

Great Glen Neighbourhood Development Plan Review 2011-2031

**A report to Harborough Council on the Great Glen
Neighbourhood Development Plan Review**

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Executive Summary

- 1 I was appointed by Harborough District Council in June 2019 to carry out the independent examination of the Great Glen Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 25 July 2019.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding local character and providing a context within which new dwellings can be accommodated within a proposed settlement boundary. The Plan has successfully identified a range of issues where it can add value to the strategic context already provided by the adopted Local Plan. It has a particular focus on maintaining the rural identity of the neighbourhood area and its heritage.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Great Glen Neighbourhood Plan meets all the necessary legal requirements. I have also concluded that the reviewed Plan should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
17 September 2019

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Great Glen Neighbourhood Development Plan Review 2011-2031 (the 'Plan').
- 1.2 The Plan has been submitted to Harborough District Council (HDC) by Great Glen Parish Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) 2012 and its updates in 2018 and 2019. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. In this instance the Parish Council has identified some policies in the existing made neighbourhood plan which it wishes to update and/or amend. It has also proposed additional policies.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to how the Plan should proceed after the examination. This takes account of the scale and the nature of the review of the Plan

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by HDC, with the consent of the Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of both HDC and the Parish Council. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

Examination Outcomes

- 2.4 Given that the submitted Plan is a proposed modification of an existing 'made' neighbourhood Plan I am required to take a view on the nature of the examination process in general, and whether or not a referendum is required. This assessment is undertaken in Section 3 of this report
- 2.5 In addition I am required to examine the Plan against the basic conditions. This assessment is undertaken in detail in Section 6 of this report.
- 2.6 The outcome of the examination is set out in Sections 7 and 8 of this report.

Other examination matters

- 2.7 In examining the Plan I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.8 I have addressed the matters identified in paragraph 2.7 of this report. I am satisfied that the submitted Plan complies with the three requirements.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan;
- its various supporting documents;
- the Basic Conditions Statement;
- the Consultation Statement;
- the Harborough District Council SEA screening report;
- the Harborough District Council HRA screening report;
- the Parish Council's responses to my Clarification Note;
- the representations made to the Plan;
- the adopted Harborough District Local Plan 2011-2031;
- the National Planning Policy Framework (February 2019);
- Planning Practice Guidance (March 2014 and subsequent updates); and
- relevant Ministerial Statements.

3.2 I carried out an unaccompanied visit to the neighbourhood area on 11 July 2019. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 The submitted Plan proposes the following changes to the made neighbourhood plan:

- New Policy GG1 - a residential site allocation.
- New Policy GG2 - an update to the settlement boundary.
- Policy GG12 - the inclusion of an additional local green space.
- Policy GG13 - updates survey results including a greater area of coverage.
- Policy GG14 - updates to the schedule of sites.
- Policy GG15 – amended title and policy.
- New Policy GG17 - a new policy on a Historic Landscape Character Area.
- New Policy GG19 - a new policy on Important views and skylines.

3.4 The Neighbourhood Planning Act 2017 identifies the circumstances that might arise as qualifying bodies seek to review made neighbourhood plans. It introduces a proportionate process for the modification of neighbourhood areas where a neighbourhood development order or plan has already been made in relation to that area.

3.5 There are three types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves and as follows:

- minor (non-material) modifications to a neighbourhood plan or order which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum; or

