

East Langton 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
<p>Andrew Granger and Co</p> <p>On behalf of Leicester Diocesan Board of Education</p>		<p>1. Introduction</p> <p>1.1. Andrew Granger & Co. Ltd specialises in the promotion of strategic land for residential development and commercial uses. As a company we are heavily involved in the promotion of client's land through various Neighbourhood Plans and also have vast experience in contributing to the Local Plan preparation process throughout the country.</p> <p>1.2. On behalf of our client, the Leicester Diocesan Board of Education, we have sought to work with the East Langton Neighbourhood Plan Group, in promoting the subject site, land rear of the Hanbury Centre, Church Langton (Appendix 1), for residential development.</p> <p>1.3. The document provides a written submission to Harborough District Council on the East Langton Neighbourhood Plan Submission Consultation.</p> <p>2. Planning Context</p> <p>2.1. We have made Harborough District Council (HDC) aware of the sites availability for development through various submissions, including to the 'Call for Sites' as part of the Strategic Housing Land Availability Assessment (SHLAA). We have also submitted a response to the HDC Local Green Space Consultation in which we have objected to the designation of the site as Local Green Space.</p> <p>2.2. We have informed the East Langton Parish Council of the site's development potential. The Parish Council was informed that the site was being promoted for residential development at a meeting on 23rd December 2015.</p> <p>2.3. Church Langton has been identified by HDC (in the adopted Core Strategy) as a Selected Rural Village and as such is required to accommodate a level of residential development in keeping with the existing built form and character of the village. This is further emphasised by the fact that HDC is currently unable to demonstrate a 5 year</p>

	<p>supply of deliverable land. Therefore, in line with guidance contained within the National Planning Policy Framework (NPPF), the development framework and housing policies are deemed out of date and the presumption in favour of sustainable development prevails.</p> <p>2.4. An outline planning application for the erection of 9 dwellings with associated vehicular access was submitted and subsequently withdrawn by Andrew Granger & Co. on behalf of the client. A public consultation event was held in Church Langton Community Centre on Tuesday 6th September 2016, where details about the proposal were made available to members of the public.</p> <p>2.5. At this consultation event, residents highlighted their concerns about the limited recreational facilities within the village, and as such our clients are seeking to address this issue through a revised application for 5 dwellings, with a formal Children's Play Area, and associated vehicular access. Further details of this proposal will be made available to members of the public as they are formulated.</p> <p>3. Site and Development Potential</p> <p>3.1. The developable area of the site, outlined in red (Appendix 1), measures approximately 1.74 acres and sites adjacent to the Planned Limits to Development for Church Langton as designated by Harborough District Council.</p> <p>3.2. The site consists of a single paddock, has clear boundaries and is surrounded by residential properties to the south on Thornton Crescent, and to the west on Old School Walk; by the school playing fields to the north, and by agricultural fields to the east.</p> <p>3.3. The site is well placed with regards to its proximity to local services within Church Langton, including the Church of England Primary School which borders the site, as well as a Public House and 14th Century Church.</p> <p>3.4. The site is in a highly accessible location public transport links providing access to wider service and employment opportunities in Market Harborough (<i>approx. 4.8 miles</i>). The site also has access to the Kibworths (<i>approx. 3.1 miles</i>), Great Glen (<i>approx. 6.8 miles</i>), and Leicester City Centre (<i>approx. 12.8 miles</i>), all via the A6.</p> <p>3.5. We propose that the site could deliver approximately 5 dwellings, with associated garaging and vehicular access. In line with the aims of the submitted Neighbourhood Plan, we propose to deliver a mix of dwelling sizes.</p> <p>3.6. The proposed development will also include a formal Children's Play Area, which would include a range of quality equipment.</p> <p>3.7. The public footpath which crosses the site could be retained in its current position; and the site is not in an area of</p>
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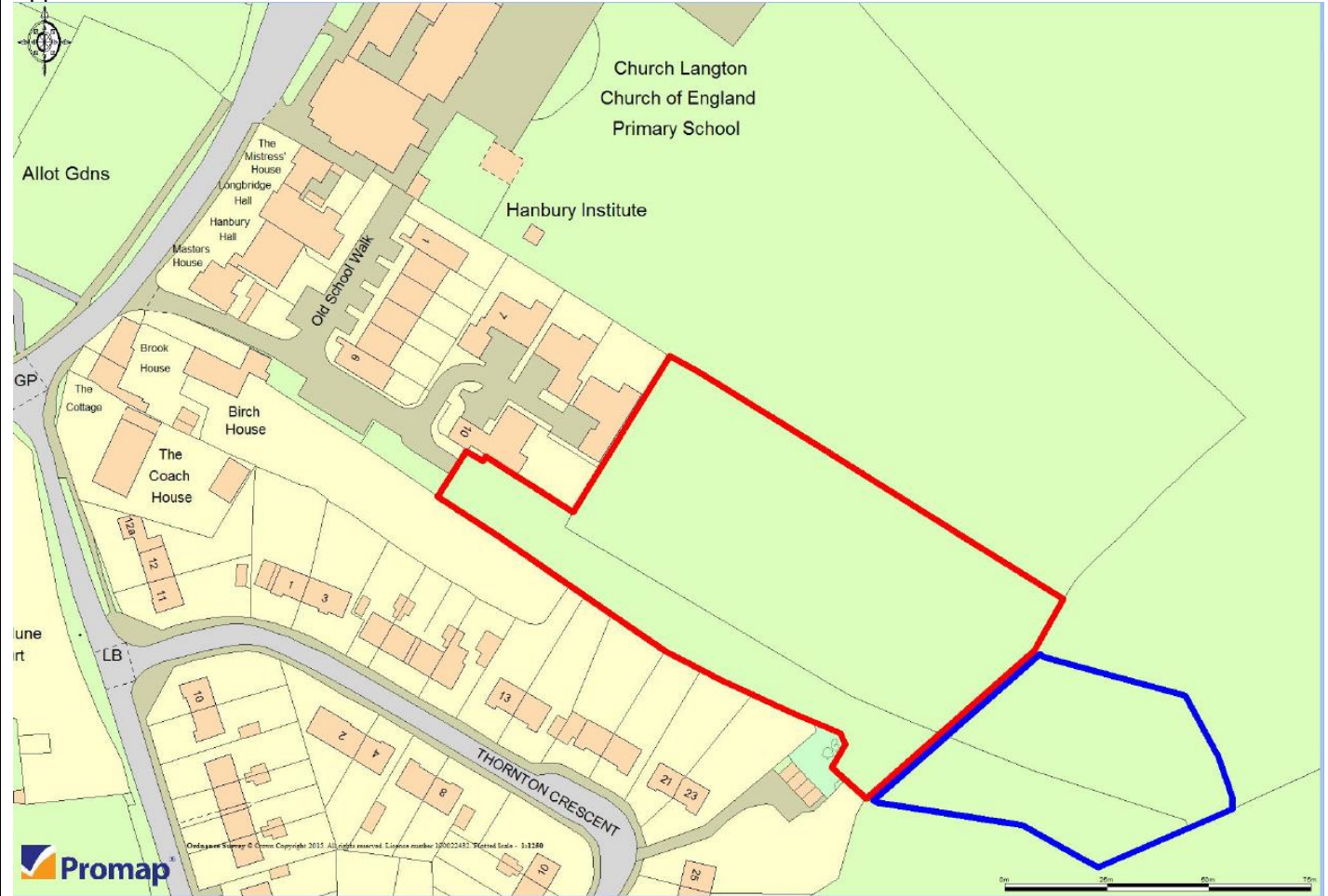
	<p>Policy S1: Presumption in Favour of Sustainable Development</p> <p>Policy H1: Housing Provision</p> <p>Policy H2: Windfall Sites</p>	<p>significant flood risk, and sits adjacent to the Church Langton Conservation Area.</p> <p>3.8. Therefore, we consider the site to provide a significant development opportunity.</p> <p>4. Comments on the Submission Version of the East Langton Neighbourhood Plan</p> <p>4.1. On behalf of the Leicester Diocesan Board of Education, we wish to make the following observations on the East Langton Neighbourhood Plan Submission Document. Overall, we agree with the vision and objectives set out in the Neighbourhood Plan, however to ensure that the plan is robust, provides flexibility and accords with the strategic planning aims for the District, we make the following comments.</p> <p>4.2. In respect of Policy S1: Presumption in Favour of Sustainable Development, we strongly support the inclusion of this policy within the East Langton Neighbourhood Plan in line with Paragraph 14 of the National Planning Policy Framework. We are encouraged by the Parish Council's desire to positively consider proposals that contribute to the sustainable development of the Plan area.</p> <p>4.3. We have significant concerns about Policy H1: Housing Provision and its ability to meet the strategic housing requirement for the Parish, which is to be identified within the emerging Local Plan. We consider that proposals to meet the identified housing need solely through windfall development and in-fill sites, do not constitute a robust housing strategy and will not ensure that the Neighbourhood Plan can meet future needs as required.</p> <p>4.4. The supporting text for this policy on <i>Page 18</i>, identifies that the strategic housing requirement for the whole Parish has not yet been identified, but initial indications suggest that it will be at least the previously identified minimum requirement for 17 dwellings in Church Langton alone. As such, based on current information, the housing requirement for the Parish is expected to be a minimum of 34 dwellings.</p> <p>4.5. The supporting text for Policy H2: Windfall Sites included on <i>Page 20</i> of the submitted document states '<i>this type of development [windfall and in-fill development] has provided a source of new housing in Church Langton averaging two dwellings a year</i>'. Consequently, by projecting this average development over the 16 year housing period included in Policy H1, it is reasonable to suggest that windfall and in-fill development alone would only produce approximately 32 dwellings.</p> <p>4.6. This is not sufficient to meet the predicted Parish-wide housing requirement of a minimum of 34 dwellings. Therefore, we would advise that it would be more beneficial to allocate development sites, which would provide the community with greater control over development, rather than small sites coming forward on an ad-hoc basis. In addition, potential windfall sites may not currently be available for development, and landowners may not be interested</p>
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	<p>Policy ENV5: Protection of Important Views</p>	<p>Paragraph 77 of the NPPF.</p> <p>4.12. Furthermore, the Planning Practice Guidance is clear that the designation of any Local Green Space needs to be consistent with local planning policies for sustainable development in the area. In particular, local and neighbourhood plans are required to identify sufficient land in suitable locations to meet identified local needs; the allocation of Local Green Space is not to be used in a manner that undermines this central aim of plan-making. The proposed allocation of Local Green Space on the site would do just that.</p> <p>4.13. The amount of housing that might be required to be accommodated within the East Langton Parish as part of the emerging HDC Local Plan has not been fully established or scrutinised in relation to the recent publication of the HEDNA report. The designation of Local Green Space could therefore undermine the aims of the Local Plan by reducing the capacity of the Parish to accommodate residential development. As such, allocation of the site would pre-determine and undermine any decision about the level of residential development to be accommodated with the East Langton Parish, without any compelling evidence for doing so. This is despite Neighbourhood Plans having a very clear mandate about their required compliance with National and Local Planning Policies.</p> <p>4.14. Similarly, we are concerned about the cumulative impact that the environmental proposals contained within the Neighbourhood Plan has on pre-determining and undermining any decision about the level of residential development to be accommodated within the Plan Area. In line with the NPPF and local planning policies contained within the adopted HDC Core Strategy, we fully support the desire of the local community to protect their biodiversity and heritage asset and important local views, as well as maintaining an area of separation between Church Langton and East Langton.</p> <p>4.15. However, the level to which these environmental designations have been proposed is highly restrictive in allowing any future residential development to come forward. As demonstrated by Figure 12 in the submitted Plan, it has resulted in all reasonable development sites, within or adjacent to the existing settlement boundaries, being covered by an environmental proposal of some format, and will constrain their development. This fundamentally contradicts with Core Planning Principles outlined in paragraph 17 of the NPPF, which state that '<i>planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives</i>'.</p> <p>4.16. Furthermore, these environmental allocations have been proposed without any compelling evidence for their inclusion. For example, the supporting text for Policy ENV5: Protection of Important Views, included on <i>Page 54</i> of the submitted plan states '<i>these consultation findings were supported by the environmental inventory, which although principally aimed at identifying sites of environmental significance also confirmed the sight lines of suggested views and mapped them</i>'. As such, if the environmental inventory is being openly used as evidence for a policy that it was not</p>
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		<p>designed to underpin, it questions the extent to which it has been used inappropriately elsewhere within the plan.</p> <p>4.17. Therefore, we consider the proposed environmental designations undermine the ability of the submitted Neighbourhood Plan to meet any residential development requirement for the Parish identified in the emerging HDC Local Plan. This is despite Neighbourhood Plans having a very clear mandate about their required compliance with National and Local planning policies. As such, we suggest that examination and adoption of the Neighbourhood Plan should be delayed until these policies are supported by compelling evidence, and are revised in a manner that does not undermine the strategic objectives of the emerging HDC Local Plan.</p> <p>5. Conclusion</p> <p>5.1. The allocation of the site as Local Green Space through the submitted Neighbourhood Plan does not reflect the wishes of the landowner, and does not utilise the significant development potential that the site has in helping to achieve the wider vision and objectives of the East Langton Neighbourhood Plan.</p> <p>5.2. Furthermore, this Local Green Space allocation, and all other environmental proposals included within the Neighbourhood Plan, significantly undermines the ability of the Plan to meet its strategic housing requirements that are to be determined in the emerging HDC Local Plan. This is despite Neighbourhood Plans having a very clear mandate about their required compliance with National and Local Planning policies.</p> <p>5.3. We believe that the site has the potential to provide 5 dwellings, a formal Children’s Play Area, and associated vehicular access. To ensure that the Neighbourhood Plan has robust strategy in place for the delivery of new homes and dealing with any future demand, we propose that our client’s land (Appendix 1) is allocated, along with a small number of other development sites, within the East Langton Neighbourhood Plan. We consider that the site is capable of delivering a scheme for 5 dwellings, in a manner that respects the residential amenity of neighbouring uses and is complementary to the design principles of the existing built environment of the village.</p> <p>5.4. As The Langtons continue to grow and expand, we believe that development will be needed to provide for the various groups that will be looking to live within the area, and we have significant concerns that the submitted version of the Neighbourhood Plan does not provide a robust, flexible strategy in order to meet this future residential demand.</p> <p>5.5. Andrew Granger & Co. would like to remain involved throughout the East Langton Neighbourhood Plan process, and therefore we request to be informed of the document’s submission for examination.</p>
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Appendix 1



