

## **Fosse Villages Neighbourhood Plan 2018-2029**

### **Submission Version**

### **Examination Report**

A Report to Blaby District Council and the Fosse Villages Neighbourhood Plan Joint Working Board into the Fosse Villages Neighbourhood Plan 2018-2029

By Independent Examiner, Jeremy Edge BSc (Hons) FRICS MRTPI

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**28<sup>th</sup> November 2019**

## Table of Contents

Introduction and Role of the Independent Examiner.....	3
Fosse Villages – Background .....	4
<b>Fosse Villages Neighbourhood Plan 2018 -2029 – Plan Preparation and Consultation .....</b>	<b>7</b>
<b>Consultation Summary .....</b>	<b>8</b>
<b>Basic Conditions.....</b>	<b>9</b>
<b>Conformity with the National Planning Policy Framework (NPPF) .....</b>	<b>10</b>
<b>General conformity with the strategic policies of the adopted Local Plan .....</b>	<b>11</b>
<b>EU obligations .....</b>	<b>12</b>
<b>Basic Conditions – Interim Conclusion .....</b>	<b>18</b>
<b>Background Documents .....</b>	<b>19</b>
<b>Fosse Villages Neighbourhood Plan 2018-2029 – Planning Policies .....</b>	<b>19</b>
<b>Summary of findings.....</b>	<b>68</b>
<b>Conclusions and Recommendations .....</b>	<b>71</b>
Referendum Area .....	72
Appendix 1 .....	73
Background Documents .....	73
Appendix 2 .....	78
Fosse Villages Neighbourhood Plan 2018-2029 – Submission Version Policies .....	78
Appendix 3 .....	88
Recommended Revised Policies (Tracked changes) .....	88
Appendix 4 .....	101
Recommended Revised Policies (Clean) .....	101
Appendix 5 .....	113
Assessment of Proposed Local Green Spaces in the FVNP .....	113

## Introduction and Role of the Independent Examiner

- 1.1 Neighbourhood Planning is an approach to planning introduced by the Localism Act 2011 which provides communities with the power to establish the priorities and policies to shape the future development of their local areas. This Examination Report sets out the findings of the independent examination of the Fosse Villages Neighbourhood Plan 2018-2029: Submission Version.
- 1.2 My role as an Independent Examiner, when considering the content of a neighbourhood plan is limited to testing whether a draft neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended). The role is not to test the soundness of a neighbourhood development plan, or to examine other material considerations.
- 1.3 Paragraph 8 of Schedule 4B (2) to the Town & Country Planning Act 1990 (as amended), states that the Plan must meet the following “basic conditions”;
  - it must have appropriate regard for national policy;
  - it must contribute towards the achievement of sustainable development;
  - it must be in general conformity with the strategic policies of the development plan for the local area;
  - it must be compatible with human rights requirements;
  - it must be compatible with EU obligations; and
  - it must meet prescribed conditions and comply with prescribed matters.
- 1.4 In accordance with Schedule 4B, section 10 of the Town & Country Planning Act 1990 (as amended), the examiner must make a report on the draft plan containing recommendations and make one of the following three recommendations:
  - (a) that the draft order is submitted to a referendum, or
  - (b) that modifications specified in the report are made to the draft order and that the draft order as modified is submitted to a referendum, or
  - (c) that the proposal for the order is refused.
- 1.5 If recommending that the Plan proceeds to a referendum, I am also then required to consider whether the Referendum Area should extend beyond the Fosse Villages Neighbourhood Plan designated area to which the Plan relates. I make my recommendations at the end of this Report.
- 1.6 I am independent of the qualifying body, associated residents, business leaders and the local authority. I do not have any interest in any land that may be affected by the Plan and I possess appropriate qualifications and experience.

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- 1.7 I was instructed to undertake the independent examination of the Submission Version of the Fosse Villages Neighbourhood Plan 2018-2029 (FVNP) in May 2019, the Regulation 16 Consultation undertaken having been undertaken by Blaby District Council (BDC), between Tuesday 2 April 2019 and Tuesday 21 May 2019.
- 1.8 The Fosse Villages Neighbourhood Plan area comprises ten parishes which are situated in the south-western part of Blaby District, Leicestershire. The FVNP has been prepared by the Fosse Villages Neighbourhood Plan Joint Working Board and meetings of the parish councils. Assistance has been provided by Blaby District Council and independent professional support from Planit-X Town and Country Planning Services and the Leicestershire & Rutland Rural Community Council, as explained in the Consultation Statement.
- 1.9 Sapcote Parish Council, the qualifying body on behalf of the ten Fosse Villages parishes, submitted the Fosse Villages Neighbourhood Plan to BDC for Examination in accordance with Part 5, Regulation 15 of the Neighbourhood Planning General Regulations 2012, as amended by the Neighbourhood Planning (General) (Amendment) Regulations 2015, on 12<sup>th</sup> March 2019. The documents that make up the submission included:
- The submission version of the Fosse Villages Neighbourhood Plan
  - The Fosse Villages Submission Covering Letter
  - The Fosse Villages Strategic Environmental Assessment Environmental Report
  - The Fosse Villages Basic Conditions Statement
  - The Fosse Villages Consultation Statement
  - Minute of meeting confirming submission of the Fosse Villages Neighbourhood Plan
- 1.10 The locally prepared documents have been available to me via Blaby District Council's website for this examination. I have taken these into consideration together with documents available to me via Blaby District Council's website and other background material from the Fosses Villages neighbourhood plan website<sup>1</sup> where relevant. These are listed in Appendix 1.

### Fosse Villages – Background

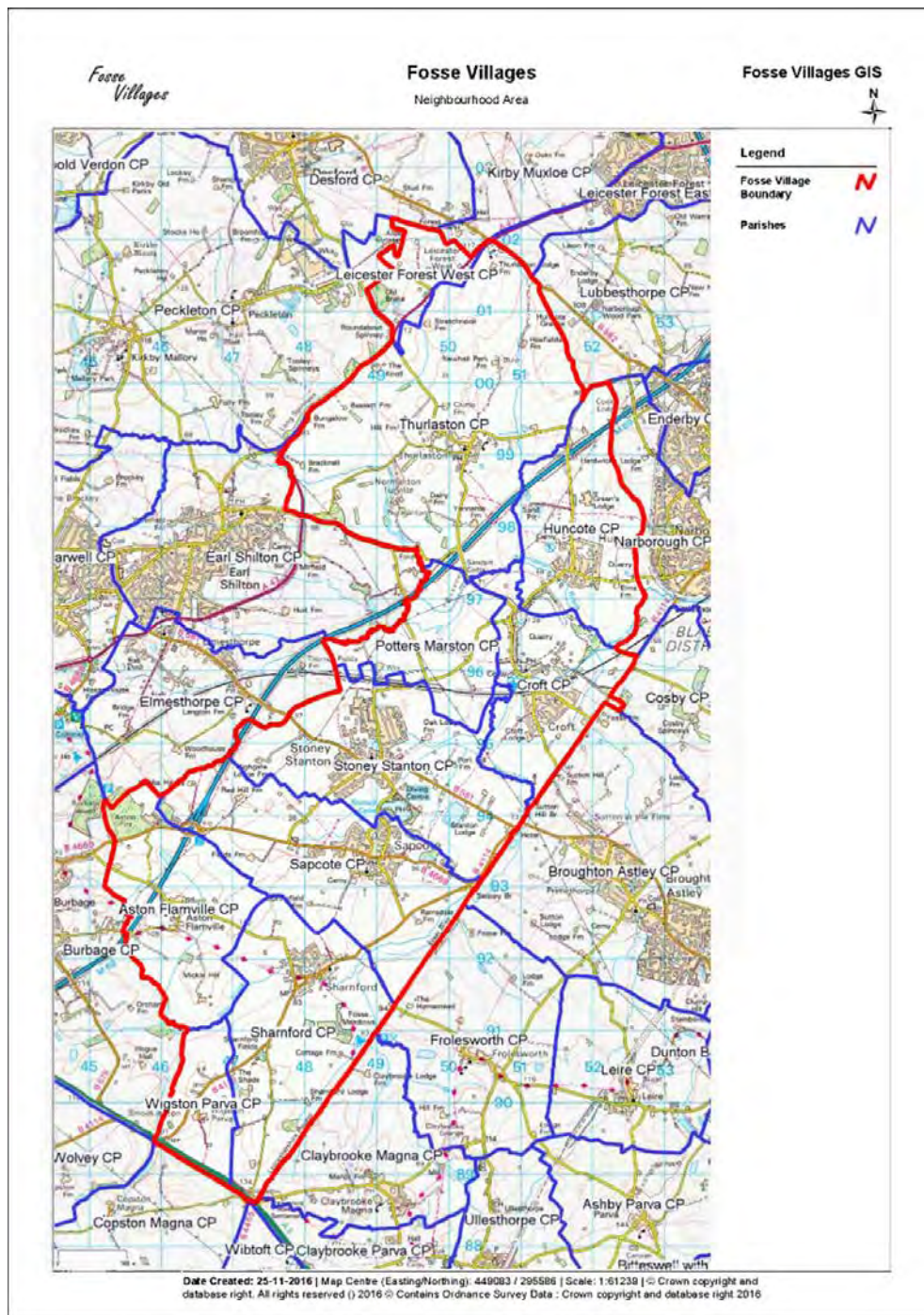
- 1.11 The Fosse Villages Neighbourhood Plan area comprises 10 Parishes which are situated in the south-western part of Blaby District, Leicestershire. The Neighbourhood Area includes the Parishes of Aston Flamville, Croft, Huncote, Leicester Forest West, Potters Marston, Sapcote, Sharnford, Stoney Stanton, Thurlaston and Wigston Parva. The Neighbourhood Area was designated on 13 January

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<sup>1</sup> [www.fossevillages.org.uk](http://www.fossevillages.org.uk)

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2016, replacing an earlier Neighbourhood Area designation approved in 2012 which at that time included Elmesthorpe parish. The Neighbourhood Area is extensive extending to 5,311 hectares, representing 41% of the District of Blaby and sharing a common boundary with parts of both Hinckley & Bosworth Borough Council and Harborough District Council in Leicestershire and with Rugby Borough Council in Warwickshire along a short length of its south-western boundary, as indicated below.



- 1.12 The Neighbourhood Area include communities which share common concerns which provide a cohesive basis for neighbourhood planning as explained in the introduction to the Plan and evidenced through the Consultation Statement, although each settlement within the area each has its own character, ranging from small hamlets including Potters Marston (population 30) to Stoney Stanton (population 3,460). The total population of this rural area amounts to an estimated 11,663, giving an overall population density of 2.2 persons per hectare.

## Fosse Villages Neighbourhood Plan 2018 -2029 – Plan Preparation and Consultation

- 2.1 The Fosse Villages Supporting Statement, forming part of the FVNP submission documents, explains that at a meeting on 1 February 2011 with Blaby District Council, Leicestershire County Council and Parish Councils/Meetings representatives, the possibility of a Neighbourhood Plan was considered for the putative neighbourhood area, which at that time also included Elmesthorpe Parish Council. The Supporting Statement notes that the parish representatives present were all in favour of creating a Neighbourhood Plan for the area, and those not able to attend subsequently agreed to support the application. The Supporting Statement advised that the Neighbourhood Plan preparation was being guided by a Joint Board, each parish being represented on the Board, the Board Chairman being Mike Lee. The Supporting Statement advised that the Board was supported by Blaby District Council, Leicestershire County Council and the Rural Community Council and that the Board had appointed a Project Manager to help prepare the Neighbourhood Plan.
- 2.2 The FVNP helpfully summarises the activities undertaken in preparing and developing the neighbourhood plan from inception in 2012 until the submission of the draft Plan for Regulation 16 consultation by Blaby District Council in March 2019. A more detailed assessment of the consultation methods used in preparing the FVNP and the actions taken, the analysis and understanding of the local issues and options which have informed the preparation of the Plan, are explained in the Consultation Statement.
- 2.3 The gestation period for the preparation of the Plan has been lengthy with initial information gathering through events in May 2012 to August 2013, including the Stakeholder Consultation Workshop, convened at Sapcote Club on 30<sup>th</sup> May 2012. The CS records the key issues identified at the stakeholder workshop by each parish. Subsequently, a series of Community drop-in events took place in the parishes of Croft, Sapcote & Aston Flamville, Sharnford & Wigston Parva, Huncote, Stoney Stanton & Potters Marston, Thurlaston & Leicester Forest West, arranged between September and October 2012 by Leicestershire & Rutland Rural Community Council (RCC). This provided an opportunity to inform local people about the neighbourhood plan process and receive views and opinions on the key issues that the Neighbourhood Plan should address. The results of this



process were used to prepare the issues and options questionnaire upon which the residents were consulted upon in March 2017.

- 2.4 Community engagement was extended to primary school children in October- November 2012 in Thurlaston Primary School, Huncote Primary School and Sapcote and Sharnford Primary Schools.
- 2.5 The CS explains that to guide the level of housing to be provided in each of the Fosse Villages, a Draft Interim Housing Provision Statement was prepared for consultation during the period 7 July 2013 to 19 August 2013. Representations received were reported to the Fosse Villages Neighbourhood Development Plan Joint Working Board at its 1 October 2013 meeting and were used to inform the Interim Housing Provision Policy Statement. This Statement identified a suitable housing allocation for each of the Fosse Villages, having regard to the adopted Core Strategy, the Blaby Strategic Housing Land Availability Assessment and representations made during consultation. I note however that there are no specific housing allocations in the Submission Version of the FVNP, the subject of this examination.
- 2.6 A second period of activity followed the designation of the current neighbourhood area from early 2017 with the preparation of the Issues and Options. This was compiled by a questionnaire following the delivery of newsletters to households and businesses in March 2017, seeking views on the main issues facing the Fosse Villages. 778 responses were received which assisted the preparation of the Regulation 14 draft neighbourhood plan. Consultation took place from 29th May and 11th July 2018 on this Plan. The CS chronicles the consultations made at that time and the responses to them by the Steering Group, which led to the subsequent preparation of the submission version of the Plan for Regulation 16 consultation by Blaby District Council by Sapcote Parish Council, in accordance with Part 5, Regulation 15 of the Neighbourhood Planning General Regulations 2012, (as amended), on 12th March 2019. The Regulation 16 Consultation followed, undertaken by Blaby District Council (BDC), between Tuesday 2 April 2019 and Tuesday 21 May 2019.
- 2.7 The CS notes that throughout the preparation of the Fosse Villages Neighbourhood Plan, local communities were kept up to date with progress via newsletters, press releases, the Fosse Villages Neighbourhood Plan website ([www.fossevillages.org.uk](http://www.fossevillages.org.uk)) and through parish council meetings.

## Consultation Summary

- 2.8 To meet the requirements of Regulation 15(2) of Neighbourhood Planning Regulations 2012, the consultation statement should:
- contain details of the persons and bodies who were consulted about the proposed neighbourhood development plan;
  - explain how they were consulted;



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- summarise the main issues and concerns raised by the persons consulted; and
  - describe how these issues and concerns have been considered and where relevant addressed in the proposed neighbourhood development plan.
- 2.9 From the brief synopsis of the consultation activities throughout the preparation of the submission version of the FVNP and the record of events during the preparation of this Plan in the Consultation Statement, it is evident that there has been adequate liaison and consultation with Blaby District Council over the entire Plan preparation period as well as with landowners, developers, community groups, business interests and the residents of the Fosse Villages as the Plan has evolved. From the evidence provided in the Consultation Statement, the Basic Conditions Statement, I am in no doubt that the consultation process meets the requirements of Regulation 15(2) of Neighbourhood Planning Regulations 2012, as outlined in paragraph 2.8 above.

## Basic Conditions

- 3.1 The Neighbourhood Plan contains policies relating to the development and use of land within the Neighbourhood Plan area and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.
- 3.2 The Basic Conditions Statement (BCS) explains that the Fosse Villages Neighbourhood Plan was submitted by Sapcote Parish Council, the statutory Qualifying Body as defined by the Localism Act 2011 and overseen by the parish councils and meetings through the Fosse Villages Neighbourhood Plan Joint Working Board.
- 3.3 The BCS further confirms that:
- A) The application for Neighbourhood Area designation was submitted by Sapcote Parish Council, on 29 June 2015 and was designated by Blaby District Council on 13 January 2016.
  - B) The Neighbourhood Area comprises the parishes of Aston Flamville, Croft, Huncote, Leicester Forest West, Potters Marston, Sapcote, Sharnford, Stoney Stanton, Thurlaston and Wigston Parva.
  - C) The submission version of the FVNP contains policies relating to the development and use of land within the NA. Proposals relating to planning matters (the use and development of land) have

been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

- D) The Fosse Villages Neighbourhood Plan covers the period 2018 to 2029, to align with the Blaby Local Plan (Core Strategy) 2013 and Blaby District Local Plan (Delivery) DPD 2019.
- E) The Plan does not deal with county matters (e.g. mineral extraction and waste development), excluded development, nationally significant infrastructure or other matters set out in Section 61K of the Town and Country Planning Act 1990.
- F) The Fosse Villages Neighbourhood Plan relates only to the development and use of land within the Fosse Villages Neighbourhood Area and to no other Neighbourhood Areas.
- G) It is the only Neighbourhood Development Plan in the designated area. No other Neighbourhood Development Plan exists nor is being prepared for part or all of the designated area.

3.4 The Basic Conditions Statement notes that the four “basic conditions” required by the Regulations must be satisfied if the Plan is to proceed to referendum and explains how this requirement has been met, namely;

- The Plan must have appropriate regard to national planning policy;
- Neighbourhood Plans must promote the achievement of Sustainable Development;
- The Objectives and Policies of the submission version of the Plan must be in general conformity with the strategic Policies in the Blaby District Council adopted plan, which consists of;
  - the Blaby District Local Plan (Core Strategy) 2013 adopted on 21<sup>st</sup> February 2013; and
  - the Blaby District Local Plan (Delivery) DPD 2019, adopted on 4<sup>th</sup> February 2019 (*the only strategic policy in the Delivery DPD being the updated Core Strategy policy on open space (updated policy CS15)*).
- The Plan must be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations; and
- The plan must meet prescribed conditions and comply with prescribed matters.

## Conformity with the National Planning Policy Framework (NPPF)

3.5 The BCS advises that the FVNP policies have been assessed against the National Planning Policy Framework (NPPF) published in July 2018. Since that time, further amendments were made to the

NPPF in February 2019 and the most recent update was made on 19<sup>th</sup> June 2019. It is against the February 2019 version, incorporating the June 2019 update that I have made comments regarding the conformity of the Plan to national planning policy as appropriate. The BCS provides a helpful assessment and commentary relating to each policy regarding both the NPPF (2018) and the accompanying Planning Practice Guidance (PPG) at that time.

### Achieving sustainable development

- 3.6 In demonstrating how the submission version of the FVNP conforms to and has appropriate regard to national planning policy, the BCS provides a comprehensive table at paragraph 3.2 identifying how the Plan will deliver sustainable development through the planning system via meeting the 12 former core planning principles and the three economic, social and environmental dimensions within the NPPF (2012), now encapsulated in Section 2 of the current version of the NPPF.
- 3.7 The NPPF advises that all plans should be based upon the presumption in favour of sustainable development with clear policies that guide how the presumption should be applied locally in order to comply with the legal requirement of local planning authorities exercising their plan-making functions (section 39(2) of the Planning and Compulsory Purchase Act 2004). The application of the presumption of achieving sustainable development has implications for the way communities engage in neighbourhood planning, as set out in paragraph 13 of the NPPF where neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.
- 3.8 I concur that the FVNP has been prepared with regard to principles of delivering sustainable development as identified in the Basic Conditions Statement and required by the NPPF. In the event that subject to my recommendations, the Plan proceeds to referendum and is subsequently made, the FVNP will assist in delivering sustainable development within the Fosse Villages Neighbourhood Area.

### General conformity with the strategic policies of the adopted Local Plan

- 3.9 As stated above paragraph 13 of the NPPF requires that neighbourhood planning policy should be aligned with the strategic needs and priorities of the wider local area and that neighbourhood plans must be in general conformity with the strategic policies of the Development Plan and should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.
- 3.10 The strategic planning policies for the Neighbourhood Area are contained within Blaby District Council's Local Plan (Core Strategy) 2013 adopted on 21st February 2013, and the Council's Local Plan (Delivery) DPD 2019, adopted on 4th February 2019.

- 3.11 The strategic policies of the adopted development plan for the local area are contained in the Blaby District Local Plan (Core Strategy) 2013. Paragraph 1.4 of the Delivery DPD explains that the Delivery DPD does not seek to establish a new strategy and that the document conforms to the strategic policies of the Core Strategy. The only strategic policy in the Delivery DPD is the updated Core Strategy policy on open space (updated policy CS15). I understand that the remainder of the policies are deemed ‘non-strategic’. However, the QB states that the Fosse Villages Neighbourhood Plan is also broadly aligned with the Blaby District Local Plan (Delivery) DPD. The BCS provides two tables in paragraphs 4.6 and 4.10 demonstrating how the FVNP policies conform to the strategic policies, as relevant in the Local Plan (Core Strategy) and the Local Plan (Delivery) DPD, respectively.
- 3.12 I agree that the general thrust of the draft policies in the Neighbourhood Plan will contribute to achieving sustainable development by seeking positive improvements to the quality of the natural, built and historic environment, as well as in people’s quality of life in the Fosse Villages Neighbourhood Area over the life of the Plan to 2029.
- 3.13 I am also content that the FVNP, subject to the recommended policy alterations in this examination report, would be in general conformity with national and adopted strategic local planning policies and that the FVNP does not promote less development than set out in the adopted Core Strategy and Local Plan (Delivery) DPD, or undermine its strategic policies. The FVNP if made, would help shape and direct sustainable development in the 10 parishes within the Neighbourhood Area.
- 3.14 I am also content that when amended as recommended by this examination report, the FVNP would comply with the provisions of paragraph 16 of the NPPF which seeks to avoid unnecessary duplication of adopted planning policies.

## EU obligations

### Screening for Appropriate Assessment, Strategic Environmental Assessment and Habitats Regulation Assessment

- 3.13 The Basic Conditions Statement advises that a Strategic Environmental Assessment Screening Statement for the “Issues and Options” version of the FVNP (October 2018), was used to determine whether or not the Fosse Villages Neighbourhood Plan required a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plan and Programmes Regulations 2004. In January 2018, Blaby District Council, following consultation with the Environment Agency, Natural England and Historic England, determined that the Fosse Villages Neighbourhood Plan was likely to have significant environmental effects and therefore a Strategic Environmental Assessment (SEA) was required.

AECOM was commissioned to undertake an independent Strategic Environmental Assessment in relation to the emerging Fosse Villages Neighbourhood Plan. In February 2018 the related Scoping Report was published for consultation with the designated authorities, namely Historic England, Natural England and the Environment Agency.

- 3.14 I note that a SEA was completed as part of the adopted Blaby District Council Local Plan (Core Strategy) (February 2013), and that this has been taken into account preparing the more recent screening assessment relating to the FVNP. The results of the SEA screening exercise were presented in tabular form and the conclusion drawn was that the Leicestershire Fosse Villages Neighbourhood Plan had the potential to have significant effects in relation to the criteria in Schedule 1 of the SEA Regulations, and therefore should be subject to a Strategic Environmental Assessment (SEA) to explore the likely impacts further. The principal reason was that although the FVNP supports the Blaby District Local Plan (Core Strategy) the policies of which had already been subject to SEA, the FVNP at that time, in seeking to allocate housing sites, employment expansion land, land for the provision of a community building in Croft, the safeguarding of land for a rail passenger station in Croft, and the safeguarding of land for a cemetery in Stoney Stanton beyond existing settlement boundaries within the Countryside included development options the effects of which had not been assessed in terms of their likely environmental impacts. The assessment also cited additional secondary reasons, including for example the effect on the Croft quarry SSSI, effects on the Area of Separation between Huncote and Narborough and likely transboundary impacts beyond the Neighbourhood Area boundary in addition to the impact of housing and employment development on the Croft quarry SSSI, heritage assets, flood risk and the need to examine the cumulative impacts.
- 3.15 The screening assessment also considered the potential impacts of the Fosse Villages Neighbourhood Plan on internationally designated sites within approximately 25km of the Neighbourhood Plan area according with the distance used to similarly assess the Blaby District Local Plan (Core Strategy) (2013) for that appropriate assessment screening exercise in April 2012. This identified three internationally designated sites within 25km of the Blaby District boundary and the potential impact on these was considered appropriate to consider in relation to the appropriate assessment screening assessment for Fosse Villages Neighbourhood Plan, namely:
- Rutland Water Special Protection Area and Ramsar site (Rutland);
  - River Mease Special Area of Conservation (Leicestershire and Derbyshire); and
  - Ensor's Pool Special Area of Conservation (Nuneaton, Warwickshire)
- 3.16 The assessment considered that likely impacts on these internationally designated sites due to the implementation of development anticipated from the FVNP over the Plan period were:
- Housing growth resulting in increased visitor numbers for recreation / tourism reasons;
  - Increased surface water affecting water quality; and

- Increased air pollution can impact upon the species and habitats which these sites support.

3.17 Notwithstanding these likely effects and the more detailed effects of the FVNP draft policies set out in tabular form in the assessment, the conclusion reached was that because the FVNP is in general conformity with the Core Strategy and which itself was not considered to have any significant effects on the integrity of the identified internationally designated wildlife sites, either alone or in combination with other plans, a full appropriate assessment of the FVNP was not required.

### Screening for Appropriate Assessment, Strategic Environmental Assessment and Habitats Regulation Assessment – Conclusions

- 3.18 The screening assessment concluded that due to the potential environmental effects of the proposals identified, the likely effects should be investigated in more detail through a Strategic Environmental Assessment to accompany the plan, but noted should the plan materially change when it advances from the Issues and Options version to a proposed submission version a further screening assessment may be required.
- 3.19 Concerning HRA, the assessment concluded that a full Habitats Regulations Appropriate Assessment of the FVNP was not required. As with the SEA assessment, should the plan materially change when it advances from the Issues and Options version the proposed submission version then a further screening assessment may be required.
- 3.20 I consider that the screening opinion has been prepared and compiled appropriately and support the conclusions drawn at that time. A SEA was prepared in relation to the Submission Version of the FVNP in March 2019 by AECOM, (reviewed below), forming part of the examination documents in support of the FVNP.

### Strategic Environmental Assessment (2019)

- 3.21 The Basic Conditions Statement explains that an Environmental Report was prepared and published in May 2018 accompanying the Pre-Submission Version of the Fosse Villages Neighbourhood Plan for consultation. The BCS notes that several recommendations regarding the pre submission version of the Plan and confirms that these have been incorporated into the Submission version of the FVNP.

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3.22 An updated Environmental Report has been prepared to accompany the Submission version of the Fosse Villages Neighbourhood Plan. This SEA<sup>2</sup> explains that the purpose of this Environmental Report is to:

- Identify, describe and evaluate the likely significant effects of the Fosse Villages Neighbourhood Plan and alternatives; and
- Provide an opportunity for consultees to offer views on any aspect of the SEA process which has been carried out to date.

3.23 The SEA report contains:

- An outline of the contents and main objectives of the Fosse Villages Neighbourhood Plan and its relationship with other relevant policies, plans and programmes;
- Relevant aspects of the current and future state of the environment and key sustainability issues;
- The SEA framework of objectives against which the Fosse Villages Neighbourhood Plan has been assessed;
- The appraisal of alternative approaches for the Fosse Villages Neighbourhood Plan
- The likely significant environmental effects of the Fosse Villages Neighbourhood Plan
- The measures envisaged to prevent, reduce, and as fully as possible offset any significant adverse effects as a result of the Fosse Villages Neighbourhood Plan; and
- The next steps for the Fosse Villages Neighbourhood Plan and accompanying SEA process.

