

Quorn Neighbourhood Development Plan 2018-2036

**A report to Charnwood Borough Council on the
Quorn Neighbourhood Development Plan**

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Executive Summary

- 1 I was appointed by Charnwood Borough Council in November 2018 to carry out the independent examination of the Quorn Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 10 December 2018.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding local character and community facilities. It proposes allocations for new residential development. It delivers Core Strategy objectives and positively addresses the future of the neighbourhood area.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Quorn Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
28 January 2019

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Quorn Neighbourhood Development Plan 2018-2036 (the 'Plan').
- 1.2 The Plan has been submitted to Charnwood Borough Council (CBC) by Quorndon Parish Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012 and 2018. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It addresses a range of environmental and community issues and proposes both a housing allocation and a reserve housing site.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the plan area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by CBC, with the consent of the Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of both CBC and the Parish Council. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan is submitted to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

The Basic Conditions

- 2.5 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State; and
 - contribute to the achievement of sustainable development; and
 - be in general conformity with the strategic policies of the development plan in the area;
 - be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations; and
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).

I have examined the submitted Plan against each of these basic conditions, and my conclusions are set out in Sections 6 and 7 of this report. I have made specific comments on the fourth and fifth bullet points above in paragraphs 2.6 to 2.10 of this report.

- 2.6 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 2.7 In order to comply with this requirement, CBC undertook a screening exercise (September 2018) on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. As a result of this process CBC concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require a SEA.
- 2.8 CBC also prepared a parallel Habitats Regulations Assessment (HRA) of the Plan. It concludes that the Plan is not likely to have significant environmental effects on a European nature conservation site or undermine their conservation objectives alone or in combination taking account of the precautionary principle. As such Appropriate Assessment is not required. The assessment has been produced in a similar standard to the SEA screening report. Whilst there are no designated sites within the neighbourhood area itself the screening report addressed the potential impact of the implementation of the Plan's policies on the River Mease SAC (to the west of the Borough) and the Rutland Water SPA and Ramsar site.
- 2.9 Having reviewed the information provided to me as part of the examination, including the most recent HRA assessment, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns with regard to either neighbourhood plan or to European obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.
- 2.10 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Other examination matters

- 2.11 In examining the Plan I am also required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and

- the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

2.12 Having addressed the matters identified in paragraph 2.11 of this report I am satisfied that all of the points have been met subject to the contents of this report.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan;
- the various appendices of the Plan;
- the Basic Conditions Statement;
- the Consultation Statement
- the CBC SEA and HRA report;
- the Parish Council's responses to my Clarification Notes;
- the representations made to the Plan;
- the adopted Charnwood Local Plan Core Strategy 2011-2028;
- the saved elements of the Charnwood Borough Local Plan 2004
- the National Planning Policy Framework (March 2012 and July 2018);
- Planning Practice Guidance (March 2014 and subsequent updates); and
- relevant Ministerial Statements.

3.2 I carried out an unaccompanied visit to the Plan area on 10 December 2018. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. This visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the Plan could be examined without the need for a public hearing. I advised CBC of this decision early in the examination process.

3.4 On 24 July 2018 a revised version of the NPPF was published. Paragraph 214 of the 2018 NPPF identifies transitional arrangement to address these circumstances. It comments that plans submitted before 24 January 2019 will be examined on the basis of the 2012 version of the NPPF. I have proceeded with the examination on this basis. All references to paragraph numbers within the NPPF in this report are to those in the 2012 version.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. This Statement is proportionate to the Plan and its policies. It includes an assessment of the consultation undertaken during the various stages of Plan production. It also provides specific details about the consultation process that took place on the pre-submission version of the Plan (July to September 2018). A key strength of the Statement is its high-level approach that is underpinned by detailed appendices.
- 4.3 The Statement sets out details of the comprehensive range of consultation events that were carried out in relation to the initial stages of the Plan. It provides details about:
- the engagement with the local press;
 - the use of social media;
 - the organisation of the Plan marquee at the May Day celebrations in 2017;
 - the use of village notice boards/posters/flyers;
 - stakeholder e-mails and letters;
 - the organisation of a logo competition; and
 - the engagement and involvement of Quorn Art in the plan making process.
- 4.4 The Statement also provides details and evidence of the various consultation events. It also provides equivalent information on the Advisory Committee, its membership and its meeting schedules.
- 4.5 From page 13 onwards the Statement also provides specific details on the comments received as part of the consultation process that took place on the pre-submission version of the Plan. This approach continues in Section 8 where the results of the pre-submission consultation process are summarised. In combination this analysis identifies the principal changes that worked their way through into the submission version. They help to describe the evolution of the Plan.
- 4.6 It is clear that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation.
- 4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned

throughout the process. CBC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Representations Received

4.8 Consultation on the submitted plan was undertaken by the Borough Council for a six-week period that ended on 26 November 2018. This exercise generated comments from a range of organisations and private individuals as follows:

- Proctors Park
- Environment Agency
- Gladman Developments Limited
- Swithland Homes
- Tarmac Trading
- Highways England
- Historic England
- Leicestershire County Council
- William Davis
- Natural England
- Severn Trent
- Sport England
- Leicestershire County Council (in its capacity as a land owner)
- National Grid
- Charnwood Borough Council
- Neighbourhood Plan Advisory Committee
- Miller Homes

4.9 I have taken account of the various representations. Where appropriate I refer to particular representations on a policy-by-policy basis.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area consists of the parish of Quorndon. Its population in 2011 was 5177 persons living in 2244 houses. It was designated as a neighbourhood area on 21 December 2016. It is an irregular shape with Quorn village at its heart. Quorn is located approximately three kilometres to the south-east of Loughborough and two kilometres to the north-west of Mountsorrel. The village lies to the immediate south of the River Soar. Its position in the wider natural landscape has resulted in a variety of transportation networks being developed in and around the neighbourhood area over time. They include the original A6 running through the village centre, the new A6 to the north of the village and the former Great Central railway line (now a private restored railway line). The current national railway line from Leicester to Loughborough and beyond is located to the immediate north of the neighbourhood area and with a station in Barrow-upon-Soar.
- 5.2 The village of Quorn dominates the neighbourhood area. It is located at the junction of High Street/Leicester Road and Meeting Street/Station Road. The format of the village reflects that High Street/Leicester Road was the former A6 turnpike road and a major coaching route between London and Scotland. This historic core also provides the principal retail, commercial and community facilities in the neighbourhood area. A conservation area was designated in 1977 and was subsequently extended in 1991. It covers an extensive area around Station Road and Meeting Street.
- 5.3 The neighbourhood area is one of great contrasts. The village itself displays significant contrasts between the Edwardian and Victorian development in the south and west off Meeting Street and Chaveney Road and the more recent development off Farley way to the north and west. The area of the Soar Valley/Grand Union Canal corridor to the north of the A6 is open and spacious and provides a natural and rural context to the village. It provides separation between Quorn and Loughborough to the north. Mountsorrel Quarry sits to the immediate south of Quorn. It is a significant environmental and economic feature in the neighbourhood area. The quarry produces a granite-like rock which contains a high proportion of large pink crystals which give the stone its characteristic colour. Not surprisingly the stone has been used in many of the historic buildings in the neighbourhood area including St Bartholomew's Church.

Development Plan Context

- 5.4 The development plan covering the neighbourhood plan area is the Charnwood Local Plan 2011 to 2028 Core Strategy (2015) and the saved policies of the Borough of Charnwood Local Plan 2004. The Core Strategy sets out a vision, objectives, a spatial strategy and overarching planning policies that guide new development in the Plan period. It is this development plan context against which I am required to examine the submitted Neighbourhood Plan.

