

<b>National Policy Guidance</b>	
National Planning Practice Guidance 2014	<p>The National Planning Practice Guidance (NPPG) was published on 6 March 2014 as a web-based resource. The NPPG has cancelled a number of previous planning guidance documents including the majority of previous Circulars and Letters to Chief Planning Officers. The NPPG was introduced following the Review of Government Planning Practice Guidance carried out by Lord Taylor with the aim of making the planning system simpler, clearer and easier for people to use. The guidance contains 41 categories from 'Advertisements' to 'Water Supply'.</p> <p>The NPPG is guidance designed to supplement to the National Planning Policy Framework (NPPF). It is therefore a material consideration in planning decisions.</p>
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• Where the development plan is absent, silent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in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 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>
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.

<b>Hinckley and Bosworth Core Strategy 2009</b>	
Policy 2	<p>Development in Earl Shilton: supports the regeneration of Earl Shilton. It makes provision for a minimum of 10 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 south of Earl Shilton, seeks to ensure there is a range of employment opportunities within Earl Shilton, supports the regeneration of Earl Shilton local centre including public realm improvements, the development of a focal civic space and the provision of additional retail floor space. 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.</p>
Policy 12	<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 17	<p>Rural Needs: seeks to provide small scale developments that meet a 'local need' either through Local Choice or a Rural Exceptions Site for housing employment or community facilities adjacent the settlement boundary in Key Rural Centres, Rural Villages and Rural Hamlets providing that: the 'local need' has been clearly identified in an up to date Needs Survey or Parish Plan; it cannot be met within the settlement boundary of the village; it is of a scale and design that respects the character of the settlement; for Rural Exception it should be small scale (10 dwellings or less) and exclusively for the provision of affordable housing; a legal agreement secures exclusive occupation in perpetuity.</p> <p>A local need for housing is defined as people: who are resident at the date of allocation in the village, parish or local areas which the development is intended to serve; and who have an existing family or employment connection in the village, parish or local area which the development is intended to serve.</p>
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.

### 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>
-------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

#### 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>
-------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

#### 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>
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. <i>This policy is consistent with the intentions of the NPPF but NPPF others more precise guidance.</i>

#### THE NATURAL ENVIRONMENT

Policy NE2	Pollution: states that planning permission will not be granted for development which would be likely to cause material harm
------------	-----------------------------------------------------------------------------------------------------------------------------

	<p>through pollution of the air or soil or suffer material harm from either existing or potential sources of air and soil pollution.  <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>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.  <i>This policy is partially consistent with the intentions of the NPPF.</i></p>
Policy NE13	<p>The Effects of Development on Natural Watercourses: protects the drainage functions of the natural watercourse system and seeks adequate on or off site protection, alleviation or mitigation where it is affected. This includes development in the floodplain; preventing access to watercourses for maintenance; giving rise to substantial changes in the characteristics of surface water run off; causing adverse effects upon the integrity of fluvial defences.  <i>This policy is consistent with the intentions of the NPPF but NPPF provides more guidance on process</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.  <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  <i>This policy is consistent with the intentions of the NPPF.</i></p>
Policy T9	<p>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></p>
<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. <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>
Policy REC4	Proposals for Recreational Facilities: states that planning permission for new recreational facilities will be granted provided that:- <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> <i>This policy has limited consistency with the intentions of the NPPF.</i>

<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.
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.
Design of Farm Buildings SPG	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.
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.

<b>Other Material Policy Guidance</b>	
Draft Site Allocations and Generic Development Control Policies DPD 2009	The Site Allocations Preferred Options Document was subject to public consultation during 2009. This does not however, provide justification for permitting development ahead of the plans adoption as explained in Para 17, of ODPM's Planning System General Principles guide. Concern is raised that permitting this site could be considered premature and potentially set a precedent for other sites coming forward, thus undermining the LDF process. It is considered that at present the Site Allocations Document carries little weight.