

### 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- Where the development plan is absent, silent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in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.

	<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>Planning Policy for Traveller Sites March 2012</p>	<p>This sets out the Government's planning policy for traveller sites and should be read in conjunction with the NPPF. The Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.</p>

<p><b>East Midlands Regional Plan 2009</b></p>	
<p>The Government has revoked the Regional Spatial Strategy for the East Midlands with effect from 12 April 2013.</p> <p>In a written ministerial statement dated 20 March 2013, the Government has clarified that from the date of revocation the Council's development plan will comprise its local plan and, where they exist, neighbourhood plans.</p> <p>The Council's decisions on planning applications will therefore continue to be guided by its Development Plan Documents ie Core Strategy, Area Action Plans and any documents which include Site Allocation policies, any Supplementary Planning Documents, saved policies in the Local Plan and the provisions of the NPPF.</p>	

**Local Development Framework Core Strategy 2009**

<p>Policy 1</p>	<p>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.</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 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 20	Green Infrastructure: is a key priority of the Council and seeks to mitigate against the urban 'heat island' effect by increasing the number of street trees to provide shade, cooling and air quality improvements.
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 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	New Agricultural Dwellings: requires consideration of the following: <ul style="list-style-type: none"> <li>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;</li> <li>b the holding must be sufficiently viable to sustain any additional worker in full time employment</li> <li>c the availability of suitable alternative accommodation in the local housing market.</li> </ul> <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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#### EMPLOYMENT

Policy EMP1	Existing Employment Sites: seeks to actively retain existing identified employment sites for employment purposes. <i>This policy is consistent with the intentions of the NPPF but should be read in conjunction with the Employment Land and Premises Study.</i>
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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
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	<p>site and immediate environment.  <i>This policy is consistent with the intentions of the NPPF.</i></p>
<b>CONSERVATION AND BUILT ENVIRONMENT</b>	
Policy BE1	<p>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></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.  <i>This policy is consistent with the intentions of the NPPF.</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.  <i>This policy is consistent with the intentions of the NPPF but NPPF offers more precise guidance.</i></p>
Policy BE20	<p>Reuse and Adaptation of Rural Buildings: supports reuse and adaptation of rural buildings providing the use will not have an adverse effect on the appearance or character of the landscape; it is structurally sound and capable of conversion without significant adaptation and rebuilding; it will not be detrimental to the design, character, appearance and setting of the building; it would not involve extensions that would significantly alter the form and general design of the building which would detract from its character and appearance; there would be no adverse impact through noise, smell or other disturbance; it would not adversely affect highway safety; would not adversely affect any protected wildlife habitat; it meets highway standards for layout and design; does not involve significant areas being utilised for external storage.  <i>This policy is consistent with the intentions of the NPPF unless the proposal is for residential and then it has limited consistency.</i></p>
<b>THE NATURAL ENVIRONMENT</b>	
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>

	<p>a) Important to the local economy and cannot be provided within or adjacent to an existing settlement; or</p> <p>b) For the change of use, reuse or extension of existing buildings, particularly those of historic value; or</p> <p>c) For sport or recreation purposes.</p> <p>And only where the following criteria are met:-</p> <p>i) It does not have an adverse effect on the appearance or character of the landscape.</p> <p>ii) It is in keeping with the scale and character of existing buildings and the general surroundings.</p> <p>iii) Where necessary it is effectively screened by landscaping or other methods.</p> <p>iv) The proposed development will not generate traffic likely to exceed the capacity of the highway network or impair road safety.</p> <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>
Policy NE12	<p>Landscaping Schemes: requires proposals for development to make provision for further landscaping where appropriate.</p> <p><i>This policy is partially consistent with the intentions of the NPPF.</i></p>
Policy NE14	<p>Protection of Surface Waters and Groundwater Quality: seeks to ensure that developments do not compromise the quality of the water environment.</p> <p><i>This policy has limited consistency with the intentions of the NPPF as it is too specific</i></p>
<b>TRANSPORTATION</b>	
Policy T5	<p>Highway Design and Vehicle Parking Standards: refers to the application of appropriate standards for highway design and parking provision for new development</p> <p><i>This policy is consistent with the intentions of the NPPF.</i></p>
Policy T11	<p>Traffic Impact Assessment: requires developers to provide a traffic impact assessment for development likely to generate significant traffic flows.</p> <p><i>This policy is consistent with the intentions of the NPPF but NPPF doesn't reference HGVs</i></p>
<b>RECREATION AND TOURISM</b>	
Policy REC1	<p>Development of Recreation Sites: states that planning permission for alternative uses will not be granted for the development of land and buildings currently used for recreation and open space unless in the case of this application, the developer provides an equivalent range of replacement facilities in an appropriate location serving the local community.</p> <p><i>Criteria (a + b) of this policy is consistent with the intentions of the NPPF. Criteria © has limited consistency with intentions of the NPPF as doesn't have to be on the remainder of site</i></p>
Policy REC2	<p>New Residential Development – Outdoor Open Space Provision for Formal Recreation: requires all new residential development to provide outdoor play space for formal recreation.</p> <p><i>This policy is consistent with the intentions of the NPPF.</i></p>
Policy REC3	<p>New Residential Development – Outdoor Play Space for Children: requires the appropriate level of open space to be provided within</p>

	<p>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.</p> <p><i>This policy is consistent with the intentions of the NPPF.</i></p>
Policy REC4	<p>Proposals for Recreational Facilities: states that planning permission for new recreational facilities will be granted provided that:-</p> <ul style="list-style-type: none"> <li>a) Any large scale indoor facilities are to be located only in or adjoining built up areas;</li> <li>b) The facility does not have a detrimental effect upon adjacent land uses, or upon the amenities of adjacent residents;</li> <li>c) The form, scale and design of the proposal are in keeping with the area and do not detract from the character of the landscape;</li> <li>d) Adequate parking and access arrangements are provided, and there is capacity in the local road network to accommodate the development;</li> <li>e) Landscaping is provided as an integral part of the proposal;</li> <li>f) Any new development is not detrimental to the rights of way network;</li> <li>g) The proposal does not adversely affect sites of ecological, geological or archaeological significance.</li> </ul> <p><i>This policy has limited consistency with the intentions of the NPPF.</i></p>

<b>Supplementary Planning Guidance / Documents</b>	
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.
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.
Stoke Golding conservation Area Appraisal	The conservation Area Stoke Golding was declared in June 2004. The appraisal provides background on the historic context of the conservation area and sub divides it into different character areas and provides an analysis of what contributes to the special architectural or historic interest.
Affordable Housing SPD	This expands upon policies contained within 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.
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<b>Other Material Policy Guidance</b>	
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Designing Gypsy and Traveller Sites: Good Practice Guide	
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	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.
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|  | <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> |
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	<p>The Guide states that it will not be possible to meet all aspects of this guidance in every respect on every site. 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 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>
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