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Resident	Regulation 14 & 16 Consultation	<p>I have made formal representations, but not been notified to the revised plan, nor has the objections had a response. My representations have not been included in the revised plan.</p> <p>Not complied with National Guidance and it is not based on Robust Evidence, many land owners have been excluded. I</p>

	Policy ENV 2.	<p>have not been sent a copy of the NP, despite asking to be included.</p> <p>Robust Evidence is the foundation of the Neighbourhood Plan – Parts of the NP are factually incorrect, inaccurate, misleading and much is based on speculation.</p> <p>15th March 2017</p> <p>To all Members of the Parish Council involved with the East Langton Neighbourhood Plan</p> <p>I am the owner of land identified in the 30th November 2016 version of East Langton Parish Neighbourhood Plan, page 47 Figure 7, Site 22 & Site 23, and I strongly object to the proposals to designate land identified as an environmentally significant site under Policy ENV 2.</p> <p>I object to the NP proposed Policy ENV 2 ‘Other Environmentally Significant Sites’ in relation to my land, on the grounds that the proposal is not ‘sound’ because allocation of this site does not meet the requirements or spirit of National Planning Policy, consultation has not complied with national guidance, and the policy it is not based on robust evidence. In addition I would refer you to points 16 & 17 of my previous objection, which mentions the fact, that only 6 people made comment, and none of the comments were specific to that land.</p> <p>You received a detailed objection from my agents, Tyler Parkes last September. Copy attached. To date my agent, and myself have had no response from the Parish Council or Harborough District Council with regards to my personal comments or to the formal objection. The Neighbourhood Plan has been revised and our representations do not appear to be included in the summary, which is an error. You are also obliged to contact us with a response (Regulation 14 and 16.)</p> <p>You also received an email from me personally with my ‘comments form’ on 15th September 2016, In that email I highlighted some irregularities in the use of the comments; specifically comments I made about traffic to the Attic Room - yet they were included the ‘footpath’ section. This type of mistake is very misleading and inaccurate, and certainly cannot be described as robust evidence.</p> <p>In your latest version of the Neighbourhood plan you state on page 5;</p> <p><i>“Robust evidence is the foundation on which a Neighbourhood Plan has to be based. This includes evidence of community engagement and consultation and how the views, aspirations, wants and needs of local people have been taken into account alongside stakeholder comment and statistical information to justify the policies contained within the Plan. A detailed Statement of Consultation and a comprehensive Evidence Pack have been produced to support this Neighbourhood Plan.”</i></p> <p>In your Appendix 2 - Environmental Inventory it states that;</p>
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	<p><i>Site 23 - You state "Paddock with mature hedgerows with trees to E and S boundaries. Part of the group of which site 22 is the best- preserved." - So no environmental significance.</i></p> <p><i>Site 22 - You state "This field and four to its south have recently (early 2000s) been a single parcel, but they were (e.g. in 1886) previously a group of individual plots (the zig-zag eastern hedge boundary shows their layout), presumably associated with medieval dwellings on Back Lane.</i></p> <p><i>Locally significant for wildlife and landscape.</i></p> <p><i>Access from footpath A75, which follows the pre-1792 track between East Langton and Thorpe Langton."</i></p> <p>Much of this statement is factually incorrect - there are not four fields to the South. The land does not have a 'Brook' the only wildlife are rabbits, which are a pest. The land is called "Jacksons" not "Valley field"</p> <p>From my point of view as a member of the community and stake holder these statements are simply not accurate or true. and many of the comments are based on speculation.</p> <p>I am not sure why the Parish Council has not responded to any of our multiple comments and objections, it is not acceptable that I should be disadvantaged because my representations have not been included and I have not been notified of the revised NP.</p> <p>Yours faithfully</p>
<p>Sworders on behalf of Resident</p>	<p>Introduction:</p> <p>These representations are made on behalf of, the owners of Astley Grange Farm within East Langton village. Our primary concern with the Neighbourhood Plan it that much of it is anti-development, particularly in regard to employment development and growth. The previous version of the Neighbourhood Plan (Pre-Submission Version, consulted upon between 28th July 2016 and 15th September 2016) neglected to mention the importance of Astley Grange Farm as an employer within the Parish and in fact singled it out of as a location where growth should be restricted. Whilst that has been rectified to some degree and Astley Grange Farm is now mentioned in section 6 as supporting two businesses and circa 70 employees, sections 4 and 7 (which specifically relates to employment) still do not mention it. Furthermore, whilst the latest version of the Neighbourhood Plan no longer specifically refers to restricting growth at Astley Grange Farm, it achieves the same aim by instead focusing its restrictive policies on Back Lane, the access to Astley Grange Farm.</p> <p>The negatively worded policies in the Neighbourhood Plan as drafted are contrary to the National Planning Policy Framework (NPPF). Paragraph 16 is clear that those producing Neighbourhood Plans should support the strategic development needs set out in Local Plans, including policies for housing and economic development. As such, the Neighbourhood Plan fails to have regard to national policies and advice and does not contribute to the achievement of sustainable development so does not meet these two basic conditions.</p>

