

# **SWINFORD NEIGHBOURHOOD PLAN 2017 - 2031**

**The Report of the Independent Examiner to Harborough District Council on the  
Swinford Neighbourhood Plan**

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4<sup>th</sup> May 2018**

## Summary

I was appointed by Harborough District Council, in agreement with the Swinford Parish Council, in January 2018 to undertake the Independent Examination of the Swinford Neighbourhood Plan.

The Examination has been undertaken by written representations. I visited the Neighbourhood Area on 3<sup>rd</sup> April 2018.

The Neighbourhood Plan proposes a local range of policies and seeks to bring forward positive and sustainable development in the Swinford Neighbourhood Area. There is an evident focus on safeguarding the very distinctive character of the area whilst accommodating future change and growth.

The Plan has been underpinned by extensive community support and engagement. The social, environmental and economic aspects of the issues identified have been brought together into a coherent plan which adds appropriate local detail to sit alongside the Harborough District Core Strategy 2006 – 2028 (and, once adopted, the new Harborough District Local Plan).

Subject to a series of recommended modifications set out in this Report I have concluded that the Swinford Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.

I recommend that the referendum should be held within the Neighbourhood Area.

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## **Introduction**

This report sets out the findings of the Independent Examination of the Swinford Neighbourhood Plan 2017-2031. The Plan was submitted to Harborough District Council by Swinford Parish Council in their capacity as the 'qualifying body' responsible for preparing the Neighbourhood Plan.

Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently incorporated within the National Planning Policy Framework (NPPF) in 2012 and this continues to be the principal element of national planning policy.

This report assesses whether the Swinford Neighbourhood Plan is legally compliant and meets the 'basic conditions' that such plans are required to meet. It also considers the content of the Plan and, where necessary, recommends modifications to its policies and supporting text. This report also provides a recommendation as to whether the Swinford Neighbourhood Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome, the Swinford Neighbourhood Plan would then be used in the process of determining planning applications within the Plan boundary as an integral part of the wider development plan.

## **The Role of the Independent Examiner**

The Examiner's role is to ensure that any submitted neighbourhood plan meets the legislative and procedural requirements. I was appointed by Harborough District Council, in agreement with the Swinford Parish Council, to conduct the examination of the Swinford Neighbourhood Plan and to report my findings. I am independent of both the Harborough District Council and the Swinford Parish Council. I do not have any interest in any land that may be affected by the Plan.

I possess the appropriate qualifications and experience to undertake this role. I have over 40 years' experience in various local authorities and third sector bodies as well as with the professional body for planners in the United Kingdom. I am a Chartered Town Planner and a panel member for the Neighbourhood Planning Independent Examiner Referral Service (NPIERS). I am a Member of the Royal Town Planning Institute.

In my role as Independent Examiner I am required to recommend one of the following outcomes of the Examination:

- the Swinford Neighbourhood Plan is submitted to a referendum; or
- the Swinford Neighbourhood Plan should proceed to referendum as modified (based on my recommendations); or
- the Swinford Neighbourhood Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. If recommending that the Neighbourhood Plan should go forward to referendum, I must then consider whether or not the referendum area should extend beyond the Neighbourhood Area to which the Plan relates.

In examining the Plan, I am also required, under paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, to check whether:

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

- the Neighbourhood Plan meets the requirements of Section 38B of the 2004 Act (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one Neighbourhood Area);
- the Neighbourhood Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

These are helpfully covered in the submitted Basic Conditions Statement and, subject to the contents of this Report, I can confirm that I am satisfied that each of the above points has been properly addressed and met.

In undertaking this examination I have considered the following documents:

- Swinford Neighbourhood Plan as submitted with supporting Appendices
- Swinford Neighbourhood Plan Basic Conditions Statement (undated)
- Swinford Neighbourhood Plan Consultation Statement (undated)
- Swinford Neighbourhood Plan Strategic Environmental Assessment Screening and Determination (November 2017)
- Content at <http://www.swinfordparishcouncil.gov.uk/swinford-neighbourhood-plan.html>
- Representations made to the Regulation 16 public consultation on the Swinford Neighbourhood Plan
- Harborough District Core Strategy 2006 – 2028
- Harborough District Draft Local Plan 2013-2033
- National Planning Policy Framework (March 2012)
- Neighbourhood Planning Regulations (2012)
- Planning Practice Guidance (March 2014 and subsequent updates)
- The Neighbourhood Planning Written Statement HCWS346 (December 2016)

I carried out an unaccompanied visit to the Plan area on 3<sup>rd</sup> April 2018. I looked at Swinford and its rural hinterland. I also viewed the character of the Conservation Area and all the various sites and locations identified in the Plan document.

The legislation establishes that, as a general rule, neighbourhood plan examinations should be held without a public hearing, by written representations only. Having considered all the information before me, including the representations made to the submitted plan which I felt made their points with clarity, I was satisfied that the Swinford Neighbourhood Plan could be examined without the need for a public hearing and I advised Harborough District Council accordingly. The Qualifying Body has helpfully responded to my enquiries so that I may have a thorough understanding of the thinking behind the Plan, and the correspondence has been shown on the Harborough District Council neighbourhood planning website for the Swinford Neighbourhood Plan.

### **Swinford Neighbourhood Development Area**

A map showing the boundary of the Swinford Neighbourhood Area was provided to accompany the Neighbourhood Plan. Further to an application made by Swinford Parish Council, Harborough District Council approved the designation of the Neighbourhood Area on 6<sup>th</sup> May 2015. This satisfied the requirement in line with the purposes of preparing a Neighbourhood Plan under section 61G(1) of the Town and Country Planning Act 1990 (as amended).

### **Consultation**

In accordance with the Neighbourhood Planning (General) Regulations 2012, the qualifying body has prepared a Consultation Statement with related Appendices to accompany the Plan. This records that “throughout the development of the NP [Neighbourhood Plan] the

philosophy has been to seek to achieve the fullest possible consultation and engagement with the local community". To progress the work related to the preparation of the Plan the Parish Council as the Qualifying Body appointed a Neighbourhood Plan Action Committee (NPAC). NPAC had independent professional support from consultants YourLocale.

I can see that a varied and extensive approach to community engagement and a range of formal and informal approaches and media has been used to invite and obtain participation. An Open Meeting in February 2015 was used to launch the Neighbourhood Plan interaction with an attendance of "over 70 people". After formal designation of the Neighbourhood Area, in January 2016 a questionnaire was delivered to all 233 households in the Parish and an impressive 72% response rate was achieved. The issues identified were then taken to another Open Event in April 2016 and the feedback at that event was noted and analysed to "shape the strategy in preparing the NP". Subsequently a number of "theme groups" were established, each comprising "a dedicated team of community volunteers to undertake the work required" co-ordinated by the NPAC. Further Open Events both preceded and followed the Regulation 14 Statutory Consultation that was held February to March 2017; a spreadsheet was prepared showing all the comments received and the responses to these from the NPAC. As recorded in the Consultation Statement, one of the consultation responses drew attention to an error with significant impact; in reutilising data from the local authority SHLAA (Strategic Housing Land Availability Assessment) one housing site had been incorrectly measured. As a consequence of the draft Housing Policy being reviewed and "completely rewritten", the opportunity was taken to include a further two, new housing sites within the revisited housing sites' assessment. Consequently the Regulation 14 Consultation was re-run in July & August 2017 including notification to a comprehensive list of stakeholder contacts and a leaflet delivered to all households. A substantial number of comments, mainly from parishioners, were received (running to over 50 pages but many were multiple comments from the same sources) and each was noted and addressed, as recorded in an Appendix P to the Consultation Statement; it is evident that the Plan document has been beneficially corrected and revised as a result although I note that many comments have been repeated within the Regulation 16 Consultation.

A number of representations at the Regulation 16 consultation stage assert that the Plan consultation has been inadequate or flawed. More specifically it has been asserted that the process has not been as open as it should be and that in certain respects the Parish Council and their Action Committee have demonstrated bias. A particular concern in one representation has been for an open public meeting rather than public exhibitions and presentations but I am aware that large meetings can feel intimidating to some and a variety of methods to gather input and views is favoured in plan-making generally. I can see that a variety of methods have been used constructively in this instance and there is abundant evidence that community views have influenced the development and content of the Plan. My role is to consider the submitted Neighbourhood Plan as a land use document which expresses the community's vision.

Another particular concern has been about the level of detail about the consultation process included within the Plan document. However, the Plan document must move beyond the current and may be effective until 2031 and, as is required, for Examination purposes it is accompanied by an extensive Consultation Statement that goes into more detail and references other material.

The detail of some of the representation comments indicates that some writers have been opposed to any additional housing – as will be examined later, this has not been an option if the Basic Conditions are to be met – and others believe that different decisions should have been made when selecting housing sites to allow the Basic Conditions to be met. Some representations show unrealistic expectations for a land use Neighbourhood Plan that must sit within the context of the local development plan as a whole. One representation, repeated

by others, suggests that it would have been appropriate for the housing sites to be the subject of a community vote; however, even if that had been feasible, the responsibility for compiling and justifying the Plan overall would still rest with the Qualifying Body. The ultimate test of the consultation processes will of course be the Referendum in which every Parishioner of age has a vote.

The relevant Planning Practice Guidance says:

“A qualifying body should be inclusive and open in the preparation of its neighbourhood plan [or Order] and ensure that the wider community:

- is kept fully informed of what is being proposed
- is able to make their views known throughout the process
- has opportunities to be actively involved in shaping the emerging neighbourhood plan [or Order]
- is made aware of how their views have informed the draft neighbourhood plan [or Order].” (Reference ID: 41-047-20140306)

Overall, the degree of commitment by all participants in the Swinford Neighbourhood Plan illustrates the potential of neighbourhood planning to give “communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need” (para 183, National Planning Policy Framework). It is never likely that a shared vision will be reached with unanimity. From all the evidence provided to me for the Examination, I can see that an extensive and comprehensive approach has been taken to informing the community and obtaining the input and opinions of all concerned throughout the process, including repeating the Regulation 14 consultation. Comments were proactively sought and those received were duly considered. I can see that there has been a documented record of the ways that consultation has benefitted the Swinford Neighbourhood Plan. I cannot identify any exclusions from any surveys or public events and two Regulation 14 Consultations both indicate extensive, generally constructive participation. I am therefore satisfied that the consultation process accords with the requirements of the Regulations and that, in having regard to national policy and guidance, the Basic Conditions have been met. In reaching my own conclusions about the specifics of the content of the Plan I will later note points of agreement or disagreement with Regulation 16 representations, just as the Qualifying Body has already done for earlier consultations. That does not imply or suggest that consultation has been inadequate, merely that a test against the Basic Conditions is being applied.

### **Representations Received**

Consultation on the submitted Plan, in accordance with Neighbourhood Planning Regulation 16, was undertaken by Harborough District Council from Wednesday 1<sup>st</sup> November to Wednesday 20<sup>th</sup> December 2017. I have been passed representations – 14 in total - received from the following:

- Martin Kilbane
- Leicestershire County Council
- Hayward Underhill
- Kay Phillips
- Lincoln Fitt
- Robert Elkington
- Highways England
- Amec Foster Wheeler on behalf of National Grid
- Natural England
- National Farmers Union
- Harborough District Council
- Stephen Morris
- Simon Ragsdale
- Sport England

## The Neighbourhood Plan

The Swinford Parish Council is to be congratulated on its extensive efforts to produce a Neighbourhood Plan for their area that will guide development activity over the period to 2031. I can see that a sustained effort has been put into the dialogue with the local community to arrive at actions and policies that aim to “preserve the essential characteristics and valued features of the village as well as conserving and enhancing its surrounding environment.” The Plan document is well presented with a combination of text, illustrations and Policy boxes that is helpful to the reader and, subject to the specific points that I make below, set out in generally appropriate and clearly themed sections. The Plan has generally been kept to a manageable length by not overextending the potential subject matter and the coverage of that.

The wording of content & Policies is not always as well-expressed as one might wish, but that is not uncommon in a community-prepared planning document and something that can readily be addressed. It is an expectation of Neighbourhood Plans that they should address the issues that are identified through community consultation, set within the context of higher level planning policies. There is no prescribed content and no requirement that the robustness of proposals should be tested to the extent prescribed for Local Plans. Where there has been a failure by the Qualifying Body to address an issue in the round, leading to an inadequate statement of Policy, it is part of my role wherever possible to see that the community’s intent is sustained in an appropriately modified wording for the policy. It is evident that the community has made positive use of “direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area” (PPG paragraph: 001 Reference ID: 41-001-20140306). It is evident that the Qualifying Body understands and has addressed the requirement for sustainable development.

At the time of Plan submission the emerging Local Plan for Harborough was yet to be adopted. The “strategic policies of the development plan for the area” to which the Basic Conditions require “general conformity” are therefore derived from the Harborough Core Strategy 2006 – 2028. Wisely, the Qualifying Body has also had regard to the related policy requirements of the emerging Local Plan in order to ensure, as far as possible at this juncture, that the Neighbourhood Plan will not become outdated when the new Local Plan is adopted.

Having considered all the evidence and representations submitted as part of the Examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It works from a positive vision for the future of the Neighbourhood Area and promotes policies that are, subject to some amendment, proportionate and sustainable. The Plan sets out the community needs it will meet whilst safeguarding Swinford’s distinctive features and character. The plan-making had to find ways to reconcile the external challenges that are perceived as likely to affect the area with the positive Vision agreed with the community. All such difficult tasks were approached with transparency and care, with input as required and support from Harborough District Council.

However, in the writing up of the work into the Plan document, it is often the case that the phraseology is imprecise, not helpful, or it falls short in justifying aspects of the selected policy, and I have been obliged to recommend modifications so as to ensure both clarity and meeting of the ‘Basic Conditions’. In particular, Plan policies as submitted may not meet the obligation to “provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency” (NPPF para 17). I bring this particular reference to the fore because it will be evident as I examine the policies individually and consider whether they meet or can meet the ‘Basic Conditions’.



## **Basic Conditions**

The Independent Examiner is required to consider whether a neighbourhood plan meets the “Basic Conditions”, as set out in law following the Localism Act 2011. In order to meet the Basic Conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan for the area;
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

The submitted Basic Conditions Statement has very helpfully set out to address the issues in the same order as above and, where appropriate, has tabulated the relationship between the policy content of the Plan and its higher tier equivalents.

