

Harborough District Council

**Fleckney
Neighbourhood Plan 2018-2031**

Independent Examiner's Report

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21 February 2020

Contents

	Summary	3
1.0	Introduction	4
2.0	The role of the independent examiner	4
3.0	Neighbourhood plan preparation	6
4.0	The examination process	7
5.0	Compliance with matters other than the basic conditions	8
6.0	The basic conditions	9
	<i>National policy and advice</i>	9
	<i>Sustainable development</i>	10
	<i>The development plan</i>	11
	<i>European Union (EU) obligations</i>	12
	<i>European Convention on Human Rights (ECHR)</i>	13
7.0	Detailed comments on the Plan and its policies	13
	<i>Introduction</i>	14
	<i>Policy F1</i>	14
	<i>Policies F2 and F3</i>	15
	<i>Policy F4</i>	16
	<i>Policy F5</i>	17
	<i>Policies F6 and F7</i>	18
	<i>Policy F8</i>	21
	<i>Policy F9</i>	22
	<i>Policy F10</i>	24
	<i>Policies F11 and F12</i>	25
	<i>Policy F13</i>	26
	<i>Policies F14 and F15</i>	27
	<i>Policy F16</i>	28
	<i>Policy F17</i>	29
	<i>Appendices</i>	30
	<i>Policies Maps</i>	31
8.0	Conclusions and recommendations	31
	Appendix 1 List of key documents	32
	Appendix 2 Questions of clarification from the examiner	33

Summary

I have been appointed as the independent examiner of the Fleckney Neighbourhood Development Plan.

Fleckney lies about nine miles south of Leicester and some nine miles northwest of Market Harborough. The Parish has a population of about 4, 894 according to the 2011 Census. The village has a good range of facilities and services including a primary school, pubs, medical facilities and several shops as well as allotments and a number of recreational areas. It has a small industrial estate.

The Plan area has had a number of development schemes approved which have resulted in significant growth to the area. It is against this backdrop that the Plan has evolved.

The Plan is generally presented well and accompanied by a number of supporting documents. It contains 17 policies covering a wide variety of issues ranging from the designation of Local Green Spaces to identifying local heritage assets to retail and design. It does not include any site allocations. Most of the policies seek to add a local layer of detail to higher tier policies in a relatively recently adopted Local Plan.

It has been necessary to recommend some modifications; these have included some reworking of policies and their supporting texts in the main to ensure the Plan provides a clear and practical framework for decision-making, is not overly prescriptive and takes account of national policy and policies in the Local Plan.

Subject to those modifications, I have concluded that the Plan does meet the basic conditions and all the other requirements I am obliged to examine. I am therefore pleased to recommend to Harborough District Council that the Fleckney Neighbourhood Development Plan can go forward to a referendum.

In considering whether the referendum area should be extended beyond the Neighbourhood Plan area I see no reason to alter or extend this area for the purpose of holding a referendum.

Ann Skippers MRTPI
Ann Skippers Planning
21 February 2020



1.0 Introduction

This is the report of the independent examiner into the Fleckney Neighbourhood Development Plan (the Plan).

The Localism Act 2011 provides a welcome opportunity for communities to shape the future of the places where they live and work and to deliver the sustainable development they need. One way of achieving this is through the production of a neighbourhood plan.

I have been appointed by Harborough District Council (HDC) with the agreement of the Parish Council, to undertake this independent examination. I have been appointed through the Neighbourhood Planning Independent Examiner Referral Service (NPIERS).

I am independent of the qualifying body and the local authority. I have no interest in any land that may be affected by the Plan. I am a chartered town planner with over thirty years experience in planning spanning the public, private and academic sectors and am an experienced examiner of neighbourhood plans. I therefore have the appropriate qualifications and experience to carry out this independent examination.

2.0 The role of the independent examiner

The examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The basic conditions¹ are:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
- The making of the neighbourhood plan contributes to the achievement of sustainable development
- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area
- The making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union (EU) obligations
- Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in primary legislation

¹ Set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended)

and referred to in the paragraph above. Only one is applicable to neighbourhood plans and was brought into effect on 28 December 2018.² It states that:

- The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

The examiner is also required to check³ whether the neighbourhood plan:

- Has been prepared and submitted for examination by a qualifying body
- Has been prepared for an area that has been properly designated for such plan preparation
- Meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that
- Its policies relate to the development and use of land for a designated neighbourhood area.

I must also consider whether the draft neighbourhood plan is compatible with Convention rights.⁴

The examiner must then make one of the following recommendations:

- The neighbourhood plan can proceed to a referendum on the basis it meets all the necessary legal requirements
- The neighbourhood plan can proceed to a referendum subject to modifications or
- The neighbourhood plan should not proceed to a referendum on the basis it does not meet the necessary legal requirements.

If the plan can proceed to a referendum with or without modifications, the examiner must also consider whether the referendum area should be extended beyond the neighbourhood plan area to which it relates.

If the plan goes forward to referendum and more than 50% of those voting vote in favour of the plan then it is made by the relevant local authority, in this case Harborough District Council. The plan then becomes part of the 'development plan' for the area and a statutory consideration in guiding future development and in the determination of planning applications within the plan area.

² Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018

³ Set out in sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act

⁴ The combined effect of the Town and Country Planning Act Schedule 4B para 8(6) and para 10 (3)(b) and the Human Rights Act 1998

3.0 Neighbourhood plan preparation

A Consultation Statement has been submitted. It meets the requirements of Regulation 15(2) of the Neighbourhood Planning (General) Regulations 2012.

Work began on the Plan in 2016 with a launch event held in July of that year. A Stakeholder workshop was held in February 2017 with a questionnaire later that year. The questionnaire was delivered to every household and business in the Plan area. It was also publicised through the newsletter, posters and banners and on the website. A prize draw was held to encourage responses gaining a respectable response rate of 27%. Two drop in events were held in June 2017 to feedback the results of the survey and to discuss the issues raised.

Throughout the process, information has been available on the website, newsletters and the Parish magazine as well as Parish Council meetings.

Whilst the Plan indicates pre-submission (Regulation 14) consultation took place between 4 June – 16 July 2018, the Consultation Statement indicated the consultation period was 14 June – 16 July 2018. I queried this with the Parish Council as one set of dates meets the regulations and the other does not. It was confirmed the period is 4 June – 16 July 2018 which is the required six week period.

The pre-submission consultation was advertised through a leaflet to all households and businesses, on the website, the document was available at various locations around the Parish. Two drop in sessions were held with around 50 people attending.

I consider that the consultation and engagement carried out is satisfactory.