	<p>Section 7.2 a)/Policy H1:</p>	<p>Section 7.2 a)/Policy H1:</p> <p>We welcome the decision to remove the limits to development included in the previous Pre-Submission Version. This will ensure that the Neighbourhood Plan will be in conformity with Harborough District Council's emerging New Local Plan, to cover the period to 2031 which accords with Paragraph 184 of the NPPF and NPPG paragraph: 009 Reference ID: 41-009-20160211.</p> <p>We support policy H1 which plans for sufficient new homes, following confirmation of the distribution target through the Harborough Local Plan.</p> <p>However, we are sceptical as to whether this requirement can be provided for entirely through windfall sites and infill. The windfall and infill proposal is reflective of East Langton's status in the emerging Local Plan as a Sub-Selected Village. However, Policy H1 is intended to apply to both East Langton and Church Langton. Church Langton is a Selected Rural Village which means it is also suitable for limited extensions in the emerging Local Plan. Furthermore, as agreed at the Executive meeting in October 2016, the two villages are proposed to be linked and together treated as a Selected Rural Village which will result in an increase in the housing requirement. As such, the Neighbourhood Plan is not in general conformity with the strategic policies contained in the emerging development plan and does not contribute to the achievement of sustainable development so does not meet these two basic conditions.</p>
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	<p>Section 7.2 b)/Policy H2:</p> <p>Policy T1:</p> <p>Section 6 Meeting the requirement for sustainable development:</p> <p>Section 7.3 Employment:</p>	<p>We suggest that the second half of Policy H1 is amended to be in line with the emerging Local Plan policy in relation to Selected Rural Villages.</p> <p>We suggest the replacement of: <i>“to be met through Windfall Sites in line with Policy H3 and in-fill development in line with the definition of Selected and Sub-Selected Rural Villages within the emerging Local Plan”</i></p> <p>With: <i>“to be met through Windfall Sites in line with Policy H3, in-fill development and limited extensions in line with the definition of Selected Rural Villages within the emerging Local Plan”</i></p> <p>Section 7.2 b)/Policy H2: The supporting text appears to refer to Church Langton exclusively in regard to windfall sites, however, given the decision at Executive in October 2016 to link the villages and treat them as a single Selected Rural Village, this should refer to both villages.</p> <p>The supporting text refers to Back Lane with regard to highway and parking issues, stating that it is not designed for <i>“modern traffic”</i>. The meaning of this is not clear, however, it is important to note that under the NPPF, development should only be prevented or refused on transport grounds where the residual cumulative impacts are severe. Furthermore, Back Lane has historically been used by large farm vehicles and the current vehicle movements are permitted.</p> <p>Part a) of Policy H2 refers to defined Limits to Development. We understand from section 7.2 a) and the absence of maps defining development limits, that these have been removed so this should be amended accordingly.</p> <p>Part b) refers only to the identified housing need for East Langton but not Church Langton. This should read that it meets the housing requirement for both villages.</p> <p>Part j) should refer to a severe cumulative impact, in order to be in accordance with the NPPF.</p> <p>Policy T1: We support the policy to only prevent development where the cumulative impacts are severe since this is in accordance with the NPPF paragraph 32. We welcome the policy to seek mitigation measures where the impacts are considered severe.</p> <p>Section 6 Meeting the requirement for sustainable development: We welcome the desire to maintain <i>“appropriate economic activity”</i> including the protection of existing employment in appropriate locations. We also welcome the reference to Astley Grange Farm as an important local employer. However, we remain concerned about the continued reference to supporting only small scale business development and expansion. We consider that this is overly restrictive and not in accordance with the National Planning Policy Framework.</p> <p>As such, the Neighbourhood Plan does not contribute to the achievement of sustainable development so does not meet this basic condition.</p> <p>Section 7.3 Employment: The introduction to this chapter lists various employment locations in the parish, such as the pub, school, shops, farms and tourism. It makes no mention of Astley Grange Farm where two businesses, Attic Room and Malthouse, are located. These two business employ a total of 67 people. Whilst we do not know how many people work in the listed employment locations, we believe it likely that Astley Grange Farm is the major employer in the Parish.</p>
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	<p>Policy E1:</p>	<p>The Neighbourhood Plan should embrace all existing employment opportunities and make every effort to ensure their long term survival. It does claim to do this, with section 6 explaining how the Neighbourhood Plan meets the requirements of sustainable development and in relation to the economic dimension, states that there is a desire to maintain “<i>appropriate economic activity</i>” including the protection of existing employment in appropriate locations. The community acknowledge that out-commuting and the associated traffic is a problem, as set out in section 4 of the Neighbourhood Plan which states that “<i>there are limited employment opportunities in the Parish itself, and many residents commute to the surrounding towns and villages for work</i>” and that air quality is higher than regional and national averages, as a result of this out commuting and dependence on the private car. As such, employment within the Parish should be welcomed and not constrained by negatively worded restrictive policies.</p> <p>Whilst it is fully appreciated that those who have shaped the Neighbourhood Plan do not support the retention of employment at Astley Grange Farm, the fact remains that the current uses are permitted. The Neighbourhood Plan fails to have regard to national policies and advice and does not contribute to the achievement of sustainable development so does not meet these two basic conditions.</p> <p>These same comments were made to the Pre-Submission Consultation, held between 28th July 2016 and 15th September 2016. The “East Langton Consultation Statement November 2016” is submitted with the Neighbourhood Plan. This contains various appendices including “Appendix xii ELPC Pre Submission Consultation Responses November 2016”. This contains a table of all of the consultation responses received and the Parish Council’s response to them. Response 58 and relates to the above comments in relation to paragraph 7.3.</p> <p>The Parish Council response to paragraph 7.3 is as follows: “Thank you. This point is noted and the NP will be amended to reflect the existing situation. A farm diversification policy will be introduced and reference to Astley Grange Farm strengthened”. The amendment proposed is: “Numerous amendments to the text proposed to provide information relating to the employment situation at Ashely Grange Farm.” Despite this, the text at paragraph 7.3 remains identical with no reference to Astley Grange Farm. Our opinion as set out above remains unchanged, particularly as it would appear from the Consultation Statement that the Parish Council at least in part agree with these comments.</p> <p>Policy E1: The negative policy approach to B2 and B8 uses is contrary to the NPPF. The NPPF has a strong economic focus, with one of the core planning principles being to “<i>proactively drive and support sustainable economic development</i>”. Paragraph 19 confirms the Government commitment to ensure that “<i>the planning system does everything it can to support sustainable economic growth</i>”, paragraph 20 urges local planning authorities to “<i>plan proactively to meet the development needs of business and support an economy fit for the 21st century</i>” and paragraph 21 to “<i>support existing business sectors, taking account of whether they are expanding or contracting</i>”, and</p>
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	<p>Policy E2:</p>	<p><i>“plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries”.</i> Paragraph 28 sets out that <i>“Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.”</i></p> <p>A policy stating that B2 and B8 uses <i>“will not be permitted”</i> cannot be considered positive and is in stark contrast to the NPPF.</p> <p>Paragraph 28 goes on to state that:</p> <p><i>“To promote a strong rural economy, local and neighbourhood plans should:</i> <i>Support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;”</i> (my emphasis)</p> <p>The policy states that B2 and B8 uses will only be permitted in exceptional circumstances, but does not specify what these might be.</p> <p>As such, this policy is contrary to national policy as it does not support the strategic development needs set out in Local Plans, including economic development and hence doesn't comply with the basic condition that it must not constrain the delivery of important national policy objectives.</p> <p>These same comments were made to the Pre-Submission Consultation, held between 28th July 2016 and 15th September 2016. The “East Langton Consultation Statement November 2016” is submitted with the Neighbourhood Plan. This contains various appendices including “Appendix xii ELPC Pre Submission Consultation Responses November 2016”. This contains a table of all of the consultation responses received and the Parish Council’s response to them. Response 59 relates to the above comments in relation to Policy E1.</p> <p>The Parish Council response Policy E1 is as follows:</p> <p><i>“Noted. It is considered reasonable to ensure that business development takes residential amenity into account when determining planning applications, as required through the Core Strategy and the NPPF. Policy E1 will be replaced with a farm diversification policy which highlights these issues and Astley Grange Farm will be referenced here in acknowledgement of its position as an employer within the Parish.”</i></p> <p>The amendment proposed is:</p> <p><i>“Introduce policy on farm diversification.”</i></p> <p>However, this policy has not been amended, either in line with our comments or in line with the Consultation Statement. It remains unchanged from the previous version of the Neighbourhood Plan.</p> <p>There is no farm diversification policy. Policy E2 (see comments below) has been replaced with a barn conversion policy but it is not clear whether this is to be the farm diversification policy.</p> <p>Our opinion that Policy E1 is contrary to national policy doesn't comply with the basic conditions to have regard to national policies and advice and contribute to the achievement of sustainable development, remains unchanged.</p> <p>Policy E2:</p> <p>This policy replaces the previous Business Expansion policy. However, it is similarly negatively worded and as such, in conflict with national planning policy.</p> <p>Paragraph 28 of the NPPF supports <i>“the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings”.</i></p>
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	<p>Policy CS1:</p>	<p>It does not place any restrictions on either the type of businesses or the detail of the conversion works. Whilst the NPPF seeks a good standard of amenity for all existing and future occupants of land and buildings and requires development to be sustainable, it recognises that sustainable transport varies from urban to rural areas, only allows for development to be prevented on transport grounds where the residual cumulative impacts of development are severe and supports rural businesses.</p> <p>The previous Policy E2 related to restricting business expansion and the supporting text specifically referred to Astley Grange Farm. Whilst this specific reference has been removed, the supporting text still refers to <i>“overdevelopment of a commercial site”</i> which can only refer to Astley Grange Farm.</p> <p>The “East Langton Consultation Statement November 2016” is submitted with the Neighbourhood Plan. This contains various appendices including “Appendix xii ELPC Pre Submission Consultation Responses November 2016”. This contains a table of all of the consultation responses received and the Parish Council’s response to them. Response 60 relates to the above comments in relation to Policy E2.</p> <p>The Parish Council response Policy E2 is as follows: <i>“Thank you for this comment. We believe that it is reasonable to require new business development to have regard for the residential amenity of neighbouring properties and for road and pedestrian safety. Business expansion that achieves these aspects will be supported, therefore we believe that the policy is a positive one.”</i></p> <p>No amendments were proposed.</p> <p>Despite this, Policy E2 has been entirely re-drafted, although uses some of the same supporting text. We are not clear whether the intention was to replace this policy with the farm diversification policy, or policy E1 as stated in the consultation response document.</p> <p>However, regardless of the intentions, we consider that despite the re-drafting, the policy remains negatively worded and contrary to national planning policy. As such, the Neighbourhood Plan fails to have regard to national policies and advice and does not contribute to the achievement of sustainable development so does not meet these two basic conditions.</p> <p>Policy CS1: We support the policy to protect community facilities, but it must be acknowledged that such policies will not serve this purpose in isolation. They must be coupled with policies to support housing and economic growth to ensure the ongoing vitality and viability of the locality.</p> <p>Policy CS1 allows for loss of services where it can be demonstrated that they are no longer viable; if the current trend of an ageing population and out-commuting for employment is allowed to continue, this will have the effect of reducing demand for services.</p> <p>Section 2 claims to recognise this, stating that <i>“sustainable development is not only necessary but desirable, as without it our villages and economies will stagnate”</i>. However, this is not carried through in the housing and employment policies.</p> <p>Maintaining demand for community facilities is the most effective way of securing their long-term survival. These same comments were made to the Pre-Submission Consultation, held between 28th July 2016 and 15th September 2016. The “East Langton Consultation Statement November 2016” is submitted with the Neighbourhood Plan. This contains various appendices including “Appendix xii ELPC Pre Submission Consultation Responses</p>
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	<p>Section 7.7 Traffic, parking and Transport:</p> <p>Policy T1:</p>	<p>November 2016". This contains a table of all of the consultation responses received and the Parish Council's response to them. Response 62 relates to the above comments in relation to Policy CS1.</p> <p><i>"Noted. The Plan recognises the need for further housing development in line with local policies and seeks to promote this through smallscale infill development in line with the emerging local plan. Business development is supported where it does not conflict with residential amenity and road safety in recognition of the points made in this comment. The revision of the proposed Limits to Development and the introduction of a policy on farm diversification are seen as helpful in this regard."</i></p> <p>Whilst we welcome this response, we do not consider that it has been fully followed through in regard to housing and employment policies.</p> <p>Section 7.7 Traffic, parking and Transport:</p> <p>This section again refers to Back Lane with regard to highway concern, stating that it is unsuitable for use by large vehicles. It has historically been used by large farm vehicles and the current vehicle movements are permitted.</p> <p>Policy T1:</p> <p>We support the policy to only prevent development where the cumulative impacts are severe since this is in accordance with the NPPF paragraph 32. We welcome the policy to seek mitigation measures where the impacts are considered severe.</p>
<p>Sworders</p> <p>Resident/Business</p>		<p>Introduction:</p> <p>These representations are made on behalf of, the owners of Astley Grange Farm within East Langton village. Our primary concern with the Neighbourhood Plan is that much of it is anti-development, particularly in regard to employment development and growth. The previous version of the Neighbourhood Plan (Pre-Submission Version, consulted upon between 28th July 2016 and 15th September 2016) neglected to mention the importance of Astley Grange Farm as an employer within the Parish and in fact singled it out of as a location where growth should be restricted. Whilst that has been rectified to some degree and Astley Grange Farm is now mentioned in section 6 as supporting two businesses and circa 70 employees, sections 4 and 7 (which specifically relates to employment) still do not mention it. Furthermore, whilst the latest version of the Neighbourhood Plan no longer specifically refers to restricting growth at Astley Grange Farm, it achieves the same aim by instead focusing its restrictive policies on Back Lane, the access to Astley Grange Farm.</p> <p>The negatively worded policies in the Neighbourhood Plan as drafted are contrary to the National Planning Policy Framework (NPPF). Paragraph 16 is clear that those producing Neighbourhood Plans should support the strategic development needs set out in Local Plans, including policies for housing and economic development.</p> <p>As such, the Neighbourhood Plan fails to have regard to national policies and advice and does not contribute to the</p>