I have examined and will below consider the Neighbourhood Plan against all of the Basic Conditions above, utilising the supporting material provided in the Conditions Statement and other available evidence as appropriate.

## **The Plan in Detail**

I will address the aspects of the Neighbourhood Plan content that are relevant to the Examination in the same sequence as the Plan. Recommendations are identified with a bold heading and italics and I have brought them together as a list at the end of the Report.

### **Layout**

The absence of a consistent numerical sub-section referencing/hierarchy within the Plan document has often made it difficult for me unambiguously to identify in my Report the content to be addressed. Further it may make it difficult for relevant content to be referenced as required in Planning Committee Reports and permission documents. This is a point also made within a representation. In particular the section titled “Environment Policy” has become very complex and, probably as a result of late editing, has an a) to i) numbering system that is interrupted part way through (and that is not reflected on the Contents page). Accordingly I recommend that a hierarchical section (and perhaps paragraph) numbering style comparable to the Harborough District’s documents is applied to the Neighbourhood Plan.

#### ***Recommendation 1:***

*1.1 Apply a consistent section (and perhaps paragraph) numbering system throughout the Plan document; to avoid complex numbering consider sub-dividing long sections and bringing sentences together to form same-topic paragraphs.*

*1.2 Bring the Contents page and its numbering into line with the final content of the Plan after the modifications recommended in this Report have been applied.*

### **Front cover**

A neighbourhood plan must specify the period during which it is to have effect. I note that there is a clear reference to the period 2017 – 2031 on the front cover.

### **Foreword**

The Foreword has served its purpose as an introduction for the public consultation but has no continuing relevance within the statutory development plan and should be deleted.

**Recommendation 2:**

Delete the Foreword on p2 of the submitted Plan.

**1. Background and Context****Neighbourhood Plans**

There are a few amendments that need to be made here for accuracy and clarity:

**Recommendation 3:**

In the part of Section 1 headed “Neighbourhood Plans” amend/correct the following:

3.1 From the second sentence of paragraph 1 delete the word “strategic” since “the development plan” is the relevant reference.

3.2 At the end of paragraph 2 it is unclear what “These are...” refers to; simplify the last two sentences as: ‘Plans must also pass an independent examination to assure that the ‘Basic Conditions’ have been met.’

3.3 In the last sentence of paragraph 4 ‘the’ needs to be inserted before “referendum”.

**A Neighbourhood Plan for Swinford**

Harborough District Council designated a “Neighbourhood Area” and so that is what paragraph 4 should say. Whilst a map of the designated Neighbourhood Area is essential, the map provided as “Figure 1” lacks any locational references or a key; also the title should simply refer to the Neighbourhood Area since that is what has been designated.

**Recommendation 4:**

In the part of Section 1 headed “A Neighbourhood Plan for Swinford” amend/correct the following:

4.1 Rewrite paragraph 4 as:

‘In March 2015, Swinford Parish Council applied to Harborough District Council (HDC) for the designation of a Neighbourhood Area. The Portfolio Holder for Planning Services approved the application on 6<sup>th</sup> May 2015. The Neighbourhood Area which is the same as the Parish is shown on the map below.’

4.2 Amend the title of Figure 1 to ‘Swinford Neighbourhood Area’.

4.3 Use a base map that shows some settlement names so as to establish the location.

4.4 Add a key to distinguish between the red and black outlines on the map.

**The Neighbourhood Plan Advisory Committee**

The Neighbourhood Plan document may be effective for thirteen years and therefore time-dated content should be omitted.

**Recommendation 5:**

In the part of Section 1 headed “The Neighbourhood Plan Advisory Committee” amend/correct the following:

5.1 Replace the sub-heading “The Neighbourhood Plan Advisory Committee” with ‘The Neighbourhood Plan Process’; delete paragraph 1 under the revised sub-heading.

5.2 In Figure 2 on page 6 remove the distinction between “Completed” and “To Come” and in the box “Notifications if Necessary” correct “Notifications” to ‘Modifications’.

**2. Planning Context****National Planning Policy Context**

The tense and content of the first sentence of paragraph 5 need correction.

## **Local Planning Policy Context**

I suggest that the last sentence under the previous heading needs to be brought under this heading and the last sentence under this heading needs to be moved to under the next heading “Sustainable Development”. The existing sentence under this heading can then be simplified.

## **Sustainable Development Neighbourhood Plans**

These two sub-sections provide useful summaries for the readers.

### **Recommendation 6:**

*6.1 In the part of Section 2 headed “National Planning Policy Context” amend/correct the first sentence of paragraph 5 to read: ‘The NPPF sets out planning policy in England’; move the last sentence into the next sub-section under the “Local Planning Policy Context” heading.*

*6.2 In the part headed “Local Planning Policy Context” simplify the first sentence to read: ‘Harborough District Core Strategy 2006 – 2028 provides the local strategic planning context until the emerging Local Plan is adopted which at October 2017 was forecast for December 2018; move the last sentence into the next sub-section under the “Sustainable Development” heading.*

## **3. Swinford Village A Brief History**

Whilst I can appreciate that population may not be recorded consistently across the centuries, in the “Profile” section the data need absolute clarity. The “Brief History” section suggests that the 2011 population of “adults” is 586 but in the “Profile” section the suggestion is that 586 is the total population. My understanding is that 586 represents the total population and therefore the figure in the final paragraph of the “Brief History” needs correction (and complete clarity on the units of the data); my research shows that the correct figure for the 2011 adult population is 444 but I feel that the use of ‘household’ data would be more helpful to the understanding of the scale of the village.

### **Recommendation 7:**

*In the part of Section 3 headed “A Brief History” amend/correct the run of data in the final paragraph to be accurate and as consistent and relevant as possible.*

## **Profile**

The choice of data to highlight in the text has significance. This section notes that “there is an ageing population” but the associated data are less than convincing. However, within the Housing Needs section (page 29) it is noted that “the number of residents [aged] between 60-74 [years] more than [doubled] between 2001 and 2011”. That therefore is the data required to illustrate the ageing point.

### **Recommendation 8:**

*In the part of Section 3 headed “Profile” paragraph 6, replace “although the increase in people aged 65+ since 2001 is only 5 – 79 people compared to 74 in 2001” with ‘the number of residents aged 60-74 years more than doubled between 2001 and 2011’.*

## **4. Process**

This section provides a helpful summary of the extensive consultation work but there is one typographical error to correct.

**Recommendation 9:**

*In the part of Section 4 headed “Regulation 14 Statutory Consultation (Round 2)” in the third sentence of paragraph 1 correct “shoes” to ‘shows’.*

**5. Vision**

This section has clarity but the final sentence confuses by overuse of the word “policy”.

**Recommendation 10:**

*In the part of Section 5 headed “Objectives” in the final sentence replace the opening of “This policy....” with ‘This objective....’*

**6. Policies****Strategy**

The title here is potentially misleading as strategic policies are the purview of the District Council; to avoid any potential confusion I suggest that this sub-section is retitled ‘General Approach’. The third paragraph is a helpful introductory remark for the reader about the context for the Plan. However, it is important that the Plan then lives up to the remark and I will later identify instances where duplication is evident. A typographical error needs correcting.

**Recommendation 11:**

*In the part of Section 6 headed “Strategy”, replace the title with ‘General Approach’ and, in the penultimate sentence, replace “Community” with ‘community’.*

**Limits to development**

Since the primary purpose of reviewing the existing Limits to Development is to include housing sites either with an existing permission or those now allocated in this Plan, the Qualifying Body has agreed that the content related to the Limits to Development would be more appropriately located within the Housing Policy section. The Harborough Core Strategy says that “Housing development will not [generally] be permitted outside Limits to Development” (Policy CS2: Delivering New Housing) but the District Council acknowledges that Limits to Development will necessarily be reviewed through Neighbourhood Plans in order to enable the envisaged scale of new housing to be accommodated. As this is all very chicken-and-egg I suggest that one Policy should suffice to provide clarity of intent and I will pick up this issue again at Policy H3.

**Recommendation 12:**

*Remove the content of sub-paragraphs “Limits to Development”, “Methodology”, “Updated Limits to Development Boundary”, “Map 1” and “Policy S1”; some of this content will be reintroduced later and more appropriately in relation to revisions to Policy H3.*

**Housing Policy**

Most of the initial content here (up to and including current Policy H1) relates quite explicitly to considerations that are not exclusive to housing, a point made within at least one representation. I suggest that the Built Environment/Conservation Area content needs to be separated out from the later design guidance content. The content under the “Built Environment” sub-heading up to the second paragraph on page 26 should be moved to Section 3 “Swinford Village” since it is part of the factually based introduction.

**Policy H1: Building Design Principles**

Although the Qualifying Body has asserted to me that Policy H1 is about “housing policy” that is neither how it generally reads nor how it is treated across the Plan. In Policy CF2 about Community Facilities there is a cross-reference to Policy H1 and, although the cross-reference is not explicit, there are comparable design expectations within Policy E2, E3 & E5. I have therefore concluded that there is no reason to restrict good, local design to new

housing alone and therefore this Policy ought to be redesignated as a Design Policy. Some adaptation of the Policy wording is required to ensure clarity and practicality. The Local Planning Authority has commented that some statements are quite subjective and could be open to interpretation which may not give the decision makers clarity and certainty when determining applications. It is important that both the content and the wording within the Policy have appropriate regard for the NPPF expectations:

"para 59: Local planning authorities [and by extension Qualifying Bodies for Neighbourhood Plans] should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

para 60: Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness."

**Recommendation 13:**

*13.1 Relocate the heading "Housing Policy" to page 28 above "Housing Needs Reports"; delete the sub-heading "Introduction" on page 24.*

*13.2 Move the "The Built Environment" sub-section up to and including paragraph 2 on page 26 to become a third sub-section of Section 3 "Swinford Village" but delete the first two sentences so that the sub-section immediately gets to the heart of the matter.*

*13.3 Also move and retitle "Map 2" as 'Figure 3' to avoid any confusion with Plan Policy content and ensure that the Conservation Area boundary is clearly delineated (on my copy the boundary is barely readable).*

*13.4 On page 24 paragraph 3 is now the beginning of a new Policy Section so insert a new sub-heading: 'Building Design'.*

*13.5 Retitle Policy H1 as: 'Policy D1: Building Design Principles'; renumber the subsequent Housing Policies accordingly.*

*13.6 Reword the Policy opening as:*

*'All development proposals should have appropriate regard to the following design principles.'*

*13.7 Replace the bullet points with a numerical or alphanumerical system (in like manner to the earlier recommended consistent system for the whole Plan) allowing for referencing within Committee Reports and Decision Notices (eg as 1.1 or 1(a)).*

*13.8 In bullet point 1 replace "in with the aspect of" with 'within'; replace the last sentence of bullet point 1 with: 'Proposals must examine and address their impact on the existing street scene, the wider landscape and any topographical features.'*

*13.9 In bullet point 2 add 'where applicable' in place of "of" immediately before "the Conservation Area" in the second sentence.*

*13.10 Since local parking requirements may vary over time it is sufficient for bullet point 3 to read as: 'Off-road parking or, for houses, garaging of a size suitable for family cars should be provided to at least meet Highway Authority requirements, sited so as to be unobtrusive and not a dominant feature of the street scene.'*

13.11 *Bullet point 4 unnecessarily repeats an aspect of bullet point 1; in relation to the matter of contemporary design the following will be sufficient: 'Proposals which incorporate contemporary design and/or innovative materials can be supported where they address their relationship to the character of the village, the neighbourhood and any immediately adjacent buildings.'*

13.12 *Bullet point 6 (which lacks its bullet point) strays inappropriately into matters of detail which are either not generally the subject of planning control (eg burglar alarms) or are not primarily design issues (eg odour). It will be sufficient to say: 'Proposals should have appropriate regard for and mitigate their potential to cause light pollution'.*

13.13 *Bullet point 7 is not primarily a design issue – more a matter of site selection – and is addressed elsewhere; delete bullet point 7.*

13.14 *Bullet point 8 is two bullet points; start a new bullet point after the first sentence of bullet point 8; in the first bullet point add 'proposals' after the word "Development"; as regards the new bullet point, new accesses/configurations may not make it possible to "reinstate" enclosures and the general principle for enclosures will in any case apply; delete the final sentence of the new bullet point.*

13.15 *Bullet point 9 need not address the detail that is included in the (later renumbered and amended) Policy ENV9; it is sufficient to say: 'Development proposals are encouraged to incorporate sustainable design and construction.'*

13.16 *Bullet point 10 should commence with "Where possible and appropriate development proposals should...."; the unrelated detail at the end of the bullet point – "ensuring appropriate provision for the storage of waste and recyclable materials" – should be omitted.*

13.17 *Bullet point 11 unnecessarily repeats part of bullet point 1 and should be deleted.*

13.18 *Bullet point 12 is appropriately worded as something "encouraged".*

As partly reworded and renumbered Policy D1 meets the Basic Conditions.

### **Housing Needs Report**

I have no comments on the summary content of the section that runs up to "Housing Provision" but when adding the paragraph numbering system (as per Recommendation 1) the intervening sub-headings ought to be shown as subservient to the "Housing Needs Report" heading.

#### **Recommendation 14:**

*When numbering paragraphs as per Recommendation 1, show the headings "Village Profile – Population", "Village Profile – Housing" and "Implications of the Housing Needs Report" as sub-headings of the "Housing Needs Report" sub-section.*

### **Housing Provision**

The references in the text of this sub-section to the new Local Plan can now be updated to 'Harborough Proposed Submission Local Plan 2011 – 2031'. Some content also needs amending for accuracy; Harborough Council does not have a statutory duty "to provide adequate housing" but rather to ensure that enough land is allocated to meet objectively assessed housing requirements.