- material modifications which do not change the nature of the plan or order and which would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan; or
 - material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.
- 3.6 The Parish Council has considered this issue. It takes the view that the changes were material, not requiring a referendum. It comments that the made Plan does direct growth in the Plan area. In addition, it has policies on design, windfall development, affordable housing and housing mix.
- 3.7 HDC has also considered the issue. It takes the view that the Plan requires both examination and referendum. It takes this view as the revised Neighbourhood Plan seeks to allocate a housing site for 10 dwellings (Policy GG1). The Council considers that a site of 10 dwellings is significant, given that it falls within the NPPF's definition of major development and that the 'made' Plan does not allocate sites for housing.
- 3.8 I have considered these different views very carefully. I have concluded that the Plan needs both examination and a referendum. I have reached this decision for the following reasons:
- the submitted Plan includes several policies which are material modifications to the neighbourhood plan;
 - in particular the submitted review of the Plan includes a proposed housing allocation (Policy GG1); and
 - a housing allocation is not included in the 'made' neighbourhood plan.
- 3.9 I advised the Parish Council of this decision on 16 August 2019. The Parish Council then advised that it wished to proceed with the examination of the proposed modifications to the made neighbourhood plan.
- 3.10 The remainder of this report sets out the findings of the examination. It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the Plan could be examined without the need for a public hearing. I advised HDC of this decision early in the examination process.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. This Statement sets out the mechanisms used to engage all concerned in the plan-making process. It includes an assessment of the consultation undertaken during the various stages of Plan production. It also provides specific details about the consultation process that took place on the pre-submission version of the Plan (December 2018 to January 2019). Its strength is the way in which it sets out the key issues in a proportionate way which is then underpinned by more detailed appendices. It is a first-class model for others to follow.
- 4.3 The various appendices reproduce elements of the consultation documents used throughout the plan-making process. They add life and depth to the Statement.
- 4.4 The Statement sets out details of the comprehensive range of consultation events that were carried out in relation to the initial stages of the Plan. They included:
- the publicity at the beginning of the process;
 - the use of the Great Glen Gazette for wider publicity;
 - the use of a staffed exhibition at the Great Wheelbarrow Race in September 2018;
 - broader engagement with HDC; and
 - engagement with statutory bodies and others with significant interests in the emerging Plan.
- 4.5 Appendix K provides specific details on the comments received as part of the consultation process on the pre-submission version of the Plan. It identifies the principal changes that worked their way through into the submission version. They help to describe the evolution of the Plan.
- 4.6 It is clear that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation.
- 4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. HDC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Representations Received

4.8 Consultation on the submitted plan was undertaken by HDC for a six-week period that ended on 10 July 2019. This exercise generated comments from a range of organisations as follows:

- Mr D Jackson
- National Grid
- Highways England
- Sports England
- East Leicestershire and Rutland Clinical Commissioning Group
- Harborough District Council
- Gladman Developments Limited
- Natural England
- David Wilson Homes

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area consists of the parish of Great Glen. Its population in 2011 was 3662 persons living in 1559 houses. It was designated originally as a neighbourhood area on 4 June 2014. It is an irregular area running in a north to south alignment. It is located between Oadby to the north-west and Kibworth to the south-east. The neighbourhood area is predominantly rural in character and much of its area is in agricultural use. The A6 trunk road runs through the neighbourhood area and provides excellent access to the broader strategic highway network.
- 5.2 The principal settlement in the neighbourhood area is Great Glen itself. It has several distinctive parts. Its historic core is based around St Cuthbert's Church, London Road, Church Road and the Village Green. The commercial part of the village centre is based around the junction of Church Road, Oaks Road and Stretton Road. The local shops are at the very heart of the community along with the village hall and the library. Over the years more modern development has progressively taken place to the north of Oaks Road and to the east of Stretton Road.
- 5.3 The remainder of the neighbourhood area consists of attractive agricultural hinterland. The northern part of the neighbourhood area includes Stretton Hall and the modern residential development that has taken place within its grounds

Development Plan Context

- 5.4 The development plan covering the neighbourhood plan area is the Harborough Local Plan 2011 – 2031. The Local Plan sets out a vision, objectives, a spatial strategy and overarching planning policies that guide new development in the Plan period. It was adopted in April 2019.
- 5.5 The Local Plan includes comprehensive range of policies. Within its settlement hierarchy Great Glen is identified as one of a series of Rural Centres (Policy SS1). The policy seeks to allow Great Glen and the other identified rural centres to provide a range of services to serve their needs and those of their surrounding areas.
- 5.6 The following additional policies in the Local Plan have been important in influencing and underpinning the various policies in the submitted Plan:

Policy GD2	Settlement Development
Policy GD3	Development in the Countryside
Policy GD8	Good Design in Development
Policy HC1	Built Heritage
Policy GI1	Green Infrastructure networks
Policy GI4	Local Green Spaces

- 5.7 The submitted Plan has been prepared within its wider adopted development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter.
- 5.8 It is also clear that the submitted Plan seeks to add value to the different components of the development plan and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement.

Unaccompanied Visit

- 5.9 I carried out an unaccompanied visit to the neighbourhood area on 25 July 2019. The sweltering heat made progress around the area somewhat sluggish.
- 5.10 I drove into the area along the A6 from the south. This gave me an initial impression of the setting and the character of the neighbourhood area. It also highlighted its connection to the strategic road system. I saw the way in which several key environmental and historic features were sandwiched between the former main road and the new A6 bypass of the village.
- 5.11 I looked initially at the village centre around the junction of Main Street, Church Street and Stretton Road. I saw the various retail and commercial services. I also saw that they were at the heart of the village in combination with the library and the village hall off Main Street.
- 5.12 Thereafter I continued to the east of the village so that I could see the range of proposed Important Views and skylines. I travelled as far as Oaks Road to see the view from the highest point in the parish as identified in Policy GG19.
- 5.13 I then drove to St Cuthbert's Church yard to understand its proposed designation as a local green space. I saw that it was very well-maintained. I saw its range of traditional, well-established trees and the more recently-planted avenue leading up to the main door constructed in 2008. I saw the plaque by the gates provided by Robert and Marion Kaye of Glen Manor in November 1918. I also saw several interesting granite crosses and the very ornate Frisby gravestones.
- 5.14 I took the opportunity to look at the proposed Historic Landscape Character Area on the opposite side of the former main road. I saw the extent of the ridge and furrow landscape. This became clearer as I walked along the footpath running in a westerly direction opposite the Church. Thereafter I drove to the western part of the neighbourhood area along the former main road. I saw the new residential developments of this road and the way in which the submitted Plan had sought to incorporate them within its proposed settlement boundary. I also saw the proximity of Great Glen to Oadby to the north and west.
- 5.15 I looked around the area of the village by the Pug and Greyhound PH. I saw that the green area around the war memorial was beautifully-maintained. I saw the interesting

history board erected for the Queen's Jubilee in 2002. Other than for the construction of the A6 bypass little had changed since that time. I also saw the Holm Oak tree planted for the Queen's Diamond Jubilee in 2012. It was doing well notwithstanding the searing heat.

- 5.16 I finished my visit by driving along the old main road to Kibworth Harcourt. This part of the visit further highlighted the location of Great Glen to its wider landscape.

6 The Neighbourhood Plan and the Basic Conditions

6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented and informative document. It is also proportionate to the Plan itself.

6.2 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan in the area;
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations; and
- not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).

6.3 I assess the Plan against the basic conditions under the following headings.

National Planning Policies and Guidance

6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in February 2019. This approach is reflected in the submitted Basic Conditions Statement.

6.5 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Great Glen Neighbourhood Plan Review:

- a plan led system– in this case the relationship between the neighbourhood plan and the adopted Harborough District Local Plan 2011-2031;
- delivering a sufficient supply of homes;
- building a strong, competitive economy;
- recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
- taking account of the different roles and characters of different areas;
- highlighting the importance high quality design and good standards of amenity for all future occupants of land and buildings; and
- conserving heritage assets in a manner appropriate to their significance.

