

National Policy Guidance

National Planning Policy Framework 2012

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.

It also states that the document should be read in conjunction with the newly released policy statement on Gypsies and Travellers.

The purpose of the planning system is to contribute to the achievement of sustainable development. There are 3 dimensions to sustainable development:

- 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
- 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;
- An environmental role – contributing to protecting and enhancing our natural, built and historic environment.

At the heart of the NPPF is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision making. For decision making this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in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).

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.

Early engagement in pre-application discussions is encouraged where it is offered. Developers should be encouraged to engage with the community.

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| | <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 (27th 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> |
| 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. |

| Local Development Framework Core Strategy 2009 | |
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| 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. |

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| 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 5 | Transport Infrastructure in the Sub-regional Centre: sets out transport interventions which are proposed to support additional development in and around Hinckley. This includes improvements to the provision and management of car parking and public transport to increase the increased use of Hinckley town centre. |
| Policy 7 | Key Rural Centres: supports key rural centres to ensure they can provide key services to their rural hinterland. It supports housing development in settlement boundaries that provide a mix of housing types and tenures and meets local need; seeks to ensure there is a range of employment opportunities within Key Rural Centres; supports new retail development to meet local need within defined local centre boundaries; resists the loss of local shops and facilities in Key Rural Centres unless it is demonstrated that the business or facilities can no longer operate in a viable manner; requires transport improvements; supports development of the tourism industry and requires development to be of the highest environmental standards. |
| Policy 8 | <p>Key Rural Centres Relating to Leicester: supports local services and seeks to ensure people have access to a range of housing.</p> <p>Desford – allocates land for a minimum of 110 new homes; supports additional employment provision to meet local needs; address existing deficiencies in green space and play provision; deliver improvements in the quality of Sport in Desford; deliver safe cycle routes; implement strategic green infrastructure; support traffic management measures and additional car parking; safeguard land for the development of a new passenger railway station and associated car parking on the site of the former station yard; and require development to respect the character and appearance of Desford Conservation Area.</p> <p>Groby - allocates land for a minimum of 110 new homes; supports additional employment provision to meet local needs; support the improvement of the GP facilities in Groby; address existing deficiencies in green space and play provision; deliver improvements to Groby Village Hall, Groby Community College, Groby County Council all weather pitches and Marine Drive; deliver safe cycle routes; implement strategic green infrastructure; support proposals that contribute to the delivery of the National Forest Strategy and the Charnwood Forest Regional Park;</p> |

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| | <p>support measures to reduce the noise and air pollution; work with existing businesses to seek a reduction in on-street employee parking; and require development to respect the character and appearance of Groby Conservation Area.</p> <p>Ratby - allocates land for a minimum of 75 new homes; supports additional employment provision to meet local needs; support the improvement of the GP facilities in Ratby; address existing deficiencies in green space and play provision; deliver improvements to quality of Ferndale Park Outdoor Facilities; deliver safe cycle routes; implement strategic green infrastructure; support proposals that contribute to the delivery of the National Forest Strategy and the Charnwood Forest Regional Park; support improvements to the existing community centres (Ratby Village Hall, Ratby Parish Church and Ratby Methodist Church) or development of a new designated community centre; support measures to reduce the noise and air pollution; support measures to direct through traffic away from Ratby Village; and require development to respect the character and appearance of Ratby Conservation Area.</p> <p>Markfield - allocates land for a minimum of 80 new homes; supports additional employment provision to meet local needs; address existing deficiencies in green space and play provision; implement strategic green infrastructure; support proposals that contribute to the delivery of the National Forest Strategy and the Charnwood Forest Regional Park; deliver safe cycle routes; protect open space linkages to the west; support the expansion of the local supermarket; support the attraction of knowledge based services to support the Markfield Institute of Higher Education; support improvement in the quality of Markfield Community and Sports Centre and Mayflower Close and Alter Stones outdoor facilities; support measures to reduce the noise and air pollution; and require development to respect the character and appearance of Markfield Conservation Area.</p> |
| 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</p> |

