

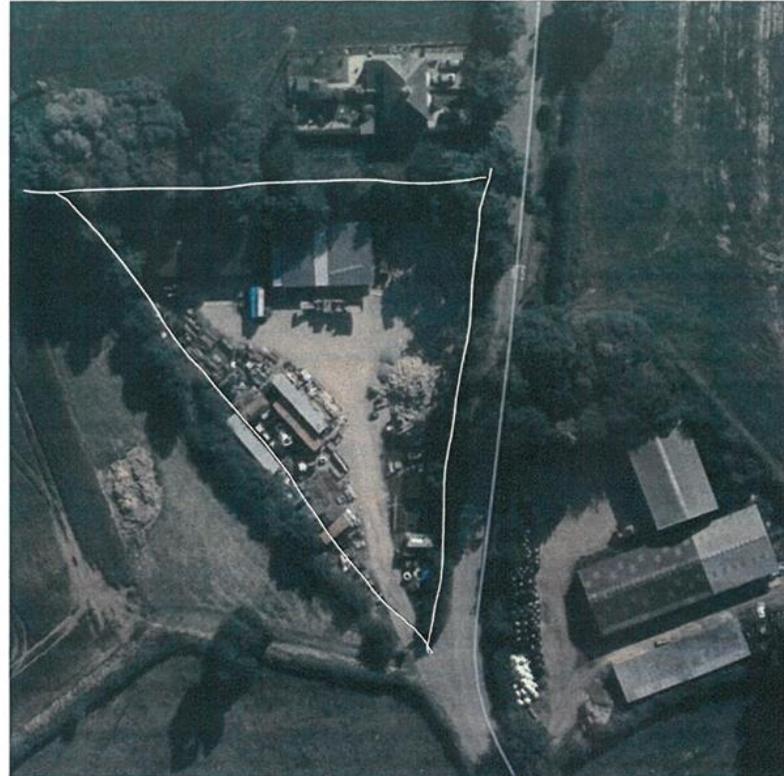
Burton Overy Neighbourhood Plan

Summary of representations submitted by Harborough District Council to the independent examiner pursuant to Regulation 17 of Part 5 of The Neighbourhood Planning (General) Regulations 2012

Name	Policy /Page	Full Representation
<p>Andrew Granger and Co on behalf of resident</p>		<p>Burton Overy Neighbourhood Plan Submission Representation Form - Supporting Statement Land at Mayns Lane, Burton Overy.</p> <p>The following statement is to be taken as representation to Burton Overy Neighbourhood Plan as submitted to Harborough District Council for consultation.</p> <p>The plan as submitted contains some very good and worthwhile aims. The area it covers is varied in nature and ranges from dense artisan housing in a tightly packed spatial setting or village form, to significant larger dwellings, to agriculture. The Plan makes little reference to industry and/or industrial land use.</p> <p>My land on Mayns Lane, (site plan attached) has been in industrial use for many years. The Neighbourhood Plan should make more reference to industrial uses in the village or identify alternative ways forward for the future.</p> <p>Previous comment on the proposed Neighbourhood Plan identifies a need for land to provide affordable homes for young families in the village. My land would make a suitable site for this use or in the alternative it would be suitable for one or two significant larger dwellings possibly more appropriate to the village of Burton Overy.</p> <p>Whilst such a change of use would be a notable there would be no adverse highway or other infrastructure intensification as the site generates its own traffic at present. Changing the use to residential may represent an opportunity to actually lessen some elements of infrastructure demand for the site.</p> <p>The site is in close proximity to the village and in some senses forms the limit of the existing village. You feel that you are out of the village after you have passed my yard. The site is within easy walking distance of the centre of the village.</p> <p>Based on the above, the plan should make provision for continued industrial use within the plan area or identify</p>

alternative ways forward for sites such as mine. Without acknowledging the industrial sites the plan may be considered as unsound. To avoid this criticism the plan needs to allow for continued industrial use. In the alternative, the site should be identified as suitable for a scheme of affordable houses for young families or as a site for one or two substantial houses.

