

Lubenham 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	Ref	Full Representation
Anglian Water	Policy LNP05	Anglian Water has made an initial assessment of the implications of the proposed housing allocation sites for Anglian Water's existing wastewater infrastructure. We have no objection to the principle of residential development as proposed on the sites identified in Policy LNP05. However it is important to note that a number of the allocation sites are expected to require improvements to the foul sewerage network to enable the developments to come forward. Therefore we welcome the reference made to applicants demonstrating that capacity within the foul sewerage network can be made available.
Anglian Water	Policy LNP06	Anglian Water has made an initial assessment of the implications of the reserve site for Anglian Water's existing wastewater infrastructure. We have no objection to the principle of residential development on this site assuming that is required to meet housing need as outlined in Policy LNP06.. However it is important to note that the reserve site is expected to require improvements to the foul sewerage network to enable the developments to come forward. Therefore we would suggest that the reference be made to applicants demonstrating that capacity within the foul sewerage network can be made available and that improvements are made as necessary as set out in criterion (xiii) Policy LNP05.
Anglian Water	Policy LNP24	We welcome the reference made to the inclusion of Sustainable Drainage Systems as part of new developments within the Neighbourhood Plan area. This will help to ensure that new development does not increase the risk of surface water and sewer flooding..

Natural England	Vision	<p>Thank you for your consultation on Lubenham Parish Council's Pre-Submission Draft Neighbourhood Plan which was received by Natural England on 15 October 2015.</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>Natural England welcomes the opportunity to provide comments on Lubenham Parish Council's Draft Neighbourhood Plan. We have the following observations to make on specific aspects of the draft.</p> <p>We support the broad vision for the parish of Lubenham. We strongly support the commitment to preserving the natural environment for the community to enjoy against the backdrop of the area's housing and development requirements. Meeting housing needs and protecting the natural environment can often seem like conflicting aims. However, when viewed through the prism of sustainable development, it is clear that they are often complementary. The natural environment provides a broad range of ecosystems services such as providing clean air, food and water which have economic and social as well as environmental benefits. Similarly, a coherent green infrastructure network not only provides health benefits to local residents by providing accessible greenspace near to where they live, it also helps the community to mitigate and adapt to the impacts of climate change.</p>
Natural England	3 – The Neighbourhood Area	<p>There are no nationally or internationally designated nature conservation sites within the boundaries of the Parish. There are 3 Sites of Special Scientific Interest (SSSIs) within close proximity of Lubenham, namely Great Bowden Borrowpit SSSI, Saddington Reservoir SSSI and Coombe Hill Hollow SSSI. The nearest is Great Bowden Borrowpit which is approximately 2km away. It is unlikely that development within Lubenham will have any significant effect on these sites.</p> <p>We welcome the observation in paragraph 3.18 that the open spaces and shared leisure areas which include the large Village Green, Playing Field, War Memorial and allotments contribute to the character of the parish. Reference could be made to the National Character Areas (NCAs) which divide England into 159 distinct natural areas. Each is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. Their boundaries follow natural lines in the landscape rather than administrative boundaries, making them a good decision making framework for the natural environment. The parish of Lubenham falls within NCA 94: Leicestershire Vales. Key facts and data on this area can be found at the attached website link – http://publications.naturalengland.org.uk/publication/4900422342934528?map=true&category=587130.</p>
Natural England	4 –	We are pleased to note that one of the five main themes in the feedback provided by local residents as listed in

	Community Engagement	paragraph 4.9 is to protect Lubenham open spaces, natural environment, biodiversity and access to the countryside. This is reflected in the subsequent policy proposals.
Natural England	5 – Objectives & Policies	We welcome the objectives listed in this section. We strongly support objectives a, c, d & j: a. Protect and enhance the unique culture, rural character and heritage of Lubenham and ensure that it remains distinct and separate from Market Harborough and the SDA. c. Mitigate against growing traffic, transport and parking impacts. d. Ensure the environment, landscape and biodiversity is protected and enhanced by new development. j. Ensure new development is of a high standard and achieves high levels of sustainability particularly in relation to the effects of climate change.
Natural England	Policy LNP01:	We support policy LNP01 to maintain a separation area between Lubenham and Gartree and the Strategic Development Area (SDA) in order to preserve Lubenham’s separate identity. We welcome the commitment to ensure that development in this area will be strictly controlled and that any development which would detract from the open character of this area or reduce the visual separation of Lubenham from Market Harborough shall not be permitted. We are pleased to note that part of the separation area will comprise agricultural land to preserve the rural character of the parish. Depending on the quality of the soil, this could help to prevent the development of land of “best and most versatile” quality (Grades 1, 2 and 3a in the Agricultural Land Classification) which should be protected as a resource for the future and to support food security.
Natural England	Policy LNP02:	We strongly support policy LNP02 to encourage development that increases public access to open space or provides new publicly accessible open space in the parish. The provision of natural greenspace is an integral part of the creation of sustainable communities. One important function of Green Infrastructure (GI) is the provision of new opportunities for access to open space. Natural England’s ‘standards for accessible natural greenspace’ (ANGSt) can be used to ensure new and existing housing has appropriate access to nature. More information can be found in Natural England’s publication ‘Nature Nearby, Accessible Greenspace Guidance’ (March 2010). The CABE Space Guidance ‘Start with the Park’ (2005) outlines the importance of planning around green spaces, with consideration being given to the context of local landscape character and contribution to the wider GI network. The provision of new GI should be considered at an early stage to ensure it is deliverable at the planning stage.
Natural England	Policy LNP03:	We welcome Policy LNP03 to ensure that all new developments are designed to reflect the distinctive character and range of materials and traditional architectural features found in Lubenham.