3.24 The SEA has been prepared in accordance with the requirements of the SEA Directive and sets out the likely environmental effects of the neighbourhood plan and reasonable alternatives. The SEA explains that because this rural neighbourhood plan contains no housing allocations because the anticipated housing development for the settlements in the Core Strategy has either been met or exceeded, the reasonable alternatives against which the FVNP and its policies have been assessed were:

- Option 1: Support brownfield windfall housing development; and
- Option 2: Use Limits to the Built-up Area and countryside protection policies to guide windfall housing development.

3.25 The SEA explains, not surprisingly, that the appraisal of these options identified Option 2 generally performing better than Option 1 against the SEA themes of biodiversity, climate change, land, soil and water resources, population and communities, health and wellbeing and transportation. The SEA further explains that whilst the differences between the two options were not considered to be significant, Option 2 generally performs better by containing development within existing settlement

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<sup>2</sup> Strategic Environmental Assessment for the Fosse Villages Neighbourhood Plan - Environmental Report to accompany the submission version of the plan - Fosse Villages Community Forum, AECOM, March 2019



areas, and protecting the open countryside surrounding the villages. By contrast, Option 1 was found likely to lead to similar effects, but as brownfield development does not necessarily denote a settlement location, this option could lead to housing development in rural brownfield locations, with the potential for adverse effects in relation to transport, accessibility, landscape and climate change.

3.26 The conclusions of the SEA recognises that the FVNP;

- A) provides significant support for local communities in the Neighbourhood Area and that the Plan policies support communities and village identities through settlement statements; village boundaries; defining the Areas of Separation; local heritage identification; and the identification and protection of local green spaces;
- B) is considered likely to lead to long term significant positive effects in terms of: the retention and enhancement of community facilities; the protection and enhancement of the landscape; and economic vitality;
- C) is relatively limited in the potential to provide change through new development, as housing needs have largely been met through existing commitments;
- D) small scale windfall development of less than 10 dwellings may exacerbate existing issues in relation to traffic and transport, and climate change;
- E) the proposed Croft Quarry allocation is positive in terms of employment and will contribute to improvements in community service and facility provisions. The allocation will also regenerate previously developed land with the potential for long term positive effects in relation to the efficient use of land. It is also recognised that the accessibility of the Croft Quarry site could improve in the future, as land has been safeguarded for the future development of a railway station in Croft; and
- F) no significant negative effects have been identified through the appraisal, however it is recognised that there is the potential for minor negative effects through; development at risk of flooding at the Croft Quarry cement area employment expansion allocation, and small scale windfall development of less than 10 dwellings exacerbating traffic and transport issues in the longer term.

3.27 I am satisfied that the SEA process undertaken during the preparation of the FVNP has assisted in the preparation of the Plan policies, integrating environmental considerations into the process of preparing plans in accordance with Directive 2001/42/EC. This will contribute towards the delivery of sustainable development in the Neighbourhood Area, if the Plan is subsequently made following a referendum.

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## HRA Update – Post the European Court of Justice (ECJ) ruling ‘People over Wind, Peter Sweetman v Coillte Teoranta’

- 3.28 Blaby District Council reviewed its HRA of the FVNP in light of the European Court of Justice (ECJ) ruling ‘People over Wind, Peter Sweetman v Coillte Teoranta’ in February 2019. The ECJ judgement ruled that ‘mitigation measures’ should be assessed within the framework of ‘Appropriate Assessment’ and that it is not appropriate to take account of measures intended to avoid or reduce the harmful effects of the plan or project on a European site at the screening stage.
- 3.29 The assessment concluded that, when considered in the absence of ‘on-site’ mitigation / management measures at the designated sites, there would be no material additional impacts on European level sites arising from the policies, allocations and designations of the FVNP. Likely impacts on water quality, ecological links, air pollution, increased recreation activity, and renewable energy were considered to be ‘neutral’.
- 3.30 The distance separation between FVNP proposed allocations and Rutland Water and the greater accessibility of more local recreation sites that were not Natura 2000 protected, indicated that even without on-site mitigation being included in the FVNP assessment on European level sites, any impacts would be so modest as to not have any significant adverse effects and therefore would not require Appropriate Assessment. Also, the Fosse Villages are not promoting any specific mitigation measures to protect the European sites as part of the Leicestershire Fosse Villages Neighbourhood Plan.
- 3.31 Finally, the HRA Update found that the conclusions of the 2018 HRA report remained robust in that there would be no significant adverse effects and no requirement for Appropriate Assessment.
- 3.32 I note that having regard to the screening assessment, the FVNP HRA (2018) which concluded that the Plan was not considered to give rise to any significant effects on the integrity of the identified internationally designated wildlife sites, either alone or in combination with other plans and therefore a full appropriate assessment of the Fosse Villages Neighbourhood Plan was not required. It is also reasonable to conclude, having regard to the HRA Update 2019 that the conservation of natural habitats and of wild fauna and flora, protected under Directive 92/43/EEC; and the conservation of Habitats and Wild Birds under Directive 2009/147/EC, will be satisfied if the FVNP is made.
- 3.33 The Basic Conditions Statement confirms that other European directives, such as the Waste Framework Directive (2008/98/EC), the Air Quality Directive (2008/50/EC) or the Water Framework Directive (2000/60/EC) do not apply to the FVNP.
- 3.34 The Basic Conditions Statement also advises that Regulation 32 of the Neighbourhood Planning

(General) Regulations 2012 (as amended) sets out another basic condition in addition to those set out in the primary legislation. Regulation 32 concerns whether the making of the neighbourhood plan is likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects). (See Schedule 2 to the Neighbourhood Planning (General) Regulations 2012 (as amended) in relation to the examination of neighbourhood development plans).

- 3.35 As confirmed in paragraphs 5.8 to 5.12 of the Basic Conditions Statement, the Appropriate Assessment Screening Opinion Report concluded that the Fosse Villages Neighbourhood Plan alone, or in combination with other plans, is unlikely to have a significant effect on any of the designated sites within approximately 25km of the Parish boundary, therefore satisfying Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

### Convention on Human Rights

- 3.36 The Basic Conditions Statement explains that the Equality Act 2010 places a duty on all public authorities in the exercise of their functions to have regard to the need to eliminate discrimination, to advance equality of opportunity, and to foster good relations between persons who have a “protected characteristic” and those who do not. The FVNP was subject to an Equalities Impact Assessment (Appendix 1 of the BCS) which found no adverse impacts on any protected characteristic by reference to data, or evidence. I am therefore satisfied that there are unlikely to be any prejudicial effects on Human Rights and the related Equality Act 2010 if the Plan were to be made in accordance with my recommendations in this examination report.

### Basic Conditions – Interim Conclusion

- 3.37 The Basic Conditions Statement (BCS) has been clearly and systematically prepared in setting out how the Plan meets the Basic Conditions. In addition to the Basic Conditions Statement, the FVNP is supported by a Consultation Statement, Appropriate Assessment Screening Report, Strategic Environmental Assessment Report and HRA Update seeking to justify the Plan’s policies.
- 3.38 The Basic Conditions Statement notes that the FVNP conforms to and supports the policies in the NPPF and is in general conformity with the strategic policies of the adopted Local Plan (Core Strategy) 2013 and the Council’s Local Plan (Delivery) DPD 2019.
- 3.39 In examining the FVNP I have assessed the extent to which the neighbourhood plan conforms to guidance in the NPPF and is in general conformity with adopted strategic local policies. Under the principle of general conformity with adopted strategic local policies, neighbourhood plan policies may differ to some extent from strategic local policies, yet still meet the basic conditions. General conformity is considered for the whole neighbourhood plan, so does not imply absolute conformity

on every detail of strategic policy. Relevant considerations include:

- whether the neighbourhood plan policy or development proposal supports and upholds the general principle with which strategic policy is concerned;
- the degree of conflict if any, between the draft neighbourhood plan and strategic policy;
- the extent to which draft neighbourhood plan policy provides an additional level of detail and/or a distinct local approach, beyond that set out in strategic policy without undermining that policy; and
- the rationale for the approach taken in the draft neighbourhood plan and the evidence to justify that approach.

3.40 I make my comments in respect of specific draft policies in Section 5 and more generally in the Summary and Conclusions sections of this report below.

## Background Documents

4.1 The background documents referred to in the preparation in this examination report are listed in Appendix 1.

## Fosse Villages Neighbourhood Plan 2018-2029 – Planning Policies

### FVNP structure and presentation – settlement Statements and Policy Maps

5.1 Before embarking on a consideration of the policies, to aid the understanding of the structure of the neighbourhood plan, as indicated by Blaby District Council in its Regulation 16 comments, it would be helpful to;

- provide a shorter, more focused Table of Contents that includes reference to the policies, policy maps and Settlement Statements;
- include an introductory paragraph explaining the layout of the FVNP (i.e. the Policies followed by the Policies Maps and Settlement Statements); and
- within the Settlement Statement section, include a heading at the start of each settlement being described so that it is clear which settlement area is being considered, for example “Aston Flamville Settlement Statement”.

5.2 Regarding the Policies Map and related Inset Maps, there would be considerable merit in drawing these plans together so that these follow the Policies section. The justification for this modification is that the Settlement Statements do not in themselves refer directly to the FVNP policies, whilst the

inset maps do. This change would be beneficial for those using the Plan in preparing development proposals and for development management purposes.

5.3 In its Regulation 16 comments, BDC has identified a number of inconsistencies relating to map-based policy designations. A number of these relate to conflicts between potential Local Green Space and other designations including Areas of Separation and the Pavilion Leisure Centre built development at Huncote and the potential risk that future Leisure Built development could be sterilised. In the event, it will be noted that I am unable to support a number of the LGS proposals, due to the failure to provide a convincing evidence base that the proposed sites satisfy the guidance in paragraphs 99-101 of the NPPF. However, there are a couple of instances where map-based changes identified by Blaby DC are relevant and need to be made for consistency with other designations. These are:

- i) The school on the northern developed area of Sharnford is shown outside the Limits to Built Development, in the Countryside. The boundary of the Limit to Built Development should be altered to encompass the entire school site to facilitate future built development, together with the existing school buildings.
- ii) The committed housing site (Planning permission 13/0795/1/MX) to the north of Sapcote extends into the area designated as Area of Separation. The gross housing allocation site area is shown on the Sapcote Inset Map, the northern part of which will be open space. I note that the approved site layout plan, dated 31<sup>st</sup> May 2018, defines the extent of the area to be developed and the resulting area of open space. The approved layout plan can be viewed at:  
[https://pa.blaby.gov.uk/online-applications/files/A6C3C610E631C819A0BFA96BB6E63186/pdf/13\\_0795\\_1\\_MX-PROPOSED\\_SITE\\_LAYOUT-386681.pdf](https://pa.blaby.gov.uk/online-applications/files/A6C3C610E631C819A0BFA96BB6E63186/pdf/13_0795_1_MX-PROPOSED_SITE_LAYOUT-386681.pdf)

I recommend that the approved layout plan should define the Limits to Built Development boundary in this instance, the area to the south falling within the settlement of Sapcote, the land to the north being within the Area of Separation, thus avoiding the current overlap.

5.4 I also agree with the additional comments made by Blaby DC in its Regulation 16 comments that the Wigston Parva inset map base covers a large area and consequently the land-use planning designations are not easily distinguishable. I recommend that for clarity there should be two inset maps covering this area at an appropriate scale, covering:

- 1) Wigston Parva (North) including the Wigston Parva Conservation Area and the Shade High Cross Business Park; and
- 2) Wigston Parva (South) including the site of the Venonae Roman Settlement and High Cross Quarry.

## Planning Policies

- 5.5 The FVNP sets out a Vision for the future of the Neighbourhood Area for the period to 2029 in the form of a diagram with eight aspirational statements as follows:
- Individual character of the area's communities is maintained;
  - Rural character of the area has been retained;
  - There are good opportunities for local work;
  - Development is supported by appropriate infrastructure;
  - Impact of traffic on local communities is reduced;
  - Important open areas have been protected;
  - New homes reflect local housing needs;
  - Local people have a bigger say over how their area develops
- 5.6 The plan policies in the FVNP are structured having regard to the rank ordering of the themes derived from Key Issues Feedback from the 2017 Questionnaire Survey. This is an unusual approach to the conventional thematic arrangement normally followed, but there is no prescribed format for the preparation of neighbourhood plans, which is a matter for the Qualifying Body. The key issues are ranked in order of importance, as follows:
- Road Traffic and Congestion (69%)
  - Protecting Village Identity (65%)
  - How much development and where? (61%)
  - Improved Services and Facilities (35%)
  - Improved public transport (30%)
  - Meeting Local Housing Needs (16%)
  - Providing Jobs for Local People (10%)
  - Opportunities for Renewable Energy (5%)
  - Gypsies and Travellers (5%)
- 5.7 I now examine each of the FVNP draft planning policies and the related explanatory text within the Plan to establish the extent to which the neighbourhood plan policies support national planning policy in the NPPF and are in general conformity with the strategic policies of the development plan.
- 5.8 If the FVNP is to proceed to referendum, the recommended modifications to the policies must be accepted by the Parish Council in order that the Plan may move forward to that stage. Where I have recommended changes to the draft policies, the recommended revisions are shown as tracked changes in Appendix 3 with “clean” copies of the altered policies in Appendix 4. Where policy revisions are recommended, the explanatory text relating to those policies subject to alteration may also require some modification to reflect the recommended modified policies. Such changes will be a matter for the Fosse Villages Neighbourhood Plan Joint Working Board to draft, doubtless in

conjunction with the Planning Department of the District Council, as part of its duty to co-operate, although in some cases I have offered suggested alterations to the supporting text.

- 5.9 To assist and for convenience, the submission draft policies of the FVNP are reproduced in Appendix 2 to this examination report. Where, in my opinion, the explanatory or supporting text to the FVNP requires alteration the changes suggested in this report are advisory and for clarification; they are not mandatory in order to meet the Basic Conditions test.

## Transport

### Policy FV1: Road Traffic

**Measures that provide reductions in traffic on the B4114, including through Sharnford and traffic reductions in the Fosse Villages will be supported.**

**Where necessary, new developments of more than 10 dwellings will be required to contribute to off-site improvements to the highway network to mitigate the effects of new development. Development will not be supported if the residual or cumulative impact on congestion or highway safety is severe.**

- 5.10 The Basic Conditions Statement notes that Policy FV1 conforms to paragraphs 108 and 109 of the NPPF and Policy CS10 of the Core Strategy, relating to Transport Infrastructure. The supporting statement to Policy CS10 also notes at paragraphs 7.10.7 – 9; that:

*“7.10.7 At the time of drafting the Core Strategy no large transport schemes were committed in publicly funded delivery programmes. Schemes that were formerly identified in LTP / RTS programmes including a proposed Park and Ride at Glenfield and Sharnford by-pass are not now considered capable of being delivered during the plan period. There are no plans to provide passenger services on the National Forest rail line or provide new stations on the Leicester to Birmingham line.*

*7.10.8 At present there is uncertainty regarding the potential to widen the M1 through the District of Blaby and provide a new direct link from the M1 to M69. Options to provide ‘hard shoulder running’ are being explored by the Highway’s Agency. Blaby District will continue to work with partners to agree an effective solution that will address some of the congestion, noise and pollution issues arising from the M1.*



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*7.10.9 Blaby District will work with its partners at Leicestershire County Council and other agencies to find solutions to local transport problems, such as those caused by Heavy Goods Vehicle movements in Sharnford and the Southern Parishes.”*

- 5.11 It is evident that following the adoption of the Core Strategy there have been considerable changes in the delivery of large distribution centres within the wider locality to benefit from the locational advantages of the area for freight movement particularly by road. Whilst there is a commitment by Blaby District Council working with Leicestershire County Council and other agencies to find solutions to local transport problems including those caused by Heavy Goods Vehicle movements in Sharnford and the Southern Parishes, it is not clear how and when these might materialise. In the period since the CS was adopted a proposal known as the Hinckley National Rail Freight Interchange has emerged, promoted by db Symmetry (Hinckley) Limited. The scheme is considered to be a Nationally Significant Infrastructure Project (NSIP) and comprises some *“...13.71 hectares (ha) of level land for the construction of a rail port for the loading and unloading of freight trains, and for a total area of up to 850,000 square metres gross internal area (GIA) (650,000 square metres gross external area (GEA) ‘footprint’ and 200,000 square metres of mezzanine floorspace) of high-bay storage and logistics buildings in a single land parcel bounded by the railway to the north-west and the M69 to the south-east.”* The EIA scoping opinion states that the first meeting was held in 2015 before a 2-year gap before the next meeting. The proposal is anticipated to be submitted as a planning application before the end of 2019 as a National Infrastructure Project and undoubtedly if approved would have a considerable impact on the Neighbourhood Area over the life of the FVNP.
- 5.12 Against this background, it is not clear what measures that would provide reductions in traffic on the B4114, including through Sharnford and traffic reductions in the Fosse Villages, might be delivered through the planning system relating to development in the Neighbourhood Area. Certainly, traffic congestion which I experienced on the day of my visit to the area was severe, but this is caused by trips between existing development. I nonetheless support the first limb of this policy which conforms to adopted strategic planning policy and the wider intentions of Leicestershire County Council as Highway Authority, although from the Core Strategy it is clear that when prepared, the Core Strategy did not support a Sharnford by-pass.
- 5.13 The second limb of the policy relates to developments of more than 10 dwellings which where necessary, would be obliged to contribute to off-site improvements to the highway network to mitigate the effects of new development. Blaby DC in its Regulation 16 comments raised concerns about the viability and proportionality of such a policy. The Council’s response states that to justify such an approach for each development, suitable transport evidence is required. The Council’s response confirms that the threshold of 10 dwellings is considerably lower than is expected by national or the local strategic policy and further notes that Policy CS10 indicates that a Transport Statement is required for developments of 50 dwellings or more and a Transport Assessment at 80 dwellings or more. The Council’s response advises that it would not be proportionate to expect smaller developments to provide suitable information to evidence contributions to the highways

network, nor would it align with Local Plan Core Strategy policy CS10. It is recommended that the threshold should be amended to bring it into line with national and local strategic policies. I concur with those sentiments. The Neighbourhood Area includes no housing allocations. Whilst some “windfall” housing will undoubtedly be expected to be delivered in the Plan area over the period to 2029, by its nature windfall or unplanned housing projects are generally small scale and are unlikely to deliver a “development surplus” that might fund off site highway improvements envisaged by the draft policy.

- 5.14 In relation to the third limb of the policy which states that development will not be supported if the residual or cumulative impact on congestion or highway safety is severe, the Highway Authority is best equipped and indeed responsible for objectively assessing capacity and safety issues relating to development proposals.
- 5.15 For these reasons I recommend that Policy FV1 be amended as recommended in Appendix 3 by tracked changes and as made in Appendix 4. No changes are necessary to the supporting text.

## Policy FV2: Rail

**Development that would prejudice the provision of a railway station, access or parking at Station Road Croft, as shown on the Policies Map, will not be supported.**

- 5.16 The Basic Conditions Statement explains that this policy conforms to the guidance in the NPPF at paragraph 104. The policy identifies and protects site which could be critical in developing infrastructure to widen transport choice, reflecting NPPF paragraph 104 (c). The NPPF is qualified to the extent that this is subject to the provision of there being robust evidence to support this provision.
- 5.17 The BCS confirms that Core Strategy policy CS10 supports the exploration of realistic opportunities for improving rail-based movement of goods and people and also notes the development of Birmingham to Leicester rail services is an early priority for the Midlands Connect Strategy and that many Fosse Villages residents commute to Leicester or the West Midlands. Policy FV2 seeks increased station provision on the existing Birmingham to Peterborough line that runs through the area to widen transport choice and realise opportunities for large scale development.
- 5.18 No Regulation 16 consultation comments were made in relation to this draft policy although 73% of respondents to the 2017 Questionnaire Survey agreed that the Fosse Villages Neighbourhood Plan Joint Working Board should continue to push for a new rail passenger station in the Fosse Villages area.

- 5.19 The draft policy would benefit from being more positive encouraging the re-provision of a station at Croft, with related parking and appropriate access, despite this being aspirational and without any clear indication of how this might be delivered. Over the life of the Plan, there may be significant changes in the area which may encourage a modal shift towards rail travel. It is feasible that linked or associated with other major developments in the area, the re-introduction of a rail station at Croft may offer a partial means by which mitigation may be offered to off-set adverse environmental impacts from major development in relation to air quality or other adverse impacts in the Neighbourhood Area. This may go beyond what the authors of the Core Strategy had in mind when the document was adopted in 2013, but nonetheless would not be inconsistent with that policy. Similar arguments may present themselves in relation to Policy FV1 associated with mitigating the impact of traffic using the B4114 on the Fosse Villages from such development.
- 5.20 Concerning a new rail station in the vicinity of their international freight interchange in order to meet the needs of the rural community, the earlier Regulation 14 comments of db Symmetry (Hinckley) Ltd were not helpful. It is unclear whether there is a realistic prospect of a new station being provided at or close to Croft Quarry in the life of the neighbourhood plan. In the short term it would appear unlikely as the quarry is still operational with the line used as part of the quarry operations. There would appear to be merit in conserving the opportunity to use the line as envisaged to retain the prospect of re-introducing this sustainable traffic mode. It would be helpful if the policy were to be expressed in more positive terms to support proposals which would facilitate the provision of a new station, associated parking and access, in addition to discouraging the loss of the opportunity.
- 5.21 Accordingly, I recommend that the policy be modified to provide a more positive vision for the future of the area that is aspirational and potentially deliverable over the life of the Plan, as indicated in Appendix 3 (tracked changes) and as modified in Appendix 4. No modification of the supporting text is necessary.

### Policy FV3: Bus Services

**New developments of more than 10 dwellings will only be supported where all new homes are within 400m walking distance of a bus stop that is served by at least an hourly weekday bus service. Such developments should also provide residents with an evening and Sunday service. Where necessary, new developments will be required to contribute to off-site improvements to bus services to ensure these standards is met.**

- 5.22 The Basic Conditions Statement advises that this policy conforms to the guidance in paragraphs 84 and 110 of the NPPF (2019) in relation to the sustainable provision of rural housing.
- 5.23 Blaby District Council in its Regulation 16 comments considered that whilst the motivation for Policy FV3 in the submission version of the Plan was understandable, but that it is overly restrictive having regard to national and local strategic policy and does not reflect the current situation in some

villages. The District Council recommended that the policy should be amended to take a less restrictive approach. I agree with that assessment. The risk in rural areas in applying such restrictions as sought in the submission version of the Plan is likely to risk stifling development where provision of any additional bus service is marginal without subsidy.

- 5.24 On 10 May 2019 Leicestershire County Council, announced that its Passenger Transport Policy (PTP) would become less reliant on Council grants to deliver their services, in-line with continued reductions in central government grants, and an expectation that services should be delivered without subsidies. In relation to setting subsidies for rural bus services, the funding mechanisms and interrelationships with the planning system, amongst other matters are provided in the Leicestershire County Council, Passenger Transport Strategy<sup>3</sup>. This document states that it covers the funding period 2018 – 2022. The PTP sets out the “rules” under which all rural bus services in the County are assessed and the service delivery expectation including days and hours of operation (which excludes Sundays) and offering encouragement to consider other forms of public transport, noting funding opportunities.
- 5.25 Accordingly, I recommend that the policy be modified to reflect an aspiration to enhance the provision and frequency of rural bus services, whilst recognising the economic challenges facing bus companies in delivering and retaining these services in many instances and the need to reflect service delivery corresponding to Leicestershire County Council’s Passenger Transport Policy (PTP), for the time being, over the life of the FVNP.
- 5.26 I set out the recommended modification in Appendix 3 and 4 below. In relation to amending the supporting text, this should be amended to include reference to and reflect the County’s PTP, and to encourage developers to consider the extent to which rural housing proposals designed to deliver in excess of 10 dwellings might reasonably be expected to contribute to enhancing public transport services with the Blaby District Council and where appropriate liaising with Leicestershire County Council.

## Village Identity

### Policy FV4: Countryside

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<sup>3</sup> Leicestershire County Council, Passenger Transport Strategy (10<sup>th</sup> May 2019)

<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2019/5/10/Passenger%20Transport%20Strategy.pdf>

The Countryside (land outside Limits to Development as defined on the Policies Map) will be protected for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all.

Outside Limits to Development, but excluding Areas of Separation, development will only be permitted where it is required for the following purposes:

- A. Agriculture, horticulture, woodland management or other similar uses appropriate to a rural area, including uses which would help to diversify the rural economy in accordance with Policy F21;
- B. Employment development in accordance with Policies FV19, FV20 and FV21. Proposals to support economic development in the countryside should seek to minimise the loss of best and most versatile agricultural land;
- C. Outdoor sport and recreation and associated buildings;
- D. Renewable energy production in accordance with Policy FV22;
- E. Where it is necessary for the continuation of an existing enterprise, facility or operation that is compatible with its setting in the countryside;
- F. Rural housing in accordance with Policy FV11;
- G. Rural Exception housing in accordance with Policy FV18;
- H. The conversion or re-use of permanent and substantial buildings, including proposals for the optimum viable use of a heritage asset;
- I. Minor extensions to existing dwellings and to other buildings that are subordinate in scale and appearance to the existing building;
- J. Facilities to enable the delivery of digital connectivity at speeds and reliability levels comparable with urban areas;
- K. Flood protection;
- L. Development by statutory undertakers or public utility providers;
- M. Transport improvements;
- N. Services and facilities that improve the sustainability of the Fosse Villages, including those set out in Policies FV13, FV14 and FV15; or
- O. Other uses which justify and are compatible with a countryside location.

New development should respect the Fosse Villages landscape and take account of its special characteristics as set out in the Settlement Statements.

Development should be located and designed in a way that is sensitive to its landscape. Development should safeguard and, where possible, enhance views of and from Croft Hill.

- 5.27 The Basic Conditions Statement confirms that Policy FV4 conforms to paragraphs 79, 83, 84, 91, 92, 151 and 170 of the NPPF and Core Strategy Policy CS18 – Countryside.
- 5.28 To conform to the definition of the Countryside in Policy CS18, Policy FV4 would require an amendment to include land, “..... outside the limits to built development and Areas of Separation,”

to accord with Policy CS18 as claimed in the BCS, as noted by Blaby District Council in its Regulation 16 consultation comments.

- 5.29 This policy closely resembles the Countryside Policy DM2 in the Blaby District Local Plan (Delivery) Development Plan Document, which was adopted by Blaby District Council on 4 February 2019. This policy accurately defines the “countryside” for the purpose of development management, avoiding confusion with the different approach concerning land uses appropriate within the Areas of Separation as identified in Blaby DC’s Regulation 16 comments. By reciting land uses that would be generally supported as provided throughout the neighbourhood area within the FVNP, there is no justification for reciting these again in this policy.
- 5.30 However, the construction of the policy is unacceptable as it assumes that it may control land uses which are lawful, already defined as permitted development, notably agricultural and horticultural development. Whilst it is correct that under the Town and Country Planning Act 1990 (TCPA 1990), that planning permission is required for the carrying out on land of any development. Certain operations and uses of land are deemed for the purposes of the TCPA 1990 not to involve development. These include “the use of any land for the purposes of agriculture or forestry...and the use for any of those purposes of any building occupied together with land so used”. Agriculture is defined to include horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins, or fur, or for the purpose of its use in farming the land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes.
- 5.31 The General Permitted Development Order (GPDO) is the Statutory Instrument that allows certain works and operations to be carried out without the need for obtaining planning permission, the most recent changes to which came into effect on 25th May 2019. It operates by giving deemed planning permission for certain developments without the developer having to make a formal application for planning permission through Schedule 2 which grants planning permission for classes of development described as “permitted development”. Relevant to the planning controls which draft Policy FV4 seeks to apply, GPDO Class Q permits a change of use of an agricultural building and any land within its curtilage to a dwellinghouse, (now subject to a floorspace limitation of 465 m<sup>2</sup>) and Class R permits a change of use of an agricultural building and any land within its curtilage to a number of flexible commercial uses. The application of permitted development rights through the GPDO thereby enables government to bring forward additional homes for rural communities and make best use of existing agricultural buildings.
- 5.32 As drafted, this policy fails the Basic Conditions test. Having regard to the recently adopted Development Management Countryside Policy DM2 in the Blaby District Local Plan (Delivery)

Development Plan Document, this policy provides satisfactory development control, together with the policies of the FVNP to deliver development which will provide appropriate opportunities for appropriate development in the countryside, without adversely affecting local distinctiveness. I therefore recommend this Policy FV4 is deleted from the FVNP, if the Plan is to be taken forward to referendum. References to this policy should similarly be deleted from the supporting text.

