

Blackfordby Neighbourhood Plan – Regulation 14 responses (redacted) – 19/12/19

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General comments						
	5	The Coal Authority		<p>The Coal Authority is a non-departmental public body which works to protect the public and the environment in coal mining areas. Our statutory role in the planning system is to provide advice about new development in the coalfield areas and also protect the coal resources from unnecessary sterilisation by encouraging their extraction, where practical, prior to the permanent surface development commencing.</p> <p>As you will be aware the Neighbourhood Plan area lies within the current defined coalfield. Our records indicate that there are recorded risks from past coal mining including; mine entries, recorded and likely unrecorded coal workings a shallow depth, surface mining activity and past recorded hazards.</p>	Noted	None
	6	Highways England		<p>We welcome the opportunity to comment on the Pre-Submission version of the Blackfordby Neighbourhood Plan which covers the period 2019-2031. It is noted that the document provides a vision for the future of the area and sets out a number of key objectives and planning policies which will be used to help determine planning applications.</p>	Noted	None

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				<p>Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth. In relation to the Blackfordby Neighbourhood Plan, our principal interest is in safeguarding the A42, M42 and A38 which route approximately 2 miles to the east, 4 miles to the south and 7 miles to the west of the Plan area respectively.</p> <p>We understand that a Neighbourhood Plan is required to be in conformity with relevant national and Borough-wide planning policies. Accordingly, the Neighbourhood Plan for the Parish of Blackfordby is required to be in conformity with the adopted North West Leicestershire District Council Local Plan (2011-2031) and this is acknowledged within the document.</p>		
	7	Heaton Planning		Thank you for the notification on 15th May 2019 that the Pre-submission version Blackfordby Neighbourhood Plan has been published for consultation. Heaton's have	Noted	None

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				<p>previously promoted two parcels of land in our clients' ownership for residential development within the boundary of the Blackfordby Neighbourhood Area (under previous name Heaton Planning). The purpose of this letter is to respond to this latest public consultation in order to further promote the interests of our clients, Mr and Mrs Mansfield, to Ashby de la Zouch Town Council.</p> <p>Our clients have experience in promoting land for residential development in the Blackfordby area, this includes securing outline planning permission for the "Spires View" development (by Davidsons) off Butt Lane, Blackfordby.</p> <p>Following the previous North West Leicestershire District Council (NWLDC) Local Plan Issues consultation, the District Council have undertaken further consultation, inviting the submission of potential housing and employment sites through a call for sites exercise to inform the District's SHELAA. We have submitted sites and engaged with the District's SHELAA preparation on behalf of our clients as well as promoting sites for future development to the emerging Neighbourhood Plan for the area.</p>	Noted	None

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				<p>We have promoted the following sites within the Blackfordby Neighbourhood Area for residential development:</p> <ul style="list-style-type: none"> • Land at Butt Lane, Blackfordby (referred to hereon as Site ref. By4); and • Land south of the A511 Ashby Road and west of Heath Lane, Boundary (referred to hereon as Site ref. Bo1). <p>Once formally made, the Neighbourhood Plan will form part of the Development Plan for Blackfordby and set out where and how new development should take place within and around the village.</p> <p>Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended) requires a draft Neighbourhood Plan to meet 'basic conditions' including having regard to national policies and advice, and contributing to the achievement of sustainable development.</p> <p>On behalf of our clients, we therefore wish to take this opportunity to make formal representations on behalf of our clients to the Pre-submission version Blackfordby Neighbourhood Plan. We also re-iterate our intention to continue the promotion of our clients' land interests within the Blackfordby Neighbourhood Area.</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>None</p> <p>None</p> <p>None</p> <p>None</p> <p>None</p>

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				<p>We wish to submit the following comments relating to the policies within the Pre-submission version Neighbourhood Plan, which should be read in conjunction with our other comments contained within this letter. We would like to comment specifically on the following draft policies:</p> <ul style="list-style-type: none"> • Policy H1: Residential Site Allocation; • Policy H3: Windfall Housing Sites • Policy ENV6: Biodiversity and Habitat Connectivity; and • Policy ENV7: Protection of Important Views . 	Noted	None
	7	Heaton Planning		<p>We received a letter from Ashby de la Zouch Town Council (dated 12th December 2018) which included Site Sustainability Assessments (SSAs) for both the Butt Lane (ref By4) and Boundary (ref Bo1) sites. The letter explains that the clients' sites (By4 and Bo1) are not being taken forward for inclusion in the emerging Neighbourhood Plan as "following a detailed process" the sites "have not been ranked highly enough to merit further consideration."</p> <p>We were not presented with an opportunity to comment on the SSAs received and inform the process, this Pre-submission version consultation is the first opportunity to do so. The Presubmission version Neighbourhood Plan includes nine Appendices, only seven of which have been</p>	<p>Two appendices not available yet are the Basic Conditions Statement and Consultation Statement, neither of which can be produced at this stage in the process. They will be available at the Submission stage of the NP process</p> <p>The site assessments were sent via NWLDC because of GDPR requirements. The letter said that 'the report is a draft and we would welcome any thoughts on the contents you might have ...'.</p> <p>No response was received to this letter so it is not correct to say that there was no opportunity to comment.</p>	

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				<p>uploaded to the Town Council website for public scrutiny. Providing a transparent and robust evidence base in support of the Neighbourhood Plan is fundamental not only to supporting the delivery of sustainable growth for Blackfordby over the Plan period. The Appendices to the Pre-submission Neighbourhood Plan should justify the content of the Neighbourhood Plan through robust methodology and consistent and appropriate application of the methodology</p>		
	7	Heaton Planning		<p>In conclusion, we have concerns that the Pre-submission version Neighbourhood Plan has not been prepared in the spirit of positive engagement with interested parties and that the contents of the plan are unclear. Whilst the Plan and Appendices suggest that the Neighbourhood Plan Group have engaged with stakeholders throughout the emerging Plan process, this has not happened in practice.</p> <p>The withholding of supporting evidence, including up-to-date SSAs for our clients' sites and any form of SSA for other sites, is contrary to paragraph 15 of 'Neighbourhood Planning' in National Planning Practice Guidance, paragraph 47 of which requires "inclusive and open preparation of its neighbourhood plan".</p>	<p>There has been ongoing consultation with the community and stakeholders</p> <p>There has been significant engagement with the community through Open Events, a questionnaire and through invitations to join groups developing the NP.</p> <p>All relevant information will be available once the draft NP has been amended following the Regulation 14 process.</p>	

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				<p>The Blackfordby Pre-submission Neighbourhood Plan has a distinct lack of evidence to justify the choices made in relation to Policy H1. The limited information supplied is unclear, with discrepancies between the Plan and Appendix 3 relating to the number of housing sites allocated. The 'ranking' of sites also differs between the Neighbourhood Plan and its evidence base at Appendix 3, as does the RAG scoring of our clients' sites in the draft SSA we received in December 2018 and the scoring presented in Appendix 3. We would benefit from sight of updated SSAs for our clients' sites and those of other sites promoted to the Neighbourhood Plan.</p> <p>Clear contradictions are also apparent between Policy H1 and other policies within the Plan, namely ENV6 and ENV7, where it seems likely that the views of different Neighbourhood Plan Topic Groups conflict with one another.</p>	<p>The evidence is provided in the appendices</p> <p>Noted. Wildlife corridor 1, ENV 6: Development on this scale, especially if constructed and landscaped to current best practice for SUDs, environment and biodiversity, and if it included mitigation to preserve the course of the watercourse on its northern boundary, would not disrupt connectivity between the marked biodiversity sites – the proposed WLC already passes through existing housing along Butt Lane.</p>	<p>Change to be made as indicated</p>

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				<p>Therefore, we consider that the Pre-submission version Neighbourhood Plan does not accord with the basic conditions and the preparation of the plan to date could be legally flawed. On behalf of our clients, we will consider legal advice should the plan continue to progress without matters being taken to address the concerning lack of transparency and openness to date.</p> <p>As noted within this letter, our clients wish to continue the promotion of their land interests at Blackfordby for residential development. We consider that up to now, our clients have been prejudiced by a failure to release supplementary information</p>	<p>The narrative above the policy will be amended to make this clear</p> <p>View 4, ENV 7: The topography means that development here would sit at low level at the foot of the hill. The policy is written to require mitigations, and these will be specified in the housing allocation policy. This includes in this case e.g. limited to 2-storeys, alignment of roof ridges parallel with the view direction, plot spacing, tree planting on the south boundary.</p> <p>Contact was made and not responded to. The letter was sent in December 2018 and never responded to.</p>	<p>Change to be made as indicated</p>

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				<p>relating to application of the SSA scoring matrix and an updated SSA. Neither Heaton or our clients were made aware of any opportunity to submit comments before or after the issue of the draft SSA until now. Nevertheless, our clients are committed to continuing to work positively and constructively with the Town and District Councils.</p> <p>We consider that the only options are for a further round of consultation to be undertaken, or the Pre-submission consultation to be 're-run' with all relevant papers and background evidence used to inform the decisions taken in the Plan preparation process made available.</p> <p>I trust that these comments are useful in highlighting to you the procedural and specific-site selection assessment matters that we consider require your attention. We look forward to a response in due course.</p>		
	8	Leics. County Council		<p>Planning Developer Contributions</p> <p>If there is no specific policy on Section 106 developer contributions/planning obligations within the draft Neighbourhood Plan, it would be prudent to consider the inclusion of a developer contributions/planning obligations policy, along similar lines to those shown for example in the Adopted</p>	<p>This general comment is noted.</p> <p>The level of development proposed for Blackfordby will not generate specific infrastructure requirements</p>	None

