

HARBOROUGH DISTRICT COUNCIL

THE KIBWORTHS REVIEW NEIGHBOURHOOD PLAN DECISION STATEMENT

1. Summary

1.1 Following an Independent Examination, Harborough District Council now confirms that The Kibworths Review Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum **on 4 May 2023**

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

Kibworth Library

Paget Street
Kibworth Beauchamp
LE8 0HW

Monday: 2 – 6pm; Tuesday: 10am – 1pm; Wednesday: 2 – 5pm; Thursday: 9 – 11am; Friday: 9 – 1pm, 2 – 5pm; Saturday: 10am – 1pm

Kibworth Parish Office

Kibworth Grammar School Hall
School Road

2. Background

2.1 In November 2014 Kibworth Beauchamp Parish Council, as the qualifying body, applied for The Kibworths Parish to be designated as a Neighbourhood Area for the purpose of preparing a neighbourhood plan. On 16 January 2015 Harborough District Council approved the designation of the entire parish as The Kibworths Neighbourhood Area in accordance with the Neighbourhood Planning (General) Regulations (2012) Part 2, Regulation 7.

2.2 The Kibworths Neighbourhood Plan was 'made' after a successful referendum on 29 January 2018.

2.3 The Kibworths Parish Council as the Qualifying Body took the decision to review the neighbourhood Plan and submitted the review plan to the Council on 8 April 2022. A six week consultation period was held ending on 29 June 2022.

2.4 The Qualifying Body submitted a statement of the changes to the plan and consideration whether they changed the nature of the Plan. The Council also submitted their statement to the Examiner. Both Council agreed that the Plan would need an examination and referendum due to the nature of the changes.

- 2.5 The Council, with the agreement of the Qualifying Body, appointed an independent examiner, Mr Timothy Jones, to review whether the changes to the Plan were significant as to change the nature of the Plan. The Examiner determined that an examination and referendum would be required. The examiner considered the changes against the Basic Conditions required by legislation and that the Plan should proceed to referendum.
- 2.3 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 The Director for Planning and Regeneration has agreed that all the Examiner's recommended modifications should be accepted and that the amended Neighbourhood Plan should proceed to a referendum.
- 3.2 The modifications proposed by the examiner have been made to secure that the draft plan meets the basic conditions. Appendix A of the decision statement 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 The Kibworths to help it decide planning applications in the neighbourhood area?'

will be held in the Parishes of Kibworth Beauchamp and Kibworth Harcourt.

- 3.5 The date on which the referendum will take place is agreed as **4 May 2023**.

Appendix A:

Schedule of Modifications Recommended in the Examiner's Report

Recommended modification 1

Wherever this occurs:

Insert gaps between inappropriately joined words.

Reason: Clarity

Recommended modification 2

Page 6, 6th paragraph

This Review of the Neighbourhood Plan has taken the opportunity to include a policy on buildings and structures of local significance(ENV10). Four locally important buildings have been identified as Non-Designated Heritage Assets and are fully described with images inAppendix7.

Replace "four" with "three".

Page 39

There are two Scheduled Monuments (Kibworth Harcourt Windmill and The Munt, Kibworth Harcourt)and 37 buildings/structures in Kibworth that have been granted national 'Listed Building' Status, in recognition of their special historical or architectural interest.

Replace "37" with "38".

Page 65, final paragraph

The Neighbourhood Plan identifies four further buildings or groups of buildings that are considered to be of local significance for architectural, historical or social reasons (details in Appendix7).

Replace "four" with "three".

Appendix 7, 1st paragraph

In the Kibworths Neighbourhood Plan Appendix we list the 37 existing building/structures which have been granted national 'Listed Building' status.

Replace "we list the 37 existing" with "we listed the 37 then existing".

Reason: Accuracy

Recommended modification 3

Insert a new Appendix 10 containing readable copies in A3 of the following: Figures 2, 4.1, 4.2, 7, 9, 10.1, 10.3, 12, 13, 14 and 15.

Reason: Clarity

Recommended modification 4

Page 8, 4th paragraph

The NPPF states that a Neighbourhood Plan 'gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan.'" (NPPF paragraph28)

Replace "28" with "29".

Reason: Accuracy

Recommended modification 5

Page 24, line 17

It was judged Outstanding by Ofsted in 2010 and Outstanding by the Diocese of Leicester in its most recent Statutory Inspection of Anglican and Methodist Schools (SIAMS) inspection in 2015.

Replace "Anglian" with "Anglican".

Reason: Accuracy

Recommended modification 6

Page 26, line 2

Has appropriate vehicular access, and does not adversely impact upon traffic circulation; and:
Replace “Has” with “It has”.

Reason: Clarity

Recommended modification 7

Page 28

Meeting the design requirements in Policy H7;

In policy CSA 4 replace “H7” with “H6”.

Reason: Accuracy

Recommended modification 8

Page 28



ed premises, but it is not envisaged it will
ew surgery includes increased car parking
many travelling in from nearby villages for
e participating in the Neighbourhood Plan
should remain in present central position.
on one site.

whom 28.7% live within LE8 (again, excluding
significant further increase in numbers would
their car parking is inadequate with no easy

Make the text obscured by the photograph visible.

Reason: Clarity

Recommended modification 9

Page 36

Site 3 – Rear of 4 Station Street for 11 mixed-sized dwellings (net 10 allowing for demolition and replacement of existing building). Development to be low density and designed to be sympathetic to the Conservation Area.

Site 4 – St Wilfrid’s Close for 10 dwellings - 5 no. 2bed bungalows, 3 no 3 bed bungalows, 2 no 4 bed houses.

Amend the entries for Sites 3 and 4 to read:

“Site 3 – Rear of 4 Station Street for at least 11 mixed-sized dwellings (net at least 10 allowing for demolition and replacement of existing building). Development to be designed to be sympathetic to the Conservation Area.