	<p>Policy T1:</p> <p>Section 6 Meeting the requirement for sustainable development:</p> <p>Section 7.3 Employment:</p>	<p>meets the housing requirement for both villages. Part j) should refer to a severe cumulative impact, in order to be in accordance with the NPPF.</p> <p>Policy T1: We support the policy to only prevent development where the cumulative impacts are severe since this is in accordance with the NPPF paragraph 32. We welcome the policy to seek mitigation measures where the impacts are considered severe.</p> <p>Section 6 Meeting the requirement for sustainable development: We welcome the desire to maintain “<i>appropriate economic activity</i>” including the protection of existing employment in appropriate locations. We also welcome the reference to Astley Grange Farm as an important local employer. However, we remain concerned about the continued reference to supporting only small scale business development and expansion. We consider that this is overly restrictive and not in accordance with the National Planning Policy Framework.</p> <p>As such, the Neighbourhood Plan does not contribute to the achievement of sustainable development so does not meet this basic condition.</p> <p>Section 7.3 Employment: The introduction to this chapter lists various employment locations in the parish, such as the pub, school, shops, farms and tourism. It makes no mention of Astley Grange Farm where two businesses, Attic Room and Malthouse, are located. These two business employ a total of 67 people. Whilst we do not know how many people work in the listed employment locations, we believe it likely that Astley Grange Farm is the major employer in the Parish. The Neighbourhood Plan should embrace all existing employment opportunities and make every effort to ensure their long term survival. It does claim to do this, with section 6 explaining how the Neighbourhood Plan meets the requirements of sustainable development and in relation to the economic dimension, states that there is a desire to maintain “<i>appropriate economic activity</i>” including the protection of existing employment in appropriate locations. The community acknowledge that out-commuting and the associated traffic is a problem, as set out in section 4 of the Neighbourhood Plan which states that “<i>there are limited employment opportunities in the Parish itself, and many residents commute to the surrounding towns and villages for work</i>” and that air quality is higher than regional and national averages, as a result of this out commuting and dependence on the private car. As such, employment within the Parish should be welcomed and not constrained by negatively worded restrictive policies. Whilst it is fully appreciated that those who have shaped the Neighbourhood Plan do not support the retention of employment at Astley Grange Farm, the fact remains that the current uses are permitted. The Neighbourhood Plan fails to have regard to national policies and advice and does not contribute to the achievement of sustainable development so does not meet these two basic conditions. These same comments were made to the Pre-Submission Consultation, held between 28th July 2016 and 15th September 2016. The “East Langton Consultation Statement November 2016” is submitted with the Neighbourhood Plan. This contains various appendices including “Appendix xii ELPC Pre Submission Consultation Responses November 2016”. This contains a table of all of the consultation responses received and the Parish Council’s response to them. Response 58 and relates to the above comments in relation to paragraph 7.3.</p>
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	<p>Policy E1:</p>	<p>The Parish Council response to paragraph 7.3 is as follows: <i>“Thank you. This point is noted and the NP will be amended to reflect the existing situation. A farm diversification policy will be introduced and reference to Astley Grange Farm strengthened”.</i> The amendment proposed is: <i>“Numerous amendments to the text proposed to provide information relating to the employment situation at Ashely Grange Farm.”</i> Despite this, the text at paragraph 7.3 remains identical with no reference to Astley Grange Farm. Our opinion as set out above remains unchanged, particularly as it would appear from the Consultation Statement that the Parish Council at least in part agree with these comments.</p> <p>Policy E1: The negative policy approach to B2 and B8 uses is contrary to the NPPF. The NPPF has a strong economic focus, with one of the core planning principles being to <i>“proactively drive and support sustainable economic development”</i>. Paragraph 19 confirms the Government commitment to ensure that <i>“the planning system does everything it can to support sustainable economic growth”</i>, paragraph 20 urges local planning authorities to <i>“plan proactively to meet the development needs of business and support an economy fit for the 21st century”</i> and paragraph 21 to <i>“support existing business sectors, taking account of whether they are expanding or contracting”</i>, and <i>“plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries”</i>. Paragraph 28 sets out that <i>“Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.”</i> A policy stating that B2 and B8 uses <i>“will not be permitted”</i> cannot be considered positive and is in stark contrast to the NPPF. Paragraph 28 goes on to state that: <i>“To promote a strong rural economy, local and neighbourhood plans should: Support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;”</i> (my emphasis) The policy states that B2 and B8 uses will only be permitted in exceptional circumstances, but does not specify what these might be. As such, this policy is contrary to national policy as it does not support the strategic development needs set out in Local Plans, including economic development and hence doesn't comply with the basic condition that it must not constrain the delivery of important national policy objectives. These same comments were made to the Pre-Submission Consultation, held between 28th July 2016 and 15th September 2016. The “East Langton Consultation Statement November 2016” is submitted with the Neighbourhood Plan. This contains various appendices including “Appendix xii ELPC Pre Submission Consultation Responses November 2016”. This contains a table of all of the consultation responses received and the Parish Council’s response to them. Response 59 relates to the above comments in relation to Policy E1. The Parish Council response Policy E1 is as follows: <i>“Noted. It is considered reasonable to ensure that business development takes residential amenity into account when determining planning applications, as required through the Core Strategy and the NPPF. Policy E1 will be replaced with</i></p>
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	<p>Policy E2:</p>	<p><i>a farm diversification policy which highlights these issues and Astley Grange Farm will be referenced here in acknowledgement of its position as an employer within the Parish.</i>"</p> <p>The amendment proposed is: <i>"Introduce policy on farm diversification."</i></p> <p>However, this policy has not been amended, either in line with our comments or in line with the Consultation Statement. It remains unchanged from the previous version of the Neighbourhood Plan.</p> <p>There is no farm diversification policy. Policy E2 (see comments below) has been replaced with a barn conversion policy but it is not clear whether this is to be the farm diversification policy. Our opinion that Policy E1 is contrary to national policy doesn't comply with the basic conditions to have regard to national policies and advice and contribute to the achievement of sustainable development, remains unchanged.</p> <p>Policy E2: This policy replaces the previous Business Expansion policy. However, it is similarly negatively worded and as such, in conflict with national planning policy. Paragraph 28 of the NPPF supports <i>"the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings"</i>. It does not place any restrictions on either the type of businesses or the detail of the conversion works. Whilst the NPPF seeks a good standard of amenity for all existing and future occupants of land and buildings and requires development to be sustainable, it recognises that sustainable transport varies from urban to rural areas, only allows for development to be prevented on transport grounds where the residual cumulative impacts of development are severe and supports rural businesses. The previous Policy E2 related to restricting business expansion and the supporting text specifically referred to Astley Grange Farm. Whilst this specific reference has been removed, the supporting text still refers to <i>"overdevelopment of a commercial site"</i> which can only refer to Astley Grange Farm. The "East Langton Consultation Statement November 2016" is submitted with the Neighbourhood Plan. This contains various appendices including "Appendix xii ELPC Pre Submission Consultation Responses November 2016". This contains a table of all of the consultation responses received and the Parish Council's response to them. Response 60 relates to the above comments in relation to Policy E2. The Parish Council response Policy E2 is as follows: <i>"Thank you for this comment. We believe that it is reasonable to require new business development to have regard for the residential amenity of neighbouring properties and for road and pedestrian safety. Business expansion that achieves these aspects will be supported, therefore we believe that the policy is a positive one."</i> No amendments were proposed. Despite this, Policy E2 has been entirely re-drafted, although uses some of the same supporting text. We are not clear whether the intention was to replace this policy with the farm diversification policy, or policy E1 as stated in the consultation response document. However, regardless of the intentions, we consider that despite the re-drafting, the policy remains negatively worded and contrary to national planning policy. As such, the Neighbourhood Plan fails to have regard to national policies and advice and does not contribute to the achievement of sustainable development so does not meet these two basic</p>
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	<p>Policy ENV 1 Policy ENV 2</p>	<p>Dear Sir/Madam East Langton Parish Neighbourhood Plan Pre-Submission Version: Representations submitted on behalf of the owner of 'Valley Field' and land south of Chic House, Back Lane, East Langton.</p> <p>We act on behalf of the owner of land identified in the pre-submission version of East Langton Parish Neighbourhood Plan Figure 6 Site 22 and Figure 7 Site 23.</p> <p>Our client welcomes the opportunity to submit representations in response to the pre-submission version of the Neighbourhood Plan (NP) consultation. In summary, our client strongly objects to the proposal to designate land identified as Site 22 on Figure 6 as Local Green Space under Policy ENV 1 and Site 23 on Figure 7 as an environmentally significant site under Policy ENV 2.</p> <p>We raise objection to the NP proposed Policy ENV 1 'Protection of Local Green Spaces' and Policy ENV 2 'Other Environmentally Significant Sites' in so far as they relate to our client's land interests, on the grounds that the proposal is not 'sound' because allocation of this site does not meet the requirements or spirit of National Planning Policy, consultation has not complied with national guidance, and the policy it is not based on robust evidence. Our client's reasons for objection, including reference to national planning policies (with our emphasis), are set out below:</p> <p>National Planning Policy Framework</p> <p>1. Paragraph 73 of the National Planning Policy Framework (NPPF) expects planning polices to ensure access to high quality open spaces and opportunities for sport and recreation which can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision.</p> <p>2. Paragraph 76 of the NPPF allows local communities through local and neighbourhood plans to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances.</p> <p>3. Paragraph 77 stipulates that Local Green Spaces designation will not be appropriate for most green areas or open space. The designation should only be used:</p> <ul style="list-style-type: none"> <input type="checkbox"/> where the green space is in reasonably close proximity to the community it serves; <input type="checkbox"/> 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 <input type="checkbox"/> where the green area concerned is local in character and is not an extensive tract of land. <p>Planning Practice Guidance</p>
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4. Planning Practice Guidance (PPG) Paragraph: 048 Reference ID: 41-048- 20140306 'Should other public bodies, landowners and the development industry be involved in preparing a draft neighbourhood plan or Order?' requires that 'A qualifying body must consult any of the consultation bodies whose interest it considers may be affected by the draft neighbourhood plan... set out in Schedule 1 to the Neighbourhood Planning (General) Regulations 2012 (as amended). Other public bodies, landowners and the development industry should be involved in preparing a draft neighbourhood plan or Order. By doing this qualifying bodies will be better placed to produce plans that provide for sustainable development which benefits the local community whilst avoiding placing unrealistic pressures on the cost and deliverability of that development.' (Revision date: 06 03 2014).

5. Paragraph: 019 Reference ID: 37-019-20140306, 'Does land need to be in public ownership?' requires '...the qualifying body... to contact landowners at an early stage about proposals to designate any part of their land as Local Green Space. Landowners will have opportunities to make representations in respect of proposals in a draft plan.' (Revision date: 06 03 2014)

6. Paragraph: 007 Reference ID: 37-007-20140306, 'How does Local Green Space designation relate to development?' states that 'designating any Local Green Space will need to be consistent with local planning for sustainable development in the area. Local Green Space designation should not be used in a way that undermines the aim of plan making.' (Revision date: 06 03 2014)

East Langton Parish Neighbourhood Plan Pre-Submission Version

7. The Parish Council Neighbourhood Plan steering group, has failed to meet the requirements and spirit of national planning policy and guidance, as follows:

The landowner of site 22 on Figure 6 'Village Field' and site 23 on Figure 7 was not notified by the Parish Council at an early stage in the NP preparation process about the proposal to designate the land as Local Green Space, in breach of PPG Paragraph: 019 Reference ID: 37-019-20140306;

There is insufficient evidence to justify the proposal to designate our client's land as Local Green Space or other environmentally significant site; and

The designation of our client's land, 'Village Field', as Local Green Space fails meet the requirements stipulated in national policy, paragraph 77.