Natural England	Policy LNP04:	We strongly support Policy LNP04 requiring new development proposals to demonstrate that they are designed to incorporate measures that will enhance natural habitats and bio-diversity within the site or within the vicinity of the site.
Natural England	Environment, Landscape & Biodiversity:	We welcome the inclusion of this section in the draft neighbourhood plan. Natural England has produced standing advice to help understand the impact of particular developments on protected or Biodiversity Action Plan species. The standing advice also sets out when, following receipt of survey information, further consultation with Natural England should be undertaken - Natural England Standing Advice.
Natural England	Policy LNP14:	We strongly support Policy LNP14 requiring new developments within the Neighbourhood Plan Area to include measures to positively enhance the natural environment and biodiversity of the area. We particularly welcome the reference to multifunctional green infrastructure provision within this policy.
Natural England	Policy LNP15:	We welcome Policy LNP15 expecting proposals for new development to look to explore opportunities to provide for and/or enhance access to and views of the open countryside and in particular towards the River Welland, the disused railway line and towards Market Harborough, Bramfield and Gartree.
Natural England	Policy LNP24:	We welcome Policy LNP24 requiring new developments within the Neighbourhood Plan Area to incorporate a range of sustainability measures, including the use of sustainable drainage systems. It's also worth noting the potential benefits of green infrastructure in mitigating against and adapting to the impacts of climate change. There is a useful section on this in paragraph 1.3 of the publication Planning for a healthy environment - good practice guidance for green infrastructure and biodiversity. We hope that you find these comments useful. 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.
Environment Agency	Submission of Examination Version of Lubenham Neighbourhood Development Plan	Thank you for consulting the Environment Agency on the examination version of the Lubenham Neighbourhood Development Plan. We welcome the opportunity to provide comment on the submission. We have reviewed all of the submitted documents and the only comment we wish to make relates to the application of the flood risk Sequential Test. In our response to the pre-submission draft Development Plan in October 2015 we highlighted the issue of the need for the Sequential Test to be carried out for sites at flood risk. This was with particular reference to proposed housing allocation site ALN/HSG/12 (Land South Of Main Street) which lies within Flood Zone 2 and 3 and is proposed as an allocated housing site in Policy LNP05. The need for the Sequential Test to be carried out is set out in paragraph 100 of the National Planning Policy

		<p>Framework (NPPF) which states that ‘<i>Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property...by: applying the Sequential Test</i>’.</p> <p>Neighbourhood Plans need to be in conformity with Local Plans and therefore para 100 of the NPPF also applies to the Lubenham Neighbourhood Plan. We note from the submitted Basic Conditions Statement document that para 100 has not been referenced as a ‘justification’ for Policy LNP05 and also that the Sequential Test is not mentioned in the wording of policy LNP05.</p> <p>We are aware that a planning application for residential development at Land at Main Street, Lubenham (planning reference 15/01471/OUT) has been submitted and approved by committee, subject to the signing of Section 106 Agreement. We understand that the Sequential Test process was not carried out during the planning application determination process.</p> <p>The Environment Agency wishes to draw these omissions to the attention of the Inspector during his/her consideration as to whether the Neighbourhood Plan submission should be considered ‘sound’ and meet the basic conditions as set out in the Planning Practice Guidance.</p>
Environment Agency	<u>Strategic Environmental Assessment</u>	The Environment Agency concurs with the conclusion of the submitted Lubenham Neighbourhood Plan Strategic Environmental Assessment (SEA) Screening Report (14 March 2016) in that the Plan does not require a full SEA to be undertaken.
Leicestershire County Council Highways General Comments	Policy LNPO 5:	Inconsistency between part vii) and xiv) (i.e. scale of development required to contribute to transport measures). Might also be worth noting that any requirements will need to be compliant with the CIL Regulations.
Leicestershire	Policy	The highway authority has previously set out its formal observations in respect of the highways and

County Council Highways General Comments	LNP11 :	transportation measures required to mitigate the impacts of the Strategic Development Area.
Leicestershire County Council Highways General Comments		The Plan does not comment on public transport provision or the risks associated with a reduced bus service. It is suggested that the plan considers the current public transport provision (i.e. low frequency (less than two-hourly) service with links to Lutterworth and Harborough) and risks associated with any possible future service reduction.
Leicestershire County Council Flooding Authority		<p>As of April 2015, Leicestershire County Council under new DEFRA/DCLG legislation are now a statutory consultee on all major (1ha or more/ 10 properties or more) planning applications relating to flooding and flood risk as the Lead Local Flood Authority (LLFA).</p> <p>With respect to new development around Lubenham, the LLFA would expect to see Sustainable Drainage Systems (SuDS) designed into all new developments using the principles of good practice detailed in the CIRIA C753- 'The SuDS Manual'.</p> <p>Furthermore, the LLFA would encourage the Lubenham Neighbourhood plan to make reference to the riparian ownership duties of landowners for watercourses. Under S23 of the Land Drainage Act 1991 the LLFA have powers to maintain and control the flow of water within watercourses, this includes the removal of unconsented structures (decking, culverting, ditch infilling) where deemed to be causing a flood risk.</p> <p>I would also encourage the Lubenham NP to be aware of and make reference to the Leicestershire Local Flood Risk Management Plan which can be downloaded from the following link. http://www.leicestershire.gov.uk/sites/default/files/field/pdf/2015/12/8/flooding_strategy_plan.pdf</p> <p>Further flooding advice can be found at the following web pages including the link to 'reporting a flood' http://www.leicestershire.gov.uk/environment-and-planning/flooding-and-drainage</p>

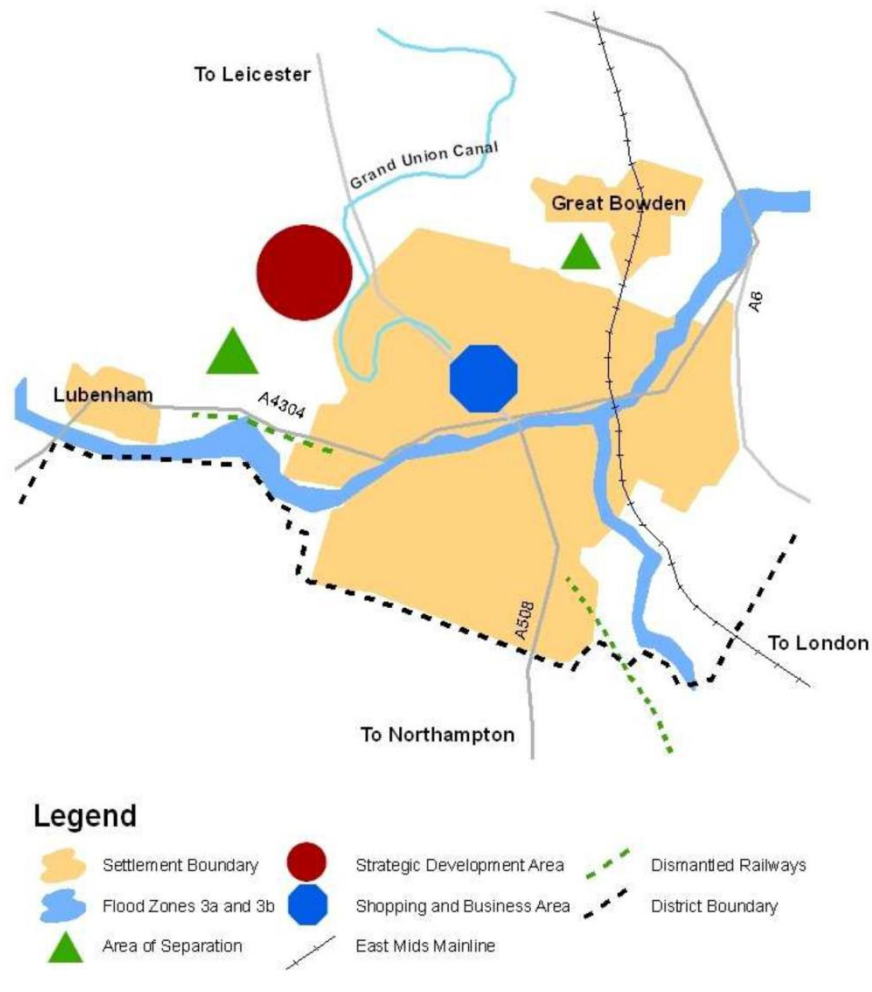
Leicestershire County Council <u>Planning</u>	Developer Contributions	There is no specific policy on developer contributions within the Lubenham NP. If new development was to come forward there might be a requirement for developer contributions to mitigate the impacts of new development, particularly on local services and infrastructure. A policy therefore might be prudent to be included within the Lubenham NP made along similar lines to those examples shown in the Draft North Kilworth NP and the draft Great Glen NP albeit adapted to the circumstances at Lubenham
Leicestershire County Council <u>Mineral & Waste Planning</u>		No comments at this time
Leicestershire County Council <u>Education</u> (LCC – Nik Green)		No comments at this time
Leicestershire County Council <u>Property</u>		No comments at this time
Leicestershire County Council <u>Environment</u>		No comments at this time
Leicestershire County Council		The plan does not appear to have any policies specific to protection/promotion of community facilities and accompanying supportive narrative around the value of these facilities. It is suggested that this is considered in the way such facilities have been addressed in other neighbourhood plans Great Glen for example.