### Policy FV5: Areas of Separation

**The following Areas of Separation, as defined on the Policies Map, will be maintained to retain the of identity of Huncote, Sapcote and Stoney Stanton and to prevent coalescence:**

- A. Between Huncote and Narborough (within the Fosse Villages Neighbourhood Area); and**
- B. Between Stoney Stanton and Sapcote.**

- 5.33 The Areas of Separation in Policy FV5 are said in the BCS to conform to Paragraphs 79, 83, 84, 91, 92, 151 and 170 of the NPPF. The policy intention as explained in the Core Strategy, Policy CS17 – Areas of Separation, is that they perform an important function in preventing coalescence between settlements to enable distinct communities to retain their identities. In particular, Areas of Separation function at a very localised scale, to provide a narrow gap between two settlements. As such, this single purpose designation differentiates Areas of Separation from other designations operating over larger areas and which can be multifunctional in nature.
- 5.34 In its Regulation 16 comments Gladman refer to there being “.....no justification within the FVNP for the additional protection of land between Beech and its neighbouring settlements, above and beyond the requirements of Policy CS16 – Green Wedges and Policy CS17 – Areas of Separation of the Blaby Local Plan (Core Strategy) at district level.....” There is no evidence base to inform the extent of the Green Gap proposed and no assessment of land parcels between settlements, nor an evaluation of their relative performance in preventing coalescence.” In relation to Gladman’s comment, this appears as a non-sequitur; I am unaware of a place named Beech within Blaby District Council’s administrative area. As the Core Strategy makes clear, Areas of Separation are not landscape designations. To describe them as “green gaps” is erroneous since they function solely to prevent settlement coalescence. There is no need to evaluate their relative performance in planning terms in preventing coalescence before accepting their location within the Neighbourhood Area, since as a development management tool these have been town planning designations in Blaby District since the preparation of the 1999 Local Plan.
- 5.35 In its Regulation 16 comments, Blaby DC considers the policy to be overly restrictive because it does not provide any balance in terms of when appropriate development will be allowed. Blaby DC argues that this is inconsistent with Local Plan Core Strategy, Policy CS17, concerning Areas of Separation.



Accordingly, Blaby DC recommended that the policy be amended to take a less restrictive approach, according with local strategic policy.

- 5.36 There is no mention in the submission version of FVNP of Blaby DC's (now) adopted Delivery DPD, but this guidance is referenced in the Basic Conditions Statement. The key point is that the Areas of Separation are defined and explained in the adopted Delivery DPD and draft policy FV5 simply duplicates the definition of these areas. Policy FV5 makes no additional requirements on those seeking to undertake development of land in these areas. For this reason it serves no further planning purpose for development management in the Neighbourhood Area and consequently I recommend in accordance with the advice in the NPPF, paragraph 16 (f) that this policy be deleted on the ground that the purpose of the policy would give rise to unnecessary duplication of policies that apply to a particular area.
- 5.37 In addition to deleting Policy FV5, references to this policy should be removed from the supporting text and references to Policy FV5 on the accompanying Neighbourhood Plan Policies Map and relevant settlement Inset Maps. Instead, the Neighbourhood Plan Policies Map and Inset Maps should refer to the strategic policies of the Local Plan relating to Areas of Separation (CS17) and copy the boundaries of this and designation from the Local Plan Policies Map (2019), thereby cross referencing the spatial boundaries of the Areas of Separation to the adopted Delivery DPD.

### Policy FV6: Biodiversity

New development should not harm the network of local ecological features and habitats which include:

A. Fosse Meadows Nature Park;

B. The network of natural spaces which links Huncote, Croft, Stoney Stanton, Sapcote and Sharnford to Leicester, Narborough, and Blaby.

**New development will be expected to maintain and enhance existing ecological corridors and landscape features (such as watercourses, hedgerows and tree-lines) for biodiversity**

- 5.38 In the Basic Conditions Statement, Policy FV6 is said to conform to paragraphs 170 and 174 of the NPPF and Core Strategy Policy CS19 concerning biodiversity and geo-diversity and Policy CS14 relating to Green Infrastructure.
- 5.39 The corridor of Natural Green Space is illustrated on the Council's Local Plan Policies Map 2019 and is identified as a green infrastructure route, cross-referred to Local Plan Core Strategy (2013) Policy CS14: Green Infrastructure. This policy is identified in the Basic Conditions Statement against policy FV6 Biodiversity. Fosse Meadows is also identified as a Green Infrastructure asset in policy CS14 and

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illustrated accordingly on the Local Plan Policies Map 2019. The River Soar corridor is also identified in Local Plan Core Strategy supporting evidence to policy CS14: Green Infrastructure.

- 5.40 Representations from Gladman regarding this policy indicate that Policy FV6 is more restrictive than national and adopted local planning policy and that it should be amended to accord with paragraph 109 of the NPPF which seeks for the impacts on biodiversity to be minimised and net gains in biodiversity secured where possible.
- 5.41 Leicestershire County Council provided a wide-ranging response on town planning topics within the neighbourhood plan, commenting how the County Council might assist in the provision of information cogent to various issues raised by the neighbourhood plan. In relation to Policy FV6, the representations concerning biodiversity and green infrastructure comprised generic comments rather than specific support or objections.
- 5.42 Blaby DC in its comments on this policy regarding the policy requirement that new development should not harm the network of local ecological features and habitats including those listed “at point B”, which is the network of natural spaces which links Huncote, Croft, Stoney Stanton, Sapcote and Sharnford to Leicester, Narborough and Blaby, that Point B is not specific in terms of naming the natural spaces and they are not always clearly shown on the Policies Map and consequently, it will be difficult to use this policy to determine planning applications without further clarity.
- 5.43 I agree with the representations of Gladman that Policy FV6 could be expressed in a manner reflecting the advice in the NPPF and certainly in more positive terms reflecting advice for plan-making in paragraph 10 of the NPPF. I agree with the representations of Blaby DC in relation to the first limb of the policy, for similar but more stringent reasons given below.
- 5.44 The Blaby Green Space Strategy, 2012<sup>4</sup> assesses Green Space throughout the District for a range of purposes, including town planning related matters and is relevant to Policy FV6 through ensuring that the local population has access to green space and that the accessibility to sites is maximised and therefore protected. Also relevant to Policy FV6, the Strategy indicates that opportunities to improve connectivity between sites and other green spaces in the vicinity will be considered including amongst other maximising connectivity between open spaces. The scope of this systematic

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<sup>4</sup> Blaby Green Space Strategy, 2012, Blaby District Council <https://w3.blaby.gov.uk/decision-making/documents/s15269/Green%20Space%20Strategy%20Appendix%20B.pdf>

strategy includes various classifications of green space, including Natural Green Space. This study advises that in the Blaby DC administrative area there are “around 36” identified areas of natural green space. These spaces are not individually defined or mapped, but aggregated to Parish level, to assess whether sufficient green space exists to meet the various space and accessibility standards defined in the study.

- 5.45 Further inquiry of Blaby DC established that the assessment of open space, including Natural Green Space dates from 2007 when the District Council undertook a detailed and systematic study of open space in the District at Parish level. This assessment<sup>5</sup> defined 35 Natural Green Spaces in the District and provided detailed mapping of each site. This information fed into the Blaby District Council PPG 17 Open Space, Sports & Recreation Facilities Assessment (2009). The PPG 17 study provided an audit of quality, quantity and accessibility of open space, sport and recreation facilities in the District at that time. As I understand matters, the Natural Green Spaces identified in these studies are those to which the construction of the policy text refers in relation to Natural Green Spaces in Policy FV6.
- 5.46 The area of land in the Policies Map and shown also on the various Inset Maps, identifies a single schematic corridor of Natural Green Space, comprising a single sinuous area of land, (rather than a network), which follows the course of Soar Brook and the River Soar through the Neighbourhood Area. The corridor boundaries mapped on the Policies Map appears to have no research or survey basis. In the absence of any clear evidence to justify the mapped “network” of Natural Green Spaces as shown on the Policies Map and the failure to reconcile this with the policy text, it is not clear how Policy FV6 would meet the claims made for it in the BCS, including that:
- the components of local ecological networks and features have been identified and mapped; and
  - the Policy supports a strategic approach to protecting and improving the natural environment based on local priorities and evidence.

At a general level throughout the District, Core Strategy Policy CS19 notes that the District of Blaby has several sites of ecological and geological importance of national, regional and local level significance, which the Council will seek to safeguard and enhance. In the absence of Policy FV6 as drafted, the strategic Core Strategy will continue to provide protection to the acknowledged Natural Green Spaces within the Neighbourhood Area.

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<sup>5</sup> Technical Survey of Play and Open Spaces, Quality Audit, 2007 Blaby District

[https://www.blaby.gov.uk/media/2527/play-and-open-spaces-study-background-documents\\_part2.pdf](https://www.blaby.gov.uk/media/2527/play-and-open-spaces-study-background-documents_part2.pdf)

- 5.47 Having regard to the various Regulation 16 comments and particularly from Gladman and Blaby DC, for this policy to be acceptable in contributing to the delivery of sustainable development and meeting the Basic Conditions test, I recommend that it be amended as indicated in Appendix 3, by way of tracked changes and as shown with those changes made in Appendix 4. The Policies Map and Inset Maps will require the deletion of references to Policy FV6 on the map base relating to the “corridor” purporting to represent Natural Green Space and related key, other than to Fosse Meadows Nature Park. References in the supporting text should be revised, deleting references to the Natural Green Spaces referring to the “network of natural spaces which links Huncote, Croft, Stoney Stanton, Sapcote and Sharnford to Leicester, Narborough, and Blaby.”

### Policy FV7: Local Green Spaces

The following sites have been designated as Local Green Spaces:

LGS C1 Croft Hill  
 LGS C2 Recreation Ground, Croft  
 LGS C3 North of River Soar, Croft  
 LGS C4 Croft Pasture  
 LGS C5 The Bridle Play Area, Croft  
 LGS C6 St Michael and All Angels Church, Croft  
 LGS C7 Arbor Road Allotments, Croft  
 LGS C8 Grassy bank and War Memorial, Croft  
 LGS C9 Sheep Dip, Croft  
 LGS C10 Link to old sports field, Croft  
 LGS H1 Recreation Ground, Huncote  
 LGS H2 The Green, Huncote  
 LGS H3 Brook House Gardens, Huncote  
 LGS H4 Pavilion Fields, sports field, private allotments and cemetery, Huncote  
 LGS H5 Huncote Nature Walk  
 LGS LFW1 The Old Brake, Leicester Forest West  
 LGS SA1 Site of Motte and Bailey castle (Sapcote Playing Fields)  
 LGS SA2 War Memorial, Sapcote  
 LGS SA3 Spa Drive, Sapcote  
 LGS SA4 Sapcote Cemetery and extension  
 LGS SA5 Harecroft Crescent green space, Sapcote  
 LGS SA6 All Saints churchyard, Sapcote  
 LGS SA7 Grace Road, Sapcote  
 LGS SA8 The Limes, Sapcote  
 LGS SA9 Parish Council Allotments, Leicester Road, Sapcote  
 LGS SA10 Allotments, Spring Gardens, Grace Road, Sapcote  
 LGS SA11 Allotments, Hinckley Road, Sapcote  
 LGS SA12 Allotments, Donkey Lane, Sapcote

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LGS SA13 Allotments, Cooks Lane/Pougher Close, Sapcote  
 LGS SH1 The Park, Sharnford  
 LGS SH2 Poors Meadow, Sharnford  
 LGS SH3 Bluebell Green, Sharnford  
 LGS SH5 Parsons Lane Allotments, Sharnford  
 LGS SS1 Village Hall green, Stoney Stanton  
 LGS SS2 Playing fields, Stoney Stanton  
 LGS SS3 Clint Hill Quarry, Stoney Stanton  
 LGS SS4 St Michael's churchyard, Stoney Stanton  
 LGS SS5 Foxbank, Stoney Stanton  
 LGS SS6 Holt Close allotments, Stoney Stanton  
 LGS SS7 Nock Verges cemetery, Stoney Stanton  
 LGS SS8 Brindley Close play area, Stoney Stanton  
 LGS T1 Recreation Ground, Thurlaston  
 LGS T2 Off Moat Close, Thurlaston  
 LGS3 Normanton Park, Thurlaston  
 LGS T4 Thurlaston Sports Ground  
 LGS T5 Land at Main Street/Croft Road, Thurlaston  
 LGS T6 Enderby Road Sports Ground, Thurlaston  
 LGS T7 Village Hall allotments, Thurlaston  
 LGS T8 Holt Crescent allotments, Thurlaston  
 LGS T9 All Saints Graveyard, Thurlaston  
 LGS T10 Thurlaston Chapel Graveyard  
 LGS WP1 the Village Green, Wigston Parva

Development that would harm the openness or special character of a Local Green Space (as designated on the Policies Map) or its significance and value to the local community will not be permitted unless there are very special circumstances which outweigh the harm to the Local Green Space, such as:

A. Provision of appropriate facilities to service a current use or function; or

B. Alterations or replacements to existing building(s) or structure(s) provided that these do not significantly increase the size and scale of the original building(s) or structure(s).

- 5.48 The Basic Conditions Statement advises that Policy FV7, concerning the introduction of Local Green Space as a development management tool in the Neighbourhood Area conforms to national policy advice in the NPPF at paragraphs 99-101. In relation to adopted strategic local planning policy the BCS notes that the policy is “not applicable” to the Core Strategy.
- 5.49 The tests as to whether it might be appropriate to designate Local Green Space (LGS) are set out in paragraphs 99-101 of the NPPF (2019). These tests, as originally compiled in the NPPF (2012)

provided the national framework against which qualifying bodies were expected to assess sites when seeking to promote LGS in neighbourhood plans in the period up to the publication of the NPPF revisions in 2018. Moreover, Leicestershire County Council undertook a detailed assessment in 2011<sup>6</sup>, drawing on earlier survey work from 2007<sup>7</sup> and subsequent to the publication of the NPPF (March 2012), on 8<sup>th</sup> May for the County Council’s Cabinet, provided a toolkit<sup>8</sup>, setting out a clear methodology on how to prepare and provide an appropriate evidence base to support designation of LGS sites within neighbourhood areas in Leicestershire. Within the online evidence base for the FVNP<sup>9</sup> a partial assessment has been made by the Steering Group’s planning consultant to assess the veracity of the various sites against the criteria against which proposals for LGS are to be assessed as indicated in the NPPF. The Consultation Report detailing the representations made by the Blaby District Council and independently by Gladman, point to a lack of evidence in support of the designation of 52 sites as LGS. The Consultation Statement notes the response of the Steering Group was to load the site by site evidence base on to the neighbourhood plan website. It is not clear when this information was compiled, but it appears that it may have been assembled hurriedly as there are highlighted gaps within it and generally the evidence to support justification that these sites are “demonstrably special” to a local community and holds a particular local significance is missing. As identified in Blaby District Council’s Regulation 16 consultation response, it is concerning that there has been a general lack of landowner consultation concerning the proposals and contrary to the advice in paragraph 16 of the National Planning Policy Framework (2019) that indicates that plans should be shaped by early, proportionate and effective engagement between plan-makers and communities.”

- 5.50 The consultation on the Issues and Options for the emerging neighbourhood plan ended on 31 March 2017. This was organised at the parish level, with parish targeted issues including Local Green Spaces. The decision to organise the consultation on this disaggregated basis, allows for community-

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<sup>6</sup> Leicestershire County Council, Green Spaces Consultation Report, December 2011, Research and Insight Team, Leicestershire County Council

<sup>7</sup> Play and Open Spaces Quality Audit, 2007

<sup>8</sup> Leicestershire County Council, CABINET – 8 MAY 2012, GREEN SPACES IN LEICESTER AND LEICESTERSHIRE, REPORT OF THE CHIEF EXECUTIVE and Appendix, GREEN SPACES IN LEICESTER AND LEICESTERSHIRE: LOCAL GREEN SPACES TOOLKIT AND EXISTING POLICY CONTEXT, <http://politics.leics.gov.uk/documents/s69982/H%20green%20spaces.pdf> ; and

<http://politics.leics.gov.uk/documents/s69983/H%20green%20spaces%20appx.pdf>

<sup>9</sup> <https://www.leicestershirecommunities.org.uk/np/evidence.html>

based assessment of local matters, including the response rate generated within those localities. 778 responses were received in total, of which 690 notified the address of the respondent. Four replies within the group of 690 respondees were from individuals who were not residents within the Neighbourhood Area and some 88 replies were from individuals who failed to declare their addresses. Of those who provided address details, it is possible to identify the geographic response rate, related to the population of the various settlements, using the populations of the respective areas supplied in the FVNP, principally from the Settlement Statements, which broadly correspond closely to the 2011 Census figures. These can be seen in Table 1 below.

**Table 1: Geographic distribution of respondents to the Issues and Options Questionnaire Consultation which closed on 17<sup>th</sup> March 2017, based on replies to Question 15, “Where do you live?”. (Answered: 690 Skipped: 88)**

Settlement	Population Source, FVNP	Respondents to Q15 I&O	Respondents as % of popn
Aston Flamville	241	18	7.5%
Aston Firs	102	4	3.9%
Croft	1639	57	3.5%
Huncote	1745	64	3.7%
Leicester Forest West	30	11	36.7%
Potters Marston	40	6	15.0%
Sapcote	2404	221	9.2%
Sharnford	985	142	14.4%
Stoney Stanton	3793	120	3.2%
Thurlaston	807	38	4.7%
Wigston Parva	30	5	16.7%
Other (please specify)	N/A	4	
<b>Total =</b>	<b>11816</b>	<b>690</b>	
<b>Estimated population</b>	11663	(Source: FVNP paragraph 4)	

- 5.51 The responses could be made either online or by a paper-based reply. It is not clear to me how the respondents chose to respond, but the choice would be expected to increase the response rate compared with one mode. As I understand matters, response rates greater than 10%-15%, for social surveys of this type are generally regarded as good. The highest response rates were from the smallest settlements of Leicester Forest West (36.7%), Wigston Parva (16.7%) and Potters Marston (15%). The responses from residents of Sharnford (14.4%) and Sapcote (9.2%) were commendable, but those from the settlements of Aston Firs, Croft, Huncote, Stoney Stanton and Thurlaston, all below 5%, were comparatively disappointing. It is obviously unclear to which settlements the 88 responses without addresses should be assigned and whether any of these were generated outside



of the Neighbourhood Area, but most would be expected to be assignable to the settlements in the neighbourhood area which would therefore increase the response rates.

- 5.52 In relation to the responses concerning LGS, to the extent that responses were made concerning issues and options in each settlement area, a similar level of responses were received relating to LGS policy and generally these were strongly supportive. In a number of the parishes however, the response rate was less than desirable, as indicated in Table 1 below. The inference and conclusions to be drawn is that these sites have been shown to be “demonstrably special” to the respondents to the issues and options consultation, but there remains some doubt as to the veracity of this conclusion in those parishes where the consultation response rate was comparatively low. For the purposes of this examination, I conclude that the Issues and Options consultation in 2017 indicates that all of the proposed sites are “demonstrably special” to those who completed and returned the survey.
- 5.53 Returning to the partial assessment of the proposed LGS sites included in the evidence base, I have compiled a synopsis of the LGS assessment which is provided in Appendix 5. It is not clear why this assessment, provided to justify the inclusion of the LGS proposals is incomplete. These deficiencies include:
- no site areas provided in relation to the eight proposed LGS sites in Stoney Stanton; and
  - no entries for the four proposed LGS sites in Sharnford.
- 5.54 Reviewing those sites where information is provided, have reached the following conclusions.
- 5.55 *LGS C4 Croft Pasture.* The area of land extending to 12.758 ha is too large in the context of the settlement size of Croft to qualify as LGS. The protrusion of the western boundary into the countryside does not appear to be justified. A rational boundary might be to restrict the LGS within the village boundary, broadly reducing the proposal to half of its size.
- 5.56 *LGS H4 Pavilion Fields, sports field, private allotments and cemetery, Huncote.* The site area is too large to qualify as LGS in combination with a consideration of the function and character of the site which includes the impressive sports pavilion which I understand serves the district rather than simply the settlement of Huncote. By definition the proposed LGS would be larger than “local” in character and function and would not qualify as LGS. A further consideration would be the likely long-term planning restrictions that may apply to proposals to extend the pavilion were this to be included within a LGS designation.
- 5.57 *LGS H5 Huncote Nature Walk.* This LGS proposal, comprising a sinuous area of land to the east of Croft Quarry / Huncote Quarry and to the west of Thurlaston Brook, which extends to an area of 17.66 ha, or thereabouts. It has a recreational value of more than just a local interest and character,

providing a walking route to viewpoints, to experience the views of the wider countryside. The size of the area and function of the site indicates that this site is too extensive to be designated as LGS, having regard to the criteria in the NPPF.

5.58 *LGS LFW1 The Old Brake, Leicester Forest West.* This site said to be 17-18 acres, or about 6.9 hectares in size and is located on the western margin of the dispersed hamlet of Leicester Forest West. The function of the proposed LGS is said to be one of visual attractiveness. This would be enjoyed from a distance. This attribute together with the historical association of being one of the last areas of the Leicester Forest to be seen on historical maps, would not be influenced by the site being designated as LGS. It is unclear therefore what additional advantage, if any, would be gained in planning terms were this land to be designated as LGS in the FVNP. Accordingly, I do not support the proposed designation of this site as LGS.

5.59 *Proposed LGS Sites in Sharnford.* There are four potential LGS sites in the FVNP located in Sharnford. These were excluded from the site assessments contained within the evidence base, prepared to support and justify the designation of areas of LGS in the FVNP. These are:

- *LGS SH1 The Park, Sharnford;*
- *LGS SH2 Poors Meadow, Sharnford;*
- *LGS SH3 Bluebell Green, Sharnford; and,*
- *LGS SH5 Parsons Lane Allotments, Sharnford*

There is insufficient evidence in support of these sites to allow an adequate assessment at present. However, there may be an opportunity to reconsider these on a future review of the FVNP, if the current Plan is made following a referendum.

5.60 *Proposed LGS Sites in Stoney Stanton.* There are eight potential sites in Stoney Stanton which have been advanced for LGS designation. These have been partially assessed in the evidence base provided to support the FVNP at examination. Again, it is not clear why the assessments were not completed. There may be the opportunity for these to be assessed on a subsequent review of the FVNP. In the meantime, I offer my observations and opinion on sites LGS SS1 Village Hall Green (also known as LGS SS1 Carey Hill Quarry), LGS SS2 Playing fields, Stoney Stanton and LGS SS3 Clint Hill Quarry, Stoney Stanton.

5.61 *LGS SS1 Village Hall Green / LGS SS1 Carey Hill Quarry.* This site was subject to strong objection by Tarmac Trading Ltd, made by the firm's agent, Heatons during the Regulation 16 consultation in May this year. Heatons raised concerns about the extent of the community consultation regarding these proposals with the landowner and the extent of the land to be subject to LGS designation. This site is said to be a former sand and gravel quarry which was subsequently filled with waste from infrastructure projects as Local Green Space. I note from my site inspection this year that the land is securely fenced and incorporates methane vents. As explained by Heatons, the site is subject to an

Environment Agency permit and active gas management. The Regulation 16 objection explained why the need for remediation of the site and property management concerns gave rise to prospect of community use as a village green, proposed by the Joint Board, matters that have not apparently been considered in the evidence support of this site as LGS. Paragraph SS38 of the Stoney Stanton Statement explains that there is a community aspiration to provide public access to the edges of this former quarry. Whilst the SEA notes that the protection and enhancement of Local Green Spaces, as a key part of green infrastructure networks, can support healthy and active lifestyles and lead to long term positive effects on health and wellbeing, there is a lack of any indication as to how this site would be remediated and managed in the longer term, to provide safe public access for use as a “Village Hall Green”. There needs to be persuasive evidence in this case due to the condition of this site that there would be a reasonable prospect that the land shown on the Inset Plan as LGS SS1 would be capable of being remediated and adequately managed in the longer term, to be designated as LGS.

- 5.62 *LGS SS2 Playing fields, Stoney Stanton.* As defined on the Stoney Stanton Inset Map and as physically observed this area of land comprises an extensive area of land between the Limits to the Built up Areas of Stoney Stanton and Sapcote. This land is already designated as an Area of Separation between these settlements affording considerable protection from development which might cause coalescence. It is not clear therefore what additional advantages that designation this area as LGS would confer on the settlements of both Stoney Stanton and Sapcote, as the land is also in public ownership.
- 5.63 *LGS SS3 Clint Hill Quarry, Stoney Stanton.* This site comprises a former flooded quarry. Its primary use and function is part of a district wide balancing lake which according to the consultant’s report in the evidence base, “...is linked to other former flooded quarries and impacts their water table, [providing] important flood defence.” As such it would not qualify in my opinion as green space and its function in terms of flood control is more than local. I am not aware of any planning related benefits that might arise through LGS designation of this site.
- 5.64 In relation to the Regulation 16 representations of Blaby District Council made in relation to Policy FV 12, the Council stated:

*“However, there are at least five facilities identified in this list [Policy FV12] that are also proposed to be identified as Local Green Spaces. There is a conflict between Policies FV7 Local Green Spaces and FV12 Community Services and Facilities on this matter as Policy FV7 Local Green Spaces is a very strict policy that prevents development unless very special circumstances are justified that outweigh the harm to the Local Green Space, whereas policy FV12 Community Services and Facilities applies a more flexible approach to the redevelopment / loss of facilities subject to listed criteria. This policy conflict could cause confusion to the Planning Officer when determining planning applications affecting such facilities.”*

The proposed LGS sites listed in Policy FV7 which could give rise to such policy conflicts identified by the Blaby DC include:

- LGS C2 Recreation Ground, Croft;
- LGS H4 Pavilion Fields, sports field, private allotments and cemetery, Huncote;
- LGS SA1 Site of Motte and Bailey castle (Sapcote Playing Fields); and
- LGS SH1 The Park, Sharnford

In view of the very strict development control measures which would limit the prospect of development unless very special circumstances are justified that outweigh the harm to the Local Green Space, the more flexible policy approach promoted for these sites in FV12 would be compromised. I have already recommended that sites *LGS H4 Pavilion Fields, sports field, private allotments and cemetery, Huncote* and *LGS SH1 The Park, Sharnford* should be removed from the Policy FV7 list for other reasons. To avoid such conflict arising due to possible conflict with Policy FV12, I recommend that the following sites should also be removed:

- LGS C2 Recreation Ground, Croft; and
- LGS SA1 Site of Motte and Bailey castle (Sapcote Playing Fields).

