

National Policy Guidance	
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"> • 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. <p>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:</p> <ul style="list-style-type: none"> • 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with the development plan without delay; and • Where the development plan is absent, silent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in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).

	<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 (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.

Hinckley and Bosworth Core Strategy 2009	
Spatial Objective 12: Climate Change and Resource Efficiency	To minimise the impacts of climate change by promoting the prudent use of resources through sustainable patterns of development, investment in green infrastructure, minimising the use of resources and energy, increasing reuse and recycling of natural resources, increasing the use of renewable energy technologies and minimising pollution, including greenhouse gas emissions.
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 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	Key Rural Centres Relating to Leicester: supports local services and seeks to ensure people have access to a range of housing. 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;

	<p>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; 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 9	Rothley Brook Meadow Green Wedge: encourages uses that provide appropriate recreational facilities within easy reach of urban residents and promote the positive management of land to ensure that the Green Wedge remains or is enhanced as an

	<p>attractive contribution to the quality of nearby urban residents. It lists a number of uses considered acceptable in the Green Wedge, these include:</p> <ul style="list-style-type: none"> a) agriculture, inc allotments and horticulture; b) recreation; c) forestry; d) footpaths, bridleways and cycleways; e) burial grounds; and f) use for nature conservation <p>It further requires any land use or associated development in the Green Wedge to:</p> <ul style="list-style-type: none"> a) retain the function of the Green Wedge; b) retain and create green networks between the countryside and open spaces within the urban areas; c) retain and enhance public access to the Green Wedge, especially for recreation; d) retain and enhance function as a floodplain and infiltration basin; e) retain the visual appearance of the area.
Policy 13	<p>Rural Hamlets: supports housing development within settlement boundaries that provides for a mix of housing types and tenures; complies with policy 17: Local Needs; enabling home working and other small scale employment uses within settlement boundaries; resists the loss of local shops and facilities unless it is demonstrated that the business or facility can no longer operate in a viable manner; deliver strategic green infrastructure; contributes to the delivery of the National Forest Strategy and the Charnwood Forest Regional Park; provides transport improvements; supports the tourism industry; requires new development to respect the character and appearance of the relevant Conservation Area and requires development to be of a highest environmental standards.</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>

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 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	
Policy 5	The Hinckley Town Centre Area Action Plan document provides a planning framework for areas in Hinckley Town Centre where significant change or conservation is needed. Policy 5 relates specifically to Land north of Mount Road and lists the key aspirations for the site's redevelopment.
Policy 7	Relates specifically to the Rugby Road/Hawley Road site. It supports the provision of a mixed use development incorporating new residential, commercial and other employment uses on the application site, the provision of a landmark building at the junction and the retention and enhancement of existing buildings where possible.
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 10	North Warwickshire and Hinckley College Sites: key aspirations for the sites redevelopment include: provision of a residential scheme on the smaller site on Spa Lane; redevelopment of the London Road college site for a mixed use scheme predominantly focussed on the delivery of offices and residential units; provision of landscaped frontages and the protection of significant trees; retention and re-use of existing high quality buildings where possible; and provision of landscaped public open space.
Policy 12b	Transco HQ /Jarvis Porter: This is an identified employment site which contains significant employers for the town. An area to the west of the site currently has planning permission for warehousing/storage units, retail warehousing and a drive through restaurant. The remainder of the site will be actively retained for employment uses throughout the plan period. The mixed use development of this site will ensure investment in outdated employment provision, ensuring a range of employment is available within Hinckley. Throughout the plan period, the Borough Council will actively seek to retain 9.2 hectares of employment uses on this site.
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.
Spatial Objective 7:	To improve the public realm through new public spaces, environmental improvements and public art, and to enhance the conservation of the historic character of the town centre through heritage-led regeneration.

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>
Policy RES12	New Agricultural Dwellings: requires consideration of the following: <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>

EMPLOYMENT	
Policy EMP4	<p>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.</p> <p><i>This policy is consistent with the intentions of the NPPF when proposal is within settlement boundary but has limited consistency in all other cases.</i></p>
CONSERVATION AND BUILT ENVIRONMENT	
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.</p> <p><i>Criteria a - i of this policy are consistent with the NPPF and as such the policy should be given weight.</i></p>
Policy BE27	<p>Wind Power: supports proposals for wind farms and individual wind turbines where they are capable of supporting the generation of wind power; they are sensitively located so that its visual impact is minimised and will not be unduly prominent; they do not have detrimental impact due to noise or other forms of nuisance; they are located a minimum distance that is equal to its own height away from any public highway or publicly accessible area; they would not involve the erection of overhead power lines to connect to the national grid that would have an adverse impact on the landscape of the area.</p> <p><i>Criteria a, b and c are consistent with the intentions of the NPPF and should be afforded weight, however criteria d and e are considered to be inconsistent as the NPPF contains no guidance on these matters.</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</p>

