

## Policies relevant to the reports contained within this Agenda

<b>National Policy Guidance</b>	
National Planning Policy Framework 2012	<p>The NPPF reiterates the statutory requirement that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.</p> <p>It also states that the document should be read in conjunction with the newly released policy statement on Gypsies and Travellers.</p> <p>The purpose of the planning system is to contribute to the achievement of sustainable development. There are 3 dimensions to sustainable development:</p> <ul style="list-style-type: none"> <li>• An economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places to support growth and innovation</li> <li>• A social role – supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations, and by creating a high quality built development with accessible local services;</li> <li>• An environmental role – contributing to protecting and enhancing our natural, built and historic environment.</li> </ul> <p>At the heart of the NPPF is a <b>presumption in favour of sustainable development</b>, which should be seen as a golden thread running through both plan-making and decision making. For decision making this means:</p> <ul style="list-style-type: none"> <li>• Approving development proposals that accord with the development plan without delay; and</li> <li>• Where the development plan is absent, silent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted. (Para 14).</li> </ul> <p>Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision making and plan-making should be seamless, translating plans into high quality development on the ground. (Para 186). They should seek for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible.</p> <p>Early engagement in pre-application discussions is encouraged where it is offered. Developers should be encouraged to engage</p>

	<p>with the community.</p> <p>The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The Framework is a material consideration in planning decisions. (Para 196)</p> <p>In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development (Para 197).</p> <p><u>Implementation</u></p> <p>The policies in the NPPF apply from the day of publication (27<sup>th</sup> March 2012).</p> <p>For 12 months from the day of publication, decision makers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with the Framework.</p> <p>The Hinckley and Bosworth Local Plan was adopted in February 2001, as such it is necessary to review all saved local plan policies according to their consistency with the framework. Due weight must then be given according to their consistency with the NPPF. These are appraised within each application late item.</p> <p>For clarity it should be noted that the following national policy guidance documents referred to in the main agenda are superseded by the NPPF:</p> <p>Circular 05/05 Circular 01/06 NPPF (Draft) All Planning Policy Guidance and Statements</p>
<p>The Community Infrastructure Levy (CIL) Regulations 2010</p>	<p>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.</p>

<p><b>East Midlands Regional Plan 2009</b></p>	
<p>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.</p> <p>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</p>	

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 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.
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 26	Protecting and Enhancing the Region's Natural and Cultural Heritage: recognises that sustainable development should ensure the protection, appropriate management and enhancement of the Region's natural and cultural heritage.
Policy 27	Regional Priorities for the Historic Environment: recognises that the historic environment should be understood, conserved and enhanced, in recognition of its own intrinsic value, and its contribution to the Regions quality of life.

**Local Development Framework Core Strategy 2009**

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 3	Development in Barwell: supports the regeneration of Barwell. It makes provision for a minimum of 45 new residential dwellings, seeks to diversify the existing housing stock to cater for a range of house types and sizes, allocates land for the development of a mixed use sustainable urban extension to the west of Barwell, seeks to ensure there is a range of employment opportunities within Barwell, supports the regeneration of Barwell local centre including public realm improvements, traffic calming measures and provision of additional retail floorspace. It supports the

	development of new leisure facilities and sporting hub on land off the A47 in the vicinity of the Hinckley United Football Stadium. It requires transport improvements and supports the development of the tourism industry.
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 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.
Policy 11	<p>Key Rural Centres Stand Alone: supports local services and seeks to maintain rural population levels.</p> <p>Barlestone – allocates land for a minimum of 40 new homes; supports additional employment provision to meet local needs; supports the improvement of GP facilities; address existing deficiencies in green space and play provision; implement strategic green infrastructure; deliver safe cycle routes; allocate land for a new cemetery; and support improvements in the quality of facilities.</p> <p>Market Bosworth – allocates land for a minimum of 100 new homes; supports additional employment provision to meet local needs; support the role of Market Bosworth as a tourist destination; support the improvement of GP facilities; address existing deficiencies in green space and play provision; implement strategic green infrastructure; deliver safe cycle routes; protect green open land which penetrates towards the market place; seek improvements to the high school indoor sports facilities, outdoor pool and playing fields near Bosworth Water Trust; support the provision of new car parking at Dixie Grammar School; and require new development to respect the character and appearance of the Market Bosworth Conservation Area.</p> <p>Newbold Verdon – allocates land for a minimum of 110 new homes; support additional employment provision to meet local needs; support the improvement of the GP facilities; address existing deficiencies in green space and play provision; implement green infrastructure; deliver safe cycle routes; seek improvements in the quality of the community centre; support the provision of a car park for the church and cemetery; and require new development to respect the character and appearance of the Conservation Area.</p> <p>Stoke Golding – allocates land for minimum of 60 new homes; support additional employment provision to meet local needs; support the improvement of the GP facilities; address existing deficiencies in green space and play provision; implement green infrastructure; deliver safe cycle routes; encourage tourism; seek improvements in the quality of the village hall, playing fields and pavilion; improve connections with the neighbouring villages of Dadlington and Higham on the Hill; and require new development</p>

	to respect the character and appearance of the Conservation Area.
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 24	Sustainable Design and Technology: seeks to ensure all new development meets specified sustainable design and technology standards.