 Land at ~~Mayns~~ Lane, Burton Overy



Highways England

CONSULTATION ON THE SUBMISSION VERSION BURTON OVERY NEIGHBOURHOOD PLAN

Highways England welcomes the opportunity to comment on the submission version of the Burton Overy Neighbourhood Plan which covers the period 2018-2031. We note that the document provides a vision for the future of the Parish and sets out a number of key objectives and planning polices which will be used to help determine planning

	<p>applications.</p> <p>Highways England has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth. In relation to the Burton Overy Neighbourhood Plan, our principal interest is safeguarding the operation of the M1 which routes to the west of the Plan area. M1 J21 is the closest junction to the Plan area, located approximately 10 miles away.</p> <p>We understand that a Neighbourhood Plan is required to be in conformity with relevant national and Borough-wide planning policies. Accordingly, the Neighbourhood Plan for Burton Overy is required to be in conformity with the emerging Harborough District Local Plan (2011 – 2031) and this is acknowledged.</p> <p>We note that Burton Overy is allocated within the 'Other villages and rural settlements' category in the emerging Harborough Local Plan and therefore any new housing will be limited to housing to meet an identified need. As such a housing allocation has not been identified within the Neighbourhood Plan. It is expected that any development which does come forward will be small in scale and, given the distance of the Neighbourhood Plan from the SRN, we do not consider that there will be any impacts on the operation of the M1.</p> <p>We have no further comments to provide and trust that the above is useful in the progression of the Burton Overy Neighbourhood Plan.</p>
<p>Historic England</p>	<p>Neighbourhood Plan for Burton Overy</p> <p>Thank you for consulting Historic England about your Neighbourhood Plan.</p> <p>The area covered by your Neighbourhood Plan encompasses Burton Overy and Grand Union Canal Conservation Areas, and includes a number of important designated heritage assets including one Grade II*, 21 Grade II and one Scheduled Monument. In line with national planning policy, it will be important that the strategy for this area safeguards those elements which contribute to the significance of these assets so that they can be enjoyed by future generations of the area.</p> <p>If you have not already done so, we would recommend that you speak to the planning and conservation team at (insert name of planning authority) together with the staff at (insert county council) archaeological advisory service who look after the Historic Environment Record. They should be able to provide details of the designated heritage assets in the area together with locally-important buildings, archaeological remains and landscapes. Some Historic Environment Records may also be available on-line via the Heritage Gateway (www.heritagegateway.org.uk http://www.heritagegateway.org.uk). It may also be useful to involve local voluntary groups such as the local Civic Society or local historic groups in the production of your Neighbourhood Plan.</p>

	<p>Historic England has produced advice which your community might find helpful in helping to identify what it is about your area which makes it distinctive and how you might go about ensuring that the character of the area is retained. These can be found at:-</p> <p>https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/</p> <p>You may also find the advice in “Planning for the Environment at the Neighbourhood Level” useful. This has been produced by Historic England, Natural England, the</p>
<p>Leicestershire County Council</p>	<p>Burton Overy Neighbourhood Plan Comments Request – 18 April 2018</p> <p>Leicestershire County Council is supportive of the Neighbourhood plan process and welcome being included in this consultation.</p> <p>Highways General Comments</p> <p>The County Council recognises that residents may have concerns about traffic conditions in their local area, which they feel may be exacerbated by increased traffic due to population, economic and development growth. Like very many local authorities, the County Council’s budgets are under severe pressure. It must therefore prioritise where it focuses its reducing resources and increasingly limited funds. In practice, this means that the County Highway Authority (CHA), in general, prioritises its resources on measures that deliver the greatest benefit to Leicestershire’s residents, businesses and road users in terms of road safety, network management and maintenance. Given this, it is likely that highway measures associated with any new development would need to be fully funded from third party funding, such as via Section 278 or 106 (S106) developer contributions. I should emphasise that the CHA is generally no longer in a position to accept any financial risk relating to/make good any possible shortfall in developer funding. To be eligible for S106 contributions proposals must fulfil various legal criteria. Measures must also directly mitigate the impact of the development e.g. they should ensure that the development does not make the existing highway conditions any worse if considered to have a severe residual impact. They cannot unfortunately be sought to address existing problems.</p> <p>Where potential S106 measures would require future maintenance, which would be paid for from the County Council’s funds, the measures would also need to be assessed against the County Council’s other priorities and as such may not be maintained by the County Council or will require maintenance funding to be provide as a commuted sum.</p> <p>With regard to public transport, securing S106 contributions for public transport services will normally focus on larger developments, where there is a more realistic prospect of services being commercially viable once the contributions have stopped i.e. they would be able to operate without being supported from public funding.</p> <p>The current financial climate means that the CHA has extremely limited funding available to undertake minor highway improvements. Where there may be the prospect of third party funding to deliver a scheme, the County Council will still normally expect the scheme to comply with prevailing relevant national and local policies and guidance, both in terms of its justification and its design; the Council will also expect future maintenance costs to be covered by the third party funding. Where any measures are proposed that would affect speed limits, on-street parking restrictions or other Traffic Regulation Orders (be that to address existing problems or in connection with a development proposal), their</p>

