

Broughton Astley Review Neighbourhood Plan

Summary of representations submitted by Harborough District Council to the independent examiner pursuant to Regulation 17 of Part 5 of The Neighbourhood Planning (General) Regulations 2012

	Name	Policy /Page	Full Representation
1	Avison Young obo Jelson Homes		1.1 Broughton Astley Submission Version of the draft Neighbourhood Plan – Representations to the Regulation 16 Consultation Avison Young has been instructed by our client Jelson Homes Limited ('Jelson') to make representations on its behalf, to the Regulation 16 consultation of the Broughton Astley Neighbourhood Plan (BANP). We commend Parish Council for planning positively plan for future growth within the village, however we have concerns about the way in which the BANP aligns with the development strategy expressed in the emerging Harborough District Local Plan. We discuss our Client's concerns in the sections that follow. 1.2 Changes to the Basic Conditions Following the Levelling-up and Regeneration Act Since the neighbourhood plan was last consulted on in February 2026, the Government has introduced changes to the statutory framework governing neighbourhood planning. The Levelling-up and Regeneration Act 2023 (Commencement No.11 and Saving and Transitional Provisions) Regulations 2026 brought into force Sections 98 and 99 of the Levelling-up and Regeneration Act 2023 which revises the statutory framework for neighbourhood plans and amends the Basic Conditions against which neighbourhood plans are examined. Whilst many of the Basic Conditions remain unchanged, the previous requirement that neighbourhood plans be in "general conformity" with strategic policies has been replaced by a requirement that the making of a neighbourhood plan: <i>"would not have the effect of preventing development from taking place which</i> <i>(i) is proposed in the development plan for the area of the authority (or any part of that area); and</i> <i>(ii) if it took place, would provide housing".</i> Accordingly, the Basic Conditions that the BANP must satisfy are: 1. it must have regard to national policies and advice issued by the Secretary of State. 2. it must contribute to the achievement of sustainable development; and, 3. it must not have the effect of preventing housing development proposed through the development plan from taking place.

1.3 Proactive Planning

The Regulation 16 version of the BANP highlights that a number of revisions have been made to ensure that it aligns with the adopted Harborough Local Plan (adopted in 2019), recent changes in national policy and also the development strategy and housing requirement contained in the emerging Harborough Local Plan, which the Council anticipates being adopted in December 2026.

As currently drafted the BANP confirms that the Policy DS01 of the Submission version of the Harborough District Local Plan, identifies a need for Broughton Astley to accommodate a minimum of 475 new dwellings over the Plan period and that Policy SA01 of the emerging Local Plan proposes that this will be delivered on a single site in the settlement (land of Frolesworth Road).

However, the BANP does not allocate that site for development nor make any amendments to the settlement boundary to enable the site to come forward for development. Indeed, Broughton Astley Parish Council's response to consultation on the Regulation 19 version of the emerging Local Plan, confirms that it vehemently opposes the allocation for the site for development in the Plan.

Instead, the Parish Council wrote to the Council and advised local residents that its intention was to oppose the allocation of the Frolesworth Road site, and proposes instead an alternative strategy for meeting the settlement's identified housing needs, which comprised the four sites (Jelson's site at Cottage Lane, Witham Villas, Blockley Road and Crowfoot Way) which local residents considered more appropriate for allocation due to their location, infrastructure and environmental impact.

Yet, the Submission version of the BANP does not do that. It allocates a single site (land at Witham Villas) which is capable of accommodating 138 homes some 337 less than the housing requirement for Broughton Astley contained in the emerging Local Plan. From our reading of the BANP, it suggests that the delivery of development at Witham Villas together with the proposed Frolesworth Road Local Plan allocation will meet Broughton Astley's identified housing needs over the Plan period.

On the face of it, the policies and proposals for the BANP would seem to prevent that from happening and it does not therefore satisfy the Basic Conditions because:

- It would prevent a site that is proposed to be allocated for development in a Development Plan from coming forward;
- If the Frolesworth Road site does not come forward then the BANP does not allocate sufficient land for housing to meet the identified need for Broughton Astley (the 475 dwelling requirement of the emerging Local Plan);

In our view, that requires modifications to be made to the Neighbourhood Plan, which (a) clarify the BANPs proposed development strategy; and (b) allocate sufficient land / sites to deliver a minimum of 475 new homes, in line with the requirement expressed in the emerging Local Plan.

There is also the question whether the emerging Harborough Local Plan sets a strategy and housing requirement that meets Harborough's objectively assessed housing needs, as required by Paragraph 11(b) of

		the NPPF. For example, we are aware that the Local Plan Inspectors have raised concerns in their initial MIQs about whether the Plan's housing requirement is sufficient to meet the District's needs as well as the proportion of Leicester City's unmet needs that the Authority has committed to take. In light of the above and in either scenario the NPG is therefore clearly aware that Broughton Astley is expected to accommodate significant future growth. However, despite recognising this, we consider that the submitted neighbourhood plan adopts a housing strategy that neither properly reflects the scale of growth planned for the settlement nor clearly or adequately demonstrates how future development needs will be accommodated. 1.4 <u>Basic Condition 1 – Regard to National Policy</u> Paragraph 30 of the National Planning Policy Framework establishes that neighbourhood plans should support the delivery of sustainable development <i>and should not promote less development than set out within strategic policies for the area</i> [our emphasis added]. For the reasons discussed above, it is not clear how the allocation contained within the BANP would satisfy the housing requirement for Broughton Astley, expressed in Policy DS01. The emerging Local Plan assumes that the requirement would be met through the development of land at Frolesworth Road in Broughton Astley. But, the BANP does not allocate that site for development. It only allocates land at Witham Villas, which itself cannot deliver the 475 new homes required to satisfy the Local Plan's housing requirement for Broughton Astley National planning policy places considerable emphasis upon maintaining flexibility in plan-making and ensuring that plans respond positively to changing circumstances. In this case, the BANP contains no additional or reserve housing allocations and no flexibility mechanism capable of responding to changing circumstances over a plan period extending to 2041 outside of relying on windfall development. Indeed, the PPG at Paragraph 040 also requires neighbourhood plans where they contain policies relevant to housing supply, to take account of the latest and up-to-date evidence of housing need. Therefore, in Jelson's view, the submitted BANP does not adequately demonstrate that it has had proper regard to national policy objectives relating to housing delivery, flexibility in plan making, proactive planning of sustainable growth and enabling the plan to remain up to date over a longer time scale as supported by the PPG (Paragraph 103). Accordingly, we consider that <u>the draft BANP therefore fails to satisfy Basic Condition 1.</u> 1.5 <u>Basic Condition 2 – Sustainable Development</u> The second Basic Condition requires the BANP to contribute to the achievement of sustainable development. The BANP recognises that: 1) Broughton Astley is one of the most sustainable settlements within Harborough District; 2) significant housing growth is expected to occur within the village; 3) the scale of future housing need in the District is likely to increase during and immediately after the current Local Plan preparation period; and
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		4) there are a number of suitable and sustainable development opportunities that exist in Broughton Astley. Despite this, we consider that the BANP proposes a highly constrained site allocation strategy and perhaps most importantly, fails to demonstrate why that approach is the most sustainable option available. Indeed, the submitted evidence does not contain any assessment of alternative growth strategies, there is no evidence demonstrating that allocating additional sites would result in unacceptable environmental, landscape, infrastructure or community impacts nor is there any evidence demonstrating that the selected site approach provides sufficient flexibility to respond to changing housing requirements over the plan period. If the District's housing requirement increases, during the Local Plan examination process, , the BANP contains no mechanism to enable further sites to come forward for development, in sustainable locations adjacent to the edge of the settlement. The Planning Practice Guidance (PPG) makes clear that neighbourhood plans should be underpinned by evidence and should seek to positively support sustainable growth. The submitted BANP has failed to demonstrate that its preferred development strategy is the most sustainable option available to the village or that reasonable alternatives have been properly considered. Consequently, <u>the draft BANP therefore fails to satisfy Basic Condition 2.</u> <u>1.6 Basic Condition 3 – Prevention Of Housing Development Proposed Through The Development Plan</u> In Jelson's view, the most significant issue with the BANP is in respect of the revised Basic Condition introduced through Section 99 of LURA. As noted above, the statutory test now requires that the making of a neighbourhood plan must not have the effect of preventing housing development proposed through the development plan from taking place. To us, the BANP appears to fail in this regard. Although the BANP acknowledges that the emerging Harborough Local Plan proposes the allocation of land off Frolesworth Road for approximately 475 dwellings, there is no assessment of the relationship between that strategic allocation and proposed policies of the BANP. For instance, the BANP does not explain: 1) how the BANP intends to support the delivery of the Frolesworth Road allocation once either or both Plans are adopted; 2) whether sufficient flexibility has been baked into the BANP should housing requirements increase during the neighbourhood plan period (i.e the Harborough Local Plan having to meet the new standard method levels of housing need); or indeed 3) how the BANP responds to the uncertainty surrounding the emerging Local Plan process, including whether the Frolesworth site ends up being allocated in the adopted Plan, given the extent of opposition to it. The emerging Harborough Local Plan remains under examination, and fundamental questions have been raised regarding the housing requirement the plan is intended to deliver. Depending upon the outcome of the examination, there remains a real possibility that Harborough
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		District Council will be required to identify additional housing land over and above that currently proposed. We therefore consider that as things stand, the BANP would prevent, restrict or frustrate the delivery of housing proposed through the emerging Harborough Local Plan. <u>Accordingly, we consider the Plan fails to satisfy Basic Condition 3 as amended by Section 99 of LURA.</u> <u>2 Site Selection Process – Evidence Base and Robustness</u> Irrespective of the strategic housing issues identified above we maintain the position raised in our Regulation 14 representations regarding the robustness of the site selection process undertaken by the NPG. The Planning Practice Guidance makes clear that when neighbourhood plans propose site allocations, such allocations should be supported by a proportionate robust evidence base which should support the choices made and the approach taken (Paragraph 040). As currently submitted, we consider that the BANP fails to provide the sufficient evidence base demonstrating why the Witham Villas site was selected in preference to other available and deliverable sites. The Parish Council has explained that a number of factors informed the selection process, including flood risk, accessibility to services, environmental impacts, traffic implications and deliverability. However, without evidence demonstrating how those considerations were applied we cannot be sure this was applied consistently across all alternative sites assessed. Whilst references are made to comparative site assessments following the site selection process by Aecom, we would like to flag to the Inspector that no evidence has been published demonstrating: • the methodology applied; • the assessment criteria used; • the weighting given to individual criteria; • any scoring framework; • how competing sites performed; • how consultation responses influenced outcomes; • how planning considerations were balanced against community preferences; or • why Witham Villas was ultimately selected over alternative sites. Without the evidence specified above neither consultees nor the Inspector can properly understand how the site allocation of Witham Villas was decided. Importantly, without this evidence we, nor the Inspector have no understanding of how the sites performed against key matters such as flood risk, access to services, environmental impacts, traffic impacts and deliverability. To help us, and our client, understand such matters and ultimately why Witham Villas was the chosen allocation we emailed the NPG back in December 2025 requesting evidence of this assessment criteria but we are yet to receive a response. As a result of the above we cannot be assured that all reasonable alternative sites have been assessed consistently or suitably and we believe that the Inspector will not be able to reasonably conclude that preferred allocation represents the most appropriate strategy, in the most
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		Sustainable locations when considered against all other reasonable alternatives. 3 <u>Land at Cottage Lane</u> As discussed above, the evidence prepared in support of the BANP suggests that a number of sites were considered for assessment, but no evidence of why the preferred site performed better than the other is available. When reviewing the evidence base, we note that the NPG justified the allocation of Witham Villas on the basis that it: • is well related to the existing settlement; • benefits from access to facilities and services; • has no significant flood risk constraints; • gives rise to limited environmental impacts; • is capable of being delivered during the plan period; and • performs strongly in deliverability terms. With the above in mind, the flaws in the evidence base becomes even more apparent when considering Jelson’s land at Cottage Land; all the same characteristics apply and in some instances are more favourable for the Cottage Lane site. At a high level Jelson’s Cottage Lane site is controlled by a single developer, benefits from access arrangements that are already available, adjoins recently completed residential development, is highly accessible to services within the village and is capable of being delivered immediately. The site extends to approximately 12 hectares and is capable of accommodating around 250 dwellings alongside the provision of land for a community use (i.e the development of a scout hut or similar) and represents a logical extension to the settlement without further extending development beyond the villages furthest point to the north of the village. Furthermore, Jelson has now submitted a planning application in respect of the site, providing additional evidence of both availability and deliverability. In the absence of any comparative assessment confirming why the Cottage Lane or other proposed sites were discounted we do not consider that the site selection process can be considered robust. 4 <u>Conclusions</u> For the reasons set out above, Jelson considers that the submitted Broughton Astley Neighbourhood Plan should not proceed to referendum in its current form. Whilst Jelson recognises the work undertaken by Broughton Astley Parish Council in preparing the Plan and supports the principle of positively planning for future growth within the village, the submitted BANP fails to demonstrate compliance with a number of the statutory Basic Conditions. In particular, the Plan has failed to adequately demonstrate that it has had sufficient regard to national planning policy, including the requirement for neighbourhood plans to support sustainable growth and positively plan for housing delivery. Furthermore, the evidence submitted
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		in support of the Plan does not establish that the preferred housing strategy represents the most sustainable approach available when considered against reasonable alternatives. Jelson is also concerned that the Parish Council has not demonstrated compliance with the revised Basic Condition introduced by Section 99 of the Levelling-up and Regeneration Act 2023, which requires the Inspector to be satisfied that the making of the neighbourhood plan would not have the effect of preventing housing development proposed through the development plan from taking place. The submitted Plan contains no meaningful assessment of how its strategy interacts with the strategic growth proposed through the emerging Harborough Local Plan, nor does it provide sufficient flexibility to respond to changing housing requirements over the plan period In addition, Jelison considers that the evidence base supporting the allocation of the Witham Villas site, over other sites identified through the BANP Site Selection Process is flawed. The Parish Council has not published a comparative site assessment capable of demonstrating how alternative sites were assessed, how decisions were reached, or why Witham Villas was selected in preference to other suitable, available and deliverable sites. As a consequence, neither the Inspector nor interested parties are able to properly scrutinise the rationale underpinning the allocation strategy. This is evidenced no more so than in relation to Jelison's Land at Cottage Lane. The evidence before the NPG today demonstrates that the site is available, deliverable, in a sustainable location and capable of making a significant contribution towards meeting both local and district wide housing needs. However, no robust evidence has been provided explaining why the site was discounted or why its planning merits were considered worse than those of Witham Villas. Accordingly, Jelison respectfully requests that the Examiner conclude that the BANP does not currently satisfy the Basic Conditions and recommend that further work is undertaken in relation to the housing strategy, evidence base and site selection process before the Plan can proceed further. Jelison considers that modifications are required to the BANP to ensure it: 1) facilitates the delivery of housing growth proposed through the development plan; 2) provides a more flexible and resilient housing strategy capable of responding to future changes in housing requirements in any scenario; 3) undertakes and publishes a robust comparative assessment of all reasonable alternative sites; and 4) reconsiders the merits of allocating additional sustainable and deliverable sites, including Jelison's land at Cottage Lane, in order to ensure that the BANP is positively prepared and capable of contributing to the achievement of sustainable development throughout the entirety of the proposed plan period up to 2041. For the reasons set out above, we on behalf of our client Jelison respectfully conclude that the submitted BANP fails to satisfy the Basic Conditions and we request further work to be undertaken in respect of the housing strategy and site selection process before the BANP can be found to satisfy the Basic Conditions and proceed to referendum.
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2	Anglian Water Lancaster House, Lancaster Way, Ermine Business Park, Huntingdon, Cambridgeshire. PE29 6XU		Thank you for notifying Anglian Water on the neighbourhood plan consultation. I have checked our records and both water supply and wastewater services are covered by Severn Trent Water. On this basis we have no detailed comments to make.
3	Bidwells obo Taylor Wimpey		1 Representation to Broughton Astley Neighbourhood Plan Regulation 16 Consultation Land East of Frolesworth Road, Broughton Astley Submitted on Behalf of Taylor Wimpey Strategic Land I write on behalf of Taylor Wimpey UK Limited (herein referred to as Taylor Wimpey) in response to consultation on the Broughton Astley Neighbourhood Plan Review, which has been submitted for examination by the Parish Council. Whilst the representation is focused on compliance with the basic conditions, it has been prepared in the context of Taylor Wimpey's land interest east of Frolesworth Road, which was promoted as a potential site for residential development through the preparation of the Neighbourhood Plan. The representation follows on from our Regulation 14 representation which set out a number of reasons why Taylor Wimpey considered that the Neighbourhood Plan did not meet the basic tests set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. These basic conditions are also detailed at Paragraph: 065 of the National Planning Practice Guidance (PPG). On review, these issues do not appear to have been addressed in the submitted version of the Neighbourhood Plan and it's supporting evidence base. The matters of concern with regard to compliance with the basic conditions are addressed in turn below. 2 <u>Regard to National Policy</u> Whilst the basic condition for Neighbourhood Plans to be in general conformity with the strategic policies of the development plan for the area has been replaced as part of the changes introduced as a result of the Levelling up and Regeneration Act, the requirement to have regard to national policies and guidance (Basic Condition A) remains. This includes the provisions set out in paragraph 69 of the NPPF which state that plan making authorities should establish a housing requirement figure for their whole area, and that strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. Paragraph 70 goes on to state that where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority. The Planning Practice Guidance ("PPG") is clear that where a neighbourhood plan is brought forward before an up-to-date local plan is in place that the

		qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in the emerging neighbourhood plan, the emerging local plan and the adopted development plan (Paragraph: 009 Reference ID: 41-009-20190509). No information has been provided as part of the available evidence base documents supporting the plan which indicates that any interaction has occurred between the Neighbourhood Plan Steering Group and the Local Planning Authority ("LPA") to this effect, with the Neighbourhood Plan relying on the figure of 475 homes set out in policy DS01 of the emerging Local Plan, which is simply based on the capacity of the proposed allocation off Frolesworth Road. Whilst the Basic Conditions Statement includes a list of six bullet points which set out in 'broad terms' how the Neighbourhood Plan has had regard to the NPPF, and table 1 sets out how each policy of the Neighbourhood Plan has had regard to national policy, at no point is the approach to establishing the housing reequipment for the Neighbourhood Plan area discussed, with the matter effectively ignored. Taylor Wimpey consider that this is a fundamental issue with the Neighbourhood Plan which means it fails the basic conditions. The Neighbourhood Plan is in a difficult position, being prepared alongside the Local Plan. It is recognised that the Neighbourhood Plan notes the draft Local Plan allocation on Frolesworth Road, but doesn't allocate the site as part of the strategy for growth. This will mean that should the Local Plan fail its examination, the Frolesworth Road site will not be allocated and the level of housing provision in the village will be significantly below the level that it assumed that Harborough District Council consider should be provided in the village, based on emerging policy DS01, to which the Neighbourhood Plan refers. To meet the basic condition, as a minimum, the Neighbourhood Plan should have allocated the draft Local Plan site on Frolesworth Road, or alternative sites, to meet the housing figure for the village passed down from the plan making body. Another issue related to national policy is that, in line with paragraph 63 of the NPPF, the Neighbourhood Plan has been informed by a Housing Needs Assessment. However, the Neighbourhood Plan has not followed the findings of the assessment, specifically in relation to the extent of affordable housing need. This matter is addressed further below in relation to whether then plan meets the basic condition of contributing to sustainable development. Finally, as is also addressed in more detail under sustainable development, it is not considered that the approach to selecting the site proposed for allocation is in line with national policy and guidance, specifically Paragraph: 040 Reference ID: 41-040-20160211 of the Planning Practice Guidance which requires decisions to be made on proportionate evidence. This matter is discussed further below given the overlap with contributing to sustainable development. 3 <u>Contribution to Sustainable Development</u> As noted above, Taylor Wimpey have a concern that the approach to meeting affordable housing need does not contribute to the achievement of sustainable development (Basic Condition D). The Basic Conditions Statement (paragraph 4.3) recognises that '<i>supporting strong, vibrant, healthy and inclusive communities by facilitating the right mix of housing (including affordable housing) to meet local need</i>' is part of achieving sustainable development. The evidence base that accompanies the Neighbourhood Plan identifies an affordable housing need of up to 392 dwellings over the plan period (paragraph 18) split across rented and affordable home ownership tenures. Table 1.1 goes on to identify that just 41 of this need will be met through the
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		emerging Neighbourhood Plan allocation, with paragraph 22 noting that affordable housing need will not be met over the plan period and suggesting other options need to be explored. To deliver the affordable housing needed as part of a sustainable strategy the village, land to deliver a further 1,170 homes (on top of the Frolesworth Road site) would be needed (based on 30% of the homes being affordable). Therefore, despite the evidence prepared to support the plan, there appears to be a significant shortfall in the delivery of affordable housing over the plan period. This is not indicative of a Neighbourhood Plan which is seeking to contribute to the achievement of sustainable development. Linked to this point, there are a number of sites that have been assessed as suitable for development through the plan making process which could contribute to delivering a greater quantum of development over the plan period. These can be seen on page 28 of the submitted Site Options and Assessment document (Appendix B to the submission Neighbourhood Plan). Whilst the Neighbourhood Plan takes the positive step of allocating an additional site for development, in our Regulation 14 response to the Parish Council, we raised concerns that the process was not stringent enough to enable a thorough, comparative and transparent assessment of the alternative sites. The key issues raised were: • Only 7 of 11 suitable sites identified were presented for consultation. • Lack of information presented to the public on sites, meaning they were not able to take an informed view on site suitability. • Reliance on Harborough District Council SHELAA, which did not include the latest information about the availability and suitability of Taylor Wimpey's site to the east of Frolesworth Road • Lack of any clear, comparative evidence to justify the final selection of the site allocation. None of these issues have been addressed in the submitted version of the Neighbourhood Plan. The Site Assessment Report appears to be the only evidence of site assessment undertaken. It is this report which simply identifies 11 suitable sites and then suggests any allocation would need to be made by the Parish Council based on other considerations. Beyond this there does not appear to be any explanation as to how the site proposed for allocation has been selected. This is not a transparent process and does not suggest that contributing to the achievement of sustainability, as required by Basic Condition B, has been considered as part of the process. This is therefore a fundamental failing of the Neighbourhood Plan. Further, the PPG is clear that '<i>Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order</i>' (Paragraph: 040 Reference ID: 41-040-20160211). Taylor Wimpey consider that the evidence that underpins the Neighbourhood Plan does not meet this guidance meaning a judgement cannot be formed on whether the proposed site allocation contributes toward sustainable development, the process fails the requirement for Neighbourhood Plans to have regard to national policy and guidance, as noted above. 4 Additional Considerations Although not specifically a matter related to the basic conditions, Taylor Wimpey note that the Inspectors examining the Local Plan submitted by Harborough District Council have raised a potential issue with
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		proposed housing requirement given it only meets the 80% of Local Housing Need requirement set out in the NPPF due to making an allowance for Leicester's unmet need. The implication is the at the plan does not identify sufficient land for housing – meaning there can be no confidence in the 475 home figure that has been used as a guide as to the housing requirement for the Broughton Astley Neighbourhood Plan. This is a by-product of the Neighbourhood Plan being prepared alongside the higher order Local Plan, which would have been avoided if the Neighbourhood Plan were timed to follow on from the adoption of the Local Plan. 5 Conclusion This representation has identified significant concerns with the compliance of the Neighbourhood Plan with the Basic Conditions it is expected to meet. The concerns revolve around the lack of regard to national policy and guidance, as well as the lack of contribution towards delivering sustainable development. Both matters go to the heart of the Neighbourhood Plan and we consider that the issues mean that the Neighbourhood Plan should not pass its examination as it falls short of its legal requirements. I trust this representation is clear, but if you do require anything further from me, please do not hesitate to contact me using the details above.
4	John Durance 15 Willowbrook Close LE9 6HF	Dear Harborough District Council / Neighbourhood Plan Examiner, I support the principle of Broughton Astley having an up-to-date Neighbourhood Plan, but I ask that the submitted Plan is strengthened before adoption so that it properly protects the village from infrastructure-led harm. My concern is that the Plan says the Limits to Development do not apply to land allocated for strategic development in the emerging Local Plan, including land off Frolesworth Road. I understand why the Neighbourhood Plan must not directly undermine the Local Plan, but this wording must not create a loophole. Even if a large development sits outside or adjoining the current village boundary, its impacts still fall on Broughton Astley. It will still use or affect the village's roads, schools, healthcare, foul sewer network, wastewater treatment works, brook, surface-water drainage routes, culverts, biodiversity corridors and community facilities. The Plan should therefore be strengthened to make clear that development outside or adjoining the Limits to Development is not automatically acceptable where it relies on Broughton Astley's infrastructure or worsens existing infrastructure pressures. I ask that the Plan includes stronger wording along the following lines: "Where strategic development is proposed outside or adjoining the Limits to Development, including land off Frolesworth Road, it must demonstrate that it will not place unacceptable pressure on Broughton Astley's existing infrastructure, including foul sewerage, wastewater treatment, surface-water drainage, watercourses, culverts, highways, schools, healthcare, biodiversity corridors and community facilities. Infrastructure capacity and mitigation must

			be evidenced, funded, deliverable and secured at the earliest stage, and not deferred solely to later conditions where this would leave unresolved capacity risks.” This is especially important because Policy 19 already states that foul capacity must be addressed as part of any major development, and Policy 28 recognises local flood risk, surface-water drainage issues, clay geology, downstream impacts and the need for hydrological evidence. The Plan should be infrastructure-led. Residents should not be left with the consequences of major development being approved first and capacity problems being dealt with later. Please treat this as a constructive request to strengthen the Neighbourhood Plan so that it remains legally robust, useful and effective in protecting Broughton Astley.
5	John Durance 15 Willowbrook Close LE9 6HF		Thank you for confirming that my comments will be forwarded to the Examiner. Please could the following be added as a further clarification / additional representation to my earlier submission. My concern remains that the submitted Broughton Astley Neighbourhood Plan needs to be tightened so that strategic development cannot avoid local infrastructure safeguards simply because it is outside or adjoining the current settlement boundary. In practical terms, a planning boundary is not the same as an infrastructure boundary. Even where land is allocated through the emerging Local Plan, if that development relies on Broughton Astley’s roads, foul sewer network, wastewater treatment works, surface-water drainage routes, brook, culverts, schools, healthcare and community facilities, then its impacts still fall on Broughton Astley. For that reason, I ask that the Neighbourhood Plan is strengthened to make clear that: A planning boundary is not an infrastructure boundary. The Local Plan may move the boundary, but it cannot move the real-world impact. Development outside the settlement boundary must still be treated as being within Broughton Astley’s infrastructure catchment where it relies upon, connects into, drains through, sends traffic through, or places pressure upon Broughton Astley infrastructure. The Plan should consolidate previous growth, not overload existing infrastructure. Major development should be infrastructure-first, not condition-later. Evidence, funding and delivery should be secured before occupation, rather than relying on vague promises, future discussions, or post-permission conditions. Broughton Astley residents have already experienced the consequences of development being approved before infrastructure problems are fully resolved, including flooding, surface-water drainage issues, foul sewer concerns, highway pressure and pressure on local services. The Neighbourhood Plan should therefore make clear that new development must not leave existing residents worse off or transfer infrastructure risk onto the community. I ask that wording is added to the Plan along the following lines:

			"Where strategic development is proposed outside or adjoining the Limits to Development, including land allocated through the Harborough Local Plan, such development must demonstrate that it will not place unacceptable pressure on Broughton Astley's existing infrastructure or existing residents. This includes foul sewerage, wastewater treatment, surface-water drainage, watercourses, culverts, highways, schools, healthcare, biodiversity corridors, open spaces, community facilities and local services. Infrastructure capacity and mitigation must be evidenced, funded, deliverable and secured at the earliest appropriate stage, and not deferred solely to later conditions where this would leave unresolved capacity risks or harm to existing residents." I also ask that Policy 19 is strengthened so that "foul capacity must be addressed" becomes a clear requirement that foul sewerage and wastewater treatment capacity must be demonstrated, secured and deliverable before major development is approved or occupied. This is not an objection to having an up-to-date Neighbourhood Plan. It is a constructive request to make the Plan stronger, clearer and more effective, so that it protects Broughton Astley from "approve now, fix later" development.
6	Harborough District Council		Thank you for your invitation to make a representation on the Broughton Astley Neighbourhood Plan Review 2021-2041 (Regulation 16) that has been open to consultation between 27th May to 8th July 2026. As stated at Regulation 14 stage, we congratulate the Parish Council's Neighbourhood Plan Group on producing a well set out Plan. It is noted and welcomed that Policy 2 (Limits to Development) and Policy 5 (Affordable Housing) have been amended in response to comments made at the Regulation 14 consultation stage. However, there are some outstanding issues from previous comments. Policy 15 (Electric Car Charging) supports the provision of communal vehicular charging points subject to access and impact on existing parking. Concern was raised by the Council at Regulation 14 that there is a degree of overlap or repetition with Policy DM06 of the Harborough Local Plan 2020-2041, which is currently undergoing examination. This sets out a requirement for all major development to make provision for EV charging points. Policy 15 is retained in the Regulation 16 document with no changes. Representations submitted at Regulation 14 still apply, however not crucial. It is understood that the Parish Council would prefer to retain the policy as the emerging Harborough Local Plan is untested at Examination. Comments made at Regulation 14 consultation stage identified overlap between Policy 28 (Climate Change and Flood Risk) and policies DM07 and DM08 of the emerging Harborough Local Plan 2020-2041. Policy 28 is retained and expanded in the Regulation 16 document. The expanded policy includes additional requirements for developments to prove runoff rates are sustainable against intensifying rainfall, will not heighten flood risk downstream in the wider catchment, and must retain infrastructure functionality during exceptional rainfall events exceeding 20mm in an hour and over 200mm in 24 hours. Representations submitted at Regulation 14 still apply. The Council maintains that the policy is edited to avoid duplication and reduce confusion with the policies in the emerging Harborough Local Plan, specifically: Both the Neighbourhood Plan and Policy DM07 of the emerging Local Plan require development proposals, where appropriate, to demonstrate the benefits of the development against the harm

			in relation to flood risk; and both similarly require, where appropriate, a site comparison to alternatives. - Both the Neighbourhood Plan and Policy DM08 of the emerging Local Plan require sustainable drainage systems to be incorporated into new developments but conflicting trigger thresholds are included. - The Neighbourhood Plan expects sustainable drainage systems infrastructure to include, where practicable, habitat creation comprising e.g. landscaping, access and egress for aquatic and terrestrial animals, and native species planting. Similarly, Policy DM08 of the emerging Local Plan requires the design and layout of the sustainable drainage systems to prioritise nature-based solutions such as the incorporation of surface water management features as green and blue infrastructure wherever possible, maximising multifunctional benefits for biodiversity, amenity, cooling and water quality; use features that enhance the site design and sense of place and where it is incorporated in open space, provide a safe naturalised system without the need for fencing or barriers. - Section 10.9 provides the supporting text for Policy 28. It explains that “Sustainable Drainage Systems should ensure that the peak rate of run-off over the lifetime of the development, allowing for climate change, is no greater for the developed site than it was for the undeveloped site”. It should be noted that Policy DM08 of the emerging Local Plan, undergoing Examination, is seeking a 20% reduction in run-off rates compared to pre-development conditions to account for existing surface water runoff problems. Additional comments 1st paragraph of Policy 28. It is unclear what ‘<i>the areas indicated on Figures 11.1 and 11.2</i>’ are referencing. Figure 11.1 is a map showing Broughton Astley Parish (or Neighbourhood Plan area). Therefore, it is assumed that the paragraph refers to development proposals within the Parish. This would render Figure 11.2 unnecessary as the area shown on Figure 11.2 lies within Figure 11.1. If it is not meant to apply to development proposals within the whole parish, this should be made clear (i.e. certain Flood Zones, Surface Water flooding). Furthermore, it is not clear what is meant by ‘where appropriate’ within the context of this paragraph. What would constitute appropriateness? Further clarity would be welcomed for those using the policy. - Please note that the Environment Agency’s Flood Map for Planning portal was updated on 28th May 2026 with surface water spatial planning extents and depths. It may be useful for a link to the Environment Agency’s mapping to be included in the document. - Criterion iii of Policy 28. Paragraph 182 of the National Planning Policy Framework (2024) states ‘<i>Applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal.</i>’ Bearing in mind that criterion iii of Policy 28 applies to ‘development proposals of one or more dwellings and/or for employment or agricultural development’, it is suggested that there needs to be some reference to any work being proportionate to the nature of the development proposal otherwise there is the potential for it to be overly onerous.
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- Criterion vi of Policy 28. With the addition of criterion ix, it is considered that criterion vi (*it does not increase the risk of flooding to third parties*) is unnecessary as criterion ix specifies '*proposals will not lead to heightened flood risk within the site itself, locally or further downstream in the catchment*'.

Broughton Astley Neighbourhood Plan Review

Introduction

The Broughton Astley Neighbourhood Plan has been prepared by Broughton Astley Parish Council. It is currently the subject of a statutory public consultation ending on 8th July 2026.

The Regulation 14 Consultation

Broughton Astley Parish Council, as the 'qualifying body' prepared and published the draft Broughton Astley Neighbourhood Plan and supporting evidence base for consultation between 21st November 2025 and 16th January 2026. This consultation period was extended to 18th February 2026 for technical reasons.

Harborough District Council submitted detailed representations to the Regulation 14 consultation on 18th February 2026, incorporating comments from the Neighbourhood and Green Spaces Officer, Principal Planner (Strategic and Local Planning), and the Climate Impact Officer.

The Regulation 16 Consultation

Broughton Astley Parish Council has now formally submitted the [Broughton Astley Neighbourhood Plan](#) to Harborough District Council. Following the Regulation 14 consultation, the parish council has made changes to the plan.

Submission is supported by a number of documents, including a [Consultation Statement](#) (March 2026) which sets out the persons and bodies consulted, the methods of consultation undertaken, a summary of the main issues and concerns and how these issues have been considered and, where relevant, addressed within the submitted Regulation 16 version of the Broughton Astley Neighbourhood Plan.

Legislative Changes

Amendments to parts of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990 came into force on 25th March 2026 which introduced revised legal standards and basic conditions.

Section 1.3 of the Regulation 16 document acknowledges that the Basic Conditions changed in March 2026 and confirms that these new requirements are addressed in the [Statement of Basic Conditions](#).

Comments on the Submission Draft Neighbourhood Plan

In response to the Regulation 16 consultation, the Submission Draft Neighbourhood Plan has been reviewed in consultation with planning policy colleagues, with specific focus on the Regulation 14 representations from the Principal Planner (Strategic and Local Planning). In considering the report, the following comments are raised on the Submission Draft Neighbourhood Plan.

Policy 2: Limits to Development

While comments submitted in February 2026 were generally supportive of the limits to development in the Regulation 14 document, concerns were raised that the boundary excludes parts of Land off

			Frolesworth Road (BA1) allocated for development in the emerging Local Plan under Policy SA01. Policy 2 of the Regulation 16 document has been expanded to include a caveat that explicitly states “the settlement boundary does not apply to land allocated for strategic development in the Harborough Regulation 19 Local Plan (SA01). Development in this area will be guided by the Local Plan and an approved masterplan”. Changes made, no further changes needed. <u>Policy 5: Affordable Housing</u> Comments on the Regulation 14 document suggested affordable housing mix should avoid fixed ratios and reflect latest evidence. Policy 5 of the Regulation 16 document has been amended to delete the prescriptive tenure split of 60% rent and 40% home ownership and now states that affordable housing ratios should be provided on the basis of the most recent evidence of housing need. Changes made, no further changes needed. <u>Policy 15: Electric Car Charging</u> Comments on the Regulation 14 document noted that support for provision of electric vehicle charging points was already covered in Policy DM06 of the emerging Local Plan and could be deleted to simplify the text and avoid repetition. Policy 15 is retained in the Regulation 16 document with no changes. Representations submitted at Regulation 14 still apply, however not crucial. It is understood that the Parish Council would prefer to retain the policy as the emerging draft plan is untested at Examination. <u>Policy 28: Climate Change and Flood Risk</u> Comments on the Regulation 14 document identified overlaps with the emerging Local Plan policies DM07 and DM08 that could be rationalised to minimize repetition. Policy 28 is retained and expanded in the Regulation 16 document. The expanded policy includes additional requirements for developments to prove runoff rates are sustainable against intensifying rainfall, will not heighten flood risk downstream in the wider catchment, and must retain infrastructure functionality during exceptional rainfall events exceeding 20mm in an hour and over 200mm in 24 hours. Representations submitted at Regulation 14 still apply. The response to the Regulation 16 should continue to recommend that the policy is edited to avoid duplication and reduce confusion with the policies in the emerging Local Plan, specifically: • Both the Neighbourhood Plan and Policy DM07 of the emerging Local Plan require development proposals, where appropriate, to demonstrate the benefits of the development against the harm in relation to flood risk; and both similarly require, where appropriate, a site comparison to alternatives. • Both the Neighbourhood Plan and Policy DM08 of the emerging Local Plan require sustainable drainage systems to be incorporated into new developments but include conflicting trigger thresholds. • The Neighbourhood Plan expects sustainable drainage systems infrastructure to include, where practicable, habitat creation comprising e.g. landscaping, access and egress for aquatic and terrestrial animals, and native species planting. Similarly, Policy DM08 of the emerging Local Plan requires the
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			design and layout of the sustainable drainage systems to prioritise nature-based solutions such as the incorporation of surface water management features as green and blue infrastructure wherever possible, maximising multifunctional benefits for biodiversity, amenity, cooling and water quality; use features that enhance the site design and sense of place and where it is incorporated in open space, provide a safe naturalised system without the need for fencing or barriers. • Section 10.9 provides the supporting text for Policy 28. It explains that “Sustainable Drainage Systems should ensure that the peak rate of run-off over the lifetime of the development, allowing for climate change, is no greater for the developed site than it was for the undeveloped site”. It should be noted that Policy DM08 of the emerging Local Plan, undergoing Examination, is seeking a 20% reduction in run-off rates compared to pre-development conditions to account for existing surface water runoff problems. Additional comments • 1st paragraph of Policy 28. It is unclear what ‘<i>the areas indicated on Figures 11.1 and 11.2</i>’ are referencing. Figure 11.1 is a map showing Broughton Astley Parish (or Neighbourhood Plan area). Therefore, it is assumed that the paragraph refers to development proposals within the Parish. This would render Figure 11.2 unnecessary as the area shown on Figure 11.2 lies within Figure 11.1. If it is not meant to apply to development proposals within the whole parish, this should be made clear (i.e. certain Flood Zones, Surface Water flooding). Furthermore, it is not clear what is meant by ‘where appropriate’ within the context of this paragraph. What would constitute appropriateness? Further clarity would be welcomed for those using the policy. • Please note that the Environment Agency’s Flood Map for Planning portal was updated on 28th May 2026 with surface water spatial planning extents and depths. It may be useful for a link to the Environment Agency’s mapping to be included in the document. • Criterion iii of Policy 28. Paragraph 182 of the National Planning Policy Framework (2024) states ‘<i>Applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal</i>. Bearing in mind that criterion iii of Policy 28 applies to ‘development proposals of one or more dwellings and/or for employment or agricultural development’, it is suggested that there needs to be some reference to any work being proportionate to the nature of the development proposal otherwise there is the potential for it to be overly onerous. • Criterion vi of Policy 28. With the addition of criterion ix, it is considered that criterion vi (<i>it does not increase the risk of flooding to third parties</i>) is unnecessary as criterion ix specifies
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			<i>'proposals will not lead to heightened flood risk within the site itself, locally or further downstream in the catchment'.</i>
7	Historic England		Ref: Broughton Astely Neighbourhood Plan Examination Consultation Thank you for inviting Historic England to comment on the above consultation. Having reviewed the proposed modifications, we do not consider it necessary for Historic England to provide further detailed comments at this time. We would refer you to any previous comments submitted at Regulation 14 and 16 stages, and for any further information to our detailed advice on successfully incorporating historic environment considerations into your neighbourhood plan, which can be found here: https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/ I would be grateful if you would notify me if and when the Neighbourhood Plan is made by the district council. To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed Neighbourhood Plan, where we consider these would have an adverse effect on the historic environment. Please do contact me, either via email or the number above, if you have any queries.
			Broughton Astley Neighbourhood Plan Comments Requested – 27 May 2026 Leicestershire County Council is supportive of the Neighbourhood Plan process and welcome being included in this consultation. Please note previous comments provided under the Archaeology and Historic Environment section and the Flood Risk Management section appear NOT to have been considered, which is disappointing. These have been added again under the relevant sections below and we strongly recommend that these comments are reflected within your policies. Highways Specific Comments POLICY 1: Residential Site Allocation - Footpath would need to be a minimum of 2.0m wide and deliverable fully within land under the Applicants control and/or the public highway. POLICY 8: Village Centre Parking - It is unlikely Highway Development Management (HDM) would be able to insist on any new development providing additional parking for the village centre, as parking in the village centre is an existing situation. Providing additional parking may also not be necessary for

		the development to be acceptable in planning terms. However, if this was provided as part of a planning application, it would be considered and in principle, assuming it would not be detrimental to highway safety/junction capacities etc HDM would not seek to resist additional parking space for the village centre, even if it was not necessary to make the development acceptable. POLICY 13: Traffic Management (point f) - HDM seek to secure both travel packs and application forms for two x six-month bus passes per dwelling or 1 x bus pass per employee where developments are of an appropriate scale. To be considered suitable for adoption, new development roads must be designed in accordance with Policy 5 of the Leicestershire Highway Design Guide. General Comments The growing population of Leicester and Leicestershire will generate additional travel demands. The County Council recognises that local communities may have concerns about traffic conditions in their local area, which they feel may be exacerbated by increased traffic due to population growth. Like very many local authorities, the County Council's budgets are under severe pressure. It must therefore prioritise where it focuses any available funding. In practice, this means that the County Highway Authority (CHA), in general, prioritises its resources on measures that deliver the greatest benefit to local communities, businesses and road users in terms of road safety, network management and maintenance. Given this, it is likely that highway measures associated with any new development would need to be fully funded from third party funding, such as via Section 278 or 106 (S106) developer contributions. It should be emphasised that the CHA is generally not in a position to accept any financial risk relating to/make good any possible shortfall in developer funding. To be eligible for S106 contributions proposals must fulfil various legal criteria. Measures must directly mitigate the impact of the development e.g. they should ensure that the development does not make the existing highway conditions any worse if considered to have a severe residual impact. Where potential S106 measures would require future maintenance, which would be paid for from the County Council's funds, the measures would also need to be assessed against the County Council's other priorities and as such may not be maintained by the County Council or will require maintenance funding to be provided as a commuted sum. In regard to passenger transport (including traditional bus services and digital demand responsive transport), securing S106 contributions for passenger transport services will normally be sought in line with the County Council's Passenger Transport Strategy. S106 contributions may be sought for revenue funding support for a fixed period of either an existing passenger transport service that might be altered to suit the development, or for a new service. However, this will only be sought where there is a reasonable prospect that the service alteration or new service can become self-funding due to patronage growth at the end of the defined period. Contributions may also be sought for passenger transport infrastructure (e.g. bus stops or shelters, passenger information systems). The current financial climate means that the CHA has extremely limited funding available to undertake minor highway improvements. Where there may be the prospect of third-party funding to deliver a scheme, the County Council will still normally expect the scheme to comply with prevailing relevant national and local policies and guidance, both in terms of its justification and its design; the Council will also expect future maintenance costs to be covered by the third-party funding. Where any measures are proposed that would affect speed limits, on-street parking restrictions or other Traffic Regulation Orders (be that to address
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		existing problems or in connection with a development proposal), their implementation would be subject to available resources, the availability of full funding and the satisfactory completion of all necessary Statutory Procedures. Flood Risk Management Comments were provided as part of our Regulation 14 response; however, this NP Draft remains unchanged, comments were as follows: Section 10.9 Climate change and Flood Risk • <i>“SuDS should ensure that the peak rate of run-off over the lifetime of the development, allowing for climate change, is no greater for the developed site than it was for the undeveloped site”.</i> This conflicts with the draft Harborough Local Plan which requires peak runoff to be limited to the Qbar greenfield rate minus 20%. Please ensure this requirement for betterment is included within the NP. • Several references to ‘Flood Risk Zone’ 1, 2, 3 etc. Please amend to just ‘Flood Zone’. • <i>“Land and property in Flood Zone 1 have a low probability of flooding”.</i> Please specifically state flooding from rivers (and seas) when refereeing to Flood Zones, as much of Broughton Astley that has suffered devastating surface water flooding is within Flood Zone 1. • <i>“...the impact of new development with less than adequate sustainable drainage (SUDS).”</i> - The LLFA has no records of any recent development being constructed with inadequate SUDS. Please remove this line as it appears to be speculation and not an appropriate comment for a policy document without evidence. Issues at Fretter Close and Blockley Road are not due to inadequate SUDS but development being constructed in a surface water flow path without adequate consideration of routing of surface water flow routes (which originate from outside of the development) through the site (pre-LLFA as a statutory consultee). Flooding issues at Frolesworth Road/Jubilee Road are not affected by any new development and have occurred persistently since at least 1955. Policy 28: • Include draft Harborough Local Plan policy under (iii) - “for all development (including brownfield), demonstrate that the peak surface water runoff rate is limited to the Qbar greenfield rate (minus 20%), or to a rate which mitigates the risk of blockage, whichever is greater.” • Consider including a reference for SuDS to be designed and constructed in accordance with the 2025 published national standards for sustainable drainage systems (SuDS) - https://www.gov.uk/government/publications/national-standards-for-sustainable-drainage-systems/national-standards-for-sustainable-drainage-systems-suds Other comments • The LLFA has received several reports of flooding from the foul infrastructure near Sutton in the Elms, near the wastewater treatment works. We have advised Harborough District Council that foul capacity should be considered as part of the Infrastructure Delivery Plan which supports the Local Plan. Given the potential impact that
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			additional housing will have on the existing strategic foul infrastructure, it is recommended that specific reference is made to foul flooding and infrastructure capacity within the Broughton Astley NP. • The LLFA are expected to publish two flood investigations in 2026, featuring communities within Broughton Astley under Section 19 (S19) of the Flood and Water Management Act 2010. A S19 for Storm Henk (2nd January 2024) includes the flooding at Fretter Close and a S19 for 6th January 2025 flooding will include Frolesworth Road as well as an expanded section on Fretter Close which will include Blockley Road. The County Council are aware of flooding that has occurred within Leicestershire and its impact on residential properties resulting in concerns relating to new developments. LCC in our role as the Lead Local Flood Authority (LLFA) undertake investigations into flooding, review consent applications to undertake works on ordinary watercourses and carry out enforcement where lack of maintenance or unconsented works has resulted in a flood risk. The County Council's Flood Risk Management team as Lead Local Flood Authority (LLFA) is a statutory consultee to Local Planning Authorities (LPAs) on major development for surface water drainage. In addition, when consulted by a LPA, we may also advise on minor applications where there is an identified flood risk of concern. Our responses to these consultations can be found on the respective LPA's planning site. Our role includes the following: • Reviewing applications to ensure that the onsite drainage systems are designed in accordance with current legislation and guidance. • Ensuring flood risk to the site is accounted for when designing a drainage solution. • Provide comments and conditions on the surface water drainage plans to the Local Planning Authorities (LPAs). Due to restrictions of existing national policy, the LLFA is not able to: • Prevent development where development sites are at low risk of flooding or can demonstrate appropriate flood risk mitigation. • Use existing flood risk to adjacent land to prevent development. • Require development to resolve existing flood risk. When considering flood risk within the development of a neighbourhood plan, the LLFA would recommend consideration of the following points: • Locating development outside of river (fluvial) flood risk (Flood Map for Planning (Rivers and Sea)). • Locating development outside of surface water (pluvial) flood risk (Risk of Flooding from Surface Water map). • Locating development outside of any groundwater flood risk by considering any local knowledge of groundwater flooding. • How potential SuDS features may be incorporated into the development to enhance the local amenity, water quality and biodiversity of the site as well as manage surface water runoff. • Watercourses and land drainage should be protected within new developments to prevent an increase in flood risk. The LLFA also offers a pre-application advice service to developers to: • Help understand the criteria we work to. • Give information on local flood risk, so that it can be accounted for during development. The LLFA requires all development to restrict the discharge rate and retain surface water on site in line with current government and local policies. This should be undertaken through the use of Sustainable Drainage Systems (SuDS). Appropriate space allocation for SuDS features should be included within development sites when considering the housing density to ensure that the potential site will not limit the ability for good SuDS design to be carried out.
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		Often ordinary watercourses and land drainage features (including streams, culverts, and ditches) form part of development sites. The LLFA recommend that existing watercourses and land drainage (including watercourses that form the site boundary) are retained as open features along their original flow path and are retained in public open space to ensure that access for maintenance can be achieved. LCC, in its role as LLFA will not support proposals contrary to LCC policies unless there are specific reasons to do so and where appropriate mitigation is provided. For further information it is suggested reference is made to: National Planning Policy Framework (NPPF) Planning practice guidance - flood risk and coastal change National standards for sustainable drainage systems (SuDS) Flood risk mapping is readily available for public use at the links below. The LLFA also holds information relating to historic flooding within Leicestershire that can be used to inform development proposals. Risk of flooding from surface water map: https://www.gov.uk/check-long-term-flood-risk Flood map for planning (rivers and sea): https://flood-map-for-planning.service.gov.uk/ Public Rights of Way Leicestershire has an extensive network of Public Rights of Way which are key to allow people to explore the local countryside, link communities and give access to schools, shops, work and facilities. Public Rights of Way are recorded on the Definitive Map and a version of this can be viewed at: https://www.leicestershire.gov.uk/roads-and-travel/cycling-and-walking/where-to-walk-in-leicestershire Public Rights of Way are a material consideration in the determination of Planning applications. National Planning Policy Framework states that “Planning policies and decisions should protect and enhance Public Rights of Way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks...”. Leicestershire County Council will expect that where Public Rights of Way are impacted by development consideration is given not just to replacement or reinstatement but enhancement of the provision. Planning Minerals & Waste Planning The County Council is the Minerals and Waste Planning Authority; this means the council prepares the planning policy for minerals and waste development and makes decisions on mineral and waste development. Although neighbourhood plans cannot include policies that cover minerals and waste development, it may be the case that your neighbourhood contains an existing or planned minerals or waste site. The County Council can provide information on these operations or any future development planned for your neighbourhood. You should also be aware of Minerals and Waste Safeguarding Areas, contained within the adopted Minerals and Waste Local Plan (Leicestershire.gov.uk). These safeguarding areas are there to ensure that non-waste and non-minerals development takes place in a way that does not negatively affect minerals resources or waste operations. Neighbourhood plan groups should check all proposed site allocations and policy areas against these
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		safeguarding areas by reviewing the relevant ‘District councils’ minerals and waste safeguarding’ map. The County Council can provide guidance on this if your neighbourhood plan is allocating development in these areas or if any proposed neighbourhood plan policies may impact on minerals and waste provision. Property Education Whereby housing allocations or preferred housing developments form part of a Neighbourhood Plan the Local Authority will look to the availability of school places within a two-mile (primary) and three-mile (secondary) distance from the development. If there are not sufficient places, then a claim for Section 106 funding will be requested to provide those places. It is recognised that it may not always be possible or appropriate to extend a local school to meet the needs of a development, or the size of a development would yield a new school. However, in the changing educational landscape, the Council retains a statutory duty to ensure that sufficient places are available in good schools within its area, for every child of school age whose parents wish them to have one. Strategic Property Services No comment at this time. Adult Social Care It is suggested that reference is made to recognising a significant growth in the older population and that development seeks to include bungalows etc of differing tenures to accommodate the increase. This would be in line with the draft Adult Social Care Accommodation Strategy for older people which promotes that people should plan ahead for their later life, including considering downsizing, but recognising that people’s choices are often limited by the lack of suitable local options. Archaeology and the Historic Environment Specific Comments Comments were provided as part of our Regulation 14 response; however, this NP Draft remains unchanged, comments were as follows: Policy 29: Sites of Historic Environment Significance (fig12 + Appendix D) The first entry in the Inventory (Map ref 001) is for St Mary’s Churchyard. It scores 5 for significance (the highest score) but is not included in the map (fig 12) which lists the sites recognised as of historic environment significance. The burial ground for the C18th Baptist Church has also been left off the list (Map are 014, Appendix D). It has a score of 3. Iron Age occupation site (map ref 314) is marked on Fig12, but the label has been omitted (should read MLE17713) Policy 30: Non-designated Heritage Assets (Fig14) Six buildings in Broughton Astley are Listed with statutory protections and a further 12 buildings noted as non-designated heritage assets. There is no Conservation Area. No buildings that are not already on the Historic Environment Record (HER) are identified as non-designated heritage assets in this Review.
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It should be emphasised that the HER is not a comprehensive list of all historic buildings and local input into the Neighbourhood Plan can be an opportunity to enhance protection for locally valued heritage assets. A cursory glance at historic mapping suggests more buildings could be considered for inclusion as heritage assets. The illustrations below show some examples of buildings that have not been specifically identified for protections on a neighbourhood plan but have merit in shaping the historic character of Broughton Astley.



