section includes a Parish Profile and a summary of the consultation process. As such, this section provides a clear background to the Plan.

Community Vision

20. A clear Community Vision for the Parish has been established with regard to maintaining the character of Billesdon and developing a sustainable community.

Key Issues

21. Five groups of Key Issues have been identified to set the focus of the Plan. These Key Issues provide a useful, clearly defined context for the policies.

Housing

POLICY BP2: HOUSING PROVISION

22. Billesdon is identified as a Rural Centre in the Core Strategy. *Supporting Document: E, The Number of New Dwellings* refers to the distribution of new dwellings between four Rural Centres. It states that based on the proportion of Chargeable Council Tax Properties in each of the Rural Centres, Billesdon should provide for 56 of the 430 dwellings required.

23. Taking into account existing planning permissions, including 4 new house builds with planning permission and permission for 15 new dwellings on the 'garage site' and the views of the community on an appropriate scale for new housing, Policy BP2 in the Plan allocates a target of 45 new dwellings over the plan period. From the information provided to me, I consider this figure provides the best guidance on total housing numbers for the parish.

24. Core Strategy Policy CS2 refers to the overall housing provision for the District as a minimum, using the wording 'at least'. I recommend that the reference to a target of 45 dwellings in Policy BP2 be stated as a minimum. The maximum numbers can be determined on a site - by site basis, taking into consideration site constraints. Similarly, for the same reasons, the target figures for specific site allocations in Policies BP4 and BP5 should be expressed as minimum numbers of dwellings. I consider this approach ensures that Policy BP2 is in general conformity with strategic policy in the Core Strategy and thus meets the Basic Conditions.

25. **Recommendation: modification to Policy BP2 by the insertion of 'a minimum of' before '45 dwellings'.**

POLICY BP3: HOUSING ALLOCATIONS

26. This Policy allocates housing sites following public consultation on alternatives.

27. Concern has been raised with regard to the site selection process for housing sites. I have been provided with *Supporting Document: F, Site Selection Framework*, which outlines the site selection process. A traffic light system (RAG) was used to assess the suitability of a number of potential sites. A Weighted Total Score was produced for the 37 criteria for each of these potential sites. The RAG scores for community support were derived from three community consultations. The preferred sites were allocated in a three-stage process.

28. From the supporting documentation, I consider that the site selection process was transparent and it does appear that local residents had a

number of opportunities to make their views known with regard to potential housing sites.

29. Representations have referred to the suitability of the allocated housing sites. In particular, the access to site A and flooding concerns and landscape qualities of the allocated sites in comparison with other potential sites. The Highway Authority has not raised concerns with regard to access to allocated sites. Similarly, statutory authorities have not raised other significant concerns. In this rural area, it is inevitable that the level of development required will have an impact on the rural landscape to some degree.

30. Subject to my comments with regard to the details of the site-specific allocations below, from my site visits, the evidence base and the representations received, I am satisfied as far as I can reasonably be expected to be, that the allocated sites and reserve site have no physical constraints to prevent them being delivered.

31. I note representations with regard to other potential housing sites, which have not been allocated. I consider that the two identified sites and the reserve site meet the Basic Conditions, particularly with regard to the total housing requirement for the Plan area. They are deliverable and they are the Community preferences. Thus, I do not consider it necessary for the inclusion of additional, or alternative, sites.

32. Representation has been made with regard to increasing the area of the reserve site to include the adjacent land at Gaulby Road. The reserve site provides some flexibility. Additional flexibility would be provided by my proposed modification to Policy BP2 with regard to allocating a minimum number of new dwellings.

33. Policy BP3 and Paragraph 11.7 recognise the need for consideration of a future review of the Plan. Until such time as it is necessary to review the Plan, I see no compelling reason to expand the area of the reserve site.

POLICY BP4: LAND TO THE NORTH OF HIGH ACRES, UPPINGHAM ROAD (Site A) and POLICY BP5: LAND EAST OF ROLLESTON ROAD (Site B)

34. Core Strategy Policy CS3 seeks a minimum of 40% of the total number of new dwellings to be affordable housing, subject to viability, in the Harborough Rural North and Central Sub-Market area, within which Billesdon lies.

35. The Evidence Base recognises the acute need for affordable rural housing in the District and indicates a requirement for 15 affordable homes in the Plan area.

36. Policies BP4 and BP5 both require at least 30% of the proposed new dwellings to be affordable housing on the allocated sites. The justification in

the Plan for the lower proportion of affordable dwellings is to provide bungalows for elderly and downsizing residents and higher standards of building design. Thus, the justification states that the lower proportion would maintain economic deliverability.