Submission (Regulation 16) consultation was carried out between 24 July – 11 September 2019.

The Regulation 16 stage resulted in ten representations. I have considered all of the representations and taken them into account in preparing my report. HDC sent me a document titled “Summary of representations”, but HDC has confirmed that the document sent to me is a true and full reflection of all the representations received and I have therefore relied on this document.

4.0 The examination process

I have set out my remit earlier in this report. It is useful to bear in mind that the examiner's role is limited to testing whether or not the submitted neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).⁵ PPG confirms that the examiner is not testing the soundness of a neighbourhood plan or examining other material considerations.⁶ Where I find that policies do meet the basic conditions, it is not necessary for me to consider if further amendments or additions are required.

Some representations make comments on the proposed housing sites in the emerging Housing Site Allocations Plan. These sites are a separate matter from the Plan. Others seek to promote different or additional sites for development. Some make constructive suggestions for further issues to be included in the Plan and I feel sure that the Parish Council will wish to consider these in any future review of the Plan.

PPG⁷ explains that it is expected that the examination will not include a public hearing. Rather the examiner should reach a view by considering written representations. Where an examiner considers it necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case, then a hearing must be held.⁸

I sought clarification on a number of matters from the Parish Council and HDC in writing and my list of questions is attached to this report as Appendix 2. I am very grateful to both Councils who have provided me with comprehensive answers to my questions. The responses received (all publicly available) have enabled me to examine the Plan without the need for a hearing.

In 2018, NPIERS published guidance to service users and examiners. Amongst other matters, the guidance indicates that the qualifying body will normally be given an opportunity to comment upon any representations made by other parties at the Regulation 16 consultation stage should they wish to do so. There is no obligation for a qualifying body to make any comments; it is only if they wish to do so. The Parish Council made comments and I have taken these into account.

I made an unaccompanied site visit to familiarise myself with the Plan area on 25 October 2019.

I am grateful to everyone for ensuring that the examination has run smoothly.

Where modifications are recommended they appear in **bold text**. Where I have suggested specific changes to the wording of the policies or new wording these appear in ***bold italics***.

⁵ PPG para 055 ref id 41-055-20180222

⁶ Ibid

⁷ Ibid para 056 ref id 41-056-20180222

⁸ Ibid

As a result of some modifications consequential amendments may be required. These can include changing section headings, amending the contents page, renumbering paragraphs or pages, ensuring that supporting appendices and other documents align with the final version of the Plan and so on.

I regard these as primarily matters of final presentation and do not specifically refer to such modifications, but have an expectation that a common sense approach will be taken and any such necessary editing carried out and the Plan's presentation made consistent.

5.0 Compliance with matters other than the basic conditions

I now check the various matters set out in section 2.0 of this report.

Qualifying body

Fleckney Parish Council is the qualifying body able to lead preparation of a neighbourhood plan. This requirement is met.

Plan area

The Plan area is coterminous with the administrative boundary for the Parish. HDC approved the designation of the area on 24 March 2016. The Plan relates to this area and does not relate to more than one neighbourhood area and therefore complies with these requirements. The Plan area is clearly shown on page 2 of the Plan.

Plan period

The Plan period is 2018 – 2031. This is clearly stated in the Plan itself and confirmed in the Basic Conditions Statement. This requirement is therefore satisfactorily met.

Excluded development

The Plan does not include policies that relate to any of the categories of excluded development and therefore meets this requirement. This is also helpfully confirmed in the Basic Conditions Statement.

Development and use of land

Policies in neighbourhood plans must relate to the development and use of land. Sometimes neighbourhood plans contain aspirational policies or projects that signal the community's priorities for the future of their local area, but are not related to the development and use of land. If I consider a policy or proposal to fall within this category, I will recommend it be clearly differentiated. This is because wider community aspirations than those relating to development and use of land can be

included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable.⁹

6.0 The basic conditions

Regard to national policy and advice

The Government published a National Planning Policy Framework (NPPF) in 2012. On 24 July 2018, a revised NPPF was published. On 19 February 2019, the revised NPPF was updated and replaces the previous NPPF published in March 2012 and revised in July 2018.

Paragraph 214 in Annex 1 of that document explains that:

“The policies in the previous Framework published in March 2012 will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019. Where such plans are withdrawn or otherwise do not proceed to become part of the development plan, the policies contained in this Framework will apply to any subsequent plan produced for the area concerned.”

Footnote 69 explains that for neighbourhood plans “submission” means where a qualifying body submits a plan proposal to the local planning authority in accordance with regulation 15 of the Neighbourhood Planning (General) Regulations 2012.

This Plan was submitted after 24 January 2019. It is therefore clear that it is the NPPF published in 2019 that is relevant to this particular examination. Any references to the NPPF in this report refer to the NPPF published in 2019 unless otherwise stated.

The NPPF is the main document that sets out national planning policy. In particular it explains that the application of the presumption in favour of sustainable development will mean that neighbourhood plans should support the delivery of strategic policies and should shape and direct development outside of these strategic policies.¹⁰

Non-strategic policies are more detailed for specific areas, neighbourhoods or types of development.¹¹ They can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and set out other development management policies.¹²

⁹ PPG para 004 ref id 41-004-20170728

¹⁰ NPPF para 13

¹¹ Ibid para 28

¹² Ibid

The NPPF also makes it clear that neighbourhood plans should not promote less development than that set out in strategic policies or undermine those strategic policies.¹³

The NPPF states that all policies should be underpinned by relevant and up to date evidence; evidence should be adequate and proportionate, focused tightly on supporting and justifying policies and take into account relevant market signals.¹⁴

Policies should also be clearly written and unambiguous so that it is evident how a decision maker should react to development proposals. They should serve a clear purpose and avoid unnecessary duplication of policies that apply to a particular area including those in the NPPF.¹⁵

On 6 March 2014, the Government published a suite of planning guidance referred to as Planning Practice Guidance (PPG). This is an online resource available at www.gov.uk/government/collections/planning-practice-guidance which is regularly updated. The planning guidance contains a wealth of information relating to neighbourhood planning. I have also had regard to PPG in preparing this report.

PPG indicates that a policy should be clear and unambiguous¹⁶ to enable a decision maker to apply it consistently and with confidence when determining planning applications. The guidance advises that policies should be concise, precise and supported by appropriate evidence, reflecting and responding to both the planning context and the characteristics of the area.¹⁷

PPG states there is no 'tick box' list of evidence required, but proportionate, robust evidence should support the choices made and the approach taken.¹⁸ It continues that the evidence should be drawn upon to explain succinctly the intention and rationale of the policies.¹⁹

Whilst this has formed part of my own assessment, the Basic Conditions Statement sets out how the Plan has responded to national policy and guidance including PPG. It states that the Plan has been assessed against the July 2018 version of the NPPF,²⁰ but in fact the references are (rightly) based on the February 2019 version.