No.11 Old Mill Close. A late post-medieval house built in Flemish bond red brick with contrasting buff brick headers



Old Mill Cottage, Mill Road. A red brick house with a substantial chimney stack and a raised parapet at the gable end



56-60 Main Street. A red brick terrace with contrasting buff and dark brick ornamentation, including a tiled semi-circular segment in the eaves gable below a datestone that reads '1889'



Auckland Villa, 15 Leicester Road. A detached Victorian Villa with ground floor segmental bay windows and chequered red and buff brickwork

Further candidates that might be considered include:-

- The Old Farmhouse, 65 Old Mill Road, Broughton Astley
- 8-16 Green Road, Primethorpe/Thorpe – a collection of C19th shop, cottages and workshops, plus a traditional cobbled lane
- 62 Main street, Broughton Astley
- 56-60 Main Street, Broughton Astley
- 5 Leicester Road, Broughton Astley – L19th C detached house
- 7-9 Leicester Road, Broughton Astley – terrace, as above
- 11 Leicester Road, Broughton Astley – Bees Cottage L19th C detached cottage

If the parish is inclined to give additional protection to any identified NDHAs this should be supported by a list of buildings/sites (incl. location address, map and photograph) to accompany the policy along with a brief justification for inclusion on the list (description of age/interest of each building).

POLICY 31: RIDGE AND FURROW (Figs 15:3)

Only eight fields with ridge & furrow earthworks survive in Broughton Astley. Excellent updated survey which emphasises the mere 7% of post 1947 acreage survival.

General Comments

The planning process provides one of the most effective tools to manage the impact of land use change upon the historic environment. This is achieved both through the shaping of development plans (Local and Neighbourhood Plans) and the delivery of development management advice on individual planning applications. In that context, the inclusion of heritage in your Neighbourhood Plan, and the provision of relevant and effective policies, will significantly strengthen the management of these issues, and will be an effective way of the community identifying its own concerns and priorities.

Ideally, Neighbourhood Plans should seek to work in partnership with other agencies to develop and deliver this strategic objective, based on robust local evidence and priorities. We recommend that each Neighbourhood Plan should consider the impact of potential development or management decisions on the conservation and enhancement of the historic environment. The historic environment is defined as comprising all aspects of the environment resulting from the interaction between people and places through time, including all surviving evidence of past human activity, whether upstanding, buried or submerged, as well landscapes and their historic components.

The Leicestershire and Rutland Historic Environment Record (LRHER) can provide a summary of archaeological and historic environment information for your Neighbourhood Plan area. This will include gazetteers and maps describing the locally identified non-designated heritage assets, typically archaeological sites (both earthworks and buried archaeological remains), unlisted historic buildings and historic landscapes (parks and gardens). We will also provide information on medieval ridge and furrow earthworks to help you

		evaluate the surviving earthworks in your area. Information on Designated assets (Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Battlefields) is available from the National Heritage List for England (NHLE). https://historicengland.org.uk/listing/the-list/ Consideration of the historic environment, and its constituent designated and non-designated heritage assets, is a material consideration in the planning process. While the data held by the LRHER is constantly maintained and updated, it is unlikely that the record represents an exhaustive list of all assets with the plan area. We suggest that information provided by the LRHER should be taken into account when preparing the Neighbourhood Plan and contribute to any list of locally identified heritage assets. Based upon a structured assessment process, this will be the basis of any non-designated heritage assets identified within the plan and given force through the preparation of appropriate heritage policy. Contact: her@leics.gov.uk, or phone 0116 305 8323 For help with including heritage in your Neighbourhood Plan please see the following guidance: CBA Toolkit No. 10, Neighbourhood Planning (2020) https://www.archaeologyuk.org/asset/6FE3A721-B328-4B75-9DEBBD0028A4AEED/ National Trust Guide to Heritage in Neighbourhood Plans (2019) https://nt.global.ssl.fastly.net/binaries/content/assets/website/national/pdf/neighbourhood-planning-guidance.pdf Environment Specific Comments Waste Policy and Strategy Page 117 of the Design Codes and Guidance document - suggest adding in the text highlighted in yellow. Make sufficient provision for sustainable waste management (including facilities for kerbside collection in locations convenient and accessible for collection and emptying, waste separation, and minimisation where appropriate) without adverse impact on the street scene, the local landscape or the amenities of neighbours. Page 9 of the Plan, 3.2 Sustainable Development, point 3, suggest adding in the text highlighted in yellow to the objective. an environmental objective - to contribute to protecting and enhancing the natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, helping to prevent and minimise minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. Climate Resilience In relation to building design (POLICY H6: DESIGN and Design Guidance and Codes): At present, the plan contains no detail on how designers and developers should prioritise and address adaptation of the built environment to increasingly severe and frequent weather events. Internal overheating of homes is a growing issue, particularly in new builds with high levels of insulation, the plan should therefore stipulate the importance that high energy efficiency is not to be achieved at the expense of summer overheating. While the former is essential for reducing running costs in colder weather and should equally be emphasised in policy H6 and design guidance and codes, the plan should stipulate overheating mitigation such as external blinds or shutters on south facing glazing, enhanced natural ventilation to allow greater heat dissipation and
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			house types/designs that maximise cross ventilation. Homes that can retain a comfortable internal temperature in both winter and summer are key to occupant health, reducing fuel poverty and builds resilience in the face of more severe weather. The plan, and specifically policy H6 and the design guidance and codes, should be enhanced to ensure that this is a requirement that is impressed upon developers. In relation to green infrastructure It would be beneficial for the plan to modify existing policies (Policy H6, policy 28) or add to them to ensure the importance of green infrastructure in new developments is not missed. Street trees, SuDS such as verge rain gardens and bioswales, planted front gardens and parks are examples of green infrastructure which can not only promote better surface water infiltration at times of heavy rainfall but also mitigate high temperatures and the heat island effect by providing shading. Green infrastructure should be added to a policy and design codes to ensure that high quality green infrastructure is designed in at a master planning stage. Additionally, it is recommended that aftercare provision for the planting carried out be stipulated to ensure survival during its establishment. In relation to master planning (Policy 28): Flooding is a topic of high concern within Leicestershire. It is welcomed that Policy 28 already provides a framework for addressing flood risk. The policy appropriately requires that surface water runoff rates are suitable and sustainable in the face of rapidly intensifying rainfall events (criterion viii), and that development does not increase flood risk either on-site or elsewhere in the catchment (criteria vi and ix). The inclusion of requirements for developments to remain functional during extreme rainfall events, including those exceeding 20mm in an hour and 200mm in 24 hours (criterion x), is particularly supported. In relation to social resilience (Policy 19): LCC would like to see more emphasis on the importance of building social resilience in the face of growing trends for extreme weather. Placemaking is a vital tool to engender greater social resilience, therefore it is recommended that policy 19 suggest inclusion of assets that can facilitate improved social cohesion such as multi-use buildings or ensuring good connections to existing such facilities. High quality outdoor green spaces can also perform a similar function. Not only do these communal facilities provide space for improved social cohesion, but they can also accommodate essential services during extreme weather such as heat waves and flood events. LCC would like to see the NP place more emphasis on compact and mixed used developments. This is, firstly, to increase the social cohesion of communities living in new developments and, secondly, to make reaching amenities easier in times of extreme weather such as heat waves and flood events. Compact and mixed use developments also improve accessibility by active travel modes which improves resilience. General Comments With regard to the environment and in line with Government advice, Leicestershire County Council (LCC) would like to see Neighbourhood Plans cover all aspects of archaeology and the historic and natural environment including heritage assets, archaeological sites, listed and unlisted historic buildings, historic landscapes, climate impacts, the landscape, biodiversity, ecosystems, green infrastructure as well as soils, brownfield sites and agricultural land. Climate Change The County Council has an Environment Strategy which is available on Leicestershire County Council's website.
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		In June 2019 the Climate Change Act (2008) was amended committing the UK to achieving net zero carbon emissions by 2050. Planning is one of the key levers for enabling these commitments to be met. Neighbourhood Plans should, as far as possible, align to Leicestershire County Council's Environment Strategy. Furthermore, Neighbourhood Plans should, as far as possible, seek to include measures which increase the neighbourhood's resilience to climate change such as avoiding building on flood plains, using sustainable urban drainage systems, using nature based solutions to reduce flood risk, reducing the amount of non-permeable hard surfaces and encouraging tree planting, green walls and roofs to provide natural shading and cooling. These recommendations not only protect local communities but also enhance well-being, lower energy bills and create prosperous future proof neighbourhoods. <u>The National Planning Policy Framework (NPPF): Meeting the challenge of climate change, flooding and coastal change – paragraphs 161 to 186.</u> Para 161 - <i>The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.</i> Landscape The County Council would like to see the inclusion of a local landscape assessment taking into account: Natural England's Landscape character areas; the Leicestershire, Leicester and Rutland Historic Landscape Characterisation Project; the Local District/Borough Council landscape character assessments; and the Landscape Sensitivity and Green Infrastructure Study for Leicester and Leicestershire (2017), which examines the sensitivity of the landscape, exploring the extent to which different areas can accommodate development without impacting on their key landscape qualities. The Local Nature Recovery Strategy for Leicestershire, Leicester and Rutland includes chapters on The National Character Area (5.2) and State of Nature (7) across the strategy area and identifies opportunities for nature recovery: https://www.leicestershire.gov.uk/sites/default/files/2025-07/LLR-Local-Nature-Recovery-Strategy.pdf We would recommend that Neighbourhood Plans should also consider the street scene and public realm within their communities, further advice can be found in the latest 'Streets for All East Midlands' document (2018) published by Historic England https://historicengland.org.uk/images-books/publications/streets-for-all-east-midlands/. For more information on place-making within new development please review Manual for Streets and Manual for Streets 2 Wider Applications of the Principles. Leicestershire County Council have a new Highway Design Guide. LCC would encourage the development of local listings as per the National Planning Policy Framework (NPPF) and LCC have some data on the social, cultural, archaeological and historic value of local features and buildings (https://www.leicestershire.gov.uk/leisure-and-community/history-and-heritage/historic-environment-record) Contact: her@leics.gov.uk or telephone: 0116 3058323
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		Examples of policy statements for Landscape: POLICY X: LOCAL LANDSCAPE CHARACTER AREAS – Development proposals falling within or affecting the Local Landscape Character Areas (LLCAs), where possible, enhance the LLCA’s particular characteristics, important views and local distinctiveness. Proposals having a harmful effect on a Local Landscape Character Area’s character will not be supported. Landscape Assessment is a specialist area and accredited landscape consultants can provide advice. https://www.landscapeinstitute.org/ Biodiversity Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC Act) as amended by section 102 (1c) of the Environment Act 2021 places what is called the strengthened biodiversity duty on all public authorities in England and Wales to conserve and enhance biodiversity, in the exercise of their duties. The National Planning Policy Framework (NPPF) clearly outlines the importance of sustainable development alongside the core principle that planning should contribute to conserving and enhancing the natural environment, providing net gain for biodiversity, and reducing pollution. Neighbourhood Plans should therefore seek to work in partnership with other agencies to develop and deliver a strategic approach to protecting and improving the natural environment based on local evidence and priorities. Each Neighbourhood Plan should consider the impact of potential development or management of open spaces on enhancing biodiversity and habitat connectivity, such as hedgerows and greenways. Habitat permeability for species which addresses encouragement of movement from one location to another such as the design of street lighting, roads, noise, exposure to chemicals, obstructions in water, exposure of species to predation, Invasive and Non-Native Species, and arrangement of land-uses should be considered. The Neighbourhood Plan can be used to plan actions for the parish council on its’ own land (community actions) and guide the actions of others (policy actions). In July 2025 the Local Nature Recovery Strategy (LNRS) for Leicestershire, Leicester and Rutland was launched. The LNRS sets out the landscape scale priorities for nature recovery across the area, identifying priority areas and measures. Details on the LNRS and supporting resources can be found here: https://www.leicestershire.gov.uk/environment-and-planning/local-nature-recovery-strategy/leicestershire-leicester-and-rutland-local-nature-recovery-strategy Local Nature Recovery Strategies are not intended to provide red line boundaries preventing or placing new restrictions on land use which may be changed either through development or in taking advantage of new opportunities identified through the strategy. This has been established by national guidance. LNRS’s are an additional evidence base to inform Local Plans, and other elements of the formal Development Plan which include Neighbourhood Plans and the proposed new Spatial Development Strategies. Local Plans remain the primary tool used by local planning authorities to determine which land should be developed and how. For specific advice on species and habitats of importance in the County and actions that can make a difference to their conservation and ways to increase the quality and quantity of these, please refer to the Leicestershire and Rutland Biodiversity Action Plan: https://www.lrwt.org.uk/about-us/caring-wild-places/biodiversity-action-plan https://www.leicestershire.gov.uk/sites/default/files/2025-07/LLR-Local-Nature-Recovery-Strategy.pdf https://www.leicestershire.gov.uk/environment-and-planning/planning/biodiversity/planning-and-biodiversity
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The Leicestershire and Rutland Environmental Records Centre (LRERC) can provide a summary of wildlife information for your Neighbourhood Plan area. This will include a map showing nationally important sites (e.g. Sites of Special Scientific Interest); locally designated Wildlife Sites; locations of badger setts, great crested newt breeding ponds and ponds with high potential to support great crested newts and bat roosts; and a list of records of protected and priority Biodiversity Action Plan species. These are all a material consideration in the planning process. If there has been a recent Habitat Survey of your plan area, this will also be included. LRERC is unable to carry out habitat surveys on request from a Parish Council, although it may be possible to add it into a future survey programme.

Contact: LRERC@leics.gov.uk, or phone 0116 305 1087
<https://www.leicestershire.gov.uk/environment-and-planning/planning/leicestershire-and-rutland-environmental-records-centre-lrerc>,

For informal advice on actions for nature that can be taken forward on parish land please contact EnvironmentTeam@Leics.gov.uk

There are many protected species of plants and animals in England and often their supporting features and habitats are also protected. What you can and cannot do by law varies from species to species and may require a preliminary ecological appraisal. For information on protected species and the law please visit:

<https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications>

Examples of policy statements that can be added to the plan to support biodiversity:

POLICY X: BIODIVERSITY PROTECTION IN NEW DEVELOPMENT – Consideration should

be made in the design and construction of new development in the Plan Area to protect and enhance biodiversity, where appropriate, including:

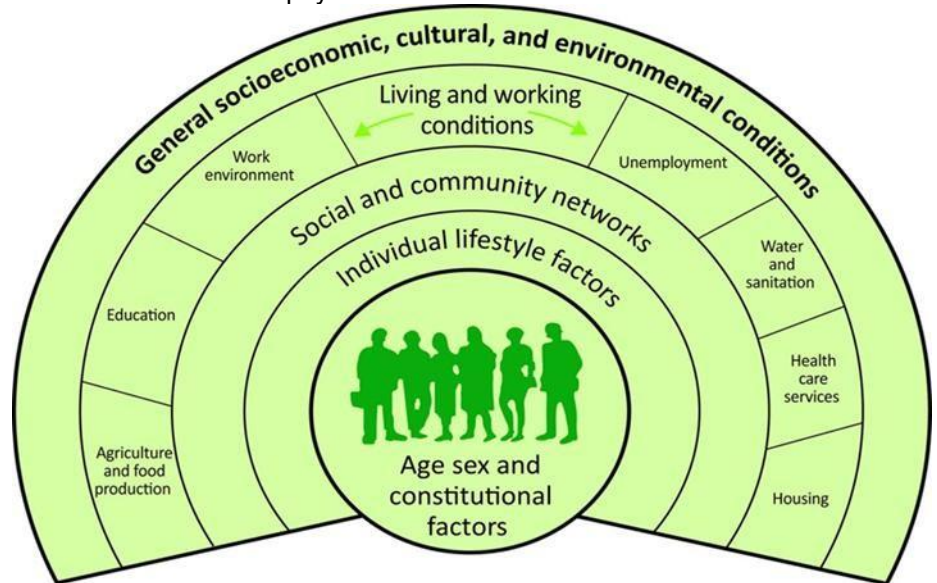
- Roof and wall construction should incorporate integral bee bricks, bird nest boxes and bat breeding and roosting boxes. Target species and locations to be based on advice sought from the Local Authority's Biodiversity Officer (or equivalent).
- Hedges (or fences with ground-level gaps) should be used for property boundaries to maintain connectivity of habitat for hedgehogs and other terrestrial animals.
- Work with landowners to ensure good maintenance of existing hedgerows, gap up and plant new hedgerows where appropriate and introduce a programme of replenishing hedgerow trees.
- Avoidance of all unnecessary exterior artificial lighting: there is no legal duty requiring any place to be lit.
- Security lighting, if essential, should be operated by intruder sensors and illuminated for no longer than 1 minute. Sports and commercial facility lighting should be switched off during agreed 'curfew' hours between March and October, following best practice guidelines in Bats and Lighting Leicestershire Environmental Records Centre, 2014.
- Lighting design, location, type, lux levels and times of use should follow current best practice, e.g. by applying the guidelines in Guidance note 08/18 Bats and artificial lighting in the UK: Bat Conservation Trust / Institution of Lighting Professionals, 2018.
- Natural/semi-natural grassland margins adjacent to hedges of up