37. I realise that with a 30% minimum provision of affordable dwellings the likely number of affordable dwellings to be provided on the allocated sites would be close to the indicative requirement of 15 affordable dwellings. However, in order for the 40% minimum requirement in the Core Strategy to be reduced, I need to be convinced that there is robust justification for the number of bungalows sought and the higher standards of building design. In particular, I need to be assured that these requirements would not undermine the deliverability of affordable housing and the deliverability of dwellings on the allocated sites.

38. It is not in dispute that there is an acute need for affordable housing in the District. The Parish Profile indicates that the age profile of residents in Billesdon Parish is similar to Britain as a whole, with a slightly higher proportion of people between the ages of 60 and 84. A total of at least 7 bungalows is specified to be provided on the two allocated housing sites in the Plan. I see no robust and credible evidence base to justify this policy approach. I consider the requirement for such a provision could have a detrimental effect on the deliverability of affordable housing. This would be contrary to policy in the NPPF with regard to meeting identified need for affordable housing. In addition, without robust and credible evidence identifying the need for bungalows, such specific requirement could have an adverse effect on the deliverability of these sites.

39. Although I recommend reference to the requirement for bungalows is deleted from the site-specific policies**,** this does not preclude developers from proposing the development of bungalows on the allocated residential development sites, if there is market demand.

40. Policy BP4 requires at least 33% of the dwellings on site A to be designed to achieve Code for Sustainable Homes level 4 or above. Policy BP5 requires all dwellings on site B to achieve level 4 or above. While such levels encourage sustainable design, I see no robust and credible evidence to justify this specific percentage approach.

41. I have found that the requirement for bungalows and a specific proportion of dwellings designed to level 4 and above cannot be justified. As these specific requirements were the reasoning behind the reduction in affordable housing provision, I recommend deletion of these requirements. As such, it follows that the affordable housing requirement should be increased to a minimum of 40% in accordance with Core Strategy CS3. This will meet the Basic Conditions.

42. Sometimes, there is more than one way for a Policy to be modified to meet the Basic Conditions. In this particular instance, I consider that there is a second option that would meet the Basic Conditions and at the same time go someway towards meeting the preferences of the local community.

43. The *Code for Sustainable Homes* encourages sustainable design. As such, a requirement for a proportion of the proposed dwellings to achieve level 4 or above would contribute to the achievement of sustainable development. Therefore, my second option is to retain a requirement for a proportion of the dwellings to be built to achieve level 4 or above.

44. Levels 4 and above are high levels to attain. In order to ensure viability and deliverability, it is necessary to modify the site allocation policies to state that a proportion of the dwellings should achieve level 4 or above subject to viability, in accordance with paragraph 173 in the NPPF.

45. As regards the mix of housing types, I realise that the Evidence Base recognises that the *2007/2008 Leicester and Leicestershire Strategic Housing Market Assessment* provides very little information at parish level with regard to the mix of housing likely to be needed.

46. Both Policies BP4 and BP5 require at least 50% of the dwellings on the allocated sites to be two or three bedroom properties. I have no robust and credible evidence before me to justify this requirement. To ensure that the housing sites are delivered, it is imperative that the mix of housing types is informed by evidence.

47. To ensure the deliverability of a mix of housing types to meet identified needs, I recommend deletion of the specific requirement for two or three bedroom properties in these policies and replacement with wording similar to that found in Core Strategy Policy CS2, with regard to a mix of housing. This will meet the Basic Conditions.

48. To ensure viability I consider all requirements referred to above are subject to viability, in accordance with paragraph 173 in the NPPF. This will meet the Basic Conditions.

49. **Recommendation: Option 1. Policy BP4. Delete criterion a. and replace with:**

The development provides for a target of a minimum of 35 dwellings.

At least 40% of the dwellings shall be affordable housing. A mix of housing types will be required. The affordable housing and mix of housing requirements to be informed by the most up to date Strategic Housing Market Assessment or other local evidence and to be subject to viability, in accordance with paragraph 173 in the NPPF.

Recommendation: Option 1. Policy BP5. Delete criterion a. and replace with:

The development provides for a target of a minimum of 10 dwellings.

At least 40% of the dwellings shall be affordable housing. A mix of housing types will be required. The affordable housing and mix of housing requirements to be informed by the most up to date Strategic Housing Market Assessment or other local evidence and to be subject to viability, in accordance with paragraph 173 in the NPPF.

Recommendation Option 2. Policy BP4. Delete criterion a. and replace with:

The development provides for a target of a minimum of 35 dwellings.