	<p>implementation would be subject to available resources, the availability of full funding and the satisfactory completion of all necessary Statutory Procedures.</p> <p>Flood Risk Management</p> <p>The County Council are fully aware of flooding that has occurred within Leicestershire and its impact on residential properties resulting in concerns relating to new developments. LCC in our role as the Lead Local Flood Authority (LLFA) undertake investigations into flooding, review consent applications to undertake works on ordinary watercourses and carry out enforcement where lack of maintenance or unconsented works has resulted in a flood risk. In April 2015 the LLFA also became a statutory consultee on major planning applications in relation to surface water drainage and have a duty to review planning applications to ensure that the onsite drainage systems are designed in accordance with current legislation and guidance. The LLFA also ensures that flood risk to the site is accounted for when designing a drainage solution.</p> <p>The LLFA is not able to:</p> <ul style="list-style-type: none"> • Prevent development where development sites are at low risk of flooding or can demonstrate appropriate flood risk mitigation. • Use existing flood risk to adjacent land to prevent development. • Require development to resolve existing flood risk. <p>When considering flood risk within the development of a neighbourhood plan, the LLFA would recommend consideration of the following points:</p> <ul style="list-style-type: none"> • Locating development outside of river (fluvial) flood risk (Flood Map for Planning (Rivers and Sea)). • Locating development outside of surface water (pluvial) flood risk (Risk of Flooding from Surface Water map). • Locating development outside of any groundwater flood risk by considering any local knowledge of groundwater flooding. • How potential SuDS features may be incorporated into the development to enhance the local amenity, water quality and biodiversity of the site as well as manage surface water runoff. • Watercourses and land drainage should be protected within new developments to prevent an increase in flood risk. <p>All development will be required to restrict the discharge and retain surface water on site in line with current government policies. This should be undertaken through the use of Sustainable Drainage Systems (SuDS). Appropriate space allocation for SuDS features should be included within development sites when considering the housing density to ensure that the potential site will not limit the ability for good SuDS design to be carried out. Consideration should also be given to blue green corridors and how they could be used to improve the bio-diversity and amenity of new developments, including benefits to surrounding areas.</p> <p>Often ordinary watercourses and land drainage features (including streams, culverts and ditches) form part of development sites. The LLFA recommend that existing watercourses and land drainage (including watercourses that form the site boundary) are retained as open features along their original flow path, and are retained in public open space to ensure that access for maintenance can be achieved. This should also be considered when looking at housing densities within the plan to ensure that these features can be retained.</p> <p>LCC, in its role as LLFA will not support proposals contrary to LCC policies.</p> <p>For further information it is suggested reference is made to the National Planning Policy Framework (March 2012),</p>
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	<p>Sustainable drainage systems: Written statement - HCWS161 (December 2014) and the Planning Practice Guidance webpage.</p> <p>Planning Developer Contributions If there is no specific policy on Section 106 developer contributions/planning obligations within the draft Neighbourhood Plan, it would be prudent to consider the inclusion of a developer contributions/planning obligations policy, along similar lines to those shown for example in the Draft North Kilworth NP and the draft Great Glen NP albeit adapted to the circumstances of your community. This would in general be consistent with the relevant District Council's local plan or its policy on planning obligations in order to mitigate the impacts of new development and enable appropriate local infrastructure and service provision in accordance with the relevant legislation and regulations, where applicable. www.northkilworth.com/wp-content/uploads/2016/01/nk-draft-low-resolution-1.pdf http://www.harborough.gov.uk/downloads/file/3599/great_glen_referendum_version_2pdf</p> <p>Mineral & Waste Planning The County Council is the Minerals and Waste Planning Authority; this means the council prepares the planning policy for minerals and waste development and also makes decisions on mineral and waste development. Although neighbourhood plans cannot include policies that cover minerals and waste development, it may be the case that your neighbourhood contains an existing or planned minerals or waste site. The County Council can provide information on these operations or any future development planned for your neighbourhood. You should also be aware of Mineral Consultation Areas, contained within the adopted Minerals Local Plan and Mineral and Waste Safeguarding proposed in the new Leicestershire Minerals and Waste Plan. These proposed safeguarding areas and existing Mineral Consultation Areas are there to ensure that non-waste and non-minerals development takes place in a way that does not negatively affect mineral resources or waste operations. The County Council can provide guidance on this if your neighbourhood plan is allocating development in these areas or if any proposed neighbourhood plan policies may impact on minerals and waste provision.</p> <p>Education Whereby housing allocations or preferred housing developments form part of a Neighbourhood Plan the Local Authority will look to the availability of school places within a two mile (primary) and three mile (secondary) distance from the development. If there are not sufficient places then a claim for Section 106 funding will be requested to provide those places. It is recognised that it may not always be possible or appropriate to extend a local school to meet the needs of a development, or the size of a development would yield a new school. However, in the changing educational landscape, the Council retains a statutory duty to ensure that sufficient places are available in good schools within its area, for every child of school age whose parents wish them to have one.</p> <p>Property Strategic Property Services</p>
