

HARBOROUGH DISTRICT COUNCIL

GREAT GLEN NEIGHBOURHOOD REVIEW PLAN DECISION STATEMENT

1. Summary

- 1.1 Following an Independent Examination, Harborough District Council now confirms that the Great Glen Neighbourhood Plan review will proceed to a Neighbourhood Planning Referendum
- 1.2 This decision statement can be viewed at:

Harborough District Council Offices

The Symington Building,
Adam & Eve Street,
Market Harborough
Leicestershire
LE16 7AG

Open - Mon/Tues/Thu/Fri: 8.45am - 5pm. Wed: 9.30am - 5pm

Market Harborough Library

Leicestershire County Council
The Symington Building
Adam and Eve Street
Market Harborough , LE16 7LT
Tel: 0116 305 3627
Fax: 0116 305 0670
E-mail: marketharboroughlibrary@leics.gov.uk

Monday → Closed
Tuesday → 10am - 6pm
Wednesday → 10am - 6pm
Thursday → 10am - 6pm
Friday → 10am - 6pm
Saturday → 10am - 4pm
Sunday → Closed

Great Glen Library

Ruperts Way, Great Glen, LE8 9GR
Tel: 0116 305 3597
Fax: 0116 259 2948
E-mail: greatglenlibrary@leics.gov.uk

Monday → 2pm - 5pm
Tuesday → 2pm - 7pm
Wednesday → Closed
Thursday → 10am - 12 noon
Friday → Closed
Saturday → 10am - 1pm

2. Background

- 2.1 In March 2014 Great Glen Parish Council, as the qualifying body, applied for Great Glen Parish to be designated as a Neighbourhood Area for the purpose of preparing a neighbourhood plan. The Neighbourhood Area application was approved by Harborough District Council (the Council) on 4th June 2014 in accordance with the Neighbourhood Planning (General) Regulations (2012)
- 2.2 The Great Glen Neighbourhood Plan was made after successful referendum on 27 November 2017.
- 2.3 Great Glen Parish Council as the Qualifying Body took the decision to review the neighbourhood Plan and submitted the review plan to the Council on 11 April 2019. A six week consultation period was held ending on 10 July 2019.

- 2.4 The Qualifying Body submitted a statement of the changes to the plan and consideration whether they changed the nature of the Plan. The Council also submitted their statement to the Examiner
- 2.3 The Council, with the agreement of the Qualifying Body, appointed an independent examiner, Mr Andrew Ashcroft, to review whether the changes to the Plan were significant as to change the nature of the Plan. The Examiner determined that an examination and referendum would be required. The examiner considered the changes against the Basic Conditions required by legislation and that the Plan should proceed to referendum.
- 2.4 The Examiner's Report concludes that, subject to making the modifications proposed by the Examiner, the Neighbourhood Plan review meets the Basic Conditions set out in the legislation and should proceed to a Neighbourhood Planning referendum.

3. Decision and Reasons

- 3.1 At its meeting on 4th November 2019 the Cabinet agreed that the Examiner's recommended modifications should be accepted and that the amended Neighbourhood Plan should proceed to a referendum (see Council resolution at Appendix 1).
- 3.2 The District Council has made the modifications, proposed by the examiner, to secure that the draft plan meets the basic conditions. Appendix 2 sets out these modifications and the action to be taken in respect of each of them.
- 3.3 The Council agrees with the Examiner's recommendation that there is no reason to extend the Neighbourhood Plan area (Great Glen Parish) for the purpose of holding the referendum.
- 3.4 The Examiner has concluded that with the specified modifications the Plan meets the basic conditions and other relevant legal requirements. The Council concurs with this view the Plan complies with the provision made by or under sections 38A and 38B of the 2004 Act. Therefore to meet the requirements of the Localism Act 2011 a referendum which poses the question

'Do you want Harborough District Council to use the Neighbourhood Plan for Great Glen to help it decide planning applications in the neighbourhood area?'

will be held in the Parish of Great Glen.

- 3.5 The date on which the referendum will take place is agreed as **23rd January 2020**

Appendix 1: Council Resolution in respect of Great Glen Neighbourhood Plan 9th October 2017

Great Glen Neighbourhood Plan Review

RESOLVED:

- i. That the Independent Examiner's recommended changes to the Great Glen Neighbourhood Plan be accepted in full as set out in the schedule at Appendix A to the report and that the recommendation be noted that the amended Great Glen Neighbourhood Plan should proceed to a referendum of voters within the Parish of Great Glen to establish whether the Plan should form part of the Development Plan for the Harborough District; and**
- ii. That the holding of a referendum relating to the Great Glen Neighbourhood Plan on 23 January 2020, that will include all of the registered electors in Great Glen Parish, be approved.**