			to 5m buffer. • Retain natural features wherever possible. • In creating habitats, consider the underlying geology and allow natural colonisation near local high-quality habitats. • Avoid use of topsoil to promote plant diversity, especially in areas of limestone or areas near to heathland - consider exposing sandy soils to encourage acid grassland and heath. • Allow for structural diversity of habitats – for example long and tall grass, to maintain a suitable grassland habitat for wildlife. A management plan should accompany all planning applications. • Avoid development and hard landscaping next to watercourses. • Restore naturalness to existing watercourses for example by retaining some steeper earth banks suitable for Kingfisher and Water Vole breeding. • Retain areas of deadwood within the site to maintain biodiversity. • Plant 30% of trees with a selection of larger native species and create lines of trees (this could support the feeding zone of bats for instance and well managed hedges can do the same). Green Infrastructure Green infrastructure (GI) is a network of multi-functional green spaces, urban and rural areas, which can deliver a wide range of environmental and quality of life benefits for local communities (NPPF definition). GI includes parks, open spaces, playing fields, woodlands, street trees, cemeteries/churchyards, allotments and private gardens as well as streams, rivers, canals and other water bodies and features such as rain gardens, pocket parks and swales. The NPPF places the duty on local authorities to plan positively for a strategic network of GI which can deliver a range of planning policies including: building a strong, competitive economy; creating a sense of place and promoting good design; promoting healthier communities by providing greater opportunities for recreation and mental and physical health benefits; meeting the challenges of climate change and flood risk; increasing biodiversity and conserving and enhancing the natural and historic environment, and providing space for nature recovery. Looking at the existing provision of GI networks within a community can influence the plan for creating & enhancing new networks. Neighbourhood Plan groups can plan GI networks at a local scale to maximise benefits for their community and in doing so they should ensure that their Neighbourhood Plan is reflective of the relevant Local Authority Green Infrastructure strategy. Through the Neighbourhood Plan and discussions with the Local Authority Planning teams and potential Developers communities are well placed to influence the delivery of local scale GI networks. Sites that are designated as Local Green Spaces can form an important strategic part of local Green Infrastructure and can be conserved and enhanced to make an important contribution to the district green infrastructure. Delivery of the conservation and enhancement can be dealt with in Policy and Community Actions. NPs should be aware of the Local Nature Recovery Strategy for Leicester, Leicestershire and Rutland to consider how the sites and the management of them within the Neighbourhood area can contribute to the strategy and action for delivery. https://www.leicestershire.gov.uk/environment-and-planning/local-nature-recovery-strategy/what-a-local-nature-recovery-strategy-is The NPPF encourages the effective use of brownfield land for development, except where this would conflict with other policies in the NPPF Framework, including causing harm to designated sites of importance for biodiversity. Neighbourhood planning groups should check with Defra and the District or Borough council who keep a register of brownfield sites to see if their
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		neighbourhood planning area includes brownfield sites. Where information is lacking as to the ecological or heritage value of these sites then the Neighbourhood Plan could include policies that ensure such survey work should be carried out to assess the ecological and heritage value of a brownfield site before development decisions are taken. Soils are an essential finite resource on which important ecosystem services and food production depend. They should be enhanced in value and protected from adverse effects of unacceptable levels of pollution. Within the government's "Safeguarding our Soils" strategy, Defra have produced a code of practice for the sustainable use of soils on construction sites which could be helpful to neighbourhood planning groups in preparing environmental policies. High quality agricultural soils should, where possible, be protected from development and where a large area of agricultural land is identified for development poorer quality areas should be used in preference to the higher quality areas. Neighbourhood planning groups should consider mapping agricultural land classification within their plan to enable informed decisions to be made in the future. Natural England can provide further information and Agricultural Land classification and have produced the following guide. https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land. The British Society for Soil Science provide advice on what should be expected of developers in assessing land for development suitability. https://soils.org.uk/wp-content/uploads/2022/02/Assessing-Agricultural-Land-Jan-2022.pdf Strategic Environmental Assessments (SEAs) Information for Neighbourhood Planning groups regarding Strategic Environmental Assessments (SEAs) can be found on the Neighbourhood Planning website (https://neighbourhoodplanning.org/toolkits-and-guidance/understand-plan-requires-strategic-environmental-assessment-sea/) and should be referred to. A Neighbourhood Plan must meet certain basic conditions to be 'made'. It must not breach and be otherwise compatible with the Environmental Assessment of Plans and Programmes Regulations SI 2004/1633 (available online). These regulations deal with the assessment of environmental plans and programmes and implement Retained Reference Directive 2001/42 'on the assessment of the effects of certain plans and programmes on the environment'. Not every Neighbourhood Plan needs a SEA; however, it is compulsory to provide when submitting a plan proposal to the local planning authority either: • A statement of reasons as to why SEA was not required • An environmental report (a key output of the SEA process). As a rule of thumb, SEA is more likely to be necessary if both of the following two elements apply: • a Neighbourhood Plan allocates sites for development (for housing, employment etc.); and • the neighbourhood area contains sensitive environmental assets (e.g. a Site of Special Scientific Interest (SSSI) or an Area of Outstanding Natural Beauty (AONB)) that may be affected by the policies and proposals in the Neighbourhood Plan. In light of these two considerations, it is very unlikely that a Neighbourhood Plan would require SEA if the plan is not allocating land for development. This is because allocating land for development is more likely to generate physical
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		changes which lead to significant effects. As the UK has now left the EU, Neighbourhood Planning groups should remain mindful of any future changes which may occur to the above guidance. Changes may be forthcoming because of the Levelling Up and Regeneration Act (LURA). This proposes 'Environmental Outcome Reports' to replace the current system of Strategic Environmental Assessment (including Sustainability Appraisals) and Environmental Impact Assessment and introduce a clearer and simpler process where relevant plans and projects (including Nationally Significant Infrastructure Projects) are assessed against tangible environmental outcomes. Prior to the new Labour government taking office, the provisions in the Act to enable the EORs to be brought forward had not been enacted and this remains the situation as of summer 2025 and is likely to continue beyond 2025. Impact of Development on Household Waste Recycling Centres (HWRC) Neighbourhood planning groups should remain mindful of the interaction between new development applications in a district and borough area and the existing HWRC services delivered by Leicestershire County Council. The County Council's Waste Management team considers the impact of increased waste arisings from proposed developments on a case by case basis and when it is identified that a proposed development will have a detrimental effect on the local HWRC infrastructure then appropriate projects <i>towards site reconfiguration and/or development of waste infrastructure to increase the capacity for the nearest HWRC or any other HWRC directly impacted by the development</i> have to be initiated. Planning obligations to fund these projects are requested in accordance with the Leicestershire County Council's Planning Obligations Policy and the three CIL tests (as per Regulation 122 under the Community Infrastructure Regulations 2010 (as amended)) as described below; A planning obligation is a legally enforceable commitment (secured within a Section 106 agreement or S106 unilateral undertaking (as per s106 of the Town and Country Planning Act 1990 (as amended))) entered into to mitigate the impacts of development. Planning obligations can only be sought (and considered to be CIL compliant) where they meet the following 3 tests: • necessary to make the development acceptable in planning terms; • directly related to the development; • fairly and reasonably related in scale and kind to the development; Public Health Health is shaped by many different factors throughout our lives. Health is affected by the settings in which we live, work, learn and play. These influences start to determine health and opportunities for better health from birth and throughout the whole life course, for example the environment, community, transport, education and income. This complex range of interacting social, economic and environmental factors are known as the wider determinants of health or the social determinants of health. When there is a difference in these conditions it contributes to health inequalities- "Health inequalities are the preventable, unfair and unjust differences in health status between groups, populations or individuals that arise from the unequal distribution of social, environmental and economic conditions within societies" (NHS England)
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The diagram below illustrates types of wider factors that influence an individual's mental and physical health.



The diagram shows:

- personal characteristics at the core of the model and this includes sex, age, ethnic group, and hereditary factors
- The layer around the core contains individual 'lifestyle' factor behaviours such as smoking, alcohol use, and physical activity
- The next layer contains social and community networks including family and wider social circles
- The next layer covers living and working conditions include access and opportunities in relation to jobs, housing, education and welfare services
- The final outer layer is general socioeconomic, cultural and environmental conditions and includes factors such as disposable income, taxation, and availability of work

Research by the Robert Wood Johnson Foundation, looked into the major contributors to health and wellbeing and found that:

Health Behaviours contribute to 30% of health outcomes made up of:

- Smoking 10%
- Diet/Exercise 10%
- Alcohol use 5%
- Poor sexual health 5%

Socioeconomic Factors contribute to 40% of health outcomes:

- Education 10%
- Employment 10%
- Income 10%
- Family/Social Support 5%
- Community Safety 5%

Clinical Care contributes to 20% of health outcomes:

- Access to care 10%
- Quality of care 10%

Built Environment contributes to 10% of health outcomes:

- Environmental Quality 5%
- Built Environment 5%

Source: Robert Wood Johnson Foundation and University of Wisconsin Population Health Institute, Used in US to rank Counties by health Status

			Therefore, due to the complex way in which the built environment and communities we live in impact on our health any opportunity to mitigate negative impacts and enhance positive outcomes should be taken. Completing a Health Impact Assessment (HIA) is a good practice to ensure neighbourhood concerns and recommendations are considered. Undertaking a HIA as part of your neighbourhood plans has the potential to influence all these areas, alongside influencing decisions made about access to care through transport and infrastructure. To aid you in undertaking a HIA please visit: Health Impact Assessments Leicestershire County Council Professional Services Portal At the bottom of this page there are also links to a number of local data sheets at a district level. You can also familiarise yourself with the health profile for your area by visiting: https://fingertips.phe.org.uk/profile/health-profiles Leicestershire Inequalities JSNA Tableau Public and Health Inequalities and Wider Determinants of Health LSR Online Dahlgren G, Whitehead M. (1991). Policies and Strategies to Promote Social Equity in Health. Stockholm, Sweden: Institute for Futures Studies. NHS England, "Reducing health inequalities resources," [Online]. Available: https://www.england.nhs.uk/about/equality/equality-hub/resources/ [Accessed February 2021]. Active Together An ever-increasing body of research indicates that the environment in which we live is inextricably linked to our health across the life course. For example, the design of our neighbourhoods can influence physical activity levels, travel patterns, social connectivity, mental and physical health and wellbeing outcomes." (Spatial Planning for Health- An evidence resource for planning and designing healthier places; Public Health England, 2017) There is growing evidence that the design of our built environments, places and travel routes can either discourage or encourage people to be physically active depending on how they are designed and constructed. The latest evidence shows that; there are still more than one in four adults doing less than 30 minutes of activity per week. People in the UK are around 20% less active now than in the 1960's and the evidence also show that <u>physical inactivity</u> affects groups unequally, with women, people from ethnically diverse communities, people living in more deprived areas, people with disabilities, and people with long-term health conditions less likely to be active. Medically there is no dispute that increasing the level of physical activity is directly linked to improvement in physical and mental health and that regular physical activity contributes to a reduction in particular health conditions i.e. obesity, CHD, diabetes and cardiovascular disease). Designing our neighbourhoods in a way that proactively encourages communities and residents to walk, cycle and be active is an important factor in improving population health. Over the next 30 years there are opportunities to shape the design of our neighbourhoods, residential developments, travel routes, town centres, employment spaces and other environments in such a way that physical activity (walking, cycling, recreational exercise) becomes an easy choice and benefits the health of our local population. Active Together encourages neighbourhood plans to adopt the 10 principles of Active Design Guidance. This is national published guidance for Local Authorities and place making stakeholders developed by Sport England, Active Travel England and the Department of Health and Social Care. Active Design aims to create places and spaces which encourage people to move more, with
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			more opportunities for everyone to increase their activity levels and lead healthier lives. The full guidance can be accessed via Sport England: https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/active-design Ten Principles of Active Design Foundational Principles 1. Activity for all Supporting Active Travel 2. Walkable Communities 3. Providing connected active travel routes 4. Mixing Uses and co-locating facilities Active, High-Quality Places and Spaces 5. Active buildings inside and out 6. Providing activity infrastructure 7. High-quality streets and spaces 8. Network of multi-functional open spaces Creating and Maintaining Activity 9. Activating spaces 10. Maintaining high-quality flexible spaces The places we inhabit can have a considerable effect on our health, behaviour and quality of life. Places that provide opportunities for people to lead physically active lives can positively impact people's physical and mental wellbeing. But the opposite can also be true, where the design of a place creates barriers making it difficult, unpleasant or inconvenient for people to be physically active Embedding principles of developing Active Environments at a strategic level could result in: • Housing developments which make walking and cycling the preferred method of individual transport and reduced reliance on the car and motorised transport. • Neighbourhoods where people live closer to where they work, and sustainable transport becomes a realistic option. • Safe mixed-use developments and neighbourhoods where residents feel safe and encouraged to maximise outdoor space for travel and recreation. • A contribution to increasing local population physical activity levels and a factor in reducing air pollution and maximising green infrastructure • Supporting Local Authority corporate challenges to improve health outcomes, develop community cohesion, and impact on community safety and neighbourhood resilience. The benefits of places that encourage activity go beyond just public health. Compact, walkable, linked communities that are centred around people being active rather than using cars: • Are more environmentally friendly, • Have lower carbon emissions, • Have better air quality, • Are more socially inclusive, • Are more economically productive. Active Environments:
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		1. More environmentally friendly 2. Better air quality 3. More economically productive 4. More socially inclusive 5. Lower carbon emissions Sport England have produced a useful Active Design check list for Local Authorities to use in the planning of places and new environments: Active Design Checklist There is further published planning support guidance that encourages the design of local and neighbourhood plans to adopt principles that encourage provision for physical activity and sport: Planning for Sport Active Together supports and works collaboratively with Leicestershire County Council Public Health Team to encourage health-based planning and supports the use of Health Impact Assessments and use of local health data to support planning decisions Other useful information and guidance for the healthy design of local places has been collated and can be found at: https://www.active-together.org/active-environments https://www.active-together.org/active-environments Active Together would welcome the opportunity to discuss the development of the neighbourhood plan and examine, with the Parish Council, the opportunities for shaping infrastructure design, systems and processes within the plan that would maximise physical activity opportunities for those communities and residents impacted by the neighbourhood plan. Communities Consideration of community facilities is a positive facet of Neighbourhood Plans that reflects the importance of these facilities within communities and can proactively protect and develop facilities to meet the needs of people in local communities. Neighbourhood Plans provide an opportunity to; 1. Carry out and report on a review of community facilities, groups and allotments and their importance to your community. 2. Set out policies that seek to; • protect and retain these existing facilities, • support the independent development of new facilities, and, • identify and protect Assets of Community Value and provide support for any existing or future designations. 3. Identify and support potential community projects that could be progressed. You are encouraged to consider and respond to all aspects of community resources as part of the Neighbourhood Planning process. Further information, guidance and examples of policies and supporting information is available at www.leicestershirecommunities.org.uk/np/useful-information. Economic Development We would recommend including economic development aspirations with your Plan, outlining what the community currently values and whether they are open to new development of small businesses etc.
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Broadband & Mobile Connectivity

Specific Comments

Policy 17: Broadband Infrastructure

This section needs to be updated to refer to gigabit capable full-fibre broadband rather than superfast broadband. Please see the General comments section below for further details on this including information on new laws that have been put in place for developers.

Section 8.1.7 the second paragraph refers to the Government's levelling up agenda for rural communities improving high-speed internet access, this is not correct. The current programme for improving internet access in rural communities is the Government funded Project Gigabit and aims to deliver gigabit capable connections to 99% of the UK by 2032 and is currently expected to deliver to approximately 14,000 premises in Leicestershire's most hard-to-reach communities.

General Comments

Our vision is for a Digital Leicestershire. This includes the ambition for everyone to have access to fast, accessible, inclusive, reliable broadband and mobile connectivity. We are working to support government targets of gigabit-capable broadband, reaching 99% of UK premises by 2032, 4G mobile networks to reach nationwide coverage by 2030 and higher quality standalone 5G to extend to all populated areas.

A fast and reliable digital infrastructure will open new opportunities for residents, communities and businesses. It will underpin innovation, improve community and social networks and support learning and development for all. It will help to deliver a range of societal benefits including the more effective provision of public services, information and connect people to support at the point of need.

The Digital Leicestershire team works with the government to improve digital infrastructure in the county. This work combines three approaches; engaging with commercial operators to encourage private investment in Leicestershire, working with all tiers of government to reduce barriers to commercial investment, and operating and supporting intervention schemes with public funds to further deployment of digital infrastructure in hard-to-reach areas that are not included in broadband suppliers' plans, reaching parts of the county that might otherwise miss out on getting the digital connectivity they need. We are currently providing support throughout the county with the Gigabit programme.

How does this role relate to neighbourhood plans?

Ministers have amended the Building Regulations 2010 to ensure that new homes constructed in England will be fitted with infrastructure and connections capable of delivering gigabit broadband - the fastest internet speeds on the market.

Residential and commercial developments including change of use or conversion of existing buildings will be expected to deliver:

- a. Gigabit-capable broadband infrastructure using 'fibre to the premises' technology wherever practical, recognising that provision in residential developments of less than 10 dwellings or small-scale employment developments may be subject to viability constraints affecting the development; OR
- b. Alternative gigabit-capable technologies where justified for reasons including viability, distance from the network or other constraints preventing 'fibre to the premises'.
- c. Residential and commercial developments, including change of use or conversion of existing buildings, will also deliver passive ducting wherever possible, to facilitate the delivery of competitive fibre broadband services.

		Connection costs will be capped at £2,000 per home for developers and they will work together with network operators to connect developments to the gigabit network. It is estimated over 98 per cent of premises fall within this cap, meaning moving into a new build property without lightning-fast internet speeds will become a thing of the past for the vast majority of people across England. Where a developer is unable to secure a gigabit-capable connection within the cost cap, developers must install the next fastest connection available. And even where a gigabit-capable connection is not available within the cost cap, gigabit-ready infrastructure, such as ducts, chambers and termination points, still need to be installed. This will ensure that homes are fit for the digital age but may not be connected straight away. Information on Building Regulations: Infrastructure for Electronic Communications(R) Further Information Groups working on emerging neighbourhood plans are encouraged to visit the Digital Leicestershire website to learn more about current and forthcoming full fibre broadband provision for their local area: https://digital-leicestershire.org.uk/ You can contact the Digital Team at Leicestershire County Council at: broadband@leics.gov.uk Equalities While we cannot comment in detail on plans, you may wish to ask stakeholders to bear the Council's Equality Strategy 2020-2024 in mind when taking your Neighbourhood Plan forward through the relevant procedures, particularly for engagement and consultation work. A copy of the strategy can be view at: https://www.leicestershire.gov.uk/sites/default/files/2024-10/equality-diversity-and-inclusion-strategy-2024-2028.pdf The Neighbourhood plan should comply with the main requirements of the Public Sector Equality Duty. This requires public bodies to have due regard of the need to: Eliminate discriminat ion Advance equality of opportunity Foster good relations between different people Accessible Documents In today's working environment more information is being produced digitally. When producing information which is aimed at or to be viewed by the public, it is important to make that information as accessible as possible. At least 1 in 5 people in the UK have a long-term illness, impairment or disability. Many more have a temporary disability. Accessibility means more than putting things online. It means making your content and design clear and simple enough so that most people can use it without needing to adapt it, while supporting those who do need to adapt things. For example, someone with impaired vision might use a screen reader (software that lets a user navigate a website and 'read out' the content), braille
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		display or screen magnifier. Or someone with motor difficulties might use a special mouse, speech recognition software or on-screen keyboard emulator. Public sector organisations have a legal requirement to make sure that all information which appears on their websites is accessible. As Neighbourhood Plans have to be published on Local Planning Authority websites, they too must comply with government regulations for accessibility. Guidance for creating accessible Word and PDF documents can be found on the Leicestershire Communities website: Creating Accessible Word Documents Creating Accessible PDFs To enable Development Officers to implement your policies, it is important to make sure that they are clear, concise and worded in such a way that they are not open to interpretation. This Policy Writing Guide has been designed to provide you with a few key points to look out for: www.leicestershirecommunities.org.uk/Policy-writing-guide
	Marrons obo Davidsons	Introduction Overview 1.1. This representation is submitted on behalf of Davidsons Developments Limited (“the respondent”) in response to the submission Broughton Astley Neighbourhood Plan Review (2021–2041) (“the BANP or the Plan”), prepared by Broughton Astley Parish Council (“BAPC”) as the Qualifying Body and published for consultation between June 2026 and July 2026 by Harborough District Council (“HDC”) as the Local Planning Authority. 1.2. By way of background Davidsons Developments Limited is a family-owned housebuilder based in Ibstock, Leicestershire, established in 2007, with three generations of experience in residential development. Davidsons’ approach to development is rooted in delivering high-quality, well-designed homes that respond positively to their context and create attractive, distinctive and enduring places. A core element of this approach is meaningful engagement with local communities to ensure that new development integrates sensitively with its surroundings and contributes positively to the long-term sustainability of settlements. 1.3. Davidsons also has direct experience of delivering

			development within Broughton Astley, as demonstrated by the scheme of 24 dwellings off Dunton Road adjacent to Fretter Close. That development, comprising a mix of two-storey and 2.5-storey homes, was carefully designed to integrate with the village edge and reflects Davidsons' established commitment to high-quality placemaking within the settlement. This local delivery record provides clear evidence of the company's ability to bring forward sustainable, well-considered development in Broughton Astley. 1.4. Our Client has a land interest and option over a site - Land to the East of Dunton Road, Broughton Astley ("the Site"), which extends to approximately 92.91 hectares (as identified in Appendix 1), although it should be noted that not all of the extent falls within the Broughton Astley Neighbourhood Plan area, as the southern portion abutting Dunton road falls within the Dunton Bassett Parish area. <u>The Regulation 14 Consultation</u> 1.5. BAPC as the 'Qualifying Body', prepared and published the draft BANP for consultation in accordance with Regulation 14 of the Neighbourhood Planning Regulations with a statutory pre-submission consultation running between November 2025 and February 2026. 1.6. The material published for the Regulation 14 consultation comprised of: • The draft Broughton Astley Neighbourhood Plan Review (2021–2041) • The Broughton Astley Housing Needs Assessment • Design Guidance and Codes • Site Options and Assessment (AECOM) • Environmental and supporting evidence base documents. 1.7. In advance of the Regulation 14 consultation, the BAPC undertook a substantial programme of community engagement, including an "Area of Development" consultation held between August and September 2025, where residents were invited to consider a range of
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			potential development sites and approaches to accommodating future housing growth. 1.8. This engagement focused on whether the Parish should: • accept the emerging Harborough Local Plan allocation of 475 dwellings at Frolesworth Road, or • instead support a more dispersed pattern of development across smaller sites. 1.9. Following the Regulation 14 consultation, BAPC prepared a Consultation Statement which set out the persons and bodies consulted, the methods of consultation undertaken, a summary of the main issues and concerns raised, and how those issues have been considered and, where appropriate, addressed within the submitted version of the BANP. 1.10. Marrons, on behalf of the respondents, submitted detailed representations in response to the Regulation 14 consultation (dated February 2026). Those representations engaged constructively with the vision, objectives and policies of the draft BANP, and set out the benefits of the Site to the East of Dunton Road alongside several substantive concerns. • The proposed residential site allocation strategy • The Limits to Development • housing mix and affordable housing; • environmental and biodiversity policies; and • the overall spatial distribution of development. 1.11. Importantly, the Regulation 14 representations also highlighted a lack of clarity in the draft BANP as to BAPCs position regarding the emerging strategic allocation at land off Frolesworth Road. 1.12. In particular, it was noted that: • the earlier “Areas of Development” consultation (September – October 2025) framed growth options around the emerging Frolesworth Road
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			allocation (475 dwellings) <u>or smaller dispersed alternatives</u>. • however, the draft BANP itself did not clearly confirm whether the Parish Council were seeking to rely upon, support or diverge from that emerging strategic allocation • this absence of clarity created uncertainty as to the overall housing strategy underpinning the Plan. 1.13. As such, the Regulation 14 representations raised concern that the BANP did not provide a clear or consistent position in respect of the emerging HDC Local Plan allocation, nor did it adequately explain how the identified housing strategy would align with or respond to that strategic growth requirement. <u>The Regulation 16 Consultation</u> 1.14. BAPC have now submitted the BANP to HDC as the Local Planning Authority, for independent examination. HDC is undertaking the statutory Regulation 16 consultation, during which representations are invited on the submission version of the Plan. 1.15. In accordance with the Regulations, the following documents have been submitted by BAPC in support of the BANP: • Submission version Neighbourhood Plan. • Consultation Statement (including Regulation 14 responses). • Basic Conditions Statement. • Neighbourhood Area Plan. • Statement of Modifications. 1.16. BAPC has also confirmed that the review of the BANP constitutes a material update to the made Broughton Astley Neighbourhood Plan (2013 – 2028) and that the proposed modifications are substantive in nature, therefore the Plan is required to proceed through independent examination and referendum.
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1.17. A suite of supporting evidence base documents have also been submitted alongside the BANP, reflecting those previously published at Regulation 14 stage.

1.18. Notwithstanding the consultation undertaken at Regulation 14 stage, these representations are made on the basis that a number of the substantive concerns previously raised on behalf of the respondents have not been adequately addressed.

1.19. Whilst it is acknowledged that some amendments have been made following Regulation 14 consultation, these do not go far enough to resolve key issues of principle, including:

- the clarity and robustness of the housing strategy;
- the Plan's reliance on emerging strategic assumptions; and
- the lack of flexibility within the spatial strategy.