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		<p>No comment at this time.</p> <p>Adult Social Care It is suggested that reference is made to recognising a significant growth in the older population and that development seeks to include bungalows etc of differing tenures to accommodate the increase. This would be in line with the draft Adult Social Care Accommodation Strategy for older people which promotes that people should plan ahead for their later life, including considering downsizing, but recognising that people's choices are often limited by the lack of suitable local options.</p> <p>Environment With regard to the environment and in line with the Governments advice, Leicestershire County Council (LCC) would like to see Neighbourhood Plans cover all aspects of the natural environment including climate change, the landscape, biodiversity, ecosystems, green infrastructure as well as soils, brownfield sites and agricultural land.</p> <p>Climate Change The County Council through its Environment Strategy and Carbon Reduction Strategy is committed to reducing greenhouse gas emissions in Leicestershire and increasing Leicestershire's resilience to the predicted changes in climate. Neighbourhood Plans should in as far as possible seek to contribute to and support a reduction in greenhouse gas emissions and increasing the county's resilience to climate change.</p> <p>Landscape The County Council would like to see the inclusion of a local landscape assessment taking into account Natural England's Landscape character areas; LCC's Landscape and Woodland Strategy and the Local District/Borough Council landscape character assessments. We would recommend that Neighbourhood Plans should also consider the street scene and public realm within their communities, further advice can be found in the latest 'Streets for All East Midlands ' Advisory Document (2006) published by English Heritage.</p> <p>Biodiversity The Natural Environment and Communities Act 2006 places a duty on all public authorities in England and Wales to have regard, in the exercise of their duties, to the purpose of conserving biodiversity. The National Planning Policy Framework (NPPF) clearly outlines the importance of sustainable development alongside the core principle that planning should contribute to conserving and enhancing the natural environment and reducing pollution. Neighbourhood Plans should therefore seek to work in partnership with other agencies to develop and deliver a strategic approach to protecting and improving the natural environment based on local evidence and priorities. Each Neighbourhood Plan should consider the impact of potential development on enhancing biodiversity and habitat connectivity such as hedgerows and greenways. The Leicestershire and Rutland Environmental Records Centre (LRERC) can provide a summary of wildlife information for your Neighbourhood Plan area. This will include a map showing nationally important sites (e.g. Sites of Special Scientific Interest); locally designated Wildlife Sites; locations of badger setts, great crested newt breeding ponds and</p>
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	<p>bat roosts; and a list of records of protected and priority Biodiversity Action Plan species. These are all a material consideration in the planning process. If there has been a recent Habitat Survey of your plan area, this will also be included. LRERC is unable to carry out habitat surveys on request from a Parish Council, although it may be possible to add it into a future survey programme. Contact: planningecology@leics.gov.uk, or phone 0116 305 4108</p> <p>Green Infrastructure Green infrastructure (GI) is a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities, (NPPF definition). As a network, GI includes parks, open spaces, playing fields, woodlands, street trees, cemeteries/churchyards allotments and private gardens as well as streams, rivers, canals and other water bodies and features such as green roofs and living walls. The NPPF places the duty on local authorities to plan positively for a strategic network of GI which can deliver a range of planning policies including: building a strong, competitive economy; creating a sense of place and promote good design; promoting healthier communities by providing greater opportunities for recreation and mental and physical health benefits; meeting the challenges of climate change and flood risk; increasing biodiversity and conserving and enhancing the natural environment. Looking at the existing provision of GI networks within a community can influence the plan for creating & enhancing new networks and this assessment can then be used to inform CIL (Community Infrastructure Levy) schedules, enabling communities to potentially benefit from this source of funding. Neighbourhood Plan groups have the opportunity to plan GI networks at a local scale to maximise benefits for their community and in doing so they should ensure that their Neighbourhood Plan is reflective of the relevant Local Authority Green Infrastructure strategy. Through the Neighbourhood Plan and discussions with the Local Authority Planning teams and potential Developers communities are well placed to influence the delivery of local scale GI networks.</p> <p>Brownfield, Soils and Agricultural Land The NPPF encourages the effective use of brownfield land for development, provided that it is not of high environmental/ecological value. Neighbourhood planning groups should check with DEFRA if their neighbourhood planning area includes brownfield sites. Where information is lacking as to the ecological value of these sites then the Neighbourhood Plan could include policies that ensure such survey work should be carried out to assess the ecological value of a brownfield site before development decisions are taken. Soils are an essential finite resource on which important ecosystem services such as food production, are dependent on. They therefore should be enhanced in value and protected from adverse effects of unacceptable levels of pollution. Within the governments “Safeguarding our Soils” strategy, DEFRA have produced a code of practice for the sustainable use of soils on construction sites which could be helpful to neighbourhood planning groups in preparing environmental policies. High quality agricultural soils should, where possible be protected from development and where a large area of agricultural land is identified for development then planning should consider using the poorer quality areas in preference to the higher quality areas. Neighbourhood planning groups should consider mapping agricultural land</p>