Reason for Decisions:

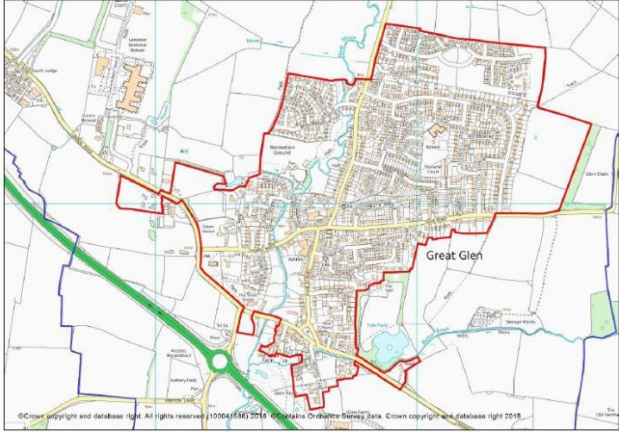
To consider the recommendations of the Examiner into the Great Glen Neighbourhood Plan review and allow the Plan to proceed to public referendum.

Appendix 2: Schedule of Modifications Recommended in the Examiner’s Report

Appendix A – Summary of Examiner Recommendations, Great Glen Neighbourhood Plan

| Ref no | Policy No. | Policy Title | Submission Draft Policy Text | Suggested Revised Policy Text | Reason |
|--------|------------|-----------------------------|--|---|--|
| 1 | Policy GG1 | Residential Site Allocation | Land is allocated for residential development at the site known as ‘land north of Glen House’ for around 10 dwellings (SHLAA reference A/GG/HSG/14). | <p>Replace (SHLAA reference A/GG/HSG/14) with (as shown on Figure 2). Thereafter add ‘subject to the following criteria:</p> <p>the development of the site retains the tree belts along its western and southern boundaries;</p> <p>appropriate and safe vehicular access is provided into the site;</p> <p>the layout and design of the development incorporates appropriate pedestrian and cycling facilities; and</p> <p>the design and layout of the development and the materials used should be in accordance with the design quality principles included in Policy GG6 of this Plan’</p> | Clarity required by paragraph 16d) of the NPPF |

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| 2 | Policy GG2 | Settlement Boundary | <p>Figure 3 - Settlement Boundary</p>  | In Figure 3 refine the settlement boundary to incorporate the full extent of the May Close development | Accuracy |
| 3 | Policy GG3 | Housing Provision Windfall Sites | This policy is unaffected by the review of the Plan | n/a | |
| 4 | Policy GG4 | Housing Mix | This policy is unaffected by the review of the Plan | n/a | |
| 5 | Policy GG5 | Affordable Housing | This policy is unaffected by the review of the Plan | n/a | |
| 6 | Policy GG6 | Design Quality | This policy is unaffected by the review of the Plan | n/a | |
| 7 | Policy GG7 | Local Heritage Assets | This policy is unaffected by the review of the Plan | n/a | |
| 8 | Policy GG8 | Employment and Business Development | This policy is unaffected by the review of the Plan | n/a | |
| 9 | Policy GG9 | Shops | This policy is unaffected by the review of the Plan | n/a | |

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| 10 | Policy GG10 | Community Buildings and Facilities | This policy is unaffected by the review of the Plan | n/a | |
| 11 | Policy GG11 | Assets of Community Value | This policy is unaffected by the review of the Plan | n/a | |
| 12 | Policy GG12 | Designation of Local Green Spaces | POLICY GG12: Local Green Spaces - site GG/LGS/02 St Cuthbert's churchyard added following revised field survey and updated environmental inventory. New map Figure 5. | <i>In Section 1 of the Plan (Environment Heading) GG12 replace 'GG/LGS/02' with 'GG/LGS/04'</i> | There is an inconsistency between the details in the policy itself and in Section 1 of the Plan on the numbering of the proposed additional LGS |
| 13 | Policy GG13 | Ridge and Furrow | Development proposals should seek to preserve the identified areas of well- preserved ridge and furrow (in figure 7 below) wherever possible. | <i>Replace Policy GG13 with: Development proposals should take account of the well-preserved ridge and furrow and areas with a clear trace of ridge and furrow as shown on Figure 7. Development proposals which would affect the identified ridge and furrow resources in the neighbourhood area will be determined on the basis of any assessment of the scale of the harm or loss of the heritage assets concerned, their significance and the public benefits that would</i> | This policy remains unchanged from the policy in the made Plan. However, the information and supporting text has been reviewed and updated. It now includes further details about the historic importance of ridge and furrow in the |

