

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with the development plan without delay; and • Where the development plan is absent, silent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in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</p>

	<p>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.
Environmental Impact Assessment Regulations 2011	The criteria and thresholds in the EIA Regulations are only indicative. In determining whether significant effects are likely, the location of a development, the more environmental sensitive the location, the lower will be the threshold at which significant effects will be likely. Development listed in Schedule 1 of the Regulations

	<p>always needs an Environmental Impact Assessment (EIA). Development listed in Schedule 2 of the Regulations may need an EIA, depending on a number of things such as whether it would be in a sensitive area and on its size, complexity and nature of the development. Development that exceeds the criteria and are judged to be significant are required to be supported by an Environmental Statement that should be scoped and agreed by the Location Planning Authority.</p>
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Hinckley and Bosworth Core Strategy 2009	
Policy 1	<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>
Policy 4	<p>Development in Burbage: makes provision for the allocation of land for a minimum of 295 new residential dwellings focused primarily to the north of Burbage, 10ha of B8 employment land and 4ha of B2 employment land adjacent to the railway line as an extension to Logix Park. It supports the provision of additional retail floorspace within the defined Burbage local centre, transport improvements, tourism development and infrastructure to support the new development including an extension to the GP surgery, play and open space, and cycling routes.</p>
Policy 7	<p>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.</p>
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</p>

	<p>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 10	<p>Key Rural Centres within the National Forest: relates to Bagworth and Thornton. It seeks provision of local services in Bagworth including a local shop and possibly a post office and primary car provision; allocates land for a minimum of 60 new homes in Bagworth; support additional employment provision to meet local needs; support proposals that contribute to the delivery of the</p>

	National Forest Strategy; support the development of an improved community centre for Bagworth; address existing deficiencies in green space and play provision; support improvement in the quality of Bagworth Village hall, Sports pavilion and Sports Ground and Thornton Community Centre; implement strategic green infrastructure; support proposals that contribute to the delivery of the Charnwood Forest Regional Park; deliver safe cycle routes; safeguard land at Bagworth for the development of a new passenger railway station and associated car parking; and seek improvements in car parking provision at Thornton Reservoir.
Policy 13	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.
Policy 14	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.
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 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 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 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.
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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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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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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
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	<p>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 BE5	<p>The Setting of a Listed Building: seeks to preserve and enhance the setting of listed buildings by appropriate control through the design of new development in the vicinity.</p> <p><i>This policy is consistent with the intentions of the NPPF.</i></p>
Policy BE7	<p>Development in Conservation Areas: states that primary planning policy will be the preservation or enhancement of their special character. Planning permission for proposals which would harm their special character or appearance will not be granted.</p> <p><i>This policy is consistent with the intentions of the NPPF.</i></p>
Policy BE12	<p>Scheduled Ancient Monuments and Nationally Important Archaeological Sites: states that planning permission will not be granted for any proposed development which would adversely affect a scheduled ancient monument or other nationally important archaeological site or its setting.</p> <p><i>This policy is considered to be inconsistent with the NPPF as the NPPF contains no caveat for 'special justification' as suggested within the NPPF.</i></p>
Policy BE14	<p>Archaeological Field Evaluation of Sites: requires that where archaeological remains may exist, there is a need for an archaeological field evaluation to be carried out by a professionally qualified archaeological organisation or archaeologist.</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 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.</p>

	<i>This policy is consistent with the intentions of the NPPF unless the proposal is for residential and then it has limited consistency.</i>
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 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 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</i></p>

	<i>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>
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>

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 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 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.
Burbage Village Design Statement	Sets out the principles, design features and quality standards that should be adopted by those wishing to build, modify or extend buildings in the settlement.

Other Material Policy Guidance	
Groby Conservation Area Appraisal	The conservation area in Groby was declared in 1976. The appraisal subdivides the areas according to different character. Each area is analysed in terms of its buildings of townscape merit, distinctive details, features of interest, green spaces and vegetation.
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.
Site Allocations and Development Management Policies Development Plan Document – Pre-submission version	This document forms part of the Local Plan 2006 to 2026 (formerly LDF). It identifies specific sites for particular uses, such as housing, employment, retail, open space and community facilities that will deliver the aims and vision of the Core Strategy. It also contains development management policies which will be used to assess planning applications over the plan period. This document was published for consultation in February 2014. Modifications to this document are currently being prepared in advance of being submitted to the Secretary of State in Spring 2015. A full Examination is likely to take place in the summer of 2015.
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 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.
Green Spaces Strategy 2005-2010	Sets out the vision for the Councils Green spaces and includes methodology behind how much Green Space should be provided in relation to the population and a breakdown per settlement of the area of green space when compared to the population of those settlements.
Renewable Energy Capacity Study (2013)	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.