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| | <p>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 to respect the character and appearance of the Conservation Area.</p> |
| Policy 14 | <p>Rural Areas: Transport: supports accessibility within the rural areas through safeguarding the route of the National Forest line and stations at Desford and Bagworth; the delivery of a viable, high quality public transport network between Key Rural Centres and their nearest urban centre and between Rural Villages and their nearest Key Rural Centre or urban centre; the provision of accessible transport services for mobility impaired and rurally isolated residents; further development of quality and reach of accessible transport services; the continuation of the Leicestershire hourly services network; the continuation of demand responsive transport networks; deliver safe cycle paths. Developers will be required to contribute towards these initiatives through developer contributions and/or land. New development that would prejudice their implementation will not be permitted.</p> |
| Policy 15 | <p>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.</p> |
| Policy 16 | <p>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.</p> |
| Policy 19 | <p>Green Space and Play Provision: seeks to ensure that all residents have access to sufficient, high quality and accessible green spaces and play areas.</p> |

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| 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. |

| Local Plan 2006-2026: Hinckley Town Centre Area Action Plan 2011 | |
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| Policy 9 | 'Bus Station' sets out the key aspirations for the sites redevelopment which include an enhanced bus station, an exciting landmark development, a mixed use scheme anchored by a superstore, a cinema and other leisure uses, high quality public realm improvements including improved pedestrian connectivity to the town centre, improved links to Hinckley railway station and a consolidated car park of approximately 560 spaces. The toilet block falls within the area covered by Policy 9. |
| Policy 13 | 'Hinckley Town Centre Shopping Areas' states that ground floor development along Primary Shopping Frontages will be restricted primarily to A1 uses to protect the vitality and retail integrity of town centre's retail core, and A1-5 and D2 uses will be acceptable in the rest of the town centre. It also states that along primary and secondary shopping frontages, new development will retain, replace or create shop frontages as appropriate and that shop frontage must be designed to support the character and vitality of Hinckley Town Centre. |
| Spatial Objective 2: | Seeks to increase and improve accessibility within, to and from the town centre for pedestrians, cyclists and public transport and improve and rationalise car parking facilities in Hinckley town centre. |
| Spatial Objective 4: | To enhance Hinckley town centre's image to developers, retailers and visitors by ensuring high quality, safe and well designed, environmentally friendly development in the town centre. |

Hinckley and Bosworth Local Plan 2001

INFRASTRUCTURE

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| 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 intention of the NPPF.</i> |
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HOUSING

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| 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 is consistent with the intentions of the NPPF if the development is within the settlement boundary but has limited consistency in all other locations.</i> |
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| Policy RES12 | <p>New Agricultural Dwellings: requires consideration of the following:</p> <ul style="list-style-type: none"> a the agricultural holding must be of a nature that requires a person to live on site having regard to the security and efficient operation of the holding; b the holding must be sufficiently viable to sustain any additional worker in full time employment c the availability of suitable alternative accommodation in the local housing market. <p>Where the principle of a new agricultural dwelling is supported every effort should be made to locate it within the settlement or alternatively within or adjacent to any existing farm complex or other group of buildings. <i>This policy is consistent with the intentions of the NPPF.</i></p> |
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CONSERVATION AND BUILT ENVIRONMENT

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| 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 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 BE13 | <p>Initial Assessment of Sites of Archaeological Interest and Potential: states that any application where triggered, should be accompanied by an initial assessment of whether the site is known or likely to contain archaeological remains.</p> <p><i>This policy is consistent with the intentions of the NPP but NPPF offers more precise guidance.</i></p> |
| Policy BE16 | <p>Archaeological Investigation and Recording: states that the Local Planning Authority can impose conditions requiring that satisfactory archaeological investigation and recording be carried out.</p> <p><i>This policy is consistent with the intentions of the NPPF but NPPF offers more precise guidance.</i></p> |
| Policy BE26 | <p>Light Pollution: seeks to ensure that developments do not create nuisance through glare, create light spillage or affect the character or appearance of the area.</p> <p><i>This policy is considered to be inconsistent with the NPPF but Policy BE1 is consistent and covers elements of this policy.</i></p> |
| THE NATURAL ENVIRONMENT | |
| 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"> 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. <p>And only where the following criteria are met:-</p> <ul style="list-style-type: none"> 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. iv) The proposed development will not generate traffic likely to exceed the capacity of the highway network or impair road safety. <p><i>This policy is consistent with the intentions of the NPPF for rural enterprise proposals but has limited consistency in all other respects</i></p> |