- 5.65 In summary, from the 2017 Issues and Options Consultation, of those consultees who replied, there was a clear indication that all sites proposed as being “demonstrably special”, met that criterion. Other justification was given concerning this criterion in the consultant’s report, some of which provide additional support. The size and character of a number of sites is such (NPPF, paragraph 100 (c)), that I am unable to recommend that these should qualify a Local Green Spaces. Where the evidence is missing, or incomplete to meet the criteria Local Green Spaces should satisfy as listed in the NPPF, paragraph 100, these require adequate justification before consideration.
- 5.66 Concerning the Regulation 16 consultation, I note that there were no representations in support of the Local Green Space designations. This is surprising given the support during the 2017 consultation which was considerable.
- 5.67 Accordingly, I recommend that the following sites should be included for LGS designation in Policy FV7: Local Green Spaces:
- LGS C1 Croft Hill
  - ~~LGS C2 Recreation Ground, Croft~~
  - LGS C3 North of River Soar, Croft
  - ~~LGS C4 Croft Pasture~~
  - LGS C5 The Bridle Play Area, Croft
  - LGS C6 St Michael and All Angels Church, Croft
  - LGS C7 Arbor Road Allotments, Croft
  - LGS C8 Grassy bank and War Memorial, Croft

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LGS C9 Sheep Dip, Croft  
 LGS C10 Link to old sports field, Croft  
 LGS H1 Recreation Ground, Huncote  
 LGS H2 The Green, Huncote  
 LGS H3 Brook House Gardens, Huncote  
~~LGS H4 Pavilion Fields, sports field, private allotments and cemetery, Huncote~~  
~~LGS H5 Huncote Nature Walk~~  
~~LGS LFW1 The Old Brake, Leicester Forest West~~  
~~LGS SA1 Site of Motte and Bailey castle (Sapcote Playing Fields)~~  
 LGS SA2 War Memorial, Sapcote  
 LGS SA3 Spa Drive, Sapcote  
 LGS SA4 Sapcote Cemetery and extension  
 LGS SA5 Harecroft Crescent green space, Sapcote  
 LGS SA6 All Saints churchyard, Sapcote  
 LGS SA7 Grace Road, Sapcote  
 LGS SA8 The Limes, Sapcote  
 LGS SA9 Parish Council Allotments, Leicester Road, Sapcote  
 LGS SA10 Allotments, Spring Gardens, Grace Road, Sapcote  
 LGS SA11 Allotments, Hinckley Road, Sapcote  
 LGS SA12 Allotments, Donkey Lane, Sapcote  
 LGS SA13 Allotments, Cooks Lane/Pougher Close, Sapcote  
~~LGS SH1 The Park, Sharnford~~  
~~LGS SH2 Peers Meadow, Sharnford~~  
~~LGS SH3 Bluebell Green, Sharnford~~  
~~LGS SH5 Parsons Lane Allotments, Sharnford~~  
~~LGS SS1 Village Hall green, Stoney Stanton~~  
~~LGS SS2 Playing fields, Stoney Stanton~~  
~~LGS SS3 Clint Hill Quarry, Stoney Stanton~~  
 LGS SS4 St Michael's churchyard, Stoney Stanton  
 LGS SS5 Foxbank, Stoney Stanton  
 LGS SS6 Holt Close allotments, Stoney Stanton  
 LGS SS7 Nock Verges cemetery, Stoney Stanton  
 LGS SS8 Brindley Close play area, Stoney Stanton  
 LGS T1 Recreation Ground, Thurlaston  
 LGS T2 Off Moat Close, Thurlaston  
 LGS3 Normanton Park, Thurlaston  
 LGS T4 Thurlaston Sports Ground  
 LGS T5 Land at Main Street/Croft Road, Thurlaston  
 LGS T6 Enderby Road Sports Ground, Thurlaston  
 LGS T7 Village Hall allotments, Thurlaston  
 LGS T8 Holt Crescent allotments, Thurlaston  
 LGS T9 All Saints Graveyard, Thurlaston

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**LGS T10 Thurlaston Chapel Graveyard**  
**LGS WP1 the Village Green, Wigston Parva**

- 5.68 I recommend that Policy FVNP 7 be amended as indicated by tracked changes in Appendix 3 and as amended in Appendix 4. The numbering of the LGS sites should be revised in the FVNP to reflect the changes to the list of sites to be designated as LGS, including the supporting policy text and the policy maps.

**Policy FV8: Features of Local Heritage Interest**

**The determination of planning applications which would affect features of local heritage interest (as shown on the Policies Map) and the Sapcote Local Heritage Area will balance the need for or public benefit of the proposed development against the significance of the asset and the extent to which it will be harmed.**

- 5.69 The Basic Conditions Statement advises that Policy FV8 conforms to the NPPF, paragraphs 185 and 197. The BCS commentary regarding this policy advises that Policy FV8 supports the conservation of heritage assets, recognises that heritage assets are an irreplaceable resource and seeks their conservation and enhancement. The BCS states that the Plan also refers to local non-designated heritage assets including sites of archaeological interest. As to the Core Strategy, the BCS confirms that Policy FV8 conforms to Policy CS20 which aims to protect and where possible enhance archaeological sites, historic buildings, conservation areas, historic parks and other cultural assets.
- 5.70 Regulation 16 comments relating to this policy were made by Blaby District Council, noting the protection accorded to the Sapcote Local Heritage Area in advance of a conservation area being designated. BDC advises that prior to designating a conservation area, the Local Planning Authority must justify this status. Until that event has occurred it is inappropriate, premature and potentially misleading to accord the Sapcote Local Heritage Area with that degree of protection, pending designation of a Conservation Area in Sapcote and that this has been completed, if justified. I am also grateful to Blaby DC for noting that the District Council does not hold a Local List and that therefore reference to Locally Listed Buildings should be removed from the Plan and replaced with “Features of Local Heritage Interest” to make the Plan consistent in terms of the terminology used. Blaby DC further notes that the evidence base to support the identification of Features of Local Heritage Interest is incomplete, recommending that Features of Local Heritage Interest should be listed in full for each settlement, for clarity since the Features of Local Heritage Interest are unclear from the maps.
- 5.71 The Basic Conditions Statement demonstrates that Policy FV8 conforms to Delivery DPD. The thrust of Policy DM12 is firstly to support new development which seeks to avoid harm to the heritage

assets of the District and those that conserve or enhance the historic environment. Secondly, the policy requires all proposals affecting either a designated or non-designated heritage asset and/or its setting to include a statement which identifies the impacts of the development proposal on the heritage asset and its setting, justifying why the impacts could be considered acceptable; and demonstrates how the proposal conforms to Core Strategy Policy CS20. Thirdly, the policy provides parallel approaches, dependent upon whether development proposals will cause impacts on designated or non-designated heritage assets, based upon the scale of harm to be weighed against the public benefits of proposals in relation to designated assets and non-designated heritage assets. Concerning likely impacts on non-designated heritage assets, proposals will be supported where the benefits of the proposal are considered to outweigh the scale of harm or loss, having regard to the significance of the heritage asset.

- 5.72 The development management approach in Policy DM12 summarised above, already applies in the subject neighbourhood area. It is not apparent to me that Policy FV8 would add to the clarity of the approach in DM12 to assessing relevant proposals and their likely impacts on heritage assets in the neighbourhood area. As Blaby DC has explained in its Regulation 16 comments, the statement in paragraph 37 will not apply because the District Council does not at present have a Community Infrastructure Levy and has explained that it is not planning to adopt one in the immediate future.
- 5.73 Having regard to the observations above and an inherent lack of clarity of the structure of Policy FV8, I recommend that this policy should be deleted, together with related supporting text.

### Policy FV9: Design

Only development that reflects the distinctive and traditional character of the Fosse Villages, as described in the Settlement Statements will be supported. Development must also:

- A. Be in keeping with the scale, form and character of its surroundings;
- B. Protect important features such as traditional walls, hedgerows and trees;
- C. Not significantly adversely affect the amenities of residents in the area, including daylight/sunlight, privacy, air quality, noise and light pollution;
- D. Not significantly increase the volume of traffic through the Parish's settlements;
- E. Promote sustainable design and construction, which minimises waste and maximises the potential for recycling materials either on or off site; and
- E. Have safe and suitable access.

- 5.74 Policy FV9 conforms to the NPPF (2019), paragraphs 79, 108, 124, 127 and 131, as assessed in the Basic Conditions Statement. The objective of this policy is to support development which reflects the distinctive character of Fosse Villages, to be achieved by securing high quality design through new sustainable development which should contribute positively to making places better for people and



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by promoting and reinforcing local distinctiveness. Concerning policy compliance with the adopted Core Strategy, the draft policy conforms to the strategic guidance in Policy CS2 - Design of New Development. The strategic objectives set out in CS2 are:

- v) To improve the design quality of all new developments in the District including the need to design out crime;
- vi) To protect the important areas of the District's natural environment (species and habitats), landscape and geology and to improve bio- diversity, wildlife habitats and corridors through the design of new developments and the management of existing areas by working with partners; and
- vii) To preserve and enhance the cultural heritage of the District, recognising its contribution to local distinctiveness and to seek design solutions which preserve and enhance heritage assets where they are impacted by development.

5.75 Policy CS2 seeks to achieve these objectives through respecting distinctive local character and by contributing to creating places of a high architectural and urban design quality and contributing to a better quality of life for the local community. This policy also recognises that design should be appropriate in its context and should improve the character and quality of an area and the way it functions, taking into account local context recognising local patterns of development, landscape and other features and views and are sympathetic to their surroundings through urban design, landscaping, architecture and architectural detailing. At the same time, the policy supports appropriate innovative design. The strategic design policy also seeks to promote socially inclusive places and to design out crime, whilst also, through the use of design principles provide opportunities for development to enhance, the natural and historic environment, including improvements to Green Infrastructure and opportunities to promote biodiversity.

5.76 It is against this strategic policy background that Policy FV9 should be considered. During the Regulation 16 consultation, no comments were received by Blaby DC concerning this policy.

5.77 Notwithstanding the desire that Policy FV9 should, through design, improve the character and quality of an area and the way it functions, taking into account local context recognising local patterns of development, landscape and other features, which conforms to Policy CS2, it fails to support the possibility of design innovation within the neighbourhood area. This would be contrary to the aspiration of Policy CS2. It is also not clear why design matters in themselves would have a causal link by increasing traffic volumes within the settlements in the neighbourhood area. For these reasons, I recommend that in the event that the Plan is to be taken forward to referendum, Policy FV9 should be modified as indicated by the tracked changes shown in Appendix 3 and as indicated in Appendix 4.

## Housing Provision

### Policy FV10: Housing Provision

The minimum housing provision for the Fosse Villages for the period 2006 - 2029 is

Croft	77 dwellings
Huncote	140 dwellings
Sapcote	415 dwellings
Sharnford	25 dwellings
Stoney Stanton	320 dwellings
Thurlaston	20 dwellings

This will be met by:

A. Existing commitments; and

B. Development within the Limits to Development in accordance with Policy FV11.

- 5.78 Paragraphs 89 - 91 of the FVNP explain that except for Stoney Stanton, the Blaby Core Strategy contains no specific housing provision for each of the Fosse Villages. Huncote, Croft and Sapcote (including 'The Limes') are grouped with the other Medium Central Villages of Littlethorpe and Cosby, whilst Sharnford and Thurlaston are Smaller Villages. The FVNP further note that the hamlets comprising Aston Flamville, Leicester Forest West, Potters Marston and Wigston Parva are not sustainable locations for further development and that there is little local support for new housing development in those locations.
- 5.79 The Basic Conditions Statement advises that Policy FV10 conforms to paragraphs 68, 77, 78, 79, 83 and 102 of the NPPF
- 5.80 Policy FV10 needs to be considered against Policy CS1, which sets the strategy for locating new development. The first strategic objective of this policy is "To provide the appropriate quantity and mix of housing to meet the needs of the District's current and future populations;". Policy CS1, explains how housing development is expected to be distributed through the hierarchy of settlements within the district, the lower order settlements, in terms of size, accepting smaller amounts of new housing development over the life of the Core Strategy, with an emphasis on re-using formerly developed (brownfield) land first. The policy also makes reference to the Council's housing trajectory over the life of the Core Strategy to assist monitoring and management of housing supply. Also of relevance is Policy CS5 which explains the planned distribution of new housing over the life of the Core Strategy. The explanatory text to the CS explains this in considerable detail. The assessment is based on the following:
- Access to services and facilities locally;

- Availability and quality of public transport;
- Access to employment opportunities;
- Environmental and Policy Constraints to development; and,
- Deliverable opportunities for development.

- 5.81 The minimum housing distribution in Policy FV10 conforms to the minimum planned distribution in Policy CS5 over the period to 2029. Locating new housing development within the Limits to Built Development also conforms to the Core Strategy approach of focusing housing development within the rural settlements.
- 5.82 Leicestershire County Council commented on this policy in relation to the need to mitigate flood risk associated with new development and the need for early engagement with developers concerning drainage and wastewater management. Consideration should be given to providing an advisory comment to this effect in the “Settlement Statements”, forming part of the FVNP, where relevant under the existing heading of Flooding.
- 5.83 No alteration to this policy or the supporting text is necessary.

### Policy FV11: Windfall Housing

Permission for housing development within the Croft, Huncote, Sapcote, Sharnford, Stoney Stanton and Thurlaston Limits to Development, as defined on the Policies Map, will be supported. Outside the Limits to Development, permission for housing development will be limited to:

- A. The re-use and adaptation of redundant rural buildings;
- B. Replacement dwellings; and
- C. Rural worker accommodation

- 5.84 The Basic Conditions Statement explains that Policy FV11 conforms to paragraphs 68, 77, 78, 79, 83 and 102 of the NPPF and Blaby District Local Plan Delivery DPD, Policy DM1: Development within the Settlement Boundaries. Not referred to in the BCS assessment in connection with Policy FV11 are, Blaby District Local Plan Delivery DPD, Policy DM2, Development in the Countryside; or Core Strategy policies CS16, 17 and 18 concerning the strategic approach for the areas designated as Green Wedges, Areas of Separation and development outside the settlement boundaries and within the area designated as Countryside.
- 5.85 Core Strategy Policies CS16 and CS17 set out the strategic approach for the areas designated as Green Wedge and Areas of Separation. These policies restrict built development in those locations. However, in the circumstances where development would not be harmful to the functions of Green

Wedges or Areas of Separation, Blaby District Local Plan Delivery DPD, Policy DM2 applies. This supports various land uses, other than windfall housing.

- 5.86 Core Strategy Policy CS18 sets out the strategic approach to development outside the settlement boundaries and within the area designated as Countryside. It sets out the types of uses that are appropriate in the Countryside, including limited small-scale employment and leisure development (including dwellings essential for these needs). Windfall housing would also fall within the scope of Policy CS18, subject to being located in the most sustainable locations and balanced against the need to retain Countryside.
- 5.87 No comments were raised by consultees concerning windfall housing during the Regulation 16 stage consultation.
- 5.88 The draft policy states that the Limits to Development are as defined on the Policies Map. These are best identified on the inset policy maps for specific settlements rather than the overall Policies Map for the Neighbourhood Area, where the boundaries are shown schematically, but not adequate for development management. Reference should therefore be to the inset settlement policies maps. Also, the term Limits to Development is not used in the inset settlement policies maps, or in the overall Policies Map within the FVNP. I therefore recommend the common term used within the policy and supporting text, to ensure consistency with the inset maps, the Policies Map and the terminology used in the Core Strategy in Policy CS18, being, “Limits to built development.”
- 5.89 Taking the strategic policy considerations into account, it is clear that Policy FV11 is too simplistic as drafted. To be acceptable, modification is necessary to conform to the Core Strategy and to have regard to the relevant policies in the Blaby District Local Plan Delivery DPD as outlined above. Accordingly, I recommend the policy modifications as identified in Appendix 3 by way of tracked changes and as shown in Appendix 4.
- 5.90 The supporting statement should be extended in relation to the consideration of development proposals for isolated windfall housing in the Countryside within the Neighbourhood Area, to reflect the planning guidance in the NPPF Paragraph 79<sup>10</sup> and related National Planning Practice Guidance<sup>11</sup>.

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<sup>10</sup> NPPF, paragraph 79

<https://www.gov.uk/guidance/national-planning-policy-framework/5-delivering-a-sufficient-supply-of-homes#para79>

<sup>11</sup> How can the need for isolated homes in the countryside for essential rural workers be assessed?

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## Services and Facilities

### Policy FV12: Community Services and Facilities

Development that would result in the loss of the following facilities will not be supported, unless it can be demonstrated that:

A. it is no longer viable; and

B. it is no longer needed by the local community; and

C. it is not needed for any other community use or that the facility is being replaced by equivalent or better provision in terms of quantity, quality and location:

Croft Primary School

Croft Recreation Ground and pavilion

Croft Co-op

Croft Convenience Store and Post Office

Heathcote Arms PH, Croft

Huncote Community Primary School

The Red Lion PH, Huncote

Huncote Recreation Ground

Spar convenience store with Post Office, Huncote

The Pavilion, Huncote

Huncote Community Library

All Saints Church of England Primary School, Sapcote

Red Lion PH, Sapcote

Sapcote Recreation Ground

Sapcote Post Office and newsagents

Sapcote Community Library

Sharnford Church of England Primary School

Evergreen Hall and GP Surgery, Sharnford

Sharnford Recreation Ground

Stoney Stanton Medical Centre

Stoney Stanton Community Library

Manorfield Church of England Primary School, Stoney Stanton

Stoney Stanton Village Community Hall

Stoney Stanton Post Office

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Paragraph 79, Paragraph: 010 Reference ID: 67-010-20190722009, NPPG Revision date: 22 07 2019

<https://www.gov.uk/guidance/housing-needs-of-different-groups#rural-housing>

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Thurlaston Church of England Primary School  
 Thurlaston Village Hall  
 Poachers Bistro, Thurlaston  
 Thurlaston Rural Garden Centre  
 The Elephant & Castle PH, Thurlaston

- 5.91 The supporting text to Policy FV12 explains that the Parishes are seeking to retain, expand and improve local services and community facilities in villages, including local shops, meeting places, sports venues, cultural buildings, schools, public houses and places of worship. The policy also seeks to protect healthcare facilities.
- 5.92 The Basic Conditions Statement notes that this policy conforms to the guidance within paragraphs 84, 91, 92 of the NPPF. The policy also directly accords with NPPF paragraph 83 (d). This states that, *“planning policies and decisions should enable.....the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.”* By contrast, the BCS notes that the extent to which this policy conforms to the Core Strategy is “not applicable”. I further note that Policy CS13: Retailing and other town centre uses of the Local Plan Core Strategy seeks to protect local community facilities from redevelopment.
- 5.93 Blaby DC supports the policy in its Regulation 16 comments, recognising that the policy seeks to retain activities upon which the communities in the neighbourhood area rely. There were no other Regulation 16 comments in relation to this policy.
- 5.94 Whilst the objective of this policy is clearly stated and conforms to NPPF policy, the planning system does not at present offer particularly satisfactory development control mechanisms to provide effect controls to prevent the loss of valued community uses, particularly as in the case of the specific policy where there is a wide range of activities which the community is seeking to protect and retain. It is possible to introduce a policy with a simple mechanism to protect commercial land uses, such as village shops where lack of adequate financial reward has caused lack of demand from retail operators to sustain the permitted use resulting in closure, or where closure is threatened, but the property market signals indicate that there is insufficient demand by others to continue the subject activity or land use. In either case, this would require the preparation of a property marketing report covering an extended period, to demonstrate the lack of an effective market demand for the exiting use of the property to support a proposal for a change of use or physical redevelopment. I note that such a mechanism has not been proposed in relation to assess proposals where the existing use concerns a commercial undertaking in this neighbourhood plan, although is implied in order to demonstrate, if this is the case, that a particular land use is no longer financially sustainable. Where relevant, the policy needs such a mechanism under which economic sustainability of the existing use can be objectively tested.

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- 5.95 However, within the planning system such testing does not easily translate to land uses which are publicly owned. In such circumstances, the decision to continue to provide services may be determined by other policy and cost considerations over which the planning system may not be able to offer control, for example over a decision to retain a specific library in a community. Similarly, I note that there is concern expressed within the FNVP that falling child numbers may result in the education authority seeking to close particular schools on the ground of insufficient children to sustain a local school. The town planning system is not empowered to determine non-land use issues of social policy.
- 5.96 A further approach for the local community might be to seek that the property assets listed in Policy FV12 should be nominated as Assets of Community Value (ACV). Such assets can only be nominated if they are of interest socially, including for sport, culture or recreational uses, or increase the wellbeing of the community now and in the future. A community group, such as a society, parish council, neighbourhood forum, not for profit organisation or a group of at least 21 individuals that is locally connected to the area can nominate an asset to the local authority. Listed Assets of Community Value stay on the local authority's list for up to five years. Once registered, if the owner of the listed asset decides to sell, they must inform the local authority of their intention to do so. The community then have up to six weeks to express an interest in becoming potential bidders to buy the asset. Once an expression of interest has been received, a further four and a half month pause in the sale process is triggered. This gives potential bidders a total of six months to raise the funds required to purchase the asset. If the community is successful in purchasing the asset, it then would have control through ownership and would then be able, subject to any pre-existing tenure arrangements and covenants, to influence land uses specific to that property, also having regard to adopted planning policy.
- 5.97 As to planning policy, the FNVP generally supports the retention of the properties cited within draft Policy FV12. To be acceptable as a planning policy that can provide a steer to prospective developers and the local planning authority in its role as decision maker, I propose that the policy should be modified to provide an assessment method related to market signals concerning the commercial sites, whilst those with non-commercial, community focus should be determined in relation to need, as indicated in Appendix 3 and Appendix 4, in order that the Policy meets the Basic Conditions test. In order to provide an enhanced indication of the communities' intentions, the Steering Group may also wish to seek that these properties be registered as Assets of Community Value. I would stress that this is not a recommendation, as it falls outside my remit in the examination of the FNVP.
- 5.98 If my policy modification recommendation is accepted, the supporting text to this policy would require extension to explain that where development proposals relate to a commercial property listed within Policy FV12 then a market report prepared by a suitably qualified and experienced person should be prepared, to indicate the extent to which there is commercial interest in the property for any existing permitted uses, sufficient to provide an adequate market return at an appropriate benchmark land value having regard to comparable market values attained for such uses



in relation to comparable commercial properties. Each market report, covering a period of not less than 9 months should include all expressions of interest during the marketing period, demonstrating that the property has been freely exposed to the market during that entire period and should include an assessment of all offers and expressions of interest received up to the date of the conclusion of the market report. The market report (redacted if commercially expedient), should be submitted as part of the planning application. In addition, the applicant would be expected to fund the full costs of a peer review of the market report to assess its veracity. This would be undertaken by an independent valuer selected by the local planning authority at its discretion. The FVNP supporting text to this policy should indicate that the arrangements for undertaking the funding of a peer review of the developer's market report would be expected to be underwritten by the developer on behalf of Blaby District Council as the local planning authority, prior to a decision on a planning application being made.

- 5.99 Concerning the development of non-commercial land uses listed in Policy FV12, which would result in loss or diminution of these land uses, the supporting text should explain that planning applications should include a clear justification explaining why the land use is no longer required in its current form, or at all. This statement should be provided where possible by the current entity occupying the property, or if vacant, last providing the relevant services on the subject site. In addition and as relevant, the developer's supporting statement should demonstrate the steps taken to ascertain the extent to which the property would be appropriate for any other community use for which there is a manifest need, or alternatively demonstrate how the facility is being replaced by equivalent or better provision in terms of quantity, quality and location.

### Policy FV13: GP Services

**Developer contributions for improved healthcare provision arising from new development in the Fosse Villages will be directed to:**

- A. The improvement or remodelling of Stoney Stanton GP practice;**
- B. The expansion or creation of new remote surgeries in the Fosse Villages area; and**
- C. Improved bus services between the proposed development and local healthcare services.**

- 5.100 As explained in the FVNP, Policy FV13 is predicated on the findings of community consultation which identified concerns about healthcare provision within the Fosse Villages area and in particular the GP surgery at Stoney Stanton which also covers Sapcote, Thurlaston, Sharnford and Aston Flamville. The assessment of the Fosse Villages Neighbourhood Plan Joint Working Board is that contributions from development within the Fosse Villages neighbourhood area should be directed to improving the Stoney Stanton GP practice, the expansion of remote surgeries and/or improved bus services.
- 5.101 The BCS advises that the policy is supported in the NPPF by paragraphs 84, 91, 92 and locally by Core Strategy strategic policies, Policy CS11 – Infrastructure, services and facilities to support growth and Policy CS12 – Planning obligations and developer contributions.

- 5.102 Blaby DC commented in its Regulation 16 comments that the draft policy fails to recognise that some residents of the Fosse Villages use health care facilities outside of the Fosse Villages neighbourhood area and that the health care provider is best placed to determine where S106 money is directed to mitigate the impact of any development. I note that in this regard, whilst NHS East Leicestershire and Rutland Clinical Commissioning Group (ELR CCG), established in April 2013 to plan and manage the majority of healthcare services for people living in East Leicestershire and Rutland, made Regulation 16 comments supporting developer contributions be made from housing development in excess of 10 dwellings for improvements towards health services this did not extend to supporting Policy FV13. There is therefore insufficient evidence that the local Clinical Commissioning Group recognises the perceived need expressed in the FVNP. I agree with the representations of Blaby DC that the health care provider is best placed to identify service need. This point is also acknowledged in NPPF, paragraph 92(b), which advises:

*“To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:.....*

*b) **take into account and support the delivery of local strategies** to improve health, social and cultural well-being for all sections of the community;....”*

- 5.103 The NPPF also acknowledges in paragraph 84, that ***“Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). ....”***
- 5.104 Accordingly, I recommend that Policy FV13 should be deleted from the Plan together with the related references in the supporting text.

## Policy FV14: Sharnford Allotments

**The extension of Parson’s Lane allotments, Sharnford will be supported.**

- 5.105 The BCS advises that this policy is in conformity with the advice in the NPPF at paragraphs 84, 91 and 92. Concerning the Core Strategy the BCS advises that the policy is “not applicable” to the strategic guidance. I note however that there is a reference to allotment provision in the Blaby District Local Plan Delivery DPD – Adopted February 2019 relating to updated Core Strategy Policy CS15 – Open

space, sport and recreation. This confirms an expected provision of 0.25ha per 1,000 population within a walking distance of 1440 metres. It is not clear whether there is a deficiency of allotment provision within the vicinity of the existing of the Sharnford Allotments.

- 5.106 However, it is not clear to me how Policy FV14 would genuinely assist development management in this Neighbourhood Area, as allotment provision is not a matter which would normally be expected to be a development control matter. This is because allotment provision is controlled under the Small Holdings and Allotments Act 1908, which also covers the powers of councils and the acquisition of land for this purpose. If an allotment authority is of the opinion that there is a demand for allotments in its area, it is required under Section 23 of the Small Holdings and Allotments Act 1908, to provide a sufficient number of allotments and to let them to persons residing in its area who want them. Written representations may be made to the local authority on the need for allotments by any 6 residents on the electoral register or persons liable to pay council tax, and the local authority must take those representations into account (section 23(2) of the Small Holdings and Allotments Act 1908). The Council must assess whether there is a demand for allotments in their area. If the council decides that there is a demand for allotments; they have a statutory duty to provide a sufficient number of plots. In terms of the duty to provide under section 23 of the Small Holdings and Allotments Act 1908.
- 5.107 No Regulation 16 comments were made in relation to this policy by consultees during the consultation phase for the submission draft FVNP.
- 5.108 I therefore recommend that this policy would conform to the Basic Conditions test and should be included without modification.

#### **Policy FV15: Stoney Stanton Cemetery**

A broad area of search has been identified for the development of a new cemetery between Hinckley Road and Station Road, Stoney Stanton. The development of a new cemetery will have regard to:

- A. Ground conditions;**
- B. Drainage;**
- C. Archaeology;**
- D. Ecology; and**
- E. Underground services**

- 5.109 The FVNP explains that the existing cemetery at Nock Verges, Stoney Stanton is almost at capacity and to meet future need for burial space, there may be an opportunity for the Parish Council to work with the County Council to provide additional cemetery facilities to the west of the village. The BCS advises that Policy FV15 conforms to the NPPF at paragraphs 84, 91 and 92, but that the Core

Strategy is “not applicable”, although updated Core Strategy Policy CS 15 – Open space, sport and recreation<sup>12</sup>, indicates a target provision for cemeteries and churchyards of 0.21ha per 1,000 population, within 1200 metres or 15 minutes travel time.

- 5.110 I note that there were no comments made during the Regulation 16 consultation concerning this policy. The Environment Agency<sup>13</sup> has produced guidance on how to carry out a groundwater risk assessment for human or animal burials and how prevent groundwater pollution associated with the development of cemeteries. I recommend that the proposed policy be cross referenced to this guidance and that in addition, the supporting statement notes that development proposals for cemeteries should be prepared in accordance with this guidance and suggesting early pre-application discussions with the Environment Agency and Blaby District Council concerning the details required to support a planning application for cemetery development. The recommended policy modification is shown in Appendix 3 by way of tracked changes and as made in Appendix 4.