5.5 Policy CS1 of the Core Strategy provides a focus for new development based around the existing principal settlements in the Borough. Quorn is identified as a Service Centre where there will be opportunities for new residential and employment growth together with a need to maintain existing facilities. Opportunities for new sustainable development opportunities are also supported. In retail terms Quorn is identified as a Local Centre in Policy CS9. In these circumstances appropriate development is encouraged which would support the vitality and viability of the village (local) centre where it is of an appropriate scale and is integrated with the existing centre.

5.6 In addition to the Development Strategy in the Core Strategy the following policies are particularly relevant to the Quorn Neighbourhood Plan:

| | |
|------|-------------------------------------|
| CS2 | High Quality Design |
| CS3 | Strategic Housing Needs |
| CS6 | Employment and Economic Development |
| CS9 | Town Centres and Shops |
| CS10 | Rural Economic Development |
| CS11 | Landscape and Countryside |
| CS12 | Green Infrastructure |
| CS14 | Heritage |
| CS15 | Open Spaces, Sport and Recreation |

In this context the Basic Conditions Statement usefully highlights the key policies in the development plan and how they relate to policies in the submitted Plan. This is good practice. It provides confidence to all concerned that the submitted Plan sits within its local planning policy context.

5.7 The Borough Council has embarked on the preparation of a new Local Plan. Once adopted it will replace the Core Strategy. The Local Development Scheme indicates that the Local Plan will be adopted in August 2019. On this basis it is not at a sufficiently advanced stage to play any significant role in the examination of the submitted neighbourhood plan.

5.8 The submitted Plan has been prepared within its wider adopted development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing planning policy documents in the Borough. This is good practice and reflects key elements in Planning Practice Guidance on this matter. It is clear that the submitted Plan seeks to add value to the Core Strategy and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement.

Unaccompanied Visit

5.9 I carried out an unaccompanied visit to the neighbourhood area on 10 December 2018.

- 5.10 I drove into the area off the A6 from the south. This gave me an initial impression of the setting and the character of the neighbourhood area. I saw the Waitrose store and the waste disposal site on the edge of the neighbourhood area. I drove initially along Wood Lane to Mountsorrel Quarry. In doing so I saw the proposed Area of Separation to the south and east of Quorn and to the north and west of North End. I saw its various agricultural uses within the rising land.
- 5.11 I then drove to Farley Way. I looked at the proposed settlement boundary in that part of the village. I then took the opportunity to look at the proposed housing allocation (H1). I saw its relationship to the main road network and the surrounding land uses.
- 5.12 I drove to the railway station to the west of the town. I saw that it was an attractive working centre and tourism attraction even in the depths of Winter. Thereafter I parked in Chaveney Road and continued the majority of my visit on foot. I then walked along Buddon Road and into the proposed reserve housing site (H2) by way of the pedestrian access at its southern end. I saw the various footpaths which ran through and around the edges of the site.
- 5.13 I then walked back along Buddon Road and continued along Chaveney Road and Meeting Street into the village centre. I saw a variety of interesting vernacular buildings. Not surprisingly many had been built in Mountsorrel stone. These buildings had aged well. I saw the war memorial by the junction of Meeting Street and Leicester Road.
- 5.14 I took the opportunity to walk to the east along Leicester Road. I saw Weavers Close, the Village Hall and then the River Soar. I traced my steps back into the village centre. I saw the various shops, the Medical Centre and the car park. It was clear that the village performs well in meeting the day to day needs of its population. I then walked through the churchyard and saw the various stone statues. I was also able to understand something about the local geology from the granodiorite boulder in the Church View Gardens. I also saw the stonework celebrating the Silver Jubilee and the Bat Sculpture statue in the attractive civic area between High Street and Church Lane.
- 5.15 I walked back to Chaveney Road by way of the proposed local green spaces in Tom Long's Meadow. I walked across the footbridge linking Sanders Road with Spinney Drive. The strip of land provided an attractive wetland environment within this part of the village.
- 5.16 I finished my visit by looking at the proposed Area of Separation in the north of the neighbourhood area. I saw the gap between Quorn and Loughborough to the north. I left the neighbourhood area along the A6 to the south. I looked at the proposed local green space at Barrow Slabs.

6 The Neighbourhood Plan as a whole

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented, informative and very professional document.
- 6.2 The Plan needs to meet all the basic conditions to proceed to referendum. This section provides an overview of the extent to which the Plan meets three of the five basic conditions. Paragraphs 2.6 to 2.10 of this report have already addressed the issue of conformity with European Union legislation.

National Planning Policies and Guidance

- 6.3 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in March 2012. Paragraph 3.4 of this report has addressed the transitional arrangements which the government has put in place as part of the publication of the 2018 version of the NPPF.
- 6.4 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Quorn Neighbourhood Plan:
- a plan led system– in this case the relationship between the neighbourhood plan, the adopted Charnwood Local Plan Core Strategy 2011-2028;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas;
 - always seeking to secure high quality design and good standards of amenity for all future occupants of land and buildings; and
 - conserving heritage assets in a manner appropriate to their significance.
- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development, which is identified as a golden thread running through the planning system. Paragraph 16 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.
- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.

- 6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the plan area within the context of its position in the settlement hierarchy. In particular it positively allocates a site for residential development and identifies a reserve site. It includes a series of policies that seek to safeguard the quality and nature of its natural environment and proposes the designation of Areas of Separation and local green spaces. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.8 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 and 154). This was reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (41-041-20140306) indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes policies for housing and employment development (Policies H1/H2 and E1 respectively). It also offers support for the future vitality of the village centre (Policy E2). In the social role, it includes policies on community facilities (Policy CF1), on the Medical Centre (Policy CF4) on housing mix and type (Policy H3) and on affordable housing (Policy H4). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on development and design principles (Policy S2), on proposed Areas of Separation (Policy ENV1), on local green spaces (Policy ENV2) and on trees, woodland and hedges (Policy ENV4). The Parish Council has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.11 I have already commented in detail on the development plan context in the wider Borough in paragraphs 5.4 to 5.8 of this report.

- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan. Subject to the recommended modifications included in this report I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan. Indeed, it positively seeks to deliver the ambitions of the Local Plan Core Strategy in the neighbourhood area.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the Parish Council have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land. It includes a series of Community Aspirations which the Plan recognises cannot be delivered directly through the planning process. These Aspirations are appropriately identified in a separate part of the Plan.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. Where necessary I have identified the inter-relationships between the policies.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial sections of the Plan (Sections 1 and 2)

- 7.8 These introductory sections of the Plan set the scene for the range of policies. They do so in a concise and proportionate way. The Plan is presented in a professional way. It is colourful and makes a very effective use of tables and maps. A very clear distinction is made between its policies and the supporting text. It also draws a very clear connection between the Plan's objectives and its resultant policies.
- 7.9 The initial elements of the Plan set the scene for the policies. They are commendable to the extent that they are proportionate to the Plan area.

- 7.10 Section 1 provides a very clear context to the neighbourhood area and when it was designated. It identifies how the Plan was prepared, how it will fit into the wider planning system in the event that it is 'made' and what the Plan sets out to achieve. It clarifies the distinction between the policies and the community actions. It is a particularly effective introduction to a neighbourhood plan.
- 7.11 It also sets out how the community was engaged in the plan-making process. Whilst this overlaps with the Consultation Statement it provides a useful context to this matter in the main body of the Plan.
- 7.12 Section 2 provides commentary on the neighbourhood area. In doing so it provides a helpful historic context. It also sets out useful information on the social and economic context of the neighbourhood area. This information feeds into some of the policies in the Plan.
- 7.13 It also provides a Vision for the neighbourhood area together with a series of related objectives. These objectives are connected to the concept of sustainable development.
- 7.14 The remaining parts of the Plan incorporate policies on a topic by topic basis. They include related supporting text and background information.
- 7.15 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Policy S1: Settlement Boundary

- 7.16 The policy sets a strategic approach to development in the Plan period. It identifies a settlement boundary. As the Plan comments in paragraph 3.2 the settlement boundary proposed in the submitted Plan is intended to supersede the equivalent boundary included in the adopted Local Plan. As part of this process the proposed settlement boundary takes account of recent planning permissions and of the site allocation proposed in the Plan.
- 7.17 The supporting text helpfully identifies the methodology that has been applied to this exercise. In particular it comments about the use of defined physical features such as walls, fences hedgerows and roads. Such features will assist with longer-term clarity and interpretations through the development management process.
- 7.18 The policy provides an overall context within which CBC will be able to determine planning applications within the Plan period. In effect development within the settlement boundary will generally be supported. Proposed development outside the boundary will be determined in accordance with countryside policies.
- 7.19 The policy has attracted representations from two developers. William Davis Limited suggest that the proposed reserve site is included within the settlement boundary. Gladman Developments Limited contend that the approach is rigid and may prevent development that is otherwise sustainable from coming forward.