**Recommendation 15:**

*Under the sub-heading “Housing Provision”:*

*15.1 Replace the references to the new Local Plan in paragraphs 3 & 4 with ‘Harborough Proposed Submission Local Plan 2011 – 2031’; after the second reference change the tense of “established” to ‘establishes’.*

*15.2 Replace the third, fourth and fifth sentences in paragraph 4 with: ‘In order to ensure that housing requirements to 2031 are met, Harborough District Council has calculated a minimum housing requirement for each Parish derived from their housing distribution strategy. Planning Practice Guidance requires that where Neighbourhood Plans contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need. In particular, “where a qualifying body is attempting to identify and meet housing need, a local planning authority should share relevant evidence on housing need gathered to support its own plan-making” (Reference ID: 41-040-20160211). The minimum requirement to 2031 for Swinford is calculated as 35 dwellings; all planning approvals after April 2017, including windfalls outside of the allocations made in this Plan, will count toward meeting the housing requirement.’*

A representation queried the use of the word “minimum” in relation the requirement for housing. This term is used because the Planning Practice Guidance (ref: 41-009-20160211) says: “Neighbourhood plans should consider ..... allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new Local Plan”. Thus a Neighbourhood Plan may provide more housing than the District identifies but not less.

**Policy H2: Housing Provision**

The content here is not a Policy but a position statement. The text essentially provides the elements of a preface to Policy H3.

**Recommendation 16:**

*Delete Policy H2 and renumber subsequent Policies.*

**Limits to Development**

As noted earlier, the boundaries of the Limits to Development (Harborough Core Strategy Policy CS2: Delivering New Housing) will necessarily be reviewed through Neighbourhood Plans in order to enable the required scale of new housing envisaged to be accommodated. Therefore this section should extend the boundary to allow for new housing alongside allocating specific housing sites and some of the pre-amble text from pages 21 & 22 can be reintroduced.

**Recommendation 17:**

*17.1 Before the sub-heading “Housing Allocations” add a sub-heading ‘Review of the Limits to Development’.*

*17.2 Under the new sub-heading ‘Review of the Limits to Development’ reintroduce the content that was under the sub-heading “Limits to development” on pages 21 & 22, omit the sub-heading “Methodology” (but not the related content) and omit all of the sub-section “Updated Limits to Development Boundary”.*

*17.3 In the opening sentence to paragraph 2 of the reintroduced content, as “Villages” is not a specific term it should not have a capital v; in the same sentence replace “who” with ‘which’.*

17.4 In the final sentence of paragraph 2 there is a reference to the “surroundings” of the Neighbourhood Area; the Plan should not relate to an area larger than the Neighbourhood Area but in reality I think that the reference is to the countryside within the Neighbourhood Area; replace “...visual amenity of the Neighbourhood Plan area’s surroundings” with ‘the countryside’.

17.5 The tense used in paragraph 3 is wrong; reword paragraph 3 as:  
*‘The Neighbourhood Plan designates revised Limits to Development for the village of Swinford. This updates and supersedes the Limits to Development defined in the Harborough Core Strategy as it takes into account recent housing permissions and incorporates the housing allocations made within this Neighbourhood Plan.’*

17.6 From the content under the original sub-heading “Methodology” the third bullet point is not a criterion and should therefore be included as a new paragraph with the wording improved (so that it does not imply that the boundary will be “relaxed” over the lifetime of the Plan) as follows: *‘The new Limits to Development are intended to accommodate the sustainable housing and employment growth expected over the lifetime of this Plan.’*

Representations have expressed concern for the inclusion of additional land beyond that specifically required for the housing allocations, in particular land to the south-east of the village. On my visit to the area I could see however that the boundary selected, as per the stated criteria, does logically follow existing boundaries on the ground that mark the edge of the built-up area.

### **Housing Allocations**

I don’t believe that Map 3 of SHLAA sites on page 32 serves any purpose since the sites are amongst those on Map 4 and there is potential for confusion with the changing outline of “Area 1”; the Qualifying Body has explained that it was the larger site shown on Map 4 that was included within the sustainability analysis. In paragraph 3 there is a grammatical error that needs correcting. On Map 4 the inclusion of the (unreferenced) boundary to the Conservation Area confuses rather than helps on a busy map the primary task of which is identifying the location of and referencing the sites included within the Neighbourhood Plan analysis. Further confusion is added by the “sites” of the text being referenced as “Area” on the map and both “Area” & “Site” on the related table (but “Site” in the Sustainability Analysis). Map 4 should be simplified but enlarged to show and number the ‘Sites’ such that the map and the table can easily be read together.

A further source of confusion is the description of the process for determining the capacity of the selected housing sites which lacks any detail which would justify a conclusion that the indicative housing numbers from the Sustainability Analysis are “out of keeping with the local environment”. Within the Sustainability Analysis I can see that a simple comparative approach based on 3 bed dwellings has been used but, if the Plan’s encouragement for the provision of smaller dwellings is to be taken seriously, the proposed *reduction* in densities is counter-intuitive. The NPPF generally says that over-prescription is inappropriate, but the representation from Harborough DC wisely comments that, if there are known, specific constraints to which developers should have regard and which might limit capacity, then the Policy is the place to reflect these. Accordingly the Policy should be more detailed and would be wise to show capacities as a minimum number.

Representations have expressed concerns for the process adopted in arriving at the 3 sites to be allocated for housing. In particular a representation notes that not all landowners were approached to offer sites. However I note that the invitation to suggest sites was extended more widely than the landowners alone, although certainly only the landowners would be able to determine which parts of their land would be available for development. In relation to the selection process it is always possible to argue that should a different weight or aspect



be given to a certain factor it would suggest another site might be selectable or preferable, but the input from the community has been considerable and productive and, subject to the outcome of the referendum, conclusive; community prioritising is a key hallmark of neighbourhood planning. From my understanding of the site selection undertaken, nothing in the representations has convinced me that the process used to inform the final choice of site for allocation was flawed or so badly flawed that the Plan fails to comply with the basic conditions. Indeed the test is whether the proposed site allocations represent sustainable development not whether some alternative might, perhaps with an adjustment to factors considered, be somehow more sustainable. The Neighbourhood Planning Written Statement HCWS346 (December 2016) offers some comfort as to the benefits to the community since it seeks to “protect communities who have worked hard to produce their neighbourhood plan and [who might then] find the [District] housing supply policies are deemed to be out-of-date through no fault of their own”.

Representations have expressed a concern that it has only been at the submission stage that “an accurate plan of the housing sites” has been available for comment. I comment below that a site outline at a readable scale is required for each site. But in relation to the consultation process, it is the purpose of a rolling consultation that changes can be accommodated and the repeat of the Regulation 14 Consultation went the extra mile in ensuring the fullest possible engagement.

Planning Practice Guidance specifically notes (Reference ID: 41-005-20140306): “If the policies and proposals [in a Neighbourhood Plan] are to be implemented as the community intended a neighbourhood plan needs to be deliverable”. I am satisfied that the manner in which owners and others were invited to propose sites for consideration and the sustainability principles around which the selections were made assure a realistic prospect that the required housing will be delivered over the lifetime of the Plan (which is intended to coincide with the span of the emerging Local Plan).

**Recommendation 18:**

18.1 Delete Map 3.

18.2 Under “Housing Allocations” paragraph 3 replace “was” with ‘were’.

18.3 For Map 4:

- Enlarge and retitle it as ‘Figure 4: Sites the Subject of the Sustainability Analysis’;
- Remove the Conservation Area boundary;
- Only outline the 9 sites that were the subject of the Sustainability Analysis;
- Reference all the sites as ‘Site’ not “Area”.

18.4 In the paragraph immediately below the Map amend the reference of “The Berries” to ‘Area 1 Lilbourne Lane’.

18.5 In the second paragraph after Map 4 amend the Appendix references as per the recommendation later in this Report.

18.6 Amend the title of column 1 in site score and allocated sites tables to simply say ‘Site’.

18.7 Amend the title of column 3 on the site scores table (page 34) as ‘Comparative number of dwellings’; correct the column 2 site location names to match those in the Site Sustainability Analysis.

18.8 Amend the title of column 3 on the sites allocation table (page 35) as ‘Minimum estimated capacity’.

18.9 In the bullet point list on page 34 remove the reference to “Map 12” in bullet point 3.

18.10 In the paragraph immediately below the bullet point list on page 34, replace the second sentence with: ‘However, the dwelling numbers used within the analysis for purely comparative purposes may not provide a fair reflection of the capacity of each site after constraints and preferred dwelling sizes have been accommodated and therefore an indicative minimum number of dwellings has been used within the Policy.’

### **Policy H3: Land for Housing**

As a result of the earlier recommendations this Policy has become Policy H1. The Policy must now both revise the Limits to Development and then, within that boundary, allocate new housing sites to address the identified housing requirement; accordingly Map 1 must be renumbered and located adjacent to the Policy. The wording might also reflect the policy approach in the emerging Local Plan to assure its longevity.

Since this Policy also allocates specific areas for development, the boundaries of each must be unambiguously defined; therefore the Policy also needs 3 other maps at a suitably large scale identifying each site with suitable titles to match the Policy wording. The criteria attached to each allocation need to address any reasonable constraints on the development of the individual sites but these cannot be used to constrain a third party eg the adoption of service roads by the Highway Authority. The phrase “similar density to adjacent existing dwellings” is problematic when sites may only be adjacent to a single dwelling and that may not be of a dwelling size being sought within the new development.

Since Windfall Sites – the subject of Policy H4 – are constrained to be within the now revised Limits to Development, they too could helpfully become an element within the new Policy H1. I note that within the emerging Local Plan the hierarchy of settlements identifies Swinford (Table D22) as a “Selected Rural Village” where “[d]evelopment should be primarily in the form of small-scale infill developments or limited extensions”; it is reasonable therefore for the Neighbourhood Plan to provide guidance on what “small-scale” might mean in the particular village. However, as representations have also commented, requiring an arbitrary number irrespective of the size of the site is not justified.

#### **Recommendation 19:**

*19.1 Renumber and retitle Policy H3 as ‘Policy H1: Land for Housing’; renumber subsequent Policies. Number the Policy sub-parts consistently with an overall number system (the approach below is an example).*

*19.2 Reword the new Policy H1 as follows:*

*‘H1.1 The revised Limits to Development, as shown on Policy Map 1, shape and accommodate the future development of Swinford. Housing development within the Limits to Development will be supported provided that each proposal addresses the following criteria:*

- i. it does not, cumulatively with other proposals, significantly exceed the target for the delivery of new homes in Swinford set from time to time by the Local Planning Authority; and*
- ii. it reflects the size of the current settlement, its road infrastructure and its level of service provision; and*
- iii. it is physically and visually connected to and respects the form and character of the existing settlement; and*
- iv. safe and convenient access is provided for vehicles, cycles and pedestrians; and*
- v. off-road parking is provided at a scale to meet all the requirements of the development and carefully sited to avoid undue prominence; and*
- vi. existing natural boundaries such as trees, hedges and streams are retained wherever possible; and*
- vii. the mix of dwellings proposed is informed by and justified against up to date evidence of housing need; and*
- viii. affordable housing is provided in accordance with Policy H3 and proportionately to the up to date evidence of housing need and, where provided, is fully integrated within the development.*

*H1.2 Land at Rugby Road, 0.76ha as shown on Policy Map 2.1, is allocated for a minimum 15 dwellings; development proposals should address the following:*

- i. As a site on the periphery of the village, dwelling density should be low when compared to the compact village centre but accommodating of the Policy H2 preference for smaller dwellings.*
- ii. Appropriate regard must be demonstrated for Policy D1.*
- iii. The site layout must accommodate the public bridleway running along the eastern edge of the site and the valued view along it to the open countryside to the south.*
- iv. Existing mature trees should be retained wherever possible.*
- v. The western edge of the site should be suitably planted to soften the transition from open countryside into the village*

*H1.3 Land at Lutterworth Road, 0.95ha as shown on Policy Map 2.2, is allocated for a minimum of 17 dwellings; development proposals should address the following:*

- i. As a site on the periphery of the village, dwelling density should be low when compared to the compact village centre but accommodating of the Policy H2 preference for smaller dwellings.*
- ii. Appropriate regard must be demonstrated for Policy D1 and, in accordance with Policy BE1, for Lodge Cottage to the north of the site.*
- iii. The trees and hedges along the boundary should be retained wherever possible.*
- iv. A survey and mitigation plan are needed for the known badger sett within the site.*

*H1.4 Land at Shawell Road, 0.11ha as shown on Policy Map 2.3, is allocated for a minimum of 3 dwellings; development proposals should address the following:*

- i. As a site on the periphery of the village, dwelling density should be low when compared to the compact village centre but accommodating of the Policy H2 preference for smaller dwellings.*
- ii. Appropriate regard must be demonstrated for Policy D1.*
- iii. The site layout must accommodate the public footpath running south-east to north-west across the site.*
- iv. The existing hedge to the road side of the site should be retained as far as possible and the western edge of the site should be suitably planted to soften the transition from open countryside into the village*

*H1.5 In addition to these specific sites, small scale infill development within the Limits to Development will be supported subject to:*

- I. proposals being of an appropriate scale for the village, normally between 1 to 3 dwellings, so as to integrate well within the existing settlement; and*
- II. garden areas not being reduced to the extent that it unduly affects the character of the immediate area, or the amenity of neighbours and the occupiers of the new dwelling(s).'*

*19.3 Move the map of the Limits to Development to be close to Policy H1 and retitle it as 'Policy Map 1: Revised Swinford Limits to Development.*

*19.4 Provide new Policy Maps 2.1 – 2.3 with titles that match the site names used in Policy H1 and at a scale that ensures that the boundary of each site is clear and unambiguous.*

As reworded the new Policy H1 meets the Basic Conditions.

## **Housing Mix**

There is some discrepancy between the pre-amble text and the related Policy H5 wording over the sizes of dwellings to be preferred. The Qualifying Body has commented that it is the preamble text that requires amendment. The Policy wording only partly acknowledges that Swinford's needs may change over time.

A representation suggests that more should have been done to ensure that housing for the elderly, on terms appropriate to the means of the elderly people of Swinford, would be delivered on the housing sites allocated. This might have been feasible had a Neighbourhood Development Order been pursued, which can grant planning permission for specified developments in a Neighbourhood Area. However, that route would have required confidence that there are developers willing to accept the proposition offered via the Order. The Local Planning Authority has cautioned that the term “more than 50%” would imply both houses on a two dwelling site, which may not be equitable. More generally the NPPF requires (para 173) that the development sites identified in a plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. Whilst it is reasonable that the Plan sets out brief details of constraints per site and demand within the village, the specification of the required size of dwellings at specific locations is over-prescriptive.