### Policy FV16: Infrastructure

New development will be supported by the provision of new or improved infrastructure, together with financial contributions for the following off-site infrastructure requirements where appropriate:

- A. The provision of additional school places at local primary schools within the Fosse Villages area and secondary schools arising from the development;
- B. The provision of a new or improved community centre facilities;
- C. The improvement of healthcare provision in accordance with Policy FV13;
- D. The improvement or remodelling of Community Libraries within the Fosse Village area; and
- E. The improvement or remodelling of sports and recreation provision in the Fosse Villages.

<sup>12</sup> Blaby District Local Plan Delivery DPD – Adopted February 2019

<sup>13</sup> Guidance Cemeteries and burials: groundwater risk assessments, How to carry out a groundwater risk assessment for human or animal burials. (last updated 21 August 2017). Environment Agency

<https://www.gov.uk/guidance/cemeteries-and-burials-groundwater-risk-assessments>

and

Guidance Cemeteries and burials: prevent groundwater pollution. (Last updated 31 July 2019), Environment Agency

<https://www.gov.uk/guidance/cemeteries-and-burials-prevent-groundwater-pollution>

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**Contributions will be phased or pooled to ensure the timely delivery of infrastructure, services and facilities where necessary. To ensure the viability of housing development, the costs of the Plan's requirements may be applied flexibly where it is demonstrated that they are likely to make the development undeliverable.**

- 5.111 The BCS advises that this policy conforms to the NPPF at paragraphs 8, 16, 20, 22, 25, 26, 28, 34, 41, 81 and 91. It also states that it conforms to Core Strategy, Policy CS11 – Infrastructure, services and facilities to support growth and Policy CS12 – Planning obligations and developer contributions. Further information on infrastructure contributions expected from development is set out in the Blaby District Local Plan Delivery DPD – Adopted February 2019. Developer contributions are set out in the IDP for example, for the three allocated housing sites in the District which are anticipated to provide 128 dwellings. There are no comparable or indicative assessments for small, windfall sites in rural areas.
- 5.112 The FVNP explains that Policy FV16: Infrastructure has been prepared to provide improvements associated with housing development within the “Limits to (Built) Development”, notwithstanding no housing allocations are promoted in the Plan. Such windfall housing that is likely to come forward within these areas, where the boundaries are generally tightly drawn encompassing existing built development, and existing housing land allocation, will be small-scale. The supporting statement advises that to enable such housing development to take place, there will need to be improvements in local services and facilities, but also recognises that the Plan must be deliverable and thus infrastructure (and other) burdens should not be of a scale that viable implementation is threatened. The magnitude of such contributions is likely to be small from very limited, small scale development in these rural communities. The identified heads of contributions in the draft policy are more akin to the heads that might be expected for a major development comprising an urban extension of perhaps 750 dwellings, to meet need directly related in scale and kind to that extent of development. It is unrealistic to expect any significant contributions from necessarily small-scale windfall housing developments as envisaged within the FVNP.
- 5.113 The Regulation 16 comments of Blaby District Council notes that the approach in the policy is overly restrictive in relation to health-care contributions and greater flexibility should be applied. There were restrictions in terms of the pooling of contributions for individual projects at the time when the District Council prepared its representations on this policy, but these have since been removed<sup>14</sup>.

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<sup>14</sup> The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019, <https://www.legislation.gov.uk/ukdsi/2019/9780111187449>

- 5.114 It is understandable that the community wishes to seek a share of the development realised on the grant of planning permission for windfall housing development during the life of the Plan through Policy FV16. There is likely to be a delicate balance between the ability and willingness of landowners to bring land forward for development and for housing schemes to remain viable having regard to such a policy. This risk is acknowledged in the draft policy. The policy has a major deficiency in not seeking to justify the scale of contributions that are sought for the various heads of contribution and how this should be levied. Neither is there any clear indication of a mechanism under which viability should be tested within the Neighbourhood Area. By contrast Blaby DC's Infrastructure Delivery Plan (IDP) considers how the necessary physical, social and green infrastructure will be provided to implement the policies and proposals identified in the Blaby Local Plan Delivery (Development Plan Document). The IDP supplements the arrangements contained in the Local Plan Core Strategy 2013. The IDP considers the specific requirements for large sites (more than 500 houses or 20 hectares of employment land). For the smaller residential sites proposed in the plan, the IDP considers the generic contributions that will be required. Such contributions do not appear to be expected from small rural windfall residential sites. To expect small scale rural windfall housing in the Neighbourhood Area to contribute significantly to off-site infrastructure, a burden not shared by similar development elsewhere within the District would appear to be disproportionate and unreasonable. For these reasons, I consider that this policy is not justified by way of evidence and there is no clear mechanism by which the policy might be managed consistent with the adopted Blaby Local Plan Delivery (Development Plan Document). Therefore, the draft policy and references to it should be deleted from the Plan in order to satisfy the Basic Conditions test if the Plan is to proceed to referendum.

## Housing Needs

### Policy FV17: Housing Mix

**New housing development shall provide for a mix of housing types that will be informed by the most up to date evidence of housing need, unless such an approach would make a scheme unviable. In demonstrating housing need, consideration will be given to supporting evidence provided by an applicant. Applicants for development of 10 or more dwellings will need to demonstrate how their proposals will meet the needs of older households and the need for smaller, low-cost homes.**

- 5.115 The evidence for housing need upon which Policy FV17 is based is the Housing and Economic Development Needs Assessment (HEDNA) to assess future housing needs, the scale of future economic growth and the quantity of land and floorspace required for B-class economic development uses between 2011 and 2031/36, the results of which were published in January 2017.

This report was commissioned by The Leicester and Leicestershire local authorities and the Local Enterprise Partnership (LEP) and prepared by GL Hearn<sup>15</sup>. The FVNP states in paragraph 109 that the evidence of housing need at a local parish level was provided by the District Council. I note that this is also the same as that identified by GL Hearn's Main Report in its conclusions for the recommended dwelling mix in Tables 90 and 91 (page 197) for the District as a whole. This demonstrates a need in the Neighbourhood Area for market housing supply to be skewed mainly towards the provision of two- and three-bedroom dwellings and for the delivery of a preponderance of one and two-bedroom affordable dwellings.

- 5.116 The BCS states that Policy FV17 conforms to the NPPF at paragraphs 61 and 79. I agree the policy reflects paragraph 61, although not 79 which principally considers the distribution rather than mix of rural housing. The BCS also notes that the FVNP refers to 2017 Leicester and Leicestershire HEDNA and further confirms that Policy conforms to the guidance in Core Strategy Policy CS8 which seeks to provide a range of house types and tenures to reflect current and future requirements, modified, where appropriate, for local circumstances.
- 5.117 Regulation 16 comments were made by Blaby District Council relating to clarifying the supporting text, suggesting that paragraph 109 be updated to read: "Evidence of housing need at a Parish Level is provided by the District Council encompassing both the figures in the Leicester and Leicestershire Housing and Economic Development Needs Assessment and taking into account local, parish-level data, for example market and affordable housing stock and housing waiting list data." Blaby DC's justification for this modification advises that this would indicate to applicants that the figures shown in the Leicester and Leicestershire 2017 HEDNA are part of the consideration of the required housing mix for a site and that parish-level data is also taken into account.
- 5.118 Blaby DC's second concern emanating from the Council's Housing Strategy team was that whilst paragraph 110 of the FVNP makes reference to the need for more market housing units to cater for the needs of older people, there is a pressing need for both market and affordable housing units that cater for the elderly. As a consequence, the first sentence of paragraph 110 should be updated to read:
- "Provision of both market and affordable housing units that cater for older households is a key supply gap which urgently needs to be addressed."

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<sup>15</sup> Housing & Economic Development Needs Assessment, Main Report prepared for Leicester & Leicestershire Authorities and the Leicester and Leicestershire Enterprise Partnership, Final Report Prepared by GL Hearn, January 2017.

[https://www.nwleics.gov.uk/files/documents/hedna\\_main\\_report\\_january\\_2017/HEDNA%20Main%20Report%20%28January%202017%29.pdf](https://www.nwleics.gov.uk/files/documents/hedna_main_report_january_2017/HEDNA%20Main%20Report%20%28January%202017%29.pdf)



- 5.119 The draft policy includes a component relating to viability. I am not convinced that this is likely to be a consideration in relation to housing mix, although I accept that concerning housing tenure this may well be a consideration. In general, smaller dwellings tend to be developed to higher dwelling densities than larger houses, although the overall site coverage will often be broadly similar. Also, within housing market areas, for estate housing, sales values per square metre are normally broadly similar, as are development costs. To that extent, variations in housing mix, would not be expected to generate viability considerations relevant to development management considerations. For this reason, I do not consider that viability should be a factor in this planning policy relating to housing mix.
- 5.120 Whilst accepting that in reaching a development management decision, evidence of need made by an applicant would be expected to be a consideration, as indicated in the draft policy, the weight given to that evidence will be a matter for the decision-maker in the circumstances of that proposal having regard to all other salient considerations.
- 5.121 In recognition that planning applications relating to housing mix will be determined by the local planning authority, I recommend that the policy be amended to read as indicated in Appendix 3 (tracked changes) and as shown in Appendix 4 with those alterations made. I further recommend that the supporting statement should be revised as indicated above, incorporating the Regulation 16 suggestions of Blaby District Council.

### Policy FV18: Affordable Housing

**Affordable housing will be permitted on rural exception sites within or adjoining the Limits to Development where the development is demonstrated to meet an identified local need for affordable housing that will not otherwise be met.**

**All affordable housing will be subject to conditions, or a planning obligation will be sought, to ensure that when homes are allocated, priority is given to people with a local connection to the local parish (i.e. including living, working or with close family ties in the Parish). If there are no households fulfilling these criteria in the parish, then people with a local connection to other places within the Fosse Villages will be given priority.**

- 5.122 The Basic Conditions Statement advises that Policy FV18 conforms to the NPPF in respect of policies 20, 34, 41, 61, 62, 63 and 64. The relevant adopted local strategic policies against which the FVNP is to be examined in addition to national strategic planning policy guidance are explained in this report in the section entitled, “General conformity with the strategic policies of the adopted Local Plan” and in particular paragraph 3.11.
- 5.123 The definition of rural exception sites in the national Planning Practice Guidance is as follows:

“Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority’s discretion, for example where essential to enable the delivery of affordable units without grant funding.”

- 5.124 The essence of Policy FV18, delivering affordable housing in perpetuity on rural exception sites and to meet household needs for those with local connections conforms to this national planning practice guidance. The NPPF also provides flexibility to look more widely beyond restricting local connections simply to a single parish boundary. Paragraph 78 of the NPPF recognises that to maintain the vitality of rural communities, *“Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.”* Equally, if after first occupation there is no pending identified need in the host parish for rural affordable housing, then it would be reasonable that such dwellings should be made available to those in housing need with a local connection to nearby settlements within the Fosse Villages group, since this should also provide an opportunity to assist social cohesion within these associated nearby rural settlements – the intent of paragraph 78.
- 5.125 At the local strategic policy level, Policy FV18 conforms to adopted Core Strategy Policy CS7 – Affordable Housing. Policy CS7 also indicates that many of the specific settlements within the Neighbourhood Area are suitable locations for rural exception housing, reinforcing the spatial strategy set out in section 6 of the Core Strategy and the strategic objectives of the Core Strategy in paragraph 6.10, concerning housing delivery which notes:
- “The rural (mainly ‘southern’) areas of the District will accommodate lower levels of growth, with a focus on Stoney Stanton, as the District’s only ‘Rural Centre’ and the best served of the villages in the south of the District. Smaller scale ‘affordable’ housing developments (mainly through ‘Rural exceptions schemes’ will be allowed where there is a demonstrable need.”
- 5.126 More specifically, Core Strategy Policy CS7(d) in providing strategic guidance on the delivery of housing on rural exception sites confirms that a number of the Fosse Villages settlements are suitable for rural exception site development including, Croft, Huncote, Sapcote, Sharnford and Thurlaston. In addition, Policy CS7(d) confirms that provision of affordable housing on rural exception sites may also be made where groups of villages can demonstrate a combined local need. In responding to such combined housing need, it is reasonable that the FVNP policy on affordable housing delivered on rural exception sites should be able to consider meeting affordable housing need subject to local connections, across the settlements within the Fosse Villages group as intended in Policy FV18 for reasons of social cohesion, also consistent with the aim in chapter 8 of the NPPF by promoting healthy and safe communities.

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- 5.127 On reflecting on this policy and considering the supporting text, it is apparent that the latter concentrates on the prospect of affordable housing in the neighbourhood area being generated from rural exception sites, since there are no formal housing allocations within the neighbourhood area that might otherwise deliver some affordable housing. The context within which this policy has been prepared appears to be in relation of the delivery of affordable housing on rural exception sites since it is that form of development that requires a “local connection”, see the NPPF definition of development on rural exception sites.
- 5.128 Blaby District Council made cogent representations regarding this policy at the Regulation 16 consultation stage which I consider below.
- 5.129 As drafted, there is a lack of clarity as to whether this policy should relate to all affordable housing in the Neighborhood Area, or whether it applies to affordable housing on rural exception sites. By modifying Policy FV18 so that it expressly relates to affordable housing on rural exception sites only, Blaby DC’s Regulation 16 concerns that the policy fails to distinguish between:
- a) allocating affordable housing on rural exception sites; and
  - b) allocating affordable housing delivered on other developments, would be removed.
- 5.130 Blaby DC’s support of the local connection in Policy FV18 accords with NPPF policy and Core Strategy Policy CS7.
- 5.131 The third point raised by the District Council raises the difficulty posed by the relationship between strategic and non-strategic planning policy, complicated by the interaction between local housing and planning policy and how successful and appropriate development management can be achieved, whilst meeting the Basic Conditions test for neighbourhood planning concerning Policy FV18. Within the District Council’s administrative area, the detailed criteria detailing “local connections” is set out in the non – strategic Housing Mix and Affordable Housing SPD. The Choice Based Lettings Allocation Policy, referred to in the Council’s third Regulation 16 comment is a housing rather than town planning policy and also includes local lettings criteria. Compliance with non-strategic planning policies is not a basis upon which meeting the Basic Conditions in neighbourhood plan examinations is necessary or appropriate. Furthermore, the allocation provisions relating to local connections current and previous versions of the Choice Based Lettings Allocation Policy, do not apply to rural exception housing development, as expressly stated in paragraph 15.5 of the October 2019 version of this guidance.
- 5.132 I agree with the fourth point of Blaby DC’s representation on Policy FV18 that this affordable housing policy should only apply to rural exception sites as the policy would then be generally compliant with Core Strategy Policy CS7 as confirmed earlier in this assessment. This however leaves the matter of how allocations are made to prospective households in housing need with a local connection. As drafted, Policy FV18 provides somewhat sketchy guidance regarding appropriate local parish connections. These would include households living, working or with close family ties to the Parish

but as drafted would allow the possibility of other local connections, at the discretion of the Parish and perhaps the affordable housing provider. This may well prove adequate in the absence of further guidance and having regard to the localism agenda is probably sufficient, provided safeguards are in place to maintain a local connection in future property transactions and that affordable housing tenure enures in perpetuity.

- 5.133 If the recommendations in this examination report are accepted, to the extent that development comes forward within the Neighbourhood Area for affordable housing *other than on rural exception sites*, the adopted town planning policies of the district would apply, notably CS7, which would expect the delivery of 25% affordable dwellings on housing sites of 15 dwellings and above. The Housing Mix and Affordable Housing SPD provides further guidance for the delivery of affordable housing within the Neighbourhood Area. Such affordable housing development proposals within the Neighbourhood Area would be assessed by reference to existing adopted planning policy considerations, excluding affordable housing policy in the FVNP.
- 5.134 I therefore recommend that Policy FV18 should be amended as shown in Appendix 3 by way of tracked changes and as shown with the changes made in Appendix 4.
- 5.135 In explaining the operation and justifying Policy FV18, it would be helpful if the FVNP supporting statement concerning Policy FV18 is amended as recommended in Appendix 4.

### Policy FV19: Croft Quarry

Employment development (uses falling within class B of the Use Classes Order including offices (B1) manufacturing (B2) and small-scale warehousing and distribution (B8)) at the cement area at Croft Quarry, as defined on the Policies Map, is supported provided:

1. the only vehicular access is Marion's Way;
2. development should demonstrate appreciation of the surrounding historic environment through sensitive and responsive design;
3. a site-specific flood risk assessment should be undertaken prior to development; and
4. the potential for multifunctional green infrastructure networks and significant long-term positive effects should be maximised.

- 5.136 The Basic Conditions Statement explains that through supporting the development of a prosperous rural economy and allowing for the provision of new and flexible working practices, allowing people to work from home and reducing the need to travel, Policy FV19 conforms to the NPPF at paragraphs 81 and 83. The strategic Local Plan policy to which this policy conforms is CS6: Employment.
- 5.137 The rationale for Policy FV19 is to provide continuing employment and employment uses at the Croft Quarry, against a background of possible closure. The supporting statement to this policy at

paragraph 126 states; *“The potential closure of the quarry has also raised worries about its potential for landfill. However, there are conditions controlling the restoration of the site. While the exact form of the restoration is not prescribed, restoration cannot go beyond agriculture, amenity (which includes nature conservation) or forestry uses without a separate, new planning permission. Landfilling of the final quarry void with waste is unlikely because of European, national and local policies and financial factors which would make a waste landfilling at Croft or any other hard rock quarry practically unviable. Any proposal for landfilling with waste would require a planning application.”*

5.138 The County Council formally adopted the Leicestershire Minerals and Waste Local Plan (Up to 2031) on 25 September 2019. In relation to Croft Quarry, the extant planning at Croft currently expires at the end of 2029. Some 10 million tonnes of permitted reserves at Croft Quarry are said to be constrained by structures and buildings. In May 2019 a planning application for minerals and waste development comprising a, “.... lateral extension to the mineral extraction area within Croft Quarry, retention of access and ancillary development and reclamation via the importation of restoration material” was made by the site owners Aggregate Industries UK Ltd to Leicestershire County Council under Application Number: 2019/CM/0125/LCC<sup>16</sup>. The proposed development includes the following elements:

- To laterally extend the Mineral Extraction Boundary;
- Placement of overburden within the existing quarry void;
- Relocate aggregate processing area (Modular Plant);
- Relocate current stocking areas;
- Relocate workshop, weighbridge and wheelwash;
- Relocation of rail infrastructure within the site (all amendments do be done within the Company’s ownership with no impact on the main rail line);
- Relocate office accommodation;
- Relocation of Recycling Area;
- Retain access from Marion Way onto the B4114 (Coventry Road);
- Permanent Retention of Concrete Block Plant; and
- Restoration of void via importation of restoration material.

5.139 The Planning Statement forming part of the planning application explains that the proposed lateral extension which comprises circa 5 hectares of land, would release around 6.3 million tonnes of aggregate, taking between 12 and 22 years based on extraction rates of between 300,000 and

<sup>16</sup> 2019/CM/0125/LCC

<http://leicestershire.planning-register.co.uk/Planning/Display?applicationNumber=2019%2FCM%2F0125%2FLCC>

500,000 tonnes per annum (tpa). Prior to extraction, all existing plant, buildings and machinery located within the proposed extension area shall be demolished, with the resulting concrete removed, crushed on site and sold. The planning application notes that no new employment is likely to be generated through these proposals, there will be considerable investment in the current site and with the improvements to the rail head, filling of the quarry as part of restoration proposals with waste from metropolitan London is envisaged. It is proposed to import approximately 22 million m<sup>3</sup> of restoration material (up to 750,000 m<sup>3</sup> per annum), which would raise the level of the existing void to approximately 30m AoD and preserving the Geological SSSI.

- 5.140 It would therefore appear that the current mineral and waste proposals would facilitate a future economic life of the existing operation well beyond the life of the FVNP. I further note that the planning statement concerning the minerals and waste proposals outlined above in reviewing the relevant policy considerations referenced the FVNP and Policy FV19. The submission version of the FVNP was subject to consultation at the time that this application was being prepared. Neither the applicant nor the County Council has raised any objections to Policy FV19 in relation to either current or proposed quarrying operations. I also understand that the proposed employment area identified in Policy FV19 is located outside of the minerals safeguarding area, which prevents sterilisation of identified reserves.
- 5.141 Flood risk associated with development of this site for employment development was a matter raised by the Environment Agency at the time of the pre-submission consultation as to whether the Sequential Test had been properly applied in considering and discounting other potential sites for commercial development at Croft Quarry. This matter has not been referred to by either the Environment Agency or Blaby District Council. A requirement in the policy for a site-specific flood risk assessment to support the planning application for commercial development is appropriate but should be submitted with the planning application to accord with advice from the Environment Agency in “Preparing a flood risk assessment: standing advice”<sup>17</sup>.
- 5.142 Having regard to the considerations above, I therefore recommend the minor alterations shown by way of tracked changes in Appendix 3 and as shown in Appendix 4 should be made. No alterations are necessary having regard to the comments in the supporting statement, although consideration should be given to revising the text regarding the economic life of the site and suitability for land fill having regard to the supporting material submitted with the current planning application.

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<sup>17</sup> Guidance - Preparing a flood risk assessment: standing advice, Last updated 1 March 2019, Environment Agency

<https://www.gov.uk/guidance/flood-risk-assessment-standing-advice>

### Policy FV20: Employment Areas

The following Employment Area, as defined on the Policies Map, will be safeguarded for employment development (uses falling within class B of the Use Classes Order including offices (B1) manufacturing (B2) and small-scale warehousing and distribution (B8)). The expansion of existing businesses and new employment development within Employment Areas will be supported:

EC1 Winston Avenue, Croft

EC2 Riverside Court, Croft

EH1 Elms Farm Industrial Estate, Huncote

EH2 Green's Lodge Farm, Huncote

EPM1 Dovecote Court Business Park, Potters Marston

ESH Haulage site, Aston Lane, Sharnford

ESS1 Foxbank Industrial Estate, Stoney Stanton

ESS2 Highfields Farm Enterprise Centre, Stoney Stanton

ESS3 Calor gas Centre, Stoney Stanton

ET1 Sawmill, Thurlaston

- 5.143 The Basic Conditions Statement confirms that Policy FV20 conforms to the NPPF at paragraphs 81 and 83, the Core Strategy Policy CS6.
- 5.144 Although sufficient employment land is available and allocated in the District to support the identified growth over the period of the Local Plan, it is important that further employment opportunities are not stifled and to encourage sustainable economic growth as there is evidence in the District of small and medium sized businesses finding it difficult to find suitable and affordable sites. The safeguarding of employment land in Policy FV20 is also consistent with the objectives within Core Strategy CS6.
- 5.145 Blaby DC's Regulation 16 comments raise a concern that a number of employment sites are located in protected areas beyond the settlement boundaries (Limits to Built Development), in its observations on Policy FV20 Employment Areas. On the assumption that my earlier recommendations are accepted and that Policies FV4 and FV5 are deleted, the potential conflict identified by Blaby District Council between these policies relating to employment development in the Countryside and Areas of Separation would potentially be removed. This is because the flexibility provided to facilitate development in the Countryside in the Delivery DPD, Policy DM2, and which may also be extended to proposed employment development in Areas of Separation, would allow in appropriate circumstances discretion in supporting development proposals for employment development as envisaged in Policy FV20. This approach would also conform to strategic Policy CS18 and CS6 and the supporting advice in paragraph 7.6.6 of the Core Strategy. If the recommendation relating to Policy FV20 is accepted, it would be helpful for the supporting statement to be revised to



include reference to the Delivery DPD and to demonstrate that employment development proposed in the Countryside, (and as appropriate in Areas of Separation), where it would not be harmful, may be supported.

- 5.146 Having regard to these comments, I therefore recommend that Policy 20, be modified as recommended in Appendix 3, shown by tracked changes and as made in Appendix 4. The supporting statement should be broadened as explained in paragraph 5.126 above to clarify that provided that development proposals for employment development within Areas of Separation which are not harmful to those functions may be supported.
- 5.147 The inset map for Croft, should re-label employment site EC3 to EC2, relating to Riverside Court. On the Huncote inset map the employment site labelled EH3 adjacent to the motorway should be removed as this is not otherwise included in the submission version of the FVNP.

### Policy FV21: Rural Economy

**The sustainable growth and expansion of all types of business and enterprise in the Countryside (land outside Limits to Development as defined on the Policies Map) through the conversion of existing buildings and well-designed new buildings will be supported where the development:**

- A. Is in keeping with the scale, form and character of its surroundings;**
- B. Does not generate significant additional traffic through the Fosse Villages; and**
- C. Has safe and suitable access to the site for all people.**

- 5.148 The BCS advises that this policy conforms to paragraphs 81 and 83 of the NPPF, Policy CS6 of the Core Strategy and Policy DM3 of the Delivery DPD.
- 5.149 The supporting statement to Policy FV21 explains that within the Fosse Villages area, most employment development will take place within or adjoining villages but to support jobs and prosperity, the Plan takes a positive approach to sustainable new development in the countryside. The challenges of providing a suitable rural pro-employment development strategy, which at the same time balances environmental protection and facilitates the needs of local agricultural practices and without exacerbating traffic congestion within the neighbouring settlements poses significant difficulties. Within the Fosse Villages Neighbourhood Area, these issues have to a very significant extent been considered through national policy and in a more locally focused approach through the strategic policies of the Core Strategy and most recently the policies of Blaby District Council Delivery DPD.
- 5.150 In endeavouring to provide a rational and systematic approach to balancing the conservation of the Countryside with the needs of employment activity, the Delivery DPD explains at paragraph 4.15 that the Council acknowledges that in some instances alternative land may be required for employment development which lies beyond the settlement boundary. The District Council employs

a method of sequential testing requiring applicants to demonstrate the need for employment development in the Countryside and why proposed employment development cannot be accommodated satisfactorily on land within the settlement boundaries, on previously developed land. Accordingly, the District Council will only consider employment development proposals on alternative sites where these are acceptable in planning and environmental terms and the applicant is able to demonstrate that all other employment sites do not meet the needs of the operator. This sequential approach provides an objective and transparent means by which specific need to locate within the Countryside may be assessed by the decision-maker. Sequential testing of this type is frequently used in similar situations and is an effective means assisting planning decisions where competing claims over land uses arise. The difficulty with Policy FV21 is that it abandons the strategic testing approach in the recently adopted Delivery DPD. It would also cut across the modifications recommended in this report concerning Policy FV20 and rural development in the Neighbourhood Area on the Employment Areas located in the Countryside. Policy FV20 positively supports development in the Countryside, subject to the application of the sequential test and the associated criteria in Delivery DPD, Policy DM2. Policy DM3 which is applied to unallocated employment sites as part of the sequential testing requires such development proposals to avoid an increase in traffic generation that would result in severe harm to the local road network. Where severe traffic harm is considered likely, applicants would almost certainly be expected to provide a traffic impact assessment and if appropriate offer mitigation measures, which may overcome predicted adverse traffic impacts of the proposal.

- 5.151 Taking these matters into consideration, the amendments recommended to Policy FV20 taken together with adopted Delivery DPD policies DM2 and DM3, should provide an adequate and rational basis for considering rural employment development proposals beyond the Limits to Built Development in the Neighbourhood Area. To avoid policy confusion, I recommend that Policy FV21 is deleted and references to it in the Plan and the supporting statement are removed.

### Policy FV22: Renewable Energy

**Ground-mounted solar photovoltaic farms will be supported where:**

- A. They are on previously developed or non-agricultural land;**
- B. Their location is selected sensitively and well-planned so that the proposals do not impact on any heritage asset;**
- C. The proposal's visual impact has been fully assessed and addressed in accordance with Planning Practice Guidance on landscape assessment (Planning Practice Guidance ref: 5-013-20150327); and**
- D. The installations are removed when no longer in use and the land is restored to its previous use.**

**Wind turbines will not be supported.**

- 5.152 The BCS notes that the Policy FV22 conforms to paragraphs 148, 151 and 154 of the NPPF and Core Strategy CS21 – Climate Change. There were no Regulation 16 consultation replies in relation to this

policy. As the policy accords with current national planning guidance and strategic Core Strategy Policy CS21, I recommend that this policy needs no amendment if the Plan is to be taken forward to referendum. No alteration is necessary to the supporting statement.

