

THE SCRAPTOFT NEIGHBOURHOOD PLAN REVIEW

2025 - 2041

**Report of the Examination into the Scraptoft Neighbourhood
Plan Review 2025 - 2041**

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To Harborough District Council
And to Scraptoft Parish Council

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Report of the Examination into the Scraftoft Neighbourhood Plan Review 2025 - 2041

1. Introduction

Neighbourhood planning

1. The Localism Act 2011 Part 6 Chapter 3 introduced neighbourhood planning, including provision for neighbourhood development plans. A neighbourhood development plan should reflect the needs and priorities of the community concerned and should set out a positive vision for the future, setting planning policies to determine decisions on planning applications. If approved by a referendum and made by the local planning authority (as has happened here) such plans form part of the Development Plan for the neighbourhood concerned. Applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise.

2. This report concerns the proposed modification (“the Draft Plan”) to the Scraftoft Neighbourhood Plan 2015-2028 which was made on 11th March 2016 (“the Made Plan”), On 29th October 2012 Harborough District Council (“HDC”) designated the parish of Scraftoft (“the Parish”) as a neighbourhood area. The Planning and Compulsory Purchase Act 2004 (“PCPA”) Sch A2 provides the statutory framework for modifications of neighbourhood plans.

Appointment and role

3. HDC with the consent of qualifying body, Scraftoft Parish Council (“SPC”), has appointed me to undertake the independent examination of the Draft Plan in accordance with PCPA Sch A2 para 9(4). I am a planning barrister and am independent of HDC, SPC, and of those who have made representations in respect of the Draft Plan. I have been trained and approved by the Neighbourhood Planning Independent Examiner Referral Service and trained others who wish to be examiners. I have extensive experience both as a planning barrister and as a neighbourhood planning examiner. I do not have an interest in any land that is, or may be, affected by the Draft Plan.

4. My examination has involved considering written submissions and a detailed site visit on Thursday 23rd July 2026. I have read and considered all the documents with which I have been provided.

Harborough District Council’s determinations

5. The proposal is a modification proposal as defined in the PCPA Schedule A2, paragraph 1. Before referring the matter to me, PCPA 2004 Schedule A2 paragraph 8 (1)-(3) required HDC to consider whether the draft plan complies with the provision made by or under PCPA sections 38A and 38B and to be satisfied:

- (a) that SPC is authorised for the purposes of a neighbourhood development plan to act in relation to the neighbourhood area concerned (Town and Country Planning Act 1990 (“TCPA”) s 61F, as applied by PCPA s 38C(2)(a));
- (b) that the proposal complies with provision made by or under s61F as applied;
- (c) that the proposal and the documents and information accompanying it (including the Draft Plan) comply with provision made by or under Schedule A2 paragraph 1; and
- (d) that SPC has complied with the requirements of regulations made under Schedule A2 paragraph 4 imposed on it in relation to the proposal.

2. My preliminary determination

6. PCPA, Schedule A2, para 10 required me first to determine whether the modifications contained in the Draft Plan are so significant or substantial as to change the nature of the neighbourhood development plan which the Draft Plan would replace. On 15th June 2026, I determined that they were not and gave notice of my determination. In accordance with my request this was posted on the websites of HDC and SPC. SPC notified me that it wished to proceed with the proposal. I therefore had to consider the Draft Plan and the documents submitted with it under TCPA Schedule 4B paragraph 8 (as applied by PCPA sections 38A(3) and 38C(5)).

3. My role

7. My role may be summarised briefly as to consider whether certain statutory requirements have been met, to consider whether the Draft Plan meets the basic conditions, to consider human rights issues, to recommend which of the three options specified in paragraph 16 below applies. I must act proportionately, recognising that Parliament has intended the neighbourhood plan process to be relatively inexpensive with costs being proportionate.

4. Other Preliminary Matters

Public consultation

8. Consultation and community involvement are important parts of the process of producing and of modifying a neighbourhood plan. Details of consultation are contained in the Review Consultation Statement September 2025. I am satisfied that SPC took public consultation seriously and that consultation is accurately recorded in this Statement. Consultation has been sufficient and meets the requirements of the Neighbourhood Planning (General) Regulations 2012 (“the General Regulations”) and the human rights of occupiers of homes and of property owners.

Other statutory requirements

9. I am also satisfied of the following matters:

- (1) The neighbourhood area consists of the Parish of Scraftoft.¹ SPC is authorised to act in respect of this area (TCPA s61F (1) as read with PCPA s38C (2)(a));
- (2) The Draft Plan does not include provision about development that is excluded development as defined in TCPA s61K (PCPA s38B (1)(b) and (6)), and does not relate to more than one neighbourhood area (PCPA s38B (1)(c);
- (3) No neighbourhood development plan has been made for the neighbourhood area other than the Made Plan;
- (4) There is no other conflict with PCPA s38A and s38B (TCPA Sch 4B para 8(1)(b) and PCPA s38C (5)(b)); and
- (5) The Draft Plan specifies the period for which it is to have effect, namely 2025 - 2041, as required by PCPA s38B(1)(a), with the end-date sensibly mirroring that of the review of the Local Plan.

10. I am satisfied with the conclusions of the Strategic Environmental Assessment Screening Determination Report September 2025 and the Habitat Regulations Assessment Screening Opinion Report September 2025. The modifications recommended in this report would not alter these conclusions.

5. The Extent and Limits of an Examiner's Role

11. I am required to consider whether the Draft Plan meets the basic conditions specified in TCPA Sch 4 B, paragraph 8, namely:

- (a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the [Plan];*
- (b) the making of the [Plan] contributes to the achievement of sustainable development;*
- (ea) the making of the [Plan] would not have the effect of preventing development from taking place which— (i) is proposed in the development plan for the area of the authority (or any part of that area), and (ii) if it took place, would provide housing;*
- (d) the making of the Plan does not breach, and is otherwise compatible with, assimilated obligations;*
- (fa) any requirements imposed in relation to the plan by or under Part 6 of the Levelling-up and Regeneration Act 2023 (environmental outcomes reports) have been complied with, and*
- (g) prescribed conditions are met in relation to the Plan and prescribed matters have been complied with in connection with the proposal for the Plan.*

12. Basis conditions (ea) and (fa) were introduced by the Levelling-up and Regeneration Act 2023 and came into effect on 25th March 2026 without relevant transitional arrangements. The former replaced “*(e) the making of the Plan is in general conformity with the strategic*

¹ This is shown on the Draft Plan's page 7, Figure 1.

policies contained in the development plan for the area of the authority (or any part of that area)”; the latter is entirely new.

13. There is one relevant prescribed basic condition:² *“The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.”* Chapter 8 comprises regulations 105 to 111.