<u>Communities</u>		
<u>Leicestershire County Council Economic Development</u>		It is welcomed that the employment and business considerations have been taken into account in the plan, to help ensure the vitality and sustainability of Lubenham
<u>Leicestershire County Council Superfast Broadband & Mobile Connectivity</u>		<p>We would suggest that you have a policy to reflect current and future provision. Suggested wording could be:</p> <p>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.</p> <p>All new developments 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.</p>
<u>Daventry District Council</u>	Map 9 - LGS, Open Space, Sport and Recreation Sites	The reference to site LGS/LUB/1b is misleading. This site sits outside the neighbourhood plan area and within the adjoining authority area of Daventry District. The neighbourhood plan cannot make designations outside of the designated neighbourhood area and this should be deleted.
<u>Planning and Design Group</u>	<u>Introduction</u>	We write on behalf of Hallam Land Management Limited ('HLML') and William Davis Limited ('WDL') to offer comments in response to the submission by Lubenham Parish Council of the Lubenham Neighbourhood Development Plan ('LNP'). HLML and WDL own or otherwise control significant areas of land within the proposed Neighbourhood Plan Area. That land (that generally falls within the 'Strategic Development Area' identified by Harborough District Council ('HDC')) has development potential. Mixed use development within the HLML and WDL land holdings has already been supported by HDC

		<p>(see details below). The delivery of that development would be influenced by the LNP (if adopted), as could any additional opportunities on nearby land.</p> <p>Whilst neither HLML nor WDL object to the principle of Lubenham Parish adopting a Neighbourhood Plan, it is our view that <u>the LNP in its current form fails to meet the 'tests' of the Basic Conditions</u>. As a result of these deficiencies, the LNP would not only be detrimental to the interests of HLML and WDL, but fall below the standard of Neighbourhood Planning expected by the Government in enacting such provisions within the planning system.</p> <p>Our concerns specifically relate to proposed Policy LNP01 and Map 2 (proposed Area of Separation and related controls) and proposed Policy LNP24 (sustainability measures).</p> <p>Unless the LNP is Modified to remove the above policies – or otherwise amended so as to achieve compliance with the Basic Conditions - we are therefore of the opinion that the LNP should <u>not proceed to Referendum</u>. We set out our concerns in further detail below.</p>
<p>Planning and Design Group</p>	<p><u>Harborough District Core Strategy Development Area and Airfield Farm</u></p>	<p>Policy CS1 'Spatial Strategy' of the adopted Harborough District Core Strategy ('CS') sets out the overall housing requirement for the District and principles for the location of that and other forms of development. It specifically identifies that part of the spatial strategy for the District is to:</p> <p><i>'c) Bring forward a strategic development area immediately to the north west of Market Harborough, including at least 1000 dwellings to meet the strategic requirement for new dwellings, and to provide access to new employment, educational and recreational opportunities'.</i></p> <p>Policy CS1 also seeks to:</p> <p><i>'h) Safeguard the individual character of settlements, by maintaining in principle the separation between...Lubenham and Market Harborough...'</i></p> <p>Policy CS13 'Market Harborough' provides further detail on the role that Market Harborough will play in achieving the District's Spatial Strategy. It states that:</p> <p><i>'a) The principal means of accommodating housing growth on Greenfield land in Market Harborough will</i></p>

	<p><i>be in the form of a strategic development area of at least 1000 dwellings to the north west of the town.'</i></p> <p>Policy CS13 identifies that:</p> <p><i>'f) The principle of a separation area between Great Bowden and Market Harborough will be maintained and a new separation area will be identified between Lubenham and Market Harborough to ensure the retention of identity and distinctiveness of neighbouring settlements.'</i></p> <p>The plan presented by the CS alongside Policy CS1 (see overleaf) identifies the in-principle location for the Strategic Development Area and two Areas of Separation, one between Market Harborough and the village of Lubenham and another between Market Harborough and the village of Great Bowden. It is of relevance that <u>neither the plan nor any other part of the CS refers to any proposed Area of Separation between the SDA and Gartree.</u></p>
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Market Harborough



In 2014, HDC approved the North West Market Harborough Strategic Development Area Master Plan ('SDA Masterplan'). The SDA Masterplan explored in broad terms the need for an area of separation between Market Harborough and the village of Lubenham; one part of the 'Design Vision' within the SDA is '*Preserve the rural countryside setting and area of separation between Lubenham and Market Harborough*'. No part of the