Contribute to the achievement of sustainable development

A qualifying body must demonstrate how the making of a neighbourhood plan would contribute to the achievement of sustainable development.

¹³ NPPF para 29

¹⁴ Ibid para 31

¹⁵ Ibid para 16

¹⁶ PPG para 041 ref id 41-041-20140306

¹⁷ Ibid

¹⁸ Ibid para 040 ref id 41-040-20160211

¹⁹ Ibid

²⁰ Basic Conditions Statement page 5

The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.²¹ This means that the planning system has three overarching and interdependent objectives which should be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives.²² The objectives are economic, social and environmental.²³

The NPPF confirms that planning policies should play an active role in guiding development towards sustainable solutions, but should take local circumstances into account to reflect the character, needs and opportunities of each area.²⁴

Whilst this has formed part of my own assessment, the Basic Conditions Statement discusses how the Plan meets this basic condition.

General conformity with the strategic policies in the development plan

The development plan relevant to this examination includes the Harborough Local Plan 2011 to 2031 (LP) adopted on 30 April 2019. Very helpfully, the LP identifies those policies which are to be regarded as ‘strategic’ for the purposes of the relevant basic condition.

The LP identifies Fleckney as a ‘Rural Centre’. LP Policy SS1 indicates that Fleckney will provide housing, business, retail, leisure and community facilities to serve its needs and those of surrounding areas. Rural Centres are the main focus for development in rural areas.

A site for approximately 130 dwellings off Arnesby Road is allocated in LP Policies H1 and F1. In relation to employment, land off Marlborough Drive is allocated for industrial and commercial development in LP Policies BE1 and F2. Churchill Way Industrial Estate and Victoria Works are also protected through LP Policy BE1 from loss to other uses.

Section 16 of the LP also considers Fleckney. It explains that few housing completions have taken place since 2011, but there are commitments for some 450 dwellings. Its target is 130 units to 2031 and this is expected to be delivered through the site off Arnesby Road.

The LP explains that Rural Centres are “capable of sustaining expansion, infill and redevelopment to provide a focus for new housing and employment development in the rural parts of the District on a scale which reflects their varied range of services and facilities”.²⁵

²¹ NPPF para 7

²² Ibid para 8

²³ Ibid

²⁴ Ibid para 9

²⁵ LP page 249

Whilst this has formed part of my own assessment, the Basic Conditions Statement contains an assessment of how the Plan relates to the LP.

European Union Obligations

A neighbourhood plan must be compatible with European Union (EU) obligations. A number of EU obligations may be of relevance for these purposes including in respect of Strategic Environmental Assessment, Environmental Impact Assessment, Habitats, Wild Birds, Waste, Air Quality and Water matters.

Strategic Environmental Assessment and Habitats Regulations Assessment

Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment is relevant. Its purpose is to provide a high level of protection of the environment by incorporating environmental considerations into the process of preparing plans and programmes. This Directive is commonly referred to as the Strategic Environment Assessment (SEA) Directive. The Directive is transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004 (EAPPR).

Directive 92/43/EEC on the conservation of natural habitats, commonly referred to as the Habitats Directive, is also of relevance to this examination. A Habitats Regulations Assessment (HRA) identifies whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects.²⁶ The assessment determines whether significant effects on a European site can be ruled out on the basis of objective information.

A Screening Report of February 2019 has been prepared. This concluded that the Plan was unlikely to have any significant environmental effects and therefore a SEA would not be needed.

Consultation with the three statutory bodies took place on the Screening Report. Historic England and Natural England concurred with the view that a SEA would not be needed. The Environment Agency recommended the views of Natural England be sought.

A SEA Determination of May 2019 and prepared by HDC confirmed that a SEA would not be needed.

HDC have prepared an Addendum dated June 2019. This deals with the issues raised in Court of Justice of the European Union cases particularly in respect of habitats which I deal with below. It does not change the conclusion in relation to SEA.

I consider that EU obligations in respect of SEA have been satisfied.

²⁶ PPG para 001 ref id 65-001-20190722

With regard to HRA, on 28 December 2018, the basic condition prescribed in Regulation 32 and Schedule 2 (Habitats) of the Neighbourhood Planning (General) Regulations 2012 (as amended) was substituted by a new basic condition brought into force by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

The Basic Conditions Statement indicates that a HRA was undertaken as part of the LP preparation and concluded that the LP will not have a likely significant effect on any European sites, alone or in combination with other plans and projects.

There are no European sites within the District and no pathways identified. The Plan area lies some 30km from the nearest European site which is the Rutland Water Special Protection Area and Ramsar site. The HRA for the LP is therefore relied upon.

The Addendum prepared by HDC helpfully considers the need for HRA again in the light of Court of Justice of the European Union cases.

Given the distance, nature and characteristics of the nearest European sites and the nature and contents of this Plan, I consider that the requisite requirements have been met and that the prescribed basic condition is complied with.

National guidance establishes that the ultimate responsibility for determining whether a plan meets EU obligations lies with the local planning authority.²⁷

European Convention on Human Rights (ECHR)

The Basic Conditions Statement contains an equality impact assessment. Having regard to the Basic Conditions Statement, there is nothing in the Plan that leads me to conclude there is any breach or incompatibility with Convention rights.

7.0 Detailed comments on the Plan and its policies

In this section I consider the Plan and its policies against the basic conditions in detail. As a reminder, where modifications are recommended they appear in **bold text**; where specific changes to the wording of the policies or new wording is suggested these modifications appear in ***bold italics***.

The Plan is presented clearly and contains 17 policies. There is a useful contents page at the start of the Plan.

²⁷ PPG para 031 ref id 11-031-20150209

1. Introduction

This is a helpful section that sets the scene for the Plan.

There are two points to clarify; the document correctly indicates that the Plan, once made, will form part of the development plan for the area. However, it arguably gives the impression that it will be the primary document. This is incorrect as the Plan will sit alongside the LP and both plans will have the same status.

This section contains the vision for the Plan. It shows in diagrammatic form,²⁸ the ambition for Fleckney in 2031. It has a welcome simplicity and clarity to it. I welcome its pragmatism and the emphasis on being achievable.

In addition, some natural updating will be needed as the Plan progresses further and to reflect the current situation.