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	<p>classification within their plan to enable informed decisions to be made in the future. Natural England can provide further information and Agricultural Land classification.</p> <p>Impact of Development on Civic Amenity Infrastructure</p> <p>Neighbourhood planning groups should remain mindful of the interaction between new development applications in a district area and the Leicestershire County Council. The County's Waste Management team considers proposed developments on a case by case basis and when it is identified that a proposed development will have a detrimental effect on the local civic amenity infrastructure then appropriate projects to increase the capacity to off-set the impact have to be initiated.</p> <p>Contributions to fund these projects are requested in accordance with Leicestershire's Planning Obligations Policy and the Community Infrastructure Legislation Regulations.</p> <p>Communities</p> <p>Consideration of community facilities is a positive facet of Neighbourhood Plans that reflects the importance of these facilities within communities and can proactively protect and develop facilities to meet the needs of people in local communities. Neighbourhood Plans provide an opportunity to;</p> <ol style="list-style-type: none"> 1. Carry out and report on a review of community facilities, groups and allotments and their importance with your community. 2. Set out policies that seek to; <ul style="list-style-type: none"> • protect and retain these existing facilities, • support the independent development of new facilities, and, • identify and protect Assets of Community Value and provide support for any existing or future designations. 3. Identify and support potential community projects that could be progressed. <p>You are encouraged to consider and respond to all aspects community resources as part of the Neighbourhood Planning process. Further information, guidance and examples of policies and supporting information is available at www.leicestershirecommunities.org.uk/np/useful-information.</p> <p>Economic Development</p> <p>We would recommend including economic development aspirations with your Plan, outlining what the community currently values and whether they are open to new development of small businesses etc.</p> <p>Superfast Broadband</p> <p>High speed broadband is critical for businesses and for access to services, many of which are now online by default. Having a superfast broadband connection is no longer merely desirable, but is an essential requirement in ordinary daily life.</p> <p>All new developments (including community facilities) should have access to superfast broadband (of at least 30Mbps) Developers should take active steps to incorporate superfast broadband at the pre-planning phase and should engage with telecoms providers to ensure superfast broadband is available as soon as build on the development is complete. Developers are only responsible for putting in place broadband infrastructure for developments of 30+ properties. Consideration for developers to make provision in all new houses regardless of the size of development should be</p>
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		<p>considered.</p> <p>Equalities</p> <p>While we cannot comment in detail on plans, you may wish to ask stakeholders to bear the Council's Equality Strategy 2016-2020 in mind when taking your Neighbourhood Plan forward through the relevant procedures, particularly for engagement and consultation work. A copy of the strategy can be view at: www.leicestershire.gov.uk/sites/default/files/field/pdf/2017/1/30/equality-strategy2016-2020.pdf</p>
Harborough District Council	General	The Plan is split into useful sections relating to policy areas. The Plan could however consider using paragraph numbers for ease of use by decision makers.
	DBE1	b) Parking – this is repetitious of the 6Cs design guide.
	ENV1	Local Green Space - For clarification the 'HDC Proposals 2015' are those sites submitted by the Parish Council to HDC in 2015 and considered appropriate by the Council to take forward in the Local Plan 2011 to 2031
	ENV2 and ENV3	Part of ENV3 is repetitious of ENV2. The policies could be combined
Gladman Developments Ltd		<p>This letter provides Gladman Developments Ltd (Gladman) representations in response to the draft version of the Burton Overy Neighbourhood Plan (BONP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. This letter seeks to highlight the issues with the plan as currently presented and its relationship with national and local planning policy.</p> <p>Legal Requirements</p> <p>Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The basic conditions that the BONP must meet are as follows:</p> <p>(a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.</p> <p>(d) The making of the order contributes to the achievement of sustainable development.</p> <p>(e) The making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).</p> <p>(f) The making of the order does not breach, and is otherwise compatible with, EU obligations.</p> <p>National Planning Policy Framework and Planning Practice Guidance</p> <p>The National Planning Policy Framework (the Framework) sets out the Government's planning policies for England and how these are expected to be applied. In doing so it sets out the requirements for the preparation of neighbourhood plans to be in conformity with the strategic priorities for the wider area and the role in which they play in delivering sustainable development to meet development needs.</p>

	<p>At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a golden thread through both plan-making and decision-taking. For plan-making this means that plan makers should positively seek opportunities to meet the development needs of their area and Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change. This requirement is applicable to neighbourhood plans.</p> <p>The recent Planning Practice Guidance (PPG) updates make clear that neighbourhood plans should conform to national policy requirements and take account the latest and most up-to-date evidence of housing needs in order to assist the Council in delivering sustainable development, a neighbourhood plan basic condition. The application of the presumption in favour of sustainable development will have implications for how communities engage with neighbourhood planning. Paragraph 16 of the Framework makes clear that Qualifying Bodies preparing neighbourhood plans should develop plans that support strategic development needs set out in Local Plans, including policies for housing development and plan positively to support local development.</p> <p>Paragraph 17 further makes clear that neighbourhood plans should set out a clear and positive vision for the future of the area and policies contained in those plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Neighbourhood plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to the wider opportunities for growth.</p> <p>Paragraph 184 of the Framework makes clear that local planning authorities will need to clearly set out their strategic policies to ensure that an up-to-date Local Plan is in place as quickly as possible. The Neighbourhood Plan should ensure that it is aligned with the strategic needs and priorities of the wider area and plan positively to support the delivery of sustainable growth opportunities.