1.20. Accordingly, the concerns raised at Regulation 14 are maintained and, where relevant, are reiterated and expanded upon within these Regulation 16 representations

Structure of Representations

1.21. These representations are to be structured as follows:

- The Statutory and Policy Framework
- Comments on the BANP Policies
- Comments on the Site Selection process
- Conclusion

2. The Statutory and Policy Framework

The Statutory Framework

2.1. These representations have regard to the statutory framework which governs the preparation, modification and examination of neighbourhood plans. For clarity, this section focuses on those elements of the legislative framework which are most relevant to the consideration of the BANP

			at this Regulation 16 stage. 2.2. Neighbourhood planning was introduced through the Localism Act 2011, which enables qualifying bodies to prepare Neighbourhood Development Plans (“NDPs”) to guide development at a local level. Once ‘made’, such plans form part of the statutory development plan and are used alongside Local Plans in the determination of planning applications. 2.3. In terms of the wider development framework for Broughton Astley this is currently made up of the following • Adopted Harborough District Local Plan (2020 – 2041) • Adopted Broughton Astley Neighbourhood Plan (2013 – 2028) • Relevant SPDs <u>National Planning Policy Framework</u> 2.4. The National Planning Policy Framework (“NPPF or the Framework”) sets out the Government’s overarching planning policies and is a key material consideration in both plan-making and decision-taking. 2.5. Paragraph 16 of the NPPF (December 2024) confirms that plans should be: a) <i>Be prepared with the objective of contributing to the achievement of sustainable development.</i> b) <i>Be prepared positively, in a way that is aspirational but deliverable.</i> c) <i>Be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees</i> d) <i>Contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;</i>
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			e) <i>Be accessible through the use of digital tools to assist public involvement and policy presentation; and</i> f) <i>Serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area”.</i> 2.6. Importantly in the context of neighbourhood planning, the NPPF is clear that NDPs should support the delivery of strategic policies contained within Local Plans and should not undermine those policies or promote less development than is identified at the strategic level. 2.7. Paragraph 32 of the NPPF requires the preparation and review of all policies to be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused on supporting and justifying the policies concerned. 2.8. Paragraph 38 of the NPPF confirms that neighbourhood plans must meet the basic conditions (set out in paragraph 2.9) before they can come into force, with this being tested through the independent examination process. 2.9. In this instance, the BANP represents a review of the ‘made’ Broughton Astley Neighbourhood Plan (2013–2028). As such, it is subject to the provisions of Schedule A2 to the Planning and Compulsory Purchase Act 2004, which sets out the process for the modification of NDPs. 2.10. As part of that process, the Examiner must first consider whether the proposed modifications materially change the nature of the existing plan. In this case, BAPC and HDC have confirmed that the changes are substantive and amount to material modifications. 2.11. Where modifications are of this nature, the examination should be undertaken against the ‘basic conditions’, as applied through Schedule 4B to the Town and Country Planning Act 1990. This requires the Examiner to consider whether the plan is
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			appropriate having regard to national policy, contributes to sustainable development and is in general conformity with the strategic policies for the area. These basic conditions are set out below for clarification; • <i>Having regard to National Policies and Advice contained in guidance issued by the Secretary of State;</i> • <i>Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses;</i> • <i>Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area;</i> • <i>The making of the Neighbourhood Plan contributes to the achievement of sustainable development;</i> • <i>The making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the Development Plan;</i> • <i>The making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations; and</i> • <i>Prescribed conditions are met in relation to the Neighbourhood Plan and prescribed matter have been complied with in connection with the proposal for the Neighbourhood Plan”.</i> 2.12. Accordingly, whilst the legislative route for modification is set out under Schedule A2, the substantive test for the purposes of this examination remains whether the BANP meets the basic conditions. This is the key consideration which underpins the comments set out within these representations. 2.13. With the above Neighbourhood Plan making legislative framework in mind, our Client’s representations are intended to be helpful to the Examiner in so far as suggestions are made on the plan’s policies and content to ensure it meets the basic conditions as set out in paragraph
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		8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as applied to Neighbourhood Plans by section 38A of the Planning and Compulsory Purchase Act 2004). Planning Policy Guidance 2.14. The Planning Practice Guidance (“PPG”) provides further guidance on the application of national policy and is an important material consideration alongside the NPPF. 2.15. PPG (Paragraph 009, Reference ID: 41-009-20190509) provides clear direction on the relationship between NDPs and Local Plans. It confirms that, whilst NDPs are not formally tested against emerging Local Plan policies, the evidence base and strategic direction underpinning those plans are directly relevant to the assessment of whether the basic conditions are met. 2.16. The PPG also emphasises the need for NDPs and Local Plans to work together, with plan-makers encouraged to minimise any conflict between policies. This is particularly important where an emerging Local Plan is at an advanced stage. 2.17. In this respect, it is important that NDP policies do not cut across or undermine the strategic approach to growth, including site allocations and infrastructure planning, which are being progressed at the District level. Emerging Harborough Local Plan (2021 - 2041) 2.18. For the purposes of these representations, it is important to recognise that the emerging Harborough Local Plan is currently subject to independent examination, having been submitted on 17 April 2026. Inspectors have been appointed, and the Examination process is progressing, with several Panel Notes issued to date and a Stage 1 Hearing Session scheduled to consider the transitional arrangements set out in paragraph 234(a) of the December 2024 NPPF. The emerging Local Plan is therefore advancing through the statutory examination process, with further stages to be completed before it can proceed to
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adoption.

3. Comments on the Draft BANP Policies

Policy 1: Residential Site Allocation:

- 3.1. Policy 1 allocates land at Witham Villa for approximately 138 dwellings. In supporting text, the submitted BANP explains that the allocation of an additional site beyond what has been proposed through the emerging Harborough Local Plan will help ensure that, should housing requirements for the Neighbourhood Area change over the Plan period, sufficient provision is made locally to meet future housing needs in an appropriately deemed location.
- 3.2. Whilst the respondents realise the intention of providing additional flexibility, the policy is based upon the assumption that the allocation within the emerging Harborough Local Plan for Broughton Astley at Frolesworth Road (BA1) for 475 units will form the principal source of housing growth within the Parish. The Plan's housing strategy therefore stems from a strategic allocation which remains subject to examination and has not yet been adopted.
- 3.3. As previously identified at Regulation 14 stage, the relationship between the BANP and the emerging Frolesworth Road allocation was not clearly set out. Earlier consultation material invited residents to consider growth options based upon either the acceptance of the emerging strategic allocation or a more dispersed pattern of smaller site options. It was therefore not clear whether the Parish Council was expressly supporting that allocation, relying upon it, or simply assuming its delivery as part of the baseline position. Whilst the submission version provides additional context, the housing strategy remains heavily dependent upon the successful delivery of an emerging allocation that has yet to be tested through the Local Plan examination process.
- 3.4. Whilst the emerging allocation at Frolesworth Road forms a key part of the Plan's housing strategy, it remains subject to

			examination through the emerging Harborough Local Plan process. As such, its final form, scale, phasing, delivery trajectory and overall contribution to housing provision within Broughton Astley have not been established. Whilst the BANP seeks to provide an additional degree of flexibility through the allocation of land at Witham Villa (138 units), the overall strategy remains dependent upon a strategic allocation which has yet to be tested through the development plan process. 3.5. Furthermore, the BANP does not identify a specific housing requirement for Broughton Astley derived from the adopted Development Plan. Instead, it proceeds on the basis that future housing needs will be accommodated through the emerging Frolesworth Road allocation, supplemented by the allocation at Witham Villa. Whilst the respondent is of the view that there is nothing incorrect about having regard to emerging policy, the resulting strategy is dependent upon the outcome of a separate examination process over which the Neighbourhood Plan has no control. 3.6. This creates an inherent degree of risk. Should the Frolesworth Road allocation be modified, reduced, delayed or otherwise altered through the emerging Local Plan process, the housing strategy underpinning the BANP would be required to respond accordingly. However, the Plan provides little evidence that alternative growth scenarios have been considered or that sufficient flexibility has been built into the strategy to accommodate such changes. In this respect, the Plan appears to proceed on the assumption that the allocation will be delivered as currently proposed within the emerging Local Plan. 3.7. The accompanying Consultation Statement¹ and supporting evidence confirm that a range of alternative sites and development options were identified throughout the preparation of the BANP. Notwithstanding this, the BANP ultimately allocates only one additional site and does not clearly explain why alternative site combinations, or other
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			patterns of growth were discounted. Given the continuing uncertainty surrounding the emerging Frolesworth Road allocation, a more flexible approach would provide greater resilience and help ensure the Plan remains effective should the strategic position change through the Local Plan Examination process. 3.8. The respondent also questions whether reasonable alternatives have been considered in sufficient detail through the SEA screening process. Whilst the SEA Determination (June 2025)² concludes that proportionate evidence has been compiled to assess reasonable alternatives and inform allocation decisions, the assessment appears to focus primarily on site selection rather than alternative spatial strategies. The Environmental Assessment of Plans and Programmes Regulations 2004³ and associated Planning Practice Guidance⁴ require consideration of reasonable alternatives that are realistic, deliverable and ¹ broughton-astley-np-consultation-statement.pdf ² Broughton Astley Neighbourhood Plan Review Strategic Environmental Assessment Determination ³ The Environmental Assessment of Plans and Programmes Regulations 2004 ⁴ Paragraph: 003 Reference ID: 11-003-20190722 sufficiently distinct. The role of the assessment is not to compare competing sites, but to assist in determining whether the emerging strategy represents the most sustainable approach when assessed against reasonable alternatives. 3.9. There appears to therefore be limited evidence that differing approaches to accommodating growth within the Parish were subject to a comparative assessment. It is also not clear that alternative strategies based upon varying levels of reliance on the emerging Frolesworth Road allocation, the allocation of additional sites, potential reserve site mechanisms, or a more dispersed distribution of development were assessed before the preferred strategy was selected. The absence of a clear assessment of these
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			alternatives raises questions as to whether the chosen approach represents the most appropriate strategy available and whether sufficient flexibility has been incorporated should the strategic position of Frolesworth Road change. 3.10. Whilst it is acknowledged that a qualifying body is entitled to prepare a spatial strategy which reflects local aspirations, the Basic Conditions require the Plan to contribute to the achievement of sustainable development and to be in general conformity with the strategic policies of the development plan. In this instance, the strategy relies upon an emerging strategic allocation which has yet to complete examination, whilst simultaneously limiting the opportunities for alternative sustainable sites to contribute towards future housing delivery. The result is a strategy which lacks sufficient flexibility and resilience should the strategic context change. 3.11. Accordingly, there is concern that Policy 1 has not adequately demonstrated how the Plan will continue to support sustainable development in circumstances where the emerging Harborough Local Plan position differs from that currently assumed. Nor is it clear that reasonable alternatives have been sufficiently explored to justify the selected approach. This raises concerns in respect of Basic Condition (d), relating to the achievement of sustainable development, Basic Condition (e), relating to general conformity with strategic policy. <u>Policy 2: Limits to Development</u> 3.12. Policy 2 establishes Limits to Development for Broughton Astley and Sutton in the Elms (Figure 1) and seeks to direct new development to land located within those defined boundaries. Land beyond the identified limits is treated as countryside, where development proposals are subject to a more restrictive policy approach. The respondent has concerns in relation to the way in which those boundaries have been drawn and the extent to which they provide
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flexibility over the Plan period.

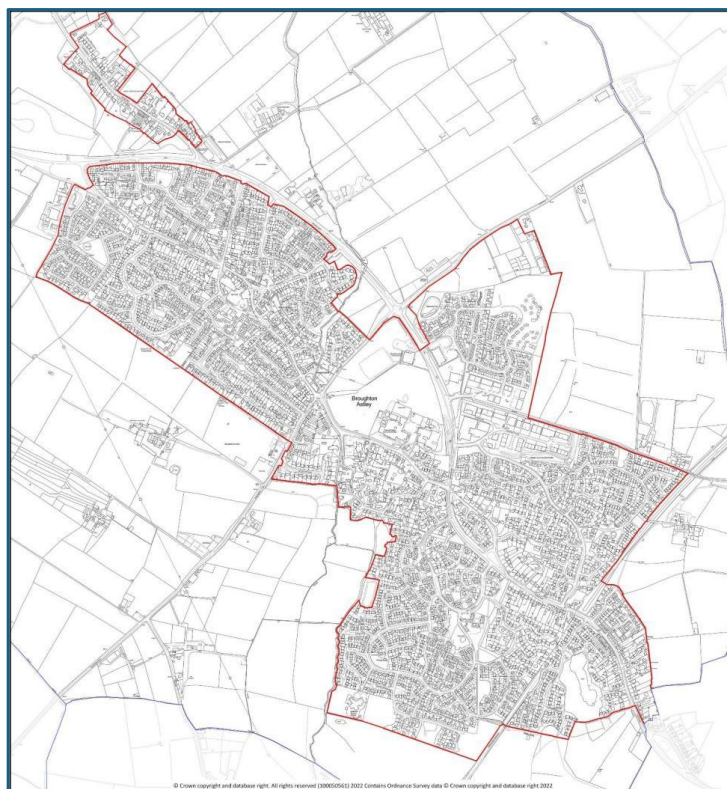


Figure 1 - Policy 2 Proposed Limits to Development

3.13. The effectiveness of the proposed Limits to Development is linked to the housing strategy established through Policy 1. As set out above, that strategy appears reliant upon the successful delivery of the emerging Frolesworth Road allocation, supplemented by the allocation at Witham Villa. However, most anticipated housing growth associated with the Parish remains dependent upon a strategic allocation which has not yet been adopted and remains subject to examination. Therefore, there is a risk that the submitted Limits to Development have been established based on assumptions that may subsequently change.

3.14. Should the scale, form or delivery trajectory of the emerging Frolesworth Road allocation alter, there is little evidence that the BANP would be capable of responding to those changes in a flexible manner. Rather than establishing a framework capable of accommodating changing circumstances, the proposed Limits to Development as drawn appear to fix the spatial extent of future growth by reference to the preferred development scenario. This risks unnecessarily constraining otherwise sustainable opportunities for development should the

		strategic position evolve over time. 3.15. Furthermore, the respondent is concerned that the submitted boundary does not appear to have been drawn with any degree of adaptability. Whilst neighbourhood plans are entitled to shape and direct future growth, Paragraph 11(a) of the NPPF requires plans to promote sustainable patterns of development that seek to meet the development needs of their area. As discussed, Policy 2 appears to be based on a fixed set of assumptions and as presently drafted, the policy risks unnecessarily constraining otherwise sustainable development opportunities and lacks the flexibility necessary to respond positively to changing circumstances over the Plan period. 3.16. This is particularly relevant given that the submitted BANP expressly acknowledges that housing requirements for the Neighbourhood Area may change during the Plan period. The allocation of the Witham Villa site is justified on the basis that it provides additional capacity should those requirements evolve. However, that acknowledgement does not compliment the tightly drawn Limits to Development policy which significantly restricts the opportunity for other sustainable sites to come forward. If future housing needs can change, then the spatial strategy should similarly incorporate a degree of flexibility to respond to those changes. 3.17. Consequently, there is concern that Policy 2 may have the effect of unnecessarily constraining sustainable development opportunities during the Plan period. In the event that the strategic assumptions change through the Local Plan Examination process, the proposed Limits to Development could quickly become out of date or act as an impediment to the delivery of housing in sustainable locations. This would not assist in contributing to the achievement of sustainable development and risks creating tension with Basic Condition (d).
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Policy 3: Windfall Development

3.18. Policy 3 restricts windfall housing development principally to infill opportunities within the defined Limits to Development. Our respondent has concerns regarding the cumulative effect of this policy when considered alongside Policies 1, 2 and 23. Collectively, these policies significantly limit the ability of additional sustainable housing opportunities to come forward beyond those expressly identified within the Plan.

3.19. As set out previously, the BANP's housing strategy is reliant upon the delivery of the emerging Frolesworth Road allocation together with the allocation at Witham Villa. Should the scale, timing or delivery of either site change, the Plan provides limited flexibility to accommodate alternative sources of housing delivery. By restricting windfall development primarily to infill sites within the Limits to Development, Policy 3 further narrows the range of opportunities available to respond to changing circumstances over the Plan period.

3.20. This is particularly significant given Broughton Astley's strategic role within the settlement hierarchy. Broughton Astley is identified as a Key Centre within the adopted Harborough Local Plan and as a Large Village within the emerging Local Plan, reflecting its broad range of services and facilities. It cannot therefore be assumed that all future sustainable development opportunities will arise solely from infill sites within the defined settlement boundary. A more flexible approach would better recognise the settlement's role in accommodating growth and support the delivery of sustainable development should strategic circumstances evolve.

3.21. Accordingly, whilst the objective of directing development towards sustainable locations is supported, the respondent considers that Policy 3 should incorporate further adaptability to allow suitable and sustainable windfall opportunities to be considered on their merits. Such an approach would provide a more resilient spatial strategy and better align with the

			requirement in paragraph 11(a) of the NPPF for plans to promote sustainable patterns of development which seek to meet the development needs of their area. Policy4: Housing Mix 3.22. Policy 4 seeks to secure an appropriate housing mix informed by the most up-to-date evidence of housing need. Whilst the policy refers to the Housing Needs Assessment (2023) "or more recent document", it is not entirely clear how this provision should operate or what weight should be afforded to alternative evidence where it differs from the conclusions of the Housing Needs Assessment (2023). As presently drafted, the policy lacks the clarity required by paragraph 16 of the NPPF, which seeks to ensure that planning policies are clearly written and unambiguous so that it is evident how a decision maker should react to development proposals. 3.23. Whilst the intention to respond to changing evidence is supported in principle, the policy does not clearly explain whether housing mix requirements are to be informed solely by future Housing Needs Assessments, wider strategic evidence prepared by Harborough District Council, or site-specific evidence submitted in support of planning applications. Greater clarity is therefore requested to ensure that the policy can be applied consistently. 3.24. In addition, concerns remain in relation to our respondent's regulation 14 comments regarding the expectation that schemes of 10 or more dwellings should demonstrate how they will meet the needs of older households, with particular emphasis placed on bungalow provision. Whilst the Housing Needs Assessment (2023)⁵ identifies an ageing population and a growing need for accessible accommodation, this does not necessarily justify a particular housing typology. Alternative forms of accommodation, including homes designed to enhanced accessibility standards may equally contribute towards meeting identified needs whilst allowing for greater flexibility in design, density and land use efficiency.
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3.25. Accordingly, Policy 4 should be applied as a flexible framework informed by the most up-to-date evidence available at the time an application is determined, whilst recognising that the most appropriate response to identified housing needs will vary depending on site-specific circumstances.

Policy 23: Countryside

3.26. Policy 23 seeks to protect the countryside for its intrinsic character, beauty and environmental value. Whilst the respondent supports the objective of protecting the countryside from inappropriate development, concerns remain regarding the policy's requirement that development within the countryside should be "strictly controlled". Given that the policy applies to all land outside the Limits to Development established under Policy 2, the wording has the effect of applying a blanket restrictive approach across a significant proportion of the Neighbourhood Area.

3.27. The concern is not with the principle of countryside protection itself, but with the interaction between Policy 23 and the wider spatial strategy of the Plan. As set out previously within this response, the submitted Limits to Development are closely tied to assumptions relating to the delivery of the emerging Frolesworth Road allocation and the

⁵ [Report\[NAName\]2021-07-19](#)

allocation of land at Witham Villa. Should those strategic assumptions change through the Local Plan Examination process, Policies 2 and 23 would together provide very limited opportunity for alternative sustainable sites to come forward, notwithstanding the fact that future housing requirements or delivery needs may evolve over the Plan period as again stated within the BANP.

3.28. In this regard, the policy risks operating in a manner that is overly restrictive and inconsistent with the requirement for plans to positively promote sustainable development. Paragraph 16 of the NPPF requires policies to be prepared positively and support sustainable development. A blanket

			approach of "strict control" does not adequately recognise that some development beyond settlement boundaries may be sustainable, appropriate and necessary to respond to changing circumstances over the lifetime of the Plan. 3.29. Accordingly, the respondent considers that Policy 23 would benefit from greater flexibility to ensure that countryside protection is balanced against the need to accommodate sustainable development where justified. 4. Comments on the Site Selection Process <u>Site Options and Assessment (2023)</u> 4.1. The respondent recognises that the qualifying body has undertaken a site assessment exercise in support of the BANP, including the preparation an assessment by AECOM⁶ in July 2023 and subsequent public consultation material produced in November 2025⁷. 4.2. It should be noted that the AECOM assessment identified a significant number of sites as suitable, or potentially suitable, for residential development. In particular, land east of Dunton Road (Site Reference 21/8248 and associated parcels) was identified as suitable for development, with constraints considered capable of being addressed and with the site forming part of a wider area recognised as suitable for residential growth. The assessment also recognised the site's relationship to the existing settlement and its ability to accommodate development. 4.3. Since the preparation of the AECOM assessment in 2023, further technical work has been undertaken by the respondent and additional evidence has been provided through the BANP process, including submissions made during the site options consultation, representations submitted at Regulation 14 stage and, more recently, technical information supporting the live planning application reference 26/00018/OUT⁸. Whilst it is acknowledged that a neighbourhood plan site assessment can only reflect the information available at the time it is prepared, several matters
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		previously identified as constraints have subsequently been the subject of additional technical assessment. 4.4. The respondent also notes that the November 2025 consultation analysis appears to have been directed primarily towards understanding community preferences between shortlisted sites. Whilst community engagement forms an important component of neighbourhood planning, Paragraph 32 of the NPPF is clear that policies should be underpinned by relevant and up-to-date evidence. The ultimate selection of sites should therefore be informed by a balanced consideration of planning merits, technical evidence, site suitability and deliverability, rather than community preference alone. ⁶ Report Broughton Astley Neighbourhood Plan 2023-07-12 ⁷ broughton-astley-np-site-allocations-public-consultation.pdf ⁸ 26/00018/OUT Outline planning application (with all matters reserved except access) for the residential development of up to 90 dwellings, together with associated site infrastructure, open space, and landscaping Land At Dunton Road Broughton Astley Leicestershire 4.5. Against this background, it remains relevant that the respondent's site was identified within the AECOM work as a suitable development opportunity and that subsequent evidence has continued to demonstrate that the site can deliver sustainable development adjacent to the existing settlement. This evidence is important in demonstrating that alternative sustainable opportunities exist within the Parish and should not be unnecessarily constrained by the wider spatial strategy of the Plan, particularly given the uncertainty that remains surrounding the emerging Local Plan position at the present time. 5. Conclusion 5.1. The respondent has engaged constructively throughout the preparation of the Broughton Astley Neighbourhood Plan Review, including through participation at Regulation 14 and the submission of these representations at Regulation 16. Whilst the respondent supports the Parish Council's objective of positively planning for future growth several concerns remain regarding the robustness and flexibility of the submitted Plan.
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			5.2. In relation to Policy 1, the respondent's principal concern is the extent to which the housing strategy relies upon assumptions relating to the emerging Harborough Local Plan, particularly the proposed allocation at Frolesworth Road. Whilst the BANP seeks to provide additional housing capacity through the allocation of land at Witham Villa, the strategy remains dependent upon an allocation which has yet to complete the Local Plan Examination process. The respondent believes that not enough consideration has been given to alternative spatial strategies and the extent to which the Plan would remain effective should the strategic position evolve. 5.3. In respect of Policy 2, concerns have been raised regarding the extent to which the proposed Limits to Development provide sufficient flexibility to respond to changing circumstances. The submitted boundary appears to have been drawn because of a fixed set of assumptions surrounding future growth and delivery. In the respondent's view, insufficient evidence has been provided to demonstrate how housing needs would continue to be met should the emerging Local Plan position change during the plan period. 5.4. Similar concerns arise in relation to Policy 3, where the policy further restricts the ability of additional sustainable opportunities to come forward beyond the identified allocations and infill sites. The cumulative effect when considered alongside other policies lends itself to the creation of a spatial policy which lacks the necessary means to respond to changing housing needs and delivery circumstances. 5.5. In relation to Policy 4, the respondent remains concerned that the policy lacks sufficient clarity regarding the application of future housing needs evidence and the extent to which alternative evidence may be relied upon. 5.6. Furthermore, the respondent's concerns regarding Policy 23 stems from the policy's reliance upon a blanket
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			approach whereby all land beyond the Limits to Development is subject to strict control. In combination with the wider housing and settlement strategy of the Plan. 5.7. The respondent also considers it important to note that the site assessment process identified several sites as suitable or potentially suitable for development. This included land east of Dunton Road and remains of the view that additional technical evidence has been submitted since the preparation of the AECOM assessment in 2023 which continues to demonstrate that alternative sustainable development opportunities exist within the Parish and should not be unnecessarily constrained through the operation of the BANP's spatial strategy. 5.8. Taken together, the respondent considers that the key issue arising from the submitted BANP is one of flexibility. Whilst the Plan seeks to positively address future growth, it does so through a strategy which is heavily reliant upon an emerging strategic allocation, and which provides limited scope to respond should the assumptions underpinning that strategy change. The respondent therefore respectfully requests that the Examiner considers the concerns raised in relation to Policies 1, 2, 3, 4 and 23, together with the wider issues relating to flexibility, sustainable development and the consideration of reasonable alternatives, when assessing whether the BANP satisfies the Basic Conditions. Appendix 1 – Site Extent of Land to the east of Dunton Road – Broughton Astley
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	Natural England		Broughton Astley Neighbourhood Plan Review - Regulation 16 Consultation Thank you for your consultation on the above dated 27 May 2026. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

		Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made. Natural England does not have any specific comments on this draft neighbourhood plan. However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan and to the following information. Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require a Strategic Environmental Assessment. Further information on protected species and development is included in Natural England's Standing Advice on protected species . Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant a Strategic Environmental Assessment. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission standing advice. We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a Strategic Environmental Assessment is necessary. Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If an Strategic Environmental Assessment is required, Natural England must be consulted at the scoping and environmental report stages.
	Pegasus obo Vistry Homes	Introduction 1.1. This representation to the Broughton Astley Neighbourhood Plan Area Regulation 16 consultation (The Neighbourhood Plan) has been prepared by Pegasus Group on behalf of Vistry Group in relation to their land interests at Witham Villa, in Broughton Astley shown in Appendix A. 1.2. Our client's site is proposed for allocation for 138 dwellings in Policy 1 of the Neighbourhood Plan. 1.3. The representation is presented using the preferred format of the Parish Council and made in the context of the 'Basic Conditions' set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. 1.4. These are: a. having regard to national policies and advice contained in guidance issued by the Secretary of

			State it is appropriate to make the order (or neighbourhood plan). b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders. c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders. d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development. e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations. g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).
		1.5.	The following sections set out our respondent details, an overview of our client's site at Witham Villa and an overview of the planning context for the current consultation. The final section then sets out our representations to the Neighbourhood Plan Regulation 14 consultation.
		2.	Respondent details provided
		3.	Witham Villa Site Background
		3.1.	The Witham Villa site was submitted to Broughton Astley Parish Council through a call for sites consultation in September 2022 and this submission included a Vision Document for the site. The site has a total area of 6.21 ha and is located directly north of the existing Jelson Homes 'Estley Green' housing estate.
		3.2.	In support of the Parish Council's work on the emerging Neighbourhood Plan and in response to feedback, we submitted an updated Concept Masterplan for the site, shown in Appendix B. This is informed by technical assessments and demonstrates a thorough understanding of the site and its context, and includes amongst other things, a green corridor which aligns with the corridor in the development to the south of the site, access arrangements off Broughton Road, as well as provision for sustainable drainage.

