

## Policies relevant to the reports contained within this Agenda

<b>National Policy Guidance</b>	
Circular 01/2006	<p>Planning for Gypsy and Traveller Sites replaces Circular 01/94. Its main intentions are:-</p> <p>To significantly increase the number of Gypsy and Traveller sites with planning permission in order to address under-provision:-</p> <ol style="list-style-type: none"> <li>a) recognise, protect and facilitate the traditional lifestyle of Gypsies and Travellers</li> <li>b) identify and make provision for the resultant land and accommodation requirements</li> <li>c) help or avoid Gypsies and Travellers becoming unintentionally homeless reflect the status of Gypsy and Traveller accommodation as a part of wider housing provision</li> <li>d) create and support sustainable, integrated communities where Gypsies and Travellers have equality of access to suitable accommodation, education, health and welfare provision, and where there is mutual respect between all communities for the rights and responsibilities of each community and individual</li> <li>e) promote more private Gypsy and Traveller site provision in appropriate locations through the planning system, while recognising that there will always be those who cannot provide their own sites</li> <li>f) underline the importance of assessing needs at regional and sub-regional level and for local authorities to develop strategies to ensure that needs are dealt with fairly and effectively</li> <li>g) ensure that Development Plan Documents include fair, realistic and inclusive policies to ensure identified need is dealt with fairly and effectively</li> <li>h) reduce the number of un-authorized encampments and developments and the conflict and controversy they cause and to make enforcement more effective where local authorities have complied with the guidance in this circular.</li> </ol> <p>Circular 01/2006 position</p> <p>In two recent planning appeal decisions, namely APP/F4410/A/10/2142715 and APP/C3105A/11/2144721, consideration was given to the impact on the provisions of 01/2006 by the Secretary of State's publication of a consultation paper dealing with his intention to replace Circular 01/2006, and which contained a draft PPS. The inspector in one of the decisions above noted that whilst the consultation paper and the draft PPS3 indicated the intended direction of national policy, it could, nevertheless, be subject to amendment.</p> <p>As a result, at this stage of the process, the inspector accorded only limited weight to the emerging PPS.</p> <p>The emerging PPS, in light of the CALA case, is a material</p>

	planning consideration, but the weight to be given to it is a matter for the committee as the decision-maker and the inspector's comments are also material in coming to a view on the weight to be given both to the existing circular and the emerging PPS
Circular 05/2005	Sets out the Secretary of State's policy on Planning Obligations, and should be given significant weight in decision making and developer contributions.
National Planning Policy Framework (Draft)	The draft National Planning Policy Framework was published for consultation on 25 July 2011. The Government's intention is to reduce the current 1,000 pages of national planning policy [some of which are referred to above] into a 'clearer, simpler, more coherent framework, easier to understand and easier to put into practice'. The Inspector in a recent inquiry considered that although the draft was a material consideration he gave it little weight because it is a consultation and subject to change. This approach was accepted by the Secretary of State in a letter of 24 October 2011, in his consideration of the inspector's report. The current national policies therefore continue to apply with significant weight. Officers will continue to advise on the progress of this consultation and update members on that progress.
The Community Infrastructure Levy (CIL) Regulations 2010	Part 11, Regulation 122 provides a statutory duty in respect of planning obligations and requires them to be necessary, directly related and fairly and reasonably related in scale and kind to the development proposed. The Regulation does not replace Circular 05/2005 but gives it a statutory foothold in planning legislation.
Planning for Growth 2011	A ministerial statement supporting growth in order to help rebuild Britain's economy. Planning has a key role to play in this, by ensuring that the sustainable development needed to support economic growth is able to proceed as easily as possible.

#### **East Midlands Regional Plan 2009**

The Localism Act received the Royal Assent on 15 November 2011 and part 6 is the key section referring to regional strategies. In so far as Hinckley and Bosworth Borough Council is concerned, it should be noted that the Secretary of State has power by Order to revoke existing regional strategies, in Hinckley's case, the East Midlands Regional Plan 2009. That power is effective from the date of Royal Assent, but the specific proposals and timing of a revocation order are not yet known.

Until that revocation the East Midlands Regional Plan remains a material planning consideration but the weight to be given to its provisions is as always a matter for the committee. However, the coming into force of the Act, the power given to the Secretary of State to revoke the Plan, and the Government's 'Environmental report on the revocation of the East Midlands Regional Plan' published in October 2011 obviously have an impact on the weight to be given to the Plan.