At least 40% of the dwellings shall be affordable housing. A mix of housing types will be required. The affordable housing and mix of housing requirements to be informed by the most up to date Strategic Housing Market Assessment or other local evidence. A proportion of dwellings shall be designed to achieve Code for Sustainable Homes level 4 or above, or equivalent. All these requirements to be subject to viability, in accordance with paragraph 173 in the NPPF.

Recommendation: Option 2. Policy BP5. Delete criterion a. and replace with:

The development provides for a target of a minimum of 10 dwellings.

At least 40% of the dwellings shall be affordable housing. A mix of housing types will be required. The affordable housing and mix of housing requirements to be informed by the most up to date Strategic Housing Market Assessment or other local evidence. A proportion of dwellings shall be designed to achieve Code for Sustainable Homes level 4 or above, or equivalent. All these requirements to be subject to viability, in accordance with paragraph 173 in the NPPF.

POLICY BP6: AFFORDABLE HOUSING

50. Core Strategy Policy CS2 requires the tenure split for all affordable housing to be flexible, to represent housing need at the time of the consideration of a planning application. To ensure conformity with this strategic policy, reference to the requirement for most affordable housing to be 2 bedroom for social rent should be deleted from Policy BP6. The plan period is until 2028 and the type of affordable housing needed may alter during the plan period.

51. **Recommendation: modification to Policy BP6 by deleting the second sentence. Delete the last two sentences in paragraph 4.8.**

POLICY BP7: DESIGN

52. This policy refers to the Billesdon Village Design Statement, which has been incorporated into the Plan. This Statement identifies design principles based on the distinctive local character of the settlement to guide future development and maintenance.

53. Policy BP7 has regard to the NPPF, particularly paragraphs 58 and 59 in the context of design guidance and paragraph 60 with regard to promoting local distinctiveness. In addition, it is in general conformity with Policy CS11 in

the Core Strategy, particularly with regard to local character and distinctiveness. As such, Policy BP7 meets the Basic Conditions.

Employment

POLICY BP8: WORKING FROM HOME

54. Policy BP8 recognises the importance of home working. Whilst home working does not usually require planning permission, this policy specifically refers to *development that enables home working*. This may be extensions to dwellings or outbuildings. Where planning permission is required for development that enables home working, I am satisfied that this policy has regard to the NPPF in respect of supporting a prosperous rural economy.

POLICY BP9: SUPERFAST BROADBAND

55. Major constraints to businesses of every size in the Parish are the low local internet connection speeds. Policy BP9 seeks the provision of good internet connectivity. Such intentions are compatible with NPPF policy to support high quality communications infrastructure. However, this policy specifically stipulates a minimum connection speed of 24Mbps. Whilst this is a laudable aim, a developer cannot be held to this requirement as connection speeds are dictated by the internet provider.

56. Paragraph 5.7 refers to the importance of all new employment and housing development being ready to receive Superfast Broadband. Policy BP9 only refers to this requirement for new dwellings and not for employment premises. This appears to be an omission in the Policy.

57. **Recommendation: modification to Policy BP9 by deleting the first sentence. In the interest of clarity, modification to the second sentence to read:**

All new dwellings and employment buildings should incorporate ducting capable of accepting fibre to enable Superfast Broadband.

POLICY BP10: THE LCC DEPOT (GAULBY ROAD)

58. The redevelopment or re use of this site for employment purposes would have regard to the NPPF in respect of supporting a prosperous rural economy. Having visited the site, I see the importance of the need for measures to ensure that HGVs are discouraged from the village centre.

59. The explanation to Policy CS7 in the Core Strategy encourages the provision of starter units within the District. The proposal to provide a small number of starter units is in conformity with this Core Strategy Policy.

60. **Recommendation: modification to Policy BP10 by deleting criterion f in accordance with my recommendation for Policy BP9 with regard to internet connection.**

POLICY BP11: BUSINESS IN THE COUNTRYSIDE

61. The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 allows existing redundant agricultural buildings of 500m² or less to change to a range of new business uses, to boost the rural economy whilst protecting the open countryside from development. Prior approval is required for such a change of use of buildings between 150 - 500m².

62. The *Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014* came into force on 6 April 2014, during my Examination of this Plan. This allows, under certain circumstances, the change of use of agricultural buildings to residential use and change of use of agricultural buildings to registered nurseries providing childcare or state-funded schools, under the prior approval system.