Site 4 – St Wilfrid’s Close for at least 10 dwellings – at least 5 no. 2 bed bungalows, and at least 3 no 3 bed bungalows.”

Reason: To remove tension between the support for the provision of smaller homes in policies H3, H5 and H6 on the other hand and policy H1

Recommended modification 10

Page 44

POLICY H7: RESIDENTIAL CAR PARKING - New residential development should incorporate sufficient parking provision to meet the needs of future residents in accordance with the Leicestershire parking standards except that:

New residential development shall include the following minimum number of car parking spaces: 4+bedroomed dwellings shall have a minimum of 4 off-street parking spaces within the curtilage of each dwelling.

Extensions to existing dwellings should not result in the loss of parking spaces below the minimum level.

Replace policy H7 with

“POLICY H7: RESIDENTIAL CAR PARKING - New residential development should incorporate sufficient parking provision to meet the needs of future residents in accordance with the Leicestershire parking standards.

Extensions to existing dwellings should not result in the loss of parking spaces below the minimum level in these standards.

Reason: To ensure meeting of Basic Conditions

Recommended modification 11

Page 49

...identification of important open space (blue dots) and views (green) on this map (next page) of the Plan area...

Replace “this map (next page) of the Plan area at a community” with “figure 6 at a 2016 community”.

Valued Open Spaces (blue) and Views (green) identified by residents in Community Consultation

Replace “identified by residents in Community Consultation” with “identified by residents in 2016 Community Consultation”.

Reason: Clarity

Recommended modification 12

Page 53 (54), line 4

t is well documented that woodland close to where people live can form an integral part of Green Infrastructure

Replace “t is” with “It is”.

Recommended modification 13

Page 57, policy ENV4

Delete “mapped in figure 12”.

Recommended modification 14

Page 62 and 63, Sustainable Development

Delete all from the heading “SUSTAINABLE DEVELOPMENT” to the end of policy ENV7.

Reason: In order to meet the basic Conditions and to meet requirements of national policy

Recommended modification 15

Page 63, policy ENV8

POLICY ENV8: WATERCOURSES AND FLOODING

The sequential test is required in flood zones 2 and 3 and in flood zone 1 for developments. In addition, development proposals in areas adjacent to zones 2 and 3 should take account of the forecast flooding levels arising as a result of climate change.

Every development proposal in the Plan Area will be required to demonstrate that: Its location takes geology, hydrology and flood risk into account;

Its design includes, as appropriate, sustainable drainage systems (SuDS), surface water management measures and permeable surfaces; and

It does not increase the risk of flooding downstream.

Replace policy ENV8 with:

“POLICY ENV7: WATERCOURSES AND FLOODING

The sequential test is required in flood zones 2 and 3. In addition, development proposals in

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areas adjacent to zones 2 and 3 should take account of the forecast flooding levels arising as a result of climate change.

Every development proposal flood zones 2 and 3 and every major development (as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 regulation 2(1) in the Plan Area will be required to demonstrate that:

Its location takes geology, hydrology and flood risk into account;

Its design includes, as appropriate, sustainable drainage systems (SuDS), surface water management measures and permeable surfaces; and

It does not increase the risk of flooding downstream.”

Reason: Accuracy and to ensure policy meets basic Conditions

Recommended modification 16

Page 66

The benefits of a development proposal, or of a change of use requiring planning approval, will be balanced their significance as heritage assets.

26 New Road, Kibworth Beauchamp Lychgate, Kibworth Cemetery

The City, off Albert Street, Kibworth Harcourt

39 Church Road and

boundary wall, Kibworth Beauchamp

Delete “Lychgate, Kibworth Cemetery from policy ENV10 and remove ‘Lychgate from Figure 18.

Appendix 7, 1st page

Delete the whole of the section that deals with the Lychgate.

Appendix 7 final page

Remove Lychgate from the map.

Reason: Accuracy and to reflect listing by Historic England

Recommended modification 17

Page 67, last line

istow Road is served by a roundabout which reduces the impact at this junction).

Replace “istow” with “Wistow”.

Reason: Accuracy

Recommended modification 18

Policy T1, first line

POLICY T1: TRANSPORT ASSESSMENT FOR NEW HOUSING DEVELOPMENT

Transport assessments for new housing development should demonstrate that:

Replace “new housing development” with “major development (as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 regulation 2(1)) of new housing”.

Reason: To ensure Plan meets basic Conditions and is in accordance with national policy

Recommended modification 19

Page 74, lines 10 and 11

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. The implication is that the number of ‘pure’ electric vehicles (EVs) on the road (i.e. not hybrid) will almost certainly soon increase rapidly

Replace “The UK government has recently announced its intention to ban sales of new petrol and diesel cars from 2040” with “In 2020 the UK government announced its intention to ban

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sales of new petrol and diesel cars from 2030”.

Page 74 line 17

Residential charging is probably the current norm but using a typical generator size of 3.7kW (installed as standard on board

Replace “typical” with “formerly typical”.

Page 74, penultimate line

The availability of larger capacity on-board generators (7kW) is emerging, which would halve these times,

Replace “is emerging, which would halve” with “has emerged, which halves”.

Reason: Clarity and Accuracy

Recommended modification 20

Page 79, last sentence

The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014 allows, under certain circumstances, the change of use of agricultural buildings to residential use and change of use of agricultural buildings to registered nurseries providing childcare or state-funded schools, under the prior approval system.

Replace this with “The Town and Country Planning (General Permitted Development) (England) Order 2015 allows, under certain circumstances the change of use of agricultural buildings to dwelling houses, a state-funded school, or a registered nursery”.

Reason: Accuracy