8. The NP recognises on page 5 that:

'...Robust evidence is the foundation on which a Neighbourhood Plan has to be based. This includes evidence of community engagement and consultation and how the views, aspirations, wants and needs of local people have been taken into account alongside stakeholder comments and statistical information to justify the policies...'

However, our Client believes that these objectives have not been satisfied in the NP preparation process. Our client, a member of the community and landowner who will be directly and adversely affected by the proposed Local Green Space policy and designation of land as an environmentally significant site, was not notified at an early stage in the NP preparation process about the emerging policy. Also, the evidence on which the policy was based is flawed and not robust.

9. The supporting text which seeks to justify the proposed site allocations in Policies ENV 1 and ENV 2, refers to the evidence within an 'environmental inventory' in Appendix 2 compiled from existing national and local designations, records and mapping; fieldwork; and the results of consultation with residents. The Environmental Inventory prepared by consultant *yourlocale* in Appendix 2 does not include a methodology or an explanation of why each site has been attributed the particular score for each Local Green Space criteria. There is no detailed information available on the characteristics or environmental value of each site.

10. Scrutiny of the results of the public consultations with residents, which apparently fed into the 'Environmental Inventory' shows very limited support for allocation of site 23 on figure 7 and for the protection of 'Valley Field' when compared to other sites. This limited support is examined in more detail below:

Community Consultation

11. The questionnaire completed in early 2014 asked which were the important areas of land to keep protected - 9 respondents suggested 'land behind Back Lane', although no plan accompanied this statement and, given that Back Lane is a long road which runs east to west and north to south, it is unclear which area of land this referred to. This limited community support for 'land behind Back Lane' compares to the Cricket Ground, for example, which received 23 mentions by respondents.

12. The December 2014 public consultation asked the community to place up to 3 blue stickers on a map to identify an area of open space that is important for leisure and up to 3 green stickers in a place with a good or important view. The 'Valley Field' site was given only 4 blue stickers by the community and 1 green sticker. However, land to the east of proposed site 22, which is not proposed as a Local Green Space, was given 8 blue stickers and 2 green stickers. The field parcel bounded to the west by Main Street and south by Back Lane, was given 5 blue stickers and 4 green stickers, while the field to the south of the cricket ground received 5 blue and 1 green sticker. Therefore both received more support from the community than 'Valley Field' yet neither are proposed as Local Green Space.

13. The two sites proposed as Local Green Space in East Langton under emerging Policy ENV1, in addition to our Client's land, are land to the south of the Pub, Coronation Gardens, and the Cricket Ground. Coronation Gardens had so many blue stickers on this relatively small parcel of land in the public consultation it was not possible to count them, while the Cricket Ground had over 30 blue stickers and over 15 green stickers. The designation of these two sites as Local Green Space is clearly supported by evidence from the public consultation in stark contrast to 'Valley Field' site.

14. It is important to note that a 'view', one of the criteria for identifying an area of open space in the public consultation, is not one of the requirements mentioned in national policy when considering whether land qualifies as Local Green

	<p>Space.</p> <p>15. The June 2016 public consultation event asked for comments on proposed NP policies. In response to Policy ENV 1 ie. the proposed designation of the Cricket Ground (site 16), Coronation Gardens (site 19) and 'Valley Field' (site 22) in East Langton, as well as 3 proposed sites in Church Langton, of the 54 attendees, only 8 people were in agreement with the policy and sites 6 and 16 were the only sites singled out as of particular importance.</p> <p>16. Comments received in respect of Policy ENV 2 'Other Environmentally Significant Sites', only 6 people were in agreement with the policy. No comments on specific sites appear to have been made.</p> <p>17. It is therefore clear from the community consultation evidence that there is very little support for designation of 'Valley Field' as Local Green Space and Site 23.</p> <p>Environmental Inventory prepared by consultant yourlocale</p> <p>18. The East Langton NP Environmental Inventory does not include a methodology and therefore it is not possible to fully interrogate or evaluate the scores attributed to various sites. This inevitably undermines the validity of the conclusions reached.</p> <p>19. A starting point for the assessment of land for possible allocation as Local Green Space should, in our opinion, have been to seek and use the views of the local community about which sites might meet NPPF criteria for Local Green Space designation. For example, where green space is demonstrably special to the local community and holds a particular local significance because of its beauty, historic significance, recreational value, tranquillity or richness of its wildlife. Whilst there is evidence that sites 16 and 19 proposed under Policy ENV1 correspond to those supported by the local community for protection, there is no similar community support for site 22, 'Valley Field'.</p> <p>20. 'Valley Field' has been, and continues to be, used for grazing horses, a use which is controlled by a legal covenant. The land is in private ownership with access limited to the public footpath which runs diagonally across the site. Views into the site from the public footpath are completely at the discretion of the landowner.</p> <p>21. The proposed designation of green space must be based on evidence to demonstrate why the green area is demonstrably special to a local community and holds particular significance. The text adjacent to the Environmental Inventory scoring table states:</p> <p><i>'Valley Field – Small grazing field in steep-sided valley of small brook; species-rich hedge boundaries. This field and four to its south have recently (early 2000's) been a single parcel, but they were (eg. In 1886) previously a group of individual plots (the zig-zag eastern hedge boundary shows their layout), presumably associated with medieval dwellings on Back Lane. Locally significant for wildlife and landscape. Access from footpath A75, which follows the pre-1792 track between East Langton and Thorpe Langton.'</i></p>
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	<p>22. The 'locally significant' elements highlighted in the document therefore appear to be wildlife and landscape. There is no evidence that an ecological survey has been carried out on the land or a landscape assessment undertaken to assess this land when compared to other green areas within and adjacent to the village to ascertain whether it is demonstrably special to the local community or holds particular significance in this regard. The conclusions are therefore based on unsubstantiated evidence.</p> <p>23. The scoring system applied in the Environmental Inventory appears to be flawed since 'Valley Field' has been given the same score as the Cricket Ground for access, proximity, bounded, recreation/educational value, beauty, and tranquillity. The only two categories where the score differs is for history where 'Valley Fields' is scored higher and wildlife where the Cricket Ground is attributed a higher score. Our client is of the firm opinion that these scores are misleading and inaccurate. For example, the Cricket Ground should clearly score significantly more for recreation and education value than 'Valley Field', given that 'Valley Field' has very limited public access which is restricted to the narrow public footpath.</p> <p>24. 'Valley Field' does not meet the requirements stipulated in national policy, paragraph 77, for designation of a Local Green Space. It is not appropriate to designate this site which is not demonstrably special to the local community and does not hold particular significance for the community.</p> <p>Policy Requirements</p> <p>25. Paragraph 77 stipulates that Local Green Spaces designation will not be appropriate for most green areas or open space. 'Valley Field' is private land with no public access into the majority of the field parcel. Public access is restricted to the narrow footpath which runs across the field. The local community have not identified 'Valley Field' as being demonstrably special to the community, indeed land to the east of this field and two other sites, which have not been proposed as Local Green Space, appear to have greater support for protection than our client's land. It has been shown above that the evidence produced to justify the proposed Local Green Space designation of 'Valley Field' is not robust and cannot be relied upon to satisfy the criteria set out in national planning policy.</p> <p>26. Whilst the NPPF supports sustainable development and the protection of the environment, any proposals to designate land for specific protection, as in proposed policy ENV 2, should be robustly justified with evidence. East Langton Parish NP has not produced the necessary information to support allocation of our client's land to demonstrate that it is ecologically important, has historical features and/or is locally valued. Indeed, no access for ecological or historical survey work has been provided into the site by the landowner as she was not made aware of the proposed allocation – contrary to national planning guidance – and therefore no site assessment could have been conducted.</p> <p>27. Our client's land is already afforded additional protection from inappropriate development or felling of any trees without prior permission because it lies within the Conservation Area boundary for East Langton. The sites lies outside the proposed Limits to Development settlement boundary where development would normally be resisted. Designation of 'Valley Field' as a Local Green Space and site 23 as environmentally significant is not necessary or appropriate to</p>
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control development. The proposed designations do not appear to have significant community support and they are not robustly justified with evidence.

Summary

28. Our Client strongly objects to the proposed designation of 'Valley Field', East Langton (site 22) as a Local Green Space under the terms of Policy ENV 1 'Protection of Local Green Spaces' and Site 23 on Figure 7 as environmentally significant under the terms of Policy ENV 2 'Other Environmentally Significant Sites'. The proposal does not meet the objectives or requirements of the NPPF, it is not based on robust and credible evidence, it is not demonstrably special to the local community, and does not hold particular significance for the community.

29. Our Client also objects to the fact that she was not notified by the Parish Council at an early stage in the NP preparation process about the proposal to designate land in her ownership as Local Green Space, in breach of the requirements set out in PPG Paragraph: 019 Reference ID: 37-019-20140306.

30. In the light of the above objection, we should be grateful if you would amend Policy ENV1 and Figure 6 to remove reference to site 22, 'Valley Field' and amend Figure 7 to remove site 23 from the plan.

We should be grateful if you would acknowledge receipt of this letter.

Response from Parish Council

13 March 2017

Re:- designation as environmentally significant site

We are in receipt of your email exchange with Harborough District Council in relation to the above. We can only apologise for omitting a response to your representations in relation to Home Farm. We received numerous emails from you at around the same time of a similar length and content, and at one stage requesting that an earlier submission be destroyed. In the confusion, it seems that a response from you was overlooked. We reply to that submission below and will make sure that this is provided to both Harborough District Council and the Independent Examiner once appointed.

Please accept our apologies for this error.

On page 2 you cite the need for planning policies to be based on up to date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. We don't think this is relevant as the Neighbourhood Plan is not able to designate OSSR sites.