</p> <p>Planning Practice Guidance</p> <p>It is clear from the requirements of the Framework that neighbourhood plans should be prepared in conformity with the strategic requirements for the wider area as confirmed in an adopted development plan. The requirements of the Framework have now been supplemented by the publication of Planning Practice Guidance (PPG).</p> <p>On 11th February 2016, the Secretary of State (SoS) published a series of updates to the neighbourhood planning chapter of the PPG. In summary, these update a number of component parts of the evidence base that are required to support an emerging neighbourhood plan.</p> <p>On 19th May 2016, the Secretary of State published a further set of updates to the neighbourhood planning PPG. These updates provide further clarity on what measures a qualifying body should take to review the contents of a neighbourhood plan where the evidence base for the plan policy becomes less robust. As such it is considered that where a qualifying body intends to undertake a review of the neighbourhood plan, it should include a policy relating to this intention which includes a detailed explanation outlining the qualifying bodies anticipated timescales in this regard.</p>
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	<p>Policy S1: Limits to Development</p>	<p>Further, the PPG makes clear that neighbourhood plans should not contain policies restricting housing development in settlements or preventing other settlements from being expanded. It is with that in mind that Gladman has reservations regarding the BONP's ability to meet basic condition (a) and this will be discussed in greater detail throughout this response.</p> <p>Relationship to Local Plan To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, neighbourhood plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan. The adopted Development Plan relevant to the preparation of the Burton Overy Neighbourhood Plan (BONP) consists of the adopted Harborough Core Strategy covering the period from 2006 – 2028. This plan was adopted in November 2011 and therefore is out of date against the requirements of the Framework which requires local planning authorities to identify and meet full Objectively Assessed Needs (OAN) for housing. Whilst this is the Development Plan that the BONP will currently be tested against it is important that sufficient flexibility is included within the Plan so that its contents are not superseded by the emerging Harborough Local Plan (HLP) and provisions of S38(5) of the Planning and Compulsory Purchase Act 2004.</p> <p>To meet the requirements of the Framework, the Council has commenced work on a new Local Plan which will cover the period 2011 to 2031. At the time of writing, Harborough District Council have submitted their new Local Plan to the Secretary of State and Examination in Public is expected to commence imminently. The BONP should therefore ensure it is sufficiently aligned with the emerging policies of the HLP to ensure policies will not be superseded upon adoption of the HLP and the plan's policies should include sufficient flexibility so as to ensure that any changes required as a result of the Local Plan Examination do not conflict with the BONP policies.</p> <p>Burton Overy Neighbourhood Plan This section highlights the key issues that Gladman would like to raise with regards to the content of the BONP as currently proposed. It is considered that some policies do not reflect the requirements of national policy and guidance, Gladman have therefore sought to recommend a series of modifications to the plan to ensure compliance with the basic conditions.</p> <p>Policy S1: Limits to Development Policy H1 states that within the defined or close to the Limits to Development, proposals for residential development will be supported.</p> <p>Firstly, Gladman are pleased to note that proposals adjacent to the defined limits to development will be supported. However, we do not consider the use of development limits to be an effective response to future development proposals if it would act to preclude the delivery of otherwise sustainable development opportunities, as indicated in the policy. The Framework is clear that development which is sustainable should go ahead without delay. The use of development limits to arbitrarily restrict suitable development from coming forward on the edge of settlements does not accord with the positive approach to growth required by the Framework and is contrary to basic condition (a).</p>
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	<p>Policy ENV2: Protection of Sites of Environmental Significance</p> <p>Policy ENV6: Protection of Important Views</p> <p>Policy ENV8: Area of Separation</p>	<p>supporting evidence base to ensure that the proposed designations meet all the three tests required by the Framework.</p> <p>Failure to do so may result in the Plan being found contrary to basic conditions (a) and (d).</p> <p>Policy ENV2: Protection of Sites of Environmental Significance Paragraph 113 of the Framework refers to the need for criteria based policies in relation to proposals affecting protected wildlife or geodiversity sites or landscape areas, and that protection should be commensurate with their status and gives appropriate weight to their importance and contributions to wider networks. As currently drafted Gladman do not believe this policy aligns with the Framework given that the policy fails to make a distinction and recognise that there are two separate balancing exercises which need to be undertaken for national and local designated sites and their settings. We therefore suggest that the policy is revisited to ensure that it is consistent with the approach set out within the Framework.</p> <p>Policy ENV6: Protection of Important Views Policy ENV6 identifies 8 key views that are to be respected by development proposals.</p> <p>In line with this policy, we submit that new development can often be located in areas without eroding the views considered to be important to the local community and can be appropriately designed to take into consideration the wider landscape features of a surrounding area to provide new vistas and views. However, Gladman consider that this policy lacks sufficient evidence to demonstrate why these views are of such value to the local community.</p> <p>Opinions on landscape are highly subjective, therefore, without further evidence to demonstrate why these views are considered special will likely lead to inconsistencies in the decision-making process. The Guidance states that “Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan”. Accordingly, Gladman consider that this matter should be investigated and based on appropriate evidence prior to the Plan being submitted for Examination.