- 7.20 The policy has also attracted a representation from CBC. It sets out the background to this important matter and the relationship between the methodology that has been used in the submitted Plan and that in the emerging Local Plan. The representation advises that the settlement boundary proposed in the submitted Plan is an update to that in Policy ST/2 of the Charnwood Borough Local Plan (2004). The Borough Council is generally content with the concept of a settlement boundary and its definition. Nevertheless, it comments that the proposed extension to incorporate a site to the north and west of Farley Way does not meet the Parish Council's own methodology as it does not benefit from planning permission. At the time of the examination a planning application for residential development was being considered but had not been determined.
- 7.21 I have considered these representations carefully together with all the other information available to me. In principle I am satisfied that the policy is appropriate for the geography and character of the neighbourhood area. I am also satisfied that in general terms it has regard to national policy given the flexibility which it applies to the countryside beyond the settlement boundary.
- 7.22 The Borough Council's representation draws my attention to the work on its preparation of a new Local Plan. It comments that the housing policies in the submitted neighbourhood plan will provide a positive contribution towards the future housing needs of Quorn. Plainly the submitted Plan faces the challenge of running ahead of the preparation of the emerging Local Plan, and which will naturally provide the strategic context for new growth and development in the neighbourhood area. However, in the meantime the submitted neighbourhood plan needs to be in general conformity with strategic policies in the development plan. In this context Policy CS1 of the Core Strategy provides a focus for new development based around the existing principal settlements in the Borough. Quorn is identified as a Service Centre where there will be opportunities for new residential and employment growth together with a need to maintain existing facilities. Opportunities for new sustainable development opportunities are also supported.
- 7.23 Policy CS1 of the Local Plan Core Strategy comments that in the identified Service Centres (including Quorn) new housing and employment land will be provided within and adjoining the identified service centres. In this context I have considered carefully the representation that suggests that the policy should be modified so that it would support the development of sites which are also adjacent to the settlement boundary. This approach would have a degree of overlap with that in the wording of the adopted Local Plan. However, I am satisfied that the approach taken in the Plan is both appropriate to local circumstances and meets the basic conditions. Evidence provided both in the submitted Plan (Appendix Fb) and in the adopted Local Plan (paragraph 4.45) identifies that completions and commitments are anticipated to deliver beyond the 3000 new dwellings in the various Service Centres in the period up to 2028. The Local Plan supporting text is clear that 'we only expect to see small scale windfall developments within settlement boundaries (in Service Centres) between 2014 and 2028'. This evidence is further reinforced by the allocation of a

housing allocation in the submitted Plan. Finally, the settlement boundary as proposed in the Plan reflects a series of different landscape, historic and topographic influences. In my view a policy which would support development adjacent to the identified boundary would not be in the interests either of good planning or sustainable development. Nevertheless, I recommend that the delivery of new housing in the Services Centres in general and in Quorn in particular is explicitly addressed in Section 10 of the Plan (Monitoring and Review). As that section already acknowledges the circumstances which the Plan seeks to address will change within the Plan period.

- 7.24 I recommend a modification to the proposed physical extent of the settlement boundary to take account of the representation from CBC. The planning application for the site off Farley Way remained undetermined at the time this report was published. In this context the proposed incorporation of the site within the boundary would be presumptuous.
- 7.25 I have considered the representation made by William Davis on the proposed reserve housing site. I comment on that policy later in this report. However, for completeness on the commentary on this policy I am satisfied that the proposed settlement boundary in this part of the village is appropriately drawn. I recommend the deletion of the final paragraph of the policy on the matter of the reserve site. It is properly addressed within its own policy later in the Plan.

Delete the final paragraph of the policy.

Revise the settlement boundary in Figure 2 to exclude the parcel of land to the north of Farley Way which is the subject of a current planning application.

*At the end of the second paragraph of Section 10 (Monitoring and Review) add:
‘The monitoring will have a particular focus on the delivery of new housing development in the neighbourhood area and its relationship to the strategic housing delivery targets set out in Policy CS1 of the Local Plan Core Strategy’.*

Policy S2: Design Guidance

- 7.26 The policy sets out to ensure that new development is sympathetic to the character and appearance of the neighbourhood area. In particular the policy requires that new development should reflect the guidance in the current Quorn Village Design Statement (VDS).
- 7.27 I sought clarity from the Parish Council on the extent to which the VDS was current and would continue to apply throughout the Plan period. I was advised that the residents of Quorn put significant work and effort into producing a Quorn Village Design Statement and this was adopted by CBC as a supplementary planning document in October 2008. The document was reviewed by the Housing theme group as part of the plan preparation process and it was determined that the original text remains relevant, particularly with regards to the Design Guidelines contained in

its Section 5. The text of the submitted Plan also identifies that the Plan seeks to give policy status to the VDS.

- 7.28 On balance I am satisfied that the approach proposed is appropriate. The village has a particular character which would not be fully captured in a more general local plan approach. Nevertheless, I recommend modifications to the policy so that it adopts a policy format based on the principles of good design. As submitted the policy simply requires compliance with an existing document.
- 7.29 In addition I am satisfied that the existing VDS reflects key principles in the NPPF which plainly post-date the approval of the VDS itself. One of the 12 core planning principles in the NPPF (paragraph 17) is ‘(always seek) to secure high-quality design and a good standard of amenity for all existing and future occupants of land and buildings. Furthermore, the approach adopted in the pre-existing VDS has regard to the more detailed design elements of the NPPF. In particular, it plans positively for high quality and inclusive design (paragraph 57), it has developed a robust and comprehensive policy (paragraph 58), it proposes outlines of design principles (paragraph 59) and does so in a locally distinctive yet non-prescriptive way (paragraph 60).

At the beginning of the policy add:

‘New development will be supported where it respects the character or appearance of the neighbourhood area and, where appropriate, incorporates vernacular building materials.’

In the policy in the submitted Plan itself replace ‘will be required to’ with ‘should’.

At the end of the first paragraph of supporting text in paragraph 3.3 add:

‘Policy S2 incorporates the requirements of the long-standing Village Design Statement into the key principles set out in paragraphs 56 to 68 of the NPPF. The Guidelines in Section 5 are particularly important in the context of planning policy. They continue to be applicable to good design in the neighbourhood area. It is telling that one of the 12 core planning principles in the NPPF (paragraph 17) is ‘(always seek) to secure high-quality design and a good standard of amenity for all existing and future occupants of land and buildings.’

Policy H1: Residential Site Allocation

- 7.30 This policy proposes the allocation of a site for residential development. The decision to allocate a housing site in the Plan follows on from an extensive site assessment process as described in Appendix F of the Plan. The work undertaken is both detailed and proportionate to the task in hand. It has assessed a wide range of sites and considered them against a series of environmental and technical considerations. In reaching this conclusion I have taken into account one of the representations that casts doubt on the robustness of the process followed. Current work on the emerging Local Plan indicates that the residual amount of new housing required in the neighbourhood area up to 2036 is 21 dwellings.