		<p><u>Area of Separation modelled within the SDA extended from the SDA to Gartree.</u></p> <p>In 2015, the Council resolved to approve, subject to a s106 legal agreement, an outline planning application by HLML and WDL for 'residential development (up to 924 dwellings), construction of access roads including bridge across the Grand Union Canal, demolition of footbridge and diversion of footpath 24, local centre with retail (A1, A3, A4, A5), healthcare (D1) and community (D2) uses, primary school, construction of marina with hotel (C1) and retail leisure uses (A1, A3, A4, D2), provision of open space including country park, sports fields, allotments, parks, play areas and other open space, landscaping and formation of surface water storage ponds' covering the northern part of the SDA (excluding the proposed showground). Two applications by other developers were also approved for the more central and southern part of the SDA.</p> <p>Whilst the Council has therefore agreed in principle development within the SDA, any future Reserved Matters applications would fall to be considered against the provisions of any adopted Lubenham Neighbourhood Plan, alongside other elements of the Development Plan.</p> <p>It is in the context of the future development within the SDA, and to not prejudice the proper consideration of any potential future development opportunities, that our concerns regarding the LNP are presented.</p> <p>Our detailed concerns in respect of the two policies and how they do not meet the Basic Conditions tests are set out below.</p>
<p>Planning and Design Group</p>	<p><u>Policy LNPO1 and Map 2</u></p>	<p>The policy would define an 'Area of Separation' between the western edge of the SDA (as defined within the SDA Masterplan) and the eastern edge of Lubenham village and also between the SDA and the western and southern edges of Gartree. Within that Area of Separation the type of development that would be allowed would be limited.</p> <p><i>The policy is not in general conformity with the Core Strategy.</i></p> <p>The CS supports the principle of maintaining the physical separation between the settlements of Market Harborough and Lubenham. It is self-evident however that the CS refers only to the settlement of Lubenham. It does not refer, in the content of any requirement for an area of separation, to the Parish of Lubenham or other settlements within it. The plan presented alongside Policy CS1 clearly denotes an intent for</p>

an Area of Separation between Market Harborough and the village of Lubenham. Had it been the intention of the CS to also require an Area of Separation between Market Harborough and Gartree it would have made reference to that within policy and on Map 2.

Paragraph 5.5 of the LNP states:

‘It is important that Market Harborough and Lubenham and Market Harborough and Gartree remain distinct and separate in order to maintain the rural setting and identity of each settlement and so a separation area between the settlements and major development on the west side of Market Harborough (the Strategic Development Area) should be maintained as required by Core Strategy Policy CS13 and the approved SDA Masterplan. The separation area identified in the SDA Masterplan should be extended northwards to include the gap between the showground and the public footpath (A25) marking the eastern edge of Gartree. From this footpath it is important that walkers have a clear and un-interrupted view across the broad fields that divide the established settlements from new development within the SDA’ (emphasis added).

The principle of the Area of Separation is a ‘strategic policy’ that falls within the remit of the CS. The CS did not determine any strategic requirement for an Area of Separation between Market Harborough and Gartree. By seeking to ‘extend northwards’ the Area of Separation to the edge of Gartree the LNP is not in conformity with the CS.

It is of note that the CS makes no mention of Gartree at all – it is not identified as a settlement. Whilst this does not infer that Gartree does not constitute a form of settlement (Paragraph 3.7 of the LNP confirms ‘*Gartree is made up of a mixture of semi detached, terraced and detached houses built during the 60’s as prison officers’ quarters...*’), the LNP in effect seeks to apply a status upon Gartree that the CS did not. Again, in doing so the LNP is not in conformity with the CS.

By extending the Area of Separation to seek to restrict development between the currently identified boundary of the SDA and Gartree, the LNP could undermine – and thus not be in general conformity with – the provisions of the CS. The LNP’s proposed Area of Separation would preclude the consideration of some forms of development that may otherwise accord with and support the strategic objectives of the CS; the LNP would undermine those strategic objectives.

The LNP suggests (para. 5.5) that *'...it is important that walkers have a clear and un-interrupted view across the broad fields that divide the established settlements from new development within the SDA'*. The LNP has not however presented any evidence as to the effectiveness (or otherwise) of the proposed Area of Separation in this respect, or whether any alternative options, that could possibly be in conformity with the CS, were considered.

In preparing the CS, it is clear that HDC had expected that the detailed boundaries of Areas of Separation would be determined through a later process. Paragraph 4.6 of the CS states *'The Spatial Strategy reflects the continuing commitment to the principle of...Areas of Separation across the district'*, continuing that *'[a] review of the detailed boundaries of these designations [i.e. those already identified within the adopted Local Plan and proposed new designations such as that between Market Harborough and Lubenham village] will take place as part of the Allocations DPD'*. As the Allocations DPD process was later abandoned in favour of a review of the CS and preparation of a new, single part Local Plan, HDC has not yet had the opportunity to define those boundaries. In the absence of any strategic policy support for an Area of Separation between the SDA and Gartree, any inclusion of such within the LNP directs that the LNP is not in general conformity with the CS.

Within the LNP's Basic Conditions Statement, it claims support for Policy LNP01 from CS Policy CS8 'Protecting and Enhancing Green Infrastructure'. We note that Policy CS8 is not reproduced within Appendix 2 of the LNP 'Harborough District Council – Strategic Policies of relevance to Lubenham'.

Policy CS8 *'seeks to secure a high quality, accessible and multifunctional green infrastructure network across both rural and urban areas of Harborough district'*. It does not seek to protect 'landscape' *per se*. The Basic Conditions Statement is therefore incorrect in claiming that the LNP *'accords with Harborough Core Strategy.....CS8 in protecting and enhancing local landscape'*. The protection and enhancement of local landscape may support *'high quality, accessible and multifunctional green infrastructure'* but the policy does not seek the 'protection' or 'enhancement' of 'local landscape' for its own sake. The LNP can not claim conformity in that respect with the CS.

Within the Basic Conditions Statement, the LNP again obfuscates the important distinction between the village of Lubenham and the Parish of Lubenham stating Policy LNP01 *'...protects the individuality of Lubenham Parish, keeping it separate from Market Harborough'*.

The policy has not had regard to national policy and advice contained in guidance issued by the Secretary of State.

Paragraph 184 of the National Planning Policy Framework ('NPPF') states *'...The ambition of the*

neighbourhood [plan] should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies’. It is evident that the LNP is not ‘in general conformity with the strategic policies of the Local Plan’ (the CS), despite the CS’s strategic policies being clear in so far as they relate to matters of relevance to the LNP; the LNP would fail to ‘plan positively’ and indeed would in its current form ‘undermine’ the strategic policies of the CS.

Furthermore, the LNP would constrain the delivery of important national policy objectives, as expressed within the NPPF.

By seeking to establish an Area of Separation that extends from Lubenham Village through to Gartree, the ability of the District to achieve its housing growth requirements could be compromised. Whilst the Council has approved the SDA Masterplan, neither the SDA boundary nor other elements of that document have been integrated into an adopted Development Plan Document (the revised Local Plan remains under preparation). It is possible, having balanced regard to the evidence of housing requirement and the potential housing land available, that HDC may consider further development in the vicinity of the approved SDA would be appropriate.