You also cite NPPF paragraph 17 which requires plans to conserve heritage assets *in a manner appropriate to their significance* (your emphasis). We believe that this is significant as the policy states that 'The protection and enhancement of the identified features of 'other Environmentally significant sites' will be supported'. This directly

		<p>addresses the need to conserve these heritage assets and is therefore consistent with NPPF paragraph 17.</p> <p>You cite NPPF paragraph 113 which seeks to ensure that protection is commensurate with the status of designated sites and gives appropriate weight to their importance. Again. NP policy Env 2 is entirely consistent with this. On page 3 you suggest that the owners of the land were not notified at an early stage of the preparation of the NP. In fact, public open events were publicised through leaflets delivered to all households. The sites classed as other environmentally significant sites were highlighted in the open events that took place in June 2016 to which all residents in the Parish were invited to attend. This was the earliest opportunity to share the emerging policies with residents.</p> <p>You suggest that this designation does not comply with the spirit of national policy which we disagree with. The extracts from the NPPF that you highlight in your response provide strong evidence of this. The policy Env 2 seeks to protect and enhance locally valued features.</p> <p>Again, on page 3 you state that your client will be directly and adversely affected by the designation. The protection and enhancement of the site in question is attempting to safeguard the asset from inappropriate development which is a positive not adverse effect.</p> <p>The methodology used for the environmental inventory is as follows:</p>
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Criterion (NPPF 2012)	Score range			Notes
ACCESSIBILITY	0	1-3	4	e.g. private, no access (0) – could be made accessible – accessed via PRow – fully open to the public (4)
PROXIMITY / LOCAL	0	1-3	4	Distant (0) – fairly near to – adjoins (3) or is within (4) settlement
BOUNDED	0	1-3	4	Individual parcel of land (not an undefined or large area)
SPECIAL TO COMMUNITY	0	1-3	4	Opinion of local people via questionnaire or at consultation events
RECREATIONAL / EDUCATIONAL USE	0	1-3	4	Actual or potential, informal sports, dog-walking, Forest School use, informal or official open space, etc.
BEAUTY (including views)	0	1	2	Subjective, relative (give justification); use consultation map results
TRANQUILITY	0	1	2	Subjective, relative (give justification)
HISTORICAL SIGNIFICANCE	0	1-3	4	Extant, visible evidence. Number of periods/features/records etc. / Relevant existing designations (Historic Environment Records)
WILDLIFE SIGNIFICANCE, GEOLOGY	0	1-3	4	Richness of species and habitats (Priority (BAP) spp. / Priority habitats) / relevant existing designations (Habitat Survey, Local Wildlife Sites / site of geological/industrial history significance)
[Maximum possible score]	32			

Page four raises concerns about the level of support for the policy through community consultation. It should be noted that there were no concerns raised about the policy through this process.

The environmental inventory is considered on page 5. The narrative supporting the inclusion of Home Farm contains uncertainties about the precise age of the site but is clear about the age dating back to medieval times. On the basis of the above, we consider that Home Farm should remain as an environmentally significant site. This designation does not prohibit development but helps to control it by ensuring that environmentally significant features are protected or enhanced. As such, we believe that it is an appropriate designation to help to maintain the character of the village and to safeguard against inappropriate development.

Yours sincerely
Parish Clerk

<p>Old School Walk (Church Langton) Management Company Limited</p>		<p>We are writing to express our support for the submitted version of the East Langton Parish Neighbourhood Plan (“the Neighbourhood Plan”) 2011-31.</p> <p>Old School Walk (Church Langton) Management Company Limited is the property management company for some 14 member-households. In total, we number 26 adults and 15 children as residents of Church Langton.</p> <p>We are grateful to East Langton Parish Council for the work and time commitment it has given since early 2014 to develop this maiden Neighbourhood Plan expressing a future vision for the sustainable development of both the villages of Church Langton and East Langton. Against the backdrop of uncertainty in terms of likely housing numbers in the emerging new Harborough District Local Plan, we believe that the Neighbourhood Plan strikes an appropriate strategic balance between the need for new housing development with the protection of the built heritage and natural environment upon the unique ‘sense of place’ of both villages is based. To this end, we wholly support the following policies contained in the Neighbourhood Plan which enhance community life for people of all ages living in the parish:</p> <ul style="list-style-type: none"> <input type="checkbox"/> CA1 – Assets of Community Value <input type="checkbox"/> CA2 – Congestion <input type="checkbox"/> CA3 – Public Transport <input type="checkbox"/> DBE1 – Protection of the Built Environment: Conservation Areas <input type="checkbox"/> DBE2 – Local Heritage Assets <input type="checkbox"/> ENV1 – Protection of Local Green Spaces <input type="checkbox"/> ENV6 – Area of Separation <input type="checkbox"/> T1 – Traffic Management <input type="checkbox"/> T2 – Footpaths, Footways and Bridleways <p>We consider that East Langton Parish Council has undertaken an exemplary public consultation with village residents and key stakeholders since early 2014 in order to develop this Neighbourhood Plan and also has taken into full consideration all relevant National Planning Policies and other legislative requirements in its formulation and development.</p> <p>If you have any queries on the contents of this response, then please do not hesitate to contact us.</p>
<p>Environment Agency</p>	<p>Page 19 of the Neighbourhood Plan Submission Version.</p>	<p>We note that the Limits of Development have been removed and that planning applications are to be determined on the basis of the policies within the Neighbourhood Plan and the Development plan for Harborough District Council. Whilst we acknowledge that where suitable policies already exist in Harborough’s Core Strategy they are not duplicated in the Neighbourhood Plan, we note that the requirements of the NPPF with regards to the (flooding) Sequential Test (NPPF para 100) and the need for the Exception Test (NPPF para 102) are absent from both the Neighbourhood Plan Submission version and also the Statement of Basic Conditions document. These requirements, where applicable, will</p>

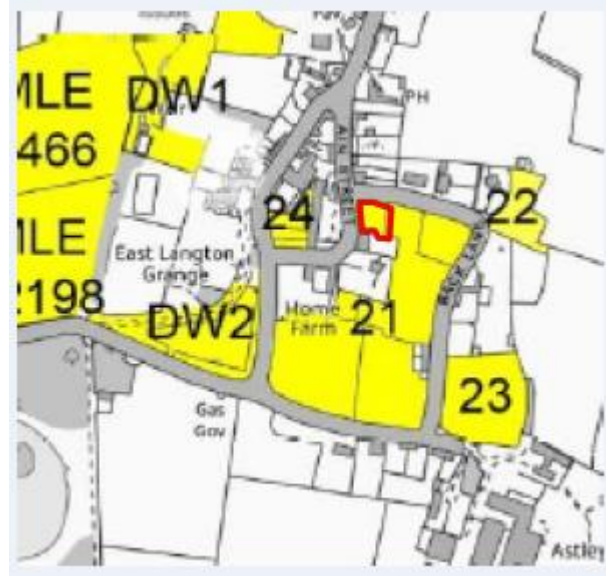
		need to be applied to all future development proposals within the Plan area.
Fisher German LLP On behalf of landowners	Page 12	The text on this page references open spaces including allotments, the cricket ground and the burial ground within the Parish Church. Given the list provided it is not relevant to include a photograph of the Coronation Gardens site or the open paddock field at the top of this page. Photographs such as the allotments, as mentioned in the text, should be utilised. Removal of these two photographs is therefore requested.
	Page 12	The text on this page references community facilities listing the following: public houses, the coronation gardens, village hall, allotments, Primary School and sporting and play areas. The coronation gardens are not a community facility. The land referred to as the coronation gardens is a privately owned plot of land which was recently the subject of a Town or Village Green Application. The Application was rejected by Leicestershire County Council. The Application failed the Statutory Tests and was not awarded Village Green status. It cannot therefore be considered to be a 'key' community facility and reference should be removed from the paragraph.
	Policy S1	Supported.
	Policy H1	Supported.
	Policy H2a)	Policy text needs updating to reflect the deletion of the limits to development. As such "(as defined by the Limits to Development identified, see fig 2)" needs removing from the policy.
	Policy H5	Policy H5 Affordable Housing should be renumbered to H4, following the deletion of the original Policy H4.
	Paragraph 7.4a	The policy lists a number of community services within the Parish, but does not take account of whether they are publicly or privately owned. The Coronation Garden is a privately owned plot of land which was recently the subject of a Town or Village Green Application. The Application was rejected by Leicestershire County Council. The Application failed the Statutory Tests and was not awarded Village Green status. It cannot therefore be considered to be a 'key' community facility and should be removed from the policy.
	Paragraph 7.4c	Textual amendments have been made since the pre-submission version, however this does not appear to have been proof read as the same sentence is made twice and as such one should be removed. "The designation of a community facility as an Asset of Community Value provides the opportunity to give it added protection from inappropriate development. In addition, if an asset is 'Listed' the Parish Council or other community organisations will then be given the opportunity to bid to purchase the asset on behalf of the local community, if it comes up for sale on the open market. The Localism Act 2011 defines an 'Asset of Community Value' as "a building or other land (whose) main use has recently been or is presently used to further the social well-being or social interests of the local community and could do so in the future". The Localism Act states that "social interests" include cultural, recreational and sporting interests. Where an asset is 'Listed' the Parish Council or other community organisations will be given the opportunity to bid to purchase the asset on behalf of the local community, if it comes up for sale on the open market. Its 'Listing' can also be taken into consideration when determining a planning application for a development proposal, which would