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				<p>North Kilworth NP and the Adopted Great Glen NP albeit adapted to the circumstances of your community. This would in general be consistent with the relevant District Council's local plan or its policy on planning obligations in order to mitigate the impacts of new development and enable appropriate local infrastructure and service provision in accordance with the relevant legislation and regulations, where applicable.</p> <p>North Kilworth Adopted Plan Great Glen Adopted Plan</p>		
	8	Leics. County Council		<p>Mineral & Waste Planning The County Council is the Minerals and Waste Planning Authority; this means the council prepares the planning policy for minerals and waste development and also makes decisions on mineral and waste development.</p> <p>Although neighbourhood plans cannot include policies that cover minerals and waste development, it may be the case that your neighbourhood contains an existing or planned minerals or waste site. The County Council can provide information on these operations or any future development planned for your neighbourhood.</p> <p>You should also be aware of Mineral Consultation Areas, contained within the adopted Minerals Local Plan and Mineral</p>	Noted	None

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				and Waste Safeguarding proposed in the new Leicestershire Minerals and Waste Plan. These proposed safeguarding areas and existing Mineral Consultation Areas are there to ensure that non-waste and nonminerals development takes place in a way that does not negatively affect mineral resources or waste operations. The County Council can provide guidance on this if your neighbourhood plan is allocating development in these areas or if any proposed neighbourhood plan policies may impact on minerals and waste provision.		
	8	Leics. County Council		Equalities While we cannot comment in detail on plans, you may wish to ask stakeholders to bear the Council's Equality Strategy 2016-2020 in mind when taking your Neighbourhood Plan forward through the relevant procedures, particularly for engagement and consultation work. A copy of the strategy can be view at: www.leicestershire.gov.uk/sites/default/files/field/pdf/2017/1/30/equalitystrategy2016-2020.pdf	Noted	None
	9	Derbyshire County Council		Overall, this is a well-written and comprehensive plan and supported by a range of up to date evidence providing reasoned justification and support for the policy approach in the Plan.	Noted	None
	9	Derbyshire County Council		DCC's Flood Risk Management Team has no comments to make on the BNP.	Noted	None

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	10	Gladman		<p>Legal Requirements 2.1.1 Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The Basic Conditions that the BNP must meet are as follows:</p> <p>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;</p> <p>b) Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order;</p> <p>c) Having regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order;</p> <p>d) The making of the neighbourhood plan contributes to the achievement of sustainable development;</p> <p>e) The making of the neighbourhood plan is in general conformity with the strategic policies contained within the development plan for the area of the authority; and</p> <p>f) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.</p>	Noted	None

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				<p>g) The making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.</p> <p>Through the preparation of the neighbourhood plan it is important for the Steering Group to ensure that the policies contained in the Plan are in accordance with the Basic Conditions as set out above. If regard has not been given to the basic conditions through the drafting of policies that are to be contained in the neighbourhood plan, then there is a real risk that the policies may be found inconsistent with the basic conditions when the plan reaches independent examination and may be unable to proceed to referendum.</p>	Noted	None
	10	Gladman		<p>Guidance National Planning Policy Framework On 24th July 2018, the Ministry of Housing, Communities and Local Government (MHCLG) published the Revised National Planning Policy Framework (NPPF2018). This publication forms the first revision of the Framework since 2012 and implements changes that have been informed through the Housing White Paper, The Planning for the Right Homes in the Right Places consultation and the draft NPPF2018 consultation. This version was itself</p>	Noted	None

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				<p>superseded on the 19th February 2019, when MHCLG published a further revision to the NPPF (2019). This implements further changes to national policy, relating to the Government's approach for Appropriate Assessment as set out in Paragraph 177, clarification to footnote 37 and amendments to the definition of 'deliverable' in Annex 2.</p> <p>The NPPF (2019) sets out the Government's planning policies for England and how these are expected to be applied. In doing so it sets out the requirements of the preparation of neighbourhood plans within which locally-prepared plans for housing and other development can be produced. Crucially, the changes to national policy reaffirms the Government's commitment to ensuring up to date plans are in place which provide a positive vision for the areas which they are responsible for to address the housing, economic, social and environmental priorities to help shape future local communities for future generations. In particular, paragraph 13 states that:</p> <p>“The application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial</p>	<p>This review of the legislation is noted and has formed the basis of the framework for the preparation of the Neighbourhood Plan.</p>	<p>None</p>

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				<p>development strategies; and should shape and direct development that is outside of these strategic policies.”</p> <p>Paragraph 14 further states that: “In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply: a. The neighbourhood plan became part of the development plan two years or less before the date on which the decision is made; b. The neighbourhood plan contains policies and allocations to meet its identified housing requirement; c. The local planning authority has at least a three-year supply of deliverable housing sites (against its five-year supply requirement, including the appropriate buffer as set out in paragraph 73); and d. The local planning authority’s housing delivery was at least 45% of that required over the previous three years.”</p> <p>The NPPF (2019) also sets out how neighbourhood planning provides local communities with the power to develop a</p>	Noted	None

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				<p>shared vision for their area in order to shape, direct and help deliver sustainable development needed to meet identified housing needs. Neighbourhood plans should not promote less development than set out in Local Plans and should not undermine those strategic policies. Where the strategic policy making authority identifies a housing requirement for a neighbourhood area, the neighbourhood plan should meet this figure in full as a minimum. Where it is not possible for a housing requirement figure to be provided i.e. where a neighbourhood plan has progressed following the adoption of a Local Plan, then the neighbourhood planning body should request an indicative figure to plan taking into account the latest evidence of housing need, population of the neighbourhood area and the most recently available planning strategy of the local planning authority.</p> <p>In order to proceed to referendum, the neighbourhood plan will need to be tested through independent examination in order to demonstrate that they are compliant with the basic conditions and other legal requirements before they can come into force.</p>		
	10	Gladman		Following the publication of the NPPF (2018), the Government published updates	This general review of the legislation is noted	None

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				<p>to its online Planning Practice Guidance (PPG) on 13th September 2018 with further updates being made in the intervening period. The updated PPG provides further clarity on how specific elements of the Framework should be interpreted when preparing neighbourhood plans.</p> <p>Although a draft neighbourhood plan must be in general conformity with the strategic policies of the adopted development plan, it is important for the neighbourhood plan to provide flexibility and give consideration to the reasoning and evidence informing the emerging Local Plan which will be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested against. For example, the neighbourhood planning body should take into consideration up-to-date housing needs evidence as this will be relevant to the question of whether a housing supply policy in a neighbourhood plan contributes to the achievement of sustainable development. Where a neighbourhood plan is being brought forward before an up-to-date Local Plan is in place, the qualifying body and local planning authority should discuss and aim to agree the relationship between the policies in the emerging Neighbourhood Plan, the emerging Local Plan and the adopted Development Plan. This should be</p>		

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				<p>undertaken through a positive and proactive approach working collaboratively and based on shared evidence in order to minimise any potential conflicts which can arise or there is a real risk that policies contained in the neighbourhood plan will be superseded by a new Local Plan.</p> <p>It is important the neighbourhood plan sets out a positive approach to development in their area by working in partnership with local planning authorities, landowners and developers to identify their housing need figure and identifying sufficient land to meet this requirement as a minimum.</p> <p>Furthermore, it is important that policies contained in the neighbourhood plan do not attempt to prevent or stifle the ability of sustainable growth opportunities from coming forward. Indeed, the PPG emphasises that;</p> <p>“...blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence”</p> <p>With further emphasis that;</p> <p>“... All settlements can play a role in delivering sustainable development in rural areas – and so blanket policies</p>		

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				<p>restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.”</p> <p>Accordingly, the BNP will need to ensure that it takes into account the latest guidance issued by the SoS so that it can be found to meet basic conditions (a) and (d).</p>		
	10	Gladman		<p>Adopted Development Plan To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, neighbourhood plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan. 3.1.2 The adopted Development Plan relevant to the preparation of the BNP, and which the BNP will be tested against, is the North West Leicestershire Local Plan which sets a requirement of a minimum of 9,620 dwellings between 2011 and 2031 (481 dpa).</p> <p>Emerging Development Plan Policy S1 of the adopted Plan recognises a need to undertake an early review and so, the Council undertook consultation on Emerging Options between November 2018 & January 2019, with adoption envisaged by October 2020.</p>	<p>Noted. The NP has to be in ‘general conformity’ with the local Plan. It is not true that the NP has to conform to the Local Plan, as suggested here.</p> <p>The housing target in the NP has been agreed with NWLDC.</p> <p>Noted</p>	<p>None</p> <p>None</p> <p>None</p>

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				<p>The context of the Review arises with the necessity to address more fully the wider housing needs of the local housing market area. In turn, neighbourhood plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to the wider opportunities for growth.</p> <p>Indeed, paragraph 29 of the Framework makes clear that a neighbourhood plan must be aligned with the strategic needs and priorities of the wider area and should plan positively to support the delivery of sustainable growth opportunities.</p> <p>Given the above, it is important that policies contained in the BNP allow for sufficient flexibility so that they will be able to respond positively to changes in circumstance which might arise through the preparation of the above documents such as additional housing growth being directed towards the neighbourhood area. This degree of flexibility is essential to ensure that the BNP is capable of being effective over the duration of its plan period and not ultimately superseded by s38(5) of the Planning and</p>	<p>Agreed. It is for this reason that the NP housing allocation exceeds the minimum requirement set by NWLDC and therefore provides the flexibility suggested.</p> <p>However, this is not a requirement in meeting the basic conditions.</p>	None

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				Compulsory Purchase Act 2004, which states that: <i>'if to any extent, a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approached, or published (as the case may be).'</i>		
	10	Gladman		Neighbourhood Plan Policies This section of the representations provides Gladman's comments on the draft BNP policies. As currently proposed, Gladman believes that a number of the BNP policies require further modification/amendment, before they can be considered consistent with the Neighbourhood Plan Basic Conditions.	Noted	None
	12	NWLDC		The document would benefit from paragraph numbering to assist when determining applications.	We will clarify the numbering system prior to submission.	Changes to be made as indicated
	12	NWLDC	3	Policies should be section 4 not 5 Section D: Sustainability is missing Monitoring and review should be section 5 not 4	Thank you for pointing out these typo's which will be corrected prior to submission.	Changes to be made as indicated
	12	NWLDC	4	The application for designation was 24.10.2017 (as per the letter from the Town Council). Area was designated on 23.01.2018 not 22.09.2017 (see https://minutes-	Noted. The correct date will be inserted where relevant	Change to be made as indicated