</p> <p>Policy ENV8: Area of Separation Policy ENV8 seeks to introduce an area of separation between Burton Overy and Great Glen.</p> <p>This is considered a strategic policy beyond the remit of neighbourhood plans that would have the effect of imposing a near blanket restriction on development to the north of Burton Overy It would effectively offer the same level of protection as Green Belt land without undertaking the necessary exceptional circumstances test for the designation of new areas of Green Belt. As stated by PPG paragraph 074, a neighbourhood plan should not attempt to introduce strategic policies, such as this, which would undermine the strategic policies set out in the development plan. Gladman have been unable to identify any specific evidence to support the inclusion of this policy in the Neighbourhood Plan. It is vital that all of the evidence that underpins policies within the plan are available for review by anyone wishing to comment on the consultation.</p>
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	<p>Further, the PPG makes clear that neighbourhood plans should not contain policies restricting housing development in settlements or preventing other settlements from being expanded. Accordingly, the BODP will need to be updated so that it takes into account the latest guidance issued by the Secretary of State so that it can be found in compliance with basic condition (a), (d) and (e).</p> <p>Conclusions Gladman recognises the role of neighbourhood plans as a tool for local people to shape the development of their local community. However, it is clear from national guidance that these must be consistent with national planning policy and the strategic requirements for the wider authority area. Through this consultation response, Gladman has sought to clarify the relation of the BONP as currently proposed with the requirements of national planning policy and the wider strategic policies for the wider area.</p> <p>Gladman is concerned that the plan in its current form does not comply with basic condition (a). The plan does not conform with national policy and guidance. Gladman hopes you have found these representations helpful and constructive. If you have any questions do not hesitate to contact me or one of the Gladman team.</p>
<p>Natural England</p>	<p>Burton Overy Neighbourhood Plan - Regulation 16 Consultation Thank you for your consultation on the above dated 18/04/2018 .</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made..</p> <p>Natural England does not have any specific comments on this draft neighbourhood plan. However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.</p> <p>Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities Natural environment information sources The Magic1 website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones). Local environmental record centres may hold a range of additional information on</p>

	<p>the natural environment. A list of local record centres is available here².</p> <p>1 http://magic.defra.gov.uk/ 2 http://www.nbn-nfbr.org.uk/nfbr.php 3 http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx 4 https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making 5 http://magic.defra.gov.uk/ 6 http://www.landis.org.uk/index.cfm 7 https://www.gov.uk/government/publications/national-planning-policy-framework--2 8 http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/</p> <p>Priority habitats are those habitats of particular importance for nature conservation, and the list of them can be found here³. Most of these will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.</p> <p>National Character Areas (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found here⁴.</p> <p>There may also be a local landscape character assessment covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.</p> <p>If your neighbourhood planning area is within or adjacent to a National Park or Area of Outstanding Natural Beauty (AONB), the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.</p> <p>General mapped information on soil types and Agricultural Land Classification is available (under 'landscape') on the Magic⁵ website and also from the LandIS website⁶, which contains more information about obtaining soil data.</p> <p>Natural environment issues to consider</p> <p>The National Planning Policy Framework⁷ sets out national planning policy on protecting and enhancing the natural environment. Planning Practice Guidance⁸ sets out supporting guidance.</p> <p>Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.</p> <p>Landscape</p> <p>Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.</p> <p>If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding</p>
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	<p>Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.</p> <p>Wildlife habitats</p> <p>Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed here⁹), such as Sites of Special Scientific Interest or Ancient woodland¹⁰. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.</p> <p>⁹ http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx</p> <p>¹⁰ https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences</p> <p>¹¹ http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx</p> <p>¹² https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals</p> <p>¹³ http://publications.naturalengland.org.uk/publication/35012</p> <p>Priority and protected species</p> <p>You'll also want to consider whether any proposals might affect priority species (listed here¹¹) or protected species. To help you do this, Natural England has produced advice here¹² to help understand the impact of particular developments on protected species.</p> <p>Best and Most Versatile Agricultural Land</p> <p>Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 112. For more information, see our publication Agricultural Land Classification: protecting the best and most versatile agricultural land¹³.</p> <p>Improving your natural environment</p> <p>Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Providing a new footpath through the new development to link into existing rights of way. <input type="checkbox"/> Restoring a neglected hedgerow. <input type="checkbox"/> Creating a new pond as an attractive feature on the site. <input type="checkbox"/> Planting trees characteristic to the local area to make a positive contribution to the local landscape. <input type="checkbox"/> Using native plants in landscaping schemes for better nectar and seed sources for bees and birds. <input type="checkbox"/> Incorporating swift boxes or bat boxes into the design of new buildings. <input type="checkbox"/> Think about how lighting can be best managed to encourage wildlife. <input type="checkbox"/> Adding a green roof to new buildings.
