

HARBOROUGH DISTRICT COUNCIL

GILMORTON NEIGHBOURHOOD PLAN DECISION STATEMENT

1. Summary

1.1 Following an Independent Examination, Harborough District Council now confirms that the Gilmorton Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum **on 20 January 2022**.

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

2. Background

2.1 In November 2015 Gilmorton Parish Council, as the qualifying body, applied for Gilmorton Parish to be designated as a Neighbourhood Area for the purpose of preparing a neighbourhood plan. After a 6 week consultation period ending on 7 March 2016 the Neighbourhood Area application was approved by Harborough District Council (the Council) in accordance with the Neighbourhood Planning (General) Regulations (2012) on 22 March 2016.

2.2 Following the submission of the Gilmorton Neighbourhood Plan to the Council, the Plan was publicised for a six week period and representations were invited. The consultation period closed on 19 May 2021.

2.3 The Council, with the agreement of Gilmorton Parish Council, appointed an independent examiner, Mr Chris Collison, to review whether the Plan met the Basic Conditions required by legislation and should proceed to referendum.

2.4 The Examiner's Report concludes that, subject to making the modifications proposed by the Examiner, the Neighbourhood Plan 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 1 November 2021, the Cabinet agreed that all the Examiner's recommended modifications should be accepted and that the amended Neighbourhood Plan should proceed to a referendum (see Cabinet resolution at Appendix 1).

3.2 The modifications proposed by the examiner have been made 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 District Council agrees with the Examiner's recommendation that there is no reason to extend the Neighbourhood Plan area 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 District Council concurs with this view and that 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 Gilmorton to help it decide planning applications in the neighbourhood area?'

will be held in the Parish of Gilmorton.

- 3.5 The date on which the referendum will take place is agreed as **20 January 2022**.

Appendix 1: Cabinet Resolution in respect of Gilmorton Neighbourhood Plan

Gilmorton Neighbourhood Plan

RESOLVED that:

- (i) the Independent Examiner's recommended changes to the Gilmorton Neighbourhood Plan be accepted in full as set out in the schedule at Appendix A to the report and the recommendation be noted that the amended Gilmorton Neighbourhood Plan proceed to a referendum of voters within the Parish of Gilmorton to establish whether the Plan should form part of the Development Plan for the Harborough District.

- (ii) the holding of a referendum relating to the Gilmorton Neighbourhood Plan on 20 January 2022 be approved that will include all of the registered electors in Gilmorton Parish.

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

Amendment Ref no	Policy No.	Policy Title	Submission Draft Policy Text	Suggested Revised Policy Text	Reason
1	G1	Countryside	The Countryside (land outside the Gilmorton Limits to Development as defined on the Policies Map) will be protected for the sake of its intrinsic character, beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all. Development in the Countryside will be strictly controlled in accordance with Harborough Local Plan Policies SS1 and GD3.	No amendments	Policy meets basic conditions
2	G2	Gilmorton Area of Separation	The open character of the Gilmorton Area of Separation, as defined on the adjacent map and the Policies Map, will be retained. The construction of new buildings or inappropriate uses of land which adversely affect this open character or the character and setting of Gilmorton village will not be supported. Major development proposals within the Areas of Separation must assess and address their impact on the setting of Gilmorton Village and the objective of separation and give specific attention to location, design and landscaping appropriate to the character of the area.	No amendments	Policy meets basic conditions