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				1.nwleics.gov.uk/ieDecisionDetails.aspx?ID=1596)		
	12	NWLDC		Regulations require that policies in Neighbourhood Plans must be in general conformity with strategic policies in Local Plans (and this includes policies S2, S3 and Ec2). Policies H3 and BE2 would not meet this test. In addition, they would be in conflict with national policy as well. We are therefore recommending that these policies be modified (to remove these conflicts) or be removed.	Noted. The specific concerns will be addressed where they are referenced.	
	13	Historic England		<p>The area covered by your Neighbourhood Plan includes a number of important designated heritage assets. In line with national planning policy, it will be important that the strategy for this area safeguards those elements which contribute to the significance of these assets so that they can be enjoyed by future generations of the area.</p> <p>If you have not already done so, we would recommend that you speak to the planning and conservation team at your local planning authority together with the staff at the county council archaeological advisory service who look after the Historic Environment Record. They should be able to provide details of the designated heritage assets in the area together with locally-important buildings, archaeological remains and landscapes. Some Historic</p>	Noted	None

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				<p>Environment Records may also be available on-line via the Heritage Gateway (www.heritagegateway.org.uk <http://www.heritagegateway.org.uk>). It may also be useful to involve local voluntary groups such as the local Civic Society or local historic groups in the production of your Neighbourhood Plan.</p> <p>Historic England has produced advice which your community might find helpful in helping to identify what it is about your area which makes it distinctive and how you might go about ensuring that the character of the area is retained. These can be found at:-</p> <p><https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/></p> <p>You may also find the advice in “<i>Planning for the Environment at the Neighbourhood Level</i>” useful. This has been produced by Historic England, Natural England, the Environment Agency and the Forestry Commission. As well as giving ideas on how you might improve your local environment, it also contains some useful further sources of information. This can be downloaded from:</p> <p><http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-</p>		

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				agency.gov.uk/LIT_6524_7da381.pdf If you envisage including new housing allocations in your plan, we refer you to our published advice available on our website, "Housing Allocations in Local Plans" as this relates equally to neighbourhood planning. This can be found at https://content.historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans/heag074-he-and-site-allocation-local-plans.pdf		
Background and Context						
	11	Resident	5	Introduction Page 5 The "Plain English Guide" definition should be highlighted and emphasised as the overriding criteria to be rigorously applied as the specific objective throughout the plan.	This is a matter of style, and it is considered that the existing formatting is appropriate.	None
	12	NWLDC	6	It would be more accurate to say ' <i>Whilst planning applications will still be determined by North West Leicestershire District Council, or for certain types of application, Leicestershire County Council...</i> '	Agreed	Change to be made as indicated
Blackfordby						
History	11	Resident	11	Brief History Page 11 "Black Ford" is a matter of conjecture and there are other interpretations of the origin of the village name. There was a thriving coal and clay extraction industry at Blackfordby during the 18th and 19th centuries and probably earlier by both surface and underground workings	Noted. Reference will be added to the coal and clay extraction industries. Changes will be made to para 3 to include the additional industries	Changes to be made as indicated.

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				<p>along with associated brickmaking. The Blackfordby Colliery off Butt Lane finally closed in about 1900 although some extraction, predominately by surface working continued until the late 1940's.</p> <p>Otherwise, the industries referred to at para 3, which should include mining, were located outside the village limits with The Shrubbery (including Little Thorn) at Woodville and The Albion Works and Boothorpe Brickworks at Boothorpe and others further afield providing the local employment.</p> <p>It is appropriate to mention that Boothorpe hamlet, less than half a mile to the south west of Blackfordby village and only accessible via Blackfordby has always had an integral association with Blackfordby although located outside of the Plan area.</p>	and to make reference to Boothorpe.	
Profile	11	Resident	11	Profile Page 11 Is it correct to describe the conservation area as "small"? It comprised a major part of the "old" village.	We will remove the reference to 'small'.	Change to be made as indicated.
	11	Resident	12	Profile Page 12 The recent planning approvals referred to have been the subject of further amendments and already represent a disproportionate increase in the size of the village. Also, the census figures may need some adjustment as they appear	<p>Noted.</p> <p>The available census data will be reviewed to see what information is available for the Plan Area.</p>	Changes to be made following further research.

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				to include some figures from the Blackfordby Civil Ward but outside of the Plan area	If adequate information is not available for the Plan area reference will be made to the need to use census information that includes data from beyond the boundary of the Plan area.	
	11	Resident	13	Profile Page 13 The ageing population must surely represent only a cyclic phenomena and may not be constant. Many residents have lived in Blackfordby for most if not all of their lives or moved in during the developments of the 1960's/70's, raised their families there and have no desire to leave somewhere they like to live thus creating an excess of +65 year olds. As the elderly depart from the top, as indeed we all must, then there will obviously be a renewal of the younger population as younger families move in and figures are likely to swing significantly in the opposite direction. This needs to be anticipated for instance in the provision of school places.	Noted. The ageing profile of the community is a trend that appears to be well set and is mirrored across the country. The need for appropriate housing to address this issue remains.	None
	12	NWLDC	12	When determining housing requirements for Blackfordby last year, officers calculated the population at the 2011 Census to be 1159 residents and 514 households. This is different from the figures contained on page 11. The issue is that the Neighbourhood Plan has taken figures from the Census Profile in Appendix 4.1 – the area of which doesn't correlate fully with the	Noted. The available census data will be reviewed to see what information is available for the Plan Area. Based on the information provided. If adequate information is not available for the Plan area	Changes to be made following further research.

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				neighbourhood Plan area as it also includes parts of Norris Hill outside of the NP area. All of the statistics which use this incorrect boundary (within the NP and the appendices) therefore need re-calculating. This can easily be done by basing all data on four 2011 Census Output areas (E00131686, E00131687, E00131688 and E00131689). Added together, these should correlate to the correct boundary.	reference will be made to the need to use census information that includes data from beyond the boundary of the Plan area. Clarity will be provided in the text about the area covered by the census data in specific sections.	
	12	NWLDC	12	The NP refers to a separate area of housing extending along Heath Lane and along the Leicestershire side of the A511, as far as the traffic lights marking the start of Woodville. It might be useful and provide greater clarity to refer to this as the hamlet of Boundary?	Agreed	Change to be made as indicated.
A Vision for Blackfordby						
	11	Resident	14	Vision Page 14 Key objectives It would be preferable for b) to read "to require that all development maintains the character of Blackfordby" and e) should be more specific and ensure that "no development takes place unless adequate infrastructure is already in place to meet the predicted needs of the village.	Is contrary to NPPF and support for sustainable development – not sure of wording but can't restrict development in that way	None
	12	NWLDC	14	Key objective b) refers to "encourage development". Is this what is really intended? If not would it be more appropriate to say "To ensure that	Agreed	Change to be made as indicated.

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				<i>development maintains the character of Blackfordby</i> ".		
	12	NWLDC	14	<p>Key objective e) <i>To ensure that infrastructure is in place to meet the predicted needs of the village prior to expansion of housing being permitted.</i></p> <p>It is acknowledged that new development should be supported by the necessary infrastructure and facilities. Appropriate infrastructure contributions can be sought through the planning system. However if relying on developers to provide the infrastructure, the infrastructure cannot be required prior to a development being permitted.</p>	Will change to 'to ensure that infrastructure is in place to meet the needs of the village. To be determined at planning application stage depending on the location and scale of development' [Note: Group to identify general infrastructure requirements to draw from ...	Change to be made as indicated.
	12	NWLDC	14	<p>The layout of the following gives the impression that this section is a sub-section of the paragraph above.</p> <p>If this is not correct it would be worth examining the layout of this section.</p>	Noted. The key objectives are related to the vision. We will reword the section to reinforce this.	Change to be made as indicated.
A. General						
	11	Resident	15	Policies A Page 15 The policies in the Neighbourhood Plan should certainly work in conjunction with the Development Plan but in the case of conflict the more detailed Blackfordby-specific policies should prevail.	Contrary to NPPF	None
G1. Limits to development	9	Derbyshire County Council		The approach to the definition of Limits to Development (LTD) in Policy G1 and as defined in Figure 2 is fully supported, which	Noted	None

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				such ensure that new development is focussed within the LTD in the most sustainable locations. This approach, in combination with Policy ENV 10: Area of Separation (see comments below) and Policy H1: Residential Site Allocation, should ensure that the settlements of Woodville and Blackfordby retain their separate identities and do not coalesce, which is fully supported.		
	10	Gladman		<p>Policy G1 identifies a settlement boundary for the village of Blackfordby and states that land outside of this defined area will be treated as open countryside, where development will be carefully controlled.</p> <p>Gladman objects to the use of strict settlement boundaries if these preclude otherwise sustainable development from coming forward. The Framework is clear that sustainable development should proceed. Use of settlement limits to arbitrarily restrict suitable development from coming forward on the edge of settlements conflicts with the positive approach to growth required by the Framework and is contrary to basic condition (a).</p> <p>As currently drafted, this is considered to be an overly restrictive approach and provides no flexibility to reflect the circumstances upon which the BNP is being prepared.</p>	<p>We disagree with this narrow interpretation.</p> <p>The NWLDC Local Plan contains settlement boundaries so the updating of the boundary for Blackfordby is in conformity with the Development Plan.</p> <p>Sites adjacent to the Limits to Development will be considered under the same policy.</p> <p>The appropriateness of this policy is reinforced by the recently Made neighbourhood plan for Ellistown and Battleflat, in the District, which includes policy S1 'Limits to Development' and which says 'In order to make a positive contribution to sustainable development and help meet local</p>	None