- 7.31 The proposed housing allocation is on the north-western edge of the village. It is bounded to the east by the Clear View Business Park, to the south west by Loughborough Road, and to the north by the A6. The policy anticipates that the site will yield around 75 dwellings. The policy is underpinned by a series of criteria. They include matters relating to the mix of dwellings, flooding and drainage issues, access arrangement and environmental matters. The proposed allocation of the site has attracted a supporting representation from Miller Homes which has an interest in the land. The representation indicates the nature of the technical work that has already been undertaken on the development of the site. This includes work on flood defences, technical studies on the removal of the culvert crossing the site and the creation of a new earth bund and a flood compensation area. In summary it comments that the site is deliverable and that there are no overriding constraints to prevent its development.
- 7.32 The policy has attracted technical comments from the Environment Agency and Severn Trent on the issue of drainage and potential flooding. The Environment Agency comment that the proposed allocation site is in an area which encompasses areas of Flood Zone 2, Flood Zone 3a & Flood Zone 3b. As such the Agency advises that the policy does not meet the sequential tests for site selection in the NPPF. Severn Trent raises similar issues. In addition, it comments that in the event that the site does proceed the design will need to be handled carefully to ensure that surface water or river water does not enter the foul sewerage system.
- 7.33 These technical issues were raised with the Parish Council during the course of the examination. Following discussions with the parties involved in the development of the site the Parish Council has proposed an amendment to the geographic extent of the allocated site. In summary it excludes the land within flood zone 2. The Parish Council has also confirmed that this will not have an impact on the number of dwellings to be built on the site. The Environment Agency has also confirmed that as the revised development area would be wholly within flood zone 1 a sequential test would not be required. On this basis I am satisfied that the allocation of the site in the Plan is appropriate. I recommend modifications to the policy to secure the technical changes secured during the examination and to ensure that it meets the basic conditions. I also recommend technical modifications to take account of comments received from Leicestershire County Council. In particular I recommend the deletion of the requirement for additional parking spaces for visitors as included in the submitted criterion g). Plainly the developer could provide additional parking spaces beyond the usual development plan requirements if it wished to do so.
- 7.34 The issue of the yield of the site in the submitted policy is incorporated as one of a series of criteria in the policy. For clarity I recommend that this issue is addressed in the opening part of the policy. The initial representation made by Miller Homes suggested that the site could yield around 105 dwellings. This matter has now been affected by the changes to the site boundary. On this basis all parties are now content that the site should yield approximately 75 dwellings.

Replace the first two paragraphs of the policy with:

‘Land is allocated for approximately 75 dwellings on land to the north-east of Loughborough Road, Quorn as shown on Figure 3a subject to the following criteria:’

Delete criterion a) and renumber accordingly.

In criterion b) add the following at the start: ‘The development provides for a range and mix of new dwellings.’

Replace criterion c) with: ‘The development takes appropriate account of surface water drainage and the existing drainage channels within the site and provides appropriate remediation measures where necessary’

Include an additional criterion to read: ‘The development provides a satisfactory access to the highways network’

In criterion f) add ‘to development plan standards’ between ‘area’ and ‘is provided’

In criterion g) replace ‘in line with.... for visitors’ with ‘in accordance with development plan standards’

Replace Figure 3a with the revised plan at the end of this report.

Policy H2: Reserve Site

- 7.35 This policy proposes the identification of a reserve site. It anticipates a set of circumstances whereby additional housing may be required in the neighbourhood area beyond that proposed by way of Site H1 in the Plan period. The policy includes trigger mechanisms for its release.
- 7.36 The proposed reserve site is located to the south-west of the village. It occupies a triangular parcel of land between the former Great Central railway line, Buddon Lane and the countryside to the south. I looked at the site when I visited the neighbourhood area. I gained access through the footpath to the north of the site off Buddon Lane.
- 7.37 The policy is criteria-based. The criteria cover a traditional range of access, environmental and amenity issues. The access arrangements are not defined in the policy. One of the criteria comments that access to the site will not be from Buddon Lane. I sought clarity from the Parish Council on this matter as part of the clarification note process. I was advised that its housing theme group met with the developer and they were assured and satisfied that vehicular access can satisfactorily be achieved into the site. Because of the sensitive nature of the proposal the advisory committee respected the developers wish that this remain confidential at this time. Should there be a situation in the future where housing need increases, and the reserve site is required to be developed, then the site will come forward if deliverable at that time. If not, then the site will not come forward and the Parish Council will consider its options, including reviewing the Neighbourhood Plan.

- 7.38 The matter has also been addressed by William Davis through its representation to the Plan. Due to land ownership issues it has not been possible to demonstrate to the Parish Council (and therefore into the plan-making process) how access would be achieved. Nevertheless, the representation comments that access is technically possible.
- 7.39 I have considered this information very carefully. I recognise that the concept of reserve site has regard to national policy. Nevertheless, I am not persuaded by the approach that has been taken to the identification of the parcel of land as a reserve site. There is no certainty on the way it would be connected to the public highway. The policy specifically prevents the use of the existing pedestrian access at the end of Buddon Lane. In these circumstances the Plan offers no clarity on the way in which the site might be incorporated into the existing built form of the village. Equally it offers no certainty on either its deliverability or its viability. On this basis I recommend that the policy is deleted.
- 7.40 Plainly circumstances may change over time. In the event that the access issue is resolved the site has the ability to be considered within the context of the emerging Local Plan and/or a future review of the neighbourhood plan (in the event that it is 'made').

Delete policy

Delete the supporting text

Policy H3: Housing Mix

- 7.41 This policy seeks to ensure that new residential development meets identified housing needs in the neighbourhood area. The supporting text helpfully makes the connection to the evidence of housing need captured in Section 2 of the Plan. Its overall approach is to ensure a mix of housing types in general and to meet the needs of older persons and those entering the housing market in particular.
- 7.42 I recommend a modification to the detailed wording of the final sentence of the policy. Otherwise it meets the basic conditions.

In the final sentence replace 'but will.... minority' with 'and where they are included within the overall composition of the site, they should be in a clear minority to the number of 1,2 and 3 bedroom houses'.

Policy H4: Affordable Housing Provision

- 7.43 The policy addresses the important matter of affordable housing. It mirrors the approach taken in Policy CS3 of the Local Plan Core Strategy.
- 7.44 In particular it applies the 40% affordable housing requirement. It also comments on affordable housing being an integral part of an overall development of the housing sites concerned. It identifies that affordable housing should be provided in clusters of up to six dwellings dispersed throughout the development. William Davis comment

that the six dwellings limit may impact on the viability of certain sites, and that social housing providers prefer larger clusters for their managed housing stock. I sought advice from the Parish Council on the basis on which the threshold of six dwellings had been determined. I was advised how the Plan had been refined as a result of the pre-submission consultation on this matter. The Parish Council had agreed to an amendment to the policy to include the six dwellings grouping threshold to reflect the size of likely developments in Quorn and to ensure that the affordable housing is provided as an integral part of any development and dispersed throughout the site concerned.

- 7.45 I understand the approach that has been taken and its relationship to the neighbourhood area. I recommend a degree of flexibility is introduced into the policy to take account of circumstances which may present themselves on a site-by-site basis. Otherwise the policy meets the basic conditions.

In the final sentence of the third paragraph of supporting text on page 25 replace 'ghettoised' with 'specifically concentrated'.

At the end of the third paragraph of supporting text on page 25 add:

'This is captured in Policy H4. It reflects the size of new housing developments which are likely to come forward in the neighbourhood area in the Plan period. A degree of flexibility on the number of houses in any cluster may be appropriate where it might otherwise affect the overall viability of the site concerned and/or the ability and willingness of a social housing provider to manage properties effectively.'

