

HARBOROUGH DISTRICT COUNCIL

LEIRE NEIGHBOURHOOD PLAN DECISION STATEMENT

1. Summary

1.1 Following an Independent Examination, Harborough District Council now confirms that the Leire Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum **on 12 May 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

Lutterworth Library

George Street
Lutterworth

2. Background

- 2.1 In November 2017 Leire Parish Council, as the qualifying body, applied for Leire Parish to be designated as a Neighbourhood Area for the purpose of preparing a neighbourhood plan. On 4 December 2017 Harborough District Council approved the designation of the entire parish as the Leire Neighbourhood Area in accordance with the Neighbourhood Planning (General) Regulations (2012) Part 2, Regulation 7 and Regulation 5A.
- 2.2 The Council, with the agreement of Leire Parish Council, appointed an independent examiner, Timothy Jones (Barrister, No5 Chambers), to review whether the Plan met the Basic Conditions required by legislation and should proceed to referendum.
- 2.3 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 7 March 2022, 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 Leire to help it decide planning applications in the neighbourhood area?'

will be held in the Parish of Leire.

- 3.5 The date on which the referendum will take place is agreed as **12 May 2022**.

Appendix 1: Cabinet Resolution in respect of Leire Neighbourhood Plan

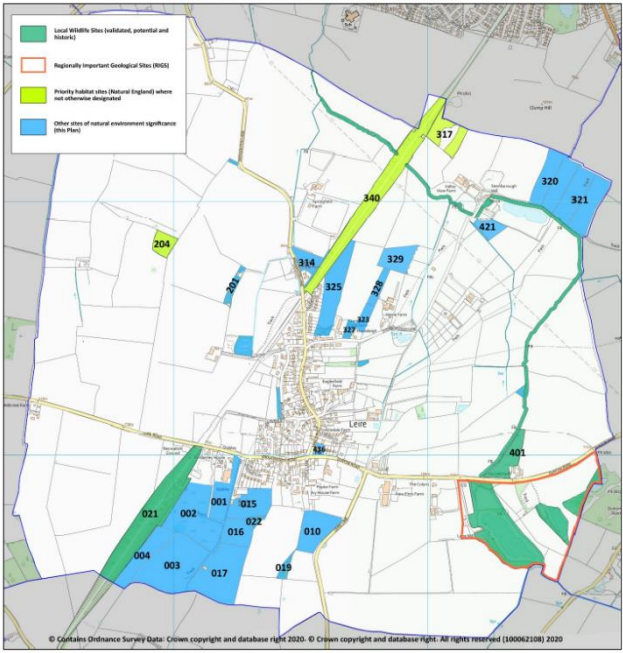
Leire Neighbourhood Plan

RESOLVED that:

- (i) the Independent Examiner's recommended changes to the Leire 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 Leire Neighbourhood Plan proceed to a referendum of voters within the Parish of Leire 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 Leire Neighbourhood Plan on 12 May 2022 be approved that will include all of the registered electors in Leire 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 | | Page 23, 1st complete paragraph | The NPPF (2019) states that development activities should be..... | Replace “(2019)” with “(2021)”. | Accuracy |
| 2 | | Page 31, Figure 7 | <p>Figure 7: Sites of natural environment significance</p>  <p>Legend:</p> <ul style="list-style-type: none"> Local Wildlife Sites (shaded green) Regularly Important Geological Sites (RIGS) (shaded orange) Priority Habitat sites (shaded yellow) Other sites of natural environment significance (shaded blue) | Remove sites 001 and 327 from the figure. | Insufficient evidence for allocations and to ensure Plan meets the Basic Conditions |

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|---|-------|--|---|--|----------------------------|
| 3 | ENV7 | TRACKS, ROADS AND HEDGES OF HISTORICAL SIGNIFICANCE - | Development proposals that damage the character or result in the loss of the identified (figure 10) tracks and roads of historical significance and amenity value will be resisted. Proposals should be designed to retain and manage such features where possible. Twelve species-rich, ancient hedges associated with these lanes (Figure 10) are of high historical and ecological importance and are identified in the Plan as non-designated heritage assets. | Page 37, policy ENV 7 and following paragraph, Replace “figure 10’ with “figure 12” and “Figure 10’ with “figure 12”. | To correct an error |
| 4 | ENV12 | POLICY ENV 12: RENEWABLE ENERGY GENERATION INFRASTRUCTURE | Small-scale, local resident, business, amenity or community-initiated, solar and wind generation infrastructure will be supported, subject to their complying with the environmental protection conditions listed in HDC Local Plan Policy CC2. Large scale turbine developments will not be supported, in conformity with the Plan Area’s designation in HDC Landscape Character Areas Upper Soar and Lutterworth Lowlands as an area of moderate and high landscape sensitivity and with HDC Local Plan Policy CC2, and is supported by National Planning Policy Framework 2019 paragraph 10.3. | Page 46 Replace “, and is supported by National Planning Policy Framework 2019” with “and”. | To correct an error |
| 5 | | Page 53 | The UK government has recently announced its intention to ban sales of new petrol and diesel cars from 2040 to combat rising levels of air pollution (in particular NOx) and address climate change concerns. | Replace the first sentence with: “In 2020 the UK government announced its intention to ban sales of new petrol and diesel cars from 2030 to combat rising levels of air pollution (in particular NOx) and address climate change concerns.” | Clarity |

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| 6 | | Page 53, 2nd paragraph | The availability of larger capacity on-board generators (7kW) is emerging, which would halve these times, but this is then the maximum that would be possible using current standard domestic electricity supply (single phase 240volt). However, residential charging is only allowed where offroad parking is available. | Replace the third sentence with: “Larger capacity on-board generators (7kW) are now available, halving these times, but this is the maximum currently possible using current standard domestic electricity supply (single phase 240volt).” | Clarity |
| 7 | | General | | It may be that certain passages need updating. Nothing in this report should deter appropriate updating prior to the referendum in respect of incontrovertible issues of primary fact. | Accuracy and consistency |