- 6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development, which is identified as a golden thread running through the planning system. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.
- 6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the plan area within the context set by the recently-adopted Local Plan. In particular it includes policies on infill development and the historic environment. It proposes a housing allocation and an additional local green space. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16). This was reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (41-041-20140306) indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.10 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes a policy on housing development (Policy GG1) and it proposes a settlement boundary (Policy GG2). In the social role, it includes an additional proposed local green space (Policy GG12). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on ridge and furrow (Policy GG13), on biodiversity (Policy GG15) and on the designation of a Historic Landscape Character Area (Policy GG17). The Parish Council has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.12 I have already commented in detail on the development plan context in Harborough District in paragraphs 5.4 to 5.8 of this report.
- 6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan. I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

European Legislation and Habitat Regulations

- 6.14 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to comply with this requirement Harborough District Council undertook a screening exercise (June 2019) on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. As a result of this process it concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require SEA.
- 6.16 The responses received from the consultation bodies included a view from Historic England that SEA was required. This response was based on the potential impact of the development of the proposed housing allocation (Policy GG1) to the north of St Cuthbert's Church. HDC considered these comments carefully in reaching its determination on the need or otherwise for SEA. In doing so it included a relevant assessment of the circumstances of the site and development plan policies in Appendix 5 of the screening statement. This commented that St Cuthbert's Church, the Vicarage in Church Road and other historic assets, by virtue of distance, orientation and intervening buildings and vegetation share little or no intervisibility with the site. In particular HDC concludes that 'the relationship that the Church shares with the site is insignificant compared with that of the historic landscape to the south and west'. On the balance of the evidence I am satisfied that HDC has come to an appropriate decision.
- 6.17 The report includes a separate Habitats Regulations Assessment (HRA) of the Plan (June 2019). It concludes that the Plan is not likely to have significant environmental effects on a European nature conservation site or undermine their conservation objectives alone or in combination taking account of the precautionary principle. As such Appropriate Assessment is not required.
- 6.18 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.

- 6.19 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

- 6.20 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the Parish Council have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. In particular the Parish Council has properly made an assessment of the effectiveness of the existing policies in the Plan. It has also used this assessment to decide which policies it wishes to review and the additional policies it considers to be necessary. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial section of the Plan (Sections 1-7)

- 7.8 These introductory parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan is presented in a professional way. It makes a very effective use of well-selected photographs and maps. A very clear distinction is made between its policies and the supporting text. It also highlights the links between the Plan's objectives and its resultant policies.
- 7.9 The Introduction comments about the need for a review of the existing made Plan. It sets the scene for the Plan
- 7.10 Section 2 comments about the neighbourhood area. It is a particularly effective summary the context of Great Glen.
- 7.11 Section 3 comments about the nature of neighbourhood planning. It also identifies the scale and nature of the submitted documents.
- 7.12 Section 4 comments about why a Plan is needed in Great Glen.

- 7.13 Section 5 comments about how the Plan was prepared. It comments about the evidence gathered and used in the preparation of the Plan. It has a clear focus on the public engagement processes. It overlaps with the submitted Consultation Statement.
- 7.14 Section 6 comments about what the Plan sets out to achieve. The schedule of bullet points on page 18 is both simple and effective in equal measure.
- 7.15 Section 7 comments about the importance of meeting the national requirement for the wider planning process to deliver sustainable development.
- 7.16 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report. The format of the submitted Plan has been designed to present a consolidated version of the neighbourhood plan in the event that the review of the existing Plan is 'made'. For the purpose of this examination I comment in detail only on those policies which are affected by the submitted review. In paragraphs 7.72 to 7.75 I highlight where any inconsistencies might exist between the existing and the proposed new/reviewed policies. In some cases, these issues will be for HDC and the Parish Council to consider separately.