3	G3	Locally Important Views	Development should be located and designed in a way that is sensitive to its landscape. Development should safeguard and, where possible, enhance the following important views and vistas (as set out in Appendix 1):	Recommended modification 1: In Policy G3 <ul style="list-style-type: none"> • replace “safeguard” with “not significantly harm” • replace “(as set out in Appendix 1)” with “seen from publicly accessible locations” • insert the list of important views and vistas in the policy Revise the Map of Important Views to that produced in response to my request for clarification Revised policy text: Development should be located and designed in a way that is sensitive to its landscape. Development should not significantly harm and, where possible, enhance the following important views and vistas seen from publicly accessible locations	Clarity and to correct ambiguity
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4	G4	Public Rights of Way Network	<p>Development should protect the Rights of Way and wherever possible create new links to the network including footpaths and cycle ways. The extension of the existing Rights of Way network to re-create a 'Gilmorton Round' across open fields is encouraged.</p>	<p>Recommended modification 2: In Policy G4</p> <ul style="list-style-type: none"> • replace “the Rights” with “public Rights” • replace existing Rights” with “existing public Rights” • replace “encouraged” with “supported” <p>Revised policy text: Development should protect the public Rights of Way and wherever possible create new links to the network including footpaths and cycle ways. The extension of the existing public Rights of Way network to re-create a 'Gilmorton Round' across open fields is supported.</p>	<p>Clarity and to correct ambiguity</p>
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5	G5	Ecology and Biodiversity	<p>Policy G5: Ecology and Biodiversity Development should not harm the network of local ecological features and habitats which includes (as shown on the Policies Map):</p> <ul style="list-style-type: none"> A. Hedgerow north-west of Cotes de Val B. Old Fishponds in corner of improved grassland C. Pond, bordering Peatling Road D. Pond between improved grassland and arable field E. Dismantled Railway F. Pond <p>New development will be expected to maintain and enhance existing ecological corridors and landscape features (such as watercourses, hedgerows and tree-lines) for biodiversity thus demonstrating overall net-gain. All new buildings should incorporate measures to enhance biodiversity.</p>	<p>Recommended modification 3: In Policy G5 delete “which includes” Make label F on the Policies Map more visible.</p> <p>Revised policy text:</p> <p>Policy G5: Ecology and Biodiversity Development should not harm the network of local ecological features and habitats (as shown on the Policies Map):</p> <ul style="list-style-type: none"> A. Hedgerow north-west of Cotes de Val B. Old Fishponds in corner of improved grassland C. Pond, bordering Peatling Road D. Pond between improved grassland and arable field E. Dismantled Railway F. Pond <p>New development will be expected to maintain and enhance existing ecological corridors and landscape features (such as watercourses, hedgerows and tree-lines) for biodiversity thus demonstrating overall net-gain. All new buildings should incorporate measures to enhance biodiversity.</p>	Clarity and to correct ambiguity
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6	G6	Community Services and Facilities	Policy G6: Community Services and Facilities Development that would result in the loss of the following facilities will not be supported, unless it can be demonstrated that: A. it is no longer viable; and B. it is no longer needed by the local community; and C. it is not needed for any other community use or that the facility is being replaced by equivalent or better provision in terms of quantity, quality and location: Gilmorton Chandler C of E Primary School Gilmorton Village Store and Post Office Gilmorton Village Hall Playing fields pavilion Allotments	No amendments	Policy meets basic conditions
7	G7	Rural Economy	The sustainable growth and expansion of all types of business and enterprise through the conversion of existing buildings and well-designed new buildings will be supported where it meets the requirements of Harborough Local Plan Policies GD3 and BE1 and the other policies of the Neighbourhood Plan.	Recommended modification 4: In Policy G7 delete “and the other policies of the Neighbourhood Plan” Revised policy text: The sustainable growth and expansion of all types of business and enterprise through the conversion of existing buildings and well-designed new buildings will be supported where it meets the requirements of Harborough Local Plan Policies GD3 and BE1.	Clarity and to correct ambiguity