Through the NPPF (para. 47), the Government has made it a priority to ‘boost significantly the supply of housing’ and directs that local planning authorities should ‘ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area’. We recognise that it is not the function of the LNP to identify housing need but its proposed Area of Separation, for which no justified evidence has been presented, could serve to curtail the ability to achieve the aforesaid objectives set out in the NPPF.

Furthermore, in proposing such an extensive area of separation (for which no evidence has been put forward to substantiate its detailed boundaries), the LNP fails to plan positively. It simply serves to prevent development.

In response to consultation on the Pre-Submission Draft LNP, HLML and WDL submitted an ‘Area of Separation Appraisal’ prepared by FPCR Environment and Design Limited. That report identified an alternative boundary for the Area of Separation based upon a consideration of local topography and landscape character. That suggested amended Area of Separation would achieve the objectives of the CS in ensuring the separate identities of Market

		<p>Harborough and Lubenham village were maintained. The submission LNP was not amended in accordance with the report's suggestion. A copy of FPCR's report is enclosed with this submission. It remains our contention that if an Area of Separation is to be included within the LNP, it should be based on that suggested by FPCR.</p> <p><i>The policy has not had regard to national policy and advice contained in guidance issued by the Secretary of State.</i></p> <p>Paragraph 184 of the National Planning Policy Framework ('NPPF') states '<i>...The ambition of the neighbourhood [plan] should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies</i>'. It is evident that the LNP is not '<i>in general conformity with the strategic policies of the Local Plan</i>' (the CS), despite the CS's strategic policies being clear in so far as they relate to matters of relevance to the LNP; the LNP would fail to 'plan positively' and indeed would in its current form 'undermine' the strategic policies of the CS.</p> <p>Furthermore, the LNP would constrain the delivery of important national policy objectives, as expressed within the NPPF.</p> <p>By seeking to establish an Area of Separation that extends from Lubenham Village through to Gartree, the ability of the District to achieve its housing growth requirements could be compromised. Whilst the Council has approved the SDA Masterplan, neither the SDA boundary nor other elements of that document have been integrated into an adopted Development Plan Document (the revised Local Plan remains under preparation). It is possible, having balanced regard to the evidence of housing requirement and the potential housing land available, that HDC may consider further development in the vicinity of the approved SDA would be appropriate.</p> <p>Through the NPPF (para. 47), the Government has made it a priority to '<i>boost significantly the supply of housing</i>' and directs that local planning authorities should '<i>ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area</i>'. We recognise that it is not the function of the LNP to identify housing need but its proposed Area of Separation, for which no justified evidence</p>
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	<p>has been presented, could serve to curtail the ability to achieve the aforesaid objectives set out in the NPPF.</p> <p>Furthermore, in proposing such an extensive area of separation (for which no evidence has been put forward to substantiate its detailed boundaries), the LNP fails to plan positively. It simply serves to prevent development.</p> <p>In response to consultation on the Pre-Submission Draft LNP, HLML and WDL submitted an 'Area of Separation Appraisal' prepared by FPCR Environment and Design Limited. That report identified an alternative boundary for the Area of Separation based upon a consideration of local topography and landscape character. That suggested amended Area of Separation would achieve the objectives of the CS in ensuring the separate identities of Market Harborough and Lubenham village were maintained. The submission LNP was not amended in accordance with the report's suggestion. A copy of FPCR's report is enclosed with this submission. It remains our contention that if an Area of Separation is to be included within the LNP, it should be based on that suggested by FPCR.</p> <p>Paragraph 2.12 of the LNP confirms that <i>'Developing alongside the preparation of the Lubenham Neighbourhood Plan is the preparation of the new Harborough Local Plan. A further Strategic Housing Land Assessment (SHLAA) was carried out in 2015 and an options consultation between 18th September and 30th October. The results of this are yet to be published'</i>. To achieve the District's housing requirement within the period of the CS, HDC will be required to identify additional land for housing development. It is possible that the SHLAA (of which the results are awaited) will identify land within the LNP's proposed Area of Separation as suitable for development. Inclusion of any Area of Separation, that has not had regard to the latest SHLAA or other relevant evidence, could prejudice HDC's ability to ensure the supply of housing meets the objectively assessed need. As such, the LNP has not had regard to all relevant provisions of the NPPF.</p> <p>The LNP's Basic Conditions Statement claims at section 7.1 that <i>'[NPPF] Core Planning Principle 5 specifies that development should....recognise that some open land can perform a variety of functions'</i>. This statement is incorrect. Core Planning Principle 5 states that planning should <i>'take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it'</i>. The Planning Principle refers to <i>'different roles....of different areas'</i> – but not specifically <i>'some open land'</i>. It is unclear how LNP01 can claim consistency with this national guidance.</p> <p>At paragraph 7.1 of the Basic Conditions Statement, the LNP claims conformity with NPPF paragraph 73. Paragraph 73 states <i>'Access to high quality open spaces and opportunities for sport</i></p>
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and recreation 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. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required. The LNP's proposed Area of Separation would be an area of countryside, not an area of 'high quality open space' of the type referenced within paragraph 73. Whilst the LNP's reference to a desire to protect

walking routes is laudable, it has failed to present 'robust and up to date assessments' of the walking routes that it seeks to protect through the mechanism of the Area of Separation. The LNP has not had regard to NPPF paragraph 73.

At paragraph 7.1 of the Basic Conditions Statement the LNP claims conformity with NPPF paragraph 75, which states '*Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails*'. Policy LNP01 does not seek to 'enhance public rights of way' but rather to introduce a '*Separation [A]rea...in order to preserve a visual gap*'. Whilst public rights of way may pass through the area proposed to be subject to the designation, their protection and enhancement is not the stated intent of Policy LNP01. The LNP can not claim to have had regard to the NPPF on this matter.

At paragraph 7.1 of the Basic Conditions Statement the LNP claims conformity with NPPF paragraph 76, which states:

'Local communities through local and neighbourhood plans should be able 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. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period'.