### Hinckley and Bosworth Local Plan 2001

#### INFRASTRUCTURE

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. <i>This policy is consistent with the intentions of the NPPF.</i>
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#### HOUSING

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. <i>This policy has limited consistency with the intentions of the NPPF.</i>
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#### EMPLOYMENT

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. <i>This policy is consistent with the intentions of the NPPF.</i>
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#### CONSERVATION AND BUILT ENVIRONMENT

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. <i>Criteria a - i of this policy are consistent with the NPPF and as such the policy should be given weight.</i>
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Policy BE4	<p>Alterations to Listed Buildings: requires it to be demonstrated that additions or alterations to listed buildings would not detract from the architectural or historical character of the building. Consideration will be given to scale, form, siting, materials, features and details which contribute to the character and fabric of the building.</p> <p><i>This policy is consistent with the intentions of the NPPF.</i></p>
Policy BE5	<p>The Setting of a Listed Building: seeks to preserve and enhance the setting of listed buildings by appropriate control through the design of new development in the vicinity.</p> <p><i>This policy is consistent with the intentions of the NPPF.</i></p>
Policy BE7	<p>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.</p> <p><i>This policy is consistent with the intentions of the NPPF.</i></p>
Policy BE8	<p>Demolition in Conservation Areas: supports demolition only where the loss of the building will not be detrimental to the character and appearance of the conservation area; and that proposals for its replacement would preserve or enhance the character or appearance of the conservation area.</p> <p><i>This policy is consistent with the intentions of the NPPF.</i></p>
<b>THE NATURAL ENVIRONMENT</b>	
Policy NE2	<p>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.</p> <p><i>This policy is consistent with the intentions of the NPPF.</i></p>
Policy NE5	<p>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:-</p> <ul style="list-style-type: none"> <li>a) Important to the local economy and cannot be provided within or adjacent to an existing settlement; or</li> <li>b) For the change of use, reuse or extension of existing buildings, particularly those of historic value; or</li> <li>c) For sport or recreation purposes.</li> </ul> <p>And only where the following criteria are met:-</p> <ul style="list-style-type: none"> <li>i) It does not have an adverse effect on the appearance or character of the landscape.</li> <li>ii) It is in keeping with the scale and character of existing buildings and the general surroundings.</li> <li>iii) Where necessary it is effectively screened by landscaping or other methods.</li> <li>iv) The proposed development will not generate traffic likely to exceed the capacity of the highway network or impair road safety.</li> </ul> <p><i>Criteria a-c of this policy are in conflict with the NPPF which provides a presumption in favour of sustainable development, however, notwithstanding this, the design criteria i-iv remain generally relevant to development within the countryside and are</i></p>

	<i>similar to the requirements of Saved Policy BE1. As a result this policy should be given only limited weight.</i>
Policy NE12	Landscaping Schemes: requires proposals for development to make provision for further landscaping where appropriate. <i>This policy is consistent with the intentions of the NPPF.</i>
Policy NE14	Protection of Surface Waters and Groundwater Quality: seeks to ensure that developments do not compromise the quality of the water environment. <i>This policy is consistent with the intentions of the NPPF.</i>
<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 <i>This policy is consistent with the intentions of the NPPF.</i>
<b>RECREATION AND TOURISM</b>	
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. <i>This policy is consistent with the intentions of the NPPF.</i>
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. <i>This policy is consistent with the intentions of the NPPF.</i>
<b>COMMUNITY FACILITIES</b>	
Policy CF8	Residential Care and Nursing Homes: supports proposals for new development or extensions to existing buildings to provide residential care homes and nursing homes where they complement and enhance the character of the surrounding area; the premises are of a suitable size and type; adequate gardens are provided to protect and enhance the amenity of residents; provide satisfactory car parking and areas for service vehicles; have easy access to shops, public facilities and public transport and the design of the buildings should accommodate easy access by the elderly and the infirm. <i>This policy is consistent with the intentions of the NPPF.</i>

<b>Supplementary Planning Guidance / Documents</b>	
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	Sets out the principles, design features and quality standards that should be adopted by those wishing to building, modify or extend

Statement	buildings in the settlement.
Design of Farm Buildings	Sets out guidance on user requirements, siting, design and landscaping in order to achieve a building that meets the practical needs it is being put up for whilst ensuring it is also sympathetically designed with respect to its surroundings. The guidance covers the development of farm buildings for agricultural purposes only.

<b>Other Material Policy Guidance</b>	
Burbage Conservation Area Appraisal	The conservation area in Burbage was declared in 1973. The appraisal subdivides the areas according to different character. Each area is analysed in terms of its buildings of townscape merit, distinctive details and features of interest, green spaces and vegetation.
Groby Conservation Area Appraisal	The conservation area in Groby was declared in 1976. The appraisal subdivides the areas according to different character. Each area is analysed in terms of its buildings of townscape merit, distinctive details, features of interest, green spaces and vegetation.
Market Bosworth Conservation Area Appraisal	The conservation area in Market Bosworth was declared 1974. The appraisal provides a character statement, analyses the townscape and architectural quality of key buildings, the setting, gateways and views.
Ashby Canal Conservation Area Appraisal.	The part of the canal that runs through the Borough of Hinckley and Bosworth was declared a conservation area in 1990. The appraisal examines the historic development of the canal, the setting of the canal, its physical features, boat moorings, canalside buildings and potential threats to the canal.