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				<p>Greater flexibility is required in this policy and Gladman suggests that additional sites adjacent to the settlement boundary that may be appropriate should not be precluded through a blanket restriction.</p> <p>Gladman recommends that the above policy is modified so that it allows for a degree of flexibility. The following wording is put forward for consideration:</p> <p>“When considering development proposals, the Neighbourhood Plan will take a positive approach to new development that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.</p> <p>Applications that accord with the policies of the Development Plan and the Neighbourhood Plan will be supported particularly where they provide:</p> <ul style="list-style-type: none"> <input type="checkbox"/> new homes including market and affordable housing; or <input type="checkbox"/> Opportunities for new business facilities through new or expanded premises; or <input type="checkbox"/> Infrastructure to ensure the continued vitality and viability of the neighbourhood area. 	<p>needs, future development proposals in the Neighbourhood Plan Area shall be focused within the built-up area of Ellistown as defined in Fig 2 by the Limits to Development. Development proposals on sites within the Limits to Development will be supported where they comply with the policies of this Plan’. The comment from the examiner says ‘Policy S1 of the E&BNP defines Limits to Development as shown on Figure 2 of the Plan. Policy S2 then states that land outside the Limits to Development will be treated as countryside. These policies generally conform with NWLLP Policies S2 and S3, the former of which establishes the principle of Limits to Development; the latter stating that land outside the Limits is defined as countryside. The policies also have regard to the requirement in national guidance that neighbourhood plans should support the strategic needs set out in Local Plans, including housing and economic development’</p>	

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				<p>Development within or adjacent to the existing settlement will be permitted provided that any adverse impacts do not significantly and demonstrably outweigh the benefits of development.”</p> <p>Indeed, this approach was taken in the examination of the Godmanchester Neighbourhood Plan. Paragraph 4.12 of the Examiner’s Report states: “...Policy GMC1 should be modified to state that “Development ...shall be focused within or adjoining the settlement boundary as identified in the plan.” It should be made clear that any new development should be either infill or of a minor or moderate scale, so that the local distinctiveness of the settlement is not compromised. PM2 should be made to achieve this flexibility and ensure regard is had to the NPPF and the promotion of sustainable development. PM2 is also needed to ensure that the GNP will be in general conformity with the aims for new housing development in the Core Strategy and align with similar aims in the emerging Local Plan.”</p> <p>Alternatively, the approach taken to Windfall sites in Policy H3a) should be amended to include “Sustainable locations outside the Development Boundary for Blackfordby”.</p>		

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				<p>This would follow guidance in the PPG which, as noted above, emphasises that; “.... All settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.”</p> <p>In the context of the BNP, the Gladman scheme would be more associated with the neighbouring settlement and would therefore meet the development needs of that settlement. Ultimately, the use of a settlement boundary would have the unintended consequence of restricting development in the neighbouring settlement, given the Neighbourhood Plan area covered in the BNP.</p>		
	11	Resident		Limits to Development G1 Limits to Development identified should be sacrosanct to preserve the individual identity of Blackfordby village and not something to be violated at the whim of planners and developers.	Noted.	None
	12	NWLDC	17	It would be useful to also include reference in the first part of the policy to complying with the Local Plan as well as the Neighbourhood Plan	The reference was made to the NP as there are the specific policies for Blackfordby in addition to strategic local, national and EU policies.	None.

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					Referencing the Local Plan would lead to a need to also reference the NPPF and Leicestershire County Council policies and this is considered unnecessary.	
G2. Design	8	Leics. County Council	18	Environment Specific Comments Page 18, Policy G2, Point B – This point discusses off-road parking and could add in a reference to electric vehicle charging points (as there will be a reliance on electric vehicles due to the UK Government banning sales of new petrol and diesel cars from 2040). There is a section dedicated to electric vehicles (P54) which is useful and reference on Point B of Policy G2 would help add strength and depth to the Plan.	Agreed	Change to be made as indicated.
	8	Leics. County Council		Superfast Broadband High speed broadband is critical for businesses and for access to services, many of which are now online by default. Having a superfast broadband connection is no longer merely desirable but is an essential requirement in ordinary daily life. All new developments (including community facilities) should have access to superfast broadband (of at least 30Mbps) Developers should take active steps to incorporate superfast broadband at the pre-planning phase and should engage with telecoms providers to ensure superfast broadband is available as soon as build on the development is complete. Developers	Noted	None

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				are only responsible for putting in place broadband infrastructure for developments of 30+ properties. Consideration for developers to make provision in all new houses regardless of the size of development should be considered.		
	10	Gladman		<p>Gladman is concerned that sub-section e) of Policy G2 requires, "A minimum of 10% of all new housing will be built to building regulations standard M3 – wheelchair standard."</p> <p>Part M of the Building Regulations requires that all new dwellings to which Part M of the Building Regulations applies should be designed to a minimum of M4(1) 'visitible dwellings', and that local authorities can opt into, or 'switch on', requirements for M4(2) and M4(3) via Local Plan policy.</p> <p>The Written Ministerial Statement (WMS) to parliament dated 25th March 2015 introduced a number of significant changes to national planning policy with regard to building sustainability and design. In particular, the WMS sets out the Government's approach on technical standards for new dwellings. In effect, this statement makes clear that qualifying bodies preparing neighbourhood plans should not seek to apply any additional local technical standards or requirements relating</p>	Noted. The policy is prefaced with the statement that 'the following criteria should be met' rather than MUST be met and is therefore a guideline for developers and not a prescriptive requirement.	None

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				to the construction, internal layout or performance of new dwellings and that the optional technical standards can only be introduced via an up-to-date Local Plan based on a clear and robust assessment of need and viability. As such, this policy is not in accordance with basic conditions (a) and (d) and the reference to the optional technical standards should be removed.		
	11	Resident		Design G2 Contemporary and/or innovative materials and design should only be acceptable if they still clearly retain the character and historic context	Noted	None
	12	NWLDC	18	It is pleasing to see that in reflecting local character the Plan is open to contemporary interpretations. Has any viability evidence been produced to justify the policy given the likely additional cost to developers of meeting accessibility standards M2 and M3?	Noted. The policy states that this criterion, along with other criteria, <u>should</u> be met, rather than <u>must</u> be met, so there is the opportunity for the developer to provide evidence to avoid meeting this criterion if viability issues require it.	None
G3. Biodiver- sity	9	Derbyshire County Council		DCC welcomes and supports the inclusion of policies relating to external lighting/ light pollution, including their impact on species (Policies G3 and BE3), renewable energy generation infrastructure (Policy ENV9), notably support for small scale 'domestic' generation, and the provision of electric vehicle charging infrastructure in both community and new residential developments (Policy TR3).	Noted	None.

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	11	Resident		Biodiversity G3 This Policy should be more stringent and require that new development <u>must</u> protect and enhance biodiversity regardless of whether it is onerous for the developer.	Noted. This will not be appropriate in all circumstances, therefore it is felt that the policy wording, in conjunction with other NP policies, is sufficient.	None
	12	NWLDC	19	Supporting text: Sustainability covers a wider range of subjects than just biodiversity so it may be helpful to change the first sentence to be in line with the subject covered by the policy. Replace reference to NPPF with Planning Practice Guidance.	The context of this policy is consideration of biodiversity in new development. We can reinforce this. The NPPF promotes biodiversity (paras 8, 149, 174 and 175) so the reference is appropriate.	Change to be made as indicated. None
	12	NWLDC	19	The bullet points of the policy refer to a narrow selection of biodiversity with assumptions that all developments, from house extensions to farm buildings, need the same approach. Is this suitable for a general policy or is this best suited in the Env policies? If it is retained as a general policy, it may be helpful to widen the scope of the policy to consider other elements of biodiversity and that each site or development will have different needs and impacts, on both the site and surrounding area, so that biodiversity is protected and enhanced without being too onerous.	We will incorporate this section into the design policy, G2	Changes to be made as indicated.
B. Housing						

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	2	Resident		My concerns that future housing developments on Butt Lane would cause the loss of the green belt between Woodville and Blackfordby, also Butt Lane is not wide enough. The road surface not suitable for extra traffic using the lane from the future development at the top of Hepworth Road. Other concerns woodland areas put in place same time as link road. Applications for development of housing in these area, originally put there for the enjoyment of all.	Thank you for this comment. An area of separation has been designated to ensure that Blackfordby does not coalesce with Woodville. There is no green belt, however, in the Parish.	None
H1. Residential allocation	5	The Coal Authority		The Neighbourhood Plan does appear to allocate a site for future development in an area of past coal mining activity and therefore the risks posed by this legacy to surface stability will need to be considered in line with national planning policy.	Noted. We will add a requirement that appropriate surveys will be required with any planning application and any resultant action built into any subsequent planning consent.	Change to be made as indicated.
	6	Highways England		The adopted Local Plan classifies Blackfordby as a 'Sustainable Village' and determines further development other than small scale infill development will be restricted. As set out in the Neighbourhood Plan, planning approval has already been granted for 197 dwellings within the Parish, therefore exceeding the 147 dwellings target indicated by North West Leicestershire District Council. It is noted that an additional site with a housing allocation of 14 dwellings has been identified in the Neighbourhood Plan in addition to existing approvals.	Noted	None

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				Due to the limited level of growth currently being proposed across the Neighbourhood Plan area, we do not expect that there will be any impacts on the operation of the SRN.		
	7	Heaton Planning		<p>Policy H1: 'Residential Site Allocation' allocates land at the rear of 31 Main Street for up to 14 dwellings.</p> <p>The housing delivery target for Blackfordby over the Neighbourhood Plan period to 2031 is 147 dwellings, which is a figure proportionate of the housing need for the District given to the Neighbourhood Area by North West Leicestershire District Council, based on population at the 2011 Census. However, it is important that the Neighbourhood Plan is up-to-date and prepared based on the latest national guidance. Planning Practice Guidance (PPG) on Neighbourhood Planning has been revised in May 2019 to include several new paragraphs, including paragraph 104 in which it is stated: <i>"Neighbourhood planning bodies are encouraged to plan to meet their housing requirement, and where possible to exceed it. A sustainable choice of sites to accommodate housing will provide flexibility if circumstances change, and allows plans to remain up to date over a longer time scale."</i> (our emphasis added)</p>	<p>The Neighbourhood Plan residential target was exceeded by existing developments.</p> <p>Making an additional allocation which provides an even bigger buffer above the minimum housing target exceeds the requirements within the NPPF 2019 and positively supports local development and will allow the plan to remain up to date over a longer timescale.</p> <p>This is considered to be good practice because the NP is not required to allocate a further residential site.</p>	None