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| | | | | arise from the development concerned' | Parish. It also includes additional areas where there are clear traces of ridge and furrow. The made Plan included only |
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| | | | | | areas of 'well-preserved ridge and furrow'. Recommend that Policy GG13 is modified so that it will be consistent with Policy GG17. This will also ensure that the policy has regard to national policy. |
| 14 | Policy GG14 | Important Open Spaces | Existing Open Space, Sport & Recreation sites: Bridgewater Drive amenity green space north Bridgewater Drive amenity green space south Great Glen Recreation Ground Children's play area, recreation ground St Cuthbert's Churchyard Church paddock amenity open space and extension burial ground Memorial Green St Cuthbert's C of E School playing field Devana Way amenity open space and children's play area Stretton Glen bund amenity open space Children's play area, off Cromwell Road Stonehill Court amenity open space Other Important Open Areas (this Plan) Great Glen recreation ground annexes: dog- walking area, entrance drive and car park Sence-side paddock (rare breeds etc.) Open Space and garden of Brookfield Gardens | In the schedule of Important Open Spaces remove the various entries which are separately designated as Local Green Space in Policy GG12. In the details of Important Open Spaces in Figure 8 remove the various entries which are separately designated as Local Green Space in Policy GG12. | Clarity. There is an overlap between the various identified Important Open Spaces and the proposed designated Local Green Spaces. The Examiner sought clarification from the Parish Council on this issue. The PC acknowledged that designated LGSs need not be included in the schedule of important open spaces in Policy GG14 |

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| | | | sheltered apartments Paddocks on west bank of River Sence, rear of Sence Crescent Paddock on east bank of River Sence, rear of Main Street Paddocks on north bank of Burton Brook, off The Nook Paddock off Orchard Lane | | |
| 15 | Policy GG15 | Biodiversity and Wildlife Corridors | Development proposals which impact adversely on the following wildlife corridors (shown in Figure 10) must demonstrate that they will not harm their integrity and effectiveness: . from Great Glen Crematorium along the ancient track and hedge on upper Orchard Lane to Great Glen Community Wildspace at the confluence of Burton Brook with the River Sence, and . The course the River Sence, and adjacent land, through the built- up area of Great Glen will be maintained and promoted to provide habitat connectivity across the Plan Area. Development proposals that affect a site of ecological value will be expected to conserve and enhance its significant features, species and habitats, and to apply the hierarchy of avoid, mitigate and compensate. Roof and wall construction in new development should conform to technical best-practice recommendations for integral bird and bat breeding and roosting sites. Security lighting in new development will be | <i>In the opening section of the policy replace 'Figure 10' with 'Figure 9' and 'must' with 'should'</i> <i>End criterion 2 after 'the Plan area'. Thereafter relocate the remainder of the criteria so that it sits as a free-standing paragraph within the policy</i> | to bring the clarity required by the NPPF |

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| | | | operated by intruder switching, not on constantly. Site and sports facility lighting will be switched off during 'curfew' hours between March and October, following best practice guidelines provided by The Wildlife Trusts. Maximum light spillage onto bat foraging corridors should be 1 lux. | | |
| 16 | Policy GG16 | Important Trees and Hedges | This policy is unaffected by the review of the Plan. | n/a | |
| 17 | Policy GG17 | Historic Landscape character Area | <p>Development proposals in the southwest section of Great Glen will be required to respect the historic features, as follows, that constitute the landscape area shown in figure 12. Any loss or damage arising from a development proposal (or a change of land use requiring planning permission) is to be avoided; the benefits of such development must be balanced against the significance of the landscape character area's features, its tranquillity and scenic values, and as the setting for the Grade II* Listed St Cuthbert's Church.</p> <ul style="list-style-type: none"> • visible earthworks evidence for medieval village houses and streets (before 1400) • clear ridge and furrow (medieval ploughland traces dating from the 11th to 18th centuries), • the 1726 Leicester to Harborough turnpike road • grazing fields dating from about 1770 • hedgerows with standard trees planted in the late 18th century, • 18th and 19th century farmhouses and 'country | <p>Replace the initial part of the policy with: 'The plan designates a Historic Landscape Character Area as shown on Figure 12 Development proposals within the designated Historic Landscape Character Area should take account of the historic features listed within this policy. Development proposals within the designated Historic Landscape Character Area will be determined on the basis of any assessment of the scale of the harm or loss of the heritage assets concerned, their significance and the public benefits that would arise from the development concerned'</p> <p>At the beginning of the schedule of historic features add: 'The heritage assets affected by this policy are as follows:'</p> | <p>For clarity and to meet the requirements of NPPF.</p> <p>As submitted the policy does not fully have regard to national policy on this important matter. Paragraphs 193 to 202 of the NPPF highlight the balance to be struck between the public benefits of proposed development and any harm to the significance of a designated heritage asset. National policy also requires that the effect of an application on the significance of a</p> |