Policy LNP01 does not seek to designate land as 'Local Green Space' but rather an extensive area of agricultural land (to which there is no lawful public access save along narrow rights of way corridors). Whilst the CS offers support to separation between Market Harborough and Lubenham village, it does not offer any such support

	<p>for an Area of Separation extending to Gartree. The LNP has not undertaken any analysis of whether its proposed Area of Separation would be <i>'capable of enduring beyond the end of the plan period'</i>. The LNP can not claim to have had regard to the NPPF on this matter; its approach is inconsistent with the NPPF.</p> <p>If the LNP were to be considered to have regard to NPPF paragraph 76, then it would also have to have regard to paragraph 77. This clearly informs that:</p> <p><i>'The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:</i></p> <ul style="list-style-type: none"> - where the green space is in reasonably close proximity to the community it serves; - 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 - where the green area concerned is local in character and is not <u>an extensive tract of land'</u>. (emphasis added) <p>The proposed Area of Separation is <i>'an extensive tract of land'</i>. Aside from forming an area of undeveloped land, it is unclear how the land is <i>'demonstrably special'</i> to the local community. Clearly, if the LNP is to draw support from NPPF paragraph 76, it must also have regard to paragraph 77. Policy LNP01 is demonstrably contrary to the guidance within paragraph 77.</p> <p>At paragraph 7.1 of the Basic Conditions Statement the LNP claims conformity with NPPF paragraph 114. That paragraph specifically applies to Local Planning Authorities and the strategic approach that should be taken in Local Plans. It does not relate to Neighbourhood Planning.</p> <p>At paragraph 7.1 of the Basic Conditions Statement the LNP claims conformity with NPPF paragraph 126. That paragraph falls within Section 12 of the NPPF <i>'Conserving and enhancing the historic environment'</i>. Paragraph 126 pertains solely to the historic environment and heritage assets. Policy LNP01 contains no reference to heritage matters. Neither the village of Lubenham nor Gartree are designated heritage assets nor contain any concentration of heritage assets. Paragraph 126 does not support Policy LNP01.</p> <p><i>The policy would not contribute to the achievement of sustainable development.</i></p> <p>Policy LNP01 would place limits on the type of development that would be acceptable within the Area of</p>
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		<p>Separation. Paragraph 7 of the NPPF advises that <i>‘There are three dimensions to sustainable development: economic, social and environmental’</i> and that <i>‘[t]hese dimensions give rise to the need for the planning system to perform a number of roles’</i>. Paragraph 8 informs that <i>‘These roles should not be undertaken in isolation, because they are mutually dependent’</i>. Paragraph 10 informs that <i>‘Plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas’</i>. It is our view that Policy LNP01 has not had due regard to the need to consider each of the ‘dimensions’ of sustainable development. In its focus on introducing a ‘visual gap’, including its ‘extension’ to Gartree, it has failed to consider how such an Area of Separation could limit opportunities to achieve each of the dimensions of sustainable development.</p>
<p>Planning and Design Group</p>	<p><u>Policy LNP24</u></p>	<p>The policy would seek the incorporation of a range of ‘sustainability measures’ within residential and business developments. The policy is contrary to the Government’s approach, duplicates other legislative provision, is vague and its requirements unpredictable and seeks to address matters best achieved outside of the planning system.</p> <p><i>The policy has not had regard to national policy and advice contained in guidance issued by the Secretary of State.</i></p> <p>The first ‘core planning principle’ set out within paragraph 17 of the NPPF states that <i>‘Plans should...provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency’</i>. Policy LNP24 would not achieve this. The policy would require the measures <i>‘where viable’</i> and the measures <i>‘include[e] but [are] not limited to’</i> the list provided within the Policy. Neither an applicant seeking planning permission nor a decision maker would therefore be clear on what was required; the outcome could not be predicted nor would there be any guarantees that that process would be efficient. Policy LNP24 has not had regard to that part of the NPPF.</p> <p>The LNP’s Basic Conditions Statement claims at section 7.24 that the Policy is in conformity with paragraph 29 of the NPPF. That paragraph relates to transport, the need to travel and choice. It makes no reference to the design of transport infrastructure, such as the type and time of use of street lighting. It provides no support for LNP24.</p> <p>Similarly, the LNP’s Basic Conditions Statement claims conformity with Paragraph 30 of the NPPF. That paragraph encourages <i>‘patterns of development which.....facilitate[e] the use of sustainable modes of transport’</i>. Paragraph 30 is of no relevance to the <i>‘low energy public street lighting and time controlled street lighting</i></p>

allowing the lighting to be switched off/reduced for periods' sought by LNP24. Again, any claim of conformity of the LNP with NPPF paragraph 30 is unfounded.

Whilst paragraph 95 of the NPPF does *'support the move to a low carbon future'* it states that *'when setting any local requirement for a building's sustainability', a local planning authority should 'do so in a way consistent with the Government's zero carbon buildings policy and adopt nationally described standards'*. Policy LNP24 would be inconsistent with the Government's approach.

The National Planning Practice Guidance ('NPPG') (Paragraph: 009 Reference ID: 6-009-20150327) explains this further, stating that:

'The National Planning Policy Framework expects local planning authorities when setting any local requirement for a building's sustainability to do so in a way consistent with the Government's zero carbon buildings policy and adopt nationally described standards. Local requirements should form part of a Local Plan following engagement with appropriate partners, and will need to be based on robust and credible evidence and pay careful attention to viability. In this respect, planning authorities will need to take account of Government decisions on the Housing Standards Review when considering a local requirement relating to new homes'.

Policy LNP24 would impose local requirements on new homes. The LNP makes no reference to the Housing Standards Review. It is clear that the LNP's proposals within Policy LNP24 would be contrary to the Government's approach.

On 27th March 2015 the government announced a new approach to the setting of technical housing standards in England. This was accompanied by the publication of a new set of 'streamlined national technical standards'. A planning written ministerial statement outlined the policy on the application of these technical standards for plan making and decision-taking. The review introduced optional building regulations including for water efficiency, which provide a higher standard than the minimum national building regulations. The optional regulations can only be applied where there is a Local Plan policy based on evidenced local need and where the viability of development is not compromised.

Adoption of the CS pre-dates the above government approach. It does not contain a policy *'based on evidenced local need'* for the measures that Policy LNP24 seeks to require, nor does Policy LNP24 actually seek to