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				<p>In addition, PPG on Neighbourhood Planning states at paragraph 044 that neighbourhood plans should “plan positively to support local development.”</p> <p>The thrust of the latest national guidance on neighbourhood planning is to build-in flexibility to the Plans and provide sufficient flexibility to meet additional need for housing that may come about during the Plan period. We consider that the Blackfordby Pre-submission version Neighbourhood Plan is planning only for a minimal number of dwellings, given that Policy H1 includes only 14 dwellings, with the only other Policy that may deliver housing (Policy H3) relating to windfall development, which is stipulated as relating to sites that can deliver a maximum of 5 dwellings within the existing limits to development of Blackfordby. The number of such sites likely to be deliverable over the Plan period are minimal.</p>		
	7	Heaton Planning		<p>We also consider that Policy H3 in its current form conflicts with Policy S2 (Settlement Hierarchy) of the adopted North West Leicestershire Local Plan. Policy H3 of the Pre-submission version Neighbourhood Plan is overly restrictive as it allows for residential development of up to five dwellings and only within the limits to</p>	<p>The treatment of planning applications on land outside of the limits to development is covered by policy G1 which allows for such development. Local Plan policy S3 similarly restricts development outside the limits to development.</p>	None

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				development. The Neighbourhood Plan must be in general conformity with the strategic policies of the NWLDC Local Plan, which includes Policy S2 that allows for development on previously developed land within or well related to the limits of development. Policy H3 should be re-worded to reflect national and District-level policy that allows for limited development beyond the existing settlement boundary.	As Blackfordby has significantly exceeded its minimum housing target, allocates a further site for development and has a policy promoting windfall development, it is considered appropriate to restrict development within the limits to development to sites of up to 5 dwellings.	
	7	Heaton Planning		Given the context of Blackfordby in close proximity to the border with South Derbyshire District, the Derby Housing Market Area should also be a consideration in the likely requirements for additional demand for housing over the Neighbourhood Plan period. As a recent example, Amber Valley Borough Council have recently withdrawn their emerging Local Plan, which is likely to result in greater demand for housing numbers to be delivered in the wider Derby Housing Market Area, including locations such as Woodville (a short distance from our clients' site ref. By4).	Noted. The Neighbourhood Plan makes provision for significantly higher levels of housing than is required. Should housing demand increase to such a level as to require more housing development in Blackfordby, the Neighbourhood Plan will be reviewed.	None
	7	Heaton Planning		We consider that the open and transparent selection of sites for potential development in Blackfordby to 2031 is a vital element of the emerging Neighbourhood Plan. In our experience, the selection of preferred housing sites is the matter contained within Neighbourhood Plans with which most local	This issue has been addressed in the answer provided under 7) above. Planning Practice Guidance makes it clear that the evidence gathered	None

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				<p>people are keen to engage. The selection of housing sites is of vital importance for parties such as ourselves seeking to positively contribute to the plan making process.</p> <p>Copies of the SSA proformas for the two sites promoted on behalf of Mr and Mrs Mansfield were provided to Heatons via email. However, we understand that SSA proformas for all other sites promoted for consideration to the Blackfordby Neighbourhood Plan have not been made available for public scrutiny. The SSAs we have received for sites By4 and Bo1 are marked 'confidential' and are presumably withheld from other interested parties and statutory bodies for their comment.</p> <p>In our opinion, withholding information is at odds with the purpose of engaging with stakeholders and not only demonstrates a lack of openness and transparency, but fails to enable the wider community to be kept informed. It also prevents the opportunity of the wider community from becoming actively involved in shaping the emerging neighbourhood plan given that they did not have necessary information to reach an informed view.</p>	<p>in preparing a neighbourhood plan should be 'proportionate' (PPG Para 040; ref ID: 41-040-20160211. This does not include the need for professional ground investigations, transport studies etc.</p> <p>The process followed has been thorough, comprehensive and involved members of the local community with independent consultancy support from a housing and development professional.</p>	

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				<p>The withholding of Site Sustainability Appraisals from public scrutiny places interested parties at a distinct disadvantage as the consistent application of the housing site selection methodology cannot be verified. Stakeholders have had their ability to play an informed, full and active role in the consultation prejudiced.</p> <p>Without sight of the SSAs for all sites, it is not possible to ensure that a clear and consistent approach has been applied to site and we would like to enquire how keeping the SSAs for all sites confidential is beneficial in any way? At present we consider that it is unclear how the Neighbourhood Plan can progress without the necessary transparency to enable a full understanding of the rationale for site selection / rejection. As aforementioned, the selection of housing sites over the Neighbourhood Plan period is a vital element of the Plan and the justification for the content of this important part of the Plan should be sufficiently clear and robust.</p> <p>In addition, the Introduction section of each of the two SSAs we have seen explains that the SSA “does not contain detailed professional site investigations.” This is correct and we consider that consequently many criteria should have limited weight</p>		

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				<p>attributed to them. Instead, all criteria are presumably given equal weight contributing to the RAG score for each criterion, which informs the overall 'score' and site selection ranking.</p> <p>Instead of using detailed assessments where available (as discussed later in this letter), the Introduction to the two SSAs we have had sight of states that "the approach uses publicly available and a site visit...". This appears to be a 'typo' and should be rectified immediately as the SSAs clearly state that they have not assessed site's criteria to any professional degree. What has been used to assess sites in the absence of professionally gathered evidence?</p> <p>The SSAs we have had sight of state that the SSA methodology "is accepted by developers, land owners, Local Authorities and Planning Inspectors as being robust and proportionate for this task". This is not correct; the assessments are not robust and do not reflect any meaningful engagement with developers and/or land owners. We remain ready to assist the Neighbourhood Plan group with the provision of professionally prepared studies and assessments.</p>		

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	7	Heaton Planning		<p>Our comments on the specific criteria used to determine site selection, and their application to site references By4 and Bo1 are detailed below.</p> <p>Site Sustainability Appraisal Application</p> <p>As mentioned, due to the withholding of SSAs for all other promoted sites, we are only able to comment on the application of the site selection methodology for our clients' promoted sites: references By4 and Bo1.</p> <p>Some of the findings of the SSA issued to ourselves on behalf of our clients are surprising given the level of scrutiny these issues have been subject to on our clients' former landholding at Butt Lane now known as the "Spires View" housing development which is currently being built-out. Certain site selection criteria have been subject to scrutiny by a Planning Inspector, NWLDC and statutory consultees such as the Environment Agency, yet the findings appear at odds with what we would have expected the SSA to conclude. We consider that the findings of thorough assessment work undertaken at the "Spires View" site which adjoins site ref. By4 are of great relevance to the considerations of the acceptability of site By4. It is lamentable</p>	<p>Noted.</p> <p>The scoring system used was consistently applied across all sites. It is not possible to see a single site assessment in isolation and amend that without reference to the other similarly scored site assessments</p>	None

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				<p>that the assessments undertaken in respect of the refused planning application ref. 15/00083/OUTM and subsequent Appeal (ref. APP.G2435/W/15/3137258) do not appear to have been taken into consideration in the “detailed process”.</p> <p>The SSA has scored our clients’ promoted sites against set criteria in order to analyse their potential for impact on the sites themselves and surrounding context. Presumably this has also been carried out for all other sites promoted, although this is not evidenced. The SSA contains a list of criteria, a brief comment on the potential impacts of housing development in that location on that criterion, and a RAG rating.</p>		
	10	Gladman		<p>SITE SUBMISSION Blackfordby Lane, Moira Gladman is a privately funded, family run business with over 30 years’ experience in the land and development industry. From our beginnings in housebuilding, through to our success in commercial and industrial properties, we have evolved into the UK’s largest and most successful land promoter.</p> <p>Gladman wishes to promote land at Blackfordby Lane, Moira for residential development. The majority of this land falls under the neighbouring parish, although the two northernmost fields sit within</p>	<p>Noted</p> <p>The proposed development is primarily located adjacent to the built-up area of an adjoining Parish (Ashby Woulds) and is not deliverable in isolation.</p> <p>The site was assessed but was not considered appropriate in view of its distance from the village of Blackfordby and is reliant on permission being granted in another parish so is outside of the scope of this NP.</p>	None

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				<p>Blackfordby Parish, east of Driftside and Blackfordby Lane (<i>Unable to copy illustration for summary</i>).</p> <p>The site offers a good opportunity to ensure the delivery of sustainable, distinctive residential development in an attractive market location. Gladman consider this site to be suitable for allocation through the BNP to assist the Parish in achieving sustainable growth and affordable housing, alongside infrastructure improvements which are considered desirable in the locality.</p> <p>The site</p> <ul style="list-style-type: none"> <input type="checkbox"/> Site Size: 6.72 ha <input type="checkbox"/> Number of Units: 125 dwellings (including 20% affordable housing) <input type="checkbox"/> Designation: Open Countryside 		
	11	Resident		<p>Housing Provision H1 Recent planning approvals for Blackfordby already far exceed requirements over the plan period and overload the available infrastructure and create excessive and unwarranted impacts upon the community and environment. No further housing is required and it should be clearly expressed in this policy that the land allocated is only intended in the most extreme and exceptional circumstances to meet an identified community need and only with a specifically demonstrable benefit to the</p>	<p>Re ridge and furrow - Field 057 to its south has very faint R&F. Not recorded here by Historic England (Turning the Plough) either. But see comments on p.62</p> <p>The decision has been taken through the process of preparing the NP to positively plan for growth. The identification of a residential site for allocation ensures that the NP will remain as part of the development plan for the district</p>	<p>None</p> <p>None</p>