			3.3 The latest Concept Masterplan includes a play area which has been moved away from the main road to a more central location within the central green corridor. It also includes an updated vehicular access arrangement which is now further south west, closer to the junction Cosby Road/B581 junction and the village. The new access achieves good visibility and is likely to benefit from lower traffic speeds. The access has been designed by highway engineers to ensure it would be safe and complies with the national standards. 3.4 The development can also deliver a new footpath from the access point westwards along Broughton Road until it joins with the existing footway. The new access point assists with ensuring there is a walking route between the development and the bus stop. Appendix C sets out a walking and cycling accessibility plan to show how residents of the site will benefit from excellent connectivity to the services and facilities in the south of village 4 Planning Context Broughton Astley Neighbourhood Plan Review 4.1. Broughton Astley Neighbourhood Planning Group consulted Harborough District Council on a Pre-Submission Version of the Broughton Astley Neighbourhood Plan Review in March 2025 and requested a Screening Opinion on whether a Strategic Environmental Assessment (SEA) was necessary as it was a review of an existing Neighbourhood Plan. 4.2. The Neighbourhood Plan was accompanied by a Site Options Assessment prepared by consultants, AECOM. Following the assessment prepared by AECOM, our client's site at Witham Villa was identified as the preferred option for meeting housing needs in the village. The site was proposed as an allocation in the drafted Pre-Submission Version under POLICY 1: Residential Site Allocation for 138 dwellings. 4.3. The Council provided its determination in June 2025 and determined that the draft plan submitted did not require a full SEA. 4.4. Following the publication of the proposed submission draft Local Plan for Regulation 19 consultation detailed below, Broughton Astley Neighbourhood Planning Group carried out focussed consultation in September 2025 concentrated upon a single key decision: 1. Accept the District Council's allocation of 475 homes on one site (Frolesworth Road), or 2. Distribute the housing requirement across a combination of smaller sites identified locally. 4.5. Pegasus Group prepared and submitted a response to this consultation in September 2025 on behalf of Vistry Group.
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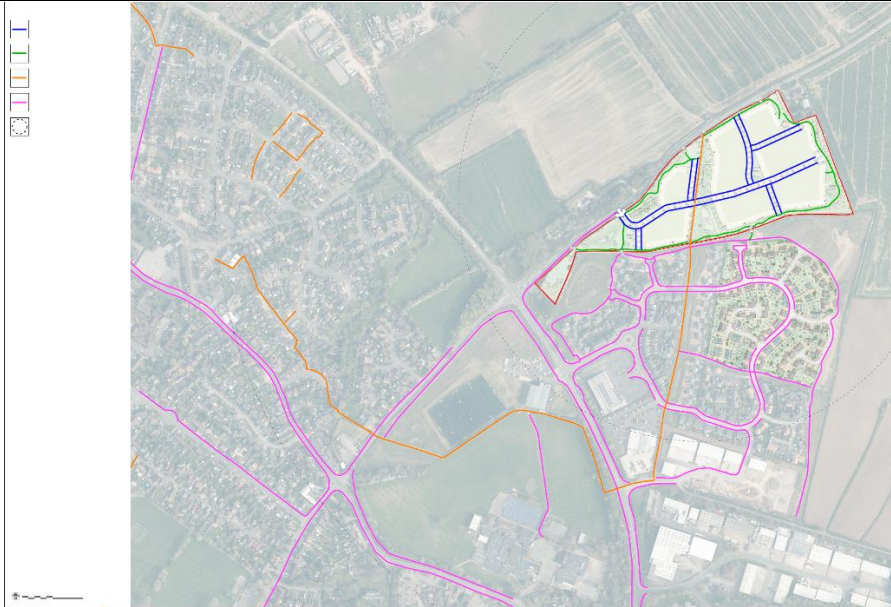
		4.6. Under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012, a pre-submission consultation period on the new Neighbourhood Plan for Broughton Astley ran from 21 November 2025 to February 2026. Pegasus Group submitted a response to the consultation in February 2026 on behalf of Vistry Group, supporting the allocation of 138 dwellings on our client's site at Witham Villa, Broughton Road, Broughton Astley. Emerging Harborough District Local Plan 4.7. Harborough District Council carried out Regulation 18 consultation on its emerging Local Plan in February 2024. This was followed by consultation on its proposed submission draft Local Plan in March - May 2025 (Regulation 19 Consultation). The Harborough Local Plan was submitted to the Secretary of State on 17th April 2026, and a single hearing session is scheduled to take place 12 August 2026 to consider whether the Local Plan benefits from transitional arrangements for Local Plan set out in paragraph 234(a) of NPPF 2024. 4.8. The proposed submission Harborough Local Plan allocates 475 new homes to Broughton Astley, in a single site on Land off Frolesworth Road. This is recognised in the current consultation draft of the Neighbourhood Plan which sets out that the Witham Villa site is identified as an additional site to that allocated through the Local Plan to help ensure that as the housing requirement for the Neighbourhood Area changes over the Plan Period, sufficient provision is made locally to meet a local housing need in a locally appropriate location. 5. Representation 5.1. Our representation follows the Parish Council's preferred format: SECTION 2: Representation Where possible, please indicate to which part of the draft Neighbourhood Plan each comment relates. Please provide your COMMENTS below and use an extra sheet if necessary. Paragraph number & Page number in Plan:	
	Pegasus obo Vistry Homes		We support the proposed allocation set out in Policy 1.
	Pegasus obo Vistry Homes		We concur with the Council's document: "Statement to Support Housing Development Allocation in Neighbourhood Plan". This documents the thorough process that has been undertaken in arriving at the site allocation set out in Policy 1 and therefore meets basic condition (d), specifically that the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development. This is considered in more detail below.
	Pegasus obo Vistry Homes	Section 4: Housing and the Built Environment	Summary of Site Selection Process

			All sites in the Parish have been assessed through the Broughton Astley Neighbourhood Plan Site Options and Assessment prepared by AECOM dated July 2023 (AECOM Site Assessment). Our client's site at Witham Villa was assessed under site reference 21/8220 (Harborough District Council SHELAA reference) and NP04 (Parish Council Call for Sites reference).
	Pegasus obo Vistry Homes		The Site Assessment was based on the findings of the District Council's Strategic Housing and Employment Land Availability Assessment (SHELAA) and together considered the planning history of each site, environmental considerations including heritage, flood risk, agricultural land use, Tree Preservation Orders, as well as the relationship of the site with community facilities and services.
	Pegasus obo Vistry Homes		The AECOM Site Assessment notes that:
	Pegasus obo Vistry Homes		"The SHELAA conclusions are supported by the available evidence and are reasonable to be carried forward to the NP assessment. Whilst there are some constraints it is considered that they are surmountable".
	Pegasus obo Vistry Homes		The AECOM Site Assessment categorised sites as either Green, Amber or Red. The Witham Villa site was rated as Green, which the Assessment defines as: <i>"Green is for sites which are free of constraints, or which have constraints that can be resolved, and therefore are suitable for development. Sites rated green are appropriate for allocation for the proposed use in a Neighbourhood Plan".</i> The AECOM Site Assessment confirms that the site is suitable and available, that there are no landscape or heritage designations that would preclude development and therefore provides an appropriate site for allocation in the Neighbourhood Plan to meet housing needs. The technical evidence prepared to underpin the proposed concept masterplan for the site at Witham Villa (Appendix B) confirms the findings of the site assessment that this site is suitably and sustainably located for housing development and has no significant constraints or relevant designations which would prevent development of the site. The Witham Villa site benefits from the following: Single landowner. Single developer with control of the site with proven track record of delivery. Safe and suitable access to the existing road network. Excellent connectivity to walking and cycling routes and public transport. No significant site constraints that cannot be mitigated. An additional opportunity to continue and expand the green corridor running through the Estley Green development. Sustainable site location benefiting from a range of services and facilities including access to the following within 15 minutes' walk: • Old Mill Primary School

			• Aldi Store • Broughton Astley Leisure Centre • Thomas Estley Community College • The Pre-School Playstation
	Pegasus obo Vistry Homes		• Frolesworth Road Recreation Ground • Estley Green Business Park and Cottage Lane Industrial Estate. • Broughton Astley Village Hall • Broughton Astley Scout Hut • Broughton Veterinary • St Mary's Church • White Horse Pub
	Pegasus obo Vistry Homes		The conclusions of the site assessment are also supported by the findings of the Pre-Submission Local Plan Sustainability Appraisal (Site ID 21/8220: Land at Witham Villa, Broughton Road). The appraisal found the site to have a positive effect on sustainability objectives SA6 (Health and Wellbeing), SA8 (Services, Facilities and Education), SA9 (Housing), SA10 (Economic Growth) and SA13 (Sustainable Travel). It was also found to have no significant negative effects. The site is controlled by Vistry Group, developers and promoters of residential developments, and will deliver the site. Vistry Group is one of the top five housebuilders in the UK by volume. As one of the country's leading housebuilders, Vistry was formed in January 2020 following the successful acquisition of Liden Homes and the Galliford Try Partnerships & Regenerations businesses by Bovis Homes Group PLC. The site is therefore available and achievable. The AECOM Site Assessment set out next steps and identifies a range of factors to be considered by the Neighbourhood Plan Steering Group in considering sites for allocation, and these include consultation and other evidence appropriate density to reflect local character and the aims and objectives of the Neighbourhood Plan. <u>Site Selection Conclusion</u> It is not a requirement for the Neighbourhood Planning Group to publish a Sustainability Appraisal, and so the fact that it has published a detailed site assessment produced by independent consultant demonstrates sufficient and proportionate evidence that the Neighbourhood Plan guides development in a sustainable manner. The Neighbourhood Planning Group therefore provides sufficient and proportionate evidence on how the draft neighbourhood plan guides development to sustainable solutions and therefore meet basic condition (d).
	Pegasus obo Vistry Homes	POLICY 1: Resident ial Site Allocatio	We note paragraph 4.3 states that: <i>"The allocation through the Neighbourhood Plan of an additional site to</i>

		n: Land is allocated for 138 dwellings at Witham Villa) Paragraph 4.3	<i>that allocated through the Local Plan will help ensure that as the housing requirement for the Neighbourhood Area changes over the Plan Period, sufficient provision is made locally to meet a local housing need in a locally appropriate location".</i> We support this approach of identifying an additional allocation within the Neighbourhood Plan, as this will provide a key part in the Local Planning Authority's ability to refuse speculative applications where the 'tilted balance' is engaged within the presumption in favour of sustainable development identified in paragraph 11 (d) of the National Planning Policy Framework. The 'tilted balance' being engaged in certain circumstances, including if the Local Planning Authority could not maintain a 5-year land supply of housing land or policies become out of date for other reasons, would make it easier for speculative planning applications to be permitted. The proposed approach will provide a degree of protection as set out in paragraph 14 of the December 2024 NPPF. In this way, the Neighbourhood Plan meets basic condition (a) of having regard to national policies and advice contained in guidance issued by the Secretary of State.
		(POLICY 1: Residential Site Allocation: Land is allocated for 138 dwellings at Witham Villa) Paragraph 4.3	With regard to the requirements of Policy 1 which are: <i>a) The housing mix should be in line with Policy 4.</i> <i>b) The design of dwellings should follow Policy 6 on design.</i> <i>c) A footpath is created to link the site to the traffic lights on the Cosby Road/Broughton Way crossroads.</i> Our client's site at Witham Villa can deliver a policy compliant scheme with an appropriate density and design response to the reflect the local character, with no viability issues. This is supported by our Concept Masterplan and Pedestrian and Cycle Movement Strategy which are appended to this representation. The Neighbourhood Planning Group therefore provides sufficient and proportionate evidence on how the draft neighbourhood plan guides development to sustainable solutions and therefore meet basic condition (d). This paragraph states that Housing and Economic Needs Assessment (HEDNA) for Leicester and Leicestershire was published on 31 January 2017. The Policy should refer to the most up to date evidence and the most up to date HEDNA was published in April 2022.
	Pegasus obo Vistry Homes	4.6 Housing Needs	We note that the Neighbourhood Planning Group in their Consultation Statement (March 2026) does not propose a modification to refer to the most up to date evidence and the most up to date HEDNA was published in April 2022. We respectfully disagree and consider that a Modification is necessary for accuracy. We note that the reasoned justification to Policy 19 Infrastructure states

			that contributions are governed by provisions of the Community Infrastructure Levy Regulations 2010. Policy 19 itself states that “New development will be supported by the provision of new or improved infrastructure, together with financial contributions for the following off-site infrastructure requirements <u>where appropriate</u>”. (emphasis added)
	Pegasus obo Vistry Homes	Policy 19: Infrastructure Policy 26: Biodiversity And Habitat Connectivity	We support the intended approach that contributions will only be sought where they meet the legal requirements in the CIL Regulations, but for clarity and for the avoidance of doubt, Policy 19 itself should refer to legal requirements that developer contributions must meet. We note that the Neighbourhood Planning Group in their Consultation Statement (March 2026) <i>“considers that the Reference to legal requirements are not considered necessary”.</i> <i>We respectfully disagree and consider that proposed amendment will ensure that the Neighbourhood Plan meets legal requirements.</i> Figure 10 identifies wildlife corridors in Broughton Astley. We note that Policy 26 states: “Development proposals should not adversely affect the habitat connectivity provided by the wildlife corridor identified in figure 10”. Appendix B to this representation, we have included a concept masterplan which reflects a detailed consideration of the site and its context. We consider that development illustrated in our concept masterplan enables a development that would comply with Policy 26 Appendix A: Concept Masterplan  Appendix B: Pedestrian and Cycle Movement Strategy

			
	Stantec obo IM Land		Introduction The following representation has been prepared by Stantec on behalf of IM Land and the Landowner ('the clients') in response to the Broughton Astley Neighbourhood Plan Review Submission Version (2021-2041) ('the BANPR') IM Land are working with Landowners to bring forward a residential-led development at Land off Frolesworth Road ('the Site'), a draft strategic allocation within the submitted Harborough Local Plan 2020-2041 , identified under Site Reference: BA1. The consultation and these representations are in response to the BANPR and its policies, as well as the following consultation documents: • Broughton Astley Parish Council Neighbourhood Plan Review Statement of Modifications (April 2026) • Statement to support housing development locations in the Neighbourhood Plan • AECOM – Broughton Astley Housing Needs Assessment (HNA) January 2023 • AECOM Broughton Astley Neighbourhood Plan Site Options and Assessment (July 2023) • AECOM Broughton Astley Design Codes and Guidance Final Report (June 2023) • Broughton Astley Neighbourhood Plan Review Inventory of Environmentally Significant Sites • Local Green Spaces Evidence Base • Broughton Astley Neighbourhood Plan Review Strategic Environmental Assessment Screening (March 2025) • Broughton Astley Neighbourhood Plan Review Strategic Environmental Assessment Determination (June 2025)

			Whilst it is noted that Broughton Astley Parish Council (BAPC) have dedicated significant resource to prepare the draft BANPR, we still consider that it does not meet all of 'basic conditions'. The purpose of these representations is to demonstrate how the BANPR, as currently presented, does not meet these requirements and detail how this can be addressed by Broughton Astley Neighbourhood Plan Delivery and Monitoring Group (NPDMG) and/or Harborough District Council prior to the BANPR being 'made'. During Summer 2025, Broughton Astley Parish Council held an informal (non-statutory) public consultation that ran from Tuesday 26th August 2025 until Wednesday 24th September 2025 seeking views on seven identified development sites ahead of a decision being made on future allocations in the Neighbourhood Plan Review. Stantec responded to this consultation through the submission of a formal written representation to the Neighbourhood Plan Delivery and Monitoring Group. During November 2025 until 16th January, Broughton Astley Parish Council held their regulation 14 consultation but due to a technical issue, this consultation was extended to 18th February 2026. Land off Frolesworth Road, Broughton Astley The Site is comprised of approximately 43.41 ha of pasture land to the south west of Broughton Astley and lies within close proximity to local services and facilities, including local employment opportunities in Leicester, Lutterworth and Rugby. The Site is accessed from Frolesworth Road to the south east and bound by existing residential development to the north along Glebe Road, Blenheim Crescent and Gorham Rise, with the wider area of Broughton Astley beyond. The existing Orchard Church of England Primary School bounds the site to the north. To the north west and south west of the Site lies agricultural fields. Two Public Rights of Way cross the site, W60/2 crosses through the heart of the site east to west and W48/4 follows the north-western edge of the site into Gorham Rise. As part of the development proposals, it is intended that these PROWs will be retained and enhanced. As previously raised in our representations to Harborough District Council's Regulation 19 Local Plan, where the Site is proposed as a draft allocation (Draft Policy BA1), the Site has the potential to deliver a residential led development, significant community infrastructure, and public open space. It is considered that the Site lends itself as a logical and sustainable extension to the settlement of Broughton Astley. IM Land are committed to delivering developments that respond to locally identified infrastructure requirements and as a result, are proposing the expansion of Orchard Church of England Primary School to become a two form of entry Primary School, the expansion of the existing Frolesworth Road Cemetery and the provision of a car park for Cemetery visitors, the potential expansion of Frolesworth Road Recreation Ground and provision of three play areas and allotments. IM Land are presently exploring options for the retention of the existing historic barn in the centre of the site and propose a potential central community facility in this location. IM Land are also committed to delivering policy compliant levels of affordable housing on the Site, to meet local needs. Further to the above, the Parish Council will be aware that on 27th November 2025, IM Land held a Public Consultation Exhibition at both Sutton Elms Baptist Church and Orchard Church of England Primary School. This proposal consisted of up to 550 dwellings and whilst this exceeds
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		the quantum of development proposed in the emerging Local Plan at Land off Frolesworth Road (BA1), a comprehensive masterplan for the site has been prepared and technical evidence can demonstrate that the Site can comfortably accommodate this quantum of development. IM Land formally submitted an outline planning application in March 2026, reference: 26/00480/OUT. The application has been reviewed by statutory consultees and IM are presently providing responses to questions raised within consultee comments. IM Land continue to work proactively with Harborough District Council Officers IM Land continue to welcome the opportunity to engage with the Parish Council further in respect of the Site and would like to meet with Broughton Astley Parish Council at the earliest opportunity to discuss the live planning application at Broughton Astley. Legislative and Policy Context Basic Conditions The draft Broughton Astley Parish Council Neighbourhood Plan will need to demonstrate that it has met the 'Basic Conditions' as set out in Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (alongside procedural compliance matters). The test for whether a Neighbourhood Development Plan can proceed to referendum is whether it meets the six 'basic conditions.' These are: a) having regard to national policies and advice contained in guidance issued by the Secretary of State; b) having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses; c) having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area; d) the making of the order contributes to the achievement of sustainable development; e) the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area); f) the making of the order does not breach, and is otherwise compatible with, EU obligations; and g) prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order. Our representations identify a number of parts of the BANPR which do not meet the Basic Conditions, as presented. These sections will need to be deleted or amended prior to the Neighbourhood Plan being 'made.' The Development Plan The Harborough District Council Local Plan (2011- 2031) was adopted in April 2019. Policy SS1 – The Spatial Strategy recognises Broughton Astley as a Key Centre within the Harborough District Settlement Hierarchy and development should be directed to the most sustainable locations within the Borough. The Local Plan is considered to be out of date. Harborough District Council are progressing a New Local Plan and are now at an advanced stage with such. The Regulation 10A review was triggered in April 2024, five years after adoption and Harborough District Council undertook their regulation 18 (Issues and Options) consultation in February 2024. The
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			Plan reached Regulation 19 stage with consultation between March 2025 until May 2025 and was formally submitted for independent examination on 17th April 2026. Adoption is anticipated in early 2027 in accordance with the Local Development Scheme (November 2025). Examination of the Local Plan is due to take place in November 2026. National Planning Policy Framework and Planning Practice Guidance The most recent version of the NPPF was published in December 2024, replacing the December 2023 version. A further update was published in February 2025 to correct paragraph numbers. A draft NPPF for consultation was released in December 2025 and is expected to lead to an updated NPPF being published in July 2026. Paragraph 239 of the NPPF 2024 states: <i>“For neighbourhood plans, the policies in this Framework will apply for the purpose of preparing neighbourhood plans from 12 March 2025 unless a neighbourhood plan proposal has been submitted to the local planning authority under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) on or before the 12 March 2025”.</i> The BANPR and supporting evidence base has been prepared under the December 2023 NPPF. As the BANPR had not reached Regulation 15 stage by 12 March 2025, it fails to adhere to paragraph 239 of the NPPF and fundamentally does not comply with Basic Condition (a). Amendments are therefore required throughout the BANPR to bring it in line with the current and correct NPPF. Paragraph 1.3 of the BANPR recognises that the Neighbourhood Plan must have regard to the National Planning Policy Framework, updated in December 2024 and the development plan for the area. In paragraph 1.3. the BANPR acknowledges that Broughton Astley is identified as a Key Centre, however states that <i>“Broughton Astley is not expected to accommodate major new housing or employment development..”</i> Whilst the emerging Harborough District Local Plan has reached regulation 22 stage and has been submitted for independent examination but does not yet form part of the Development Plan, some weight should be given to this emerging local plan which identifies Land off Frolesworth Road as a draft site allocation for major residential development. Paragraph 11(d) states <i>“Plans and decisions should apply a presumption in favour of sustainable development where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: (i) the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.”</i> Paragraph 12 states <i>“The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to date development plan, but only if material</i>
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			considerations in a particular case indicate that the plan should not be followed.” Paragraph 13 of the NPPF states “The application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.” Paragraph 14 states “ In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply: a) The neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and b) The neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70).” Paragraph 13 recognises and explicitly states that “Neighbourhood plans should support the delivery of strategic policies contained in local plans,” and presently, the draft BANPR NP does not support the delivery of the emerging strategic policies within the submitted Harborough Local Plan. Paragraph 69 of the NPPF states: “Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period. The requirement may be higher than the identified housing need if, for example, it includes provision for neighbouring areas, or reflects growth ambitions linked to economic development or infrastructure investment. Within this overall requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. Once the strategic policies have been adopted, these figures should not need re-testing at the neighbourhood plan examination, unless there has been a significant change in circumstances that affects the requirement.” Paragraph 70 of the NPPF states: “Where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.” With regard to paragraphs 14, 69 and 70 of the NPPF, Harborough’s emerging and submitted Local Plan identifies Broughton Astley’s identified housing requirement to be 475 dwellings during the proposed plan period which is 2020 to 2041. As we will expand upon in the following section of this representation, draft Policy 1 (Residential Site Allocation) of the BANPR, proposes to allocate 138 dwellings at the Witham Villa Site. 138 dwellings is only 29% of the housing
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			requirement identified for the Tier 3, large village of Broughton Astley, in accordance with the emerging new local plan Growth Policy DS01. Vision and Development Objectives Broughton Astley Neighbourhood Plan Review - Vision Neighbourhood Plan Delivery and Monitoring Group recognise that many of the aspirations within current Broughton Astley Neighbourhood Plan 2013 – 2028 (adopted January 2014) have already been achieved and the draft Neighbourhood Plan's intention is to “consolidate the proposals of the first Neighbourhood Plan and provide greater environmental protection for local people.”. Whilst it is encouraging to note that some of the previous Neighbourhood Plan proposed visions were achieved, it is important for the Parish Council to acknowledge that a significant amount of time has passed since its adoption, as well as a change in Government and updated and further changing National Policy. We continue to consider that the emerging Neighbourhood Plan must be prepared in accordance with up to date national and local planning policy guidance, and it should strengthen its position in support of local growth in the area and this is expanded upon in the following subheading. The proposed vision aims for Broughton Astley Parish Council's Neighbourhood Plan for 2041 are as follows. • New housing meets local needs • The character and appearance of the countryside and its natural environment are safeguarded • Improved local employment opportunities • Local services and facilities are protected and improved • Important green spaces are protected • Local heritage is conserved • The impact of traffic on village life has been minimised. We are supportive of Broughton Astley Parish Council's emerging Neighbourhood Plan Vision, with a particular focus on ensuring that new housing meets local needs, which should be the housing requirement for Broughton Astley as set out in the emerging Local Plan. The PPG¹ states that “A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition. Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing need evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development. Where a neighbourhood plan is brought forward before an up-to-date local plan is in place the qualifying body and the local
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¹ Paragraph: 009 Reference ID: 41-009-20190509