**Recommendation 20:**

*20.1 Amend the last sentence immediately prior to Policy H5 (page 37) to read:*

*‘Development proposals for housing should therefore address the evidence of needs and preferences within Swinford and provide a mix of 1, 2 & 3 bedroom dwellings and bungalows.’*

*20.2 Renumber Policy H5 as ‘Policy H2: Housing Mix and rewrite the second sentence of the Policy as follows:*

*‘Unless the latest evidence indicates otherwise, development proposals should concentrate on providing 1 & 2 bedroom dwellings, including where feasible bungalows for older people (built to the appropriate mobility standard), mixed with some 3 bed dwellings.’*

As partly reworded the new Policy H2 meets the Basic Conditions.

**Affordable Housing**

I cannot see how it can be correct to say that “the transfer of Harborough District Council’s stock to the Seven Locks Housing Association” could have, of itself, affected the “number of houses available at the lower end of the market or for rent”; it is merely the social housing ownership that changed. However, as you note, the Right to Buy policies operated since the 1980s will undoubtedly have reduced the properties available at affordable rents. It is reasonable for Policy H6 to utilise the evidence gathered for the emerging Harborough Local Plan in arriving at an appropriate and sustainable level of affordable housing provision (that also has regard for national policy requirements); one point of clarification is required as indicated below.

**Recommendation 21:**

*21.1 Rewrite the second paragraph (page 38) under the sub-heading “Affordable housing” as follows:*

*‘National ‘Right to Buy’ policies since the 1980s have affected the provision of affordable housing to rent in the village and in 2017 there were only 9 properties available to rent from a social landlord. There are therefore severely limited opportunities for new households and those on low incomes to establish in Swinford.’*

*21.2 Renumber Policy H6 as ‘Policy H3: Affordable Housing’ and in the second paragraph of the Policy add ‘new’ between “possible” and “affordable”.*

As amended the new Policy H3 meets the Basic Conditions.

**Developer Contributions**

Neighbourhood Plans are required to address matters of land use but the content here relates to a financial mechanism from which the Parish may benefit; in large part the content is also speculative. Accordingly the Qualifying Body has agreed that the content should be changed to a Community Action item which may inform future Parish decisions.

**Recommendation 22:**

*Amend the content headed “Developer Contributions” to Community Action item 1; amend the numbering of subsequent Community Action items accordingly.*

**Environment Policy**

In this section the references to the Swinford Parish have often lost their capital P but this should be used consistently to avoid any potential confusion.

**Recommendation 23:**

*In the section titled “Environment Policy” – and throughout the Plan – where the Swinford Parish is being referred to, use a capital P for Parish.*

**The Natural Environment**

**a) Local Green Spaces**

The pre-ambule to Policy ENV1 correctly notes that the NPPF sets down essential criteria that must be met in full when designating a “Local Green Space”. But further, and as noted in relation to one possible site, Planning Practice Guidance says: “If land is already protected by designation, then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space” (Ref: 37-011-20140306). As its starting point the NPPF says (para 77): “The Local Green Space designation will not be appropriate for most green areas or open space”. Accordingly I asked the Qualifying Body to revisit their Local Green Space designation proposals to:

- ensure explicit coverage of the complete NPPF criteria; and
- ensure that the Planning Practice Guidance is addressed consistently; and
- remove proposed areas where they fail to meet the full NPPF and Guidance requirements.

Accordingly a revised Appendix 8 was drafted with coverage enhanced and sites reduced by two since it was acknowledged that the spaces titled “Parish Cemetery” and “Stanford Estate Avenue” have other and adequate means of protection. Although the illustrations in the Appendix 8 document are impressive, maps to identify the exact boundary for each designated area must also be added, as must a title to identify it as an Appendix and therefore an integral part of the Plan document.

The purpose of Policy ENV1 is to designate specific areas as ‘Local Green Space’ and the protection afforded by this designation is set out in the NPPF; the Policy should not redefine the consequences of designation. The Policy, the related map and Appendix 8 must all be aligned with the same referencing across the three. The site known as ‘The Glebe’ was omitted from the wording of Policy ENV1 in error and needs to be included.

**Recommendation 24:**

*24.1 Amend Map 5 (page 42) to show the four only sites for designation at a larger scale, each referenced in line with the Policy wording as LGS1 – LGS4 (as also shown in Appendix 8 – as presently numbered, see later recommendation); amend the title to ‘Policy Map 3: Local Green Spaces’.*

*24.2 Under the sub-heading “Local Green Space”, paragraph 4, add a sentence between the second and third sentences as follows: ‘The seven were reduced to 4 by combining two together at ‘The Glebe’ and removing two – The Cemetery and The Avenue on the Stanford Estate – since these are already adequately protected by other designations.’*

24.3 Rewrite Policy ENV1 as follows:

*'The following areas shown on Policy Map 3 and detailed and delineated by maps in Appendix 8, are designated as Local Green Spaces:*

*LGS1: The Glebe including play area*

*A small meadow or paddock, now incorporating a play area and historically part of the medieval village layout, which makes a valued contribution to the character of the Conservation Area.*

*LGS2: The Mourant Orchard*

*An open area that has been an orchard since at least 1886 and makes a valued contribution to the character of the Conservation Area.*

*LGS3: The Paddock, Stanford Road*

*An old paddock, currently ungrazed and partly overgrown, that makes a valued contribution to the character of the Conservation Area; the hedge on the western boundary conceals an historic ornamental gateway originally the access to the avenue leading to Stanford Hall.*

*LGS4: The Village Green*

*A wide roadside sward in the centre of the village that is regularly used for community activities; alongside the Glebe it makes a valued contribution to the character of the Conservation Area. '*

24.4 Delete the text paragraph immediately below the Policy ENV1 box since the content is now within the Policy.

24.5 At Appendix 8 (as presently numbered, see later recommendation) add an Appendix title, reduce the opening paragraph and the content to reference four only sites and amend the site numbering accordingly; add a map for each site that clearly and unambiguously defines the boundary.

As reworded Policy ENV1 meets the Basic Conditions.

#### **b) Open Space**

I confirm that the content here is more appropriate for Community Action but the Map numbering needs to follow the revised sequence both in the titling of the Map and within the Community Action. Map 7 and the related text are supporting evidence and do not have a place in the Plan document (as also noted in one representation).

#### **Recommendation 25:**

25.1 Renumber Map 6 (page 42) both in the Map title and the Community Action box to 'Figure 5'.

25.2 Delete Map 7 and its related text below.

#### **c) Other Sites of Environmental Significance**

Whilst the intention of Policy ENV2 is clear and valued as local content, the level of protection cannot exceed that afforded to designated assets. Also the nature of the "identified features" must be absolutely clear within the Policy; in this regard I cannot see that a specific case has been evidenced for the "environmental (natural and historical) significance" of the following, which I have now omitted from the list: Fields 089 (Caravan Site), 131 (Holly Furlong), 133 (Black Man's Dyke & Swinford Lodge Yard), 151 (The Leys - part of which has been allocated for housing), & 193 (Home Close).

#### **Recommendation 26:**

26.1 Retitle Map 8 as 'Policy Map 4 – Sites of Environmental Significance' and reference the fields in line with the Policy.

## 26.2 Reword Policy ENV2 as:

*'Development proposals at or adjacent to the following locations (identified on Policy Map 4) must consider, assess and address their impact on the locally significant natural and historical features, with mitigation including improved and replacement planting and habitats where appropriate:*

*ENV2.1: Knight's Fields (Field 048) - Well-preserved ridge and furrow. Lime and birch trees in or near old hawthorn hedge to east. Natural England priority habitat: good quality semi-improved grassland.*

*ENV2.2: Homefield (Field 082) - Permanent pasture. Natural England priority habitat: good quality semi-improved grassland.*

*ENV2.3: Swinford Covert (Field 092) - Mature deciduous woodland with rookery. 19<sup>th</sup> century covert. Natural England priority habitat: deciduous woodland.*

*ENV2.4: Seed Field/5 Acre/8 Acre/6 Acre/ 6 Acre (Field 101) - Permanent pasture with seeded NW corner. Historically five fields now amalgamated into one large parcel. River bank to south, with alder, willow, rushes and arrowhead. Natural England priority habitat: good quality semi-improved grassland.*

*ENV2.5: The Pines/Near the Pines/The Bridge Meadow/Tin Hut Field (Field 119) - Historic group of fields, now combined with hedge removal in ?1970s into one large parcel. Cropmarks and earthworks preserve the ?1783 hedgelines, traces of medieval ridge and furrow.*

*ENV2.6: Side Hook Meadow (Field 124) - Permanent flood plain pasture. Mixed woodland at east end adjoining river bank. The site's biodiversity has been enhanced as part of the junction 19 improvements (2015-16), including regrading and planting of riverbank for otter mitigation. Aquatic and riparian vegetation, invertebrates, fish, mammals and birds. Remnants of old footbridge piers; historical significance as site of water mill (L&R HER site MLE2498) probably in +/- continuous use from 1086 to early post-medieval.*

*ENV2.7: The Paddock (Field 192) - Permanent grass field with faint traces of ridge and furrow. This was part of the open field immediately bordering the medieval village. Mature species-rich hedges on east and west boundaries, including mature trees (ash).*

*ENV2.8: The Moors (Field 246) - Permanent grass field, regularly grazed pasture. Evidence of ridge and furrow. On west boundary is species-rich and biodiverse hedge 3-4 metres tall and 2-3 metre thick of mature mixed deciduous species.*

*ENV2.9: Swinford Lodge garden/copse (Field 254) - 19<sup>th</sup> or early 20<sup>th</sup> century ornamental planting, possibly on site of old orchard (1886 map). Natural England priority habitat: deciduous woodland.*

*ENV2.10: Brickyard Pond (Field 255) - 18<sup>th</sup>-19<sup>th</sup> century brick yard; 19<sup>th</sup> century woodland (before 1886 OS map) with ponds now filling the old claypits. Possibly spring-fed from local sand and gravel aquifer. Historic and cultural site for clay extraction and brick-making for the village and surrounding area. Woodland and water ecology site, with 4+ Biodiversity Action Plan (BAP) species of birds, invertebrates, etc. Natural England priority habitat: deciduous woodland.'*

## 26.3 Delete Fields 089, 131, 133, 151 and 193 from the retitled Policy Map 4.

As reworded Policy ENV2 meets the Basic Conditions.

#### **d) Trees, Woodlands and hedges**

#### **e) Biodiversity**

Policies ENV3 & ENV4 deal with the same matters that have been featured quite specifically within Policy ENV2 whilst adding nothing to higher level policies. Within Policy ENV3 no justification has been provided for the potentially onerous “three-for-one” replacement rate for trees. Policy ENV2 is the one of the three policies that has the clarity and evidenced detail that is required to “provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency” (NPPF para 17).

#### **Recommendation 27:**

*27.1 Delete Policies ENV3 & ENV4; renumber subsequent ENV Policies.*

*27.2 Edit the text for sub-sections d) & e) to relate solely to the Community Actions 2 & 3:*

- *delete paragraph 3 of sub-section d) (page 49);*
- *in sub-section e) paragraph 3 replace the opening “The Policy” with ‘Policy ENV2’ and below this delete the second bullet point.*

#### **f) Ridge and Furrow Fields**

Arguably this feature has also already been part of the detail within Policy ENV2; however evidently the community feels that this is an important part of their Parish and therefore Policy ENV3 (renumbered from Policy ENV5) has a particular local purpose. I do however feel that there needs to be a clear and defensible limit to what is worthy of special protection not least because, as a representation notes, there is no planning protection against the plough; policy must be in line with the evidence. Within the Environmental Inventory I regard the term “Well preserved ridge and furrow” as the indication of the “best of the remaining ridge and furrow fields” (the wording used at paragraph 3 page 52); accordingly Fields 050, 061, 066, 072, 077, 097, 099, 123, 132, 202, 204 & 217 should be omitted from text and map attached to Policy ENV3 (as renumbered) since they do not reach this designation level according to the Inventory. The Qualifying Body has suggested that a map showing all ridge and furrow fields with “the best” differently indicated could be reinstated from earlier drafts but I believe the Policy Map should be restricted to its purpose and the Inventory, as supporting evidence, can acknowledge the wider detail.

#### **Recommendation 28:**

*28.1 Renumber Policy ENV5 as ENV3.*

*28.2 Within the text of Policy ENV3 remove the (potentially confusing) commas.*

*28.3 In both the Policy ENV3 and the title of the accompanying map amend “Map 9” to ‘Policy Map 5’.*

*28.4 On Policy Map 5 (as retitled) provide a key for the ‘Well preserved ridge and furrow fields’ and add a note: ‘Field numbers relate to the Environmental Inventory produced for the purposes of the Neighbourhood Plan’; remove shading from Fields 050, 061, 066, 072, 077, 097, 099, 123, 132, 202, 204 & 217; improve the scale of the map as far as possible.*

As renumbered and slightly reworded Policy ENV3 meets the Basic Conditions.

#### **Built Environment**

I note that the sub-section heading “Built Environment” appears to have been relegated below its own sub-section headings. For clarity I feel that the Built Environment Section



deserves its own run of BE Policy numbers and therefore new numbering is included in the recommendations below.

**Recommendation 29:**

*Correct the font size of the sub-heading “Built Environment” (page 54).*

**Statutorily Listed Buildings**

The correct terminology is simply ‘Listed Buildings’ and the statutory obligation on decision-makers is to have special regard to the desirability of preserving listed buildings and their settings. The stated policy objectives in the NPPF and the related Guidance establish the twin roles of the setting of a listed building: it can contribute to the significance of a heritage asset, and it can allow that significance to be appreciated. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the heritage asset’s conservation, including sustaining significance (NPPF, paragraph 132). Accordingly the opening paragraph here needs slight amendment.

**Recommendation 30:**

*30.1 Replace the sub-heading “Statutory Listed Buildings” with ‘Listed Buildings’ (page 54).*

*30.2 In the text immediately below the sub-heading, in the second sentence replace “but” with ‘and’.*

*30.3 Retitle “Map 10” as ‘Figure 6’ since it does not define new Policy.*

*30.4 Immediately prior to the list of listed buildings correct the reference to the Map as (now renamed) ‘Figure 6’ and add ‘full details are available on the Historic England website: <https://historicengland.org.uk/listing/the-list/>*

**Locally Listed Buildings**

The Qualifying Body has advised me they inadvertently named this section as Local Listed Buildings whereas they should have referred to them as ‘Local Heritage Assets’. They have added that the list provided (on pages 55-56) is not intended to add any new protections to these houses, most of which are already protected by virtue of their locations within the Conservation Area or are already Listed Buildings. Instead the intention had been to draw attention to the typical types, designs and groupings and to make the point that “this is how we see our village”, and that these are buildings typical of those that parishioners said they wish to see reflected in any future developments in the Parish. Accordingly I believe that this section should be renamed ‘Streetscape’ and the related Policy reworded accordingly.