63. It is not necessary to replicate national policy in the Plan. However, in the interest of clarity, I recommend reference is made to this legislation in paragraph 5.10 and Policy BP11, explaining that development allowed under Policy BP11 is in addition to that allowed under the General Permitted Development Order.

64. **Recommendation: modification to paragraph 5.10 and Policy BP11 to clarify that development supported in Policy BP11 is in addition to that allowed under the General Permitted Development Order.**

Services and Facilities

POLICY BP12: RETENTION OF KEY SERVICES AND FACILITIES

65. This policy seeks to prevent the loss of existing facilities. This is in keeping with the status of Billesdon as a Rural Centre.

POLICY BP13: INFRASTRUCTURE

66. This policy lists infrastructure requirements identified by the local community. It may not be appropriate for some development, particularly small-scale development, to make such financial contributions. Therefore, Policy BP13 should require financial contributions 'as appropriate'.

67. Financial contributions towards education provision are triggered by the additional school places arising from the development. This needs to be reflected in Policy BP13.

68. Policy BP13, as modified by my recommendations, would meet the Basic Conditions. It would be in general conformity with Core Strategy Policy CS12 and have regard to paragraph 173 in the NPPF.

69. **Recommendation: modification to the first paragraph and criterion a in Policy BP13 to read as follows:**

New development will be supported by the provision of new or improved infrastructure as set out in policies BP4, BP5, BP9, BP10 and BP14, together with financial contributions as appropriate for the following off-site infrastructure requirements:

a. the provision of additional school places at Billesdon Parochial Primary School and secondary schools arising from the development. This should include measures that address local traffic congestion and parking problems associated with the Primary School.

POLICY BP14: WATER MANAGEMENT

70. This Policy is in general conformity with Core Strategy Policy CS10 with regard to addressing flood risk. It meets the Basic Conditions.

POLICY BP15: RETAIL

71. It is necessary for Neighbourhood Development Plans to provide '*a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency'* as stated in the core planning principles in paragraph 17 in the NPPF.

72. Whilst the retention of existing retail establishments is clearly an important consideration, it is difficult to see how the requirement in Policy BP15 for new retail development to '*not adversely affect more accessible convenience shopping'*, would work in practice. This requirement restricts healthy competition and there is no robust evaluation mechanism in the Plan. Similarly, it is not practical to monitor that the produce sold in farm shops is local produce sold *in a sustainable way*. These detailed requirements do not provide a practical framework for decision making and thus do not have regard to the NPPF in this respect.

73. **Recommendation: modification to Policy BP15 to meet the Basic Conditions to read as follows:**

Planning applications for the conversion or extension of shops and leisure uses, including public houses, which are designed to improve their viability, will be supported. The conversion of rural buildings to farm shops, which contribute to the rural economy, will be supported.

Traffic and Transport

POLICY BP16: TRAFFIC MANAGEMENT and POLICY BP17: PARKING

74. Having driven around the village of Billesdon, I appreciate the problems raised by the Community with regard to traffic and parking. In particular, I realise the challenges of driving along the narrow roads of Brook Lane and Church Street and the parking problems. The evidence base shows a limited public transport provision with a strong dependence on the private car.

75. In the interest of clarity, Policy BP17 should include parking spaces for dwellings greater than four-bedroom. Subject to this modification, Policies BP16 and BP17 set out a clear strategy to address the current traffic and parking issues.

76. **Recommendation: modification to Policy BP17 to include the words 'or larger dwellings' at the end.**

POLICY BP18: TRAVEL PACKS

77. This is not a land use and development policy. Therefore, I recommend that the policy be deleted. The details can be retained in paragraph 7.7 with respect to travel packs, but it should be made clear in this paragraph that travel packs are not a policy requirement.

78. **Recommendation: delete policy BP18. Amend Paragraph 7.7 to indicate that travel packs are not a land use policy requirement in this Plan.**

Environment

POLICY BP19: COUNTRYSIDE AND LANDSCAPE

79. To ensure the Plan has regard to National Policy, this policy needs to have regard to a presumption in favour of sustainable development and reflect the wording in the core principles in the NPPF.

80. **Recommendation: modification to Policy BP19 as follows:**

Account should be taken of the intrinsic character and beauty of the countryside of the Parish and the need to support thriving rural communities within it, in the context of a presumption in favour of sustainable development.

POLICY BP20: LOCAL GREEN SPACES

81. A Local Green Space definition is not appropriate for most green spaces. A criterion in the NPPF requires a Local Green Space to be demonstrably

special to a local community and hold a particular local significance, for example because of its beauty, historical significance, recreational value, tranquillity or richness of wildlife.