That said, members should be aware of proposals set out in the Environment report in relation to which documents would form the relevant development plan for Hinckley if the regional strategy and saved structure plan policies were revoked.

These are the following;

- a) Hinckley and Bosworth Core Strategy;
- b) Hinckley Town Centre Action Plan
- c) Hinckley and Bosworth Local Plan ( with the annotation in the report that until

all elements of the LDF are adopted some of the policies `saved` from the Local Plans by the Secretary of State remain extant for determining applications.	
Policy 1	Regional Core Objectives: seeks to secure the delivery of sustainable development.
Policy 2	Promoting Better Design: seeks better design and to continuously improve the level of co2 emissions and resilience to future climate change through the layout, design and construction of new development. y
Policy 3	Distribution of New Development: directs development towards urban areas with priority being given to making the best use of previously developed land.
Policy 13a	Regional Housing Provision: sets the total housing provision figures for the Borough of Hinckley and Bosworth from 2006 to 2026.
Policy 14	Regional Priorities for Affordable Housing: recognises the need for the provision of affordable housing within local development frameworks.
Policy 16	Regional Priorities for Provision for Gypsies, Travellers and Travelling Showpeople: suggests that Local Authorities should identify land for additional pitch provision based on clearly evidenced assessments of need and that Local Development Frameworks should make provision for the minimum additional pitch requirements set out in Appendix 2, taking account of the need arising from future growth beyond 2012. Appendix 2 identifies that Hinckley and Bosworth Borough Council should provide a minimum of 26 pitches for Gypsies and Travellers plus 5 transit pitches and 2 plots for showpeople.
Policy 20	Regional Priorities for Employment Land: recognises the importance of employment land reviews to inform the allocation of a range of sustainable employment sites.
Policy 43	Regional Transport Objectives: sets out the regional transport objectives, supports the regions regeneration priorities and seeks to improve safety and reduce congestion.

<b>Local Development Framework Core Strategy 2009</b>	
Policy 1	Development in Hinckley: supports Hinckley's role as a sub-regional centre and sets out the criteria to achieve this. It makes provision for a minimum of 1120 new residential dwellings, seeks to diversify the existing housing stock in the town centre to cater for a range of house types and sizes, seeks to ensure there is a range of employment opportunities within Hinckley and to allocate land for new office development within or adjoining the Hinckley Town Centre Area Action Plan boundary. It supports the expansion of the creative industries job market, the provision of new retail space, the redevelopment of the railway station to deliver a transport interchange, the provision of a new bus station, transport improvements, tourism development and the development of new leisure facilities.
Policy 4	Development in Burbage: makes provision for the allocation of land for a minimum of 295 new residential dwellings focused primarily to the north of Burbage, 10ha of B8 employment land and 4ha of B2 employment land adjacent to the railway line as an extension to Logix Park. It supports the provision of additional

	<p>retail floorspace within the defined Burbage local centre, transport improvements, tourism development and infrastructure to support the new development including an extension to the GP surgery, play and open space, and cycling routes.</p>
<p>Policy 6</p>	<p>Hinckley/Barwell/Earl Shilton/Burbage Green Wedge: confirms that the following land uses will be acceptable in the Green Wedge:-</p> <ul style="list-style-type: none"> <li>a) Agriculture, including allotments and horticulture not accompanied by retail development</li> <li>b) Recreation</li> <li>c) Forestry</li> <li>d) Footpaths, bridleways and cycle ways</li> <li>e) Burial grounds</li> <li>f) Use for nature conservation.</li> </ul> <p>Any land use or associated development in the Green Wedge should:-</p> <ul style="list-style-type: none"> <li>a) Retain the function of the Green Wedge</li> <li>b) Retain and create green networks between the countryside and open spaces within the urban areas</li> <li>c) Retain and enhance public access to the Green Wedge, especially for recreation and</li> <li>d) Should retain the visual appearance of the area.</li> </ul> <p>It also indicates that a review should be carried out of the existing Green Wedge boundaries.</p>
<p>Policy 12</p>	<p>Rural Villages: supports housing development within settlement boundaries, development that meets local needs, development that enables home working and small scale employment uses, development of the tourism industry and transport improvements. It also seeks to resist the loss of local shops and facilities in rural villages unless it is demonstrated that the business or facilities can no longer operate in a viable manner.</p> <p>In addition this policy provides guidance for individual settlements as follows:</p> <p>Higham on the Hill – allocate land for a minimum of 40 new homes; address existing deficiencies in green space and play provision; require new development to respect the character and appearance of the conservation area; and deliver safe cycle routes.</p> <p>Stanton under Bardon – allocate land for a minimum of 30 new homes; support the relocation of the community centre; address existing deficiencies in green space and play provision; implement strategic green infrastructure; support proposals that contribute to the National Forest Strategy and Charnwood Forest Regional Park; and deliver safe cycle routes.</p> <p>Sheepy Magna – allocate land for a minimum of 20 new homes; support proposals to provide a village shop; address existing deficiencies in green space and play provision and deliver safe</p>