**Recommendation 31:**

*31.1 Replace the sub-heading “Locally Listed Buildings” with ‘Local Heritage – Streetscape’.*

*31.2 In the second paragraph and on Map 11 itself replace “Map 11” with ‘Policy Map 6’.*

*31.3 In the third paragraph replace “the list of Non-Designated Heritage Assets” with ‘streetscape assets’.*

*31.4 Replace the fourth paragraph (under the map on page 57) as follows: ‘Development proposals should both respect and take inspiration from the buildings and grouping of buildings that characterise and add interest to the streetscape throughout Swinford.’*

*31.5 Renumber and reword Policy ENV6 as follows:*

*‘Policy BE1: Heritage Streetscape*

*Policy Map 6 identifies the buildings and groupings of buildings that make a significant contribution to the layout and streetscape of Swinford with their characteristic mix of*

*architectural styles. Development proposals should respect and take inspiration from these streetscapes to ensure that new buildings are integrated with care within their heritage setting.'*

As renumbered and reworded Policy BE1 meets the Basic Conditions.

### **g) Views**

Whilst it is correct to note that views are important to the rural feel and setting of Swinford, they cannot be protected absolutely against change, as is illustrated by the decisions reached on the location of new development that will contribute to the sustainability of the village. Accordingly the text and Policy must be tempered by the reality that views can be respected whilst accommodating change and/or mitigation rather than “protected” or “preserved” within a Neighbourhood Plan. The requirement is that the Policy must “provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency” (NPPF para 17).

#### **Recommendation 32:**

*32.1 Under the heading g) Views, paragraph 2 replace “...are now obtrusive insertions into ...” with ‘affected’.*

*32.2 Renumber “Map 12” as ‘Policy Map 7’.*

*32.3 Alter the vector for View 1 so that the westerly arrow points along Shawell Road and for View 3 narrow the vector so that it more realistically represents the view along the bridleway from Rugby Road.*

*32.4 Extend the map to the south so that View 2 is shown with clarity.*

*32.5 In the text below the map (page 58) and in the Policy itself renumber “Policy ENV7” as ‘Policy BE2’ and reword the opening sentence of the Policy as: ‘Development proposals must consider, assess and address, with mitigation where appropriate, their impact on the important views listed below and illustrated on Policy Map 7 which help to define the rural setting and character of Swinford: .....’*

As renumbered and partly reworded Policy BE2 meets the Basic Conditions.

### **Rights of Way**

I don’t feel that this Policy sits happily within the “Built Environment” section and it should be moved to immediately after the Ridge and Furrow sub-section. Footpaths and bridleways are afforded national protection and it is therefore not necessary for Neighbourhood Plans to potentially confuse with differences of wording and consequences. However, the Qualifying Body has indicated that they wish to highlight the issue and draw attention to it. I note that the text relates also to the National Cycle Network but the Policy, the Community Action and the related Map do not. A positively framed Policy is needed but, particularly as the map (not referenced in the Policy) is difficult to read and is currently and may become further out of date, it should be omitted.

#### **Recommendation 33:**

*33.1 Renumber “Policy ENV8” both in the text and the Policy as ‘Policy ENV4’; move the content to immediately after the “Ridge and Furrow” subsection.*

*33.2 Retitle and reword the renumbered Policy ENV4 as follows:  
‘Policy ENV4: Footpaths, Bridleways and the National Cycle Route*

*Swinford Parish is well served with footpaths, bridleways and a national cycle route for recreation. Development proposals should respect and, where possible, improve the local network and access to it.'*

### **33.3 Delete Map 13.**

As renumbered and reworded Policy ENV4 meets the Basic Conditions.

## **h) Sustainable Development**

### **i) Sustainable Drainage and Flood Risk**

The text and the Policies here are both very complex, the two do not always apparently interlink – the text says there are “criteria” but these are not evident in the Policies – and the text is sometimes misleading – “substantial development” is defined as “one or more houses”. Given that the NPPF includes a “presumption in favour of sustainable development” (paragraph 14) there is again a potential to confuse rather than add to national expectations. However the Qualifying Body wishes it to be known that “the community of Swinford intends to play its part in sustainable development”. Sub-sections h) & i) cover closely interrelated ground and so could be combined beneficially.

### **Recommendation 34:**

*34.1 Under the sub-heading “h) Sustainable Development” paragraph 1, first sentence replace “Local Plan” with ‘policies’; in the second sentence (page 61) delete the words “not to prevent all development” and replace “the Planning system” with the words ‘the District Council through the planning system’; delete the third sentence and paragraphs 2 & 3 and the sub-heading “i) Sustainable Drainage and Flood Risk”.*

*34.2 Under the current sub-heading “i) Sustainable Drainage and Flood Risk” delete paragraph 3 (page 63) since the text acknowledges that Swinford village, where the housing sites are allocated, is not at risk of flooding from rivers.*

*34.3 Combine Policies ENV9 and ENV10 and renumber the resulting Policy as BE3.*

*34.4 Reword the combined Policy BE3 as follows:*

*‘Policy BE3: Sustainable Development*

*Development proposals should consider, assess and address their potential to:*

- i. use sustainable materials and construction methods; and*
- ii. incorporate good practice sustainable design features such as low consumption, mitigation of the effects of climate change, on-site energy generation, and on-site SuDs drainage and surface water management; and*
- iii. facilitate access by sustainable modes of transport; and*
- iv. add innovations which have a positive impact upon climate change adaptation; and*
- v. incorporate beneficial features for biodiversity; and*
- vi. address and reduce flood risks.’*

As renumbered and reworded Policy BE3 meets the Basic Conditions.

## **Community Facilities and Amenities Policy**

A number of representations have drawn attention to the strange choice of wording in the third paragraph of this sub-section where it suggests that “the loss of some amenities such as a local shop and public transport” has “opened up a wider range of shopping alternatives than what was available locally”. I imagine that the observation was intended to be that being required to own a car can open up new travel opportunities, but I don’t think that such speculation has a place within this factually based pre-amble.

Policy CF1 could be more positively worded but its intent is clear. Policy CF2 takes a more positive stance but its clarity could be improved. General design issues have already been addressed within (the renumbered) Policy D1. The related Community Actions are both numbered CF1 but previous Community Actions have not had a subject prefix (ie CF) so the two Action points here could readily be combined to make 'Community Action 6: Community Facilities'.

**Recommendation 35:**

*35.1 Under the heading "Community Facilities and Amenities Policy" in paragraph 3 delete the last sentence.*

*35.2 Combine Community Actions "Assets of Community Value" and "Community Facilities" to form a new 'Community Action 6: Community Facilities'.*

*35.3 Reword Policy CF2 'Proposals that ensure the retention, improve the quality, and/or extend the range of community facilities, particularly those for young people, will be supported provided that:*

- i. the facility and scale are appropriate to the needs of the Parish; and*
- ii. residential amenities are respected; and*
- iii. the location is conveniently accessible for residents arriving on foot or bike; and*
- iv. where applicable, current parking issues are not exacerbated.'*

Policy CF1 and, as partly reworded, Policy CF2 meet the Basic Conditions.

**Transport Policy**

**Traffic Management**

The preamble text needs to be updated to the Policy numbers after the recommendations have been effected eg Policy ENV8 has become ENV4. Traffic management is not, as conceived within Policy T1, a land use matter; therefore the "Policy" – which does not read as a Policy - should become an additional Community Action.

**Recommendation 36:**

*36.1 Review the Policy cross references within the text (page 71) to ensure that these are updated to the numbering used in the final version of the Plan.*

*36.2 Change "Policy T1" to 'Community Action 7: Traffic Management'.*

**Employment Policy**

**Support for Existing Employment**

Although the present extent of commercial premises is not assessed for the purposes of policy development within the Plan, it is evident that it is not of a scale that would challenge the strategic priorities of the Harborough Core Strategy. No justification is provided for the parameters incorporated within Policy E1; indeed whilst the text addresses commercial premises the Policy as written extends to commercial and retail premises, although I can only identify one retail building which is the pub, already included within Policy CF1. I note there is a precedent for the proposed 12 months interregnum on the reuse of commercial sites for non-commercial purposes; the emerging Local Plan Policy HC3 (page 117) requires that for public houses, post offices or village shops they have been proactively marketed at a reasonable price for a minimum of 12 months for its current use, free of tie and restrictive covenant. It is noted (para 8.5.1) that such premises selling primarily convenience goods are all identified as key services, in recognition of the valuable contribution they make to meeting the day-to-day needs of local communities and therefore supporting their sustainable growth. Arguably, especially in a rural location, employment opportunities might assume an equivalent level of contribution to sustainable growth. I therefore propose only minor amendments to Policy E1 for clarity.

**Recommendation 37:**

*37.1 From the first sentence of Policy E1 delete “strong” – a presumption is not gradable – and delete “commercial and retail” and “(A and B-class)” and amend “provides” to ‘provide’ – the Policy is addressing existing employment opportunities.*

*37.2 In sentence two, put “the premises or land in question” at the end of the sentence before the colon; delete “the commercial premises or land in question” from each of the subsequent bullet points.*

*37.3 In the second bullet point replace “and as demonstrated through the results both of” with ‘with evidence from’.*

As partly reworded Policy E1 meets the Basic Conditions.

**Support for New Employment Opportunities**

**Policy E2: Support for New Employment Opportunities within the Village of Swinford**

The noted support for the rural economy in the emerging Local Plan (text top of page 75) needs to have a reference; Policy GD2 relates to Swinford as a Selected Rural Village and Policy GD3 addresses development in the countryside; in the case of the latter I note that the text explains that Policy GD3 “strikes a suitable balance between encouraging a thriving rural economy, maintaining and, where possible, improving the sustainability of smaller rural settlements, and conserving the character of the District’s much valued countryside”. However, it is the strategic policies of the Harborough Core Strategy that are relevant to my deliberations; Core Strategy Policy CS17 supports development on a scale which reflects the size and character of the village concerned, the level of service provision and takes into account recent development and existing commitments. Outside Swinford only development required for the purposes of agriculture, woodland management, sport and recreation, local food initiatives, support visits to the District and renewable energy production are considered as appropriate in the countryside.

The Policy E2 wording itself presents a number of challenges: the title says that it relates to “the Village of Swinford” but the Policy extends to the countryside; it is unclear at the outset whether the Policy relates to development proposals as such; the Policy accommodates “proven exceptional circumstances” but this phrase is loose and undefined making objective assessment problematic; there is an obligation on every new development to “contribute to the character and vitality of the local area” but it is unclear how this might be achieved; similarly, there is a requirement that new businesses are (or will be?) “well integrated into and complement existing businesses” but, as the Local Planning Authority has noted, with no evidence to support this restraint nor any definition that would allow it to be assessed; the lower section (which confusingly starts another set of bullet points labelled a) & b)) partly contradicts the upper section.

The Qualifying Body has urged that this Policy’s encouragement for new employment provision should not be diluted but the Policy must have clarity if it is to be applied consistently and it cannot, without detailed evidence, override higher level policies. From the text of the Plan I can recognise that the Qualifying Body is no less concerned than the District Council to strike the balance between encouraging a thriving rural economy, maintaining and, where possible, improving the sustainability of a rural settlement, and conserving the character of the countryside. A reworded Policy is required if the policy objective is to be addressed and the Basic Conditions met.

**Recommendation 38:**

*38.1 Under the heading “Support for New Employment Opportunities” paragraph 4 (page 75) add ‘(Policy GD3)’ after “the rural economy”.*

38.2 Reformulate and reword Policy E2 as follows:

*'Policy E2: Support for New Employment Opportunities*

*Development proposals that provide additional employment opportunities and are of a type and on a scale which are compatible with the character and infrastructure of the village or countryside location concerned will be supported subject to:*

- i. in Swinford, the location is within the defined Limits to Development;*
- ii. in the countryside outside Swinford, developments will be limited to uses appropriate to a rural area, including uses which would help to sustain and diversify the rural economy, which may include small-scale recreation and tourism enterprises;*
- iii. the reuse of suitably constructed buildings or previously developed land wherever possible; and*
- iv. no loss of existing dwellings; and*
- v. appropriate regard for the residential amenity of neighbouring dwellings where applicable; and*
- vi. traffic generation and parking requirements being assessed and addressed.'*

As reworded Policy E2 meets the Basic Conditions.

### **Farm Diversification**

Although there is significant overlap with Policy E2 I can see that the Plan seeks to be as even-handed as possible between village and countryside locations and the Policy accords with a strand of national policy. To ensure compatibility with Core Strategy Policy CS7 I suggest retitling the Policy for clarity and adding a phrase to the Policy opening (and amending the use of bullet points that have again reappeared).

### **Recommendation 39:**

*Reword the opening of Policy E3 as follows:*

*'Policy E3: Re-use of Rural Buildings*

*The re-use, conversion and adaptation of appropriately located and suitably constructed existing rural buildings (particularly those adjacent to or closely related to villages) will be supported subject to:*

- i. the proposed use being appropriate to a rural location which may include enterprises that contribute to the retention and viability of rural services or land based businesses, or aid farm diversification, or are tourism and/or recreation related where a countryside location or setting is required, or otherwise benefit rural businesses and communities; and*
- ii. the scale and appearance respecting the character of the countryside, the local landscape and the surrounding environment; and*
- iii. potential harm to any archaeological, architectural, historic or environmental features of special interest being assessed and addressed; and*
- iv. traffic generation and parking requirements being assessed and addressed; and*
- v. potential harms to neighbours, such as noise, light pollution, increased traffic levels and increased flood risk, being assessed and addressed.'*

As partly reworded Policy E3 meets the Basic Conditions.

### **Broadband Infrastructure**

Whilst broadband delivery is only to a very limited extent a land use issue, the thrust of Policy E4 has national and local strategic support. However, it is not for a Neighbourhood Plan to seek to define super-fast broadband or add locational constraints the impacts of which are un-tested. Some of the content of Policy IN3 in the emerging Local Plan may serve as a model for more appropriate wording for parts of Policy E4.