	<p>site would normally be within easy walking distance of the community served. Sites should feel part of the local area, sites which are entirely isolated from the community will not be considered appropriate.</p> <p>Natural England has set a range of accessibility standards for natural sites and areas within easy reach of people's homes. Natural England's document "Accessible Natural Greenspace Guidance (ANGSt) 2010 recommends that everyone, wherever they live, should have an accessible natural greenspace no more than 300 metres (5 minutes' walk) from home which is considered to be an appropriate walking distance.</p> <p>Beauty – this would include the visual attractiveness and aesthetic value of the site; and its contribution to townscape, landscape, character and/or setting of the settlement. Features on sites such as woodland and water could also contribute to the overall value of the site. It would be expected that the area contributes significantly to the local identity and character of the area and plays an important role in defining the sense of place of the area.</p> <p>Historical Significance – this would be if the site is viewed to be of local significance because of its historic importance to the local community. For example:</p> <ul style="list-style-type: none"> - There are recognised historical or archaeological features/assets on site - The site links back to a historical person or event - The site has retained historical features and boundaries. <p>Recreational Value – this would be if the site holds a local significance for recreation providing an important asset for the community for a particular activity or for a range of activities. Although most green and open spaces will fall within this category and offer some form of recreational value, the aim is to identify why a particular area offers something unique and could not realistically be accommodated on the sites that would serve the community.</p> <p>Tranquillity – This would be if the site submitted is viewed to be of importance to the local community because of the tranquillity it provides, offering a place for reflection and peaceful enjoyment. It would need to demonstrate the following qualities:</p> <ul style="list-style-type: none"> - A feeling of remoteness or quiet contemplation - A general inability to see man-made structures such as roads, power-lines or excessive lighting - Has a general lack of artificial noise from vehicles or industry <p>Richness of Wildlife – For a site to be considered suitable for LGS status for its richness of wildlife, it would need to relate to one or more of the following: - Be designated as a Local Wildlife site - Include a combination of important landscape features such as ancient Hedgerows, Ancient Woodland, Veteran trees, pockets of woodland and wildflower meadow - Support a unique and/or diverse range of wildlife. This would need to be evidenced by records, ecological surveys and/or expert advice.</p> <p>Extensive Tract of Land - The NPPF is clear that the LGS designation should only be used where the land is not an extensive tract of land. Designated local green spaces would normally be fairly contained with clearly defined edges.</p>
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	<p>Paragraph 7.6b and Policy ENV2</p>	<p>Whilst there is no site threshold proposed for the identification of LGSs, it would be expected that the size of the area would reasonably relate to the community that it serves.</p> <p>In terms of the Coronation Gardens: it is considered to be in close proximity to the community and not to be an extensive tract of land. However it is not considered to be demonstrably special to a local community for its beauty, historical significance wildlife, or tranquillity. Its recreational value has been dismissed by rejection of the Village Green Application and as such does not meet the qualifying criteria for designation as a Local Green Space.</p> <p>HDC recently prepared a Local Green Spaces Background Paper which considered and designated a number of qualifying Local Green Spaces. The Coronation Gardens were not included within the Assessment and so are not put forward as Local Green Space designations.</p> <p>Given the above considerations the site should be excluded from the Neighbourhood Plan as a Local Green Space.</p> <p>In terms of the Cricket ground and pavilion: it is not considered to be in close proximity to all of the community, as per the Natural England guidance, It is also not considered to be demonstrably special to a local community for its beauty, historical significance wildlife, or tranquillity. Whilst it is not considered to be an extensive tract of land, its recreational value has been dismissed by rejection of the Village Green Application and as such does not meet the qualifying criteria for designation as a Local Green Space.</p> <p>HDC recently prepared a Local Green Spaces Background Paper which considered and designated a number of qualifying Local Green Spaces. The Cricket ground and pavilion were not included within the Assessment and so are not put forward as Local Green Space designations.</p> <p>Given the above considerations the site should be excluded from the Neighbourhood Plan as a Local Green Space.</p> <p>As per the comments above, the Neighbourhood Plan sets out that an Environmental Inventory was carried out with 30 sites identified as being valued by the community. A number of additional sites not proposed for designation as Local Green Spaces, are proposed as ‘Other Environmentally Significant Sites’</p> <p>It goes on to state that the sites were assessed using the criteria in the NPPF, however upon review of the Inventory it appears that additional criteria have been utilised as per the comments made above.</p> <p>Site 21 (group of small plots) does not in my view warrant designation as an ‘Other Environmentally Significant Site’. Paragraph 77 of the NPPF notes that a Local Green Space designation would not be appropriate for most green areas and sets out the following criteria for designating Local Green Spaces:</p> <ul style="list-style-type: none"> • In reasonably close proximity to the community it serves; • Demonstrably special to a local community and holds a particular local significance, for example because of its
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		<p>beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and</p> <ul style="list-style-type: none"> • Local in character and is not an extensive tract of land. <p>The proposed designation of LGSs, and indeed if the Neighbourhood Plan is to include ‘Other Environmentally Significant Sites’, these must be based on evidence to demonstrate why the area is demonstrably special to a local community and holds a particular local significance of history and wildlife.</p> <p>As such the criteria should be:</p> <ul style="list-style-type: none"> • Close proximity to community • Special: (Beauty, History, Recreation, Tranquillity, Wildlife) • Extensive tract of land <p>Proximity – The NPPF states that to be designated as a LGS the area should be reasonably close to the community they serve. The proximity of a LGS to the community it serves will be dependent on local circumstances including why the green area is seen as special. For example if public access is a key factor, then the site would normally be within easy walking distance of the community served. Sites should feel part of the local area, sites which are entirely isolated from the community will not be considered appropriate.</p> <p>Natural England has set a range of accessibility standards for natural sites and areas within easy reach of people’s homes. Natural England’s document “Accessible Natural Greenspace Guidance (ANGSt) 2010 recommends that everyone, wherever they live, should have an accessible natural greenspace no more than 300 metres (5 minutes’ walk) from home which is considered to be an appropriate walking distance.</p> <p>Beauty – this would include the visual attractiveness and aesthetic value of the site; and its contribution to townscape, landscape, character and/or setting of the settlement. Features on sites such as woodland and water could also contribute to the overall value of the site. It would be expected that the area contributes significantly to the local identity and character of the area and plays an important role in defining the sense of place of the area.</p> <p>Historical Significance – this would be if the site is viewed to be of local significance because of its historic importance to the local community. For example: - There are recognised historical or archaeological features/assets on site - The site links back to a historical person or event - The site has retained historical features and boundaries.</p> <p>Recreational Value – this would be if the site holds a local significance for recreation providing an important asset for the community for a particular activity or for a range of activities. Although most green and open spaces will fall within this category and offer some form of recreational value, the aim is to identify why a particular area offers something unique and could not realistically be accommodated on the sites that would serve the community.</p>
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		<p>Tranquillity – This would be if the site submitted is viewed to be of importance to the local community because of the tranquillity it provides, offering a place for reflection and peaceful enjoyment. It would need to demonstrate the following qualities:</p> <ul style="list-style-type: none">- A feeling of remoteness or quiet contemplation- A general inability to see man-made structures such as roads, power-lines or excessive lighting- Has a general lack of artificial noise from vehicles or industry <p>Richness of Wildlife – For a site to be considered suitable for LGS status for its richness of wildlife, it would need to relate to one or more of the following: - Be designated as a Local Wildlife site - Include a combination of important landscape features such as ancient Hedgerows, Ancient Woodland, Veteran trees, pockets of woodland and wildflower meadow - Support a unique and/or diverse range of wildlife. This would need to be evidenced by records, ecological surveys and/or expert advice.</p> <p>Extensive Tract of Land - The NPPF is clear that the LGS designation should only be used where the land is not an extensive tract of land. Designated local green spaces would normally be fairly contained with clearly defined edges. Whilst there is no site threshold proposed for the identification of LGSs, it would be expected that the size of the area would reasonably relate to the community that it serves. In terms of Site 21 (Group of plots), it is not correct to group these together. For instance, the paddock on Main Street (identified in red below) is surrounded by residential development to the north south and east. The site lies within the current Limits to Development. The site was previously designated as an Area of Important Open Land in the Local Plan by HDC however they have not taken forward that designation in the Core Strategy and the most recent (2011) Open Space, Sport and Recreation Sites map for East Langton does not include this as a designation as HDC do not consider the site to be of sufficient merit</p>
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In terms of the criteria, whilst the site is considered to be in close proximity to the community and not to be an extensive tract of land, it is not considered to be demonstrably special to a local community for its beauty, historical significance wildlife, or tranquillity. Its recreational value has been dismissed given the lack of designation as a recreational space by HDC (and is private land) and as such does not meet the qualifying criteria for designation as a Local Green Space.

HDC recently prepared a LGS Background Paper which considered and designated a number of qualifying Local Green Spaces. The paddock was not included within the Assessment and so is not put forward as a Local Green Space designation.

Given the above considerations the site should be excluded from the Neighbourhood Plan as an "Other Environmentally Significant Site".

Hanbury Charity

Before commenting on individual aspects of The Plan it is important to register that the views expressed are those authorised by The Charity following an extraordinary meeting on 9th August 2016 and duly recorded in the Charity's minutes and updated, recorded and agreed by further Trustee debate on the submission version.

As a part of the Community and a substantial contributor to it we respect the views expressed but like between

	<p>Policy ENVI Page 44 para b Local Green Space.</p>	<p>individual parishioners there will be differing opinions which we hope will be managed without detriment to valuable friendships. Of one thing you can be sure, whatever results from our views any benefit gained will remain in the area that we cover for benefit to those entitled to it.</p> <p>The Charity is governed by a Charitable Scheme issued by The Charity Commission dated 28th February 2008 and its Trustees must operate within it and the general rules relating to Trusteeship. Copy attached for your reference.</p> <p>The Charity therefore finds itself obliged to object to some of the proposals in The Plan which we list below and of particular note is the fact that provision of allotments is not an objective of the Charity nor is there an income stream designated to support it. None of the earlier Schemes gave any mandate in this respect.</p> <p>Policy ENVI Page 44 para b Local Green Space.</p> <p>We protest strongly against this designation for the land currently being used as allotments for the following reasons:</p> <ol style="list-style-type: none"> 1. It was not purchased for the provision of allotments, there is obligation in our scheme to run it as such and it is a drain on our resources due to the potential and proven actual liability of the surrounding wall. 2. By virtue of various Allotment Acts ELPC have a statutory and mandatory duty to provide allotments to its parishioners if there is an identified need. These are classified as Statutory Allotments and sales or other use for such allotments are strictly controlled by The Department for Communities and Local Government. Our land being privately owned, by the same legislation, falls into the Temporary Allotment category and is not subject to such control nor control by the local council. Thus we are entitled to review the use of our land at any time and subject to the terms of tenancy agreements make other arrangements. Those allotment holders who wish to continue at an alternative site have the comfort of statutory protection to help achieve that end. 3. Our interpretation of guidance relating to Local Green Space designation is that it is a very severe restriction on land and is not to be entered into lightly. It must be capable of enduring beyond the end of the plan period, i.e.2031. Therefore we are being forced to act now. We also do not think that the proposition fulfils the enduring aspect as the housing issue is not clarified and is left open for review when if a LGS order was in place land might not be available to fulfil a high priority need. <p>Our duty as Trustees is to manage our assets to the benefit of those named in The Scheme. Paras. 4 and 24 refer. As income from lettings of the allotments is only £195pa clearly the situation is not sustainable. Whilst the land has been used for horticultural purpose for many years it was only in the early 21st century that Hanbury rescued it from</p>
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a wilderness and plots formalised with a proper rental agreement which incorporates a clause requiring a tenant to vacate should the plot to be needed for other purposes. Prior to that time and following an approach from Harborough District Council plans were well advanced to develop the plot by building 10 affordable houses in conjunction with a Housing Association, Hanbury to retain three houses for rent to local applicants. The Charity would have benefited from rental income circa £20,000pa for distribution to local beneficiaries of the Scheme.

2. We have a duty to explore alternative use and this designation is excessively damaging not only to The Charity but to fulfilling the stated commitment to affordable housing and possibly ELPC and residents as there is a planned review before 2031.

3. An OSSR designation is already in place (albeit challenged and awaiting a decision). This would require an alternative site for allotments if there was still a need at the time of any future proposals. This designation would also seem inappropriate under the Temporary classification as set out in the Allotments Acts.

4. A local green space designation would almost certainly lead to a request for ELPC or its nominee to become involved in the funding and management of the allotments. Planning guidance.communities.gov.uk refers. We are not sure if ELPC or its parishioners have considered any implications/ obligations that might arise?

5. There is no public access to the allotments and as such it is only the allotment holders (currently 7) who really benefit and not the parish and certainly not the total number of parishes listed as potential beneficiaries in our Charitable Scheme. That the allotments give pleasure to the tenants is not in dispute but the provision of such a facility rests with ELPC not Hanbury Charity.

6. There may be a lack of awareness by those who prepared the NP and by Parishioners of the substantial benefits that accrue to the village School and individuals of the Parish and surrounding parishes. All income to the Charity is distributed strictly in accordance with its Charitable Scheme as would be any income derived from alternative use of the land in question. Seeking to block such income is clearly of disadvantage to The Charity's aims and obligations as it limits its potential possibly even reducing it as investment yields do vary.