14. TCPA Sch 4B para 8(6) and para 10(3)(b) and the Human Rights Act 1998 mean that I must consider whether the Draft NDP is compatible with Convention rights. ‘*Convention rights*’ are defined in the Human Rights Act 1998 as (a) Articles 2 to 12 and 14 of the European Convention on Human Rights (“the Convention”), (b) Articles 1 to 3 of its First Protocol, and (c) Article 1 of its Thirteenth Protocol, as read with Articles 16 to 18 of the Convention.

15. In my examination of the substantial merits of the Draft NDP, I may not consider matters other than those specified above. In particular, I may not consider whether any other test, such as the soundness test provided for in respect of independent examinations under PCPA s20, is met.³ Rather, Parliament has decided not to use the soundness test, but to use the, to some extent, less demanding tests in the basic conditions. I must consider the present situation which has changed in some respects since the Made Plan was made. It is important to avoid unduly onerous demands on qualifying bodies. It is not my role to rewrite a neighbourhood development plan to create the plan that I would have written for the area. It is not my role to impose a different vision on the community.

16. Having considered the basic conditions and human rights, I have three options, which I must exercise in the light of my findings. I must recommend:

- (a) that the draft [Plan] is submitted to a referendum, or*
- (b) that modifications specified in the report are made to the draft [Plan] and that the draft order as modified is submitted to a referendum, or*
- (c) that the proposal for the [Plan]r is refused.⁴*

17. My power to recommend modifications is limited by statute in the following terms:

The only modifications that may be recommended are—

- (a) modifications that the examiner considers need to be made to secure that the draft plan meets the basic conditions ...*
- (b) modifications that the examiner considers need to be made to secure that the draft plan is compatible with the Convention rights,*

² Sch 2 para 1 of the General Regulations prescribes this. PPG Reference ID: 41-079-20190509.

³ Woodcock Holdings Ltd v. Secretary of State for Communities and Local Government [2015] EWHC 1173 (Admin), 1st May 2015, Holgate J., para 57; R. (Crownhall Estates Limited) v. Chichester District Council [2016] EWHC 73 (Admin) 21st January 2016, Holgate J., para 29; PPG Reference ID: 41-055-2018022.

⁴ TCPA Sch 4B para 10(2)

- (c) *modifications that the examiner considers need to be made to secure that the draft plan complies with the provision made by or under sections 38A and 38B, and*
- (d) *modifications for the purpose of correcting errors.*⁵

18. The word “only” prevents me recommending any other modifications. The fact that a modification would be of benefit is not a sufficient ground in itself to recommend it. So, for example, the fact that a policy could be strengthened, added or simplified to does not justify a modification unless this is necessary for the reasons given above. I must not take an excessively restrictive view of the power to recommend modifications, but must bear in mind Lindblom LJ’s explanation of its extent in his judgment in Kebbell Developments Ltd v. Leeds City Council.⁶ Errors include statements that were correct when written, but have become out of date. I may not recommend a modification that would put the Draft NDP in breach of a basic condition or of human rights. When I conclude that a modification is necessary, I must, in deciding its wording, bear in mind material considerations including government advice. This includes the importance of localism. Where I properly can, my recommended modifications seek to limit the extent to which the substance of the Draft NDP is changed.

19. It is not my role to consider matters that are solely for the determination of other bodies such as central government, Leicestershire County Council (“LCC”), HDC in a non-planning capacity, the Environment Agency, or Historic England. Nor is it my role to consider matters that an NDP could consider, but which are not considered in the Draft Plan, unless this is necessary for my role as explained above. It is not my role to consider aspirations that are not policies.

6. Consideration of Representations

20. I have read each representation and given it careful consideration, but have not felt it necessary to respond to all of them. Rather in accordance with the statutory requirement⁷ and bearing in mind the judgment of Lang J in R. (Bewley Homes Plc) v. Waverley Borough Council,⁸ I have mainly concentrated on giving reasons for each of my recommendations. Where I am required to consider the effect of the whole Draft NDP, I have borne it all in mind.

7. Public Hearing and Site Visit

21. The general rule is that the examination of the issues by the examiner is to take the form of the consideration of the written representations.⁹ However, an examiner must cause a

⁵ TCPA Sch 4B para 10(3).

⁶ [2018] EWCA Civ 450, 14th March 2018, paras 34 and 35.

⁷ TCPA Sch 4B para 10(6).

⁸ [2017] EWHC 1776 (Admin), Lang J, 18th July 2017.

⁹ PPG Reference ID: 41-056-20180222.

hearing to be held for the purpose of receiving oral representations about a particular issue in any case where the examiner considers that there are exceptional reasons for doing so, or in such other cases as may be prescribed. Neither applies. I therefore did not hold a public hearing.

22. I decided that an unaccompanied site visit was necessary and held a detailed one on Thursday 23rd July 2026. The weather was fine, there were no impediments to the visit and I was able to see all that I wished to see. The site visit included viewing, but was not limited to, the sites mentioned in representations. It helped me to gain a sufficient impression of the nature of the area for the purpose of my role.

8. Basic Conditions and Human Rights

Regard to national policies and advice

23. The first basic condition requires that I consider whether it is appropriate that the NDP should be made “*having regard to national policies and advice contained in guidance issued by the Secretary of State*”. A requirement to have regard to policies and advice does not require that such policy and advice must necessarily be followed, but they should only be departed from if there are clear reasons, which should be explained, for doing so.¹⁰

24. The main document in which national planning policy is contained is the National Planning Policy Framework which was last updated on 7th February 2025 (“NPPF”) and I have borne that in mind. The new NPPF issued yesterday does not apply to this examination imminent. Other policy and advice that I have borne in mind includes national Planning Practice Guidance (“PPG”). I have sought to follow the NPPF and PPG. These do not yet include guidance on the new basic conditions.

Contributing to the achievement of sustainable development

25. The second basic condition means that I must consider whether the making of the Plan contributes to the achievement of sustainable development. Unless the Draft NDP, or the Draft NDP as modified, contributes to sustainable development, it cannot be made. This condition relates to the making of the Plan as a whole.¹¹ It does not require that each policy in it must contribute to sustainable development. It does require me to consider whether constraints might prevent sustainable development and, if they might, whether the evidence justifies them. That involves consideration of both site-specific and general constraints, both existing and those proposed in the Draft NDP. The total effect of the constraints in the Draft NDP when read with existing constraints must not prevent the achievement of sustainable development.

¹⁰ R. (Lochailort Investments Limited) v. Mendip District Council [2020] EWCA Civ 1259, Lewison LJ, 2nd October 2020, paras 6, 31 and 33.

¹¹ The same applies to basic conditions (ea) and (f).