	<p>require the aforesaid national technical standards. Policy LNP24's requirements are ill-defined and uncertain.</p> <p>NPPF paragraph 177 states that <i>'Any...local standards requirements that may be applied to development should be assessed at the plan-making stage'</i>. The LNP has provided no clear analysis of the impact on viability of the suggested measures.</p> <p>The NPPG (Paragraph: 014 Reference ID: 56-014-20150327) makes it clear that for water use <i>'All new homes already have to meet the mandatory national standard set out in the Building Regulations (of 125 litres/person/day). Where there is a clear local need, local planning authorities can set out Local Plan policies requiring new dwellings to meet the tighter Building Regulations optional requirement of 110 litres/person/day'</i>. HDC has not identified any <i>'clear local need'</i> for there to be any more stringent, local requirement. Again, this directs that Policy LNP24 would be contrary to national policy and guidance.</p> <p><i>The policy would not contribute to the achievement of sustainable development.</i></p> <p>As noted above in respect of Policy LNP01, paragraphs 7 and 8 of the NPPF set out the multi dimensions to sustainable development. Whilst some of the measures sought by Policy LNP24 may bring forth modest 'environmental' benefits (e.g. generation of renewable energy, reduction in energy consumption), the overall contribution of the policy to sustainable development is likely to be modest, if not entirely ineffectual, for reasons including the following:</p> <ul style="list-style-type: none"> - Low energy public street lighting and time controlled street lighting – These standards will be specified by the Local Highways Authority (assuming that any road would be built to adoptable standards). It is unlikely to be within the gift of any applicant to determine such specifications. - Grey-water recycling and rain water harvesting – These measures are more effectively addressing through Building Regulations. - Specification of energy efficient and water efficient appliances – Water usage standards are set through the Building Regulations. Appliance energy efficiency is regulated at a national and international (e.g. EU) level. Those mechanism are the appropriate means to achieve the 'sustainability' benefits sought, not localised planning policies. <p><i>The policy is not in general conformity with the Core Strategy.</i></p> <p>Paragraph 7.24 of the LNP's Basic Conditions Statement incorrectly claims support for Policy LNP24 from CS</p>
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		<p>Policy CS8 'Protecting and Enhancing Green Infrastructure'. That policy <i>'seeks to secure a high quality, accessible and multifunctional green infrastructure network across both rural and urban areas of Harborough district'</i>, not introduce <i>'sustainability measures'</i> into new buildings.</p> <p>CS Policy CS9 'Addressing Climate Change' does support and encourage (but not require) the <i>'use of sustainable materials and construction methods'</i>, as referenced within paragraph 7.24 of the LNP's Basic Conditions Statement – but Policy LNP24 does not actually seek any <i>'use of sustainable materials and construction methods'</i>. Whilst Policy CS9 'supports' and 'encourages' various measures that could contribute towards the 'sustainability' of a development, it does not 'require' them. Its reference to the defunct Code for Sustainable Homes highlights its age.</p> <p>Paragraph 7.24 of the LNP's Basic Conditions Statement claims support for Policy LNP24 from CS Policy CS11 'Promoting Design and Built Heritage'. CS11 states that <i>'In recognition of the importance of good design and the built heritage of the District, the highest standards of design in new development will be sought to create attractive places for people to live, work and visit'</i>. It does not seek the introduction of <i>'sustainability measures'</i>, as defined by LNP24.</p> <p><u>Summary</u></p> <p>As has been shown, Policies LNP01 and LNP24 of the proposed Lubenham Neighbourhood Plan <u>do not comply with the Basic Conditions 'tests'</u>. The extent of this non compliance is significant. Unless Modified so as to remove these policies, we are of the view that <u>the LNP should not proceed to Referendum</u>.</p> <p>On behalf of our clients, we would request to be heard at any Examination of the LNP that is deemed to be necessary by the appointed Examiner and of any decision by HDC to 'make' the Neighbourhood Plan.</p>
Harborough District Council		Harborough District Council welcomes the submission of the Lubenham Neighbourhood Development Plan and recognises the hard work that has gone into producing the document. The Council wishes to make the following representations to help improve the effectiveness of the proposed policies:
Harborough District Council	Policy LNP02	It would be useful to clarify 'improves access'.
Harborough	Policy	This is likely to be too small a development (5 dwellings) to seek this requirement. Suggest amending the

District Council	LNP04	wording to only refer to major developments. Further explanation is needed of 'shall be required'. It would be useful to explain what applicants be required to do, and at what stage and what sort of 'measures' are required
Harborough District Council	Policy LNP05	i) Site E is unlikely to be able to contribute towards meeting affordable housing needs (in light of the recent update of national planning practice guidance) since its capacity is identified as less than 10 units. Suggest amending this criterion to refer only to proposals for more than 10 dwellings. Also suggest adding wording relating to viability. The following suggested wording is taken from Core Strategy policy CS3, 'Where it can be demonstrated that these minimum requirements would make the development of a site unviable, a reduced percentage of affordable dwellings and/or a changed tenure split will be negotiated', Xiv) Suggest a wording change to ensure CIL compliance – replace 'All proposed . . .' with 'Where evidence demonstrates it is necessary . . .' and 'directly related to the development' in final sentence after 'proportionate to the impacts of the development' .
Harborough District Council	Policy LNP07	Suggest deleting the word 'exceptional' , replacing 'some very limited' with 'five or more dwellings', if that is the scale proposed. Suggest adding additional wording to ensure that viability must be demonstrated.
Harborough District Council	Policy LNP09	Suggest additional wording 'Where necessary and relevant' is added to the start of this policy.
Harborough District Council	Policy LNP11	Given that the S106 Agreement relating to the SDA is now signed it is unlikely that this policy will be needed.
Harborough District Council	Policy LNP17	Given that some of these conversions will be permitted development, suggest adding wording to the beginning of the policy 'Where planning permission is needed . . .'.
Harborough District Council	Policy LNP19	Suggest deleting 'exceptional' , replacing 'may' with 'will' and deleting ' on environmentally acceptable sites' . Part d) suggest adding the wording 'and directly related to' after 'proportionate to the impacts of'
Harborough District Council	Policy LNP20	Part a) and c) Suggest additional wording 'where necessary, directly related and proportionate to the impacts of the development' at the end of the sentence.
Harborough	Policy	Part a) Suggest replacing 'within the neighbourhood plan area' with 'within Harborough District'. Part c)

District Council	LNP21	Suggest additional wording 'where necessary, directly related and proportionate to the impacts of the development' at the end of the sentence.
Harborough District Council	Policy LNP22	Planning permission has been granted (planning application reference 10/00168/ETF) and a legal agreement signed. As such, the need for this policy is limited to any subsequent applications. If needed, suggested alternate wording, 'Further building and uses related to development of an agricultural showground will be supported subject to the imposition of planning conditions similar to the conditions associated with the current planning permission (ref. 10/00168/ETF) to ensure that traffic generation and noise are adequately controlled.'
Harborough District Council	Policy LNP23	We would recommend that this policy is expanded to apply to new developments and seek reference to the need for new developments to have access to superfast broadband speeds. The policy should indicate that 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 on occupation.
Harborough District Council	<u>Introduction</u>	1.4 Suggest adding to the end of the para, 'Harborough District Council was successful in being awarded £20,000 to progress neighbourhood planning in Lubenham.' 1.6 Suggest adding an explanation that the Harborough Core Strategy runs to 2028 and is being updated and rolled forward to 2031 through the Local Plan. Whilst we are aware that the Neighbourhood Plan is seeking to align itself with the emerging Harborough Local Plan (due for approval as a Submission Draft Plan in November 2016) should the Neighbourhood Plan not conform, it will require subsequent and perhaps substantial review.
Harborough District Council	<u>National and Local Planning Context</u>	2.12 Final sentence, suggest replacing 'yet to be published' with 'expected Summer 2016'. 2.14 Suggest replacing final sentence with 'This has confirmed that Strategic Environmental Assessment of the Plan is not required'.
Harborough District Council	<u>The Neighbourhood Area</u>	3.2 The source of the data relating to '780 people Lubenham Village only' is unclear. The numbers of properties 'rented from the council' is an error as there are no HDC-owned property currently rented in the Parish. This may be a error caused by some tenants still considering their home to be a Council property despite transfer to Seven Locks Housing. The numbers of residents in each age category may require