- **Add the words “*alongside the Local Plan*” to the end of paragraph 1.2 on page 1 and paragraph 1.25 on page 5 of the Plan**
- **Update paragraphs 1.20 – 1.24 as necessary for the final version of the Plan**
- **Delete the word “emerging” from the first bullet point in paragraph 1.28 on page 6 of the Plan**

2. Natural Environment

Policy F1: Countryside

Recognising the intrinsic character and attributes of the Plan area and the need for some development in the countryside, this policy seeks to protect the countryside cross referencing LP Policies SS1 and GD3.

LP Policy SS1 strictly controls development in the countryside whilst setting out the settlement hierarchy and directing growth to appropriate locations.

LP Policy GD3 sets out the types of development permitted in the countryside. It relates to land outside the Rural Centres and land adjoining them. This latter point is important as the Plan seeks to reintroduce a Limits of Development for Fleckney. This concept has been replaced in the LP by LP Policy GD2 which permits development on sites adjoining Rural Centres subject to various criteria. I have discussed this more fully in relation to

²⁸ See page 7 of the Plan

Policy F9 of the Plan which seeks to define Limits of Development, but reached the conclusion that this is acceptable in this case.

HDC has made the point that it would be useful to refer to LP Policy GD4 as well as LP Policies SS1 and GD3 and I agree. A reference to Policy F9 is also inserted in the interests of completeness and clarity.

With this modification, the policy will take account of the NPPF which states policies should contribute to and enhance the natural environment through, amongst other things, recognising the intrinsic character and beauty of the countryside,²⁹ be a local reflection of the relevant LP policies and help to achieve sustainable development.

- **Amend the last sentence of the policy to read: “Development in the Countryside will be strictly controlled in accordance with Harborough Local Plan Policies SS1, GD3 and GD4 and Policy F9.”**

Policy F2: Public Rights of Way Network

The NPPF indicates that planning policies should protect and enhance public rights of way and access, taking opportunities to provide better facilities for users by, for example, adding a link.³⁰ This policy protects rights of way, seeks the creation of new links wherever possible and encourages a “Fleckney Round”.

The policy therefore takes account of national policy and guidance and will help to achieve sustainable development. It is clearly worded. It meets the basic conditions and no modifications to it are recommended.

Policy F3: Ecology and Biodiversity

It is clear from the Plan that the community values biodiversity and its enhancement.

Improving biodiversity forms part of the environmental objective referred to in the NPPF³¹ which in turn is one of the three interdependent elements of sustainable development. The NPPF is clear that planning policies should contribute to and enhance the natural environment by minimising impacts on and providing net gains for biodiversity.³²

²⁹ NPPF para 170

³⁰ Ibid para 98

³¹ Ibid para 8

³² Ibid para 170

Policy F3 seeks to protect ecological features and habitats which are named and shown on an accompanying map. New development is expected to enhance features and to demonstrate a net gain.

The policy is clearly written and the accompanying map helpful. It meets the basic conditions; in particular it takes account of national policy and guidance, is a local expression of LP Policy GI5 and will help to achieve sustainable development. No modifications are therefore recommended to the policy except to tie up the map on page 12 of the Plan to the policy in the interests of clarity.

HDC consider the map on page 12 of the Plan could be enhanced. In the interests of clarity, I agree and a modification is made to address this.

- **Change the words “...(as shown on the Policies Map)...in the first sentence of the policy to “...(as shown on the Policies Map *Policy F3*)...”**
- **Add a title that reads “*Policies Map Policy F3*” to the map on page 12 of the Plan**
- **Make the map on page 12 of the Plan clearer and easier to read or include further maps which show the features A – J more clearly**

Policy F4: Trees and Hedgerows

Policy F4 seeks to ensure that trees and hedgerows are retained as part of any new development and resists development that results in the loss of ancient trees, hedgerows or trees of arboricultural and amenity value. It requires proposals to be accompanied by a tree survey where appropriate.

The policy is clearly written and offers appropriate flexibility in relation to the tree survey requirement. It reflects the NPPF’s stance on planning policies contributing to and enhancing the natural environment and recognises the importance of trees.³³ It is a local expression of LP Policies GD2 1a, GD8 and GI5. It will help to achieve sustainable development.

The policy meets the basic conditions and no modifications are recommended.

³³ NPPF para 170

3. Maintaining Fleckney's Identity

Policy F5: Features of Local Heritage Interest

A list of features of local heritage interest has been drawn up as part of the neighbouring planning process. More information about each feature is given in Appendix 1 of the Plan.

The policy lists the identified features which are shown on the Policies Maps. The policy will apply to those features included in the policy although there is no reason why this list cannot be revised as part of any review of the Plan in the future.

The features included seem to me to be suitably identified. However, I asked for more detailed maps showing the location of each feature as part of my questions of clarification. Heritage Maps 1 – 6 were helpfully provided. These very clearly show the location of the features. I consider it would be helpful if these were included in the Plan.

The NPPF indicates that the effect on the significance of a non-designated heritage asset (such as those features identified through this policy) should be taken into account in the determination of any planning application.³⁴ It continues that a balanced judgment will be needed having regard to the scale of any harm or loss and the significance of the heritage asset.³⁵

The wording of the policy reflects in part the stance of the NPPF, but adds a reference to “public benefit”. This is referred to in the NPPF, but in relation to designated, rather than non-designated, heritage assets. A modification is therefore made to ensure that the policy takes better account of the NPPF. This will also ensure that Policy F5 is a local expression of LP Policy HC1.

With this modification, the policy will meet the basic conditions.

- **Include Heritage Maps 1 – 6 in the Plan**
- **Add the words “...and as shown in detail on Heritage Maps 1 – 6” after “...(as shown on the Policies Map...” in the first sentence of the policy**
- **Delete the words “...or public benefit of...” from the policy**

³⁴ NPPF para 197

³⁵ Ibid

Policy F6: Design

The NPPF indicates that good design is a key aspect of sustainable development and that high quality buildings and places is fundamental to planning.³⁶ This policy sets out the community's design expectations for new development.

Modifications are made in the interests of clarity to the wording of the policy and to ensure that innovative design, where appropriate, is supported in line with the NPPF.³⁷

With these modifications, the policy will meet the basic conditions particularly helping to achieve sustainable development and as a local expression of LP Policy GD8.

- **Delete the words "Only" and "...unless it would be out of keeping with its surroundings" from the first sentence of the policy**
- **Add a new criterion 6. that reads: "*Innovative design will be supported where it promotes high levels of sustainability or helps to raise the standard of design more generally or contributes to the sense of place as long as it respects the form and layout of its surroundings.*"**

Policy F7: Local Green Spaces

15 Local Green Spaces are designated by this policy. All are clearly shown on the accompanying map on page 23 of the Plan.

