

Scraptoft Review Neighbourhood Plan Review 2025 - 2041

Determination under the Planning and Compulsory Purchase Act 2004, Schedule A2, paragraph 10

1. Harborough District Council (“HDC”) with the consent of qualifying body, Scraptoft Parish Council (“SPC”), has appointed me to undertake the independent examination of the Scraptoft Neighbourhood Plan Review 2025 – 2041 (“the Draft Plan”) in accordance with Planning and Compulsory Purchase Act 2004 Schedule A2. I am a planning barrister and am independent of BC, SMPC, and of those who have made representations in respect of the Draft Plan. I have been trained and approved by the Neighbourhood Planning Independent Examiner Referral Service and trained others who wish to be examiners. I have extensive experience both as a planning barrister and as a neighbourhood planning examiner. I do not have an interest in any land that is, or may be, affected by the Draft Plan.
2. I have been supplied with and read electronic copies of the examination documents.
3. The Planning and Compulsory Purchase Act 2004, Schedule A2, paragraph 10 applies. I am required first to determine whether the modifications contained in the Draft Plan are so significant or substantial as to change the nature of the neighbourhood development plan which the Draft Plan would replace. If I determine that the modifications would have that effect, I must notify SPC and HC of the determination and give reasons for the determination. SPC must decide whether it wishes to proceed with the proposal or to withdraw it, and must notify HDC and me of their decision.
4. I note that the Draft Plan includes new policies for a settlement boundary, windfall sites, open space, sport and recreation sites, sites of historic environment significance, non-designated heritage assets, ridge and furrow, important views, flood-risk resilience, renewable energy generation infrastructure, retention of community infrastructure and amenities, employment development, working from home, sustainable transport and electric vehicles. In addition, there are replacement policies and updated policies. Considering these policies, I agree with HDC and SPC that the Draft Plan makes material modifications that would change the nature of the neighbourhood development plan which the Draft Plan would replace.
5. The formal position is that the examination does not continue until I receive a response from SPC. In the light of the fact that SPC has already accepted that the modifications contained in the draft plan are so significant or substantial as to change the nature of the neighbourhood development plan which the Draft Plan would replace, I consider it appropriate to state that I have already reached the decision that the limited circumstances in which examiners must hold a hearing to receive oral representations do not apply and that there will not be a hearing if the examination proceeds. I have also concluded that there will not be an accompanied site visit.
6. I ask that this determination be placed on the websites of HDC and of SPC.

Timothy Jones
Barrister FCI Arb,
Independent Examiner
15th June 2026