Policy H5: Windfall Development

- 7.46 This policy supplements other housing policies. It offers general support for residential development proposals within the settlement boundary subject to a series of criteria. The criteria are appropriate to the neighbourhood area. They address a series of amenity, traffic and environmental matters.
- 7.47 I recommend detailed modifications to some of the words used in the policy. I also recommend a modification to ensure that a developer needs to comply with all the five criteria. Otherwise the policy meets the basic conditions.

Replace:

- **'subject to...well designed with 'where they are well-designed'.**
- **'meeting' with 'comply with'.**

At the end of the fourth criterion replace the full stop with '; and'.

Policy ENV1: Areas of Separation

- 7.48 This is an important policy within the context of the setting of the village both within the neighbourhood area and within its wider landscape within the A6/River Soar corridor. The policy is also one which needs to be addressed in terms of its

relationship both with existing adopted planning policy and with the approach in the emerging Local Plan. The Borough Council has a strong tradition of protecting the separation of its various settlements through planning policy. It commissioned a detailed report in 2016 on this matter - the Green Wedges Urban Fringe Green Infrastructure Enhancement Zones and Areas of Local Separation March 2016 ('the Arup study'). This study is feeding into the preparation of the emerging Local Plan.

- 7.49 The policy in the submitted Plan proposes the designation of two Areas of Separation. The larger of the two would be between Quorn and Loughborough/Woodthorpe (to the north). The other is between Quorn and Mountsorrel (to the south).
- 7.50 The Borough of Charnwood Local Plan (2004) allocates Areas of Local Separation through saved Policy CT/4 to preserve the separate identities of communities and prevent settlement coalescence. One such area is located between Quorn and Mountsorrel and is identified on the adopted 2004 Proposals Map. The Area of Separation between Quorn and Mountsorrel shown in the submitted Neighbourhood Plan generally corresponds with that shown on the Local Plan Proposals Map; however, the area has been extended to the south abutting Wood Lane. This was identified in the 2016 Arup Review as an Extension Opportunity Zone that is functionally and visually part of the strategic gap between the two settlements.
- 7.51 The land between Quorn and Loughborough to the north was identified as a Green Wedge by saved Policy CT/3 of the 2004 Local Plan and is an extensive tract of land. The 2015 Core Strategy did not propose that a green wedge should continue in this location; however, it made clear the intention to investigate the potential for an Area of Separation (para 7.16). The 2016 Arup Review has sought to provide an evidence base to explore this possibility.
- 7.52 The policy has two related parts. The first proposes the designation of the two areas of separation. The second indicates that development within the areas should be located and designed to maintain and where possible enhance the separation of the villages concerned. I sought advice from the Parish Council on the extent to which the Areas of Separation were necessary to achieve their desired effect and took account of national policy. I was advised about the community's concerns about the coalescence of the identified settlements. I was also advised that the Parish Council considered that the policy has regard for the NPPF in seeking to maintain an area's character and setting (para 122), in reflecting an understanding and evaluation of an area's defining characteristics (para 125), and which are sympathetic to local character and history, including the surrounding built environment and landscape setting (para 127).
- 7.53 The policy has attracted representations from the development industry. William Davis and Parker Strategic Land suggest that the proposed designation of the Area of Separation between Quorn and Loughborough is not justified by evidence both in general terms and in the Arup study in particular. The representation also contends that an additional layer of planning control is not required beyond that already existing in the development plan. Gladman Developments comment that the policy is

a strategic policy beyond the remit of neighbourhood plans that would have the effect of imposing a blanket restriction on development to the north west and south east of Quorn. It would effectively offer the same level of protection as Green Belt land without undertaking the necessary exceptional circumstances test for the designation of new areas of Green Belt. The representation refers me to Planning Practice Guidance (41-074-20140306) which comments that a neighbourhood plan should not attempt to introduce strategic policies which would undermine the strategic policies set out in the development plan.

- 7.54 CBC has also made a representation on the proposed Area of Separation between Quorn and Loughborough. It comments that there are significant discrepancies between the proposed Area and the evidence base supporting the emerging Local Plan, including the Arup study. It also contends that the differences between the two approaches (as now included in the submitted Plan) is insufficiently evidenced.
- 7.55 I looked at both the proposed Areas of Separation as part of my visit to the neighbourhood area. I saw first-hand the significance of the separation of the settlements concerned. I have considered all the information available to me as part of the examination very carefully. I am satisfied that the proposed Area of Separation between Quorn and Mountsorrel is appropriate and meets the basic conditions. It is a well-defined, geographically restricted area between the two settlements. It has a close relationship with existing planning policy and accords with the evidence base for the emerging Local Plan.
- 7.56 I recommend that the proposed Area of Separation between Quorn and Loughborough is deleted. I have reached this conclusion for the following two reasons:
- It is an extensive parcel of land which when coupled with the policy wording would represent a strategic policy which should be determined in a local plan; and
 - In any event its proposed designation is inadequately supported by evidence.
- 7.57 I appreciate that this recommended modification will be a disappointment to the Parish Council. Nevertheless, it should not be concluded that development will be encouraged within the existing gap between the two settlements. The existing protections in the development plan remain unaffected and will remain so until the emerging Local Plan is adopted. As has been described earlier in this report CBC is actively considering a suite of policies that will set out to protect the separation and distinctiveness of its various settlements in the emerging Local Plan. Once the Local Plan is adopted the neighbourhood plan could be reviewed so that it is aligned to the strategic picture on this important matter.

In the first part of the policy:

- **delete ‘and between Quorn and Loughborough and Woodthorpe’; and**
- **replace ‘two Areas.... designated’ with ‘an Area of Separation is designated’**

In Figure 6 remove the proposed Area of Separation between Quorn and Loughborough/Woodthorpe.

Delete the paragraph of supporting text relating to the Area of Separation between Quorn and Loughborough/Woodthorpe on page 34.

Policy ENV2: Local Green Space

- 7.58 The policy proposes the designation of three local green spaces. Each in turn has been comprehensively assessed against the three criteria in paragraph 77 of the NPPF. I saw them when I visited the neighbourhood area.
- 7.59 I am satisfied that the three proposed designated areas meet the tests in national policy. The Parish Council kindly provided clarity on the size of the largest of the three areas (Barrow Slabs). In their different ways both Tom Long's Meadow and the Churchyard provide distinctive and very pleasant open green spaces within the built-up element of the village.
- 7.60 I recommend that the policy wording is modified so that it adopts a policy format to reflect that set out in the NPPF.

In the opening part of the policy delete '(see figure 7) special circumstances'

At the end of the policy add:

'Development on the local green spaces will not be supported other than in very special circumstances'

Policy ENV3: Sites of Natural Environment Significance

- 7.61 The policy has two related parts. The first identifies sites which the Plan concludes have natural environment significance. The second part of the policy provides the appropriate protection to the identified sites based on their significance and the contribution that they make to the wider ecological network. The policy is underpinned by Appendix G of the Plan. It assesses a variety of sites against a series of environmental criteria. The approach adopted in the policy has regard to national advice on this matter in the NPPF (109-125) both in general and in terms of the significance of the environmental asset concerned in particular.
- 7.62 The policy has attracted a representation by Proctors Park. It contends that parcels of land 166/168/169 should not have been scored 'highly' for wildlife in Appendix G. The representation draws my attention to the agricultural nature of the parcels of land concerned and the lack of any natural stream in any of the three identified sites. Plainly there will inevitably be a matter of interpretation and judgement on this matter. Inevitably any parcel of land in a natural state or actively-farmed has the ability to attract wildlife. In these circumstances given the evidence from the owners of the site, the active use of the parcels of land for agricultural use and on the basis of my observation of the sites concerned from Leicester Road I recommend that the three sites are deleted from Figure 9.

Delete parcels of land 166/168/169 from Figure 9.