### **Recommendation 40:**

Partly reword Policy E4 as follows:

*‘Proposals to provide access to super-fast broadband and improve the local mobile communications network will be supported subject to:*

- i. above-ground installations, where applicable, being appropriately designed, minimising size and scale and camouflaging appearance wherever possible; and*
- ii. the significance, appearance, character and setting of heritage assets being conserved; and*
- iii. provision being made to ensure that equipment that has become obsolete or that is no longer in use is removed as soon as practicable and the site restored to its former condition.’*

As partly reworded Policy E4 meets the Basic Conditions.

### **Homeworking (which I think should read Home Working)**

In planning terms there is a barely discernible difference between the intent of Policy E2 and Policy E5. However the Qualifying Body is concerned to highlight the potential of well-planned working from home and therefore E5 is retained as a separate Policy. Rather than potentially being confused with summaries of other policy content, this is an instance where cross-referencing to other vital Policy content is appropriate.

#### **Recommendation 41:**

Partly reword Policy E5 as follows:

*‘Development proposals to use part of a dwelling and/or its curtilage for working from home, where subject to a planning consent, will be supported subject to:*

- i. the relevant content of Policies D1 and E2 being addressed; and*
- ii. potential harms arising from the proposed activity such as noise, fumes, odour or other nuisance being assessed and addressed; and*
- iii. any extension or free-standing building (where not permitted development) being designed to complement and not detract from the character of the building to which it is subservient with particular attention to height, scale, massing, location and materials.’*

As partly reworded Policy E5 meets the Basic Conditions.

## **7. Monitoring and Review**

The commitment to monitoring is essential. The last paragraph should now represent a firm commitment.

#### **Recommendation 42:**

*Under the heading “Monitoring and Review” amend the last paragraph to read:*

*‘The Parish Council will formally review the Neighbourhood Plan no later than 2022 and then on a 5 year cycle which may be brought into line with the review cycle of the emerging Harborough Local Plan when that commences.’*

## **8. Index**

The Index is helpful but much of the content now needs to be comprehensively reviewed in the light of Plan amendments made as a result of the recommendations in this Report. Further, the present balance between the “Neighbourhood Plan Appendix List” and the “Supporting Documents Appendix List” is wrong; the former need to be part of the Plan document and the latter do not, they can be included as a hyperlinked reference and relegated to the end of the Index. The Basic Conditions Statement, the Consultation Statement, the two Housing Needs Reports and the Flood Risk Maps should be moved to the “Supporting Documents” section. Thus the “Site Sustainability Analysis” will become Appendix 1, etc.

### **Recommendation 43:**

43.1 *Comprehensively review the content of the Index in the light of the Plan amendments made as a result of recommendations in this Report.*

43.2 *Show the ‘Neighbourhood Plan Appendix List’ as follows and include the content of each of these documents – since the content of the Plan draws directly from these – at the back of the Plan document with their Appendix number indicated:*

*Appendix 1: Site Sustainability Analysis*

*Appendix 2: Sustainable Development Criteria*

*Appendix 3: Environmental Inventory*

*Appendix 4: Local Green Spaces in detail.*

43.3 *Move the balance of the content of the “Neighbourhood Plan Appendix List” to the “Supporting Documents Appendix List”, add hyperlinks to the locations of the content and move the whole to the end of the Index.*

43.4 *Amend the indexes of the Figures (now increased), the Maps – renamed Policy Maps – and the Policies to accord with the revised content of the Plan after the recommendations in this Report have been addressed.*

### **Other matters raised in representations**

A concern has been expressed for statements and subjective opinions that are not backed up by factual evidence or research. Although Neighbourhood Plans are not ‘tested’ to the same degree as Local Plans, it is the case that Plan content and policies in particular need to have supporting evidence proportionate to the issue raised. Within the content of this Report I have addressed a number of instances where policy content exceeds the value of the evidence presented. This is not unusual in Examination reports; evidence is often difficult to obtain but the Qualifying Body has generally addressed issues with objectivity.

Several representations make suggestions for additional content, including objectives, but it should be appreciated that, given that the Neighbourhood Plan sits within the development plan documents as a whole, keeping content pertinent is entirely appropriate. There is no obligation on Neighbourhood Plans to be comprehensive in their coverage – unlike Local Plans - and content is properly guided by the priority issues for the community, not least because supporting evidence is required.

A representation promotes a nearby Neighbourhood Plan as a model that the Swinford Plan should have followed. However, it is part of the value of Neighbourhood Plans that they can be tailored to the needs and concerns of relatively small areas and, provided the Basic Conditions are met, there can be considerable format freedom and content variety.

I have not mentioned every representation individually but this is not because they have not been thoroughly read and considered in relation to my Examiner role, rather their detail may not add to the pressing of my related recommendations which must ensure that the Basic Conditions are met.

### **European Union (EU) and European Convention on Human Rights (ECHR) Obligations**

A further Basic Condition, which the Swinford Neighbourhood Plan must meet, is compatibility with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

There is no legal requirement for a neighbourhood plan to have a sustainability appraisal. A Strategic Environmental Assessment Screening Report for the Swinford Neighbourhood



Plan (dated November 2017) produced by Harborough District Council has been used to determine whether or not the content of the Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plan and Programmes Regulations 2004. The Screening noted and the Statutory Consultees agreed that it is unlikely that there will be any significant environmental effects arising from the policies in the Submission draft of the Swinford Neighbourhood Plan that were not covered in the Sustainability Appraisals of the Harborough Core Strategy and the subsequent interim Sustainability Appraisal for the emerging Local Plan. The outcome of the assessment concluded that the Swinford Neighbourhood Plan does not require a full SEA as part of its production. Harborough District Council consulted the Environment Agency, Natural England and Historic England on the Screening Report and their responses are included within the Report.

Particularly in the absence of any adverse comments from the statutory bodies or the Local Planning Authority, I can confirm that the Screening undertaken was appropriate and proportionate and confirm that the Plan has sustainability at its heart.

The Swinford Neighbourhood Plan has regard to fundamental rights and freedoms guaranteed under the ECHR and complies with the Human Rights Act 1998. No evidence has been put forward to demonstrate that this is not the case.

Taking all of the above into account, I am satisfied that the Swinford Neighbourhood Plan is compatible with EU obligations and that it does not breach, nor is in any way incompatible with the ECHR.

## Conclusions

This Independent Examiner's Report recommends a range of modifications to the Policies, as well as some of the supporting content, in the Plan. Modifications have been recommended to effect corrections, to ensure clarity and in order to ensure that the Basic Conditions are met. Whilst I have proposed a significant number of modifications, the Plan itself remains fundamentally unchanged in the role and direction set for it by the Qualifying Body. Where deletions have been recommended because of inappropriate repetition or summarising of Core Strategy content, the policy requirements within the Harborough District Core Strategy will still be effective.

I therefore conclude that, subject to the modifications recommended, the Swinford Neighbourhood Plan:

- has regard to national policies and advice contained in guidance issued by the Secretary of State;
- contributes to the achievement of sustainable development;
- is in general conformity with the strategic policies of the development plan for the area;
- is compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

**On that basis I *recommend* to the Harborough District Council that, subject to the incorporation of modifications set out as recommendations in this report, it is appropriate for the Swinford Neighbourhood Plan to proceed to referendum.**

### Referendum Area

As noted earlier, part of my Examiner role is to consider whether the referendum area should be extended beyond the Plan area. I consider the Neighbourhood Area to be appropriate and no evidence has been submitted to suggest that this is not the case. I therefore ***recommend*** that the Plan should proceed to referendum based on the Neighbourhood Area as approved by the Harborough District Council on 6<sup>th</sup> May 2015.

**Recommendations:** (this is a listing of the recommendations exactly as they are included in the Report)

Rec.	Text	Reason
1	<p>1.1 Apply a consistent section (and perhaps paragraph) numbering system throughout the Plan document; to avoid complex numbering consider sub-dividing long sections and bringing sentences together to form same-topic paragraphs.</p> <p>1.2 Bring the Contents page and its numbering into line with the final content of the Plan after the modifications recommended in this Report have been applied.</p>	For clarity and correction
2	Delete the Foreword on p2 of the submitted Plan.	For clarity
3	<p>In the part of Section 1 headed “Neighbourhood Plans” amend/correct the following:</p> <p>3.1 From the second sentence of paragraph 1 delete the word “strategic” since “the development plan” is the relevant reference.</p> <p>3.2 At the end of paragraph 2 it is unclear what “These are...” refers to; simplify the last two sentences as: ‘Plans must also pass an independent examination to assure that the ‘Basic Conditions’ have been met.’</p> <p>3.3 In the last sentence of paragraph 4 ‘the’ needs to be inserted before “referendum”.</p>	For clarity and correction
4	<p>In the part of Section 1 headed “A Neighbourhood Plan for Swinford” amend/correct the following:</p> <p>4.1 Rewrite paragraph 4 as: ‘In March 2015, Swinford Parish Council applied to Harborough District Council (HDC) for the designation of a Neighbourhood Area. The Portfolio Holder for Planning Services approved the application on 6<sup>th</sup> May 2015. The Neighbourhood Area which is the same as the Parish is shown on the map below.’</p> <p>4.2 Amend the title of Figure 1 to ‘Swinford Neighbourhood Area’.</p>	For clarity and correction

	<p>4.3 Use a base map that shows some settlement names so as to establish the location.</p> <p>4.4 Add a key to distinguish between the red and black outlines on the map.</p>	
5	<p>In the part of Section 1 headed “The Neighbourhood Plan Advisory Committee” amend/correct the following:</p> <p>5.1 Replace the sub-heading “The Neighbourhood Plan Advisory Committee” with ‘The Neighbourhood Plan Process’; delete paragraph 1 under the revised sub-heading.</p> <p>5.2 In Figure 2 on page 6 remove the distinction between “Completed” and “To Come” and in the box “Notifications if Necessary” correct “Notifications” to ‘Modifications’.</p>	For clarity and correction
6	<p>6.1 In the part of Section 2 headed “National Planning Policy Context” amend/correct the first sentence of paragraph 5 to read: ‘The NPPF sets out planning policy in England’; move the last sentence into the next sub-section under the “Local Planning Policy Context” heading.</p> <p>6.2 In the part headed “Local Planning Policy Context” simplify the first sentence to read: ‘Harborough District Core Strategy 2006 – 2028 provides the local strategic planning context until the emerging Local Plan is adopted which at October 2017 was forecast for December 2018; move the last sentence into the next sub-section under the “Sustainable Development” heading.</p>	For clarity and correction
7	<p>In the part of Section 3 headed “A Brief History” amend/correct the run of data in the final paragraph to be accurate and as consistent and relevant as possible.</p>	For clarity and correction
8	<p>In the part of Section 3 headed “Profile” paragraph 6, replace ““although the increase in people aged 65+ since 2001 is only 5 – 79 people compared to 74 in 2001” with ‘the number of residents aged 60-74 years more than doubled between 2001 and 2011’.</p>	For clarity and correction

9	In the part of Section 4 headed "Regulation 14 Statutory Consultation (Round 2)" in the third sentence of paragraph 1 correct "shoes" to 'shows'.	For correction
10	In the part of Section 5 headed "Objectives" in the final sentence replace the opening of "This policy...." with 'This objective....'	For clarity and correction
11	In the part of Section 6 headed "Strategy", replace the title with 'General Approach' and, in the penultimate sentence, replace "Community" with 'community'.	For clarity and correction
12	Remove the content of sub-paragraphs "Limits to Development", "Methodology", "Updated Limits to Development Boundary", "Map 1" and "Policy S1"; some of this content will be reintroduced later and more appropriately in relation to revisions to Policy H3.	For clarity and correction and to meet Basic Condition 1
13	<p>13.1 Relocate the heading "Housing Policy" to page 28 above "Housing Needs Reports"; delete the sub-heading "Introduction" on page 24.</p> <p>13.2 Move the "The Built Environment" sub-section up to and including paragraph 2 on page 26 to become a third sub-section of Section 3 "Swinford Village" but delete the first two sentences so that the sub-section immediately gets to the heart of the matter.</p> <p>13.3 Also move and retitle "Map 2" as 'Figure 3' to avoid any confusion with Plan Policy content and ensure that the Conservation Area boundary is clearly delineated (on my copy the boundary is barely readable).</p> <p>13.4 On page 24 paragraph 3 is now the beginning of a new Policy Section so insert a new sub-heading: 'Building Design'.</p> <p>13.5 Retitle Policy H1 as: 'Policy D1: Building Design Principles'; renumber the subsequent Housing Policies accordingly.</p> <p>13.6 Reword the Policy opening as: 'All development proposals should have appropriate regard to the following design principles:'</p>	For clarity and correction and to meet Basic Conditions 1 & 3