8	G8	<p>Local Green Spaces</p>	<p>Policy G8: Local Green Spaces The following sites have been designated as Local Green Spaces:</p> <ul style="list-style-type: none"> A. Kimcote Road Playing Fields B. All Saints Churchyard C. Primary School Playing Fields D. Gilmorton Allotments E. Lutterworth Road Recreation Ground F. Jubilee Wood, Peatling Parva Road G. Hilly Hollow Play Area, Kimcote Road H. Gilden Drive Play Area, Lutterworth Road <p>Development that would harm the openness or special character of a Local Green Space (as designated on the Policies Map) or its significance and value to the local community will not be permitted unless there are very special circumstances which outweigh the harm to the Local Green Space.</p>	<p>Recommended modification 5: In Policy G8</p> <ul style="list-style-type: none"> • after “following sites” insert “(identified on the Policies Map)” • delete the final sentence <p>Revised policy text:</p> <p>Policy G8: Local Green Spaces The following sites (identified on the Policies Map) have been designated as Local Green Spaces:</p> <ul style="list-style-type: none"> A. Kimcote Road Playing Fields B. All Saints Churchyard C. Primary School Playing Fields D. Gilmorton Allotments E. Lutterworth Road Recreation Ground F. Jubilee Wood, Peatling Parva Road G. Hilly Hollow Play Area, Kimcote Road H. Gilden Drive Play Area, Lutterworth Road 	
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9	G9	<p>Local Heritage Assets</p>	<p>Policy G9: Local Heritage Assets The determination of planning applications which would affect features of local heritage interest (as listed below and shown on the Policies Map) will balance the need for or public benefit of the proposed development against the significance of the asset and the extent to which it will be harmed:</p> <p>A. The Crown Inn, Lutterworth Road B. The Grey Goose, Lutterworth Road C. Congretional Chapel, Main Street D. Sleath Farm, Ashby Road E. Old Post Office, Lutterworth Road F. Bent’s Farmhouse, Church Drive G. Ridge and furrow</p> <p>Within the historic settlement core of Gilmorton and Cotes de Val, planning applications should be accompanied by an appropriate desk-based archaeological assessment and, where necessary, a field evaluation.</p>	<p>Recommended modification 6: In Policy G9</p> <ul style="list-style-type: none"> • after “furrow” insert “(several locations)” • replace “balance the need for or public benefit of the proposed development” with “have regard for” • remove the emboldened typeface in part F In the text supporting the policy, reference should be made to the District Council local list of non-designated heritage assets. 39 Gilmorton Neighbourhood Development Plan Christopher Edward Collison Report of Independent Examination August 2021 Planning and Management Ltd Include in the Neighbourhood Plan a map that shows the historic settlement core of Gilmorton and of Cotes de Val. The certain and probable ridge and furrow features identified by the Leicestershire Historic Environment office should also be mapped in the Neighbourhood Plan. The relevant maps should be referred to in the policy. Adjust the Policies Map so that the Local Heritage Assets show up more clearly. 	<p>Clarity and to correct ambiguity</p>
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				<p>Revised policy text: Policy G9: Local Heritage Assets The determination of planning applications which would affect features of local heritage interest (as listed below and shown on the Policies Map) have regard for against the significance of the asset and the extent to which it will be harmed: A. The Crown Inn, Lutterworth Road B. The Grey Goose, Lutterworth Road C. Congretional Chapel, Main Street D. Sleath Farm, Ashby Road E. Old Post Office, Lutterworth Road F. Bent’s Farmhouse, Church Drive G. Ridge and furrow (several locations) Within the historic settlement core of Gilmorton and Cotes de Val, planning applications should be accompanied by an appropriate desk-based archaeological assessment and, where necessary, a field evaluation.</p>	
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10	G10	<p>Infill</p>	<p>Permission for housing development within the Gilmorton Limits to Development, as defined on the Policies Map, will be supported if the development:</p> <p>A. Is in keeping with the scale, form and character of its surroundings;</p> <p>B. Uses traditional materials typical of the local area;</p> <p>C. Protects important features such as traditional walls, hedgerows and trees;</p> <p>D. Does not significantly adversely affect the amenities of residents in the area, including daylight/sunlight, privacy, air quality, noise and light pollution; and</p> <p>E. Has safe and suitable access to the site for all people.</p> <p>Outside the Gilmorton Limits to Development, permission for housing development will be limited to:</p> <p>A. The re-use and adaptation of redundant rural buildings;</p> <p>B. Rural worker accommodation in accordance with Harborough Local Plan Policy GD4b;</p> <p>C. An isolated dwelling of innovative and/or exceptional design quality; and</p> <p>D. Replacement dwellings in accordance with Harborough Local Plan Policy GD4d.</p>	<p>Recommended modification 7: In Policy G10 delete the text after “people”</p> <p>Revised policy text:</p> <p>Permission for housing development within the Gilmorton Limits to Development, as defined on the Policies Map, will be supported if the development:</p> <p>A. Is in keeping with the scale, form and character of its surroundings;</p> <p>B. Uses traditional materials typical of the local area;</p> <p>C. Protects important features such as traditional walls, hedgerows and trees;</p> <p>D. Does not significantly adversely affect the amenities of residents in the area, including daylight/sunlight, privacy, air quality, noise and light pollution; and</p> <p>E. Has safe and suitable access to the site for all people.</p>	<p>Clarity and to correct ambiguity</p>
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11	G11	<p>Construction Method Statements</p>	<p>Policy G11: Construction Method Statements</p> <p>Other than for minor development, prior to the commencement of development a Construction Method Statement shall be prepared in liaison with Gilmorton Parish Council that addresses:</p> <p>A. The timing/schedule of works;</p> <p>B. Details of hours of working;</p> <p>C. Parking areas for the vehicles of site operatives and visitors;</p> <p>D. Areas for the loading and unloading of plant and materials</p> <p>E. Areas for the storage of plant and materials used in constructing the development;</p> <p>F. Details of the erection and maintenance of security hoarding;</p> <p>G. Provision of wheel washing facilities;</p> <p>H. Measures to control the emission of dust and dirt during construction;</p> <p>I. A scheme for recycling/disposing of waste resulting from demolition and construction works;</p> <p>J. Access and haul routes for construction vehicles, deliveries, waste vehicles, etc. Routes should not pass through Gilmorton village centre.</p>	<p>Recommended modification 8: In Policy G11 in the title replace “Policy G11” with “Community Aspiration” and remove the background shaded box</p> <p>Revised policy text: Community Aspiration</p> <p>Other than for minor development, prior to the commencement of development a Construction Method Statement shall be prepared in liaison with Gilmorton Parish Council that addresses:</p> <p>A. The timing/schedule of works;</p> <p>B. Details of hours of working;</p> <p>C. Parking areas for the vehicles of site operatives and visitors;</p> <p>D. Areas for the loading and unloading of plant and materials</p> <p>E. Areas for the storage of plant and materials used in constructing the development;</p> <p>F. Details of the erection and maintenance of security hoarding;</p> <p>G. Provision of wheel washing facilities;</p> <p>H. Measures to control the emission of dust and dirt during construction;</p> <p>I. A scheme for recycling/disposing of waste resulting from demolition and construction works;</p> <p>J. Access and haul routes for construction vehicles, deliveries, waste vehicles, etc. Routes should not pass through Gilmorton village centre.</p>	
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12	G12	Housing Mix	New housing development shall provide for a mix of housing types that will be informed by the most up to date Strategic Housing Market Assessment and local evidence of housing need. Applicants will need to demonstrate how the housing needs of older households and the need for smaller homes will be met.	No amendments	Policy meets basic conditions
13	G13	Affordable housing	The Harborough Core Strategy requires 40% of new dwellings to be affordable. Consequently, over 50 new affordable houses will be built in Gilmorton over the coming years through the development of existing housing commitments. Therefore, we do not consider it necessary to make provision for additional affordable homes on 'Rural Exception Sites', i.e. sites that would not normally be released for private market housing.	<p>Recommended modification 9: In paragraph 7.13 replace the text after “consider” with “clearly evidenced local affordable housing need will be evidenced to support approval of rural exception sites in accordance with strategic Policy H6”</p> <p>Revised policy text: The Harborough Core Strategy requires 40% of new dwellings to be affordable. Consequently, over 50 new affordable houses will be built in Gilmorton over the coming years through the development of existing housing commitments. Therefore, we do not consider clearly evidenced local affordable housing need will be evidenced to support approval of rural exception sites in accordance with strategic Policy H6.</p> <p>Addendum – correction of error: <i>Core Strategy should read ‘Local Plan’</i></p>	<p>To ensure the policy meets the requirements of national policy.</p> <p>Accuracy.</p>