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				<p>village community. Therefore, the policy should state specifically the only types of housing to be permitted. Also, further increases in the number of dwellings on those sites already approved to deliberately exceed the stated housing target should not be permitted. Similar comment applies to Policy H4</p> <p>Incidentally, the allocated site is also one of the remaining sites of historic "ridge and furrow" in the village. How can the protection of historic assets possibly be reconciled with allocation for development and destruction?</p>	<p>even if the local planning authority slips below its 5-year housing supply, and builds in a safety-net to guard against future increases in housing need, as recognised as good practice in the planning practice guidance.</p>	
	12	NWLDC	21	<p>Supporting text: The NP period is stated as being to 2031 and that 147 dwellings would be an appropriate target. However, these figures are not as quoted from NWLDC. An email of 02/07/2018 identifies indicative housing figures for the NP area for the plan period 2011-2031 to be 126 dwellings and 2011-2036 to be 147 dwellings. If the NP period is to 2031 the housing target needs amending to 126 dwellings.</p> <p><i>"there have been recent planning approvals totalling 197"</i> Unsure what the base date for this figure is and the figure does not tally with information/figures previously sent by the council via email.</p>	<p>Noted. The target will be changed to 126 (up to 2031) with a reference to the broader target of 147 up to 2036.</p> <p>A revised figure based on new permissions has been agreed with NWLDC and the text will be revised in line with the new total.</p>	<p>Change to be made as indicated</p> <p>Changes to be made as indicated</p>

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	12	NWLDC	21	The supporting text states that the housing allocation is to meet an identified need (i.e homes for elderly people, small family homes, homes for people with disabilities and homes for young people). Policy H1 refers to “residential accommodation” which is vague. There is an opportunity for the policy to refer to the types of housing identified as being needed.	Noted. The allocated site will need to comply with policy H2 on Housing Mix.	None
H2. Housing mix	8	Leics. County Council		Adult Social Care It is suggested that reference is made to recognising a significant growth in the older population and that development seeks to include bungalows etc of differing tenures to accommodate the increase. This would be in line with the draft Adult Social Care Accommodation Strategy for older people which promotes that people should plan ahead for their later life, including considering downsizing, but recognising that people’s choices are often limited by the lack of suitable local options.	The Neighbourhood Plan recognises the growth in the older population. Policy H2 promotes appropriate housing, including housing for older people.	None None
	12	NWLDC	22	Supporting text: Reference is made to the housing mix provided by the HEDNA - suggest it is made clear that this refers specifically to market housing.	Agreed	Change to be made as indicated.
	12	NWLDC	22	Does ‘the appropriate mobility standards’ mean the accessibility standards M2 and M3 set out in Policy G2? If so, the same comments relating to viability evidence apply.	Noted. The policy says that this and other criteria ‘should be met’ and is not therefore a prescriptive requirement. Nonetheless, we will add in ‘subject to a viability assessment’.	Change to be made as indicated

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H3. Windfall sites	12	NWLDC		Policy H3 conflicts with policies S2 of the adopted Local Plan (Settlement Hierarchy) and S3 (Countryside) as the Local Plan policies allow for development (including residential development) on previously developed land within or well related to the limits to development of Blackfordby. However Policy H3 of the Neighbourhood Plan limits proposals for infill and redevelopment to small groups of up to five dwellings and only within the limits to development. This is therefore a more restrictive policy than the one included in the adopted Local Plan.	<p>Noted. We will remove the limit of 5 dwellings.</p> <p>In view of the positive approach to residential development followed in the NP by allocating more dwellings than the minimum requirement, we wish to retain the policy restricting development to within the Limits to development, as was successfully achieved in the recently Made Ellistown and Battleflat NP.</p>	<p>Change to be made as indicated</p> <p>None</p>
H4. Affordable housing	12	NWLDC	24	The Council does not operate local lettings policies that restrict homes to households with a local connection unless the properties are provided on Rural Exception Sites. There have been circumstances where a Housing Association has agreed that preference will be given, on advertising, to households with a local connection, and while the Council is content to support this on sites in rural villages, we would not be supportive of a move to enshrine this in any legal agreement attached to sites, as this could affect future levels of delivery of affordable housing.	<p>NWLDC approved the following policy in the Ashby de la Zouch NP. It has been adjusted to reflect the Blackfordby position..</p> <p>'Where possible, newly developed affordable housing within Blackfordby shall be allocated to eligible households, within each Housing Register band in turn, starting with Band 4 (Priority Housing Need), with a Blackfordby connection defined as follows</p> <p>If there are no Priority Band households with a Blackfordby connection, then the</p>	Change to be made as indicated.

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					<p>properties will be made available to other applicants in the Priority Band on the Council's waiting list. Properties will then be allocated to eligible households in the other Bands in turn according to the same principle.</p> <p>This Policy will be incorporated into the District Council's wider Allocations Policy.</p> <p>This Policy will be reviewed at least every two years after implementation (and every two years thereafter) so outcomes can be monitored and any necessary adjustments made'.</p>	
C. Natural & Historic Environment						
	7	Heaton Planning		Although we are unable to make a fully educated assessment due to the withholding of SSAs for all housing site, it appears that the Pre-submission version Neighbourhood Plan is conflicted by allocating a single housing site (Policy H1) which is at odds with other Neighbourhood Plan policies, namely Policies ENV6 and ENV7.	See responses on pages 7 and 8.	Changes to be made as indicated.
	8	Leics. County Council		Flood Risk Management The County Council are fully aware of flooding that has occurred within Leicestershire and its impact on residential properties resulting in concerns relating to new developments. LCC in our role as the Lead Local Flood	These general comments are noted.	None

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				<p>Authority (LLFA) undertake investigations into flooding, review consent applications to undertake works on ordinary watercourses and carry out enforcement where lack of maintenance or unconsented works has resulted in a flood risk. In April 2015 the LLFA also became a statutory consultee on major planning applications in relation to surface water drainage and have a duty to review planning applications to ensure that the onsite drainage systems are designed in accordance with current legislation and guidance. The LLFA also ensures that flood risk to the site is accounted for when designing a drainage solution.</p> <p>The LLFA is not able to: • Prevent development where development sites are at low risk of flooding or can demonstrate appropriate flood risk mitigation. • Use existing flood risk to adjacent land to prevent development. • Require development to resolve existing flood risk.</p> <p>When considering flood risk within the development of a neighbourhood plan, the LLFA would recommend consideration of the following points:</p> <ul style="list-style-type: none"> • Locating development outside of river (fluvial) flood risk (Flood Map for Planning (Rivers and Sea)). 		

Section/ Policy Number	No	Respondent	Page No.	Comments	Response	NP amends
				<ul style="list-style-type: none"> • Locating development outside of surface water (pluvial) flood risk (Risk of Flooding from Surface Water map). • Locating development outside of any groundwater flood risk by considering any local knowledge of groundwater flooding. • How potential SuDS features may be incorporated into the development to enhance the local amenity, water quality and biodiversity of the site as well as manage surface water runoff. • Watercourses and land drainage should be protected within new developments to prevent an increase in flood risk. <p>All development will be required to restrict the discharge and retain surface water on site in line with current government policies. This should be undertaken through the use of Sustainable Drainage Systems (SuDS). Appropriate space allocation for SuDS features should be included within development sites when considering the housing density to ensure that the potential site will not limit the ability for good SuDS design to be carried out. Consideration should also be given to blue green corridors and how they could be used to improve the bio-diversity and amenity of new developments, including benefits to surrounding areas.</p>		

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				<p>Often ordinary watercourses and land drainage features (including streams, culverts and ditches) form part of development sites. The LLFA recommend that existing watercourses and land drainage (including watercourses that form the site boundary) are retained as open features along their original flow path and are retained in public open space to ensure that access for maintenance can be achieved. This should also be considered when looking at housing densities within the plan to ensure that these features can be retained.</p> <p>LCC, in its role as LLFA will not support proposals contrary to LCC policies.</p> <p>For further information it is suggested reference is made to the National Planning Policy Framework (March 2012), Sustainable drainage systems: Written statement - HCWS161 (December 2014) and the Planning Practice Guidance webpage.</p> <p>Flood risk mapping is readily available for public use at the links below. The LLFA also holds information relating to historic flooding within Leicestershire that can be used to inform development proposals.</p>		

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				Risk of flooding from surface water map: https://flood-warning-information.service.gov.uk/long-term-flood-risk/map Flood map for planning (rivers and sea): https://flood-map-for-planning.service.gov.uk/		
	8	Leics. County Council		General Comments With regard to the environment and in line with the Governments advice, Leicestershire County Council (LCC) would like to see Neighbourhood Plans cover all aspects of the natural environment including climate change, the landscape, biodiversity, ecosystems, green infrastructure as well as soils, brownfield sites and agricultural land.	These general comments are noted.	None
	8	Leics. County Council		Climate Change The County Council through its Environment Strategy and Carbon Reduction Strategy is committed to reducing greenhouse gas emissions in Leicestershire and increasing Leicestershire's resilience to the predicted changes in climate. Neighbourhood Plans should in as far as possible seek to contribute to and support a reduction in greenhouse gas emissions and increasing the county's resilience to climate change.	These general comments are noted	None
	8	Leics. County Council		Landscape The County Council would like to see the inclusion of a local landscape assessment taking into account Natural England's Landscape character areas;	These general comments are noted.	None

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				LCC's Landscape and Woodland Strategy and the Local District/Borough Council landscape character assessments. We would recommend that Neighbourhood Plans should also consider the street scene and public realm within their communities, further advice can be found in the latest 'Streets for All East Midlands' Advisory Document (2006) published by English Heritage.	The Blackfordby neighbourhood plan contains a significant number of policies on the environment and includes a range of appropriate protections.	
	8	Leics. County Council		Biodiversity The Natural Environment and Communities Act 2006 places a duty on all public authorities in England and Wales to have regard, in the exercise of their duties, to the purpose of conserving biodiversity. The National Planning Policy Framework (NPPF) clearly outlines the importance of sustainable development alongside the core principle that planning should contribute to conserving and enhancing the natural environment and reducing pollution. Neighbourhood Plans should therefore seek to work in partnership with other agencies to develop and deliver a strategic approach to protecting and improving the natural environment based on local evidence and priorities. Each Neighbourhood Plan should consider the impact of potential development on enhancing biodiversity and habitat connectivity such as hedgerows and greenways.	These general comments are noted	None