	<p>Policy CS1 Assets of Community Value Page 31/33 para c</p> <p>Community Action 2 Congestion Page 61</p> <p>Affordable Housing Policies H3, H4 and HS and page 26 final para.</p>	<p>We object to this designation on the basis that our land is already in a conservation area and as such there is an obligation to keep the boundary wall in reasonable condition. The potential repair cost of this wall is a great barrier to creating a viable use for the land. We do not fully understand the need for this designation but it can only serve to exacerbate the blights already imposed.</p> <p>Policy CS1 Assets of Community Value Page 31/33 para c</p> <p>We object to this designation as being unnecessary as a sale under such powers is most unlikely to arise as ELPC or any local group is likely to be faced with the same viability problem. Hanbury Charity would insist upon covenants to prevent any future profits from a land sale falling into the hands of a new owner.</p> <p>Community Action 2 Congestion Page 61</p> <p>Hanbury Charity note the changed wording from the pre-submission document which now reflects the arrangements already in place and will continue to provide support when it can.</p> <p>Comments on Policies</p> <p>Affordable Housing Policies H3, H4 and HS and page 26 final para.</p> <p>Many comments on policy are included above. However, based upon our experience over ten years ago it would seem that the site currently used as allotments could have a part to play if not now but on review in future years. Windfall/infill sites are not ideal for this type of development and we feel that it might be helpful for you to know that subject to planning requirements and agreement by the Trustees any proposal that might arise could include at least 50% of affordable housing for rent to the sectors identified as being in need in The Plan.</p>
Leicestershire County Council		<p style="text-align: center;">East Langton Neighbourhood Plan Comments Requested – 25 January 2017</p> <p>Leicestershire County Council is supportive of the Neighbourhood plan process. Due to the current resources available, we are only able to provide general comments at this stage:-</p> <p><u>Highways</u> General Comments</p> <p>The County Council recognises that residents may have concerns about traffic conditions in their local area, which they feel may be exacerbated by increased traffic due to population, economic and development growth.</p>

Like very many local authorities, the County Council's budgets are under severe pressure. It must therefore prioritise where it focuses its reducing resources and increasingly limited funds. In practice, this means that the County Highway Authority (CHA), in general, prioritises its resources on measures that deliver the greatest benefit to Leicestershire's residents, businesses and road users in terms of road safety, network management and maintenance. Given this, it is likely that highway measures associated with any new development would need to be **fully** funded from third party funding, such as via Section 278 or 106 (S106) developer contributions. I should emphasise that the CHA is generally no longer in a position to accept any financial risk relating to/make good any possible shortfall in developer funding.

To be eligible for S106 contributions proposals must fulfil various legal criteria. Measures must also directly mitigate the impact of the development e.g. they should ensure that the development does not make the existing highway conditions any worse if considered to have a severe residual impact. They cannot unfortunately be sought to address existing problems.

Where potential S106 measures would require future maintenance, which would be paid for from the County Council's funds, the measures would also need to be assessed against the County Council's other priorities and as such may not be maintained by the County Council or will require maintenance funding to be provide as a commuted sum.

With regard to public transport, securing S106 contributions for public transport services will normally focus on larger developments, where there is a more realistic prospect of services being commercially viable once the contributions have stopped i.e. they would be able to operate without being supported from public funding.

The current financial climate means that the CHA has extremely limited funding available to undertake minor highway improvements. Where there may be the prospect of third party funding to deliver a scheme, the County Council will still normally expect the scheme to comply with prevailing relevant national and local policies and guidance, both in terms of its justification and its design; the Council will also expect future maintenance costs to be covered by the third party funding. Where any measures are proposed that would affect speed limits, on-street parking restrictions or other Traffic Regulation Orders (be that to address existing problems or in connection with a development proposal), their implementation would be subject to available resources, the availability of full funding and the satisfactory completion of all necessary Statutory Procedures.

Flood Risk Management

The County Council are fully aware of flooding that has occurred within Leicestershire and its impact on residential properties resulting in concerns relating to new developments. LCC in our role as the Lead Local Flood Authority (LLFA) undertake investigations into flooding, review consent applications to undertake works on ordinary watercourses and carry out enforcement where lack of maintenance or unconsented works has resulted in a flood risk. In April 2015 the LLFA also became a statutory consultee on major planning applications in relation to surface water drainage and have a duty to review planning applications to ensure that the onsite drainage systems are designed in accordance with current legislation and guidance. The LLFA also ensures that flood risk to the site is accounted for when designing a drainage solution.

The LLFA is not able to:

- Prevent development where development sites are at low risk of flooding or can demonstrate appropriate flood risk mitigation.
- Use existing flood risk to adjacent land to prevent development.
- Require development to resolve existing flood risk.

When considering flood risk within the development of a neighbourhood plan, the LLFA would recommend consideration of the following points:

- Locating development outside of river (fluvial) flood risk (Flood Map for Planning (Rivers and Sea)).
- Locating development outside of surface water (pluvial) flood risk (Risk of Flooding from Surface Water map).
- Locating development outside of any groundwater flood risk by considering any local knowledge of groundwater flooding.
- How potential SuDS features may be incorporated into the development to enhance the local amenity, water quality and biodiversity of the site as well as manage surface water runoff.
- Watercourses and land drainage should be protected within new developments to prevent an increase in flood risk.

All development will be required to restrict the discharge and retain surface water on site in line with current government policies. This should be undertaken through the use of Sustainable Drainage Systems (SuDS). Appropriate space allocation for SuDS features should be included within development sites when considering the housing density to ensure that the potential site will not limit the ability for good SuDS design to be carried out. Consideration should also be given to blue green corridors and how they could be used to improve the bio-diversity and amenity of new developments, including benefits to surrounding areas.

Often ordinary watercourses and land drainage features (including streams, culverts and ditches) form part of development sites. The LLFA recommend that existing watercourses and land drainage (including watercourses that form the site boundary) are retained as open features along their original flow path, and are retained in public open space to ensure that access for maintenance can be achieved. This should also be considered when looking at housing densities within the plan to ensure that these features can be retained.

LCC in our role as LLFA will object to anything contrary to LCC policies.

For further information it is suggested reference is made to the [National Planning Policy Framework \(March 2012\)](#), [Sustainable drainage systems: Written statement - HCWS161 \(December 2014\)](#) and the [Planning Practice Guidance webpage](#).

Planning

Developer Contributions

If there is no specific policy on Section 106 developer contributions/planning obligations within the draft Neighbourhood Plan, it would be prudent to consider the inclusion of a developer contributions/planning obligations policy, along similar lines to those shown for example in the Draft North Kilworth NP and the draft Great Glen NP albeit adapted to the circumstances of your community. This would in general be consistent with the relevant District Council's local plan or its policy on planning obligations in order to mitigate the impacts of new development and enable appropriate local infrastructure and service provision in accordance with the relevant legislation and regulations, where applicable.

www.northkilworth.com/wp-content/uploads/2016/01/nk-draft-low-resolution-1.pdf

www.greatglen.leicestershireparishcouncils.org/uploads/175670305aeaf48650823074.pdf

Mineral & Waste Planning

The County Council is the Minerals and Waste Planning Authority; this means the council prepares the planning policy for minerals and waste development and also makes decisions on mineral and waste development

Although neighbourhood plans cannot include policies that cover minerals and waste development, it may be the case that your neighbourhood contains an existing or planned minerals or waste site. The County Council can provide information on these operations or any future development planned for your neighbourhood.

You should also be aware of Mineral Consultation Areas, contained within the adopted Minerals Local Plan and Mineral and Waste Safeguarding proposed in the new [Leicestershire Minerals and Waste Plan](#). These proposed safeguarding areas and existing Mineral Consultation Areas are there to ensure that non-waste and non-minerals development takes place in a way that does not negatively affect mineral resources or waste operations. The County Council can provide guidance on this if your neighbourhood plan is allocating development in these areas or if any proposed neighbourhood plan policies may impact on minerals and waste provision.

Education

Whereby housing allocations or preferred housing developments form part of a Neighbourhood Plan the Local Authority will look to the availability of school places within a two mile (primary) and three mile (secondary) distance from the development. If there are not sufficient places then a claim for Section 106 funding will be requested to provide those places.

It is recognised that it may not always be possible or appropriate to extend a local school to meet the needs of a development, or the size of a development would yield a new school. However, in the changing educational landscape, the Council retains a statutory duty to ensure that sufficient places are available in good schools within its area, for every child of school age whose parents wish them to have one.

Property
Strategic Property Services

No comment at this time.

Adult Social Care

Suggest reference is made to recognising a significant growth in the older population and look for developments to include bungalows etc of differing tenures. This would be in line with the draft Adult Social Care Accommodation Strategy for older people which promotes that people should plan ahead for their later life, including considering downsizing, but recognising that people's choices are often limited by the lack of suitable local options.

Environment

No comment at this time.

Communities

Consideration of community facilities in the draft Plan would be welcomed. We would suggest where possible to include a review of community facilities, groups and allotments and their importance with your community. Consideration could also be given to policies that seek to protect and retain these existing facilities more generally, support the independent development of new facilities and relate to the protection of Assets of Community Value and provide support for any existing or future designations.

The identification of potential community projects that could be progressed would be a positive initiative.

Economic Development

We would recommend including economic development aspirations with your Plan, outlining what the community currently values and whether they are open to new development of small businesses etc.

Superfast Broadband

High speed broadband is critical for businesses and for access to services, many of which are now online by default. Having a superfast broadband connection is no longer merely desirable, but is an essential requirement in ordinary daily life.

All new developments (including community facilities) should have access to superfast broadband (of at least 30Mbps) Developers should take active steps to incorporate superfast broadband at the pre-planning phase and should engage with telecoms providers to ensure superfast broadband is available as soon as build on the development is complete. Developers are only responsible for putting in place broadband infrastructure for developments of 30+ houses. Consideration for developers to make provision in all new houses regardless of the size of development should be considered.

Resident	<p>Policy ENV1 Protection of Sites of Environmental Significance pg 44 (inventory site 1)</p> <p>Policy DBE2 Pg 39 Locally Listed Buildings</p> <p>Policy CS1 Protecting Key Community Assets</p> <p>Policy CS2 pg 32 New or Improved Community Facilities</p> <p>Policy DBE1 pg 37 design and the built Environment figure 5. Conservation Area</p>	<p>This policy is for the protection of sites of environmental significance and the protection of Local Green Spaces. I strongly agree that the Church Langton Allotments should be designated a Local Green Space and that development of this site should not be permitted. There are listed as LGS in the Core Strategy.</p> <p>The allotments are also of Historical and Architectural interest, with the wall being listed too as stated in the policy DBE2 - Local Heritage Assets.</p> <p>Even though there are a limited amount of people whom directly benefit from being an allotment tenant, they are enjoyed visually by all villagers and visitors to the village, including visits from the local Kindergarten. The allotments are all in use and there is also a waiting list therefore they are viable.</p> <p>Any proposed plans to build houses on the site of the allotments will have a negative impact on traffic in an already dangerous stretch of road.</p> <p>The allotments are in a conservation area so we have a duty to preserve and enhance the site.</p>
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Natural England		<p>Thank you for consulting Natural England on the East Langton Neighbourhood Development Plan which has now been submitted to Harborough District Council for Examination.</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>We have already commented on the East Langton Draft Neighbourhood Plan in response to a consultation from East Langton Parish Council. Natural England does not consider that the plan will have any likely significant effects on any internationally or nationally designated nature conservation sites and welcomes the broad thrust of the plan and some of the specific policy proposals. It is consistent with the National Planning Policy Framework (NPPF) and set within the context of Harborough District Council's existing Core Strategy and emerging Local Plan. We particularly welcome the commitment to protect and enhance the natural, built and historic environment by promoting green infrastructure and protecting biodiversity and important habitats. We also welcome the section on The Natural and Ecological Environment and the policies contained therein.</p> <p>We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact me on 02080261940. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk</p>
Clerk East Langton Parish Council	Policy H2	<p>Policy H2 a) currently says 'a) It is within the existing built up area of the villages of Church Langton and East Langton (as defined by the Limits to Development identified, see fig 2);</p> <p>This should have been omitted in the final draft. Please disregard this part of policy H2 a).</p>