Policy GG1: Residential Site Allocation

- 7.17 This policy proposes the allocation of land north of Glen House for approximately 10 dwellings. It is a discreet parcel of land to the immediate east of the former A6.
- 7.18 I am satisfied that the proposed allocation meets the basic conditions in general terms. It is located within a sustainable location close to the community and retail facilities in the village. I am also satisfied that the allocation of the site is consistent with the designation of a Historic Landscape Character Area in Policy GG17.
- 7.19 The policy itself is rather minimal. It simply allocates the site for residential development. As such it fails to provide any guidance to developers on the nature of the development which is expected to come forward. It could have unintended consequences. In a similar fashion the policy provides no clarity to HDC on how it would determine planning applications which may come forward on the site.
- 7.20 In these circumstances I recommend that a series of criteria are incorporated into the policy. They reflect some of the factors considered by the Parish Council in its site assessment process. In addition, they will bring the clarity to the policy required by paragraph 16d) of the NPPF.
- 7.21 I also recommend that the reference to the SHLAA in the policy is replaced by the relevant figure in the submitted Plan

Replace (SHLAA reference A/GG/HSG/14) with (as shown on Figure 2)

Thereafter add ‘subject to the following criteria:

- **the development of the site retains the tree belts along its western and southern boundaries;**
- **appropriate and safe vehicular access is provided into the site;**
- **the layout and design of the development incorporates appropriate pedestrian and cycling facilities; and**
- **the design and layout of the development and the materials used should be in accordance with the design quality principles included in Policy GG6 of this Plan’**

Policy GG2: Settlement Boundary

- 7.22 This policy proposes a settlement boundary for the village. It is included in the Plan as HDC has decided not to continue with its former ‘Limits to Development’ approach in its recently-adopted Local Plan. In this context the proposed settlement boundary is a variation of the former boundary for the village.
- 7.23 The edge of the built-up part of the village is generally well-defined. This reflects the gradual development of the village in recent years by the construction of new dwellings within former field boundaries. Due to the historic nature of the village the definition of the village is less obvious in the south and the west. The Parish Council has made a judgement about how best the settlement boundary can be drawn in this part of the village.
- 7.24 HDC has suggested that the settlement boundary is refined in two specific areas. The first is in relation to the modern development off May Close and several larger properties off London Road. The second is in relation to 24 London Road and Nos 1-5 The Nook. I looked at these areas carefully when I visited the neighbourhood area.
- 7.25 The definition of settlement boundary has inevitably been a matter of judgement. In this context the Parish Council has identified its methodology for doing so in Section 8.2.3 of the Plan. On balance I am satisfied that the Parish Council has come to a reasonable decision on the London Road properties (within Area 1) and within Area 2 as identified by HDC. However, I recommend that the settlement boundary is extended to incorporate the full extent of the May Close development. This would reflect the totality of the wider development. It would also take direct account of the first point within the Parish Council’s methodology.
- 7.26 I am satisfied that the resulting policy meets the basic conditions. It offers support to new development within the identified settlement boundary. In addition, it identifies the types of development which would be acceptable outside the settlement boundary.

In Figure 3 refine the settlement boundary to incorporate the full extent of the May Close development

Policy GG3: Housing Provision Windfall Sites

7.27 This policy is unaffected by the review of the Plan

Policy GG4: Housing Mix

7.28 This policy is unaffected by the review of the Plan

Policy GG5: Affordable Housing

7.29 This policy is unaffected by the review of the Plan

Policy GG6: Design Quality

7.30 This policy is unaffected by the review of the Plan

Policy GG7: Local Heritage Assets

7.31 This policy is unaffected by the review of the Plan

Policy GG8: Employment and Business Development

7.32 This policy is unaffected by the review of the Plan

Policy GG9: Shops

7.33 This policy is unaffected by the review of the Plan

Policy GG10: Community Buildings and Facilities

7.34 This policy is unaffected by the review of the Plan

Policy GG11: Assets of Community Value

7.35 This policy is unaffected by the review of the Plan

Policy GG12: Designation of Local Green Spaces

7.36 This policy proposes the designation of an additional local green space (LGS) from those originally designated in the made neighbourhood Plan. The proposed additional site is the churchyard of St Cuthbert's Church.