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| Policy NE12 | Landscaping Schemes: requires proposals for development to make provision for further landscaping where appropriate. <i>This policy is partially 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 has limited consistency with the intentions of the NPPF as it is too specific</i> |
| TRANSPORTATION | |
| 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> |
| Policy T9 | Facilities for Cyclists and Pedestrians: encourages walking and cycling including facilities for cycle parking. <i>This policy is consistent with the intentions of the NPPF.</i> |
| Policy T11 | Traffic Impact Assessment: requires developers to provide a traffic impact assessment for development likely to generate significant traffic flows. <i>This policy is consistent with the intentions of the NPPF but NPPF doesn't reference HGVs</i> |
| RETAILING AND TOWN CENTRE ISSUES | |
| Policy Retail 1 | General Retail Strategy: provides that new retail development should be provided within Hinckley town centre and that major retail development outside of Hinckley Town Centre will not be supported unless there is a demonstrable need; there are no suitable alternatives in the town centre, edge of town or local centre; there is no detrimental impact on the vitality and viability of Hinckley Town Centre and it can be served by frequent and convenient public transport and maximises opportunities for access by foot or cycle. <i>This policy is consistent with the intentions of the NPPF but NPPF more precise and logical in approach.</i> |
| RECREATION AND TOURISM | |
| 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. <i>This policy is consistent with the intentions of the NPPF.</i> |
| 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> |

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| Supplementary Planning Guidance / Documents | |
| New Residential Development SPG | 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. |

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| House Extensions SPG | Provides guidance on design issues to ensure extensions not only complement the character of the existing house but also the character of the area and seeks to ensure extensions do not adversely impact upon the amenity of residents of neighbouring property. |
| Play and Open Space Guide 2008 SPD | Sets out the Boroughs approach when considering applications for development likely to generate a demand for open space and play facilities. |
| Sustainable Design 2008 SPD | 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. |
| Affordable Housing SPD | 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. |
| Rural Needs SPD | Sets out the Council's approach to considering development in rural areas, it particular it clarifies the Council's support for specific rural initiatives to increase the supply of affordable housing and employment opportunities in the rural areas. It seeks to ensure: <ul style="list-style-type: none"> • There is no 'sustainability trap', where development is only approved in areas that are already considered sustainable. Lack of any development in some settlements may result in them becoming less, not more, sustainable; • That rural communities are mixed communities where young and old, high and lower incomes are able to live in rural settlements; • That rural economic development is supported and encouraged; • That existing services in rural areas are supported and maintained. |
| 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. |

| Other Material Policy Guidance | |
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| Markfield Conservation Area Appraisal | Markfield Conservation Area was designated by the Council in January 1979. The area does not have a single unifying street pattern, building material or style. The line of stone rendered cottages on Hillside take advantage of a fine south facing view over the valley. On Main Street, the sense of enclosure created by domestically scaled buildings close to each other and the highway boundary has been interrupted by new development of a different pattern. Other areas in the Conservation Area boundary reflect Markfield's agricultural and industrial past with many stone buildings built in the vernacular style. There are 3 listed buildings in the area, and a number of unlisted buildings that are of specific architectural merit. |

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| Open Space, Sport and Recreational Facilities Study (2011) | Provides a record of existing sites, identifies local needs, sets the quantity, quality, accessibility and design provision standards, evaluates the sites against those standards and provides a framework to protect and improve such facilities. |
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