	<p>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>
Policy NE10	<p>Local Landscape Improvement Areas: identifies sites as landscape improvement areas and requires proposals in these areas to include comprehensive landscaping proposals.</p> <p><i>This policy has limited consistency with the intentions of the NPPF.</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>
TRANSPORTATION	
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>
RECREATION AND TOURISM	
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 development sites or, alternatively, a financial contribution to be negotiated towards the provision of new recreation facilities within</p>

	<p>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"> a) Any large scale indoor facilities are to be located only in or adjoining built up areas; b) The facility does not have a detrimental effect upon adjacent land uses, or upon the amenities of adjacent residents; 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; d) Adequate parking and access arrangements are provided, and there is capacity in the local road network to accommodate the development; e) Landscaping is provided as an integral part of the proposal; f) Any new development is not detrimental to the rights of way network; g) The proposal does not adversely affect sites of ecological, geological or archaeological significance. <p><i>This policy has limited consistency with the intentions of the NPPF.</i></p>
Policy REC9	<p>Access to the Countryside: states that proposals for development in the countryside should have regard to the following:-</p> <ul style="list-style-type: none"> a) Improving access to the countryside, in particular for vulnerable groups including disabled people; b) Promoting walking, cycling and horse riding as safe and convenient means of access to the countryside; c) Safeguarding existing rights of way and ensuring that acceptable alternatives are provided where appropriate; d) Ensuring that new development does not adversely affect the safety and convenience of existing off-road routes; e) Improving, where possible extending, the existing public footpath and bridleway network. <p><i>This policy has limited consistency with the intentions of the NPPF.</i></p>
Policy REC12	<p>Nailstone Colliery: allocates the 55 hectare site for recreational activities, forest planting and landscaping including fishing and informal pursuits. Other forms of development will be resisted.</p> <p><i>This policy has limited consistency with the intentions of the NPPF.</i></p>

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.
Play and Open Space Guide	Sets out the Boroughs approach when considering applications for development likely to generate a demand for open space and

2008 SPD	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.

Other Material Policy Guidance	
Landscape Character Assessment 2006	An evidence base document that defines areas with consistent distinctive characteristics resulting from the interaction of geology, landform, soils, vegetation, land use and human settlement. It provides an understanding of the landscape, its evolution and future pressures along with future management strategies. It also studies the urban character through assessing street patterns, urban form, landmark buildings and common building styles and materials to define the local vernacular of the principle settlements.
Employment Land and Premises Study 2013	The report assesses the supply, need and demand for employment land and premises in Hinckley and Bosworth. The study assesses the economy which informs the amount, location and type of employment land and premises required to facilitate its development and growth; reviews the current portfolio of employment land and premises and recommendation on the future allocation of employment land and premises.
Green Wedge Review	The Review was adopted in December 2011, the purpose of the review was to assess whether the land currently allocated as Green Wedge meets the evaluation criteria, as follows: <ul style="list-style-type: none"> • prevents the merging of settlements; • guides development form; • provides a green lung into the urban area; and • acts as a recreational resource.
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.
ETSU-R-97 'The Assessment & Rating of Noise from Wind Farms	Report of the Noise Working Group of developers, noise consultants, environmental health officers and other professionals set up in 1995 by the Department of Trade and Industry through ETSU (Energy Technology Support Unit). This is not a report of government and does not replace other statutory legislation or government guidance. The report represents the consensus view of the group of

	<p>experts to describe a framework for the measurement and assessment of wind farm noise and gives indicative noise levels thought to offer a reasonable degree of protection to wind farm neighbours, without placing unreasonable restrictions on wind farm development or adding unduly to the costs and administrative burdens on wind farm developers or local authorities. The Planning Practice Guidance for Renewable and Low Carbon Energy states that the report should be used by local planning authorities when assessing and rating noise from wind energy developments.</p>
Renewable Energy Capacity Study (2013)	<p>An evidence base document commissioned in 2013 to assess the technical and deployable potential for renewable and low carbon energy proposals within the Borough up until 2026.</p>