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	<p>Policy S2:</p> <p>Policy CS17</p>	<p>Strategy states that that Limits to Development around settlements will be used to shape their development and, inter alia, that housing development will not be permitted outside of Limits unless there is less than a five year supply of deliverable housing sites and the proposal is in keeping with the scale and character of the settlement concerned. The Council acknowledges that it cannot presently demonstrate the requisite five year supply. The Council's latest Annual Monitoring work indicates that current position is that approximately 4.53 years supply is available. Accordingly, the first part of the second bullet point of criterion a) of policy CS2 is engaged and the principle of developing sites outside of limits is accepted. Policy CS2 is a strategic policy. The approach taken by the draft NP is therefore is not in general conformity with the strategic policies for the local area.</p> <ul style="list-style-type: none"> - the concern that allowing development outside of Limits would give rise to the merging of settlements is unjustified given the relationship of the village with nearby settlements. The scale of new development envisaged in the village (given its services and facilities) would not give rise to a serious risk of coalescence. - The contention that there is sufficient developable and deliverable land within the Limits to Development to meet the housing growth required by the village to help meet overall needs is not quantified or supported by a target for new dwellings in any policy in the draft NP. <p>Policy S2: Development Proposals outside the Defined Limits as drafted fails to recognise the advice provided in paragraph 55 of the Framework that new homes in the countryside can be supported in special circumstances, including where the exceptional quality or innovative nature of the a dwelling would help raise standards of design in rural areas, significantly enhance its immediate setting, and is sensitive to the defining characteristics of the local area.</p> <p>Policy CS17 of the adopted Core Strategy does not seek to treat villages that are not designated as Selected Rural Villages but that have limits, such as Burton Overy, as countryside. The policy states that development in such settlements will be strictly controlled and this is defined within criterion b) as allowing 'very limited small scale infill development'. As the development plan must be read as a whole and policy CS2 advises that housing development will not be permitted outside limits unless there is a deficit in terms of five year land supply, the requirements that development be infill can not be relied upon as a basis for the approach taken in the draft NP.</p> <p>The draft Local Plan for Harborough, referred to in the housing provision section of the Plan, is at a relatively early stage of preparation. Although the Plan has been submitted to the Secretary of State, the examination will not now be commenced until this Autumn (previously it was scheduled for May/June 2018). Accordingly, it is not part of the development plan and it should be afforded little weight in terms of its relevance to the draft NP. In terms of policy advice that may be relevant to the draft NP, policy SS1 repeats the current Core Strategy advice that development in villages such as Burton Overy should be strictly controlled. Policy GD4 – New housing in the Countryside recognises the advice provided in paragraph 55 of the Framework, including criterion c that would allow a dwelling of innovative and/or exceptional design quality.</p>
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	<p>Policy ENV6</p>	<p>great crested newts has been identified, however, badgers were not observed on the site and the retention of trees and hedges would ensure that the site remained as a habitat for bats and birds. The historic significance of the site is assessed in an archaeological study carried out by CgMS and this concludes that the site was previously used as pasture and possibly as an orchard. The site is of local interest but not to the extent that it warrants protection under a policy such as policy ENV2.</p> <p>Community Actions are not planning policies, however, CA ENV2 seeks to encourage the parish Council to work with Harborough District Council, landowners and other partners to secure the protection of the sites listed in CA ENV2. These sites include site 157 – Spring Corner. CA ENV2 proposes that the site at Spring Corner be designated as a ‘natural and semi-natural greenspace’. Whilst my clients are committed to preserving the essential character of the land and retaining the character of the public footpath, the designation of this site as ‘natural and semi-natural greenspace’ is incompatible with my client’s intentions to construct a dwelling of exceptional quality on the site. Accordingly, it can not be supported.</p> <p>Policy ENV6 seeks to ensure the protection of a number of views in/out of the village that have been identified by the NP Group ‘using fieldwork and community consultation’. Viewpoint 6 is of particular relevance to my clients because it includes land at parcel 157 – Spring Corner. No evidence is provided on the extent or nature of this work or on the level of support expressed for the protection of each important view. Without that information, it is difficult to conclude that this policy accords with the Framework. The Basic Conditions Statement advises that policy ENV6 has been prepared in accordance with paragraph 109 of the Framework which refers to protecting and enhancing valued landscapes. There is, however, no reference in policy ENV6 to landscapes. The policy is expressed entirely with respect to ‘views and vistas’.</p>
<p>Harborough District Council</p>	<p>General</p> <p>DBE1</p>	<p>The Plan is split into useful sections relating to policy areas. The Plan could however consider using paragraph numbers for ease of use by decision makers.</p> <p>A. Strategy (page 18): Suggest deleting ‘UK’ from first sentence. NPPF sets out government’s planning policies for England.</p> <p>b) Parking – this is repetitious of the 6Cs design guide.</p> <p>Criterion a) Suggest ‘clearly show within a Design and Access Statement, where required, how the general.....’</p> <ul style="list-style-type: none"> • Criterion e). Suggest amended wording: ‘Development should conserve or enhance biodiversity and incorporate landscaping’. (This would be inline with Policy ENV3). • Some repetition re: SuDS in h) and i). • Potentially need to insert ‘and’ after criterion i).