7.37 I looked at the site carefully as part of my visit. I am satisfied that the site meets the tests for LGS designation as set out in paragraphs 99-101 of the NPPF. In particular it is demonstrably special to the local community.

- 7.38 My observations confirm the findings of the Parish Council in its Local Green Space – Supporting Evidence (Appendix 5). It is an excellent study that fully assesses potential local green spaces in the parish.
- 7.39 The policy also includes two further local green spaces which have been separately identified in the adopted Local Plan. This overlapping information will provide consistency and clarity for all concerned, and for development management purposes in particular. The policy meets the basic conditions.
- 7.40 There is an inconsistency between the details in the policy itself and in Section 1 of the Plan on the numbering of the proposed additional LGS. I recommend the necessary correction to the information in Section 1.

In Section 1 of the Plan (Environment Heading) GG12 replace ‘GG/LGS/02’ with ‘GG/LGS/04’

Policy GG13: Ridge and Furrow

- 7.41 This policy remains unchanged from the policy in the made Plan. However, the information and supporting text has been reviewed and updated. It now includes further details about the historic importance of ridge and furrow in the Parish. It also includes additional areas where there are clear traces of ridge and furrow. The made Plan included only areas of ‘well-preserved ridge and furrow’
- 7.42 I am satisfied that these elements of the review are both appropriate and evidence-based.
- 7.43 Whilst the policy itself has not been proposed to be amended I have assessed its continued applicability to the extended range of ridge and furrow fields proposed within the Plan. By definition the policy refers only to ‘areas of well-preserved ridge and furrow’ (as identified in the made Plan). I have also taken account of the proposed new policy on the Historic Landscape Character Area (Policy GG17) in the Plan. That proposed Area includes several of the identified ‘well preserved ridge and furrow’ as shown on Figure 7. As part of this assessment I have also taken account of my recommended modifications to that policy.
- 7.44 In all the circumstances I recommend that Policy GG13 is modified so that it will be consistent with Policy GG17. This will also ensure that the policy has regard to national policy.

Replace Policy GG13 with:

‘Development proposals should take account of the well-preserved ridge and furrow and areas with a clear trace of ridge and furrow as shown on Figure 7. Development proposals which would affect the identified ridge and furrow resources in the neighbourhood area will be determined on the basis of any assessment of the scale of the harm or loss of the heritage assets concerned,

their significance and the public benefits that would arise from the development concerned'

Policy GG14: Important Open Spaces

- 7.45 This policy remains unchanged from the policy in the made neighbourhood plan. However, the information and supporting text has been reviewed and updated. It now ensures that the list of sites corresponds with the relevant allocations in the Local Plan. Additional sites are also included.
- 7.46 There is an overlap between the various identified Important Open Spaces and the proposed designated Local Green Spaces. I sought clarification from the Parish Council on this issue. It acknowledged that designated LGSs need not be included in the schedule of important open spaces in Policy GG14. I recommend accordingly.
- 7.47 Otherwise I am satisfied that the approach taken is appropriate and meets the basic conditions

In the schedule of Important Open Spaces remove the various entries which are separately designated as Local Green Space in Policy GG12.

In the details of Important Open Spaces in Figure 8 remove the various entries which are separately designated as Local Green Space in Policy GG12.

Policy GG15: Biodiversity and Wildlife Corridors

- 7.48 This information supporting this policy has been amended as follows:
- the amendment of the heading to the policy to include wildlife corridors;
 - amendments to the policy to include an additional wildlife corridor (new environmental inventory results including the development of the Great Glen Crematorium);
 - the incorporation of new development conditions for bat conservation;
 - the amendment of figure 7 to include a new map to show two wildlife corridors and the key biodiversity habitat sites for which they provide connectivity;
 - the identification of additional key habitat areas; and
 - the incorporation of new best practice in respect of planning for habitat connectivity;
- 7.49 The policy changes have been well-considered. The resulting policy is generally effective in securing its ambitions. However, I recommend a series of modifications to bring the clarity required by the NPPF. The first corrects the reference between the policy and Figure 9. The second ensures that the policy reads in an effective fashion. The third incorporates a detailed word change. Otherwise it meets the basic conditions.