The making of the Plan would not have the effect of preventing development from taking place which (i) is proposed in the development plan for the area of the authority (or any part of that area), and (ii) if it took place, would provide housing

26. The Made Plan was made when third basic condition was “(e) *the making of the 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)*” and this was the third basic condition until 25th March of this year, a time when the preparation of the Review occurred. This has been replaced by a new third basic condition “(ea) *the making of the [Plan] would not have the effect of preventing development from taking place which— (i) is proposed in the development plan for the area of the authority (or any part of that area), and (ii) if it took place, would provide housing*”. The latter was the basic condition that applied throughout the Regulation 16 consultation. There are clear and substantial differences between the two basic conditions. The new basic condition does not have a general conformity requirement and is not limited to strategic policies, but is limited to impact on the amount of housing being provided. There are no transitional provisions. This means that in this examination I must apply the new basic condition and its different wording. That is a real difference, albeit one that does not always make as big a difference as would first appear. Under the old basic condition, in my experience, the major issues that required careful determination most often related to ensuring that delivery of needed housing was not impeded.

27 The new basic condition continues to relate to “the making of the plan”. This means that I must consider the Draft NDP as a whole. What matters is that would not have the effect of preventing development from taking place which is proposed in the development plan for the area of the authority (or any part of that area), and (ii) if it took place, would provide housing”.

28. The development plan for the purpose of my examination does not include the Made Plan.¹² It includes the Harborough Local Plan (“HLP”) and the Leicestershire Minerals and Waste Local Plan., each of which was adopted in 2019. The HLP includes:

- “These two market towns” [Market Harborough and Lutterworth] “, along with settlements near to the edge of Leicester (Scraptoft, Thurnby and Bushby), Broughton Astley and the rural centres, will have been the main focus for development.[paragraph 2.1]
- “The spatial strategy for Harborough District to 2031 is to:
 1. manage planned growth to direct development to appropriate locations, in accordance with the following settlement hierarchy:
 - a. (part of) the Leicester Principal Urban Area: Scraptoft, Thurnby and Bushby; ...

¹² PCPA Sch A2 para 16.

2. enable housing and commercial development, during the period 2011- 2031, including: ... iii. about 1,200 dwellings in a SDA at Scraftoft North...

3. bring forward strategic development areas at East of Lutterworth and Scraftoft North and ensure that they become well-planned, high quality living environments and that they support the maintenance and improvement of employment areas, shopping centres and community facilities both within them and nearby;...

4. ensure that the quantity and location of development within or adjoining the Leicester Principal Urban Area safeguards the identity of the communities of Scraftoft and Thurnby/Bushby and supports regeneration and development objectives in the neighbouring City of Leicester and Oadby and Wigston Borough...[policy SS1]

- The prevention of coalescence has already seen the designation of Areas of Separation in 'made' neighbourhood plans... Policy S7 of the Scraftoft Neighbourhood Plan, 2015 defines an Area of Separation to ensure Scraftoft retains its identity and prevents coalescence with development to the south, including Thurnby and Bushby. However, much of this designation is effectively superseded by policy GD7 Green Wedges of this Local Plan which identifies a Green Wedge on most of the Area of Separation. Policy GD7 will take precedence in determining planning applications within its boundaries, as the most recently adopted part of the development plan. Outside of the boundaries of the Green Wedge, the Area of Separation (as defined by the Scraftoft Neighbourhood Plan) will continue to apply.... [paragraph 4.11.3]
- Policy SC1 deals with Scraftoft North Strategic Development Area.

29. No part of the parish is a minerals safeguarding area.

Assimilated obligations

30. The fourth basic condition requires me to consider whether the Draft NDP breaches, or is otherwise incompatible with, assimilated obligations (formerly retained EU obligations). I have in particular considered the following, together with the UK statutory instruments implementing them in England: the Strategic Environmental Assessment Directive (2001/42/EC); the Environmental Impact Assessment Directive (2011/92/EU); the Habitats Directive (92/43/EEC); the Wild Birds Directive (2009/147/EC); the Waste Framework Directive (2008/98/EC); the Air Quality Directive (2008/50/EC); the Water Framework Directive (2000/60/EC); and the General Data Protection Regulation (2016/679/EU). I have also considered the judgment of the European Court of Justice in People Over Wind v. Coillte Teoranta.¹³ I have borne in mind that proportionality is a concept of and underlies EU law and must be wary of requirements that would be disproportionate to the Draft NDP.

¹³ Case C-323/17, 12th April 2018.

31. I am satisfied that no issue arises in respect of equality under general principles of EU law or any EU equality directive.

Compliance with EOR requirements

32. The new sixth basic condition provides “(da) any requirements imposed in relation to the plan by or under Part 6 of the Levelling-up and Regeneration Act 2023 (environmental outcomes reports) have been complied with”. As yet there are no such requirements.

Conservation of Habitats and Species Regulations 2017

33. I am satisfied that the making of the NDP would not be incompatible with the prescribed basic condition and that it is not necessary to consider the matter further in this report.

Human Rights

34. The planning law of England and Wales in general complies with the Convention. This matter can be dealt with briefly in advance of further consideration of the contents of the Draft Plan. I have considered whether anything in the Draft Plan would cause a breach of any Convention right. The Convention rights that have been most relevant to town and country planning are those under the Convention’s Article 6(1), 8 and 14 and under its First Protocol Article 1 and I have considered these. I have also considered the landmark judgment of the European Court of Human Rights’ Grand Chamber in Verein KlimaSeniorinnen Schweiz and Others v. Switzerland,¹⁴ which held that under article 8 a State has a positive obligation to implement sufficient measures to combat climate change. In Convention jurisprudence a State includes its emanations, including local government. First Protocol Article 1 reinforces the common-law principle that private property rights should not be removed without proper justification, and I have borne that in mind. Apart from those, nothing in my examination of the Draft NDP has required further consideration of human rights.

9. The Emerging Local Plan

35. The HLP is currently under review. On 16 March 2026 HDC resolved to submit the emerging Local Plan (“eLP”) to examination. The eLP remains subject to unresolved representations, and has not yet been tested through the examination process. As such I attach limited weight to it as an emerging plan. That does not mean that I must in effect ignore it. There is no principle that a neighbourhood plan cannot allow for development allocated in an emerging local plan. On the contrary, I consider that its allocated sites in Scraftoft when combined with the proposed Area of Separation¹⁵ are good planning for sustainable

¹⁴ Application no. 53600/20, (2024) 79 EHRR 1, 9th April 2024.

¹⁵ Shown on the Draft Plan’s Figure 5.

development, reconciling the communities reasonable desire to remain distinct from the Leicester conurbation and the substantial need for more housing.