Policy ENV4: Trees, Woodland and Hedges

- 7.63 The policy supplements the approach taken in Policy ENV3. Its focus is on trees, woodland and hedges. Its approach is to retain and safeguard such features. I saw when I visited the neighbourhood area that the character of significant parts of the built-up area is defined by its tree cover. Buddon Lane has a very pleasant sylvan appearance. Nevertheless, the policy provides an appropriate degree of flexibility where work to trees and hedgerows is either unavoidable or necessary to allow development to proceed.
- 7.64 I recommend a series of modifications to the language used in the policy. As submitted the policy uses language which is either prescriptive or vague. Whilst it does not alter the approach taken it introduces the clarity to the policy required by the NPPF. I also recommend a modification to clarify the degree of adverse harm to such features. The policy comments that proposals that adversely affect the identify features will be resisted. Plainly many proposals may have an adverse effect. Nevertheless, the key factor is the acceptability or otherwise of that impact.

In the first part of the policy replace:

- **‘adversely affect’ with ‘have an unacceptable adverse effect on’;**
- **‘be resisted’ with ‘not be supported’; and**
- **‘destruction’ with ‘the loss of trees and hedges’.**

In the second part of the policy replace ‘encouraged’ with ‘supported’.

Policy ENV5: Sites of Historic Environment Significance

- 7.65 The policy seeks to ensure that new development proposals take account of the sites of historic environmental significance shown in figure 11. The policy relies on information in Appendix G of the Plan. I recommend that the supporting text is clear on this matter. It provides an audit trail for the policy and the sites affected by its provisions.
- 7.66 In general terms I am satisfied that the policy has regard to national policy in the NPPF (paragraphs 126-141). In particular it apportions appropriate weight to any particular heritage asset based on its significance. I recommend a series of detailed word changes to the policy. Otherwise it meets the basic conditions

In the first sentence replace ‘will be expected to’ with ‘should’

In the second sentence replace ‘Planning permission.....be refused’ with ‘Development proposals that would have a detrimental impact on a site of historic environment significance will not be supported’.

In the supporting text in 5.3.5.2 replace ‘(see supporting information)’ with ‘(see Appendix G)’

Policy ENV6: Biodiversity

- 7.67 The policy addresses general matters on biodiversity in the neighbourhood area. It properly makes a distinction between designated and non-designated sites in the first and second part of the policy respectively.
- 7.68 I recommend the deletion of the speech mark at the end of the policy. Otherwise it meets the basic conditions.

Delete speech mark at the end of the policy.

Policy ENV7: Wildlife Corridors and Habitat Connectivity

- 7.69 This policy addresses a series of wildlife corridors in the neighbourhood area. The significance of the various corridors in the neighbourhood area is immediately apparent. They include Tom Long’s Meadow, Poultney Brook and the River Soar/Grand Union corridors.
- 7.70 I recommend detailed modifications to the language used to bring clarity as required by the NPPF. I also recommend that the references to Rothley Brook in the Plan should be replaced with Poultney Brook. This will remedy factual errors in the Plan.

In the first sentence replace ‘will be expected to’ with ‘should’.

In the second sentence replace ‘it should not’ with ‘Development proposals that would’ and add ‘will not be supported’ at the end.

Replace references to Rothley Brook with Poultney Brook in Figure 12 (page 46) and in schedule of Page 47.

Policy ENV8: Protection of Important Views

- 7.71 This policy is based around a series of important views identified on figure 13. In general, they are significant views from within the village towards the surrounding countryside. The supporting text in paragraph 5.4.2 helpfully provides a context in its comments on the role of the views in ‘connecting the settlement with its surrounding countryside’, ‘helping to create a sense of place’ and which ‘define the historic layout and townscape of the village’. They are usefully shown in photographic format after Figure 13.
- 7.72 The policy has attracted a representation by Proctors Park. It contends that views D and E are in part inaccurate and in any event extend beyond the neighbourhood area.

- 7.73 On the latter point I sought advice from the Parish Council. I was advised that the policy was intended to apply only within the neighbourhood area. I recommend accordingly. On the first point I recommend modifications to the wording of the information in the details of the Important Views. The recommended modifications set out to describe the view within the neighbourhood area.
- 7.74 In principle I am satisfied that a policy that seeks to safeguard and respect key views has the ability to meet the basic conditions. As the supporting text identifies the policy recognises the strong relationship between the village and its hinterland. Nevertheless, as submitted the policy is on the one hand prescriptive in its approach ('will be strongly resisted') and on the other hand unclear about its application ('development that adversely impacts in a significant way').
- 7.75 Having considered all the information before me I consider that the views concerned have been sensitively chosen. They reflect the landscape character of the neighbourhood area. They also reflect the information in the evidence base of the Plan itself. However, the policy itself takes an approach which would effectively restrict development in extensive parts of the neighbourhood area. This is compounded by the detailed language used in the policy. As such the policy will not provide the clarity required by the NPPF.
- 7.76 I recommend modifications to the policy and to the supporting text to remedy the matters raised above. They seek to safeguard the approach intended in the Plan whilst taking account of the potential ability of new development to proceed which could sit comfortably both with the policy and with the important and sensitive relationship between the village itself and the surrounding countryside.

Replace the policy with:

'Development proposals should retain and respect where practicable the views within the village, to and from the village and of the wider landscape in the neighbourhood area (as shown in Figure 13). Development which would have an unacceptable impact on the identified views will not be supported.'

At the end of the supporting text add:

'The identified Important Views are shown in Figure 13. The details of each view together with a photograph are included after Figure 13. Plainly views in general have no regard to administrative boundaries. Nevertheless, this policy only applies to the views identified insofar as they are within the neighbourhood area.'

At the end of the supporting text as a new paragraph add:

'Policy ENV8 establishes a policy context to safeguard the identified Important Views. Its approach is to ensure that development proposals should retain and respect wherever practicable the views concerned. It recognises the potential ability of new development to proceed which could sit comfortably both with the policy and with the important and sensitive relationship between the village itself and the surrounding countryside. Proposals that have the potential to affect detrimentally one of the identified important views in Figure 13 should be accompanied by a Landscape and

Visual Impact Assessment to assess the proposal from the affected viewpoints. Where appropriate mitigation measures should also be included’.

In the description of the views on pages 49/50:

Modify D to read:

‘From School Lane/Soar Road east to the River Soar’

Modify E to read:

‘Northeast from Leicester Road across managed wildflower-rich grazing meadows to the River Soar’

Policy ENV9: Renewable Energy Generation Infrastructure

7.77 The policy sets out to provide a policy context for renewable energy generation. It does so in a very comprehensive fashion. It has three related sections – the first has general effect, the second relates to wind turbine development and the third relates to large scale solar generation proposals. Through the clarification note process the Parish Council confirmed that the general part of the policy also applies to the specific proposals addressed in the second and third components.

7.78 I recommend a series of modifications as follows:

- to ensure that a developer needs to comply with all the five criteria in the first part of the policy;
- to ensure that the third component adopts the same (positive) format of the other two components; and
- to clarify that the two detailed types of proposals need also to comply with the first part of the policy.

In the first part of the policy include semi colons after criteria a/b/c

After criterion d add ‘; and’

In the third part of the policy replace ‘unless’ with ‘where’.

In criterion a replace ‘exceeds’ with ‘does not exceed’.

In criterion b replace ‘visible’ with ‘not visible’

In criterion c replace ‘evident’ with ‘not experienced’

At the end of the supporting text on page 52 add the following new paragraph:

‘The approach taken in the policy is based around a general component (part 1) and detailed components (parts 2 and 3) dealing with specific types of renewable energy development. Proposals for each of the detailed elements also need to comply with the general approach as set out in the first part of the policy.’

Policy CF1: Retention of Community Facilities and Amenities

7.79 The policy sets out to safeguard a series of identified community facilities. They are listed separately in the supporting text. The policy does not support the loss of any of the identified facilities unless one of three circumstances exist. These circumstances

relate to ongoing need, commercial viability or where alternative facilities are proposed as part of the development.