### Policy FV23: Aston Firs

**New sites or the extension or intensification of existing sites at Aston Firs, whether for Gypsies and Travellers or other households, will not be supported.**

- 5.153 Policy FV23 is predicated upon community concern that the existing cluster of approximately 165 caravans at Aston Firs should not be expanded to ensure the scale of the sites does not dominate the settled community and to avoid placing pressure on local services. The FVNP cites the 2017 questionnaire survey, where 68% of respondents thought that the intensification, expansion or creation of new sites at Aston Firs should be discouraged.
- 5.154 The Basic Conditions Statement states that Policy FV23 conforms to the Core Strategy CS9 for Gypsies and Travellers and Delivery DPD policy SA4 - Broad Locations for Accommodating Gypsies & Travellers and Travelling Showpeople. Conformity to the NPPF is not referenced, although the relevant paragraph is 61, cross referenced to Government advice in Planning Policy for Traveller Sites, 2015<sup>18</sup>.
- 5.155 The Leicester and Leicestershire Gypsy, Traveller and Travelling Showpeople Accommodation Assessment 2017<sup>19</sup> provides a detailed assessment of need, which appears modest within Blaby District over the study period from 2016-2036. Delivery DPD Policy SA4 provides a comprehensive policy approach designed to allocate sites to meet identified need for Gypsies and Travellers and Travelling Showpeople including a criterion that proposals for accommodation for these groups will be supported, unless it is of a scale that causes overdevelopment or by extension to an existing site.

<sup>18</sup> Planning policy for traveller sites, Department for Communities and Local Government, August 2015

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/457420/Final\\_planning\\_and\\_travellers\\_policy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf)

<sup>19</sup> The Leicester and Leicestershire Gypsy, Traveller and Travelling Showpeople Accommodation Assessment, Final Report, May 2017, Opinion Research Services <https://www.leicester.gov.uk/media/183586/gypsy-traveller-and-travelling-showpeople-accommodation-assessment-report.pdf>

- 5.156 In determining planning applications for traveller sites, “Planning policy for traveller sites”, Policy H, paragraph 25, advises local planning authorities to “very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan”. Also “Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure.” This policy would similarly support FVNP Policy FV23.
- 5.157 Having regard to the scale of provision at Aston Firs, there would appear to be a justification for locating additional sites for these groups at an alternative site to conform to both national and local adopted planning policy.
- 5.158 I therefore recommend a minor modification to Policy FV23 for clarity, as indicated by the tracked change in Appendix 3 and as shown in Appendix 4, below. No alteration to the supporting text is necessary.

### Consequences of the policy recommendations

- 5.159 On the assumption that the policy recommendations made in the examination report are accepted, there will be a need for a considerable amount of restructuring the FVNP including re-drafting of the policy text, numbering, alterations and extensions to the supporting text and changes to the Policies Map and the inset maps. I anticipate that this would include considerable liaison with officers of Blaby District Council as the planning policy interrelationships are complicated and challenging.
- 5.160 Subject to these policy recommendations being accepted, the Fosse Villages Neighbourhood Plan should meet the Basic Conditions and provide an adjunct to the District Council’s adopted planning framework to encourage and deliver sustainable development in the Neighbourhood Area over the Plan period.

### Summary of findings

- 6.1 I set out the summary of my findings below.
- 6.2 Only a draft neighbourhood Plan that meets each of a set of basic conditions can be put to a referendum and be made. These basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions are:

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- 6.3 *a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan.*
  - 6.4 Subject to the recommended modifications in this examination report, the FVNP conforms to the condition a. through supporting the delivery of strategic policies contained in the adopted Core Strategy and strategic policies within the Delivery DPD, in accordance with guidance in the NPPF 2019 at paragraphs 13 and 29, by not promoting less development than set out in the strategic policies for the area, or by undermining those strategic policies.
  - 6.5 *d. the making of the neighbourhood plan contributes to the achievement of sustainable development.*
  - 6.6 The FVNP will contribute to the delivery of sustainable development within the Parish as indicated in this examination report, in so far as the policy recommendations in this examination report confirm that the policies, as amended, are supported by sufficient and proportionate evidence. Consideration of these to development proposals will assist in delivering sustainable solutions in the Neighbourhood Area.
  - 6.7 *e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).*
  - 6.8 As demonstrated by the consideration of the draft policies in the submission draft version of the FVNP by reference to the Basic Conditions Statement and subject to the recommended policy changes being incorporated, and if the Plan is made following a referendum, the FVNP will be in general conformity with the strategic policies contained in the development plan for the area and will not undermine those policies.
  - 6.9 *f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.*
  - 6.10 As demonstrated in section 3 of this examination report indicate that the policies in the FVNP are compatible with European Union obligations, as incorporated into UK law, and appear legally compliant. The relevant Directives are:

Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment. (The Strategic Environmental Assessment (SEA) Directive); and.

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Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (The Habitats Directive).

- 6.11 Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) prescribes a further basic conditions in addition to those set out in the primary legislation, that in the making of the neighbourhood plan, the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (which sets out the habitat regulation assessment process for land use plans, includes consideration of the effect on habitats sites) will not be breached. This is confirmed in the analyses undertaken in the Habitats Regulations Assessment Appropriate Assessment Screening Addendum, February 2019, as considered in paragraphs 3.35 and 3.36 above.
- 6.12 In addition to conforming to its EU obligations, I am content that the Plan does not breach, and is not otherwise incompatible with the European Convention on Human Rights.
- 6.13 *g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).*
- 6.14 In accordance with the Town and Country Planning Act, 1990 Schedule 4B, Paragraph 5, I am satisfied that the submission plan proposal is not a 'repeat' proposal (i.e. Blaby District Council has not refused a submission under paragraph 12 or Section 61E and it has not failed a referendum).
- 6.15 I am satisfied that Sapcote Parish Council is the qualifying body, acting on behalf of Fosse Villages Neighbourhood Plan Joint Working Board which has prepared the FVNP. Sapcote Parish Council is the body which submitted the Plan and is a qualifying body for the purposes of making a neighbourhood development plan. The Neighbourhood Area was designated on 13 January 2016, in accordance with the Neighbourhood Planning (General) Regulations 2012 and with section 61G of the Town and Country Planning Act 1990 as amended for the purposes of Neighbourhood Planning.
- 6.16 As required by the Planning and Compulsory Purchase Act 2005, Section 38B (1) (c), I am also satisfied that the FVNP does not relate to more than one neighbourhood area and that there is no other Neighbourhood Development Plan in place within this Neighbourhood Area.
- 6.17 Concerning the requirement to comply with the requirements of the Town and Country Planning Act, 1990 Schedule 4B, Paragraph 6 (2) (c) and the Neighbourhood Planning (General) Regulations 2012 (as amended) – Regulation 15, I confirm that Sapcote Parish Council, as Qualifying Body, has submitted the following in a satisfactory form:
- (i) A map identifying the area to which the Plan relates;
  - (ii) A consultation statement (which contains details of those consulted, how they were consulted, summarises the main issues or concerns raised and how these have been

considered and where relevant addressed in the proposed neighbourhood development plan under Regulation 15 (2) (a);

- (iii) The proposed neighbourhood development plan; and
- (iv) A statement explaining how the neighbourhood development plan meets the ‘Basic Conditions’ requirements of paragraph 8 (2) of Schedule 4b to the 1990 Act;

- 6.18 As to public consultation, the process and management of the community consultation has been satisfactory and I am confident that the Consultation Statement outlining the terms of reference and actions of the Fosse Villages Neighbourhood Plan Joint Working Board, the supporting evidence from the surveys, events, workshops, consultation correspondence and feedback leading to the formulation of draft policies and subsequent pre-submission and submission plan consultation on the draft Plan policies, adequately fulfils Section 15 (2) of Part 5 of the Neighbourhood Planning Regulations 2012 and Section 16 of these Regulation in relation to publicising the consultation opportunities during the preparation of the FVNP.
- 6.19 The Plan has been examined against national policies in the NPPF (2019) and the adopted strategic planning policies of Blaby District Council. A Basic Conditions Statement in a satisfactory form has been prepared which meets the ‘Basic Conditions’ requirements of paragraph 8 (2) of Schedule 4b to the 1990 Act.
- 6.20 The FVNP meets the definition of a ‘Neighbourhood Development Plan’ in that it sets out policies in relation to the development and use of land in the neighbourhood area and therefore complies with the requirement of the Planning and Compulsory Purchase Act 2005, Section 38A (2).
- 6.21 The ‘Neighbourhood Development Plan’ (as defined under Section 38A), specifies the time period for which it is to have effect in paragraph 1.1 of the Introduction to the Plan, as being from 2018 – 2029, thereby satisfying the requirement of the Planning and Compulsory Purchase Act 2005, Section 38B (1) (a).
- 6.22 I confirm that the FVNP does not include any policies relating to excluded development, including minerals, waste or nationally significant infrastructure projects, as defined s61K of the Town & Country Planning Act 1990 (as amended). Thus, the requirement of the Planning and Compulsory Purchase Act 2005, Section 38B (1) (b) is also satisfied.

## Conclusions and Recommendations

- 7.1 I conclude that the FVNP policies, subject to my recommended alterations being accepted as set out in this examination report, would meet the Basic Conditions as defined in the Localism Act 2011,



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Schedule 10 and Schedule 4B, 8 (2) of the Town and Country Planning Act 1990, which a neighbourhood plan is required to satisfy before proceeding to a referendum.

- 7.2 If the changes to the FVNP policies recommended in this examination report are accepted, I believe that the Plan will make a positive contribution to sustainable development, promoting economic growth, supporting social wellbeing, whilst conserving the natural and historic environment within the Neighbourhood Area and meet the neighbourhood planning “Basic Conditions.”
- 7.3 I therefore recommend that in accordance with Schedule 4B to the Town and Country Planning Act 1990, paragraph 10 (2) (b) that the modifications specified in this examination report are made to the submission draft FVNP and that the Plan as modified is submitted to a referendum.

## Referendum Area

- 7.4 It is the independent examiner’s role to consider the referendum area appropriate if the Qualifying Body wishes to proceed to the referendum stage. If Sapcote Parish Council as the Qualifying Body acting on behalf of Fosse Villages Neighbourhood Plan Joint Working Board wishes to proceed to a referendum with this Plan, I consider that the referendum area should extend to those persons entitled to vote who are resident in the designated Neighbourhood Area.

**Jeremy Edge BSc FRICS MRTPI**  
**28<sup>th</sup> November 2019**

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## Appendix 1

### Background Documents

In examining the FVNP, I have had regard to the following documents:

- 1) Town & Country Planning Act 1990 (as amended);
- 2) Fosse Villages Neighbourhood Plan 2018-2029: Submission Version;
- 3) Neighbourhood Planning General Regulations 2012, as amended by the Neighbourhood Planning (General) (Amendment) Regulations 2015;
- 4) The Fosse Villages Submission Covering Letter, Sapcote Parish Council, 12 March 2019;
- 5) The Fosse Villages Strategic Environmental Assessment Environmental Report, for Fosse Villages Community Forum, AECOM, March 2019;
- 6) Screening determination notice under Regulation 9(1), Environmental Assessment of Plans and Programmes Regulations 2004, 18<sup>th</sup> January 2018;
- 7) Leicestershire Fosse Villages Neighbourhood Plan, Habitats Regulations Assessment, Appropriate Assessment, 2018;
- 8) Leicestershire Fosse Villages Neighbourhood Plan, Habitats Regulations Assessment Appropriate Assessment Screening Addendum, February 2019;
- 9) Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001;
- 10) The Fosse Villages Basic Conditions Statement, 2019;
- 11) The Fosse Villages Consultation Statement; 2019;
- 12) Regulation 16 Consultation replies provided by Blaby District Council;
- 13) Minute of meeting confirming submission of the Fosse Villages Neighbourhood Plan, (Minute 172/18 Resolution passed by Sapcote Parish Council on 1 November 2018);
- 14) Fosse Villages Neighbourhood Plan: Issues and Options Survey Questionnaire 2017;
- 15) Fosse Villages Neighbourhood Plan, Pre-Submission (Regulation 14 version), 2018;
- 16) National Planning Policy Framework (NPPF) 19<sup>th</sup> June 2019;
- 17) National Planning Practice Guidance (online version);

- 18) Blaby District Local Plan (Core Strategy) 2013 adopted on 21st February 2013;
- 19) Blaby District Local Plan (Delivery) DPD 2019, adopted on 4th February 2019
- 20) Equality Act 2010 (<http://www.legislation.gov.uk/ukpga/2010/15/contents> );
- 21) Hinckley National Rail Freight Interchange: application for an EIA scoping opinion, Application by db symmetry under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, March 2018;
- 22) Leicestershire County Council, Passenger Transport Strategy (10<sup>th</sup> May 2019), <https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2019/5/10/Passenger%20Transport%20Strategy.pdf> ;
- 23) Blaby Green Space Strategy, 2012, Blaby District Council <https://w3.blaby.gov.uk/decision-making/documents/s15269/Green%20Space%20Strategy%20Appendix%20B.pdf>;
- 24) Technical Survey of Play and Open Spaces, Quality Audit, 2007 Blaby District [https://www.blaby.gov.uk/media/2527/play-and-open-spaces-study-background-documents\\_part2.pdf](https://www.blaby.gov.uk/media/2527/play-and-open-spaces-study-background-documents_part2.pdf);
- 25) Leicestershire County Council, Green Spaces Consultation Report, December 2011, Research and Insight Team, Leicestershire County Council;
- 26) Play and Open Spaces Quality Audit, 2007;
- 27) Blaby District Landscape and Settlement Character Assessment, The Environment Partnership, May 2008; <http://www.leicestershirecommunities.org.uk/uploads/blaby-landscape-and-settlement-character-assessment.pdf>
- 28) Blaby District Landscape and Settlement Character Assessment, Appendix 7, The Environment Partnership, May 2008 <https://www.leicestershirecommunities.org.uk/uploads/blaby-landscape-and-settlement-character-assessment-appendix-7.pdf>;
- 29) Leicestershire County Council, CABINET – 8 MAY 2012, GREEN SPACES IN LEICESTER AND LEICESTERSHIRE, REPORT OF THE CHIEF EXECUTIVE and Appendix, GREEN SPACES IN LEICESTER AND LEICESTERSHIRE: LOCAL GREEN SPACES TOOLKIT AND EXISTING POLICY CONTEXT, <http://politics.leics.gov.uk/documents/s69982/H%20green%20spaces.pdf> ; and

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- 30) <http://politics.leics.gov.uk/documents/s69983/H%20green%20spaces%20appx.pdf>
  - 31) Guidance Cemeteries and burials: groundwater risk assessments, How to carry out a groundwater risk assessment for human or animal burials. (last updated 21 August 2017). Environment Agency <https://www.gov.uk/guidance/cemeteries-and-burials-groundwater-risk-assessments> ;
  - 32) Guidance Cemeteries and burials: prevent groundwater pollution. (Last updated 31 July 2019), Environment Agency <https://www.gov.uk/guidance/cemeteries-and-burials-prevent-groundwater-pollution> ;
  - 33) Housing & Economic Development Needs Assessment, Main Report prepared for Leicester & Leicestershire Authorities and the Leicester and Leicestershire Enterprise Partnership, Final Report Prepared by GL Hearn, January 2017.  
[https://www.nwleics.gov.uk/files/documents/hedna\\_main\\_report\\_january\\_2017/HEDNA%20Main%20Report%20%28January%202017%29.pdf](https://www.nwleics.gov.uk/files/documents/hedna_main_report_january_2017/HEDNA%20Main%20Report%20%28January%202017%29.pdf)
  - 34) Housing Mix and Affordable Housing Supplementary Planning Document, Blaby District Council, adopted July 2013; <https://www.blaby.gov.uk/media/2257/housing-mix-and-affordable-housing-spd.pdf>;
  - 35) “Choice Based Lettings Allocations Policy, Revised Edition November 2018, (Allocations Policy), Blaby District Council; <https://www.blaby.gov.uk/media/3109/choice-based-lettings-allocations-policy.pdf>
  - 36) Leicestershire Minerals and Waste Local Plan (Up to 2031) adopted 25 September 2019. Leicestershire County Council,  
<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2019/10/3/Leicestershire-Minerals-and-Waste-Local-Plan-Up-to-2031-Adopted-2019.pdf> ;
  - 37) Planning Application reference, 2019/CM/0125/LCC, <http://leicestershire.planning-register.co.uk/Planning/Display?applicationNumber=2019%2FCM%2F0125%2FLCC> ;
  - 38) “Preparing a flood risk assessment: standing advice” Environment Agency Last update 1<sup>st</sup> March 2019; <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice> ;
  - 39) Planning policy for traveller sites, Department for Communities and Local Government, August 2015;

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/457420/Final\\_planning\\_and\\_travellers\\_policy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf)

- 40) The Leicester and Leicestershire Gypsy, Traveller and Travelling Showpeople Accommodation Assessment, Final Report, May 2017, Opinion Research Services  
<https://www.leicester.gov.uk/media/183586/gypsy-traveller-and-travelling-showpeople-accommodation-assessment-report.pdf>
- 41) FVNP – Traffic Survey 2018, B4114 Leicester and Coventry Road Sharnford;
- 42) LGS C1 Croft Hill;
- 43) LGS C2 Recreation Ground, Croft;
- 44) LGS C3 North of River Soar, Croft;
- 45) LGS C4 Croft Pasture;
- 46) LGS C5 The Bridle Play Area, Croft;
- 47) LGS C6 St Michael and All Angels Church Croft;
- 48) LGS C7 Arbor Road Allotments, Croft;
- 49) LGS C8 Grassy bank and War Memorial, Croft;
- 50) LGS C9 Sheep Dip, Croft;
- 51) LGS C10 Link to old sports field, Croft;
- 52) LGS H1 Recreation Ground, Huncote;
- 53) LGS H2 The Green, Huncote;
- 54) LGS H3 Brook House Gardens, Huncote;
- 55) LGS H4 Pavilion Fields, sports field, private allotments and cemetery, Huncote;
- 56) LGS H5 Huncote Nature Walk;
- 57) LGS LFW1 The Old Brake, Leicester Forest West;
- 58) LGS SA1 Site of Motte and Bailey castle (Sapcote Playing Fields);
- 59) LGS SA2 War Memorial, Sapcote;
- 60) LGS SA3 Spa Drive, Sapcote;
- 61) LGS SA4 Sapcote Cemetery and extension;
- 62) LGS SA5 Harecroft Crescent green space, Sapcote;
- 63) LGS SA6 All Saints churchyard, Sapcote;
- 64) LGS SA7 Grace Road, Sapcote;

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- 65) LGS SA8 The Limes, Sapcote;
  - 66) LGS SA9 Parish Council Allotments, Leicester Road, Sapcote;
  - 67) LGS SA10 Allotments, Spring Gardens, Grace Road, Sapcote;
  - 68) LGS SA11 Allotments, Hinckley Road, Sapcote;
  - 69) LGS SA12 Allotments, Donkey Lane, Sapcote;
  - 70) LGS SA13 Allotments, Cooks Lane/Pougher Close, Sapcote;
  - 71) LGS SS1 Village Hall green, Stoney Stanton;
  - 72) LGS SS2 Playing fields, Stoney Stanton;
  - 73) LGS SS3 Clint Hill Quarry, Stoney Stanton;
  - 74) LGS SS4 St Michael's churchyard, Stoney Stanton;
  - 75) LGS SS5 Foxbank, Stoney Stanton;
  - 76) LGS SS6 Holt Close allotments, Stoney Stanton;
  - 77) LGS SS7 Nock Verges cemetery, Stoney Stanton;
  - 78) LGS SS8 Brindley Close play area, Stoney Stanton;
  - 79) LGS T1 to T10, Thurlaston;
  - 80) LGS WP1 the Village Green, Wigston Parva;
  - 81) Aston Flamville Conservation Area;
  - 82) Croft Conservation Area;
  - 83) Croft Conservation Area Appraisal;
  - 84) Wigston Parva Conservation Area;
  - 85) Wigston Parva Conservation Area Appraisal;
  - 86) Sapcote Local Heritage Area;
  - 87) Huncote Features of Local Heritage Interest; and
  - 88) Thurlaston Features of Local Heritage Interest.

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## Appendix 2

### Fosse Villages Neighbourhood Plan 2018-2029 – Submission Version Policies

#### Transport

##### **Policy FV1: Road Traffic**

Measures that provide reductions in traffic on the B4114, including through Sharnford and traffic reductions in the Fosse Villages will be supported.

Where necessary, new developments of more than 10 dwellings will be required to contribute to off-site improvements to the highway network to mitigate the effects of new development. Development will not be supported if the residual or cumulative impact on congestion or highway safety is severe.

##### **Policy FV2: Rail**

Development that would prejudice the provision of a railway station, access or parking at Station Road Croft, as shown on the Policies Map, will not be supported.

##### **Policy FV3: Bus Services**

New developments of more than 10 dwellings will only be supported where all new homes are within 400m walking distance of a bus stop that is served by at least an hourly weekday bus service. Such developments should also provide residents with an evening and Sunday service. Where necessary, new developments will be required to contribute to off-site improvements to bus services to ensure these standards is met.

#### Village Identity

##### **Policy FV4: Countryside**

The Countryside (land outside Limits to Development as defined on the Policies Map) will be protected for the sake of its intrinsic character and beauty, the diversity of its



landscapes, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all.

Outside Limits to Development, but excluding Areas of Separation, development will only be permitted where it is required for the following purposes:

- A. Agriculture, horticulture, woodland management or other similar uses appropriate to a rural area, including uses which would help to diversify the rural economy in accordance with Policy F21;
- B. Employment development in accordance with Policies FV19, FV20 and FV21. Proposals to support economic development in the countryside should seek to minimise the loss of best and most versatile agricultural land;
- C. Outdoor sport and recreation and associated buildings;
- D. Renewable energy production in accordance with Policy FV22;
- E. Where it is necessary for the continuation of an existing enterprise, facility or operation that is compatible with its setting in the countryside;
- F. Rural housing in accordance with Policy FV11;
- G. Rural Exception housing in accordance with Policy FV18;
- H. The conversion or re-use of permanent and substantial buildings, including proposals for the optimum viable use of a heritage asset;
- I. Minor extensions to existing dwellings and to other buildings that are subordinate in scale and appearance to the existing building;
- J. Facilities to enable the delivery of digital connectivity at speeds and reliability levels comparable with urban areas;
- K. Flood protection;
- L. Development by statutory undertakers or public utility providers;
- M. Transport improvements;
- N. Services and facilities that improve the sustainability of the Fosse Villages, including those set out in Policies F13, F14 and F15; or
- O. Other uses which justify and are compatible with a countryside location.

New development should respect the Fosse Villages landscape and take account of its special characteristics as set out in the Settlement Statements.

Development should be located and designed in a way that is sensitive to its landscape. Development should safeguard and, where possible, enhance views of and from Croft Hill.

### **Policy FV5: Areas of Separation**

The following Areas of Separation, as defined on the Policies Map, will be maintained to retain the of identity of Huncote, Sapcote and Stoney Stanton and to prevent coalescence:

- A. Between Huncote and Narborough (within the Fosse Villages Neighbourhood Area); and
- B. Between Stoney Stanton and Sapcote.

### **Policy FV6: Biodiversity**

New development should not harm the network of local ecological features and habitats which include:

- A. Fosse Meadows Nature Park;
- B. The network of natural spaces which links Huncote, Croft, Stoney Stanton, Sapcote and Sharnford to Leicester, Narborough, and Blaby.

New development will be expected to maintain and enhance existing ecological corridors and landscape features (such as watercourses, hedgerows and tree-lines) for biodiversity.

### **Policy FV7: Local Green Spaces**

The following sites have been designated as Local Green Spaces:

- LGS C1 Croft Hill
- LGS C2 Recreation Ground, Croft
- LGS C3 North of River Soar, Croft
- LGS C4 Croft Pasture
- LGS C5 The Bridle Play Area, Croft
- LGS C6 St Michael and All Angels Church, Croft
- LGS C7 Arbor Road Allotments, Croft
- LGS C8 Grassy bank and War Memorial, Croft
- LGS C9 Sheep Dip, Croft
- LGS C10 Link to old sports field, Croft
- LGS H1 Recreation Ground, Huncote
- LGS H2 The Green, Huncote
- LGS H3 Brook House Gardens, Huncote
- LGS H4 Pavilion Fields, sports field, private allotments and cemetery, Huncote

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LGS H5 Huncote Nature Walk  
 LGS LFW1 The Old Brake, Leicester Forest West  
 LGS SA1 Site of Motte and Bailey castle (Sapcote Playing Fields)  
 LGS SA2 War Memorial, Sapcote  
 LGS SA3 Spa Drive, Sapcote  
 LGS SA4 Sapcote Cemetery and extension  
 LGS SA5 Harecroft Crescent green space, Sapcote  
 LGS SA6 All Saints churchyard, Sapcote  
 LGS SA7 Grace Road, Sapcote  
 LGS SA8 The Limes, Sapcote  
 LGS SA9 Parish Council Allotments, Leicester Road, Sapcote  
 LGS SA10 Allotments, Spring Gardens, Grace Road, Sapcote  
 LGS SA11 Allotments, Hinckley Road, Sapcote  
 LGS SA12 Allotments, Donkey Lane, Sapcote  
 LGS SA13 Allotments, Cooks Lane/Pougher Close, Sapcote  
 LGS SH1 The Park, Sharnford  
 LGS SH2 Poors Meadow, Sharnford  
 LGS SH3 Bluebell Green, Sharnford  
 LGS SH5 Parsons Lane Allotments, Sharnford  
 LGS SS1 Village Hall green, Stoney Stanton  
 LGS SS2 Playing fields, Stoney Stanton  
 LGS SS3 Clint Hill Quarry, Stoney Stanton  
 LGS SS4 St Michael's churchyard, Stoney Stanton  
 LGS SS5 Foxbank, Stoney Stanton  
 LGS SS6 Holt Close allotments, Stoney Stanton  
 LGS SS7 Nock Verges cemetery, Stoney Stanton  
 LGS SS8 Brindley Close play area, Stoney Stanton  
 LGS T1 Recreation Ground, Thurlaston  
 LGS T2 Off Moat Close, Thurlaston  
 LGS3 Normanton Park, Thurlaston  
 LGS T4 Thurlaston Sports Ground  
 LGS T5 Land at Main Street/Croft Road, Thurlaston  
 LGS T6 Enderby Road Sports Ground, Thurlaston  
 LGS T7 Village Hall allotments, Thurlaston  
 LGS T8 Holt Crescent allotments, Thurlaston  
 LGS T9 All Saints Graveyard, Thurlaston  
 LGS T10 Thurlaston Chapel Graveyard  
 LGS WP1 the Village Green, Wigston Parva

Development that would harm the openness or special character of a Local Green Space (as designated on the Policies Map) or its significance and value to the local community will not be permitted unless there are very special circumstances which outweigh the harm to the Local Green Space, such as:

- A. Provision of appropriate facilities to service a current use or function; or
- B. Alterations or replacements to existing building(s) or structure(s) provided that these do not significantly increase the size and scale of the original building(s) or structure(s).

### **Policy FV8: Features of Local Heritage Interest**

The determination of planning applications which would affect features of local heritage interest (as shown on the Policies Map) and the Sapcote Local Heritage Area will balance the need for or public benefit of the proposed development against the significance of the asset and the extent to which it will be harmed.

### **Policy FV9: Design**

Only development that reflects the distinctive and traditional character of the Fosse Villages, as described in the Settlement Statements will be supported. Development must also:

- A. Be in keeping with the scale, form and character of its surroundings;
- B. Protect important features such as traditional walls, hedgerows and trees;
- C. Not significantly adversely affect the amenities of residents in the area, including daylight/sunlight, privacy, air quality, noise and light pollution;
- D. Not significantly increase the volume of traffic through the Parish's settlements;
- E. Promote sustainable design and construction, which minimises waste and maximises the potential for recycling materials either on or off site; and
- E. Have safe and suitable access.