36. When the eLP is adopted, PCPA will apply and, if there is a conflict between a policy in the neighbourhood plan and the new Local Plan, the conflict will be resolved in favour of the latter.

10. The Nature of the Neighbourhood Area

37. In considering the Draft NDP I must consider the nature of the neighbourhood area. It is described in the Draft NDP and the Design Guide. The Parish includes the whole of the historic village of Scraptoft, housing that effectively forms part of the built-up area of Leicester (although lying outside the City Council boundary, no other settlements, and extensive open countryside. The population is approximately 2,968 (2021 Census) and the Parish's area is approximately 530 hectares. I agree with the statement in the Design Guide that Scraptoft has a semi-rural character.

38. The facilities in the village include a newsagent (Pear Tree Stores), a small co-operative store with a post office, an active church, a well-used restaurant and public house, a community hub and village hall. Fernvale Primary School in Somerby Road adjoins the parish, but is outside it in Thurnby and Bushby parish.¹⁶ Behind the Co-Operative store, there is a business park. There is a day nursery in the village. There is a golf course (which it is planned to move out of the Parish) to the northwest of the village, a Rugby Club sports field a little to the east of the village and a natural burial ground on Keyham Lane East.

39. The majority of the village lies within the High Leicestershire National Character Area and also in Harborough District Character Area High Leicestershire.

40. The parish contains 11 listed building, one of which is also a Scheduled Monument. The church of All Saints, which dates from the 13th century, is Grade I listed and the Churchyard cross both Grade II* and a Scheduled Monument. All but one of the listed buildings (Scraptoft Hill Farmhouse to the east of the Village) are in or adjoin the village.

41. Arriva's 56 and 56A buses serve Scraptoft with 12 buses a day Mondays to Saturdays, connecting the village via Humberstone Park to the Haymarket Bus Station in the centre of Leicester. This provides access to employment, education, services and facilities in Leicester.

11. The Contents of the Draft Plan

42. In considering the contents of the Draft Plan two matters have been of particularly great importance.

¹⁶ There is a pending application for outline planning application in respect of land South of Covert Lane, which includes a form-form entry primary school with early years provision (26/00289/OUT).

- The community desires to protect Scraptoft village with its historic nature and distinct identity from merging with the built-up areas to the south and west, which, although in Harborough district, are part of a continuous built-up area with the city of Leicester. This is understandable, reasonable and accords with localism. If it can be achieved without conflicting with basic conditions, it is good planning for sustainable development. The Draft Plan proposes an Area of Separation to achieve this.
- There is strong central and local policy to ensure delivery of sufficient number of new dwellings. A failure to do this is likely to result in a breach of basic conditions (a), (d) and (ea).

43. I have considered these two matters with particular care and concluded that both can be achieved, but that this will necessitate limiting constraints on the sites allocated in the eLP and limiting constraints on other land adjoining the present built-up area other than the Area of Separation that may be needed for new dwellings should greater need than at present is believed to exist be established. This has been a significant factor in recommended modifications that reduce constraints on development.

Section 1: What has Changed?

Page 5, last line and Page 6 in respect of policy ENV9

44. There are two small typing errors that should be corrected

Recommended modification 1

Page 5, last line

Replace “adversely affect” with “adversely affected”.

Page 6 in respect of policy ENV9

Replace “which identifies he views” with ““which identifies the views”.

Section 2: The Neighbourhood Area

Page 7, 2nd paragraph

45. As a result of the changes to the basic conditions in March of this year, this is now partly out of date.

Recommended modification 2

Page 7, 2nd paragraph 2.7.1, second sentence

Replace “the policies must be in general conformity” with ““the policies had to be in general conformity”.

Section 3: The Neighbourhood Plan

Page 10, 6th paragraph

46. The statement “While there is a regular bus service to Leicester, there is no evening and Sunday service” might mislead. The Arriva 56 bus service has a scheduled stop at Stocks Road, Scraptoft at 18.45, which many would consider to be evening.

Recommended modification 3

Page 10, 6th paragraph

Replace “no evening and Sunday service” with no service after 7.00 pm and no Sunday service”.

Page 13, penultimate sentence

47. The statement “Ultimately this site was not developed for financial viability reasons” is disputed. The site has not been developed. It does not have planning permission, but an application for a “first phase of development” was submitted on 31st March 2026. There has clearly been a substantial problem since Table D.24 of HLP anticipated that 562 dwellings would have been delivered by this date. Nonetheless the disputed statement in the draft NDP is unnecessary and should be replaced by an uncontentious statement.

Recommended modification 4

Page 13, penultimate

Replace “Ultimately this site was not developed for financial viability reasons” with “This site has not been developed and does not have planning permission”.

Page 14 Policy HB1

48. The requirement for an approved masterplan for land allocated for strategic development has not been justified. Whether a masterplan is (or masterplans are) required is best left to HDC.

Recommended modification 5

Page 14, policy HB1

Delete “and an approved masterplan”.

Page 17, Policy HB2

49. The word ‘local’ in the context of this policy and the location of Scraptoft is imprecise. It is not, for example, clear whether it extends to overspill from the city of Leicester.

Recommended modification 6

Page 17, policy HB2

Delete “local”.

Page 18, Policy HB3

50. As with policy HB2, the word ‘local’ in line 1 in the context of this policy and the location of Scraptoft is imprecise and it is not, for example, clear whether it extends to overspill from the city of Leicester.

Recommended modification 7

Page 18, policy HB3, line 1

Delete “local”.

Pages 24-25 - Local Green Space

51. Pages 24 and 25 deal with 4 existing local green spaces (“LGSs”) and one proposed new LGS, each of which is in or adjoins the village, namely:

1. Edith Cole Memorial Park;
2. Scraptoft Nature Reserve (also known as ‘War Field Nature Reserve’);
3. All Saints churchyard and Scraptoft Hall (which comprises Scraptoft Hall frontage, Scraptoft Hall Lake and All Saints churchyard;
4. Scholars Grange; and
5. Stocks Green.

52. These are shown on the draft Plan’s Figure 6. They were determined following a re-evaluation of all Open Spaces in the Parish using NPPF eligibility criteria for Local Green Space. Policy ENV2 replaces Policy S9 from the Made Plan.

53. The NPPF provides for LGSs in its chapter 8, which is headed “Promoting healthy and safe communities”. Under the sub-heading “Open Spaces and Recreation”, its paragraphs 106 and 107 state:

106. The designation of land as Local Green Space through... neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.

107. The Local Green Space designation should only be used where the green space is:
a) in reasonably close proximity to the community it serves;

b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
c) local in character and is not an extensive tract of land.”