- 7.80 For absolute clarity I recommend that the identified facilities are listed in the policy itself. I am satisfied that the facilities have been appropriately identified. Otherwise the policy meets the basic conditions. It will make a significant contribution in the way in which the Plan contributes towards the social dimension of sustainable development in the neighbourhood area.

At the beginning of the policy add:

‘The following are identified as particularly valued community facilities:

- **Quorndon Fox PH**
- **The White Hart Inn**
- **The Blacksmith’s Arms**
- **The Apple Tree**
- **The Royal Oak**
- **Quorn Baptist Church**
- **St Bartholomew’s United Church**
- **The Village Hall**
- **The Church Rooms**
- **Quorn Bowling Club Thatched Pavilion**
- **Deep End Activity Centre**
- **Allen House Scout and Guide HQ**
- **The Great Central Railway**
- **Pilling’s Lock Marina**
- **Quorn Football Club and Club House**
- **Quorn Community Library**
- **Quorn Country Club**
- **Quorn Grange Hotel**
- **The Manor Hotel’**

In the first part of the submitted policy replace ‘community facilities or amenities’ with ‘particularly valued community facilities.’

In the supporting text on page 55 replace ‘Appendix J’ with ‘Appendix H’

Policy CF2: New or Improved Community Facilities

- 7.81 This policy offers support for new or improved community facilities. It does so subject to a series of appropriate amenity, environmental and traffic criteria.

- 7.82 The policy meets the basic conditions.

Policy CF3: Schools

7.83 This policy offers support for the expansion of existing schools. It does so subject to a series of appropriate amenity, environmental and traffic criteria. It will make a significant contribution in the way in which the Plan contributes towards the social dimension of sustainable development in the neighbourhood area.

7.84 The policy meets the basic conditions.

Policy CF4: Quorn Medical Centre

7.85 This policy provides a positive context for the development of new or alternative premises for the Quorn Medical Centre. The supporting text highlights the pressure on the existing facilities. I saw that they occupied a central position within the village centre.

7.86 Subject to modifications to the wording used the policy meets the basic conditions. For clarity I also recommend that the title of the policy is modified so that it adopts a more general format. Whilst its title is 'Quorn Medical Centre' the policy addresses potential proposals for an alternative site rather than for the current site.

Replace the title with 'Medical Facilities'

Replace criterion b) with 'will provide parking provision, including that for essential medical personnel, to development plan standards'

Policy E1: Employment and Business Development

7.87 The policy addresses employment and business development. It has two related parts. The first safeguards existing employment sites and buildings. The second offers support for new businesses and for the expansion of existing buildings subject to a series of environmental, amenity and traffic criteria.

7.88 In general terms I am satisfied that the approach taken meets the basic conditions in general, and has regard to national policy in particular. In the first part of the policy I recommend that 'permitted' is replaced with 'supported'. This offers an appropriate degree of flexibility that is already captured in this part of the policy.

In the first part of the policy replace 'permitted' with 'supported'.

Policy E2: Quorn Village Centre

7.89 This policy has a clear focus on the village centre. It is appropriately positioned in the Employment part of the Plan. It is key to the economic and social sustainability of the neighbourhood area. It has five related components as follows:

- a definition of the local shopping centre within which proposals for new retail development will be supported;
- offering support to proposals for other village centre uses where a loss of existing retail uses would not result in a cluster of non-retail uses;

- offering support for new shop fronts which relate well to their context;
- resisting proposals for works to shop fronts that would result in poor or inappropriate design; and
- providing a context for new signage in the local shopping centre.

7.90 I am satisfied that the overall approach is appropriate to the neighbourhood area. It reflects that the village centre is within its historic core. I raised several technical issues with the Parish Council through the clarification note. The recommended modifications below reflect the questions raised and the responses received. I address them around the paragraphs in the policy itself.

First paragraph

The recommended modifications seek to simplify the policy and its conflicting use of the word 'frontages'. It also clarifies that proposals for new retail development will be supported (insofar as planning permission is required) where they would replace existing commercial and non-commercial uses.

Replace the second sentence with:

'Within the designated local shopping centre proposals for new retail (A1) development will be supported'

Second paragraph

The recommended modifications are both to the policy and to the supporting text. They set out to remove the rather prescriptive approach in the policy and to provide some guidance on the scale of the cluster of non-retail uses in the supporting text.

In the second sentence replace 'be resisted' with 'not be supported'

At the end of the final paragraph of supporting text in 7.4.1 add:

'Policy E2 addresses this important matter. It defines the Local Shopping Centre within which new retail proposals will be supported. The opening of new retail units would be particularly supported. The second part of the policy seeks both to support the establishment of other commercial operations in the Local Shopping Centre and to resist any such proposals which might result in clusters of non-retail activity. Plainly it is impractical to anticipate how such proposals might come forward within the Plan period. Nevertheless, as guidance it is considered that a cluster of two or more non-retail uses would be considered to be inappropriate.'

Fourth paragraph

I recommend the deletion of any reference to 'indifferent' design. It would be difficult to define and/or apply through the development management process.

Replace 'poor, inappropriate or indifferent design' with 'poor or inappropriate design'.

Policy E3: Home Working

- 7.91 This policy sets out to provide a positive context for the promotion of home working. As the supporting text comments, it will promote local employment opportunities and reduce the dependency on the car for journeys to work.
- 7.92 As with other policies it includes a series of appropriate amenity, environmental and traffic criteria. The policy meets the basic conditions.
- 7.93 I recommend the inclusion of an additional sentence in the supporting text to recognise that many proposals for home working will be of a modest nature which will not require planning permission.

At the end of the first paragraph of supporting text add:

'Policy E3 sets out a supporting context for home working proposals. Some proposals for home working will be of a modest nature and are unlikely to require planning permission. As such the policy will apply only to those home working proposals which require planning permission'.

Policy E4: Farm Diversification

- 7.94 The policy offers support for the re-use, conversion and adaptation of rural buildings and well-designed new buildings for commercial use. It does so subject to a series of environmental, traffic and flood risk criteria. The policy has regard to national policy.
- 7.95 I recommend that the supporting text clarifies the Parish Council's incorporation of 'well-designed new buildings' into the remit of the policy. This was provided within the examination process in response to the clarification note. It is provided below with my own recommended modifications to bring clarity. Otherwise it meets the basic conditions.

At the end of the second paragraph in 7.6 add:

'Policy E4 provides a context within which this type of development can proceed in the Plan period. It is likely to apply mainly to traditional rural buildings. However, the policy also includes the potential for the re-use and conversion of well-designed new buildings for commercial use. In this context a well-designed new building would be one which meets the requirements contained in the National Planning Policy Framework, the National Planning Practice Guidance and Policy S2 of this Plan'.

Policy E5: Tourism

- 7.96 The policy addresses two aspects of tourism proposals. The first supports tourism and visitor economy development proposals. The second seeks to prevent the loss of tourism and leisure facilities unless they are no longer viable or where alternative provision is proposed.
- 7.97 I recommend modifications to both parts of the policy. In the first I recommend that wording on the acceptability or otherwise of the impacts is included. In the second I recommend the policy is modified so that it is directly applicable to the development

management process. As submitted 'the loss of tourism and leisure facilities' is inadequately defined.

In the first part add 'unacceptable' between 'have' and 'adverse'.

In the second part of the policy replace 'The' with 'Proposals that would result in the'.

Policy E6: Broadband Infrastructure

- 7.98 The policy offers support for increased access to super-fast broadband services. It also sets out standards for the provision of broadband services for new developments.
- 7.99 The policy will make an important contribution towards the delivery of the economic and the social components of sustainable development in the neighbourhood area. It meets the basic conditions.