	<p>cycle routes.</p> <p>Nailstone – allocate land for a minimum of 20 new homes; address existing deficiencies in green space and play provision; and deliver safe cycle routes.</p> <p>Twycross – allocate land for a minimum of 20 new homes; address existing deficiencies in green space and play provision; deliver strategic green infrastructure; require new development to respect the character and appearance of the conservation area; deliver safe cycle routes; and support the role of Twycross Zoo as a tourist destination.</p> <p>Witherley – work with the Highways Agency to address identified problems with the A5/Kennel Lane junction; address existing deficiencies in green space and play provision; require new development to respect the character and appearance of the conservation area; and deliver safe cycle routes.</p> <p>Congerstone – allocate land for a minimum of 10 new homes; address existing deficiencies in green space and play provision; deliver strategic green infrastructure; and require new development to respect the character and appearance of the conservation area.</p>
Policy 15	Affordable Housing: seeks the provision of affordable housing on residential proposals in the urban areas at a rate of 20% on schemes of 15 dwellings or more or 0.5ha or more and rural area at a rate of 40% on schemes of 4 dwellings or more of 0.13ha or more with a tenure split of 75% social rented and 25% intermediate housing. The affordable housing figure can be negotiated on a site by site basis taking into account identified need, existing provision, characteristics of the site, and viability.
Policy 16	Housing Density, Mix and Design: seeks to ensure that all new residential developments provide a mix of types and tenures appropriate to the applicable household type projections.
Policy 18	Provision of Sites for Gypsies, Travellers and Travelling Showpeople: states that the council will allocate land for 42 residential pitches, and planning permission for sites will be granted where certain criteria are met including siting adjacent to the settlement boundary of any Key Rural Centre or Rural Village or the site is located within a reasonable distance of local services and has safe highway access.
Policy 19	Green Space and Play Provision: seeks to ensure that all residents have access to sufficient, high quality and accessible green spaces and play areas.
Policy 21	National Forest: supports: the implementation of the National Forest to the north east of the borough; enhancing biodiversity; developing a new woodland economy for timber products and wood fuel energy; outdoor recreational and sports provision; and tourism developments subject to the siting and scale of the development being related to its setting within the Forest; reflecting the character and appearance of the wider countryside and not adversely affecting the existing facilities and working landscape of either the Forest or the wider countryside.

Policy 22	Charnwood Forest: supports proposals that maintain the traditional landscaped of the forest; provide new recreation facilities; provide access to and from the rural areas into and within the regional park by non vehicular means; retain local character and complement the local landscape; enhance open spaces; enhance woodland and habitat provision and connectivity; manage and enhance the cultural heritage of the area.
Policy 24	Sustainable Design and Technology: seeks to ensure all new development meets specified sustainable design and technology standards.