54. These paragraphs are central to any consideration of whether land should be designated as an LGS. They should be followed unless there is a sufficiently good reason not to do so and none is apparent to me. In considering the proposed LGS designations, I have borne in mind the judgment of the Court of Appeal in R. (Lochailort Investments Ltd) v Mendip District Council.¹⁷ The phrase in paragraph 106 “*capable of enduring beyond the end of the plan period*” was given specific consideration. While this is a less demanding policy than applies to Green Belt designation where the stronger “*permanently*” is used, it is still important.

55. I have viewed each proposed LGS. Each is in close proximity to the village and local in character. None of them is an extensive tract of land.

56. I am satisfied that that the first, third, fourth and fifth of the above satisfies NPPF’s paragraphs 106 and 107 and should continue to be designated as LGSs

57. The new proposed LGS is Scraftoft Nature Reserve and Local Green Space is also known ‘War Field Nature Reserve’. It is numbered 002 on Figure 6. It is part of the SC1 Scraftoft North Strategic Development Area in the HLP. It is also a nature reserve and shown as such on OS 1:25,000 and 1:50,000 maps. There is no public right of way on it, but it can be glimpsed from Beeby Road to its east and Keays Way to its south. It has no public right of access and I could not find anywhere where unauthorised access could be achieved without difficulty. (I note that Appendix 3 refers to a recreational use for walking and dog walking and appreciate that there may be accesses from back gardens.) Bearing in mind new basic condition (ea) and its inclusion on a site in the HLP, I have concluded that it should not be added to the list of LGSs at present. It will of course remain a nature reserve unless and until there is a de-declaration. Nothing in this report should be read as indicating a view that designation of this site as an LGS should not be reconsidered if this is considered appropriate after the eLP is adopted.

Recommended modification 8

Page 24, 2nd paragraph

Replace “, while one further site whose LGS values have increased since 2016 has been added. The other 17 sites” with “Other sites”.

Page 24, 3rd paragraph

Delete “Supporting evidence for the new LGS designation is in Appendix 3.”

¹⁷ [2020] EWCA Civ 1259, 2nd October 2020.

Page 24, Figure 6

Delete the green colouring and all text in respect of 002 Scraptoft Nature Reserve.

Pages 24 and 25, Policy ENV2

Delete “evidence, Appendix 3”.

Delete “Scraptoft Nature Reserve and Local Green Space 002 (also as ‘War Field Nature Reserve’, Natural greenspace, in HDC OSSR audit)”.

Pages 25 – 26 Open Space, Sport & Recreation sites

58. Pages 25 and 26 and Appendix 3 consider Open Space, Sport & Recreation sites. Policy ENV would provide protection for 17 of these sites, namely:

- The Mount woodland;
- Elizabeth Heyrick Drive;
- James Way / Church Hill green and Scraptoft Hall frontage;
- ‘Jimmies’ (Aylestone St James Rugby Club sports field);
- Field owned by Parker Strategic Land (“PSL”);
- Scraptoft Rise verge;
- Mount View estate balancing pond, play area, and natural buffer open spaces;
- Scraptoft Natural Burial Ground;
- Coulter Close Amenity Open Space
- Covert Lane Amenity Open Space
- Facers Lane verges;
- Scraptoft Hall connecting amenity open space;
- Pulford Drive;
- Scraptoft Brook /Cricketers Close open space;
- Beeby Road verges;
- Strawberry Fields pitches and Community Centre (The Hub) grounds;
- Strawberry Fields open space; Amenity Open Space.

59. Among other things the NPPF states:

“Planning policies and decisions should enable... the retention and development of accessible local services and community facilities, such as ... sports venues, open space...”

[para 88]

“To provide the social, recreational and cultural facilities and services the community needs, planning policies... should... plan positively for the provision and use of shared spaces, community facilities (such as ... sports venues, open space, ...) ... to enhance the sustainability of communities and residential environments.” [para 98]

“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.” [para 104]*

60. Policy ENV 3 is a new policy, there having been no policy for Open Space, Sport & Recreation sites in the Made Plan. It is important that it is supported by appropriate evidence.

61. The reasons for including Elizabeth Heyrick Drive Amenity Greenspaces and Play Area (004) are included in the Draft Plan’s Appendix 3. I viewed this space and in general I accept these reasons. However its designations should not impede development of the southern part of eLP allocated site S1. At the northern end of Spencer Clarke Road where it joins Elizabeth Heyrick Drive, there is a hard-surfaced area and beyond it a gate. These appear to have been created to facilitate access to that part of site S1. In any event they are not community green space. These should be excluded from area 004 as should a small amount of land on either side so that the strip excluded has the same width as Spencer Clarke Road and its pavements.

62. The field owned by PSL (008) is a former rugby sports field and training area that has not been used for more than eight years. Its club house has been demolished. It is mainly tufted grass with thistles and self-set plants. I have carefully read the representations including the letters from Leicester Tigers and Howes Percival, in respect of this and have no doubt that its current poor state results from its not having been needed and was not a device to achieve development. It does not seem likely that the previous sports use will be restored or that its current state altered significantly. It is no longer in a state to be used as a sports pitch. The public footpath between Scraftoft and Keyham (D26a/1) crosses it, in a straight line but otherwise the public have no right of access on it. Before the site visit, I had expected the public footpath which is close to housing and leads on eastwards to the nearby village of Keyham to be at least reasonably well used by the hikers mentioned in Appendix 3 and others. In fact its line could not be identified and I had to do my best to try follow its route. There may be unauthorised use on a track around the site and I did see one dog walker, but the use of the site is clearly limited. This site is not needed for development at present or in the near future and I am not recommending alteration of the settlement boundary; but is it the sort of site that might be considered should more housing be needed in the future if the area of separation is to be maintained. It is also possible that the site might again be needed for sport as Scraftoft grows if this can be funded. It will still be subject to HDC’s Playing Pitch Strategy and to national policy on open space and recreation. The legal right to use the public footpath will remain.

63. I considered where any of the Mount View estate balancing pond, play area, and natural buffer open spaces (010) would be needed for access to eLP allocated site s2. There was no hard-surfaced area or other sign of an intended access way equivalent to the end of Spencer Clarke Road and, although my views on highway access to S2 must be provisional and subject to full access assessment, I could see no reason why access to the site could not be obtained from Beeby Road or Keyham Lane East.

64. Subject to the above, that is exclusion of the former rugby sports field (008) and the small alteration to the Elizabeth Heyrick Drive Amenity Greenspaces and Play Area (004), I am satisfied that all the sites mentioned in policy ENV3 and shown on figure 7 merit protection under that policy. In reaching that conclusion I have relied on my planning judgment following the site visit and where it gives reason on Appendix 3. I have not needed to rely on the disputed scoring system in that Appendix.