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				<p>The Leicestershire and Rutland Environmental Records Centre (LRERC) can provide a summary of wildlife information for your Neighbourhood Plan area. This will include a map showing nationally important sites (e.g. Sites of Special Scientific Interest); locally designated Wildlife Sites; locations of badger setts, great crested newt breeding ponds and bat roosts; and a list of records of protected and priority Biodiversity Action Plan species. These are all a material consideration in the planning process. If there has been a recent Habitat Survey of your plan area, this will also be included. LRERC is unable to carry out habitat surveys on request from a Parish Council, although it may be possible to add it into a future survey programme.</p> <p>Contact: planningecology@leics.gov.uk, or phone 0116 305 4108</p>		
	8	Leics. County Council		<p>Green Infrastructure Green infrastructure (GI) is a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities, (NPPF definition). As a network, GI includes parks, open spaces, playing fields, woodlands, street trees, cemeteries/churchyards allotments and private gardens as well as streams, rivers,</p>	These general comments are noted	None

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				<p>canals and other water bodies and features such as green roofs and living walls.</p> <p>The NPPF places the duty on local authorities to plan positively for a strategic network of GI which can deliver a range of planning policies including: building a strong, competitive economy; creating a sense of place and promote good design; promoting healthier communities by providing greater opportunities for recreation and mental and physical health benefits; meeting the challenges of climate change and flood risk; increasing biodiversity and conserving and enhancing the natural environment. Looking at the existing provision of GI networks within a community can influence the plan for creating & enhancing new networks and this assessment can then be used to inform CIL (Community Infrastructure Levy) schedules, enabling communities to potentially benefit from this source of funding.</p> <p>Neighbourhood Plan groups have the opportunity to plan GI networks at a local scale to maximise benefits for their community and in doing so they should ensure that their Neighbourhood Plan is reflective of the relevant Local Authority Green Infrastructure strategy. Through the Neighbourhood Plan and discussions with</p>		

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				the Local Authority Planning teams and potential Developers communities are well placed to influence the delivery of local scale GI networks.		
	8	Leics. County Council		<p>Brownfield, Soils and Agricultural Land. The NPPF encourages the effective use of brownfield land for development, provided that it is not of high environmental/ecological value. Neighbourhood planning groups should check with DEFRA if their neighbourhood planning area includes brownfield sites. Where information is lacking as to the ecological value of these sites then the Neighbourhood Plan could include policies that ensure such survey work should be carried out to assess the ecological value of a brownfield site before development decisions are taken.</p> <p>Soils are an essential finite resource on which important ecosystem services such as food production, are dependent on. They therefore should be enhanced in value and protected from adverse effects of unacceptable levels of pollution. Within the governments "Safeguarding our Soils" strategy, DEFRA have produced a code of practice for the sustainable use of soils on construction sites which could be helpful to neighbourhood planning groups in preparing environmental policies.</p>	These general comments are noted	None

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				High quality agricultural soils should, where possible be protected from development and where a large area of agricultural land is identified for development then planning should consider using the poorer quality areas in preference to the higher quality areas. Neighbourhood planning groups should consider mapping agricultural land classification within their plan to enable informed decisions to be made in the future. Natural England can provide further information and Agricultural Land classification.		
	11	Resident		Environment. Landscape, geology and setting P25/26. Again, the name is only speculative. The local geology and ground conditions have not been fully or accurately mapped and there is a lack of adequate understanding of the ground conditions. The location of the "open fields" is also open to question. Blackfordby was subjected to a very early enclosure.	Thank you for this comment. We will amend the text to reflect its speculative nature.	Change to be made as indicated.
	11	Resident		Historic environment. The history of the local industry extends back well beyond the 19th century.	The paragraph in question highlights its presence back in the 'dark ages'.	None
	11	Resident		Natural environment. The majority of this country's natural environment is man-made and it is quite inappropriate to claim that "no native wildlife habitats exist. There is a great deal of native wildlife to be found within the Plan area although sadly	We will amend this sentence to say that 'few and diminishing' wildlife habitats exist.	Change to be made as indicated.

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				diminishing through human interference and in need of protection		
	12	NWLDC	26	<p>The plan area is also within the River Mease Special Area of Conservation – a recommendation on whether a Habitats Regulation Assessment is required will be provided separately.</p> <p>The count of certain sites could be evidenced with plans - for example the number of Local Wildlife Sites in the Phase 1 survey appears to number 6 not 14. This is an old survey and it may be prudent to check with the County Ecologist to get up to date data.</p> <p>The reference to 12 further sites of historic significance is confusing as figure 6 shows four sites, which does not include the ridge and furrow shown in figure 10?</p>	<p>Noted</p> <p>6 is correct. The survey was done 2006-9 but was supplied by LRERC as the most recent in 2018</p> <p>This is the difference between all non-Stat HER sites (12) and the number (4) with visible or proven buried features eligible for protection under a NP.</p>	<p>None</p> <p>None</p>
	12	NWLDC	27 & 28	P27 refers to 9 criteria for Local Green Space selection whereas P28 refers to using 8 criteria for LGS designation.	It is 9 criteria. We will amend the reference on page 28	Change to be made as indicated.
Env1: Local Green Spaces	11	Resident		<p>Policy ENV 1 Protection should be sacrosanct and the words "other than in exceptional circumstances" must be removed.</p> <p>Protected local green space should also include the land off Hepworth Road and Butt Lane which was dedicated in perpetuity as</p>	<p>Thank you for this comment. However, it is not possible to be so prescriptive in relation to Local Green Space designation. The policy goes as far as it can.</p> <p>Unfortunately, the site was not sufficiently highly valued by local residents to be designated as such.</p>	None

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				forestry for use by the <u>general public</u> by an Agreement dated 3rd June 2004 between NW Leicestershire District Council and others and Tapton Properties Ltd and George Wimpey Ltd.		
	12	NWLDC	28	Unclear what “ <i>exceptional circumstances</i> ” might be, therefore it may be worth detailing what is meant by this. Policy identifies 3 sites to be designated as Local Green Space however Appendix 5 identifies 4 sites that have scored 18/24 or more. Does the Policy therefore also need to include site 020?	It is disappointing that NWLDC have raised this issue of defining ‘exceptional circumstances’. They did so in the NP for Ellistown and Battleflat and the Examiner rejected the comment, stating that these are ‘not generally defined and can only be judged on a case by case basis’. We support the Examiner’s judgement in this. The NWL Local Plan itself includes policies which refer to, but don’t define, exceptional circumstances – Policy EN3 (3) and paragraph 6.1.1 The site scored 17 – there was an error in the recording of the scores. It therefore falls short of LGS designation.	None Change to be made to scoring in Appendix 5.
Env2. Sites environmental significance	11	Resident		Protection of sites ENV 2 Policy should define whether plots are of either natural or historic significance, or both	The key on page 30 distinguishes between the historic and environment sites.	None

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	12	NWLDC	30	<p>The policy states the sites are mapped and listed but there is no list in the supporting text or policy.</p> <p>The policy refers to “(natural and/or historical)” but then continues as if every site has both designations. It may be helpful to sub divide the policy to its respective topics to provide clarity.</p>	<p>We will say that the list is in the environmental inventory (Appendix 5)</p> <p>Agreed</p>	<p>Change to be made as indicated</p> <p>Change to be made as indicated</p>
Env3. Important Open spaces	2	Resident		Other concerns woodland areas put in place same time as link road. Applications for development of housing in these area, originally put there for the enjoyment of all.	Noted	None
	11	Resident		Important open spaces ENV 3 There should be no development whatsoever permitted on Blackfordby recreation ground and play area regardless of alternative provision as this important and unique community site was given specifically to all residents of Blackfordby for recreational use	The site meets the criteria for Local Green Space and has therefore been awarded the highest level of environmental protection available to	None
	12	NWLDC	31	Cannot find the Open Space Audit 2017. The term OSSR is not defined anywhere in the document	Noted. The reference should be to Open Space Audit 2008. The text will be changed to reflect this.	Change to be made as indicated.
	12	NWLDC	31	Please note that the District Council is the Local Planning Authority and as such the decision maker on any application. The reference to “the community and Ashby de la Zouch Town Council” should be replaced with ‘Local Planning Authority’.	Reference to ‘the community and Town Council’ to be removed.	Change to be made as indicated

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Env4 Heritage Assets	1	Resident		We have no issue with the local heritage listing of 8 Main Street. (The respondent also asked for advice about grants for replacing windows).	Thank you for your support. Gave respondent details of NWLDC Conservation Officer who may be able to help further.	None
	3	Resident		I was pleased to learn that my cottage at 9 Main Street, which I am continuing to renovate, is listed as a local heritage asset. However I wasn't aware that it was called 'Blacksmith's Cottage'. There was no mention of this when I bought the cottage and the deeds I received only went back as far as the previous owner. I wondered, therefore, if you might be able to advise me where I might find further information about 'Blacksmiths Cottage'.	Thank you for your support. Gave respondent details of NWLDC Conservation Officer who may be able to help further.	None
	10	Gladman		As written, Policy ENV4 takes the line that non-designated heritage assets' "features and settings will be protected wherever possible". The setting of heritage assets is discussed at NPPF paragraphs 190 and 194, whilst definitions are provided in the NPPF Glossary. Here, the NPPF states that the Setting of a Heritage Asset "is not fixed and may change as the asset and its surroundings evolve". Clearly, for non-designated heritage assets, there are separate balancing exercises to be undertaken in terms of their significance. It should be noted that the list of heritage assets are not all listed buildings, nor are all	The policy goes on to require applications to be determined by balancing the 'benefit' of development against its significance as a heritage asset, which is consistent with national policy.	None