The NPPF explains that LGSs are areas of particular importance to local communities.³⁸ The effect of such a designation is that new development will be ruled out other than in very special circumstances.

The identification of LGSs should be consistent with local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. The NPPF makes it clear that LGSs should be capable of enduring beyond the Plan period. Further guidance about LGSs is given in PPG.

LP Policy GI4 also deals with LGSs, but is not a strategic policy.

I saw the proposed areas at my visit.

A Duck pond and amenity area, Saddington Road is located in the heart of the village. There is seating. The area is valued for its green and blue space, pondlife and as an open area in the heart of the village. It is used for local events.

³⁶ NPPF paras 124, 125

³⁷ Ibid paras 127, 131

³⁸ Ibid paras 99, 100 and 101

B Amenity area, Priest Meadow Estate is an area already designated as a LGS in the LP and so there is no need to duplicate that in this Plan.

C Fleckney Primary School playing field is very much part of the School. However, I am mindful that this area is also identified in relation to LP Policy GI2. In addition given the wording of Policy F7, I consider the proposed designation will not unduly hamper the development or enhancement of the School in the future.

D Amenity areas off Stenor Close comprise two areas which are valued for their recreational and community gathering opportunities. Both areas are an integral part of this residential area adding to its character and providing amenity.

E Amenity area at Long Grey is a small, roughly circular area of grass with planting and seating enclosed by a low wall. It forms an integral part of this residential area and is important for its visual setting.

F Leicester Road Recreation Ground is a larger recreational facility with play areas, an adventure trail, multi use and football pitches, trees and pathways as well as picnic areas. It has been the village playing field for a number of years and was very well used at the time of my visit.

G Leicester Road allotments is an area of allotments valued for their recreational opportunities, but also as a place to grow vegetables and for wellbeing.

H St Nicholas churchyard and cemetery includes the area around this listed Church close to the heart of the village. As well as its ecclesiastical role and historical importance, it is valued as a peaceful and tranquil area.

I Attenuation pond, Saddington Road is an enclosed flood relief basin close to the Churchill Way Industrial Estate and is near one of the main entry points into the village. It is not clear to me why it has been proposed as a LGS and based on the evidence before me in the checklist, it should be deleted.

J Kestrel Close amenity area is a grassed area close to residential development, used for informal recreation such as dog walking.

K The Wranglands amenity area is an area of trees and vegetation with seating and footpaths. It is an important recreational resource which also also as a 'buffer' to the adjacent industrial estate.

L Edward Road play area is an enclosed space with play area and a footpath alongside. It is close to an established residential area.

M Lodge Road Recreation Ground is an area with car park and playing pitches. It provides recreational facilities for the adjoining residential estate, but is also used by the village as a whole in relation to its playing pitches.

N The Meer Flood Relief Basin is an area adjacent to the road with grass and is a functional flood relief basin, but adds visually to the entrance to the village and is well related open space close to a residential area.

O Band Hall Field, Wolsey Lane has historic significance and is the home of the Fleckney Silver Band as well as being valued for informal recreation and as an oasis close to the heart of the village.

In my view, with the exception of Amenity area, Priest Meadow Estate and the Attenuation pond, Saddington Road, all the proposed LGSs meet the criteria in the NPPF satisfactorily as they are in close proximity to the community served, hold a particular local significance and are demonstrably special, are local in character and are not extensive tracts of land.

Some of the proposed LGSs are identified as open space, sport and recreation facilities in LP Policy GI2. There is a potential conflict between Policy F7 and LP Policy GI2 as LP Policy GI2 would allow the loss or reduction of these spaces in certain specified circumstances. It is clear that the community places a strong local value on the proposed LGSs it has identified. The two designations are different in nature. In my view, the designation of these spaces in a latter made Plan as LGSs would take precedence avoiding any conflict.

The NPPF explains that policies for managing development within a LGS should be consistent with those for Green Belts. In turn the NPPF explains³⁹ that inappropriate development is harmful and should not be approved except in very special circumstances. It goes on to indicate what inappropriate development is and exceptions to that. The policy recognises this and lists the types of development which may be acceptable. Given the nature of the LGSs, this is an acceptable way forward in this particular Plan.

With this modification, the policy will meet the basic conditions.

- **Delete B Amenity area, Priest Meadow Estate and I the Attenuation pond, Saddington Road from the policy**
- **Consequential amendments will be needed including deletion of these two spaces from the maps and renumbering of policy criteria**

³⁹ NPPF paras 143 - 147

4. Meeting Strategic Housing and Employment Needs

The Plan explains that Fleckney is identified as a 'Rural Centre' in the LP. In addition to the delivery of existing commitments and completions and a windfall allowance, land for about 130 houses is allocated off Arnesby Road in LP Policies H1 and F1 and land off Marlborough Drive is allocated for industrial and commercial development in LP Policies BE1 and F2.

Policy F8: Housing Provision

This policy sets out how housing will be provided for over the Plan period. The LP is clear that Rural Centres will be the main focus for rural development in the rural areas.

The LP allocates a site at Arnesby Road for some 130 dwellings in LP Policies H1 and F1.

The Plan explains that between 1 April 2011 – 31 March 2018, 32 houses were built in Fleckney. As at 31 March 2018 there were 446 commitments. Since 31 March 2018, the Plan indicates there are an additional 230 commitments. However, based on more up to date figures and given that 51 units were subject to the completion of a planning obligation, it seemed to me when I produced the 'fact check' version of this report that this figure was more likely to be 173 (or 224 if the 51 are included). However, in the intervening period between the issue of the 'fact check' version of my report and the final report, planning permission was granted for application reference 17/02146/FUL on 13 February 2020. This has resulted in some modifications in the 'fact check' version of my report being deleted as time has moved on.

The Plan explains that an earlier version of the LP expected Fleckney to accommodate a minimum of 295 units in addition to completions and commitments at that time. This minimum requirement has already been met. HDC has confirmed that as the housing provision for Fleckney was so significantly exceeded, the adopted LP makes no further provision for housing development in Fleckney. Therefore paragraphs 4.6 and 4.7 should be updated in the interests of accuracy, clarity and completeness.

The Plan explains that the housing requirement has already been met. As a consequence, this policy sets out very limited development expecting that housing will be delivered through existing commitments and infill development within the Fleckney Limits of Development, subject of Policy F9.

I am mindful that the housing requirement set out in LP policy is a minimum, but it has been significantly exceeded. LP Policy GD2 supports development within the built up areas of Rural Centres such as Fleckney. It also supports development adjoining such areas subject to a number of criteria. These include where such development would not disproportionately exceed the minimum housing requirement in LP Policy H1. Given that the housing requirement has been significantly exceeded and LP Policy H1

only refers to the site in Arnesby Road, I consider such an approach would be in general conformity with the LP, taken as a whole.