### **Housing Provision**

#### **Policy FV10: Housing Provision**

The minimum housing provision for the Fosse Villages for the period 2006 - 2029 is

- Croft 77 dwellings
- Huncote 140 dwellings
- Sapcote 415 dwellings
- Sharnford 25 dwellings
- Stoney Stanton 320 dwellings
- Thurlaston 20 dwellings

This will be met by:

- A. Existing commitments; and

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B. Development within the Limits to Development in accordance with Policy FV11.

**Policy FV11: Windfall Housing**

Permission for housing development within the Croft, Huncote, Sapcote, Sharnford, Stoney Stanton and Thurlaston Limits to Development, as defined on the Policies Map, will be supported.

Outside the Limits to Development, permission for housing development will be limited to:

- A. The re-use and adaptation of redundant rural buildings;
- B. Replacement dwellings; and
- C. Rural worker accommodation

**Services and Facilities**

**Policy FV12: Community Services and Facilities**

Development that would result in the loss of the following facilities will not be supported, unless it can be demonstrated that:

- A. it is no longer viable; and
- B. it is no longer needed by the local community; and
- C. it is not needed for any other community use or that the facility is being replaced by equivalent or better provision in terms of quantity, quality and location:

Croft Primary School  
Croft Recreation Ground and pavilion  
Croft Co-op  
Croft Convenience Store and Post Office  
Heathcote Arms PH, Croft  
Huncote Community Primary School  
The Red Lion PH, Huncote  
Huncote Recreation Ground  
Spar convenience store with Post Office, Huncote  
The Pavilion, Huncote  
Huncote Community Library  
All Saints Church of England Primary School, Sapcote  
Red Lion PH, Sapcote  
Sapcote Recreation Ground

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Sapcote Post Office and newsagents  
Sapcote Community Library  
Sharnford Church of England Primary School  
Evergreen Hall and GP Surgery, Sharnford  
Sharnford Recreation Ground  
Stoney Stanton Medical Centre  
Stoney Stanton Community Library  
Manorfield Church of England Primary School, Stoney Stanton  
Stoney Stanton Village Community Hall  
Stoney Stanton Post Office  
Thurlaston Church of England Primary School  
Thurlaston Village Hall  
Poachers Bistro, Thurlaston  
Thurlaston Rural Garden Centre  
The Elephant & Castle PH, Thurlaston

#### **Policy FV13: GP Services**

Developer contributions for improved healthcare provision arising from new development in the Fosse Villages will be directed to:

- A. The improvement or remodelling of Stoney Stanton GP practice;
- B. The expansion or creation of new remote surgeries in the Fosse Villages area; and
- C. Improved bus services between the proposed development and local healthcare services.

#### **Policy FV14: Sharnford Allotments**

The extension of Parson's Lane allotments, Sharnford will be supported.

#### **Policy FV15: Stoney Stanton Cemetery**

A broad area of search has been identified for the development of a new cemetery between Hinckley Road and Station Road, Stoney Stanton. The development of a new cemetery will have regard to:

- A. Ground conditions;
- B. Drainage;
- C. Archaeology;

- D. Ecology; and
- E. Underground services

### **Policy FV16: Infrastructure**

New development will be supported by the provision of new or improved infrastructure, together with financial contributions for the following off-site infrastructure requirements where appropriate:

- A. The provision of additional school places at local primary schools within the Fosse Villages area and secondary schools arising from the development;
- B. The provision of a new or improved community centre facilities;
- C. The improvement of healthcare provision in accordance with Policy FV13;
- D. The improvement or remodelling of Community Libraries within the Fosse Village area; and
- E. The improvement or remodelling of sports and recreation provision in the Fosse Villages.

Contributions will be phased or pooled to ensure the timely delivery of infrastructure, services and facilities where necessary. To ensure the viability of housing development, the costs of the Plan's requirements may be applied flexibly where it is demonstrated that they are likely to make the development undeliverable.

### **Housing Needs**

#### **Policy FV17: Housing Mix**

New housing development shall provide for a mix of housing types that will be informed by the most up to date evidence of housing need, unless such an approach would make a scheme unviable. In demonstrating housing need, consideration will be given to supporting evidence provided by an applicant. Applicants for development of 10 or more dwellings will need to demonstrate how their proposals will meet the needs of older households and the need for smaller, low-cost homes.

#### **Policy FV18: Affordable Housing**



Affordable housing will be permitted on rural exception sites within or adjoining the Limits to Development where the development is demonstrated to meet an identified local need for affordable housing that will not otherwise be met.

All affordable housing will be subject to conditions, or a planning obligation will be sought, to ensure that when homes are allocated, priority is given to people with a local connection to the local parish (i.e. including living, working or with close family ties in the Parish). If there are no households fulfilling these criteria in the parish, then people with a local connection to other places within the Fosse Villages will be given priority.

### **Policy FV19: Croft Quarry**

Employment development (uses falling within class B of the Use Classes Order including offices (B1) manufacturing (B2) and small-scale warehousing and distribution (B8)) at the cement area at Croft Quarry, as defined on the Policies Map, is supported provided:

1. the only vehicular access is Marion's Way;
2. development should demonstrate appreciation of the surrounding historic environment through sensitive and responsive design;
3. a site specific flood risk assessment should be undertaken prior to development; and
4. the potential for multifunctional green infrastructure networks and significant long-term positive effects should be maximised.

### **Policy FV20: Employment Areas**

The following Employment Area, as defined on the Policies Map, will be safeguarded for employment development (uses falling within class B of the Use Classes Order including offices (B1) manufacturing (B2) and small-scale warehousing and distribution (B8)). The expansion of existing businesses and new employment development within Employment Areas will be supported:

EC1 Winston Avenue, Croft  
 EC2 Riverside Court, Croft  
 EH1 Elms Farm Industrial Estate, Huncote  
 EH2 Green's Lodge Farm, Huncote  
 EPM1 Dovecote Court Business Park, Potters Marston  
 ESH Haulage site, Aston Lane, Sharnford  
 ESS1 Foxbank Industrial Estate, Stoney Stanton  
 ESS2 Highfields Farm Enterprise Centre, Stoney Stanton  
 ESS3 Calor gas Centre, Stoney Stanton

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ET1 Sawmill, Thurlaston

**Policy FV21: Rural Economy**

The sustainable growth and expansion of all types of business and enterprise in the Countryside (land outside Limits to Development as defined on the Policies Map) through the conversion of existing buildings and well-designed new buildings will be supported where the development:

- A. Is in keeping with the scale, form and character of its surroundings;
- B. Does not generate significant additional traffic through the Fosse Villages; and
- C. Has safe and suitable access to the site for all people.

**Policy FV22: Renewable Energy**

Ground-mounted solar photovoltaic farms will be supported where:

- A. They are on previously developed or non-agricultural land;
- B. Their location is selected sensitively and well-planned so that the proposals do not impact on any heritage asset;
- C. The proposal's visual impact has been fully assessed and addressed in accordance with Planning Practice Guidance on landscape assessment (Planning Practice Guidance ref: 5-013-20150327); and
- D. The installations are removed when no longer in use and the land is restored to its previous use.

Wind turbines will not be supported.

**Policy FV23: Aston Firs**

New sites or the extension or intensification of existing sites at Aston Firs, whether for Gypsies and Travellers or other households, will not be supported.

## Appendix 3

### Recommended Revised Policies (Tracked changes)

#### Transport

##### **Policy FV1: Road Traffic**

Measures that provide reductions in traffic on the B4114, including through Sharnford and traffic reductions in the Fosse Villages will be supported.

~~Where necessary, new developments of more than 10 dwellings will be required to contribute to off-site improvements to the highway network to mitigate the effects of new development. Development will not be supported if the residual or cumulative impact on congestion or highway safety is severe.~~

No alteration to the supporting text is necessary.

##### **Policy FV2: Rail**

~~Proposals for the delivery of a railway station, associated parking and access~~  
~~Development that would prejudice the provision of a railway station, access or parking~~  
 at Station Road Croft, as shown on the Policies Map (Inset 2), will ~~not~~ be supported.  
~~Conversely, proposals which would prejudice the delivery of such infrastructure will be resisted.~~

No alteration to the supporting text is necessary.

##### **Policy FV3: Bus Services**

New residential developments of more than 10 dwellings will ~~only~~ be supported where proposals include a viability statement evidencing the extent to which the proposals will enhance rural bus services within the Neighbourhood Area on a proportionate basis, having regard to the size, nature and location of the proposed development. all new homes are within 400m walking distance of a bus stop that is served by at least an hourly weekday bus service. Such developments should also provide residents with an evening and Sunday service. Where necessary, new developments will be required to contribute to off-site improvements to bus services to ensure these standards is met. Where financial contributions are offered, these should be provided by way of a s106 agreement in accordance with the guidance in the Passenger Transport Strategy.

The supporting text should be amended to include reference to and reflect the County's PTP, and to encourage developers to consider the extent to which rural housing proposals designed to deliver in excess of 10 dwellings might reasonably be expected to contribute to enhancing public transport services with the Blaby District Council and where appropriate, liaising with Leicestershire County Council.

#### Policy FV4: Countryside

~~The Countryside (land outside Limits to Development as defined on the Policies Map) will be protected for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all.~~

~~Outside Limits to Development, but excluding Areas of Separation, development will only be permitted where it is required for the following purposes:~~

- ~~— A. Agriculture, horticulture, woodland management or other similar uses appropriate to a rural area, Outdoor sport and recreation and associated buildings; Minor extensions to existing dwellings and to other buildings that are subordinate in scale and appearance to the existing building;~~
- ~~— J. Facilities to enable the delivery of digital connectivity at speeds and reliability levels comparable with urban areas;~~
- ~~— K. Flood protection;~~
- ~~— L. Development by statutory undertakers or public utility providers;~~
- ~~M. Transport improvements;~~
- ~~N. Services and facilities that improve the sustainability of the Fosse Villages, including those set out in Policies FV13, FV14 and FV15; or~~
- ~~O. Other uses which justify and are compatible with a countryside location.~~

~~New development should respect the Fosse Villages landscape and take account of its special characteristics as set out in the Settlement Statements~~

~~Development should be located and designed in a way that is sensitive to its landscape. Development should safeguard and, where possible, enhance views of and from Croft Hill.~~

Delete this policy and references to it in the supporting policy text from the FVNP.

#### Policy FV5: Areas of Separation

~~The following Areas of Separation, as defined on the Policies Map, will be maintained to retain the identity of Huncote, Sapcote and Stoney Stanton and to prevent coalescence:~~

~~A. Between Huncote and Narborough (within the Fosse Villages Neighbourhood Area); and~~  
~~B. Between Stoney Stanton and Sapcote.~~

Delete Policy FV5 and reference to the policy should be removed from the supporting text. Reference to Policy FV5 on the accompanying Policies Map and relevant inset maps should also be deleted, although the spatial boundaries and designation of the Areas of Separation should remain, cross referenced to the adopted Delivery DPD.

#### Policy FV6: Biodiversity

New development ~~should not harm the network of local ecological features and habitats which include:~~ which minimises impacts on and provides net gains for biodiversity and enhances resilience to current ecological pressures on habitats at Fosse Meadows Nature Park will be supported

~~A. Fosse Meadows Nature Park;~~

~~B. The network of natural spaces which links Huncote, Croft, Stoney Stanton, Sapcote and Sharnford to Leicester, Narborough, and Blaby.~~

New development will be expected to maintain and enhance existing ecological corridors and landscape features (such as watercourses, hedgerows and tree-lines) ~~for~~ to support biodiversity

The Policies Map and Inset Maps will require the deletion of references to Policy FV6 on the map base relating to the “corridor” purporting to represent Natural Green Space and related key other than to Fosse Meadows Nature Park. References in the supporting text should be revised, deleting references to the Natural Green Spaces referring to the “network of natural spaces which links Huncote, Croft, Stoney Stanton, Sapcote and Sharnford to Leicester, Narborough, and Blaby.”

#### Policy FV7: Local Green Spaces

The following sites have been designated as Local Green Spaces:

LGS C1 Croft Hill

~~LGS C2 Recreation Ground, Croft~~

LGS C3 North of River Soar, Croft

~~LGS C4 Croft Pasture~~

LGS C5 The Bridle Play Area, Croft  
 LGS C6 St Michael and All Angels Church, Croft  
 LGS C7 Arbor Road Allotments, Croft  
 LGS C8 Grassy bank and War Memorial, Croft  
 LGS C9 Sheep Dip, Croft  
 LGS C10 Link to old sports field, Croft  
 LGS H1 Recreation Ground, Huncote  
 LGS H2 The Green, Huncote  
 LGS H3 Brook House Gardens, Huncote

~~LGS H4 Pavilion Fields, sports field, private allotments and cemetery, Huncote~~

~~LGS H5 Huncote Nature Walk~~

~~LGS LFW1 The Old Brake, Leicester Forest West~~

~~LGS SA1 Site of Motte and Bailey castle (Sapcote Playing Fields)~~

LGS SA2 War Memorial, Sapcote  
 LGS SA3 Spa Drive, Sapcote  
 LGS SA4 Sapcote Cemetery and extension  
 LGS SA5 Harecroft Crescent green space, Sapcote  
 LGS SA6 All Saints churchyard, Sapcote  
 LGS SA7 Grace Road, Sapcote  
 LGS SA8 The Limes, Sapcote  
 LGS SA9 Parish Council Allotments, Leicester Road, Sapcote  
 LGS SA10 Allotments, Spring Gardens, Grace Road, Sapcote  
 LGS SA11 Allotments, Hinckley Road, Sapcote  
 LGS SA12 Allotments, Donkey Lane, Sapcote  
 LGS SA13 Allotments, Cooks Lane/Pougher Close, Sapcote

~~LGS SH1 The Park, Sharnford~~

~~LGS SH2 Peers Meadow, Sharnford~~

~~LGS SH3 Bluebell Green, Sharnford~~

~~LGS SH5 Parsons Lane Allotments, Sharnford~~

~~LGS SS1 Village Hall green, Stoney Stanton~~

~~LGS SS2 Playing fields, Stoney Stanton~~

~~LGS SS3 Clint Hill Quarry, Stoney Stanton~~

LGS SS4 St Michael's churchyard, Stoney Stanton  
 LGS SS5 Foxbank, Stoney Stanton  
 LGS SS6 Holt Close allotments, Stoney Stanton  
 LGS SS7 Nock Verges cemetery, Stoney Stanton  
 LGS SS8 Brindley Close play area, Stoney Stanton  
 LGS T1 Recreation Ground, Thurlaston  
 LGS T2 Off Moat Close, Thurlaston  
 LGS3 Normanton Park, Thurlaston  
 LGS T4 Thurlaston Sports Ground

LGS T5 Land at Main Street/Croft Road, Thurlaston  
 LGS T6 Enderby Road Sports Ground, Thurlaston  
 LGS T7 Village Hall allotments, Thurlaston  
 LGS T8 Holt Crescent allotments, Thurlaston  
 LGS T9 All Saints Graveyard, Thurlaston  
 LGS T10 Thurlaston Chapel Graveyard  
 LGS WP1 the Village Green, Wigston Parva

Development that would harm the openness or special character of a Local Green Space (as designated on the Policies Map) or its significance and value to the local community will not be ~~permitted~~ supported unless there are very special circumstances which outweigh the harm to the Local Green Space, such as:

- A. Provision of appropriate facilities to service a current use or function; or
- B. Alterations or replacements to existing building(s) or structure(s) provided that these do not significantly increase the size and scale of the original building(s) or structure(s).

#### ~~Policy FV8: Features of Local Heritage Interest~~

~~The determination of planning applications which would affect features of local heritage interest (as shown on the Policies Map) and the Sapcote Local Heritage Area will balance the need for or public benefit of the proposed development against the significance of the asset and the extent to which it will be harmed.~~

Delete Policy FV8 and related supporting text

#### Policy FV9: Design

~~Only~~ Development that reflects the distinctive and traditional character of the Fosse Villages, as described in the Settlement Statements, or contextually appropriate innovative design will be supported. Development proposals must also:

- A. Be in keeping with the scale, form and character of its surroundings;
- B. Protect locally significant ~~important~~ features such as traditional walls, hedgerows and trees;
- C. Not significantly adversely affect the amenities of residents in the area, including daylight/sunlight, privacy, air quality, noise and light pollution;
- ~~D. Not significantly increase the volume of traffic through the Parish's settlements;~~



- DE.** Promote sustainable design and construction, which minimises waste and maximises the potential for recycling materials either on or off site; and
- E.** ~~Provide~~**Have** safe and suitable access.

Amend the first sentence of paragraph 87 of the supporting statement to read, “Policy CS2 of Blaby District Council’s Core Strategy.....”

#### Policy FV10: Housing Provision

The minimum housing provision for the Fosse Villages for the period 2006 - 2029 is

Croft	77 dwellings
Huncote	140 dwellings
Sapcote	415 dwellings
Sharnford	25 dwellings
Stoney Stanton	320 dwellings
Thurlaston	20 dwellings

This will be met by:

- A. Existing commitments; and
- B. Development within the Limits to **Built** Development in accordance with Policy FV11.

#### Policy FV11: Windfall Housing

~~Proposals Permission~~ for housing development within the Croft, Huncote, Sapcote, Sharnford, Stoney Stanton and Thurlaston Limits to **Built** Development, as defined on the ~~inset settlement p~~**olicies m**~~Maps,~~ will be supported.

Outside the Limits to **Built** Development, **Areas of Separation and Green Wedges, support for proposals permission** for housing development will be limited to:

- A.** The re-use and adaptation of redundant rural buildings in the most sustainable locations, assessed against the need to retain Countryside;
- B.** Small scale housing in the most sustainable locations, assessed against the need to retain Countryside;
- C.** Replacement dwellings of a similar scale and with no greater impact on the Countryside than the existing dwelling;

D. Dwellings to meet an essential need associated with small-scale employment and leisure development, subject to consideration of its impact;

E. Dwellings to meet the essential need for a rural worker to live permanently at or near their place of work in the Countryside; and

F. Rural Exception Sites.

Proposals in categories A, B and C, proposals should be accompanied by a landscape and sustainability impact assessment.

Proposals in categories D and E should be accompanied by a functional/essential need statement demonstrating justification for the proposal in terms of the permanent need to be on or near the site at most times and the particular nature and needs of such rural enterprises.

The supporting statement should be extended in relation to the consideration of development proposals for isolated windfall housing in the Countryside within the Neighbourhood Area, to reflect the planning guidance in the NPPF Paragraph 79 and related National Planning Practice Guidance.

## Services and Facilities

### Policy FV12: Community Services and Facilities

Development that would result in the loss of the following community facilities will not be supported, unless it can be demonstrated that:

~~A. it is no longer viable; and~~

~~BA. it is no longer needed by the local community; and~~

~~BC. it is not needed for any other community use or that the facility is being replaced by equivalent or better provision in terms of quantity, quality and location:~~

Croft Primary School

Croft Recreation Ground and pavilion

~~Croft Co-op~~

~~Croft Convenience Store and Post Office~~

~~Heathcote Arms PH, Croft~~

Huncote Community Primary School

~~The Red Lion PH, Huncote~~

Huncote Recreation Ground

~~Spar convenience store with Post Office, Huncote~~

The Pavilion, Huncote

Huncote Community Library  
 All Saints Church of England Primary School, Sapcote  
~~Red Lion PH, Sapcote~~  
 Sapcote Recreation Ground  
~~Sapcote Post Office and newsagents~~  
 Sapcote Community Library  
 Sharnford Church of England Primary School  
 Evergreen Hall and GP Surgery, Sharnford  
 Sharnford Recreation Ground  
 Stoney Stanton Medical Centre  
 Stoney Stanton Community Library  
 Manorfield Church of England Primary School, Stoney Stanton  
 Stoney Stanton Village Community Hall  
~~Stoney Stanton Post Office~~  
 Thurlaston Church of England Primary School  
 Thurlaston Village Hall  
~~Poachers Bistro, Thurlaston~~  
~~Thurlaston Rural Garden Centre~~  
~~The Elephant & Castle PH, Thurlaston~~

Development that would result in the loss of the following commercial facilities will not be supported, unless it can be demonstrated that it is no longer viable. Development proposals should be supported by a market report prepared by a suitably qualified and experienced valuer to indicate whether there is commercial interest in the property for any existing permitted uses, sufficient to provide an adequate market return at an appropriate benchmark land value having regard to comparable market value evidence for such uses in the market area. Such market reports should cover a period of not less than 9 months, include all expressions of interest made during the marketing period and demonstrating that the property has been freely exposed to the market during that entire period. The market report should provide an assessment of all offers and expressions of interest received up to the date of the conclusion of the market report. The market report should include a redacted version for reasons of commercial confidentiality for consultation purposes. The applicant would be expected to fund the full costs of a peer review of the market report to assess its veracity, undertaken by an independent valuer selected by the local planning authority at its discretion to assist its consideration of the proposal prior to determination.

Croft Co-op  
Croft Convenience Store and Post Office  
Heathcote Arms PH, Croft  
The Red Lion PH, Huncote  
Spar convenience store with Post Office, Huncote  
Stoney Stanton Post Office PH, Sapcote

Spar convenience store with Post Office, Huncote  
Red Lion PH, Sapcote  
Sapcote Post Office and newsagents  
Stoney Stanton Post Office  
Poachers Bistro, Thurlaston  
Thurlaston Rural Garden Centre  
The Elephant & Castle PH, Thurlaston

#### **Policy FV13: GP Services**

Delete Policy FV13 and supporting text from the FVNP.

#### **Policy FV14: Sharnford Allotments**

The extension of Parson's Lane allotments, Sharnford will be supported.

No alteration of the supporting text is necessary

#### **Policy FV15: Stoney Stanton Cemetery**

A broad area of search has been identified for the development of a new cemetery between Hinckley Road and Station Road, Stoney Stanton. Development proposals for The development of a new cemetery will have regard to the current guidance for the time being, issued by the Environment Agency concerning Cemeteries and burials, groundwater risk assessments and Cemeteries and burials, and prevent groundwater pollution in addition to providing further information regarding likely environmental impact and proposed mitigation, as appropriate relating to:

- A. Ground conditions;
- B. Drainage;
- C. Archaeology;
- D. Ecology; and
- E. Underground services

#### **Policy FV16: Infrastructure**

~~New development will be supported by the provision of new or improved infrastructure, together with financial contributions for the following off-site infrastructure requirements where appropriate:~~

- ~~— A. The provision of additional school places at local primary schools within the Fosse Villages area and secondary schools arising from the development;~~
- ~~— B. The provision of a new or improved community centre facilities;~~
- ~~— C. The improvement of healthcare provision in accordance with Policy FV13;~~
- ~~— D. The improvement or remodelling of Community Libraries within the Fosse Village area; and~~
- ~~— E. The improvement or remodelling of sports and recreation provision in the Fosse Villages.~~

~~Contributions will be phased or pooled to ensure the timely delivery of infrastructure, services and facilities where necessary. To ensure the viability of housing development, the costs of the Plan's requirements may be applied flexibly where it is demonstrated that they are likely to make the development undeliverable.~~

Delete Policy FV16 and related references in the supporting statement to the FVNP.

### Policy FV17: Housing Mix

~~Proposals for n~~New housing development shall provide for a mix of housing types that will be informed by ~~and reflecting~~ the most up to date evidence of housing need, ~~unless such an approach would make a scheme unviable. will be supported.~~ In demonstrating housing need, consideration will be given to supporting evidence provided by an applicant ~~together with other salient planning matters.~~ ~~Proposals Applicants~~ for development of 10 or more dwellings will need to demonstrate how their ~~propos~~eds ~~mix~~ -will meet the needs of older households and the need for smaller, low-cost homes.

Affordable housing will be permitted on rural exception sites within or adjoining the Limits to Development where the development is demonstrated to meet an identified local need for affordable housing that will not otherwise be met.

All affordable housing will be subject to conditions, or a planning obligation will be sought, to ensure that when homes are allocated, priority is given to people with a local connection to the local parish (i.e. including living, working or with close family ties in the Parish). If there are no households fulfilling these criteria in the parish, then people with a local connection to other places within the Fosse Villages will be given priority.

### Policy FV18: Rural Exception Sites and Affordable Housing

Affordable housing will be supported permitted on rural exception sites within or adjoining the Limits to Built Development where the proposed development is demonstrated to meet an identified local need for affordable housing that would not otherwise be met.

All affordable housing proposals on rural exception sites will be subject to ~~to conditions,~~ or a planning obligation; ~~will be sought,~~

1) to ensure that ~~when the dwellings homes remain in affordable housing tenure in perpetuity and;~~

2) ~~on first occupation, dwellings are allocated to households with a local connection (i.e. including living, working or with close family ties to the host Parish).~~ If subsequent to the first occupation there are no households fulfilling these criteria in the parish, then households people in need of affordable housing and with a local connection to other places within the Fosse Villages Neighbourhood Area will be given priority.

### Policy FV19: Croft Quarry

Proposals for employment development (uses falling within class B of the Use Classes Order including offices (B1) manufacturing (B2) and small-scale warehousing and distribution (B8)) at the cement area at Croft Quarry, as defined on the Croft Inset Policies Map, is supported provided:

1. the only vehicular access is from Marion's Way;
2. development should demonstrate appreciation of the surrounding historic environment through sensitive and responsive design;
3. a site-specific flood risk assessment should be undertaken and submitted with the planning application prior to development; and
4. the potential for multifunctional green infrastructure networks and significant long-term positive effects should be maximised.

### Policy FV20: Employment Areas

~~All of the The following~~ Employment Areas listed below and, as defined on the **FVNP Inset** Policies Maps, will be safeguarded for employment development (uses falling within class B of the Use Classes Order including offices (B1) manufacturing (B2) and small-scale warehousing and distribution (B8)).

Development proposals in the Employment Areas located within the Limits to Built Development conforming to Policy DM1 of the Delivery DPD comprising:

**EC1 Winston Avenue, Croft;**

**EC2 Riverside Court, Croft;**

**ESH Haulage site, Aston Lane, Sharnford;**

**ESS1 Foxbank Industrial Estate, Stoney Stanton; and**

**ESS2 Highfields Farm Enterprise Centre, Stoney Stanton, will be supported.**

Development proposals in the Employment Areas located beyond the Limits to Built Development, conforming to Policy DM2 of the Delivery DPD comprising:

**EH1 Elms Farm Industrial Estate, Huncote;**

**EH2 Green's Lodge Farm, Huncote;**

**EPM1 Dovecote Court Business Park, Potters Marston; and**

~~ESH Haulage site, Aston Lane, Sharnford~~ **ESS1**

~~Foxbank Industrial Estate, Stoney Stanton~~

~~ESS2 Highfields Farm Enterprise Centre, Stoney Stanton~~

**ESS3 Calor gas Centre, Stoney Stanton; and**

**ET1 Sawmill, Thurlaston, will be supported.**

#### **Policy FV21: Rural Economy**

~~The sustainable growth and expansion of all types of business and enterprise in the Countryside (land outside Limits to Development as defined on the Policies Map) through the conversion of existing buildings and well-designed new buildings will be supported where the development:~~

- ~~— A. Is in keeping with the scale, form and character of its surroundings;~~
- ~~— B. Does not generate significant additional traffic through the Fosse Villages; and~~
- ~~— C. Has safe and suitable access to the site for all people.~~

#### **Policy FV22: Renewable Energy**

Ground-mounted solar photovoltaic farms will be supported where:



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- A. They are on previously developed or non-agricultural land;
  - B. Their location is selected sensitively and well-planned so that the proposals do not impact on any heritage asset;
  - C. The proposal's visual impact has been fully assessed and addressed in accordance with Planning Practice Guidance on landscape assessment (Planning Practice Guidance ref: 5-013-20150327); and
  - D. The installations are removed when no longer in use and the land is restored to its previous use.

Wind turbines will not be supported.