			<i>planning authority should discuss and aim to agree the relationship between policies in:</i> <i>the emerging neighbourhood plan</i> <i>the emerging local plan (or spatial development strategy)</i> <i>the adopted development plan</i> <i>with appropriate regard to national policy and guidance.</i> <i>The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination.</i> <i>The local planning authority should work with the qualifying body so that complementary neighbourhood and local plan policies are produced. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging local plan, including housing supply policies. This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.”</i> Strategic policies should set out a housing requirement figure for designated neighbourhood areas from their overall housing requirement (paragraph 65 of the revised National Planning Policy Framework). Where this is not possible the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body, which will need to be tested at the neighbourhood plan examination. Neighbourhood plans should consider providing indicative delivery timetables and allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new local plan. In this regard, the Submitted Local Plan is underpinned by the Strategic Housing and Economic Land Availability Assessment (2024). Draft Policy SA01 proposes the allocation of 1,500 homes on Site Allocations in Large Villages, including 475 homes in Broughton Astley within the Plan Period (657 dpa between 2020 and 2036 and 534 dpa between 2036 and 2041). The Local Plan Review was submitted to the Secretary of State in April 2026 and, subject to being found sound and legally compliant, anticipated to be adopted in early 2027. Given the advanced stage of the Local Plan Review, the timescales for the respective plans progressing to examination and adoption, and the identified conflict between the Local Plan Review and the BANPR, there are clear practical considerations which we consider render the BANPR to fail the basic conditions. The Neighbourhood Plan should therefore be amended to ensure that it complies with Basic Conditions (a) and (e). Broughton Astley Housing Requirement Figure As acknowledged in the BANPR, the emerging Local Plan identifies housing requirement for Harborough District as 13,182 up to 2041. The annual housing requirement is 657 homes per year (771 since 24th March 2025 which takes into account updated affordability ratios by the ONS) up to 2036 and 534 homes per year between 2036 and 2041. Importantly, Policy DS01 in the emerging Local Plan identified a net housing requirement for Broughton Astley of 475 homes, and Policy
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			SA01 allocates site BA1 – Land off Frolesworth Road for 475 dwellings within the large village of Broughton Astley. Therefore, to accord with the PPG (Paragraph: 009 Reference ID: 41-009-20190509), the BANPR should allocate sufficient land to <u>(at least)</u> meet the housing requirement figure contained in the emerging Local Plan. The Neighbourhood Plan should be amended to ensure compliance with Basic Condition (e). It is requested that the Neighbourhood Plan Review acknowledges the housing need requirement for the Village. From reviewing feedback from the previously submitted regulation 14 representations, it is understood that the allocation of Witham Villas for 138 dwellings will be in addition to the 475 dwellings allocated in draft at Frolesworth Road. We respectfully request that this is acknowledged and made clear. Suggested wording to draft policy 1 is set out in the following section of this representation. Draft Policy 1 (H1 – Allocations Policy) Policy 1: Residential Site Allocation Draft Policy 1 proposes to allocate land at Witham Villas for 138 dwellings. The allocation states that <i>“the allocation through the Neighbourhood Plan of an additional site to that allocated through the Local Plan will help ensure that as the housing requirements for the Neighbourhood Area changes over the Plan Period, sufficient provision is made locally to meet a local housing need in a locally appropriate location.”</i> It is understood that Broughton Astley Parish Council only seek to allocate one additional site within the emerging Neighbourhood Plan Review and accept that this site will contribute towards reaching the housing requirement for Broughton Astley, which is in addition to the allocated site at Frolesworth Road within Policy BA1 for 475 dwellings. Land off Frolesworth Road The Land off Frolesworth Road is identified as a draft allocation within the submitted Harborough Local Plan (2020-2041) and is allocated to meet Broughton Astley’s identified housing need of at least 475 dwellings. The emerging Local Plan was submitted for independent examination on 17th April 2026 for independent examination in November 2026 Land off Frolesworth Road is a robust and comprehensive site which represents a logical and sustainable extension to the Village of Broughton Astley. As demonstrated through the live outline planning application submitted for the site, the development of Land off Frolesworth Road will provide significant improvements to and provision of community infrastructure such as the expansion of the existing Orchard Church of England Primary School that is adjacent to the Site. In addition, the development proposes the unique opportunity to expand Frolesworth Road Cemetery and provide additional parking provision, the expansion of Frolesworth Road Recreation Ground and the provision of a new community facility in the heart of the site. Community Allotments and three children’s play areas are also proposed, in addition to providing a surplus of public open space across the site, with green infrastructure in the form of native planting and existing public rights of way and new walking routes. Sustainable Drainage systems in the form of swales and attenuation basins will control surface water on Site and speed reduction measures along the Frolesworth Road, on approach to Broughton Astley are proposed.
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			The infrastructure benefits and proposed mitigation measures demonstrate the suitability of the Site at the Land off Frolesworth Road. We reiterate that these unique benefits cannot be secured on the Witham Villas site. Draft Policy 2 (New Policy) Policy 2: Limits to Development Draft Policy 2 is a new policy introduced to establish the development boundary for Broughton Astley. The policy states that <i>“Development proposals will be supported, in principle, on sites within the Limits to Development as shown in figure 3 (Appendix 1) ... Land outside the Limits to Development is treated as open countryside, where development will be carefully managed in line with the provisions of this neighbourhood Plan, the strategic policies of the Local Plan and national policies.”</i> We acknowledge that the introduction of this policy is intended to restrict additional development on land outside the settlement boundary and recognise that the Parish Council have drawn the limit to development boundary tightly against the existing development boundaries within the village. We are supportive of the mention that development will be “carefully managed in line within the provisions of... the strategic policies of the Local Plan and national policies.” As mentioned previously, Land off Frolesworth Road (Draft Strategic Allocation BA1) in the emerging Harborough District Local Plan is outside of the limits to development and we reinforce the understanding that Broughton Astley will not be able to meet its housing need within the confines of the draft Limits to Development (Appendix 1), demonstrating that the NPR conflicts with the emerging Local Plan. At least 475 dwellings are required to meet local needs within Broughton Astley, and we argue that this figure cannot be met within the confines of the Limits to Development plan. The Neighbourhood Plan as currently drafted is not considered to meet the basic condition a.) in that it does not accord with paragraph 13 of the NPPF or the PPG. As set out within paragraph 004 reference ID 41-004-20190509 of the PPG , “a Neighbourhood plan should support the delivery of strategic policies set out in the local plan”. Constructively, consistent with the strategy for Broughton Astley in the emerging Local Plan, Broughton Astley’s housing requirement could be positively met through the delivery of a comprehensive proposal at the Land off Frolesworth Road Site and the site should be included within any Limits to Development boundary to be included in the NPR. We therefore request that the limits to development is amended to include the Frolesworth Road site. If our proposal at 5.15 is not accepted, then at the very least, IM Land wishes to propose modification to the third paragraph of Policy 2 in the following way: “The Limits to Development boundary does not apply to land allocated for strategic development in the submitted Harborough Local Plan 2021-2041 (Policy SA01, Site BA1). Development in this area will be guided by the Local Plan and an approved masterplan.” We wish to include this wording within the Neighbourhood Plan Review to enable the delivery of the local plan policies that conflict with the Neighbourhood Plan. Draft Policy 4: Housing Mix Policy 4: Housing Mix Draft Policy 4 reflects the findings from the Housing Needs Assessment
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			<i>“New housing development shall provide for a mix of housing types that will be informed by the most up to date evidence of housing need as evidenced by the Housing Needs Assessment 2023, or more recent document. Applicants for development of 10 or more dwellings will need to demonstrate how their proposals will meet the housing needs of older households (especially bungalows) and the need for smaller, low-cost homes.”</i> We are supportive of draft Policy 4 and consider that housing developments should be reflective of Broughton Astley’s required housing types, including the need to demonstrate how proposals will meet the housing needs of older households (especially bungalows) and the need for smaller homes. We agree that new housing development should provide a mix of housing types informed by the most recent Harborough District Council’s Housing Needs Assessment (2023) and should demonstrate how proposed housing mix will meet a range of housing needs inclusive of smaller homes for single person households. Draft Policy 5: Affordable Housing Policy 5: Affordable Housing We acknowledge that Policy 5 has been amended since the regulation 14 pre-submission draft version of the Neighbourhood Plan review. The Policy has removed reference to 60% social rent and 40% affordable home ownership tenures. Emerging Local Plan Policy HN01 sets out a tenure split for affordable housing to be as follows: • About 75% affordable or socially rented; and • About 25% affordable home ownership. Policy 5 now refers to the ‘most recent housing need’ which is a positive amendment. Policy H6: Design Policy H6 – Design Policy H6 states: <i>“All development proposals should demonstrate a high quality of design, layout and use of materials which make a positive contribution to the special character of the Neighbourhood Area.</i> <i>Any new development application should make specific reference to how the design guide and codes in appendix C has been taken into account in the design proposals. New development should consider the prevailing character area in which the proposal resides and seek to contribute to and enhance the existing character.</i> <i>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.”</i> We are supportive of the inclusion of Design Policy H6, in that new development in Broughton Astley should seek to contribute to and enhance the existing character of the settlement. Whilst the application submitted for Land off Frolesworth Road is one of Outline, the live application and future reserved matters application(s) will demonstrate how the design guide and code in appendix C has been taken into account in the design of the Site.
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Draft Policy 13 (T1 – Transport and Traffic Management)

Policy 13: Traffic Management

The draft BANPR highlights localised traffic and parking issues that need to be addressed when considering development proposed. The NP also promotes sustainable transport with plans to improve cycling and walking. Policy 13 states:

“New housing or commercial development should demonstrate that:

- a.) The cumulative impact on traffic flows on the strategic and local highway network, including the roads within and leading to the village centre, would not be severe, unless appropriate mitigation measures are undertaken where feasible;***
- b.) Provision is made for accessible and efficient public transport routes within the development site or the improvement of public transport facilities to serve the development;***
- c.) Improvements to pedestrian and cycle routes are incorporated to serve the development, where appropriate, and to provide safe, convenient and attractive routes to shops, employment, schools and community facilities and which are integrated into wider networks;***
- d.) It retains existing rights of way or provides acceptable diversions;***
- e.) It incorporates adequate parking and manoeuvring space within the development in accordance with the Highway Authority’s standards; and:***
- f.) Travel packs are to be provided on residential developments to encourage sustainable forms of transport and to promote existing pedestrian and cycle routes.***

Measures to improve pedestrian safety and reduce traffic speed within the village will be supported, including support for the design of large developments as 20 mph zones.

IM Land are supportive of draft Policy 13 but wish to make the observation that the policy is a repetition of policy IN2 Sustainable transport within the adopted Harborough Local Plan (2019).

We reinforce the significant benefits of the development of Land off Frolesworth Road, as not only would development of the Site adhere to this traffic management policy, but also speeds would be reduced along Frolesworth Road into the Village Centre through new gateway features on entry to the village, and the proposed access arrangement inclusive of a new roundabout would naturally slow vehicles down on entry to the village.

Wider improvements associated with Land off Frolesworth Road include improved accessibility to bus routes, increased frequency of service and encouragement of active travel through the development, along existing public rights of way to the surrounding area and new landscaped walking routes around the proposed development. These proposed new walkways will contribute towards safe accessible routes around the village and as mentioned in section 8.1.5 of the BANPR,

			the aging population is encouraged to stay active through walking, with an opportunity to connect, get exercise and meet new people. Land off Frolesworth Road further reduces car dependency through the proposed provision of on-site infrastructure including the expansion to Orchard C of E School, expansion and access to Frolesworth Road Recreation Ground, Frolesworth Road Cemetery, a Community Facility and new play areas set within an extensive public open space network. Public Rights of Way W60/2 and W48/4 within the Site are to be retained and improved for public use and travel packs would be conditioned to any forthcoming planning approval. Overall, we support draft Policy 13 of the draft BANPR. Draft Policy 16 (New Policy) Policy 16: Schools expansion The draft BANPR recognises that the wide range of educational provision is a key asset to Broughton Astley. It is also acknowledged that by 2027, the three Primary Schools in the village, notably Orchard (C of E), Hallbrook and Old Mill will be at full capacity by 2027. Draft Policy 16 states that: “ <i>Proposals for the expansion of educational facilities in the Parish will be supported where it can be demonstrated that:</i> <i>a.) Expansion would not exacerbate <u>existing</u> access related or traffic circulation problems, unless suitable mitigation measures are brought forward as part of the proposal;</i> <i>b.) The development would not result in a significant loss of amenity to local residents or other adjacent users and is in character, scale and form to the current building;</i> <i>c.) ‘Safe Routes to Schools’ schemes and similar initiatives are introduced wherever possible utilising developer contributions where appropriate.</i> <i>The provision of onsite parking for staff and appropriate parking / drop off / pick up points for parents and children will be supported.</i> We are supportive of Policy 16 and recognise the Neighbourhood Plan’s aspiration to address known primary education capacity constraints. Land off Frolesworth Road is located directly adjacent to Orchard Church of England Primary School which Policy 16 identifies will be at full capacity by 2027. It is therefore conveniently located to deliver land in addition to Section 106 education contributions to assist with the efficient and comprehensive expansion of the school both in response to existing demand for primary school places and those generated by the development. As well as this, it is envisioned that future residents would be able to access the Primary School sustainably by foot, reducing the reliance on private vehicles. Were the NPDMG to be supportive of the Land off Frolesworth Road draft allocation, the draft BANPR aspirations can be achieved in a comprehensive and community led way. IM Land continue to be in dialogue with Leicestershire County Council and Orchard Church of England Primary School on the unique opportunity to expand the school and request that the BANPR recognises the excellent opportunity for expansion of educational facilities in the Parish. We note that the Witham Villas site is unable to deliver the same significant benefits to primary education capacity.
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Draft Policy 18 (New Policy)

Policy 18: Community Hub

Draft Policy 18 acknowledges that The Orchard Medical Practice has almost 12,000 registered patients and in response to Broughton Astley's growing population, developer contributions towards the provision of a medical centre have been secured. Draft Policy 18 advocates for the provision of a facility which provides additional services to reduce the need to make additional journeys out of the village and states:

“The provision of a facility which provides additional services such as minor surgery, phlebotomy and physiotherapy and midwifery services to reduce the need to make additional journeys out of the village will be supported providing that the development will not result in unacceptable traffic movements, noise, fumes, smell or other disturbance to residential properties, or generate a need for parking that cannot be adequately catered for.

Funding for the new facility will be sought through developer contributions and other sources, to ensure that medical facilities remain near to the centre of the existing village, being convenient and accessible enough to meet the needs of local people.”

We continue to support the inclusion of Draft Policy 18 and consider it meets the basic conditions. As demonstrated within the submitted proposals for Land off Frolesworth Road, the opportunity exists to provide a new community facility within the heart of the site, in conjunction with reuse of the existing combination barn building. Through our community consultation events we sought an understanding on the sort of uses the community would like to see delivered within the new facility and as part of that IM Land is in discussions with the Orchard Medical Practice and the Integrated Care Board (ICB) to understand whether such uses could include a new primary healthcare space.

We uphold the view that the Land of Frolesworth Road draft allocated site provides a unique and ideal location for the delivery of a new community facility in close proximity to the village centre and other well established community assets, supporting the emerging Neighbourhood Plan aspirations for the Neighbourhood Area.

Draft Policy 19 – (CI1 – Community Infrastructure)

Draft Policy 19: Infrastructure

Draft Policy 19 provides an updated list of priorities, stating: ***“New development will be supported by the provision of new or improved infrastructure, together with financial contributions for the following off-site infrastructure requirements where appropriate:***

- a) Sport and recreation facilities at the Community Hub Leisure Centre site including a swimming pool and an extension to the leisure centre car park;***
- b) The improvement of facilities at Frolesworth Road Recreation Ground;***
- c) Recreation facilities accessible and suitable for all ages.***

			d) A Community Building for young people. e) The creation of a new footway/cycleways to encourage pedestrian and cycle use, including a footway/cycleway alongside the B581 Broughton Way. to encourage pedestrian and cycle use f) Health care at the Community hub Leisure Centre site (see policy 18) or in the current Village Centre location. g) The improvement, remodelling or enhancement of education facilities at Hallbrook, Old Mill and Orchard Primary Schools, Thomas Estley Community College Broughton Astley Community Library lending stock plus reference, audio visual and homework support material; h) The extension of the existing Rights of Way networks to include along the former Midland Counties Railway line; i) Community infrastructure improvements including the provision of parish notice boards, defibrillator equipment, seats, bus shelters, litter bins and grit bins; footpaths; j) Village Centre improvements to promote foot fall, access to shops and amenities. k) Foul capacity must be addressed as part of any major development Contributions will be phased or pooled to ensure the timely delivery of infrastructure, services and facilities where necessary. To ensure the viability of housing development, the costs of the Plan's requirements may be applied flexibly where it is demonstrated that they are likely to make the development undeliverable." We support draft policy 19 and agree that new development should support infrastructure provision. We recognise the latest inclusion of part 'K,' whereby foul capacity must be addressed as part of any major development and within the live planning application for Land off Frolesworth Road, discussions are taking place with Severn Trent Water and we are supportive in helping Severn Trent Water investigate the wider network capacity. We acknowledge that new development will have an impact on existing infrastructure and will require new infrastructure, services and amenities to support growth. We wish to reinforce the unique opportunities available through the delivery of Land off Frolesworth Road. Important infrastructure benefits include: • The provision of land immediately adjacent to the existing Orchard Church of England Primary School to facilitate its expansion together with necessary Section 106 obligations calculated on the number of new homes. • The expansion of Frolesworth Road Cemetery with parking provision • The expansion of Frolesworth Road Recreation Ground • The provision of land for a Community Facility or Health Hub.
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			• Retention and improvement to Public Rights of Way W60/2 and W48/4 • Community Allotments • Children's play areas • Extensive and accessible public open space across the site with green infrastructure in the form of native planting and walkways • Sustainable Drainage systems in the form of swales and attenuation basins will capture and effectively control surface water on Site • The provision of new junctions, including a new roundabout along the Frolesworth Road, new street lighting and greater pedestrian activity will contribute to reducing vehicular speed on approach to Broughton Astley Village. Whilst supportive of Draft Policy 19, we wish to reiterate the significant infrastructure provision that can be delivered through the development of Land off Frolesworth Road. It is not considered that a comparable scale or level of public benefits and infrastructure could be secured at the Witham Villas site alone. Finally, we wish to flag the use of negative language under chapter 9 Infrastructure. The first paragraph states: <i>“New development will have some impacts on the existing, and the need for new infrastructure, services and amenities. Sometimes these impacts can be detrimental, and so developers must expect to contribute towards the cost of providing additional infrastructure.”</i> We find the term ‘detrimental’ to be particularly negative and feel that the Neighbourhood Plan should frame growth positively, acknowledging that new development, when carefully designed and sustainably delivered, can enhance the village and need not result in ‘detrimental’ effects. We request that the second sentence is reworded to : <i>“Sometimes these impacts can put pressure on existing infrastructure..”</i>. Draft Policy 27 (New Policy) Policy 27: Trees and Hedgerows Draft Policy 27 seeks to protect existing trees and hedgerows in Broughton Astley, and we are fully supportive of this draft policy which states <i>“New and existing trees should be integrated into new developments. Development that damages or results in the loss of ancient trees, hedgerows or trees of good arboricultural and amenity value will not normally be supported. Proposals should be designed to retain ancient trees, hedgerows or trees of arboricultural and amenity value. Proposals should be accompanied by a tree survey that establishes the health and longevity of any affected trees and hedgerows, indicating replanting where appropriate.”</i> We support Draft Policy 27. Any new development should seek to protect and enhance existing trees and hedgerows within Broughton Astley wherever possible. As demonstrated in the submitted proposals for the Land off Frolesworth Road, we agree that proposals should be supported by a comprehensive tree survey to assess the health and longevity of affected vegetation, with appropriate indicative replanting incorporated where necessary. We confirm that any trees or hedgerows removed to facilitate development at Frolesworth Road, should be replaced to ensure no net loss and where possible, and a net gain in hedgerow and tree habitats.
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Draft Policy 28 (New Policy)

Policy 28: Climate Change and Flood Risk

Draft Policy 28 sets out conditions to be applied to development to help prevent flooding and states:

“Development proposals within the areas indicated in Figures 11.1 and 11.2 will be required, where appropriate, to demonstrate that the benefit of development outweighs the harm in relation to its adverse impact on climate change targets, and on the likelihood of it conflicting with locally applicable flood mitigation strategies and infrastructure.

Proposals to construct new (or modify existing) floodwater management infrastructure (ditches, roadside gullies, retention pools, etc.), including within or close to the built-up areas, will be supported, provided they do not adversely affect important open spaces or sites and features of natural or historical environment significance.