65. Appendix 3 is incomplete and does not give details of all the open spaces. Its mention could confuse. The colouring on figure 7 should be explained.

Recommended modification 9

Page 25, final paragraph

Replace this with “As noted above, a new audit of all open spaces was conducted for this Review Neighbourhood Plan. It included the Local Green Space designations in the Made Plan, open spaces in the Harborough Council audit (coloured yellow in figure 7), and open spaces in new developments not audited by HDC (coloured brown in figure 7). Sixteen OSSR sites are recognised in this Review Neighbourhood Plan for inclusion under policy ENV 3.”

Page 25 figure 7

Remove the colouring from the field owned by PSL and the number 008.

Remove colouring from 004 at the northern end of Spencer Clarke Road, so as to indicate that it would not apply to an extension of Spencer Clarke Road into allocated site 1 of the emerging Local Plan.

Page 26, policy ENV 3

Delete “; details Appendix 3”.

Delete “Field owned by Parker Strategic (008) Sports Facility; on HDC Policies Map (2019) but not in HDC open spaces audit”.

Pages 26-28 and appendix 3

66. These consider Sites and features of Natural Environment significance.

67. The green area labelled “LWS 90715 Station Lane grassland, Scraptoft” and the green circle labelled “LWS 90716 Station Lane Oak” are not considered in Appendix 3 and, as far as I can from the papers that I have seen do not seem to have been considered in any publicly available document. One representation considers that they may be candidate local wildlife sites. In any event there is insufficient evidence to justify their receiving policy protection. Apart from that I am satisfied with figure 8 and policy ENV4

68. The relevant number of the figure is Figure 8, not Figure 6.

Recommended modification 10

Page 27, policy ENV 4

Replace “Figure 6” with “Figure 8”.

Remove from the figures both the colouring and the text of the green area labelled “LWS 90715 Station Lane grassland, Scraptoft” and the green circle labelled “LWS 90716 Station Lane Oak”.

Pages 29 - 30, Biodiversity and Habitat Connectivity across the Neighbourhood Area

69. This policy includes the sentence, “Development proposals that adversely affect trees, woodland and hedges of environmental (biodiversity, historical, arboricultural) significance, or of landscape or amenity value, will be resisted”. This is too demanding. Large developments almost inevitably have some adverse effect on trees of environmental significance. The appropriate approach will vary, but is often to provide compensatory measures such as new planting, rather than to resist any felling, lopping and hedgerow removal.

70. Figure 9.1 shows extensive areas of land as wildlife corridors. Such corridors are important, but their identification must be supported by relevant and up-to-date evidence and should not be so extensive as to prevent or to impede sustainable development. The evidence for the proposed wildlife corridors is not there. I note with concern that the whole of the road frontage to eLP allocated site S2, both Beeby Road and Keyham Lane East, would be subject to protection as a wildlife corridor despite the absence of evidence to justify this. I am aware that HLP policy SC1 recognises that Scraptoft Brook is an important wildlife corridor. This recognition remains and nothing in this report is intended to diminish its importance. Extending wildlife corridor protection to potential habitat links has not been justified.

Recommended modification 11

Page 29, policy ENV 5

Replace the first two sentences of the second paragraph with:

“New development should be designed to retain trees, woodland and hedges of environmental (biodiversity, historical, arboricultural) significance, or of landscape or amenity value where practicable or otherwise to compensate fully for their loss.”

In the Penultimate paragraph, replace “the identified wildlife corridors (Figure 9.1) and other potential habitat links” with “wildlife corridors”.

In the final paragraph, replace “figure 9.2” with figure 9”.

Page 30, figure 9.1

Delete this figure.

Page 30, figure 9.2

Replace “Figure 9.2” with “Figure 9”.

Pages 31 -32, Sites and features of Historic Environment significance

71. Figure 10 shows seven sites, two of which include the words “probable buried archaeology” and one of which includes the word “possible”. NPPF paragraph 216 states: “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”

72. Policy ENV6 overstates the case in describing things that are probable but otherwise unknown and possible as “at least local significance for their historical features”. The statement, “The features are extant and have visible expression or there is proven buried archaeology on the site” is also inconsistent with the figure. The policy should be re-written to comply with NPPF paragraph 216.

Recommended modification 12

Page 32, policy ENV 6

Replace the policy with:

POLICY ENV 6: SITES OF HISTORIC ENVIRONMENT SIGNIFICANCE - The sites mapped in Figure 10 are of at least possible significance for their historical features and are or may be non-designated heritage asset. Any application for permission for built development that might affect them should be accompanied by an archaeological survey. In weighing applications that directly or indirectly affect them, the significance of any archaeological features and the scale of any harm or loss should be taken into account”.

Page 33-34, policy ENV 7

73. This policy includes a list of four non-listed historic building in the Leicestershire Historic Environment Record. Question marks appear against two of these in the phrases “partly in ruin?” and “redeveloped?”. Question marks are not appropriate in a policy and can be removed as a minor error. The Stables and Coach House of Scraptoft Hall have been redeveloped, but this has been a sensitive conversion of a historic building and I am satisfied that it remains a heritage asset. One representation states that the Stable & Coach house is a listed building. From Historic England’s website, this does not seem to be the case. If it were correct, it should not be included in a list of non-designated heritage assets

74. Scraptoft Lodge Farm is to the northeast of the Village on Keyham Lane East opposite the natural burial ground. It is described as “partly in ruin?”. While the uncertainty is regrettable, a ruined building may still be a heritage asset and I have no reason to doubt that this is the case here.

Pages 37 and 38, Important Views

75. Page 37 and 38 and Appendix 4 consider proposed important views. I am satisfied views 1 and 2 merit protection.

76. Proposed important view 3 is attractive, but not exceptional. Protecting it could limit allocated site S1 in the eLP. The explanation for in Appendix 4 is that it is “an important signifier that Scraptoft is a rural village and not part of Leicester city”. This concern is adequately dealt with by the Area of Separation. I recommend total deletion of view 3.

77. Proposed important view 4 is also attractive, but unexceptional. Protecting it is inconsistent with allocated site S2 in the eLP. I recommend the total deletion of view 4.

78. Proposed important view 5, view from Dandelion Lane towards Mount Woodland, is attractive and no doubt valued by local residents. Appendix 4 states “This is an important green lung separating the housing estate from the woodland, providing safe open space for walking, dog walking and space for children to play safely.” I am satisfied that the view as described in appendix 3 merits protection. However there is no justification for extending it beyond the Mount woodland as the arrows on figure 14 show and as stated in the policy and indicated in the first page of Appendix 4. Subject to that, it should remain, but be renumbered as 3.