<b>Hinckley and Bosworth Local Plan 2001</b>	
<b>INFRASTRUCTURE</b>	
Policy IMP1	Contributions towards the provision of infrastructure and facilities: requires contributions towards the provision of infrastructure and facilities to serve the development commensurate with the scale and nature of the development proposed.
<b>HOUSING</b>	
Policy RES5	Residential Proposals on Unallocated Sites: states that on sites that are not specifically allocated in the plan for housing, planning permission will only be granted for new residential development if the site lies within a settlement boundary and the siting, design and layout of the proposal does not conflict with the relevant plan policies.
<b>EMPLOYMENT</b>	
Policy EMP1	Existing Employment Sites: seeks to actively retain existing identified employment sites for employment purposes.
Policy EMP2	Expansion of Existing Employment Uses: supports the expansion of existing site subject to meeting design, layout, landscaping, access, parking and highway requirements; safeguarding amenities of occupants of adjoining or neighbouring properties and protecting and improving the character and appearance of the site and immediate environment.
Policy EMP4	Employment Development on sites other than those allocated for Employment Uses: supports small scale employment use within settlement boundary and rural areas subject to not being detrimental to residential amenity; not detracting from character and appearance of environment and countryside; provision of necessary highway infrastructure and no adverse impact upon highway network and safety.
<b>CONSERVATION AND BUILT ENVIRONMENT</b>	
Policy BE1	Design and Siting of Development: requires that planning permission for development proposals will be granted where they: complement or enhance the character of the surrounding area with regards to scale, layout, density, materials and architectural features; avoid loss of open spaces; has regard to safety; incorporates design features which reduce energy consumption, encourages recycling and minimises impact on local environment; incorporates a high standard of landscaping; meets DDA requirements where necessary; ensure adequate highway visibility and parking standards and manoeuvring facilities; do not adversely affect the amenities of neighbouring properties; and would not be prejudicial to the comprehensive development of a

	larger area of land of which the development forms part. For residential proposes development should incorporate urban design standards, ensure adequate degree of amenity and privacy and provide sufficient amenity space.
Policy BE7	Development in Conservation Areas: states that primary planning policy will be the preservation or enhancement of their special character. Planning permission for proposals which would harm their special character or appearance will not be granted.
Policy BE11	Advertisements in Conservation Areas: seeks to retain existing advertisements that make a positive contribution, replacement advertisements should be of traditional design. Proposals for replacement advertisements will be permitted if the existing advertisement is of insufficient quality to warrant their retention providing the replacement is of high quality design.
Policy BE16	Archaeological Investigation and Recording: states that the Local Planning Authority can impose conditions requiring that satisfactory archaeological investigation and recording be carried out.
<b>THE NATURAL ENVIRONMENT</b>	
Policy NE2	Pollution: states that planning permission will not be granted for development which would be likely to cause material harm through pollution of the air or soil or suffer material harm from either existing or potential sources of air and soil pollution
Policy NE5	Development in the Countryside: states that the countryside will be protected for its own sake and that planning permission will be granted for built and other forms of development in the countryside provided that the development is either:-  a) Important to the local economy and cannot be provided within or adjacent to an existing settlement; or b) For the change of use, reuse or extension of existing buildings, particularly those of historic value; or c) For sport or recreation purposes.  And only where the following criteria are met:-  i) It does not have an adverse effect on the appearance or character of the landscape. ii) It is in keeping with the scale and character of existing buildings and the general surroundings. iii) Where necessary it is effectively screened by landscaping or other methods.
Policy NE12	Landscaping Schemes: requires proposals for development to make provision for further landscaping where appropriate.
Policy NE14	Protection of Surface Waters and Groundwater Quality: seeks to ensure that developments do not compromise the quality of the water environment.
<b>TRANSPORTATION</b>	
Policy T5	Highway Design and Vehicle Parking Standards: refers to the application of appropriate standards for highway design and parking provision for new development
Policy T9	Facilities for Cyclists and Pedestrians: encourages walking and cycling including facilities for cycle parking.
<b>RECREATION AND TOURISM</b>	

Policy REC2	New Residential Development – Outdoor Open Space Provision for Formal Recreation: requires all new residential development to provide outdoor play space for formal recreation.
Policy REC3	New Residential Development – Outdoor Play Space for Children: requires the appropriate level of open space to be provided within development sites or, alternatively, a financial contribution to be negotiated towards the provision of new recreation facilities within the vicinity of the site or towards the improvement of existing facilities in the area.
Policy REC6	Ashby Canal Corridor: provides a corridor either side of the canal in order to protect the recreational and ecological value of the canal. Development is allowed within the corridor subject to specified criterion.