82. Part of the site of the Billesdon Baptist Chapel is allocated as Local Green Space. The Trustees have objected to this allocation stating that the land is used as a private garden, over which the public have no acquired rights of access or rights of way.

83. An area of land does not have to be in public ownership to be designated as a Local Green Space or have public access. Nevertheless, it does not appear to be the intention of the designation to allocate private gardens as a general rule as Local Green Space. If that were the intention, there would be many instances where there would be a case for designation of well-landscaped private gardens. Having viewed the Chapel site, I see little difference in terms of local significance between this site and other gardens in Brook Lane. Therefore, I do not consider that the Chapel site holds a particular local significance. In addition, the site has a level of protection already, as it lies within the Conservation Area,

84. **Recommendation: modification to the Proposal Map by deleting the Chapel site as a Local Green Space.**

POLICY BP21: BIODIVERSITY

85. Some development will have absolutely no impact on areas of biodiversity. New development can only be expected to maintain and enhance ecological features and habitats if appropriate to the development.

86. **Recommendation: modification to Policy BP21 to include the words 'if appropriate' at the end of the policy.**

POLICY BP22: LOCAL HERITAGE ASSETS

87. This policy identifies two Local Heritage Assets. It may well be that these two sites are worthy of such identification. Unfortunately, a Neighbourhood Development Plan cannot identify Local Heritage Assets. It is for local authorities to identify such sites.

88. **Recommendation: delete Policy BP22. Amend paragraph 8.7 accordingly.**

POLICY BP23: CLIMATE CHANGE

89. This policy encourages energy efficiency, compatible with the Basic Condition of achieving sustainable development.

Referendum and the Billesdon Neighbourhood Development Plan Area

90. I am required to make one of the following recommendations:

- the Plan should proceed to Referendum, on the basis that it meets all legal requirements; or
- the Plan as modified by my recommendations should proceed to Referendum; or
- the Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.

91. **I am pleased to recommend that the Billesdon Neighbourhood Development Plan as modified by my recommendations should proceed to Referendum.**

92. I am required to consider whether or not the Referendum Area should extend beyond the Billesdon Neighbourhood Development Plan Area. I see no reason to alter or extend the Neighbourhood Development Plan Area for the purpose of holding a referendum.

Summary and Conclusion

93. The Billesdon Neighbourhood Development Plan has a clear Community Vision and sets out clear Key Issues.

94. I have recommended modification to some of the policies in the Plan. In particular, I have recommended that housing figures should be expressed as a minimum. I have found there is no robust and credible evidence to allow for a reduction in affordable housing provision to provide bungalows. Higher standards of building design to meet level 4 or above in the Code for Sustainable Homes are acceptable, subject to viability. I have recommended that the tenure of affordable houses is in accordance with HDC policy. Subject to my recommendations, I am satisfied that the housing sites identified in the Plan are deliverable.

95. Whilst I realise the importance of fast broadband speed, a developer cannot be required to provide such connections. Therefore, I have recommended deletion of this requirement from Policy BP9.

96. I have recommended deletion of Policy BP18 regarding travel packs as this is not a land use and development policy. I have recommended deletion of Policy BP22 as Neighbourhood Development Plans cannot designate Local Heritage Assets.

97. My recommendations ensure that the Plan meets the Basic Conditions. Subject to my recommendations being accepted, I consider that the Billesdon Neighbourhood Development Plan will provide a strong practical framework against which decisions on development can be made.

Minor Modifications

98. The Plan is a well-written document, which is easy to read. Where I have found errors, I have identified them above.

99. As a consequence of my recommendations, there are minor amendments required which I have not specifically identified. These are a revision of policy numbering following my recommendation to delete Policies BP18 and BP22 and revisions to the non-technical summary at the beginning and the summary at the end of the Plan to reflect my recommendations.

Janet Cheesley **Date** 5 May 2014

Appendix 1 Background Documents

The background documents include

The National Planning Policy Framework (The Framework) (2012)
The Planning and Compulsory Purchase Act 2004
The Localism Act (2011)
The Neighbourhood Planning Regulations (2012)
The Planning Practice Guidance (2014)
Code for Sustainable Homes (2006)
Harborough Core Strategy (Adopted 2011)
Strategic Environmental Assessment Screening Report
Regulation 16 Representations
Supporting Documentation:
A: Consultation Statement
B: Basic Conditions Statement
C: Equality Impact Assessment
D: Evidence Base (D1/D2)
E: Number Of New Dwellings
F: Site Selection Framework
G: Sustainability Audit Report
H: Parish Profile