79. Proposed important view 6 is also attractive, but unexceptional. Protecting it could limit allocated site S1 in the eLP. The explanation “that reinforces Scraptoft as a rural location” is better dealt with by the Area of Separation. Public rights of way can only be altered by the appropriate statutory procedure (or Act of Parliament). They do not need a view policy to protect them.

<u>Recommended modification 13</u>

Page 37, supporting text

Replace both paragraphs with:

“Consultation during preparation of the Neighbourhood Plan Review identified a widely held wish to protect the character and setting of Scraftoft, including the contribution its historic buildings make to the old part of the village.

Details the protected views are contained in Figure 14, policy NV9 and Appendix 4.”

Figure 14

Remove numbers 3, 4, 5 and 6 and the arrows related to these. Replace 5 and its arrow with a short arrow that does not extend eastwards of Mount Woodland.

Policy ENV9

Remove everything after “Letitia Avenue”. Replace this with:

“3. Views of and from the Amenity (natural buffer) Open Space off Mountview Road (‘Dandelion Lane;’; ref 010 in Policy ENV 3), but not eastwards of Mount Woodland.

Page 43, figure 17

80. For the reasons given above in respect of the Draft Plan’s pages 37 and 38, the red arrows in respect of views 3, 4 and 6 and their descriptions should be removed from this figure. A single shortened red arrow on this figure would not serve any purpose.

Recommended modification 14

Page 43, figure 17

Remove all red arrows and their descriptions.

Page 44, policy ENV 11

81. Policy ENV11 supports “Turbines: one or two small turbines in any location, of maximum tip height 40m”. A desire to limit the size of wind turbine developments close to homes (other than the home of the proposer of the development) is understandable, but this part of the policy is not acceptable. It has not been justified by evidence. It would exclude much typical wind turbine developments. It would apply throughout the parish including in its east. As is pointed out on page 21 of the Draft Plan the parish “*has (in the east) expanses of remote-feeling, lightly-populated, arable and pastoral farmland, with copses and isolated farms and extensive views across the Leicester basin to Charnwood Forest.*”. Proper interests are appropriately protected by the six indents.

Recommended modification 15

Page 44, policy ENV 11

Replace “: one or two small turbines in any location, of maximum tip height 40m” with “which comply with the criteria in the six indents below.”

Page 50, policy T1

82. There is a small error that should be corrected.

Recommended modification 16

Page 50, policy T1, criterion (a)

Replace “appropriate mitigate on measures” with “appropriate mitigation measures.”

Page 51, first line

83. The electric-vehicle policy should be T2, not T4.

Recommended modification 17

Page 51, first line

Replace “POLICY T4: ELECTRIC VEHICLES” with “POLICY T2: ELECTRIC VEHICLES”.

Section 4: Infrastructure

Page 51, Section 4’s 3rd paragraph

84. There is a typing error that should be corrected.

Recommended modification 18

Page 51, Section 4’s 3rd paragraph

Replace “NP REVIEWPFP” with “NP REVIEW”.

Appendices

Appendix 3

85. Appendix 3 is not satisfactory and is clearly incomplete, something that is immediately clear from the “NB TO BE COMPLETED” on the second line of the first page. Nonetheless, it can serve a useful purpose in giving details of some sites.

86. The modifications recommended in in respect of figure 7 also apply to the location map of this appendix.

87. For the reasons given in paragraphs in paragraph 62 above, the whole of the text in respect of the Field owned by Parker Strategic Land (008) and its accompanying photo should be deleted from this appendix.

88. The incomplete entries, *i.e.* from Scraptoft Rise verge onwards, should all be deleted from this appendix.

Recommended modification 19

Location Map

Remove the colouring from the field owned by PSL and the number 008.

Remove colouring from 004 at the northern end of Spencer Clarke Road, so as to indicated that it would not apply to an extension of Spencer Clarke Road into allocated site 1 of the emerging Local Plan.

4th and 5th pages

Remove all of the text and the photograph in respect of the Field owned by Parker Strategic Land

11th to 16th pages

Remove everything from Scraptoft Rise verge onwards.

Appendix 4

89. The title to this Appendix should be corrected.

90. For the reasons given above in respect of the body of the Draft Plan, this appendix requires substantial alteration.

Recommended modification 20

Appendix 4, title

Replace “APPENDIX X” with “APPENDIX 4”.

Location Map

Remove numbers 3, 4, 5 and 6 and the arrows related to these. Replace 5 and its arrow with a short arrow that does not extend eastwards of Mount Woodland and renumber it as 3.

Remove everything (both text and photographs) in respect of 3, 4 and 6.

Renumber “5” as “3”.

Other parts of the Draft Plan

91. I have no comments on the other parts of the Draft Plan and its Appendices. Except where I recommend modifications, I have no concerns about any part of it.

12. Summary of Main Findings

92. I commend the Draft Plan for the thought and effort by unpaid volunteers devoting their own free time that has gone into its creation. It has struck the right balance between intelligibility to a lay person and the use of technical words that ensure precision.

93. I recommend that the Draft Plan be modified in the terms specified in Appendix A to this report to meet basic conditions and to correct errors. I am satisfied with all parts of the Draft Plan to which I am not recommending modifications. I recommend that the modifications specified in the report are made to the draft Plan and that the draft Plan as modified is submitted to a referendum.

94. With those modifications, the Draft Plan will meet all the basic conditions and human rights obligations. Specifically:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it will be appropriate to make the Plan;
- The making of the Plan will contribute to the achievement of sustainable development;
- would not have the effect of preventing development from taking place which—
(i) is proposed in the development plan for the area of the authority (or any part of that area), and (ii) if it took place, would provide housing;
- The making of the Plan will not breach, and will not otherwise be incompatible with, assimilated obligations;
- any requirements imposed in relation to the plan by or under Part 6 of the Levelling-up and Regeneration Act 2023 (environmental outcomes reports) have been complied with;
- The making of the Plan will not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017; and
- The Plan will be compatible with Convention rights contained in the Human Rights Act 1998.

T. A. Jones

Timothy Jones, Barrister, FCI Arb,
Independent Examiner,
No 5 Chambers
18th August 2026.

Appendix A: Recommended Modifications

Recommended modification 1

Page 5, last line

Replace “adversely affect” with “adversely affected”.

Page 6 in respect of policy ENV9

Replace “which identifies he views” with ““which identifies the views”.

Recommended modification 2

Page 7, 2nd paragraph 2.7.1, second sentence

Replace “the policies must be in general conformity” with ““the policies had to be in general conformity”.

Recommended modification 3

Page 10, 6th paragraph

Replace “no evening and Sunday service” with no service after 7.00 pm and no Sunday service”.

Recommended modification 4

Page 13, penultimate

Replace “Ultimately this site was not developed for financial viability reasons” with “This site has not been developed and does not have planning permission”.