### **Supplementary Planning Guidance / Documents**

New Residential Development	Provides guidance on design issues to ensure new developments are well integrated into their surroundings, offer a good standard of security and amenity to future residents, protect amenity of existing occupiers and are locally distinctive in their appearance.
Play and Open Space Guide 2008	Sets out the Boroughs approach when considering applications for development likely to generate a demand for open space and play facilities.
Sustainable Design 2008	Promotes sustainable development to contribute towards a greener future. It offers best practice guidance to developers in the design process, and requires an effective contribution of sustainable energy on each new building across the Borough.
Burbage Village Design Statement	Sets out the principles, design features and quality standards that should be adopted by those wishing to building, modify or extend buildings in the settlement.
Affordable Housing	This expands upon policies contained with the Core Strategy and provides guidance on the thresholds, targets, tenure and mix, local need, design and layout of affordable housing and how the provision should be delivered.

### **Other Material Policy Guidance**

Designing Gypsy and Traveller Sites: Good Practice Guide	<p>Primarily intended to cover social site provision and states that there is no single, appropriate design for sites, and that it is important to ensure that sites.</p> <ul style="list-style-type: none"> <li>a) are sustainable, safe and easy to manage and maintain</li> <li>b) are of a decent standard, equitable to that which would be expected for social housing in the settled community</li> <li>c) support harmonious relations between Gypsies and Travellers and the settled community.</li> </ul> <p>The Guide states that it will not be possible to meet all aspects of this guidance in every respect on every site.</p> <p>Local authorities and registered social landlords will need to take decisions on design on a case by case basis, taking into account local circumstances such as the size, geographical and other characteristics of the site or prospective site and the particular needs of the prospective</p>
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	<p>residents and their families. In the case of small private site development there will be similarities but it should be recognised that those sites are designed to meet the individual and personal preferences of the owner and may contain elements which are not appropriate or popular for wider application in respect of social provision. It would not therefore be appropriate to use the good practice guidance in isolation to decide whether a private application for site development should or should not be given planning permission.</p>
<p>The Leicestershire, Leicester and Rutland Gypsies and Travellers Accommodation Needs Assessment 2006 - 2016</p>	<p>Identifies the needs for gypsy and travellers within the Borough up until 2016. This document provides the evidence base to the East Midlands Regional Plan 2009 which in turn Policy 18 of the Adopted Core Strategy is derived from.</p>
<p>The Black and Minority Ethnic Communities Housing in the East Midlands: A Strategy for the Region</p>	<p>Recommendation 8 states that ' It is imperative that local authorities make immediate progress in site identification to meet the needs of Gypsies and Travellers rather than relying on the development of policies through the local development framework. 'Supplementary Planning Guidance: 'New Residential Development' provides a series of standards that new residential development should achieve in respect of design, layout, impact on neighbours and amenity space. It specifically states that the appropriate density of the development will be determined by the general character of the surrounding area.</p>
<p>Landscape Character Assessment 2006</p>	<p>An evidence base document that defines areas with consistent distinctive characteristics resulting from the interaction of geology, landform, soils, vegetation, land use and human settlement. It provides an understanding of the landscape, its evolution and future pressures along with future management strategies. It also studies the urban character through assessing street patterns, urban form, landmark buildings and common building styles and materials to define the local vernacular of the principle settlements.</p>
<p>Green Wedge Review 2011</p>	<p>The aim of this evidence base is to assist in determining the boundary of the green wedge. It assesses two green wedges within the Borough known as Rothley Brook Meadow Green Wedge and Hinckley/Barwell/Earl Shilton/Burbage Green Wedge.</p>
<p>Employment Land and Premises Study 2010</p>	<p>The report assesses the supply, need and demand for employment land and premises in Hinckley and Bosworth. The study assesses the economy which informs the amount, location and type of employment land and premises required to facilitate its development and growth; reviews the current portfolio of employment land and premises and recommendation on the future allocation of employment land and premises.</p>
<p>Leicestershire County Council 6C's Design Guide (originally called</p>	<p>The guide provides guidance on highway and transportation infrastructure for new development. It aims to ensure new development is delivered in ways that promote sustainable</p>

Highways, transportation and development)	travel and safeguard the efficient and safe functioning of the transport system.
Outdoor Advertisements and Signs: a guide for advertisers	The guide explains how the advertisement control system works; what advertisements are normally permitted; what advertisements need specific permission and how to obtain it and how planning authorities may control the display of advertisements in some special cases.