14	G14	Transport	<p>New development that would generate additional traffic in Gilmorton village will only be supported where it can be demonstrated that the following transport conditions will not be made worse:</p> <p>A. Traffic and parking at drop-off and pick-up times at Gilmorton Chandler Church of England Primary School; and</p> <p>B. On-street parking near the Crown Inn and Village Stores on Main Street, The Crown and Grey Goose public house/restaurants.</p> <p>Such development should also give consideration to opportunities to reduce speeding traffic through Gilmorton village.</p>	<p>Recommended modification 10: In Policy G14 replace “New” with “Major”</p> <p>Revised policy text: Major development that would generate additional traffic in Gilmorton village will only be supported where it can be demonstrated that the following transport conditions will not be made worse:</p> <p>A. Traffic and parking at drop-off and pick-up times at Gilmorton Chandler Church of England Primary School; and</p> <p>B. On-street parking near the Crown Inn and Village Stores on Main Street, The Crown and Grey Goose public house/restaurants.</p> <p>Such development should also give consideration to opportunities to reduce speeding traffic through Gilmorton village.</p>	Clarity and to correct ambiguity
15	G15	Car parking and new development	<p>At least two off-street car parking spaces shall be provided for each new dwelling. At least three such spaces should be provided for four-bedroom or larger dwellings.</p>	<p>Recommended modification 11: Continue Policy G15 with “Alternative levels of provision of off-street parking spaces will be supported where this is demonstrated to be necessary on grounds of practicality or viability.”</p> <p>Revised policy text: At least two off-street car parking spaces shall be provided for each new dwelling. At least three such spaces should be provided for four-bedroom or larger dwellings. Alternative levels of provision of off-street parking spaces will be supported where this is demonstrated to be necessary on grounds of practicality or viability.</p>	To ensure policy meets the requirements of the NPPF concerning viability and flexibility and to allow discretion for the decision maker