Recommended modification 5

Page 14, policy HB1

Delete “and an approved masterplan”.

Recommended modification 6

Page 17, policy HB2

Delete “local”.

Recommended modification 7

Page 18, policy HB3, line 1

Delete “local”.

Recommended modification 8

Page 24, 2nd paragraph

Replace “, while one further site whose LGS values have increased since 2016 has been added. The other 17 sites” with “Other sites”.

Page 24, 3rd paragraph

Delete “Supporting evidence for the new LGS designation is in Appendix 3.”

Page 24, Figure 6

Delete the green colouring and all text in respect of 002 Scraptoft Nature Reserve.

Pages 24 and 25, Policy ENV2

Delete “evidence, Appendix 3”.

Delete “Scraptoft Nature Reserve and Local Green Space 002 (also as ‘War Field Nature Reserve’, Natural greenspace, in HDC OSSR audit)”.

Recommended modification 9

Page 25, final paragraph

Replace this with “As noted above, a new audit of all open spaces was conducted for this Review Neighbourhood Plan. It included the Local Green Space designations in the Made Plan, open spaces in the Harborough Council audit (coloured yellow in figure 7), and open spaces in new developments not audited by HDC (coloured brown in figure 7). Sixteen OSSR sites are recognised in this Review Neighbourhood Plan for inclusion under policy ENV 3.”

Page 25 figure 7

Remove the colouring from the field owned by PSL and the number 008.

Remove colouring from 004 at the northern end of Spencer Clarke Road, so as to indicate that it would not apply to an extension of Spencer Clarke Road into allocated site 1 of the emerging Local Plan.

Page 26, policy ENV 3

Delete “; details Appendix 3”.

Delete “Field owned by Parker Strategic (008) Sports Facility; on HDC Policies Map (2019) but not in HDC open spaces audit”.

Recommended modification 10

Page 27, policy ENV 4

Replace “Figure 6” with “Figure 8”.

Remove from the figures both the colouring and the text of the green area labelled “LWS 90715 Station Lane grassland, Scraptoft” and the green circle labelled “LWS 90716 Station Lane Oak”.

Recommended modification 11

Page 29, policy ENV 5

Replace the first two sentences of the second paragraph with:

“New development should be designed to retain trees, woodland and hedges of environmental (biodiversity, historical, arboricultural) significance, or of landscape or amenity value where practicable or otherwise to compensate fully for their loss.”

In the Penultimate paragraph, replace “the identified wildlife corridors (Figure 9.1) and other potential habitat links” with “wildlife corridors”.

In the final paragraph, replace “figure 9.2” with figure 9”.

Page 30, figure 9.1

Delete this figure.

Page 30, figure 9.2

Replace “Figure 9.2” with “Figure 9”.

Recommended modification 12

Page 32, policy ENV 6

Replace the policy with:

POLICY ENV 6: SITES OF HISTORIC ENVIRONMENT SIGNIFICANCE - The sites mapped in Figure 10 are of at least possible significance for their historical features and are or may be non-designated heritage asset. Any application for permission for built development that might affect them should be accompanied by an archaeological survey. In weighing applications that directly or indirectly affect them, the significance of any archaeological features and the scale of any harm or loss should be taken into account”.

Recommended modification 13

Page 37, supporting text

Replace both paragraphs with:

“Consultation during preparation of the Neighbourhood Plan Review identified a widely held wish to protect the character and setting of Scraftoft, including the contribution its historic buildings make to the old part of the village.

Details the protected views are contained in Figure 14, policy NV9 and Appendix 4.”

Figure 14

Remove numbers 3, 4, 5 and 6 and the arrows related to these. Replace 5 and its arrow with a short arrow that does not extend eastwards of Mount Woodland

Policy ENV9

Remove everything after “Letitia Avenue”. Replace this with

“3. Views of and from the Amenity (natural buffer) Open Space off Mountview Road (‘Dandelion Lane;’; ref 010 in Policy ENV 3), but not eastwards of Mount Woodland.

Recommended modification 14

Page 43, figure 17

Remove all red arrows and their descriptions.

Recommended modification 15

Page 44, policy ENV 11

Replace “: one or two small turbines in any location, of maximum tip height 40m” with “which comply with the criteria in the six indents below.”

Recommended modification 16

Page 50, policy T1, criterion (a)

Replace “appropriate mitigate on measures” with “appropriate mitigation measures.”

Recommended modification 17

Page 51, first line

Replace “POLICY T4: ELECTRIC VEHICLES” with “POLICY T2: ELECTRIC VEHICLES”.

Recommended modification 18

Page 51, Section 4’s 3rd paragraph

Replace “NP REVIEWWPF” with “NP REVIEW”.

Recommended modification 19

Location Map

Remove the colouring from the field owned by PSL and the number 008.

Remove colouring from 004 at the northern end of Spencer Clarke Road, so as to indicated that it would not apply to an extension of Spencer Clarke Road into allocated site 1 of the emerging Local Plan.

4th and 5th pages

Remove all of the text and the photograph in respect of the Field owned by Parker Strategic Land

11th to 16th pages

Remove everything from Scraptoft Rise verge onwards.

Appendix 4

89. The title to this Appendix should be corrected.

90. For the reasons given above, this Appendix requires substantial alteration.

Recommended modification 20

Appendix 4, title

Replace “APPENDIX X” with “APPENDIX 4”.

Location Map

Remove numbers 3, 4, 5 and 6 and the arrows related to these. Replace 5 and its arrow with a short arrow that does not extend eastwards of Mount Woodland and renumber it as 3.

Remove everything (both text and photographs) in respect of 3, 4 and 6.

Renumber “5” as “3”.

Appendix B: Abbreviations

The following abbreviations are used in this report:

Convention	European Convention on Human Rights
Draft Plan	proposed modification to the Scraptoft Neighbourhood Plan 2015-2028
eLP	Emerging Local Plan
EU	European Union
General Regulations	Neighbourhood Planning (General) Regulations 2012 (as amended)
HDC	Harborough District Council
HLP	Harborough Local Plan
LCC	Leicestershire County Council
LGS	Local Green Space
LP	Local Plan
Made Plan	the made Scraptoft Neighbourhood Plan
NDP	Neighbourhood Development Plan
NPPF	National Planning Policy Framework
para	paragraph
Parish	parish of Scraptoft
PCPA	Planning and Compulsory Purchase Act 2004 (as amended)
PPG	national Planning Practice Guidance
s	section
Sch	Schedule
SPC	Scraptoft Parish Council
TCPA	Town and Country Planning Act 1990 (as amended)

Where I use the verb '*include*', I am not using it to mean '*comprise*'. The words that follow are not necessarily exclusive.