Development proposals of one or more dwellings and/or for employment or agricultural development should demonstrate that:

if in a location susceptible to flooding from rivers or surface water, no alternative site to meet the local residential development need is available;

its location and design respect the geology, flood risk and natural drainage characteristics of the immediate area and is accompanied by a hydrological study whose findings must be complied with in respect of design, groundworks and construction;

it includes a Surface Water Drainage Strategy, subject to viability, which demonstrates that the proposed drainage scheme, and site layout and design, will prevent properties from flooding from surface water, including allowing for climate change effects, and that flood risk elsewhere will not be exacerbated by increased levels of surface water runoff and that the development will not threaten other natural habitats and water systems;

its design includes, as appropriate, sustainable drainage systems (SuDS) with ongoing maintenance provision, other surface water management measures and permeable surfaces;

proposed SuDs infrastructure includes, where practicable, habitat creation comprising e.g. landscaping, access and egress for aquatic and terrestrial animals, and native species planting;

it does not increase the risk of flooding to third parties; and

it takes the effects of climate change into account.

surface water run off rates from the site are suitable and sustainable in the face of rapidly intensifying rainfall and flooding events;

proposals will not lead to heightened flood risk within the site itself, locally or further downstream in the catchment; and

new developments, including their infrastructure, should be capable of retaining functionality in the event of exceptional

			<i>but increasingly common rainfall events including those exceeding 20mm in an hour and over 200mm in 24 hours.”</i> While we recognise the importance of managing flood risk and addressing climate change, we consider that Draft Policy 28, in its current form, fails to meet Basic Conditions (a) and (e), as it imposes requirements beyond those set out in national policy. Paragraph 182 of the NPPF confirms that sustainable drainage systems should be proportionate to the nature and scale of development. In contrast, Draft Policy 28 requires proposals to demonstrate that development will prevent surface water flooding, including allowing for climate change, and that flood risk elsewhere will not be exacerbated. As such, we consider the policy to place disproportionate and unjustified requirements on development and request consistency with national and local policy. We consider that draft Policy 28 should accord with emerging Policy DM08: Sustainable Drainage of the submitted Local Plan, with a particular focus criterion 3 (g) of Policy DM:08 which seeks to “ensure that flooding would not occur to property in and adjacent to the development...”. By narrowing down the meaning of ‘further downstream in the catchment’ to ‘in or adjacent to the development’, the Neighbourhood Policy would accord with local policy and satisfy basic condition (e). The draft policy fails to meet basic condition (e) as Policy CC3 Managing flood risk of the adopted Harborough Local Plan states that “Development proposals subject to a site-specific flood risk assessment will only be permitted where: the mitigation, flood management, flood resilience measures, and design requirements identified are satisfactorily addresses; and the design incorporates flood resilience measures to allow for increased risk due to climate change.” Draft NP Policy 28 does not take a proportionate approach, but rather demands that proposed drainage schemes will prevent properties from flooding and flood risk elsewhere will not be exacerbated by increased levels of surface water runoff. The term elsewhere suggests offsite, third-party land and this is confirmed in point vi that states “it does not increase the risk of flooding to third parties,”. Whilst drainage proposals will endeavour to not increase flood risk to third party land, this is not a policy requirement within the adopted Local Plan. In addition, criterion ix.) requires proposals to not lead to heightened flood risk within the site itself, locally or further downstream in the catchment. Whilst we support the objective of managing flood risk across the wider catchment, we consider the policy to be overly onerous and disproportionate in requiring development proposals to mitigate impacts across the entire river catchment. As per paragraph 170 of the NPPF, it is an applicant’s responsibility to not increase flood risk elsewhere. Applicants should reasonably be expected to address the direct impacts arising from their development; however, responsibility for wider catchment-wide issues should not be imposed where these are beyond the control of an individual site or proposal. We consider that criterion x.) is unclear and consider that this should be amended to better reflect emerging Local Plan Policy DM08 : Sustainable Drainage. The requirement is currently ambiguous and does not provide a clear basis for assessment or determination. Whilst it refers to exceedance depths of 20mm and 200mm, it does not specify the extent of exceedance to be considered, resulting in uncertainty as to how compliance would be demonstrated. In our view, this approach is not supported by, nor consistent with, established national policy, guidance, or comparable local planning policy requirements We wish to confirm that Land off Frolesworth Road is located in Flood Zone 1 and ongoing discussions are being held with the Lead Local Flood Authority (LLFA) regarding existing flooding issues within the village. Foul drainage will connect to the existing foul sewer network in Frolesworth Road. Modelling is required which will be completed by
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			STW and we are working with STW and are willing to support STW in their investigative works on capacity. We acknowledge that flood risk is a key concern for the local community in Broughton Astley. The proposed drainage strategy for Land off Frolesworth Road has therefore been designed to deliver a betterment over the existing situation, where surface water is currently discharged in an uncontrolled manner from the site in its agricultural use. To further build resilience into the drainage strategy for the site and betterment over and above what is required of new development proposals, IM Land are committing to provide onsite attenuation for a 1 in 100-year storm event plus climate change with the discharge rate contained to the 1 in 1 year storm event. This means that the drainage system has been designed to cope with a very heavy rainstorm which has a 1% chance of happening in any year. The additional climate change allowance builds in further headroom capacity within the system. By nature of how the system works, the rainwater across the site is discharged beyond the peak rainfall and so provides betterment beyond the site. The enhanced sustainable urban drainage strategy represents up to 65% betterment over the existing greenfield scenario. We recognise and acknowledge the concerns of local residents regarding flood risk within the village. The application is accompanied by a Flood Risk Assessment and Climate Change Strategy which demonstrate a robust and proportionate drainage strategy in light of climate change, and we will continue to work collaboratively with Severn Trent Water and the Lead Local Flood Authority to ensure the scheme is safe, resilient, and does not increase flood risk within Broughton Astley. This will include a commitment to ongoing monitoring of the drainage performance and supporting Severn Trent Water in their capacity modelling to ensure the network operates effectively over the long term. Separately, with regard to Chapter 10.9 relating the Climate Change and Flood Risk, we acknowledge that flooding occurs within the village; however, the inclusion of photographs of the site during extreme weather events serves to emphasise existing conditions without full context and presents the site at Frolesworth Road in an unduly negative light. The proposed development will deliver a clear betterment, with surface water runoff effectively managed, captured, and discharged to the receiving catchment at appropriate and controlled rates. Furthermore, the application at Land off Frolesworth Road does meet Harborough District Council's emerging Local Plan policy requirements for the strategic allocation. Evidence Base Review Broughton Astley Housing Needs Assessment (January 2023) The Broughton Astley Housing Needs Assessment (HNA) was published in January 2023 to support the Neighbourhood Plan (to 2031) review. The Assessment uses the Office for National Statistics mid-2020 population estimate for Broughton Astley Parish, recognising that the population for the parish has increased since the 2011 Census. It is important to note that the HNA refers to the 2021 NPPF which is now superseded by the December 2024 NPPF. The HNA states that <i>“at the time of writing, Broughton Astley has a zero residual housing requirement for the emerging new Broughton Astley Neighbourhood Plan to 2031, aside from the existing planning permissions, allocations, and completions already committed to through the previous Core Strategy and made Neighbourhood Plan to 2028.”</i> Whilst the draft Neighbourhood Plan is based on the evidence provided at the time, the timing of the draft BANPR consultation, raises concern as to whether Broughton Astley Parish Council wish to deviate away from the current emerging
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		evidence available at this present time. In addition, the delayed submission version of the emerging local plan has allowed the draft BANPR to try to get ahead of the emerging local plans' timeline. Under the NPPF and revised Standard Method, Harborough's housing need has risen from 557 to 771 homes per year, reflecting both local requirements and Leicester's unmet need. We recognise the intention to support some sustainable growth through the allocation of the Witham Villa's Site for 138 dwellings. The proposed draft allocation does wish to show willingness to support growth in the Village, however we consider that the draft Neighbourhood Plan is relying on the HNA which was published in January 2023 and is based upon superseded National Policy. The emerging Local Plan has been submitted for independent examination in April 2026, with Stage 1 hearings to commence in August 2026. As such, we consider that the Broughton Astley NPDMG should acknowledge and align with the emerging housing requirement for the Broughton Astley Neighbourhood Area to ensure conformity. Broughton Astley Neighbourhood Plan Site Options and Assessment (July 2023) The Site Options and Assessment Report used to support the preparation of the draft BANPR was undertaken by AECOM. Within this evidence, eleven sites were identified as available and suitable for development and three sites were identified as <i>potentially</i> suitable for development, subject to suitable mitigation of constraints. These sites included: • 21/8144 – Land north of Cottage Lane • <u>21/8154 (NP03) – Land off Frolesworth Road</u> • NP02 – Old Mill Road The report advises that should the Monitoring Group decide to propose allocations for residential development, the next steps would be for the Parish Council to select the sites for allocation in the Neighbourhood Plan, based on: • The findings of this site assessment; • An assessment of viability; • The aims and objectives of the Neighbourhood Plan; • Community Consultation and consultation with landowners; • Discussions with HDC; • Any other relevant evidence that becomes available; and • Other considerations such as the appropriate density of the proposed site(s) to reflect local character. As a result of the process, the draft BANPR has allocated a single site for residential development. Since this time, two updated versions of the NPPF were published; the December 2024 NPPF amending housing requirements through the introduction of a new Standard Method; a new Government with a focus on housing growth are in office; and Broughton Astley's sustainable and desirable location, have all contributed to the settlement's suitability for housing growth. Similarly, to the AECOM HNA, the AECOM Site Options and Assessment Report was prepared in July 2023 and refers to the July 2021 NPPF and therefore relates to the housing requirement at a point in time and
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			is now considered to be based on superseded National Policy, breaching basic condition (a). Outcome of the Alternative Sites Public Consultation Between Tuesday 26th August 2025 to Wednesday 24th September 2025, Broughton Astley Parish Council undertook a Public Consultation to put forward seven alternative sites to identify a preferred site, favourable by the local community. The outcome of Broughton Astley's public consultation on the alternative sites put forward can be found at Appendix 6 and states that of the seven possible sites put forward, four were identified as preferred options. These include: • Crowfoot Way • Witham Villa • Cottage Lane • Blockley Road The Statement explains that the four sites above received the highest levels of feedback and were therefore examined at greater detail. The analysis considered factors including; • Site location and deliverability • Potential housing numbers • Traffic and transport infrastructure • Flooding and drainage concerns • Impact on the village centre • Proximity to local amenities • Environmental impact The statement explains that the remaining three sites of Frolesworth Road West, Frolesworth Road East and Clump Hill, received fewer than 100 responses each and did not score highly enough for further detailed assessment. As understood, the Witham Villa site has been selected by the Parish Council as the preferred site for allocation within the emerging Neighbourhood Plan. The Site at Frolesworth Road, Broughton Astley We wish to reiterate that we consider that delivery of draft allocated Site; Land off Frolesworth Road is more comprehensive than a combination of smaller sites, seeking to meet Harborough's Housing Need in Broughton Astley. One larger comprehensive application will deliver significant benefits to the local community in the form of Section 106 contributions and obligations and as identified previously, development of the Site would see the delivery of a Community Healthcare Hub, expansion to the existing Orchard Church of England Primary School, expansion of the existing recreational sports ground to the east of the Site as well as inclusion of a carpark for the existing Frolesworth Road Cemetery. We confirm that the draft NPR in its current form, does not meet Broughton
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			Astley's identified housing requirement in its current form, conflicting with Basic Conditions (a) and (e). Broughton Astley Design Codes and Guidance The Broughton Astley Neighbourhood Plan steering group has established a Design Code and Guidance document to influence the character and design of any new development within the neighbourhood area. Stantec have reviewed the Design Code Report produced by AECOM (June 2023) and wish to make the following comments. The National Model Design Code describes design codes as 'simple, concise, illustrated design requirements that are visual and numerical wherever possible to provide specific, detailed parameters for the physical development of a site or area.' This document sets out design codes for character areas, along with guidance as to how the codes should be applied and will apply to allocations and speculative development in the neighbourhood area. The Land off Frolesworth Road is not identified within the design code, within the six-character areas. However, the Site is directly adjacent to the Primethorpe Character Area. Chapter 4 of the Design Code sets out the neighbourhood area wide code to prioritise the character and quality of new development and includes several key topics of community importance. The following topics are addressed by the design code including: • A – Character • B – Layout • C – Infill Development • D – Landscape, Views and Settlement Edges • E – Natural Features • F - Sustainability We recognise the granular design requirements set out within the code and confirm that adherence to design codes A, B, D, E will be addressed within a Design Code Lite which will be submitted for the application at Land off Frolesworth Road. The submitted Climate Change Strategy acknowledges the requirements of Code F, and all codes will be responded to, at detailed reserved matters stage. Overall, we support the inclusion of a Design Code for Broughton Astley and recognise the importance of preserving and maintain the distinct character of the village. Summary and Conclusions This representation has been made by Stantec on behalf of IM Land and the Landowners in relation to the Submission Broughton Astley Parish Council Neighbourhood Plan Review (May 2026) ('the BANPR') with regard to the draft policies and associated evidence base relating to Site BA1, Land Off Frolesworth Road ('the Site'). IM Land consider that the BANPR does not meet the 'basic conditions' and we have concerns on a number of the draft policies and associated evidence base. The BANPR, in its current form does not meet the housing requirement figure for the Neighbourhood Area, as identified by the government's standard method and Harborough District Council's emerging Local Plan (Policy DS01) and its supporting evidence base. As currently prepared, the BANPR would conflict with and risk the delivery of a minimum of 475 dwellings at Broughton Astley. As drafted, the draft BANPR would undermine the delivery of a
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			minimum of 475 dwellings on the draft allocated Site BA1 in HDC's emerging Local Plan, in conflict with the NPPF and the PPG. We reaffirm that the most sustainable approach to development at Broughton Astley is for the NPR to be consistent with the emerging Local Plan. Specifically, the BANPR should include the allocation of Land off Frolesworth Road (Site BA1 in the emerging Local Plan), which will help to achieve some of the other related aims and policy aspirations of the BANPR. IM Land reserve the right to comment further on the Neighbourhood Plan as it progresses and would welcome the opportunity to meet with Broughton Astley Parish Council to discuss these representations. We also respectfully request that we are kept informed with the progression of the BANPR moving forwards. Notwithstanding concerns raised by local residents regarding infrastructure provision, it is important to emphasise that the Land off Frolesworth Road application is fundamentally infrastructure-led. The scale of the proposal enables the delivery of significant and comprehensive benefits to Broughton Astley, including land for a Primary School expansion, enhancement of recreational facilities, land for the provision of a community health hub, cemetery expansion, traffic calming measures along Frolesworth Road (the primary route into the village), and the incorporation of sustainable and effective flood mitigation measures.
			1 INTRODUCTION 1.1 These representations are made on behalf of Mr and Mrs I Crane, landowners within the Broughton Astley Neighbourhood Plan (BANP) Area. 1.2 Mr and Mrs I Crane have promoted various parcels of land within their ownership for residential development to Harborough District Council (HDC) and engaged in various Local Plan consultation and preparation processes over the years but were not invited to participate in the BANP site selection process. 1.3 Mr and Mrs I Crane made representations to the Regulation 14 Consultation and their comments are summarised in the Consultation Statement, however, no changes have been made as a result of their comments. 1.4 These representations set out why the Neighbourhood Plan does not meet the requirements of the National Planning Policy Framework (NPPF) and the

Neighbourhood Plan Basic Conditions, set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended).

2 BACKGROUND AND POLICY CONTEXT

2.1 Whilst the Neighbourhood Plan will be, once made, part of the development plan for the area, it will not exist in a vacuum, and it is crucial to understand the context in which it is prepared and the other development plan documents to which it relates.

2.2 The current adopted Development Plan is the Harborough Local Plan 2011-2031, adopted in April 2019, which is out of date.

2.3 HDC's emerging Local Plan (eLP) is at an advanced stage. It was submitted for Examination on 17th April 2026, Planning Inspectors have been appointed and an initial Stage 1 hearing session scheduled for 12th August 2026. The current intention is to hold the Stage 2 hearing sessions during November 2026, if the examination progresses beyond Stage 1.

2.4 The eLP allocates a housing requirement figure of 475 dwellings to Broughton Astley and proposes a single site at Frolesworth Road to accommodate this housing need.

2.5 Stage 1 will examine whether the eLP meets the requirements of NPPF 2024 paragraph 234(a) transitional provisions, the implications of this for the Examination and the soundness of the eLP.

2.6 Whilst it is impossible to pre-empt the outcome of Stage 1, the fact that the Inspectors have posed these questions and scheduled a dedicated early hearing session, as well as the considerable delay to timetabling the Stage 2 sessions indicate that there is reasonable doubt that the eLP will progress beyond Stage 1.

			2.7 Many other elements of the eLP, including the overall housing requirement figure and the proposed allocation at Broughton Astley are subject to unresolved objections, to be addressed through the Examination process. 2.8 Whilst the BANP can be Examined and “made” ahead of the eLP, in the event of policy conflict, precedence will be given to the most recently adopted plan. 2.9 It is therefore essential that the BANP has regard to the eLP and is in general conformity with the strategic policies within it to avoid becoming obsolete upon adoption of the eLP. 3 STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA): 3.1 A Screening Opinion was issued by Harborough District Council concluding that a full SEA would not be required and the Qualifying Body claim that the BANP meets Basic Condition F on this basis. 3.2 We respectfully disagree with this conclusion. 3.3 The BANP proposes allocation of an alternative site than that in the eLP which will not have been considered in the Council’s SA supporting the eLP. 3.4 The SEA is a legal requirement and must be applied where a plan sets the framework for future development consent and is likely to have significant environmental effects. The SEA process is required to be iterative and proportionate, and must consider reasonable alternatives, including different site options, spatial strategies, and quantum of development, particularly where a plan proposes site allocations. 3.5 Our view is that a full SEA should be undertaken to consider the reasonable alternative site options.
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			3.6 The BANP is not able to demonstrate that it represents the most sustainable option and as such, it fails to meet basic condition f). 4 POLICY 1: RESIDENTIAL SITE ALLOCATION: 4.1 Whilst we welcome the principle of allocating a development site in addition to the eLP allocation, insufficient evidence has been provided to demonstrate that this is the most appropriate site to allocate. The site selection process is opaque, and it appears that the site has been chosen based on the preference of the Parish Council, as opposed to a robust and objective site selection and assessment process. 4.2 The <i>AECOM Site Options and Assessment 2023</i> demonstrates that 19 sites were identified through the HDC and Broughton Astley Parish Council Call for Sites exercises. The initial site assessment process identified 11 of these as suitable and appropriate for allocation and lists them, as well as details of the site assessments, in the Assessment. We consider this early stage of the process to be transparent and robust. 4.3 The AECOM Assessment advised that the next steps were for the Steering Group to select sites for allocation in the BANP, based on the findings of the AECOM Assessment, an assessment of viability, the aims and objectives of the Neighbourhood Plan, community consultation and consultation with landowners, discussions with HDC, any other relevant evidence that becomes available and other considerations such as the appropriate density of the proposed site(s) to reflect local character. 4.4 However, according to the Consultation Statement March 2026, this process appears not to have been followed.
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			4.5 The Statement reports that of the 11 suitable sites, only seven sites were presented at public drop-in consultation events as potential development locations. Of these seven, four emerged as the most positively received by the community. Only these four preferred sites were then subject to objective assessment against criteria including transport connectivity, site access, landscape impact, flooding considerations, and overall deliverability. 4.6 Details of which seven sites were presented to the community were not published at Regulation 14 stage but have now been included in the Consultation Statement. However, this does not contain any justification for why the other four suitable sites were not presented. 4.7 Without providing justification for why only seven of the suitable sites were consulted upon, it is impossible for respondents to establish whether the Witham Villa site is the most suitable for allocation. 4.8 Any of the other 11 suitable sites could be equally or more suitable for development. For example, Site 21/8159 – Land off Crowfoot Way scored well in the AECOM Assessment, being assessed as “<i>suitable for development and available</i>”. However, this site was never presented to the community at any of the drop-in events or consultations. The site is suitable and available for development. It is also uniquely located adjacent to Hallbrook Primary School so could potentially deliver land for expansion in the future, should this be required. 4.9 The landowners were not invited to participate in any consultation events or provide any additional information in respect of the site. At Regulation 14 letters were sent to other landowners, developers and their agents (including Marrons, Davidsons
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			Developments Ltd, Stantec, Avison Young, Pegasus Group, Jelson Ltd, Lagan Homes and Bidwells) but not Mr and Mrs Crane or Sworders as their agent (who had submitted the site to the HDC Call for Sites and Broughton Astley Call for sites). 4.10 No information is provided as to why some landowners, agents and developers were notified and invited to participate in consultations and others were not. 4.11 The landowners raised their concerns through the consultation process at the Regulation 14 consultation. The Consultation Statement records these representations as Respondent 26. 4.12 The Qualifying Body have responded that they consider the proposed allocation to be the “<i>most appropriate site locally</i>” on the basis that it has been subject to a detailed site assessment process and significant community consultation. 4.13 The Qualifying Body further state that all 11 suitable sites were presented to the community but no evidence of this, nor outcome of such consultation, has been provided. 4.14 We note that other respondent made similar points and were similarly told that all sites were assessed. 4.15 However, the Qualifying Body provide no evidence that all 11 sites were considered. 4.16 Furthermore, the Qualifying Body give no response in respect of the concerns raised by Mr and Mrs Crane about the lack of effective engagement and transparency. 4.17 National Policy contained within the NPPF states that plans should “<i>be shaped by early, proportionate and effective engagement between planmakers and communities, local organisations, businesses, infrastructure providers and operators and statutory</i>
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			<i>consultees.” It further states that the “preparation and review of all policies should be underpinned by relevant and up-to-date evidence” which should be “adequate and proportionate”.</i> 4.18 This is supported by National Planning Practice Guidance which states that “...<i>public bodies, landowners and the development industry should, as necessary and appropriate be involved in preparing a draft neighbourhood plan...</i>” (our emphasis) and “<i>Where options have been considered as part of the neighbourhood planning process earlier engagement should be used to narrow and refine options.</i>” 4.19 The BANP preparation process has failed to meet these requirements of National Policy and Guidance. The engagement process has been selective and opaque, resulting in an ineffective site selection process. 4.20 The BANP is not presented for examination with a robust evidence base to demonstrate that it is underpinned by effective engagement and adequate evidence and as such, it fails to meet basic condition a). 5 POLICY 2: LIMITS TO DEVELOPMENT 5.1 The adopted Local Plan does not include limits to development and instead contains a “Settlement Development” policy which explains how proposals are to be treated based on whether they are within the built-up area or adjoining the built-up area. 5.2 The eLP has a similar policy, but includes reference to 'settlement limits' where these are established in Neighbourhood Plans. The settlement limits are treated as the built-up area, meaning development adjacent to it can still be permitted subject to meeting certain conditions. 5.3 The NPPF allows development outside of development
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			limits in certain circumstances, in a similar way to the Local Plan. 5.4 We support the Local Plan approach of allowing flexibility for sites outside of settlement limits to be delivered, where appropriate. However, it does leave some uncertainty in respect of where the built-up area is, when it is not defined. 5.5 As such, we have no objection to the proposal to define settlement limits via the Neighbourhood Plan. 5.6 However, we object to the following wording in Policy 2: <i>“Land outside the Limits to Development is treated as open countryside, where development will be carefully managed in line with the provisions of this Neighbourhood Plan, the strategic policies of the Local Plan and national policies.”</i> 5.7 To conform with both the current and emerging Local Plans, there should be a distinction between open countryside beyond limits to development and land adjoining the limits to development. 5.8 This sentence should either be deleted or replaced with: 5.9 <i>“Land outside the Limits to Development is to be carefully managed in line with the provisions of the Neighbourhood Plan, the strategic policies of the Local Plan and national policy.”</i> 5.10 Without this amendment/deletion, the Neighbourhood Plan would fail to meet the basic conditions. Specifically condition a) to have regard to national policy, and condition e) that the Neighbourhood Plan is in general conformity with the strategic policies contained within the development plan for the area of the authority. 5.11 This same concern was raised and suggestion made via the Regulation 14 consultation. The Consultation Statement responds that <i>“We prefer to retain the</i>
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			<i>wording as included in the NP Review to help manage development within and outside the Settlement Boundary.” However, no explanation for this preference is provided.</i> 5.12 Policy 2 remains unchanged in this regard. As such, we maintain our objection that this policy. 5.13 Policy 2 fails to have regard to national policy and is not in general conformity with the strategic policies of the current or emerging development plan and as such fails to meet basic conditions a) and e). 6 POLICY 3: WINDFALL HOUSING 6.1 We support principle of this policy which allows windfall housing. However, we object to some of the conditions placed on windfall housing as they are unnecessary and render Policy 2; Limits to Development, ineffective. 6.2 The purpose of defining limits to development is to create an NPPF compliant presumption in favour of sustainable development within them. They clarify where development is acceptable in principle and where it is not. It is therefore unnecessary and overly restrictive, to include conditions a), b) and c). 6.3 The limits to development should be drawn to incorporate gaps, respect the settlement form and use existing boundaries. Development of land within these limits to development should be supported in principle; the presumption should be in favour of sustainable development, whether or not the comprises a gap, respects form or uses existing boundaries. 6.4 The benefit of drawing limits to development is to add certainty in respect of where development will and will not be acceptable. To include additional conditions which relate to form and boundaries reintroduces the uncertainty of the Local Plan policy and means that Policy 2 adds no value. It also conflicts with the NPPF and has the effect of frustrating the operation of the
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			Local Plan and eLP settlement development policies 6.5 We have no objection to conditions d) and e) as these add detail which protect amenity and character. 6.6 For this policy to conform with national and local policy and thereby meet basic conditions a) and e), conditions a), b) and c) should either be deleted or relate only to land outside of the limits to development. 6.7 This same concern was raised and suggestion made via the Regulation 14 consultation. The Consultation Statement responds that <i>“The policy seeks to shape development within the Limits to Development which is the purpose of neighbourhood planning.”</i> This response does nothing to address these concerns or explain the purpose of the Limits to Development, if they do not direct represent the boundary between locations where development is and is not acceptable. 6.8 Policy 3 remains unchanged and as such, we maintain our objection. 6.9 Policy 3 fails to have regard to national policy and is not in general conformity with the strategic policies of the current or emerging development plan and as such fails to meet basic conditions a) and e). 7 SUMMARY 7.1 The BANP does meet the basic conditions and cannot without revisiting the consultation and site selection processes. The allocated site is not underpinned by effective engagement and adequate evidence. Development both inside and outside of limits to development is subject to overly restrictive conditions which do not accord with local or national policy. 7.2 As such, the BANP is in conflict with national policy and the local development plan it will and therefore fails to meet basic conditions a) and e).
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			7.3 The solution is for the evidence base and site assessment process to be revisited, and a revised strategy proposed and consulted upon which is capable of meeting the basic conditions.