	<p>13.7 Replace the bullet points with a numerical or alphanumerical system (in like manner to the earlier recommended consistent system for the whole Plan) allowing for referencing within Committee Reports and Decision Notices (eg as 1.1 or 1(a)).</p> <p>13.8 In bullet point 1 replace “in with the aspect of” with ‘within’; replace the last sentence of bullet point 1 with: ‘Proposals must examine and address their impact on the existing street scene, the wider landscape and any topographical features.’</p> <p>13.9 In bullet point 2 add ‘where applicable’ in place of “of” immediately before “the Conservation Area” in the second sentence.</p> <p>13.10 Since local parking requirements may vary over time it is sufficient for bullet point 3 to read as: ‘Off-road parking or, for houses, garaging of a size suitable for family cars should be provided to at least meet Highway Authority requirements, sited so as to be unobtrusive and not a dominant feature of the street scene.’</p> <p>13.11 Bullet point 4 unnecessarily repeats an aspect of bullet point 1; in relation to the matter of contemporary design the following will be sufficient: ‘Proposals which incorporate contemporary design and/or innovative materials can be supported where they address their relationship to the character of the village, the neighbourhood and any immediately adjacent buildings.’</p> <p>13.12 Bullet point 6 (which lacks its bullet point) strays inappropriately into matters of detail which are either not generally the subject of planning control (eg burglar alarms) or are not primarily design issues (eg odour). It will be sufficient to say: ‘Proposals should have appropriate regard for and mitigate their potential to cause light pollution’.</p> <p>13.13 Bullet point 7 is not primarily a design issue – more a matter of site selection – and is addressed elsewhere; delete bullet point 7.</p> <p>13.14 Bullet point 8 is two bullet points; start a new bullet point after the first sentence of</p>	
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	<p>bullet point 8; in the first bullet point add 'proposals' after the word "Development"; as regards the new bullet point, new accesses/configurations may not make it possible to "reinstate" enclosures and the general principle for enclosures will in any case apply; delete the final sentence of the new bullet point.</p> <p>13.15 Bullet point 9 need not address the detail that is included in the (later renumbered and amended) Policy ENV9; it is sufficient to say: 'Development proposals are encouraged to incorporate sustainable design and construction.'</p> <p>13.16 Bullet point 10 should commence with "Where possible and appropriate development proposals should...."; the unrelated detail at the end of the bullet point – "ensuring appropriate provision for the storage of waste and recyclable materials" – should be omitted.</p> <p>13.17 Bullet point 11 unnecessarily repeats part of bullet point 1 and should be deleted.</p> <p>13.18 Bullet point 12 is appropriately worded as something "encouraged".</p>	
14	<p>When numbering paragraphs as per Recommendation 1, show the headings "Village Profile – Population", "Village Profile – Housing" and "Implications of the Housing Needs Report" as sub-headings of the "Housing Needs Report" sub-section.</p>	For clarity and correction
15	<p>Under the sub-heading "Housing Provision":</p> <p>15.1 Replace the references to the new Local Plan in paragraphs 3 &amp; 4 with 'Harborough Proposed Submission Local Plan 2011 – 2031'; after the second reference change the tense of "established" to 'establishes'.</p> <p>15.2 Replace the third, fourth and fifth sentences in paragraph 4 with: 'In order to ensure that housing requirements to 2031 are met, Harborough District Council has calculated a minimum housing requirement for each Parish derived from their housing distribution strategy. Planning Practice Guidance requires that where Neighbourhood Plans contain policies relevant to housing supply, these policies</p>	For clarity and correction and to meet Basic Conditions 1 & 3

	<p>should take account of latest and up-to-date evidence of housing need. In particular, “where a qualifying body is attempting to identify and meet housing need, a local planning authority should share relevant evidence on housing need gathered to support its own plan-making” (Reference ID: 41-040-20160211). The minimum requirement to 2031 for Swinford is calculated as 35 dwellings; all planning approvals after April 2017, including windfalls outside of the allocations made in this Plan, will count toward meeting the housing requirement.’</p>	
16	Delete Policy H2 and renumber subsequent Policies.	For clarity and correction
17	<p>17.1 Before the sub-heading “Housing Allocations” add a sub-heading ‘Review of the Limits to Development’.</p> <p>17.2 Under the new sub-heading ‘Review of the Limits to Development’ reintroduce the content that was under the sub-heading “Limits to development” on pages 21 &amp; 22, omit the sub-heading “Methodology” (but not the related content) and omit all of the sub-section “Updated Limits to Development Boundary”.</p> <p>17.3 In the opening sentence to paragraph 2 of the reintroduced content, as “Villages” is not a specific term it should not have a capital v; in the same sentence replace “who” with ‘which’.</p> <p>17.4 In the final sentence of paragraph 2 there is a reference to the “surroundings” of the Neighbourhood Area; the Plan should not relate to an area larger than the Neighbourhood Area but in reality I think that the reference is to the countryside within the Neighbourhood Area; replace “...visual amenity of the Neighbourhood Plan area’s surroundings” with ‘the countryside’.</p> <p>17.5 The tense used in paragraph 3 is wrong; reword paragraph 3 as: ‘The Neighbourhood Plan designates revised Limits to Development for the village of Swinford. This updates and supersedes the Limits to Development defined in the Harborough Core Strategy as it takes into</p>	For clarity and correction and to meet Basic Conditions 1 & 3



	<p>account recent housing permissions and incorporates the housing allocations made within this Neighbourhood Plan.”</p> <p>17.6 From the content under the original sub-heading “Methodology” the third bullet point is not a criterion and should therefore be included as a new paragraph with the wording improved (so that it does not imply that the boundary will be “relaxed” over the lifetime of the Plan) as follows: ‘The new Limits to Development are intended to accommodate the sustainable housing and employment growth expected over the lifetime of this Plan.’</p>	
18	<p>18.1 Delete Map 3.</p> <p>18.2 Under “Housing Allocations” paragraph 3 replace “was” with ‘were’.</p> <p>18.3 For Map 4:</p> <ul style="list-style-type: none"> <li>• Enlarge and retitle it as ‘Figure 4: Sites the Subject of the Sustainability Analysis’;</li> <li>• Remove the Conservation Area boundary;</li> <li>• Only outline the 9 sites that were the subject of the Sustainability Analysis;</li> <li>• Reference all the sites as ‘Site’ not “Area”.</li> </ul> <p>18.4 In the paragraph immediately below the Map amend the reference of “The Berries” to ‘Area 1 Lilbourne Lane’.</p> <p>18.5 In the second paragraph after Map 4 amend the Appendix references as per the recommendation later in this Report.</p> <p>18.6 Amend the title of column 1 in site score and allocated sites tables to simply say ‘Site’.</p> <p>18.7 Amend the title of column 3 on the site scores table (page 34) as ‘Comparative number of dwellings’; correct the column 2 site location names to match those in the Site Sustainability Analysis.</p> <p>18.8 Amend the title of column 3 on the sites allocation table (page 35) as ‘Minimum estimated capacity’.</p> <p>18.9 In the bullet point list on page 34 remove the reference to “Map 12” in bullet point 3.</p> <p>18.10 In the paragraph immediately below the bullet point list on page 34, replace the second sentence with: ‘However, the dwelling numbers used within the analysis for purely comparative purposes may not provide a fair reflection of the capacity of</p>	For clarity and correction and to meet Basic Conditions 1, 2 & 3

	each site after constraints and preferred dwelling sizes have been accommodated and therefore an indicative minimum number of dwellings has been used within the Policy.’	
19	<p>19.1 Renumber and retitle Policy H3 as ‘Policy H1: Land for Housing’; renumber subsequent Policies. Number the Policy sub-parts consistently with an overall number system (the approach below is an example).</p> <p>19.2 Reword the new Policy H1 as follows:  ‘H1.1 The revised Limits to Development, as shown on Policy Map 1, shape and accommodate the future development of Swinford. Housing development within the Limits to Development will be supported provided that each proposal addresses the following criteria:</p> <ul style="list-style-type: none"> <li>i. it does not, cumulatively with other proposals, significantly exceed the target for the delivery of new homes in Swinford set from time to time by the Local Planning Authority; and</li> <li>ii. it reflects the size of the current settlement, its road infrastructure and its level of service provision; and</li> <li>iii. it is physically and visually connected to and respects the form and character of the existing settlement; and</li> <li>iv. safe and convenient access is provided for vehicles, cycles and pedestrians; and</li> <li>v. off-road parking is provided at a scale to meet all the requirements of the development and carefully sited to avoid undue prominence; and</li> <li>vi. existing natural boundaries such as trees, hedges and streams are retained wherever possible; and</li> <li>vii. the mix of dwellings proposed is informed by and justified against up to date evidence of housing need; and</li> <li>viii. affordable housing is provided in accordance with Policy H3 and proportionately to the up to date evidence of housing need and, where provided, is fully integrated within the development.</li> </ul> <p>H1.2 Land at Rugby Road, 0.76ha as shown on Policy Map 2.1, is allocated for a minimum 15 dwellings; development proposals should address the following:</p>	For clarity and correction and to meet Basic Conditions 1, 2 & 3

	<p>i. As a site on the periphery of the village, dwelling density should be low when compared to the compact village centre but accommodating of the Policy H2 preference for smaller dwellings.</p> <p>ii. Appropriate regard must be demonstrated for Policy D1.</p> <p>iii. The site layout must accommodate the public bridleway running along the eastern edge of the site and the valued view along it to the open countryside to the south.</p> <p>iv. Existing mature trees should be retained wherever possible.</p> <p>v. The western edge of the site should be suitably planted to soften the transition from open countryside into the village</p> <p>H1.3 Land at Lutterworth Road, 0.95ha as shown on Policy Map 2.2, is allocated for a minimum of 17 dwellings; development proposals should address the following:</p> <p>i. As a site on the periphery of the village, dwelling density should be low when compared to the compact village centre but accommodating of the Policy H2 preference for smaller dwellings.</p> <p>ii. Appropriate regard must be demonstrated for Policy D1 and, in accordance with Policy BE1, for Lodge Cottage to the north of the site.</p> <p>iii. The trees and hedges along the boundary should be retained wherever possible.</p> <p>iv. A survey and mitigation plan are needed for the known badger sett within the site.</p> <p>H1.4 Land at Shawell Road, 0.11ha as shown on Policy Map 2.3, is allocated for a minimum of 3 dwellings; development proposals should address the following:</p> <p>i. As a site on the periphery of the village, dwelling density should be low when compared to the compact village centre but accommodating of the Policy H2 preference for smaller dwellings.</p> <p>ii. Appropriate regard must be demonstrated for Policy D1.</p> <p>iii. The site layout must accommodate the public footpath running south-east to north-west across the site.</p> <p>iv. The existing hedge to the road side of the site should be retained as far as possible and the western edge of the site</p>	
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	<p>should be suitably planted to soften the transition from open countryside into the village</p> <p>H1.5 In addition to these specific sites, small scale infill development within the Limits to Development will be supported subject to:</p> <p>I. proposals being of an appropriate scale for the village, normally between 1 to 3 dwellings, so as to integrate well within the existing settlement; and</p> <p>II. garden areas not being reduced to the extent that it unduly affects the character of the immediate area, or the amenity of neighbours and the occupiers of the new dwelling(s).'</p> <p>19.3 Move the map of the Limits to Development to be close to Policy H1 and retitle it as 'Policy Map 1: Revised Swinford Limits to Development.</p> <p>19.4 Provide new Policy Maps 2.1 – 2.3 with titles that match the site names used in Policy H1 and at a scale that ensures that the boundary of each site is clear and unambiguous.</p>	
20	<p>20.1 Amend the last sentence immediately prior to Policy H5 (page 37) to read: 'Development proposals for housing should therefore address the evidence of needs and preferences within Swinford and provide a mix of 1, 2 &amp; 3 bedroom dwellings and bungalows.'</p> <p>20.2 Renumber Policy H5 as 'Policy H2: Housing Mix' and rewrite the second sentence of the Policy as follows: 'Unless the latest evidence indicates otherwise, development proposals should concentrate on providing 1 &amp; 2 bedroom dwellings, including where feasible bungalows for older people (built to the appropriate mobility standard), mixed with some 3 bed dwellings.'</p>	For clarity and correction and to meet Basic Conditions 1, 2 & 3
21	<p>21.1 Rewrite the second paragraph (page 38) under the sub-heading "Affordable housing" as follows: 'National 'Right to Buy' policies since the 1980s have affected the provision of affordable housing to rent in the village and in 2017 there were only 9 properties</p>	For clarity and correction

	<p>available to rent from a social landlord. There are therefore severely limited opportunities for new households and those on low incomes to establish in Swinford.'</p> <p>21.2 Renumber Policy H6 as 'Policy H3: Affordable Housing' and in the second paragraph of the Policy add 'new' between "possible" and "affordable".</p>	
22	Amend the content headed "Developer Contributions" to Community Action item 1; amend the numbering of subsequent Community Action items accordingly.	For clarity and correction and to meet Basic Condition 1
23	In the section titled "Environment Policy" – and throughout the Plan – where the Swinford Parish is being referred to, use a capital P for Parish.	For clarity and correction
24	<p>24.1 Amend Map 5 (page 42) to show the four only sites for designation at a larger scale, each referenced in line with the Policy wording as LGS1 – LGS4 (as also shown in Appendix 8 – as presently numbered, see later recommendation); amend the title to 'Policy Map 3: Local Green Spaces'.</p> <p>24.2 Under the sub-heading "Local Green Space", paragraph 4, add a sentence between the second and third sentences as follows: 'The seven were reduced to 4 by combining two together at 'The Glebe' and removing two – The Cemetery and The Avenue on the Stanford Estate – since these are already adequately protected by other designations.'</p> <p>24.3 Rewrite Policy ENV1 as follows:  'The following areas shown on Policy Map 3 and detailed and delineated by maps in Appendix 8, are designated as Local Green Spaces:  LGS1: The Glebe including play area  A small meadow or paddock, now incorporating a play area and historically part of the medieval village layout, which makes a valued contribution to the character of the Conservation Area.  LGS2: The Mourant Orchard  An open area that has been an orchard since at least 1886 and makes a valued contribution to the character of the</p>	For clarity and correction and to meet Basic Condition 1

	<p>Conservation Area. LGS3: The Paddock, Stanford Road An old paddock, currently ungrazed and partly overgrown, that makes a valued contribution to the character of the Conservation Area; the hedge on the western boundary conceals an historic ornamental gateway originally the access to the avenue leading to Stanford Hall. LGS4: The Village Green A wide roadside sward in the centre of the village that is regularly used for community activities; alongside the Glebe it makes a valued contribution to the character of the Conservation Area. ’</p> <p>24.4 Delete the text paragraph immediately below the Policy ENV1 box since the content is now within the Policy.</p> <p>24.5 At Appendix 8 (as presently numbered, see later recommendation) add an Appendix title, reduce the opening paragraph and the content to reference four only sites and amend the site numbering accordingly; add a map for each site that clearly and unambiguously defines the boundary.</p>	
25	<p>25.1 Renumber Map 6 (page 42) both in the Map title and the Community Action box to ‘Figure 5’.</p> <p>25.2 Delete Map 7 and its related text below.</p>	For clarity and correction
26	<p>26.1 Retitle Map 8 as ‘Policy Map 4 – Sites of Environmental Significance’ and reference the fields in line with the Policy.</p> <p>26.2 Reword Policy ENV2 as: ‘Development proposals at or adjacent to the following locations (identified on Policy Map 4) must consider, assess and address their impact on the locally significant natural and historical features, with mitigation including improved and replacement planting and habitats where appropriate: ENV2.1: Knight’s Fields (Field 048) - Well-preserved ridge and furrow. Lime and birch trees in or near old hawthorn hedge to east. Natural England priority habitat: good quality semi-improved grassland. ENV2.2: Homefield (Field 082) - Permanent</p>	For clarity and correction and to meet Basic Condition 1