In the opening section of the policy replace 'Figure 10' with 'Figure 9' and 'must' with 'should'

End criterion 2 after ‘the Plan area’. Thereafter relocate the remainder of the criteria so that it sits as a free-standing paragraph within the policy

Policy GG16: Important Trees and Hedges

7.50 This policy is unaffected by the review of the Plan.

Policy GG17: Historic Landscape character Area

7.51 This is a new policy proposed for the Plan. It proposes the designation of a Historic Landscape Character Area based around St Cuthbert’s church and the former A6 road through the historic core of the village

7.52 The policy is underpinned by the Parish Council’s assessment of the cumulative importance of the following historic features within the defined area:

- earthwork evidence for mediaeval houses;
- ridge and furrow fields;
- the former turnpike road;
- grazing fields;
- hedgerows; and
- the grade II* listed St Cuthbert’s church

7.53 The policy requires that development proposals should respect the various historic features. It also attempts to introduce the balance contained within the NPPF on the nature of the proposed development and the significance of the historic features concerned.

7.54 The proposed policy has generated a detailed representation from David Wilson Homes (DWH). That company has land interests in that part of the proposed Character Area to the south of the former A6. The representation includes a detailed analysis of the importance of the ridge and furrow fields within the DWH land interest.

7.55 I have considered the policy and the representation very carefully. I looked at the proposed Character Area when I visited the neighbourhood area. It was clear that the defined area, including the proposed LGS in the churchyard, displayed a concentration of matters important to the heritage of the village. The proposed Landscape Character Area is very different in its character from the built-up part of the village to the east.

7.56 In general terms I am satisfied that the identified Area is sufficiently distinctive to warrant its proposed designation as a Historic Landscape Character Area. In addition, I am also satisfied that the policy approach is sufficiently flexible to allow appropriate development to come forward. In particular the policy does not take a blanket or a restrictive stance.

- 7.57 Nevertheless as submitted the policy does not fully have regard to national policy on this important matter. Paragraphs 193 to 202 of the NPPF highlight the balance to be struck between the public benefits of proposed development and any harm to the significance of a designated heritage asset. National policy also requires that the effect of an application on the significance of a non-designation asset should be taken into account in determining the application.
- 7.58 Within this wider context the policy's reference to any loss or damage to historic features 'is to be avoided' is unclear in its meaning. It has limited policy effect and would not be capable of being applied consistently by HDC. On this basis I recommend modifications to the wording of the policy so that it has regard to this important element of national policy.
- 7.59 Finally any policy of this nature cannot be certain about the types of proposals which may come forward within the Plan period. The recommended modifications retain the generality of the approach included in the submitted Plan. In this context HDC will be able to come to its own judgement based on the nature of any planning applications which may be submitted in the designated area, their impact on heritage assets, and the public benefits of the development proposed.

Replace the initial part of the policy with:

'The plan designates a Historic Landscape Character Area as shown on Figure 12

Development proposals within the designated Historic Landscape Character Area should take account of the historic features listed within this policy.

Development proposals within the designated Historic Landscape Character Area will be determined on the basis of any assessment of the scale of the harm or loss of the heritage assets concerned, their significance and the public benefits that would arise from the development concerned'

At the beginning of the schedule of historic features add:

'The heritage assets affected by this policy are as follows:'

Policy GG18: Footpaths and Cycleways

- 7.60 This policy is unaffected by the review of the Plan.