Policy T1: Traffic Management

- 7.100 The policy seeks to relate development that would have an impact on the rural highway network and the need to minimise vehicular traffic. It sets out five specific requirements.
- 7.101 I recommend a series of modifications to the policy as follows:
- to bring simplicity to its opening section. As submitted, it is more a statement of intent rather than a policy;
 - to delete the third part of the policy. As the County Council comments, the thresholds proposed for public transport routes into development sites and for site specific travel plans are significantly below those which it applies throughout the county. In any event the thresholds provided are disproportionate to the scale of development set out in the policy; and
 - the deletion of the final paragraph of the policy. It addresses traffic management issues which would be promoted through the Highways Acts rather than the planning process. As such the policy would not be land use based.

Replace the opening part of the policy with:

'Development proposals that would result in an increase in vehicular traffic on the rural highway network should:'

Delete criterion c) and renumber accordingly.

Delete the final paragraph of the policy.

Policy T2: Public Car Parking

- 7.102 This policy has two related parts. The first seeks to retain existing public car parking in the neighbourhood area. The second offers support for proposals for a new car park and to enhance on street vehicle parking provision. I saw the importance of the existing car parking in the village centre when I visited the neighbourhood area. Plainly it contributes towards the vitality and viability of the various retail/commercial/community facilities in and around the village centre.
- 7.103 The second part of the policy relates to the management of on-street parking provision and signage in the village centre. It has the ability to be both land use based and non-land use (highway/traffic management orders) based. Given the unspecified nature of the proposals at this stage I am satisfied that the policy meets the basic conditions test for policies to be land use based. It will provide flexibility within the Plan period for any land use approaches to be supported.
- 7.104 The policy meets the basic conditions.

Policy T3: Footpaths

- 7.105 The policy has two related parts. The first sets out to protect existing footpaths, bridleways and cycleways. The second sets out the need for new development proposals to consider the improvement of existing networks and to create new facilities where it would be possible to do so.
- 7.106 In the second part of the policy I recommend that 'must' is replaced with 'should'. Otherwise the policy meets the basic conditions.

In the second part of the policy replace 'must' with 'should'.

Community Actions

- 7.107 The Plan includes an extensive range of Community Actions. They have naturally emerged as part of the preparation of the Plan. In the event that the Plan is made they are not planning policies and will not feature as part of the development plan.
- 7.108 The Actions are wide-ranging. They are presented under the following headings: Transport, Environment and Community Facilities. For the purposes of simplicity, I comment only on the Actions where it is necessary to do so and/or where I recommend modifications. Nevertheless, the approach taken in general, and the issues identified in particular, are appropriate and distinctive to the neighbourhood area. It is also clear how they will complement relevant land use policies and contribute towards place shaping.
- 7.109 Leicestershire County Council (Highways) have made technical comments on TTCA 1 and 2 and TTCA4-9. The comments raise appropriate issues about the potential for developer contributions to the works identified. Given the unspecified nature of the

various Actions I am satisfied that modifications are not required. Plainly the detailed issues will be worked out within the Plan period by negotiation and discussion between the parties concerned.

- 7.110 The Environmental section of the Actions comments on work on the Area of Separation, Open Spaces and Wildlife Corridors. The work/activities proposed are entirely appropriate. Nevertheless, the numbering used is identical to the policy numbers in the land use part of the Plan. To avoid confusion, I recommend that the Community Action numbering is made distinct from that used for the policies.
- 7.111 I have recommended the deletion of the proposed Area of Separation between Quorn and Loughborough as included in Policy ENV1 of the Plan. Nevertheless, I am satisfied that the corresponding Community Action can remain. Its focus is on collaborative work between local councils.

Replace ENV1-3 with ENVCA1-3.

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2036. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that the Quorn Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

- 8.3 On the basis of the findings in this report I recommend to Charnwood Borough Council that subject to the incorporation of the modifications set out in this report that the Quorn Neighbourhood Development Plan should proceed to referendum.

Referendum Area

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the Borough Council on 21 December 2016.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner. The responses to my various Clarification Notes were very helpful in preparing this report.

**Andrew Ashcroft
Independent Examiner
28 January 2019**

Quorn NDP
Policy H1

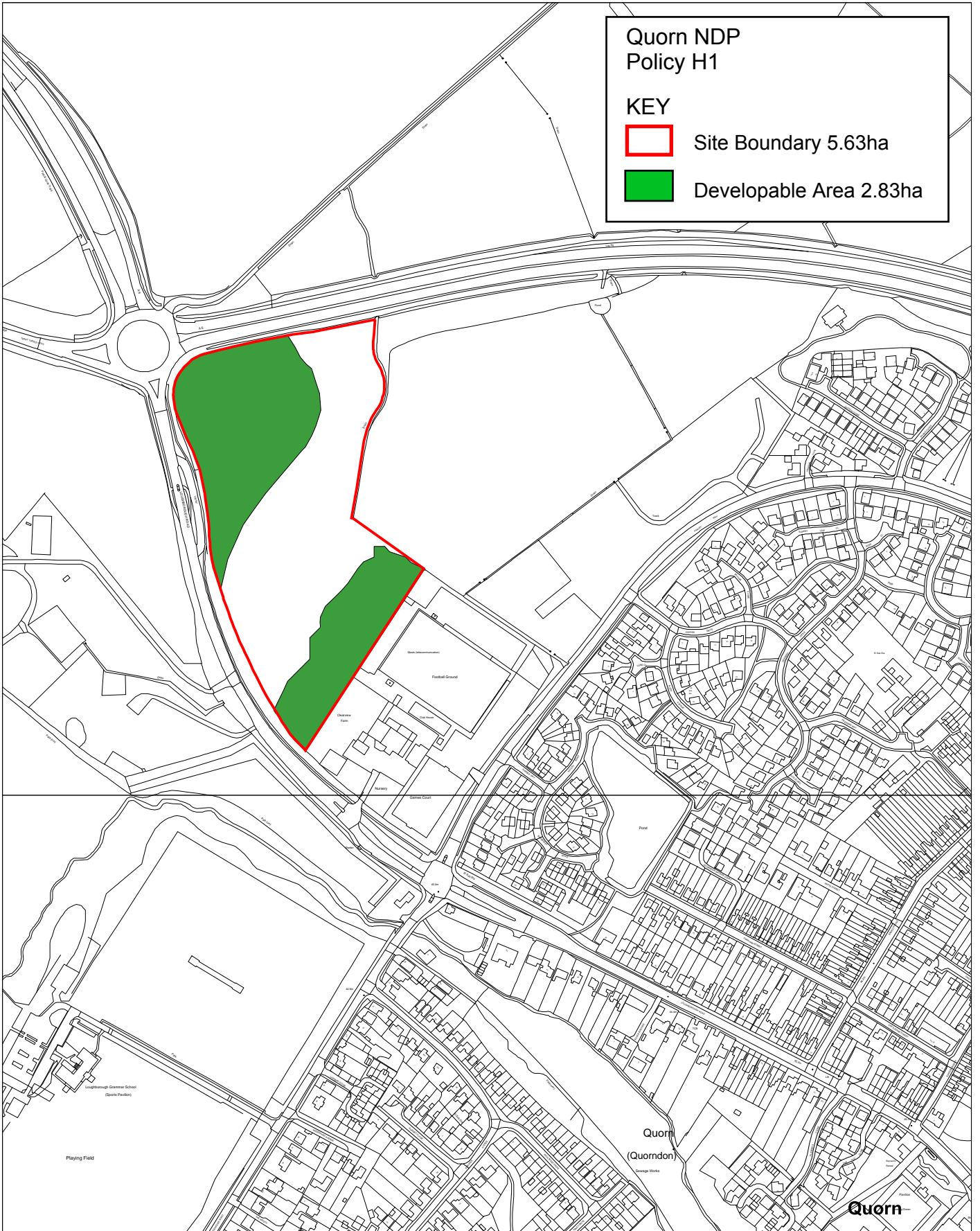
KEY



Site Boundary 5.63ha

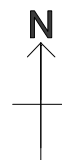


Developable Area 2.83ha



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Scale: 1:5000

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