		<p>checking against 2011 Census data. The HDC Lubenham Parish Profile explains that 12% of the population are 65 or over, which equates to 208 people from the total 1,735 population, compared with the Plan that states '205 people over 65'. The breakdown of owner occupation/ social rented etc figures may require further checking as they do not appear to be consistent with the Census figures.</p> <p>3.8 It is unclear what the asterisk refers to.</p> <p>3.11 It is unclear what is meant by 'cuts the community in two'. Whilst we are aware of unfortunate fatal accidents caused by conflict between road users on the A4304,, the phrase 'the road has been responsible for some fatalities over the years', appears to be inaccurate – suggest deleting or changing</p> <p>4.13 To ensure the wording of the Plan is consistently positive, it is suggested that the first sentence is deleted and positive wording is added to the start of the 2nd sentence, for example, 'We welcome new residential development'</p> <p>4.14 It would be useful to include a map to show the location of the NW Market Harborough SDA or to refer in the Plan to Map 2 and the blue line which shows the outline of the SDA area. It is unclear what is meant by 'will have a significant impact on the area' – suggest deleting this. 2nd bullet point, it is unclear what mitigation is required – suggest deleting. Final bullet point, it is unclear what is required and how this will be delivered. Final para, 'some of the future needs' requires further clarification.</p>
<p>Harborough District Council</p>	<p><u>Objectives</u></p>	<p>A) The word 'separate' may require further clarification. Assume this refers to physical separation through the Area of Separation. Further clarification is needed of which 'community facilities' are required.</p> <p>B) Further clarification is needed of 'traffic, transport and parking impacts'.</p> <p>E) Further clarification is needed of 'appropriate business'?</p> <p>H). It is unclear what types of impact are anticipated and how can the Plan help to avoid impact</p> <p>5.2 It is unclear what is meant by 'rich'.</p> <p>5.4 It is unclear what is meant by 'inappropriate development'.</p> <p>5.14 Final sentence and para 5.33 - Suggest deleting this may be the perception but not borne out by the Transport Assessments submitted with the planning applications for the SDA and their consideration by Leicestershire County Council as Highway Authority.</p> <p>5.15 It would be useful to outline any background evidence used to inform the preferences identified.</p> <p>5.19 and 5.20 The justification for the level of housing allocation in these paragraphs appears closely tied to consultation responses which have indicated little support for any significant new development. It is suggested that the justification for the level of growth should respond positively to the Core Strategy and also positively allow for future growth to be planned in order to positively respond to the emerging up to date HDC</p>

	<p>Local Plan a way which is supported by the community. Reference is made to a Core Strategy “target” but there is no individual level of development specified for Lubenham in the Core Strategy . This should be replaced by a phrase such as “level of growth to support the positive delivery of the Core Strategy “ It would also be helpful to list the housing development completed and committed in terms of planning permissions in the village since 2011. This will help the Neighbourhood Plan accord more closely with NPPF para 189 in terms of positive planning to support the strategic policies for the area: .</p> <p>5.25 Reference in this paragraph to the ‘community’s concerns’ about traffic volumes, speeds and road safety are noted but it is the level of actual evidence regarding future traffic volumes and issues of safety when compared with road safety history which will be of fundamental importance in justifying developer contributions. The paragraph should be improved by making reference to the projected impacts on traffic volumes and road safety. This would ensure it is more positively worded.</p> <p>5.61 Suggest replacing with a summary of the current planning status of the site. Suggested wording - ‘The site currently has planning permission for change of use to an agricultural showground (planning ref. 10/00168/ETF, an extension of time for the previous permission ref. 05/00988/FUL). A legal agreement is in place and development has begun on the site.’</p> <p>For clarity, the SDA is known as the North West Market Harborough SDA.</p> <p>5.64 The phrase “a substantial upgrade is needed in those parts of the Neighbourhood Plan Area with poor connectivity especially Gartee” is not compatible with the latest evidence from the Superfast Leicestershire programme which shows that only 75 premises will be without superfast access by December 2017 and these are likely to be outlying properties eg farms. The Plan could be improved by including within policy LNP23 reference to the need for new developments to have access to superfast broadband speeds and 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 on occupation.</p>
<p>Sport England</p>	<p>Thank you for consulting Sport England on the above Neighbourhood Consultation.</p> <p>Planning Policy in the National Planning Policy Framework identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process and providing enough sports facilities of the right quality and type and in the right places is vital to achieving this aim. This means positive planning for sport, protection from unnecessary loss of sports facilities and an integrated approach to providing new housing and employment</p>

		<p>land and community facilities provision is important.</p> <p>It is important therefore that the Neighbourhood Plan reflects national policy for sport as set out in the above document with particular reference to Pars 73 and 74 to ensure proposals comply with National Planning Policy. It is also important to be aware of Sport England’s role in protecting playing fields and the presumption against the loss of playing fields (see link below), as set out in our national guide, ‘A Sporting Future for the Playing Fields of England – Planning Policy Statement’.</p> <p>http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/</p> <p>Sport England provides guidance on developing policy for sport and further information can be found following the link below:</p> <p>http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/</p> <p>Sport England works with Local Authorities to ensure Local Plan policy is underpinned by robust and up to date assessments and strategies for indoor and outdoor sports delivery. If local authorities have prepared a Playing Pitch Strategy or other indoor/outdoor sports strategy it will be important that the Neighbourhood Plan reflects the recommendations set out in that document and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support the delivery of those recommendations.</p> <p>http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/</p> <p>If new sports facilities are being proposed Sport England recommend you ensure such facilities are fit for purpose and designed in accordance with our design guidance notes.</p> <p>http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/</p> <p>If you need any further advice please do not hesitate to contact Sport England using the contact details below.</p>
<p>East Leicestershire & Rutland Clinical Commissioning Group</p>		<p>We have received comment below from David Winter, Practice Director at Dr Kilpatrick & Partners, Old School Surgery, 2a Station Street, Kibworth, Leicester LE8 0LN.</p> <p>“The plan envisages limited development (85 homes) over the next 15 years. This would equate to approximately 200 people all of whom would live in our practice catchment area, but if this scale of</p>

		development is spread over 15 years, and even if all the patients attended our practice (which wouldn't be the case), it represents an average of roughly 12 people a year, and although housing developments tend to be lumpy in terms of population growth, nevertheless they are on a scale which is easily absorbed.”
		END