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| | | | <p>houses'</p> <ul style="list-style-type: none"> The Grade II* Listed church, for which the above features are the setting, as documented by Historic England. | | <p>non-designation asset should be taken into account in determining the application.</p> <p>Within this wider context the policy's reference to any loss or damage to historic features 'is to be avoided' is unclear in its meaning. It has limited policy effect and would not be capable of being applied consistently by HDC.</p> <p>The recommended modifications retain the generality of the approach included in the submitted Plan. In this context HDC will be able to come to its own judgement based on the nature of any planning applications which may be submitted in the designated area, their</p> |

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| | | | | | impact on heritage assets, and the public benefits of the development proposed. |
| 18 | Policy GG18 | Footpaths and Cycleways | This policy is unaffected by the review of the Plan. | n/a | |
| 19 | Policy GG19 | Important Views and Skylines | Development proposals must consider, assess and address, with mitigation where appropriate, their impact on the important views listed below and illustrated in figure 14 (below) which help to define the rural setting and character of Great Glen. The important views are as follows: . From the gateway at the highest point of the parish on Oaks Road (footpath C13) west over the village to the skyline; . From Oaks Road at the eastern edge of the village south-southwest over the valleys of Burton Brook and the River Sence; . , 4. From the ridge and furrow fields southwest of St Cuthbert's Church on footpath C26 to the church and village skyline; . From the Stretton Gal POS viewpoint (designed into landscaping works) and footpath C13 where it leaves the village on Coverside Road, northeast over rising open country to the skyline formed by the highest point of the parish; . From the A6 bridge on footpath C32 panoramic views northwest over ancient hedgerow and ridge and furrow field to the roofs of the village nestling in | Replace the first sentence of the policy with: Development proposals within the identified important views as listed in this policy and shown in figure 14 should take account of their impact on the view or views concerned. Where it is necessary to do so, development proposals should include appropriate mitigation measures to reduce any unacceptable impacts that would arise from the proposed development.' At the end of the first paragraph of section 8.6.8 add: 'The important views shown on Figure 14 help to define the rural setting and character of Great Glen' | For Clarity. Recommended that the wording used in the policy is modified so that it has the clarity required by the NPPF. In particular the submitted wording of 'consider, assess and address' incorporates three tests. This approach is unnecessarily complicated. In addition, the mitigation element is unclear. Also recommended the deletion of supporting text from the policy and its repositioning into the supporting text. |

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| | | | the Sence valley, with other views northeast, south and southwest; . From the popular village walk at the STW access track northeast to Glen Oaks woodland; . From permissive (expected definitive) path A1 (see figure 13) southwest (as view 2) and northeast to the skyline. | | |
| 20 | Policy GG20 | Energy Efficiency | This policy is unaffected by the review of the Plan | n/a | |
| 21 | Policy GG21 | Residential Parking | This policy is unaffected by the review of the Plan | n/a | |
| 22 | Policy GG22 | Public Parking Development | This policy is unaffected by the review of the Plan | n/a | |
| 23 | Policy GG23 | Access Design for New Development | This policy is unaffected by the review of the Plan | n/a | |
| 24 | Policy GG24 | Traffic Impact | This policy is unaffected by the review of the Plan | n/a | |
| 25 | | Other matters - General | n/a | Modification of general text (where necessary) to achieve consistency with the modified policies. | |
| 26 | | Other Matters – Consequential matters | n/a | NOTE FRM THE EXAMINER: The review of the Plan has proposed modifications to some policies, has included new policies and has retained other policies. In this context I have examined the proposed modified policies and the proposed new policies. The Parish Council has | |

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| | | | | concluded that | |
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| | | | | <p>it is comfortable with the remainder of the policies. In any event they have not been subject to public consultation and scrutiny.</p> <p>In respect of Policy GG13 I have however recommended modifications to the policy wording so that it takes account of the mapping and information base which has been included within the Plan as part of the review. The recommended modifications will also ensure consistency with the proposed new policy GG17.</p> <p>Policy GG2 of the submitted Plan has proposed a new settlement boundary. I have concluded that it meets the basic conditions. Policy GG3 of the 'made' Plan comments about windfall sites. Its structure correctly assumes that the majority of such development will take place within the settlement boundary. However, part a) of the policy offers support to development outside the settlement boundary 'where the site is closely surrounded by buildings'.</p> <p>The potential for new development of this type is not included within Policy GG2 of the submitted NP review. In addition, potential development of this type does not feature</p> | |

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| | | | | within the list of such development in paragraph 79 of the NPPF. In these circumstances the Parish Council and HDC may wish to consider the future applicability of this part of Policy GG3. | |