The policy itself is clearly written. With these modifications to the supporting text, it will take account of the NPPF, be in general conformity with the LP and help to achieve sustainable development.

- **Update paragraph 4.6 on page 25 of the Plan to reflect the permission granted under reference 17/02094/OUT is for 23 dwellings not 24 and is no longer subject to the completion of a S106 agreement, to show that applications reference 18/00597/OUT and 17/02146/FUL are no longer subject to the completion of a S106 agreements**
- **Amend paragraph 4.7 on page 25 of the Plan to read: “**

“The September 2017 Submission version of the Harborough Local Plan expected Fleckney to accommodate a minimum of 295 new homes in addition to completions and commitments at that time. Since then, the District Council has approved over 500 homes - well in excess of that requirement. With around 680 houses in the pipeline, Fleckney is expected to grow by a third. *The adopted Harborough Local Plan therefore did not make any provision for housing development in Fleckney other than the site at Arnesby Road.* Consequently, this Neighbourhood Plan limits new housing development mainly to infill.”

Policy F9: Infill Housing

This policy takes the opportunity to reintroduce and review the Limits of Development for Fleckney set out in a previous Core Strategy.

This concept has been replaced in the LP by LP Policy GD2. As I have referred to earlier in this report, LP Policy GD2 supports development in the built up areas of Rural Centres and on sites adjoining such areas subject to a number of criteria. The Plan includes some explanation of why a Limits of Development should be reintroduced for Fleckney and further explanation is given in the supporting document “Methodology for defining the settlement boundaries and its application for Fleckney”.

There is no need to identify further sites for development in Fleckney. The language used in LP Policy GD2 and its supporting text makes it clear that once the minimum housing requirement in LP Policy H1 has been met, only minor residential development will be supported. LP Policy GD2 and other policies in the LP are clear that development sites must be directed towards appropriate locations. This also includes considering the nature, form and character of the settlement and its distinctiveness.

I am also mindful of the lack of objection from HDC to this approach and that other neighbourhood plans have also reintroduced Limits of Development.

Taking all these points into consideration, the policy's approach is in general conformity with the LP taken as a whole and that this adds a local layer of detail to what constitutes the built up area of Fleckney.

Turning now to the definition of the Limits of Development, I note the comments from the Environment Agency regarding the inclusion of some land within the revised Limits of Development boundary which fall within Flood Zones 2 and 3. This is in relation to a site to the east of the settlement subject to planning application reference 17/02146/FUL.

In responses to my questions of clarification, it was confirmed that this site did not have planning permission as there was still an outstanding planning obligation. In the light of that, I recommended in my 'fact check' report that the area be deleted from the Limits of Development boundary. In the time between the issue of the 'fact check' report and my final report, planning permission was granted on 13 February 2020. There is therefore now no reason for me to be cautious about the inclusion of this site within the Limits of Development. As a result some modifications in the 'fact check' version of the report have been removed to reflect the most up to date position at the time of issue of the final report.

The Limits of Development boundary is shown on the Policies Map which is cross referenced in the policy. HDC make the point that where the 'red line' of the Limits of Development coincides with the Plan area, it is difficult to see. I agree and a modification is made in the interests of clarity.

Turning now to the wording of the policy itself, it permits new housing development within the Limits of Development. Outside the Limits of Development, it limits new housing to the reuse of redundant rural buildings, rural worker accommodation in line with LP Policy GD4, isolated dwellings of exceptional design and replacement dwellings in line with LP Policy GD4.

The NPPF⁴⁰ sets out a number of circumstances which go beyond the policy as does LP Policy GD4. LP Policy GD4 sets out a number of circumstances where new housing development is supported in the countryside. I equate this to the areas outside the Limits of Development. Therefore Policy F9 is, on the face on it, more restrictive. Four modifications are therefore made to ensure the policy fully reflects the stance of the NPPF and LP Policy GD4.

The supporting text indicates that outside the Limits of Development, new residential development will not normally be permitted. However, both the policy and the NPPF include a number of circumstances where new housing development will be permitted. Therefore a modification is made to ensure the text is clear.

⁴⁰ NPPF para 79

A correction is also made one of the criterion in the interests of accuracy.

With these modifications, the policy will meet the basic conditions.

- **Ensure that the map on page 26 of the Plan shows the Limits of Development boundary clearly by delineating the lines for the Limits of Development and the Plan area more distinctly**
- **Add at the end of criterion 1. of the policy, the words *“and enhances their immediate setting”***
- **Add at the end of criterion 3. of the policy, the words *“and significantly enhances its immediate setting”***
- **Add a new criterion to the policy that reads: *“Development which ensures the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;”***
- **Add a new criterion to the policy which reads: *“Other development in line with Harborough Local Plan Policy GD4a and d.”***
- **Add at the end of paragraph 4.9 on page 27 of the Plan *“...unless it accords with the circumstances specified in planning policy.”***
- **Change “...Policy GD4d” in criterion 4. to “...Policy GD4f”**
- **Consequential amendments may be needed**

5. Meeting Local Housing Needs

Policy F10: Housing Mix

District level evidence and a Housing Needs Survey in 2016 inform Policy F10 which seeks to ensure that new development also meets local housing needs. The policy requires new development to provide for a mix of housing types informed by the latest evidence and for schemes of 10 or more units, expects housing suitable for older people and smaller, low cost homes to be provided.

The NPPF is clear that the size, type and tenure of housing needed for different groups should be assessed and reflected in policies.⁴¹ Whilst the supporting text identifies the need for the types of homes supported by the policy on larger sites, this may not be borne out by other available data such as the Census data referred to. Nevertheless

⁴¹ NPPF para 61

given the policy is clear that up to date evidence is needed, this retains sufficient flexibility.

The policy meets the basic conditions in that it provides for a mix of housing in line with the NPPF, LP Policies SS1 and H5 in particular and will help to achieve sustainable development. No modifications are therefore recommended.

Policy F11: Affordable Housing

This policy seeks to ensure that priority is given to those with a local connection in the allocation of any affordable housing.

LP Policy H2 deals with affordable housing. LP Policy H3 deals with rural exception sites and within the supporting text for that policy, the LP indicates that a local connection policy will be agreed per scheme. This is because the development of rural exception sites is regarded as an exceptional circumstance. In contrast Policy F11 seeks a local connection on every site. Nevertheless the principle is established through the LP and with some modification to increase flexibility, the policy will meet the basic conditions.