	<p>pasture. Natural England priority habitat: good quality semi-improved grassland.</p> <p>ENV2.3: Swinford Covert (Field 092) - Mature deciduous woodland with rookery. 19th century covert. Natural England priority habitat: deciduous woodland.</p> <p>ENV2.4: Seed Field/5 Acre/8 Acre/6 Acre/ 6 Acre (Field 101) - Permanent pasture with seeded NW corner. Historically five fields now amalgamated into one large parcel. River bank to south, with alder, willow, rushes and arrowhead. Natural England priority habitat: good quality semi-improved grassland.</p> <p>ENV2.5: The Pines/Near the Pines/The Bridge Meadow/Tin Hut Field (Field 119) - Historic group of fields, now combined with hedge removal in ?1970s into one large parcel. Cropmarks and earthworks preserve the ?1783 hedgelines, traces of medieval ridge and furrow.</p> <p>ENV2.6: Side Hook Meadow (Field 124) - Permanent flood plain pasture. Mixed woodland at east end adjoining river bank. The site's biodiversity has been enhanced as part of the junction 19 improvements (2015-16), including regrading and planting of riverbank for otter mitigation. Aquatic and riparian vegetation, invertebrates, fish, mammals and birds. Remnants of old footbridge piers; historical significance as site of water mill (L&amp;R HER site MLE2498) probably in +/- continuous use from 1086 to early post-medieval.</p> <p>ENV2.7: The Paddock (Field 192) - Permanent grass field with faint traces of ridge and furrow. This was part of the open field immediately bordering the medieval village. Mature species-rich hedges on east and west boundaries, including mature trees (ash).</p> <p>ENV2.8: The Moors (Field 246) - Permanent grass field, regularly grazed pasture. Evidence of ridge and furrow. On west boundary is species-rich and biodiverse hedge 3-4 metres tall and 2-3 metre thick of mature mixed deciduous species.</p> <p>ENV2.9: Swinford Lodge garden/copse</p>	
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	<p>(Field 254) - 19th or early 20th century ornamental planting, possibly on site of old orchard (1886 map). Natural England priority habitat: deciduous woodland.</p> <p>ENV2.10: Brickyard Pond (Field 255) - 18th-19th century brick yard; 19th century woodland (before 1886 OS map) with ponds now filling the old claypits. Possibly spring-fed from local sand and gravel aquifer. Historic and cultural site for clay extraction and brick-making for the village and surrounding area. Woodland and water ecology site, with 4+ Biodiversity Action Plan (BAP) species of birds, invertebrates, etc. Natural England priority habitat: deciduous woodland.'</p> <p>26.3 Delete Fields 089, 131, 133, 151 and 193 from the retitled Policy Map 4.</p>	
27	<p>27.1 Delete Policies ENV3 &amp; ENV4; renumber subsequent ENV Policies.</p> <p>27.2 Edit the text for sub-sections d) &amp; e) to relate solely to the Community Actions 2 &amp; 3:</p> <ul style="list-style-type: none"> <li>• delete paragraph 3 of sub-section d) (page 49);</li> <li>• in sub-section e) paragraph 3 replace the opening "The Policy" with 'Policy ENV2' and below this delete the second bullet point.</li> </ul>	For clarity and correction and to meet Basic Condition 1
28	<p>28.1 Renumber Policy ENV5 as ENV3.</p> <p>28.2 Within the text of Policy ENV3 remove the (potentially confusing) commas.</p> <p>28.3 In both the Policy ENV3 and the title of the accompanying map amend "Map 9" to 'Policy Map 5'.</p> <p>28.4 On Policy Map 5 (as retitled) provide a key for the 'Well preserved ridge and furrow fields' and add a note: 'Field numbers relate to the Environmental Inventory produced for the purposes of the Neighbourhood Plan'; remove shading from Fields 050, 061, 066, 072, 077, 097, 099, 123, 132, 202, 204 &amp; 217; improve the scale of the map as far as possible.</p>	For clarity and correction
29	Correct the font size of the sub-heading	For clarity and correction



	"Built Environment" (page 54).	
30	<p>30.1 Replace the sub-heading "Statutory Listed Buildings" with 'Listed Buildings' (page 54).</p> <p>30.2 In the text immediately below the sub-heading, in the second sentence replace "but" with 'and'.</p> <p>30.3 Retitle "Map 10" as 'Figure 6' since it does not define new Policy.</p> <p>30.4 Immediately prior to the list of listed buildings correct the reference to the Map as (now renamed) 'Figure 6' and add 'full details are available on the Historic England website:  <a href="https://historicengland.org.uk/listing/the-list/">https://historicengland.org.uk/listing/the-list/</a></p>	For clarity and correction
31	<p>31.1 Replace the sub-heading "Locally Listed Buildings" with 'Local Heritage – Streetscape'.</p> <p>31.2 In the second paragraph and on Map 11 itself replace "Map 11" with 'Policy Map 6'.</p> <p>31.3 In the third paragraph replace "the list of Non-Designated Heritage Assets" with 'streetscape assets'.</p> <p>31.4 Replace the fourth paragraph (under the map on page 57) as follows:  'Development proposals should both respect and take inspiration from the buildings and grouping of buildings that characterise and add interest to the streetscape throughout Swinford.'</p> <p>31.5 Renumber and reword Policy ENV6 as follows:  'Policy BE1: Heritage Streetscape  Policy Map 6 identifies the buildings and groupings of buildings that make a significant contribution to the layout and streetscape of Swinford with their characteristic mix of architectural styles. Development proposals should respect and take inspiration from these streetscapes to ensure that new buildings are integrated with care within their heritage setting.'</p>	For clarity and correction and to meet Basic Condition 1
32	32.1 Under the heading g) Views,	For clarity and correction and to meet

	<p>paragraph 2 replace "...are now obtrusive insertions into ..." with 'affected'.</p> <p>32.2 Renumber "Map 12" as 'Policy Map 7'.</p> <p>32.3 Alter the vector for View 1 so that the westerly arrow points along Shawell Road and for View 3 narrow the vector so that it more realistically represents the view along the bridleway from Rugby Road.</p> <p>32.4 Extend the map to the south so that View 2 is shown with clarity.</p> <p>32.5 In the text below the map (page 58) and in the Policy itself renumber "Policy ENV7" as 'Policy BE2' and reword the opening sentence of the Policy as: 'Development proposals must consider, assess and address, with mitigation where appropriate, their impact on the important views listed below and illustrated on Policy Map 7 which help to define the rural setting and character of Swinford: .....</p>	Basic Condition 1
33	<p>33.1 Renumber "Policy ENV8" both in the text and the Policy as 'Policy ENV4'; move the content to immediately after the "Ridge and Furrow" subsection.</p> <p>33.2 Retitle and reword the renumbered Policy ENV4 as follows: 'Policy ENV4: Footpaths, Bridleways and the National Cycle Route Swinford Parish is well served with footpaths, bridleways and a national cycle route for recreation. Development proposals should respect and, where possible, improve the local network and access to it.'</p> <p>33.3 Delete Map 13.</p>	For clarity and correction and to meet Basic Condition 1
34	<p>34.1 Under the sub-heading "h) Sustainable Development" paragraph 1, first sentence replace "Local Plan" with 'policies'; in the second sentence (page 61) delete the words "not to prevent all development" and replace "the Planning system" with the words 'the District Council through the planning system'; delete the third sentence and paragraphs 2 &amp; 3 and the sub-heading "i) Sustainable Drainage and Flood Risk".</p> <p>34.2 Under the current sub-heading "i) Sustainable Drainage and Flood Risk"</p>	For clarity and correction and to meet Basic Condition 1

	<p>delete paragraph 3 (page 63) since the text acknowledges that Swinford village, where the housing sites are allocated, is not at risk of flooding from rivers.</p> <p>34.3 Combine Policies ENV9 and ENV10 and renumber the resulting Policy as BE3.</p> <p>34.4 Reword the combined Policy BE3 as follows:  ‘Policy BE3: Sustainable Development  Development proposals should consider, assess and address their potential to:</p> <ol style="list-style-type: none"> <li>i. use sustainable materials and construction methods; and</li> <li>ii. incorporate good practice sustainable design features such as low consumption, mitigation of the effects of climate change, on-site energy generation, and on-site SuDs drainage and surface water management; and</li> <li>iii. facilitate access by sustainable modes of transport; and</li> <li>iv. add innovations which have a positive impact upon climate change adaptation; and</li> <li>v. incorporate beneficial features for biodiversity; and</li> <li>vi. address and reduce flood risks.’</li> </ol>	
35	<p>35.1 Under the heading “Community Facilities and Amenities Policy” in paragraph 3 delete the last sentence.</p> <p>35.2 Combine Community Actions “Assets of Community Value” and “Community Facilities” to form a new ‘Community Action 6: Community Facilities’.</p> <p>35.3 Reword Policy CF2 ‘Proposals that ensure the retention, improve the quality, and/or extend the range of community facilities, particularly those for young people, will be supported provided that:</p> <ol style="list-style-type: none"> <li>i. the facility and scale are appropriate to the needs of the Parish; and</li> <li>ii. residential amenities are respected; and</li> <li>iii. the location is conveniently accessible for residents arriving on foot or bike; and</li> <li>iv. where applicable, current parking issues are not exacerbated.’</li> </ol>	For clarity and correction and to meet Basic Condition 1
36	36.1 Review the Policy cross references	For clarity and correction and to meet

	<p>within the text (page 71) to ensure that these are updated to the numbering used in the final version of the Plan.</p> <p>36.2 Change “Policy T1” to ‘Community Action 7: Traffic Management’.</p>	Basic Condition 1
37	<p>37.1 From the first sentence of Policy E1 delete “strong” – a presumption is not gradable – and delete “commercial and retail” and “(A and B-class)” and amend “provides” to ‘provide’ – the Policy is addressing existing employment opportunities.</p> <p>37.2 In sentence two, put “the premises or land in question” at the end of the sentence before the colon; delete “the commercial premises or land in question” from each of the subsequent bullet points.</p> <p>37.3 In the second bullet point replace “and as demonstrated through the results both of” with ‘with evidence from’.</p>	For clarity and correction and to meet Basic Condition 1
38	<p>38.1 Under the heading “Support for New Employment Opportunities” paragraph 4 (page 75) add ‘(Policy GD3)’ after “the rural economy”.</p> <p>38.2 Reformulate and reword Policy E2 as follows:  ‘Policy E2: Support for New Employment Opportunities  Development proposals that provide additional employment opportunities and are of a type and on a scale which are compatible with the character and infrastructure of the village or countryside location concerned will be supported subject to:</p> <ul style="list-style-type: none"> <li>i. in Swinford, the location is within the defined Limits to Development;</li> <li>ii. in the countryside outside Swinford, developments will be limited to uses appropriate to a rural area, including uses which would help to sustain and diversify the rural economy, which may include small-scale recreation and tourism enterprises;</li> <li>iii. the reuse of suitably constructed buildings or previously developed land wherever possible; and</li> <li>iv. no loss of existing dwellings; and</li> <li>v. appropriate regard for the residential</li> </ul>	For clarity and correction and to meet Basic Conditions 1 & 3

	amenity of neighbouring dwellings where applicable; and vi. traffic generation and parking requirements being assessed and addressed.’	
39	Reword the opening of Policy E3 as follows: ‘Policy E3: Re-use of Rural Buildings The re-use, conversion and adaptation of appropriately located and suitably constructed existing rural buildings (particularly those adjacent to or closely related to villages) will be supported subject to: i. the proposed use being appropriate to a rural location which may include enterprises that contribute to the retention and viability of rural services or land based businesses, or aid farm diversification, or are tourism and/or recreation related where a countryside location or setting is required, or otherwise benefit rural businesses and communities; and ii. the scale and appearance respecting the character of the countryside, the local landscape and the surrounding environment; and iii. potential harm to any archaeological, architectural, historic or environmental features of special interest being assessed and addressed; and iv. traffic generation and parking requirements being assessed and addressed; and v. potential harms to neighbours, such as noise, light pollution, increased traffic levels and increased flood risk, being assessed and addressed.’	For clarity and correction and to meet Basic Conditions 1 & 3
40	Partly reword Policy E4 as follows: ‘Proposals to provide access to super-fast broadband and improve the local mobile communications network will be supported subject to: i. above-ground installations, where applicable, being appropriately designed, minimising size and scale and camouflaging appearance wherever possible; and ii. the significance, appearance, character and setting of heritage assets being conserved; and iii. provision being made to ensure that equipment that has become obsolete or that is no longer in use is removed as soon as practicable and the site restored to its	For clarity and correction and to meet Basic Conditions 1 & 3

	former condition.’	
41	Partly reword Policy E5 as follows: ‘Development proposals to use part of a dwelling and/or its curtilage for working from home, where subject to a planning consent, will be supported subject to: i. the relevant content of Policies D1 and E2 being addressed; and ii. potential harms arising from the proposed activity such as noise, fumes, odour or other nuisance being assessed and addressed; and iii. any extension or free-standing building (where not permitted development) being designed to complement and not detract from the character of the building to which it is subservient with particular attention to height, scale, massing, location and materials.’	For clarity and correction and to meet Basic Conditions 1 & 3
42	Under the heading “Monitoring and Review” amend the last paragraph to read: ‘The Parish Council will formally review the Neighbourhood Plan no later than 2022 and then on a 5 year cycle which may be brought into line with the review cycle of the emerging Harborough Local Plan when that commences.’	For clarity and correction and to meet Basic Condition 1
43	43.1 Comprehensively review the content of the Index in the light of the Plan amendments made as a result of recommendations in this Report.  43.2 Show the ‘Neighbourhood Plan Appendix List’ as follows and include the content of each of these documents – since the content of the Plan draws directly from these – at the back of the Plan document with their Appendix number indicated: Appendix 1: Site Sustainability Analysis Appendix 2: Sustainable Development Criteria Appendix 3: Environmental Inventory Appendix 4: Local Green Spaces in detail.  43.3 Move the balance of the content of the “Neighbourhood Plan Appendix List” to the “Supporting Documents Appendix List”, add hyperlinks to the locations of the content and move the whole to the end of the Index.  43.4 Amend the indexes of the Figures (now	For clarity and correction

	increased), the Maps – renamed Policy Maps – and the Policies to accord with the revised content of the Plan after the recommendations in this Report have been addressed.	
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