**Policy FV23: Aston Firs**

**Development proposals for n**New sites or the extension or intensification of existing sites at Aston Firs, whether for Gypsies and Travellers or other households, will not be supported.

No alteration to the supporting text is necessary.

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## Appendix 4

### Recommended Revised Policies (Clean)

#### **Transport**

##### **Policy FV1: Road Traffic**

Measures that provide reductions in traffic on the B4114, including through Sharnford and traffic reductions in the Fosse Villages will be supported.

No alteration to the supporting text is necessary.

##### **Policy FV2: Rail**

Proposals for the delivery of a railway station, associated parking and access at Station Road Croft, as shown on Policies Map (Inset 2), will be supported. Conversely, proposals which would prejudice the delivery of such infrastructure will be resisted.

No alteration to the supporting text is necessary.

##### **Policy FV3: Bus Services**

New residential developments of more than 10 dwellings will be supported where proposals include a viability statement evidencing the extent to which the proposals will enhance rural bus services within the Neighbourhood Area on a proportionate basis, having regard to the size, nature and location of the proposed development. Where financial contributions are offered, these should be provided by way of a s106 agreement in accordance with the guidance in the Passenger Transport Strategy.

The supporting text should be amended to include reference to and reflect the County's PTP, and to encourage developers to consider the extent to which rural housing proposals designed to deliver in excess of 10 dwellings might reasonably be expected to contribute to enhancing public transport services with the Blaby District Council and where appropriate liaising with Leicestershire County Council.

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#### **Policy FV4: Countryside**

Delete this policy and references to it in the supporting policy text from the FVNP

#### **Policy FV5: Areas of Separation**

Delete Policy FV5 and reference to the policy should be removed from the supporting text. Reference to Policy FV5 on the accompanying Policies Map and relevant inset maps should also be deleted, although the spatial boundaries and designation of the Areas of Separation should remain, cross referenced to the adopted Delivery DPD.

#### **Policy FV6: Biodiversity**

New development which minimises impacts on and provides net gains for biodiversity and enhances resilience to current ecological pressures on habitats at Fosse Meadows Nature Park will be supported

New development will be expected to maintain and enhance existing ecological corridors and landscape features (such as watercourses, hedgerows and tree-lines) to support biodiversity

The Policies Map and Inset Maps will require the deletion of references to Policy FV6 on the map base relating to the “corridor” purporting to represent Natural Green Space and related key other than to Fosse Meadows Nature Park. References in the supporting text should be revised, deleting references to the Natural Green Spaces referring to the “network of natural spaces which links Huncote, Croft, Stoney Stanton, Sapcote and Sharnford to Leicester, Narborough, and Blaby.”

#### **Policy FV7: Local Green Spaces**

The following sites have been designated as Local Green Spaces:

LGS C1 Croft Hill  
LGS C3 North of River Soar, Croft  
LGS C5 The Bridle Play Area, Croft  
LGS C6 St Michael and All Angels Church, Croft  
LGS C7 Arbor Road Allotments, Croft  
LGS C8 Grassy bank and War Memorial, Croft  
LGS C9 Sheep Dip, Croft

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LGS C10 Link to old sports field, Croft  
 LGS H1 Recreation Ground, Huncote  
 LGS H2 The Green, Huncote  
 LGS H3 Brook House Gardens, Huncote  
 LGS SA2 War Memorial, Sapcote  
 LGS SA3 Spa Drive, Sapcote  
 LGS SA4 Sapcote Cemetery and extension  
 LGS SA5 Harecroft Crescent green space, Sapcote  
 LGS SA6 All Saints churchyard, Sapcote  
 LGS SA7 Grace Road, Sapcote  
 LGS SA8 The Limes, Sapcote  
 LGS SA9 Parish Council Allotments, Leicester Road, Sapcote  
 LGS SA10 Allotments, Spring Gardens, Grace Road, Sapcote  
 LGS SA11 Allotments, Hinckley Road, Sapcote  
 LGS SA12 Allotments, Donkey Lane, Sapcote  
 LGS SA13 Allotments, Cooks Lane/Pougher Close, Sapcote  
 LGS SS4 St Michael's churchyard, Stoney Stanton  
 LGS SS5 Foxbank, Stoney Stanton  
 LGS SS6 Holt Close allotments, Stoney Stanton  
 LGS SS7 Nock Verges cemetery, Stoney Stanton  
 LGS SS8 Brindley Close play area, Stoney Stanton  
 LGS T1 Recreation Ground, Thurlaston  
 LGS T2 Off Moat Close, Thurlaston  
 LGS3 Normanton Park, Thurlaston  
 LGS T4 Thurlaston Sports Ground  
 LGS T5 Land at Main Street/Croft Road, Thurlaston  
 LGS T6 Enderby Road Sports Ground, Thurlaston  
 LGS T7 Village Hall allotments, Thurlaston  
 LGS T8 Holt Crescent allotments, Thurlaston  
 LGS T9 All Saints Graveyard, Thurlaston  
 LGS T10 Thurlaston Chapel Graveyard  
 LGS WP1 the Village Green, Wigston Parva

Development that would harm the openness or special character of a Local Green Space (as designated on the Policies Map) or its significance and value to the local community will not be supported unless there are very special circumstances which outweigh the harm to the Local Green Space, such as:

- A. Provision of appropriate facilities to service a current use or function; or
- B. Alterations or replacements to existing building(s) or structure(s) provided that these do not significantly increase the size and scale of the original building(s) or structure(s).

The numbering of the LGS sites should be revised to reflect the changes to the list of sites to be designated as LGS including the supporting policy text and the policy maps in the FVNP.

### **Policy FV8: Features of Local Heritage Interest**

Delete Policy FV8 and related supporting text

### **Policy FV9: Design**

Development that reflects the distinctive and traditional character of the Fosse Villages, as described in the Settlement Statements, or contextually appropriate innovative design will be supported. Development proposals must also:

- A. Be in keeping with the scale, form and character of its surroundings;
- B. Protect locally significant features such as traditional walls, hedgerows and trees;
- C. Not significantly adversely affect the amenities of residents in the area, including daylight/sunlight, privacy, air quality, noise and light pollution;
- D. Promote sustainable design and construction, which minimises waste and maximises the potential for recycling materials either on or off site; and
- E. Provide safe and suitable access.

Amend the first sentence of paragraph 87 of the supporting statement to read, “Policy CS2 of Blaby District Council’s Core Strategy.....”

### **Policy FV10: Housing Provision**

The minimum housing provision for the Fosse Villages for the period 2006 - 2029 is

Croft	77 dwellings
Huncote	140 dwellings
Sapcote	415 dwellings
Sharnford	25 dwellings
Stoney Stanton	320 dwellings
Thurlaston	20 dwellings

This will be met by:

- A. Existing commitments; and

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## **B. Development within the Limits to Built Development in accordance with Policy FV11.**

### **Policy FV11: Windfall Housing**

Proposals for housing development within the Croft, Huncote, Sapcote, Sharnford, Stoney Stanton and Thurlaston Limits to Built Development, as defined on the inset settlement policies maps will be supported.

Outside the Limits to Built Development, Areas of Separation and Green Wedges, support for proposals for housing development will be limited to:

- A. The re-use and adaptation of redundant rural buildings in the most sustainable locations, assessed against the need to retain Countryside;
- B. Small scale housing in the most sustainable locations, assessed against the need to retain Countryside;
- C. Replacement dwellings of a similar scale and with no greater impact on the Countryside than the existing dwelling;
- D. Dwellings to meet an essential need associated with small-scale employment and leisure development, subject to consideration of its impact;
- E. Dwellings to meet the essential need for a rural worker to live permanently at or near their place of work in the Countryside; and
- F. Rural Exception Sites.

Proposals in categories A, B and C should be accompanied by a landscape and sustainability impact assessment.

Proposals in categories D and E should be accompanied by a functional/essential need statement demonstrating justification for the proposal in terms of the permanent need to be on or near the site at most times and the particular nature and needs of such rural enterprises.

The supporting statement should be extended in relation to the consideration of development proposals for isolated windfall housing in the Countryside within the Neighbourhood Area, to reflect the planning guidance in the NPPF Paragraph 79 and related National Planning Practice Guidance.

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## Services and Facilities

### Policy FV12: Community Services and Facilities

Development that would result in the loss of the following community facilities will not be supported unless it can be demonstrated that:

- A. it is no longer needed by the local community; and
- B. it is not needed for any other community use or that the facility is being replaced by equivalent or better provision in terms of quantity, quality and location:

Croft Primary School  
 Croft Recreation Ground and pavilion  
 Huncote Community Primary School  
 Huncote Recreation Ground  
 The Pavilion, Huncote  
 Huncote Community Library  
 All Saints Church of England Primary School, Sapcote  
 Sapcote Recreation Ground  
 Sapcote Community Library  
 Sharnford Church of England Primary School  
 Evergreen Hall and GP Surgery, Sharnford  
 Sharnford Recreation Ground  
 Stoney Stanton Medical Centre  
 Stoney Stanton Community Library  
 Manorfield Church of England Primary School, Stoney Stanton  
 Stoney Stanton Village Community Hall  
 Thurlaston Church of England Primary School  
 Thurlaston Village Hall

Development that would result in the loss of the following commercial facilities will not be supported, unless it can be demonstrated that it is no longer viable. Development proposals should be supported by a market report prepared by a suitably qualified and experienced valuer to indicate whether there is commercial interest in the property for any existing permitted uses, sufficient to provide an adequate market return at an appropriate benchmark land value having regard to comparable market value evidence for such uses in the market area. Such market reports should cover a period of not less than 9 months, include all expressions of interest made during the marketing period and



demonstrating that the property has been freely exposed to the market during that entire period. The market report should provide an assessment of all offers and expressions of interest received up to the date of the conclusion of the market report. The market report should include a redacted version for reasons of commercial confidentiality for consultation purposes. The applicant would be expected to fund the full costs of a peer review of the market report to assess its veracity, undertaken by an independent valuer selected by the local planning authority at its discretion to assist its consideration of the proposal prior to determination.

Croft Co-op  
 Croft Convenience Store and Post Office  
 Heathcote Arms PH, Croft  
 The Red Lion PH, Huncote  
 Spar convenience store with Post Office, Huncote  
 Stoney Stanton Post Office PH, Sapcote  
 Spar convenience store with Post Office, Huncote  
 Red Lion PH, Sapcote  
 Sapcote Post Office and newsagents  
 Stoney Stanton Post Office  
 Poachers Bistro, Thurlaston  
 Thurlaston Rural Garden Centre  
 The Elephant & Castle PH, Thurlaston

The supporting text should briefly state that to assist in determining whether commercial community assets should be retained where these are under threat from proposals seeking permission for alternative land uses or physical development, these should be accompanied by evidence in the form of a market report with sufficient detail to assess whether there is no realistic prospect of retaining the subject land use due to market failure.

In addition, the supporting statement should indicate that (if required by the local planning authority), the applicant would be expected to fund the District Council's costs of a peer review of the market report undertaken by an independent valuer selected by the local planning authority at its discretion, to assess the veracity of the market report and its conclusions. The supporting statement should make clear that the independent assessment should be provided to the local planning authority before the planning application will be determined.

Concerning the development of non-commercial land uses listed in Policy FV12, which would result in loss or diminution of these land uses, the supporting text should explain that planning

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applications should include a clear justification explaining why the land use is no longer required in its current form, or at all. This statement should be provided where possible by the current entity occupying the property, or if vacant, last providing the relevant services on the subject site. In addition and as relevant, the developer's supporting statement should demonstrate the steps taken to ascertain the extent to which the property would be appropriate for any other community use for which there is a manifest need, or alternatively demonstrate how the facility is being replaced by equivalent or better provision in terms of quantity, quality and location.

### **Policy FV13: GP Services**

Delete Policy FV13 and supporting text from the FVNP.

### **Policy FV14: Sharnford Allotments**

The extension of Parson's Lane allotments, Sharnford will be supported.

No alteration of the supporting text is necessary

### **Policy FV15: Stoney Stanton Cemetery**

A broad area of search has been identified for the development of a new cemetery between Hinckley Road and Station Road, Stoney Stanton. Development proposals for a new cemetery will have regard to the current guidance for the time being, issued by the Environment Agency concerning Cemeteries and burials, groundwater risk assessments and Cemeteries and burials, and prevent groundwater pollution in addition to providing further information regarding likely environmental impact and proposed mitigation, as appropriate relating to:

- A. Ground conditions;
- B. Drainage;
- C. Archaeology;
- D. Ecology; and
- E. Underground services

### **Policy FV16: Infrastructure**

Delete Policy FV16 and related references in the supporting statement to the FVNP.

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### **Policy FV17: Housing Mix**

Proposals for new housing providing for a mix of housing types informed by and reflecting the most up to date evidence of housing need will be supported. In demonstrating housing need, consideration will be given to supporting evidence provided by an applicant together with other salient planning matters. Proposals for development of 10 or more dwellings will need to demonstrate how the proposed mix will meet the needs of older households and the need for smaller, low-cost homes.

The supporting statement should be revised incorporating the Regulation 16 suggestions of Blaby District Council.

### **Policy FV18: Rural Exception Sites and Affordable Housing**

Affordable housing will be supported on rural exception sites within or adjoining the Limits to Built Development where the proposed development is demonstrated to meet an identified local need for affordable housing that would not otherwise be met.

All affordable housing proposals on rural exception sites will be subject to a planning obligation;

- 1) to ensure that the dwellings remain in affordable housing tenure in perpetuity and;
- 2) on first occupation, dwellings are allocated to households with a local connection including living, working or with close family ties to the host Parish. If subsequent to the first occupation there are no households fulfilling these criteria in the parish, then households in need of affordable housing and with a local connection to other places within the Fosse Villages Neighbourhood Area will be given priority.

in explaining the operation of Policy FV18, it would be helpful if the FVNP supporting statement explains that Policy FV18 relates to the delivery of affordable housing within the Fosse Villages Neighbourhood Area on rural exception sites. It would be useful if the supporting statement would distinguish rural exception sites from the delivery of affordable housing via site allocations, there being no site allocations included in the FVNP. In explaining that rural exception sites are expected to deliver affordable housing to households in housing need with a local connection, the statement should also explain that the affordable housing provided on rural exception sites is to remain as affordable housing in perpetuity, and will be occupied by households in the first instance with valid local connections to the parish in which the affordable housing is delivered and that subsequent to the first and further occupations, these would

continue to be offered to households meeting the local connection criteria set by the relevant parish council from time to time in conjunction with the affordable housing provider. In the event that there are no qualifying households with local connections to the subject parish, then the housing would be open to other households with local connections within the Neighbourhood Area, allocations to be supported by the Joint Board in conjunction with the affordable housing provider, this cascade process being repeated on each and every occasion when such vacancies arise.

For avoidance of doubt and for the avoidance of confusion, the supporting statement should contain advice to the effect that affordable housing provided on rural exception sites within the Neighbourhood area would not be subject to the housing allocation procedures in the local planning authority's Housing Mix and Affordable Housing SPD, or the District Council's Choice Based Lettings Allocation Policy.

### **Policy FV19: Croft Quarry**

Proposals for employment development (uses falling within class B of the Use Classes Order including offices (B1) manufacturing (B2) and small-scale warehousing and distribution (B8)) at the cement area at Croft Quarry, as defined on the Croft Inset Policies Map, is supported provided:

1. the only vehicular access is from Marion's Way;
2. development should demonstrate appreciation of the surrounding historic environment through sensitive and responsive design;
3. a site-specific flood risk assessment should be undertaken and submitted with the planning application; and
4. the potential for multifunctional green infrastructure networks and significant long-term positive effects should be maximised.

### **Policy FV20: Employment Areas**

All of the Employment Areas listed below and as defined on the FVNP Inset Policies Maps, will be safeguarded for employment development (uses falling within class B of the Use Classes Order including offices (B1) manufacturing (B2) and small-scale warehousing and distribution (B8)).

Development proposals in the Employment Areas located within the Limits to Built Development conforming to Policy DM1 of the Delivery DPD comprising:

EC1 Winston Avenue, Croft

EC2 Riverside Court, Croft;

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**ESH Haulage site, Aston Lane, Sharnford;  
ESS1 Foxbank Industrial Estate, Stoney Stanton; and  
ESS2 Highfields Farm Enterprise Centre, Stoney Stanton, will be supported,**

**Development proposals in the Employment Areas located beyond the Limits to Built Development, conforming to Policy DM2 of the Delivery DPD comprising:**

**EH1 Elms Farm Industrial Estate, Huncote;  
EH2 Green's Lodge Farm, Huncote;  
EPM1 Dovecote Court Business Park, Potters Marston;  
ESS3 Calor gas Centre, Stoney Stanton; and  
ET1 Sawmill, Thurlaston will be supported.**

The supporting statement should be broadened as explained in paragraph 5.127 to clarify that provided that development proposals for employment development within Areas of Separation which are not harmful to those functions may be supported.

The inset map for Croft, should re-label employment site EC3 to EC2, relating to Riverside Court. On the Huncote inset map the employment site labelled EC3, adjacent to the motorway, should be removed as this is not otherwise included in the submission version of the FVNP.

### **Policy FV21: Rural Economy**

Delete Policy FV21 and references to it in the Plan and the supporting statement.

### **Policy FV22: Renewable Energy**

Ground-mounted solar photovoltaic farms will be supported where:

- A. They are on previously developed or non-agricultural land;**
- B. Their location is selected sensitively and well-planned so that the proposals do not impact on any heritage asset;**
- C. The proposal's visual impact has been fully assessed and addressed in accordance with Planning Practice Guidance on landscape assessment (Planning Practice Guidance ref: 5-013-20150327); and**
- D. The installations are removed when no longer in use and the land is restored to its previous use.**

**Wind turbines will not be supported.**

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No alteration is necessary to the supporting statement.

**Policy FV23: Aston Firs**

Development proposals for new sites or the extension or intensification of existing sites at Aston Firs, whether for Gypsies and Travellers or other households, will not be supported.

No alteration to the supporting text is necessary.

## Appendix 5

### Assessment of Proposed Local Green Spaces in the FVNP



## Appendix 5

### Assessment of Proposed Local Green Spaces in the FVNP

Proposed Local Green Space	Site area ha (not an extensive tract of land )	Local in character	Proximity to the community it serves	Local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), <b>tranquillity or richness of its wildlife:</b>	Evidence of being demonstrably special
1 LGS C1 Croft Hill	5.1	Yes	< 2km	Site is highest point in southern Leicestershire and offers unparalleled views across the county	Community support in Issues and Options Consultation in 2017
2 LGS C2 Recreation Ground, Croft	3.99	Yes	< 2km	recreational value (including as a playing field)	Community support in Issues and Options Consultation in 2017
3 LGS C3 North of River Soar, Croft	2.32	Yes	< 2km	Former cricket pitch for the village. The site contains two village cemeteries and thus holds a variety of historic remains	Application by the parish council.
4 LGS C4 Croft Pasture	12.758	Yes	< 2km		Application by the parish council.
5 LGS C5 The Bridle Play Area, Croft	0.548	Yes	< 2km	The site is used as the main children's play park in the village.	Application by parish council.
6 LGS C6 St Michael and All Angels Church, Croft	0.296	Yes	< 2km	Historic church and church burial ground on the site. The site is used as the village allotments.	Application by parish council.
7 LGS C7 Arbor Road Allotments, Croft	1.245	Yes	< 2km		Application by parish council
8 LGS C8 Grassy bank and War Memorial, Croft	0.137	Yes	< 2km	historic significance	Application by parish council
9 LGS C9 Sheep Dip, Croft	0.266	Yes	< 2km	recreational value -dog walking, villages fairs and annual duck race	Application by parish council
10 LGS C10 Link to old sports field, Croft	0.17	Yes	< 2km	recreational value -dog walking, sledging; ball games etc	Application by parish council

11	LGS H1 Recreation Ground, Huncote	1.387	Yes	< 2km	recreational value (including as a playing field)	Support from parish council which owns the land.
12	LGS H2 The Green, Huncote	0.275	Yes	< 2km	Local community groups use The Green for celebrations - recreational value.	Huncote PC has approved the submission of the FVNP that identifies the site as a LGS.
13	LGS H3 Brook House Gardens, Huncote	0.391	Yes	< 2km	Tranquility, richness of wildlife and recreational value.	Huncote PC has approved the submission of the FVNP that identifies the site as a LGS.
14	LGS H4 Pavilion Fields, sports field, private allotments and cemetery, Huncote	10.841	No, the site hosts District-wide functions and activities No, the site hosts County-wide functions and activities	> 2km	Significance at District and Local levels for recreational and educational functions	Huncote PC has approved the submission of the FVNP that identifies the site as a LGS.
15	LGS H5 Huncote Nature Walk	17.655		> 2km	Significance at County and Local levels for recreational value	Huncote PC has approved the submission of the FVNP that identifies the site as a LGS.
16	LGS LFW1 The Old Brake, Leicester Forest West	>6.9	Questionable	2km	Tranquility, richness of wildlife. Some historic significance.	Leicester Forest West Parish Council has approved the submission of the FVNP that identifies the site as a LGS.
17	LGS SA1 Site of Motte and Bailey castle (Sapcote Playing Fields)	3.35	Yes	< 2km	Recreational value (including as a playing field) historic significance.	Sapcote PC has approved the inclusion of this green space within the FVNP.

18	LGS SA2 War Memorial, Sapcote	0.0079	Yes	< 2km	Historic significance.	Sapcote PC has approved the inclusion of this green space within the FVNP.
19	LGS SA3 Spa Drive, Sapcote	0.39	Yes	< 2km	Tranquility and Recreational value	Sapcote PC has approved the inclusion of this green space within the FVNP.
20	LGS SA4 Sapcote Cemetery and extension	1.05	Yes	< 2km	Tranquility	Sapcote PC has approved the inclusion of this green space within the FVNP.
21	LGS SA5 Harecroft Crescent green space, Sapcote	0.312	Yes	< 2km	Recreational value - play area by local children who are not old enough to travel to other parts of the village unaccompanied for informal games. Dog walking	Sapcote PC has approved the inclusion of this green space within the FVNP.
22	LGS SA6 All Saints churchyard, Sapcote	0.728	Yes	< 2km	Historical significance. Tranquility	Sapcote PC has approved the inclusion of this green space within the FVNP.
23	LGS SA7 Grace Road, Sapcote	4.297	Yes	< 2km	Recreational value - play area by local children. Dog walking	Sapcote PC has approved the inclusion of this green space within the FVNP.

24	LGS SA8 The Limes, Sapcote	0.255	Yes	< 2km	Recreational value - play area by local children. Dog walking	Sapcote PC has approved the inclusion of this green space within the FVNP.
25	LGS SA9 Parish Council Allotments, Leicester Road, Sapcote	0.5	Yes	< 2km	Recreational Value	Sapcote PC has approved the inclusion of this green space within the FVNP.
26	LGS SA10 Allotments, Spring Gardens, Grace Road, Sapcote	1.145	Yes	< 2km	Recreational Value	Sapcote PC has approved the inclusion of this green space within the FVNP.
27	LGS SA11 Allotments, Hinckley Road, Sapcote	0.984	Yes	< 2km	Recreational Value	Sapcote PC has approved the inclusion of this green space within the FVNP.
28	LGS SA12 Allotments, Donkey Lane, Sapcote	1.382	Yes	< 2km	Recreational Value	Sapcote PC has approved the inclusion of this green space within the FVNP.
29	LGS SA13 Allotments, Cooks Lane/Pougher Close, Sapcote	0.635	Yes	< 2km	Recreational Value	Sapcote PC has approved the inclusion of this green space within the FVNP.
30	LGS SH1 The Park, Sharnford					
31	LGS SH2 Poors Meadow, Sharnford					
32	LGS SH3 Bluebell Green, Sharnford					
33	LGS SH5 Parsons Lane Allotments, Sharnford					

34	LGS SS1 Village Hall green, Stoney Stanton	?	Yes	< 2km	Former quarry central to industry and development of the village	Parish Council wishes to open this site as a village green
35	LGS SS2 Playing fields, Stoney Stanton	?	Questionable	< 2km	Recreational value Site is linked to other former flooded quarries and impacts their water table, important flood defence which requires protection.	Not disclosed
36	LGS SS3 Clint Hill Quarry, Stoney Stanton	?	Yes	< 2km		Not disclosed
37	LGS SS4 St Michael's churchyard, Stoney Stanton	?	Yes	< 2km	Holds a particular local significance, because of its beauty.	PC is seeking to take ownership to preserve this land for the community.
38	LGS SS5 Foxbank, Stoney Stanton	?	Yes	< 2km	The site is visual and sound barrier between homes and Foxbank industrial estate providing tranquility to the adjoining housing estate.	Concerns of villagers regarding ownership and future plans for the site.
39	LGS SS6 Holt Close allotments, Stoney Stanton	?	Yes	< 2km	Tranquility	Parish council owns the site and has a statutory duty to provide allotments. Waiting list shows continued support as does allotment society. More demand than space
40	LGS SS7 Nock Verges cemetery, Stoney Stanton	?	Yes	< 2km	Tranquility - a quite place for personal reflection and family memories.	Parish council owns the land and is actively seeking space for expansion
41	LGS SS8 Brindley Close play area, Stoney Stanton	?	Yes	< 2km		Discussions are ongoing for the Parish Council to take ownership of this land

42	LGS T1 Recreation Ground, Thurlaston	1.09	Yes	< 2km	Tranquility and Recreational value	Thurlaston Parish Council is the Trustee of the Thurlaston Playing Field & Recreation Ground Charity (Reg. No. 1088907) and fully supports this designation as a Local Green Space. Thurlaston Parish Council has contributed fully to the development of the Fosse Villages Neighbourhood Plan which identifies this site as a Local Green Space.
43	LGS T2 Off Moat Close, Thurlaston	3.28	Yes	< 2km	Historic significance. The site is ancient 'ridge and furrow'.	Thurlaston Parish Council has contributed fully to the development of the Fosse Villages Neighbourhood Plan which identifies this site as a Local Green Space.
44	LGS3 Normanton Park, Thurlaston	39.5	More than local function	< 2km	Recreational Value - Shooting Ground. Tranquility, Significant Wildlife and Historical significance.	Thurlaston Parish Council has contributed fully to the development of the Fosse Villages Neighbourhood Plan which identifies this site as a Local Green Space. Thurlaston Sports Club has an active membership, running a number of football and cricket teams.
45	LGS T4 Thurlaston Sports Ground	1.66	Yes	< 2km	Recreational Value - Football and Cricket.	

46	LGS T5 Land at Main Street/Croft Road, Thurlaston	17.2	Yes	< 2km	Richness of its wildlife"	Exercise and dog walking Consultation on the FVNP Issues & Options, (2017) demonstrated that of those Parish residents who responded, 92% supported the designation of the site as a LGS.
47	LGS T6 Enderby Road Sports Ground, Thurlaston	2.91	Yes	< 2km	Recreational Value - The site is home to Huncote Sports Club. A membership fee is payable to join. The club fields football and cricket teams catering for all age groups	Shortage of allotments in parish. Consultation on the FVNP Issues & Options, (2017) demonstrated that of those Parish residents who responded, 97% supported the designation of the site as a LGS.
48	LGS T7 Village Hall allotments, Thurlaston	0.08	Yes	< 2km	Recreational Value - gardening.	Shortage of allotments in parish. Consultation on the FVNP Issues & Options, (2017) demonstrated that of those Parish residents who responded, 94% supported the designation of the site as a LGS.
49	LGS T8 Holt Crescent allotments, Thurlaston	0.12	Yes	< 2km	Recreational Value - gardening.	
50	LGS T9 All Saints Graveyard, Thurlaston	0.36	Yes	< 2km	Historic significance and tranquility	
51	LGS T10 Thurlaston Chapel Graveyard	0.06	Yes	< 2km	No criteria were advanced.	



52	LGS WP1 the Village Green, Wigston Parva	TRUE	Yes	< 2km	Historic significance, as a setting for two listed buildings, recreational value as a village green and tranquillity.	Local submitted to Leicestershire CC re Ref No CA(VG)01/2018, Support from CPRE.
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