Policy GG19: Important Views and Skylines

- 7.61 This is a new policy proposed for the Plan. It identifies a series of important views and skylines. The policy sets out to ensure that development proposals consider, assess and address their impact on the views and skylines.
- 7.62 I looked at the various views and skylines when I visited the neighbourhood area. I saw that the skylines reflected the natural position of the village within the valley of the River Sence. The ridgeline to the east of the village, separating it from Burton Overy, is particularly dominant. In most cases the identified important views are related to the

skylines. In the round they have been carefully-chosen. I am also satisfied that they reflect important public vistas rather than being private and discreet views of limited public interest.

- 7.63 The policy itself is non-prescriptive. In particular it does not restrict development that would impact on these views in a blanket fashion. Rather its approach is one which requires proposed development to take these important matters into account and to introduce mitigation measures as appropriate.
- 7.64 I recommend that the wording used in the policy is modified so that it has the clarity required by the NPPF. In particular the submitted wording of 'consider, assess and address' incorporates three tests. This approach is unnecessarily complicated. In addition, the mitigation element is unclear. I also recommend the deletion of supporting text from the policy and its repositioning into the supporting text. Otherwise the policy meets the basic conditions.

Replace the first sentence of the policy with:

'Development proposals within the identified important views as listed in this policy and shown in figure 14 should take account of their impact on the view or views concerned. Where it is necessary to do so, development proposals should include appropriate mitigation measures to reduce any unacceptable impacts that would arise from the proposed development.'

At the end of the first paragraph of section 8.6.8 add:

'The important views shown on Figure 14 help to define the rural setting and character of Great Glen'

Policy GG20: Energy Efficiency

- 7.65 This policy is unaffected by the review of the Plan.

Policy GG21: Residential Parking

- 7.66 This policy is unaffected by the review of the Plan

Policy GG22: Public Parking Development

- 7.67 This policy is unaffected by the review of the Plan

Policy GG23: Access Design for New Development

- 7.68 This policy is unaffected by the review of the Plan

Policy GG24: Traffic Impact

- 7.69 This policy is unaffected by the review of the Plan

Community Actions

- 7.70 The various Actions are unaffected by the review of the Plan.

Other matters - General

- 7.71 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for HDC and the Parish Council to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies.

Other Matters – Consequential matters

- 7.72 The review of the Plan has proposed modifications to some policies, has included new policies and has retained other policies. In this context I have examined the proposed modified policies and the proposed new policies. The Parish Council has concluded that it is comfortable with the remainder of the policies. In any event they have not been subject to public consultation and scrutiny.
- 7.73 In respect of Policy GG13 I have however recommended modifications to the policy wording so that it takes account of the mapping and information base which has been included within the Plan as part of the review. The recommended modifications will also ensure consistency with the proposed new policy GG17.
- 7.74 Policy GG2 of the submitted Plan has proposed a new settlement boundary. I have concluded that it meets the basic conditions. Policy GG3 of the 'made' Plan comments about windfall sites. Its structure correctly assumes that the majority of such development will take place within the settlement boundary. However, part a) of the policy offers support to development outside the settlement boundary 'where the site is closely surrounded by buildings'.
- 7.75 The potential for new development of this type is not included within Policy GG2 of the submitted NP review. In addition, potential development of this type does not feature within the list of such development in paragraph 79 of the NPPF. In these circumstances the Parish Council and HDC may wish to consider the future applicability of this part of Policy GG3.

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2031. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that the Great Glen Neighbourhood Development Plan Review meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

- 8.3 On the basis of the findings in this report I recommend to Harborough District Council that subject to the incorporation of the modifications set out in this report that the Great Glen Neighbourhood Development Plan meets the basic conditions
- 8.4 Following my assessment of the scale and nature of the submitted review I also recommend that the Plan should proceed to referendum.

Referendum Area

- 8.5 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as originally approved by Harborough District Council on 4 June 2014.
- 8.6 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner.

Andrew Ashcroft
Independent Examiner
17 September 2019