- **Change the words “...conditions, or a planning obligation will be sought...” in the first sentence of the policy to “...a local connection policy to be agreed between the parties...”**

6. Transport and Traffic

Policy F12: Bus Services

Policy F12 seeks to ensure that any new development over 10 dwellings is located within 400m walking distance of a bus stop served by at least an hourly weekday service. The second element of the policy seeks contributions from development to improve bus services where necessary.

The NPPF indicates that transport issues should be considered from the earliest stages of plan-making.⁴² Patterns of growth and the location of development should be carefully considered and development that maximises the opportunity to use public transport is to be encouraged as part of the drive towards sustainable development.

However, there is little evidence in the Plan to show the impact of this policy requirement of 400m. As part of my questions of clarification, I asked to be pointed in the direction of any explanation or justification for this figure in case I had missed

⁴² NPPF para 102

something. I was directed to the Leicestershire Highway Design Guide. This indicates that walking distances to bus stops in urban areas should be a maximum of 400m. However, in rural areas, it indicates that the walking distance should be a maximum of 800m. This then does not support the premise of the policy and adds to my concerns about it. I cannot tell whether this would be appropriate in this area or prevent the delivery of sustainable development. As a result, this requirement is not satisfactorily justified or shown to achieve sustainable development and should be deleted.

With regard to the second element, this seems to me to be appropriate and would help to achieve sustainable development. It would also reflect the stance of LP Policy IN2 which, amongst other things, makes provision for the enhancement of public transport where justified.

A modification to the policy is therefore recommended. With this modification, the policy will meet the basic conditions.

- **Delete the first paragraph of the policy**

Policy F13: Car Parking and New Housing Development

Car parking standards are introduced in this policy. Given that some older parts of the village have no off-street parking, and more wider concerns about parking in general, the policy seeks to ensure that new development does not exacerbate the existing situation.

It requires two spaces per each new dwelling and four for four or more bedroomed dwellings. This is a high bar; although the NPPF⁴³ allows for local parking standards to be set, a number of factors should be taken into account. These include accessibility, the type, mix and use of development, public transport availability and local car ownership levels. Little evidence has been put forward to justify a minimum of two spaces for each new dwelling regardless of its size or type and at least four spaces for larger properties would not lead to good planning in design terms or to the efficient use of land without justification.

Therefore a modification is made to ensure that development has sufficient parking dependent on its location and type which will increase flexibility whilst retaining the tenor of the policy. With this modification, the policy will meet the basic conditions.

- **Reword the policy to read:**

“New development will need to demonstrate that satisfactory off-street parking provision is made and that on-street parking will be discouraged. Factors including the type of development, its location and accessibility and the

⁴³ NPPF para 105

number of bedrooms will be taken into account in determining the number of spaces to be provided.”

7. Services and Facilities

Policy F14: Community Services and Facilities

This policy lists a number of facilities, some of which are Assets of Community Value, and indicates they will be protected in accordance with LP Policy HC2. In turn LP Policy HC2 permits the loss of such facilities in various circumstances and supports development where this would help with diversification and improved accessibility. Therefore a modification is made to the policy to ensure it supports enhancement of these facilities as well as protects them.

With this modification, the policy will help to achieve sustainable development, be a local expression of LP HC2, which although not a strategic policy is referred to in Policy F14, and take account of the NPPF which indicates policies should plan positively for the provision of such facilities and resist any loss of valued facilities and recognises the need to ensure that such facilities can develop and modernise.⁴⁴

- **Add after the word “protected” in the first sentence of the policy, the words *“and development which assists their diversification and improved accessibility is supported”***

Policy F15: Infrastructure

There is a concern amongst the local community that some services and facilities will need enhancement to meet growing demands. The Plan rightly recognises that development should not be subject to such a scale of obligations and other burdens to render development unviable. This policy lists the community’s local priorities for infrastructure provision or improvement.

Planning obligations should only be sought where they meet the statutory tests⁴⁵ which are also set out in the NPPF.⁴⁶ The tests are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.

⁴⁴ NPPF para 92

⁴⁵ Regulation 102 Community Infrastructure Levy Regulations 2010 as amended by CIL (Amendment) (England) (No 2) Regulations 2019

⁴⁶ NPPF para 204

As drafted, the policy indicates that these contributions are only sought where appropriate and where necessary and I take this to mean meeting these tests given the circumstances of an individual site or development.

The policy therefore takes account of national policy and guidance and will help to achieve sustainable development. It meets the basic conditions and no modifications are recommended.

8. Village Centre

Policy F16: Village Centre

The Plan explains that the centre of Fleckney provides a range of services including a supermarket, take aways, library, dental surgery, financial services, health centre and other shops.

The local community is concerned about the range of shops and the quality of the shopping environment. In particular the High Street has little scope for widening the pavements or road itself and as it is the main through route, there are often buses, HGVs and so on which detract from the quality of environs.

The LP explains that Fleckney is one of the largest Rural Centres with a significant village centre as well as having substantial employment provision.⁴⁷ LP Policy RT2 identifies Fleckney as a Local Centre where the vitality and viability of the centre will be maintained and enhanced.

LP Policy RT2 requires a sequential test to be applied for development outside the defined Local Centre. It also requires an impact assessment for the development of main town centre uses of 500 or more square metres gross.

The supporting text to LP Policy RT2 explains that the policy sets out the approach and defines Local Centre boundaries to guide emerging neighbourhood plans.⁴⁸

The first issue is that the LP refers to the area as the Local Centre and the Plan as the Village Centre. These are the same areas and it would be helpful and avoid any confusion if the Plan referred to the area in the same way.

Secondly, I have considered whether Policy F16, by identifying a different impact assessment threshold, is at odds with Policy RT2. The Plan explains that the largest retail unit in the village is 540 square metres. It also details some recent proposals for retail development again well under the 500 square metre threshold. It therefore seeks to set a threshold of 100 square metres. Whilst this is significantly lower than the

⁴⁷ LP page 21

⁴⁸ Ibid page 98

threshold set out in LP Policy RT2, it does follow the policy approach of LP Policy RT2 and is based on local circumstances. I therefore consider it to be appropriate for Fleckney.

Turning to the wording of the policy itself, a modification is made to tie in the map on page 48 of the Plan with the policy so that it is clear the policy applies to this area.

Otherwise the policy wording is clear.

HDC point out a correction to paragraph 8.11.

There are two typos to correct.

With these modifications, the policy will meet the basic conditions.

- **Change the policy's title to "*Local Centre*"**
- **Change all references to "*Village Centre*" in the policy and supporting text to "*Local Centre*"**
- **Add a new sentence at the end of the first paragraph of the policy that reads: "*The Local Centre is shown on Map XX.*"**
- **Change the title of the map on page 48 of the Plan to "*Local Centre*"**
- **Add the words "*subject to a legal agreement*" after "*..granted planning permission*" in paragraph 8.11**
- **Correct "*exiting*" in paragraph 8.9 on page 47 of the Plan to "*existing*"**
- **Correct "*unites*" in paragraph 8.10 on page 47 to "*units*"**

Policy F17: Village Centre Car Parking

Recognising that car parking is important to the Village Centre, Policy F17 seeks to support the provision of more spaces and cycle parking whilst resisting the loss of existing parking unless this is replaced by equivalent or better provision. It sets out minimum car parking standards for new development in or on the edge of the Local Centre in Appendix 3, but also includes flexibility for both the location and type of new development.

Reference is made in the supporting text to the Leicestershire Highway Design Guide. I asked, as part of my questions of clarification, how the two related to each other. The Leicestershire Highway Design Guide has been used to set minimum standards in this policy.

The NPPF indicates that if local parking standards are set, policies should take into account the accessibility of the development, the type, mix and use of development, the availability of and opportunities for public transport, local car ownership levels and the need to provide spaces for charging plug-in and other ultra-low emission vehicles.⁴⁹

I consider that the policy reflects local circumstances. Its wording is sufficiently flexible to ensure that it does not hamper the achievement of sustainable development.

In the interests of consistency, reference should be made to the Local, rather than Village Centre. Secondly, as I have modified Policy F13, the supporting text on page 51 of the Plan should be deleted.

With these modifications, the policy will meet the basic conditions.

- **Change any references to “Village Centre” to “Local Centre” in the policy and its supporting text**
- **Delete “...except for the minimum requirement for four or more bedroomed dwellings which has been increased to four spaces.” from paragraph 8.17 on page 51 of the Plan**

Appendices

Three appendices are included.

Appendix 1 is the list and explanation of the Features of Local Heritage Interest referred to in relation to Policy F5.

Appendix 2 refers to Local Green Spaces subject of Policy F7. I have recommended two of the LGSs are deleted and so some amendment to this appendix will be required.

Appendix 3 refers to parking standards for dwellings. I have recommended modifications to Policy F13 which deals with this issue. As a consequence of those modifications, Appendix 3 will need revision.

- **Delete Local Green Spaces B and I from Appendix 2**
- **Delete the last two rows of the table in Appendix 3 on page 56 of the Plan which refer to car parking standards for dwellings**

⁴⁹ NPPF para 105

Policies Maps

Two maps are included. As a result of my recommendations, consequential amendments will be required.

8.0 Conclusions and recommendations

I am satisfied that the Fleckney Neighbourhood Development Plan, subject to the modifications I have recommended, meets the basic conditions and the other statutory requirements outlined earlier in this report.

I am therefore pleased to recommend to Harborough District Council that, subject to the modifications proposed in this report, the Fleckney Neighbourhood Development Plan can proceed to a referendum.

Following on from that, I am required to consider whether the referendum area should be extended beyond the Neighbourhood Plan area. I see no reason to alter or extend the Plan area for the purpose of holding a referendum and no representations have been made that would lead me to reach a different conclusion.

I therefore consider that the Fleckney Neighbourhood Development Plan should proceed to a referendum based on the Fleckney Neighbourhood Plan area as approved by Harborough District Council on 24 March 2016.

Ann Skippers MRTPI
Ann Skippers Planning
21 February 2020

Appendix 1 List of key documents specific to this examination

Fleckney Neighbourhood Plan 2018 – 2031 Submission Version May 2019

Basic Conditions Statement

Consultation Statement May 2019

Strategic Environmental Assessment Screening Report February 2019 (HDC)

Strategic Environmental Assessment Screening Determination May 2019 (HDC) and Addendum June 2019 (HDC)

Harborough Local Plan 2011 to 2031 adopted 30 April 2019

Leicestershire Highway Design Guide

Other supporting documents on <http://www.fleckneynp.org.uk> including Methodology for defining the settlement boundaries and its application for Fleckney and Local Green Spaces Checklists and Maps

Comments from the Parish Council on the representations received at Regulation 16 stage

List ends

Appendix 2 Questions of clarification from the examiner

Fleckney Neighbourhood Plan Examination

Questions of clarification from the Independent Examiner to the Parish Council and HDC

Having completed my initial review of the Neighbourhood Plan (the Plan), I would be grateful if both Councils as appropriate could kindly assist me in answering the following questions which either relate to matters of fact or are areas in which I seek clarification or further information. Please do not send or direct me to evidence that is not already publicly available in relation to this Plan.

1. Please confirm the period for pre-submission consultation.
2. I have been sent a document titled "Summary of representations..." by HDC. I need to be certain that I have seen all the representations received with the entirety of the original content. Please could HDC confirm that this is the case (or not)? Alternatively I would be pleased to receive copies of the original representations.
3. The Basic Conditions Statement indicates the Plan has been assessed against the NPPF 2018, but the references seem to (rightly) refer to the NPPF 2019. Am I correct?
4. Policy F5 refers to features of local heritage interest. I have found it difficult to readily identify the location of all the features on the map provided. Please could larger scale maps of the features be provided? The map can be 'rough and ready' for this purpose.
5. Policy F7 seeks to designate a number of Local Green Spaces. I cannot find much information about the amenity area at Long Grey or the Meer Flood Relief Basin. Please point me in the direction of any explanation or justification for these spaces. Please do not provide me with new or any information that is not already in the public domain.
6. Policy F8 and its supporting text refers to housing numbers.
 - a. Please could I be updated about the status of the sites referred to in paragraph 4.6? Has planning permission now been granted following completion of the S106 agreements?
 - b. Please could I be provided with an up to date indication of the housing target for Fleckney and the existing situation? In other words, is the information in paragraph 4.7 still correct? What is the up to date position? Does this paragraph need updating? And if so, what should it say?
7. Policy F12 refers to a 400m walking distance. Please point me in the direction of any explanation or justification for this figure. Please do not provide me with new or any information that is not already in the public domain.
8. Policy F17 refers to car parking standards. How do these compare to those set out in the Leicestershire Highway Design Guide referred to be in the Plan? Is it this document which contains the current standards?

It may be the case that on receipt of your anticipated assistance on these matters that I need to ask for further clarification or that further queries will occur as the examination progresses. Please note that this list of clarification questions is a public document and that your answers will also be in the public domain. Both my questions and your responses should be placed on the Councils' websites.

With many thanks.

Ann Skippers
2 December 2019