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				<p>recorded ostensible assets within a conservation area.</p> <p>Clearly, the approach in the BNP does not have regard to national policies as outlined above and is therefore in conflict with basic condition (a).</p>		
	11	Resident		Built environment ENV 4 Numbers 7 and 12 Main Street should be included in this list. They appear to have been omitted in error as they each form an integral part of a common structure or group of buildings the rest of which are listed.	Noted. Sites to be included	Change to be made as indicated
	12	NWLDC	33	It is the responsibility of the District Council to designate Local Heritage Assets. In order to maintain this list in the plan it may be better to title the section 'Key Buildings' instead as only one of the buildings has been included on the list of Local Heritage Assets.	Agreed. The buildings identified comprise the surviving non-designated buildings noted as significant and characteristic in the <i>NWLDC Blackfordby Conservation Area Appraisal 2001</i> . We will amend the NP accordingly	Change to be made as indicated
	12	NWLDC	34	The policy title and text should be amended to remove references to Local Heritage Assets as per the comments on the supporting text.	Agreed	Change to be made as indicated
Env5. Ridge & Furrow	11	Resident		Ridge and furrow ENV 5 There have been serious omissions from the surviving examples of historic ridge and furrow shown on the map at Fig. 10.3 to the east, south-east, west and north-west of the village. The map must be amended and these further important surviving examples clearly	<p>ETG. Map currently shows fields 020, 057, 068, 069, 070, 071 as R&F (from Google Earth imagery).</p> <p>The following fields are annotated for R&F in the inventory but do not appear to have it; they could be</p>	An amended map of Ridge and Furrow will be produced following a review.

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				identified and protected. An allocated development site seems to incorporate a well preserved example?	added: 011, 019, 048, 054, 058, 095(?).The 2001 map by Historic England shows only fields 020, 003.8, 007, 009, of which only 020 appears to survive. Addition of so many more by the NP needs verification. All to be checked locally before submission. The allocated development site is not a good example of ridge and furrow.	
	12	NWLDC	35	Figure 10.2 and 10.3 do not seem to fully correlate with the location of the surviving ridge and furrow locations.	As above	
	12	NWLDC	36	The policy seems to contradict itself stating that any loss or damage is to be avoided and then allowing for a consideration of a proposal. Perhaps add the ridge and furrow to the previous policy as the same level of protection is being sought.	The policy is clear – the expectation is that development will be avoided unless the benefits outweigh the harm. It is considered better to keep the policy separate to highlight and reinforce the issue.	None
Env 6. Biodiver- sity	2	Resident		In future may we see more tree planting please, keep a green belt for all to enjoy.	Noted	None
	7	Heaton Planning		Policy ENV6 'Biodiversity and Habitat Connectivity' states that development proposals are expected to safeguard locally important habitats and species, and will create new habitats for wildlife where possible. It also states that "development proposals should not damage or adversely	This is environmental inventory sites 057/058. As p7: development could be made compatible with WLC, the principle is as for the same WLC passing through existing housing on Butt Lane.	None

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				<p>affect the habitat connectivity provided by the wildlife corridors". The housing site allocated at Policy H1 of the Neighbourhood Plan (to the rear of 31 Main Street) is located within a wildlife corridor (No.1) as shown at Figure 11 of the same Plan. Although Figure 11 is not at all easily legible, it appears that the housing allocation consists of both 'existing habitat' and 'corridor'.</p> <p>It is difficult to envisage that the housing allocation can be built out to its proposed capacity of 'up to 14 dwellings' without conflicting with Policy ENV6. In addition, we are unable to assess the RAG scoring attributed to the housing site to the rear of 31 Main Street for its anticipated impact on biodiversity as the SSA for the site has been withheld from public scrutiny.</p>	<p>Only the watercourse at the north boundary of inventory site 058 is marked as 'existing habitat'; mitigation should preserve this value.</p>	
	11	Resident		<p>Biodiversity ENV 6 Unfortunately any development will affect the delicate balance of our biodiversity and better care must be taken to avoid any damage. Opinions of "experts" on the local biodiversity and ecology to justify recent development have generally been inadequate and ill-informed. The wildlife corridors shown have already been interfered with by development. Any development should include appropriate provision to maintain wildlife corridors, such as provision of cover, gardens and fences designed for wildlife to pass.</p>	<p>Sites 057/058 score too low for biodiversity and history to meet the NP's own criteria for protection.</p>	None

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	12	NWLDC	36	Heading 'General Policies' - There is a heading for general policies after Env 5. Is this needed?	It is to reflect the general environmental policies that follow and to distinguish them from the earlier specific policies.	None
	12	NWLDC	36	The text refers to 2 strategies, however, there are three bullet points.	We will refer to three strategies	Change to be made as indicated
	12	NWLDC	37	In figure 11 there is no reference to the fact that corridor 1 is bisected by the built up area as defined in figure 2.	We will extend the narrative for ENV 6 to cover the other functions of WLCs, including connecting people with wildlife. WLC 1's connectivity in the built up area is maintained currently by a watercourse and residential gardens.	Change to be made as indicated
Env7. Important views	7	Heaton Planning		<p>Policy ENV7 'Protection of Important Views' (as identified on Figure 12), states that development proposals must not significantly harm views which are important to the setting and character of the village. The housing allocation to the rear of 31 Main Street would greatly impact upon the existing views of the village from Location No. 4 on Figure 12.</p> <p>Notwithstanding this, Location No.3 on Figure 12 protects the 'important view' of the village from the edge of the "Spires View" development currently being built-out. This view is significantly different from that</p>	<p>Regarding view 4 the topography here means that structures on the allocated site would sit visually at low level, at the foot of the hill on which the village (the object of the view) is located. The mitigations noted in policy 7 could include in this case e.g. limited to 2-storeys, alignment of roof ridges parallel with the view direction, plot spacing, tree planting on the south boundary.</p> <p>The arrow towards site 3 avoids the development site.</p>	A new photograph of the view towards site 3 will be included.

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				shown within the Neighbourhood Plan at 'View 3' as it is currently a building site. This alludes to an already out-of-date Policy.		
	10	Gladman		<p>This policy identifies 4 'important' views which the plan makers consider are important for the setting and character of Blackfordby and goes onto state that it would not support development proposals adversely affecting them.</p> <p>Identified views must be supported by evidence and ensure that they demonstrate a physical attribute elevating a view's importance beyond simply being a nice view of open countryside. The evidence base to support the policy does little to indicate why these views are important and why they should be protected, other than providing a view of the surrounding fields and woodland. It therefore lacks the proportionate and robust evidence required by the PPG4.</p> <p>Gladman consider that to be an important view that should be protected, it must have some form of additional quality that would 'take it out of the ordinary' rather than selecting views which may not have any landscape significance and are based solely on community support. Gladman therefore suggests this element of the policy is</p>	<p>The explanation of the views in the policy and the images within the narrative above demonstrate their importance.</p> <p>The policy does not seek to prevent development, but to ensure that any development mitigates the impact of that development.</p> <p>The views identified here have both landscape significance in the context of Blackfordby and community support. The images clearly demonstrate that these three views of the hilltop location of the village define Blackfordby's identity and its surviving rural setting. Protected important views in Neighbourhood Plans need only be significant in the context of the Plan Area, not outstanding in any wider context.</p>	None

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				deleted as it does not provide clarity and support for a decision maker to apply the policy predictably and with confidence. It is therefore contrary to paragraph 16(d) of the Framework.		
	11	Resident		Important views ENV7 The views identified should all be protected, although recent development has already caused some interference. In addition to the views identified the unique local views from (a) the recreation ground (b) Heath Lane and (c) the promontory to the east of the village formerly known as "The Clump" must be protected. It is contended that these locations probably provide some of the best views in the area	The addition of more views was discussed, but it was felt this would weaken the policy and views outside the Plan Area cannot be included.	None
	12	NWLDC	38-39	<p>There is some confusion over how this policy would be applied and clarification would be useful. It is our understanding that development must not harm the identified views. However unsure how to apply <i>"should include a statement of proposed mitigation and/or protection of views."</i> Should a proposal be supported by a statement of proposed mitigation or a statement of protection of views? Or should it be supported by both statements.</p> <p>Is there evidence to support or justify these views and what their features are, why they are designated for protection. It would be useful to have this as an Appendix to the</p>	<p>The issue is that any proposed development must demonstrate how any important view is to be protected and/or the impact mitigated. We will restructure the order to clarify this.</p> <p>The photograph of the view and its description in the policy is deemed proportionate and sufficient.</p>	None

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				<p>Plan – this would also give assistance to those submitting a planning application and would support their preparation of the necessary supporting statement.</p> <p>Fig 12 - is there a reason that the arrows are a different size? If not it is suggested that they are all of the same size.</p> <p>View 3: Has the impact of the new housing under construction at Butt Lane been considered when designating this view.</p>	<p>Arrow sizes represent different length and scope of the views. We will make this clear in the text.</p> <p>The text will be reviewed in the light of the impact of the new housing development</p>	<p>Change to be made as indicated</p> <p>Change to be made as indicated</p>
	12	NWLDC	39	No Policy Env8	Noted. The polices will be renumbered.	Change to be made as indicated
Env.9 Renewable Energy	9	Derbyshire County Council		<p>Policy ENV9: Renewable Energy Generation infrastructure, refers to 'solar and wind generation'. This may be taken as precluding other technologies such as ground and air source heating, which may be well suited to domestic properties. DCC would suggest, therefore, that the policy should be re-worded as follows: '...community-initiated renewable energy technologies, including solar and wind generation....'</p> <p>This re-wording would enable other, emerging technologies to be included as well as solar and wind.</p>	Agreed	Change to be made as indicated
	11	Resident		Renewable energy infrastructure ENV9 Agreed	Noted	None
	12	NWLDC	39-40	It is not correct to state that "This Neighbourhood Plan adds detail to the	The intention is to draw Planners' attention to all the environmentally	None

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				<p>Local Plan and provides the environmental evidence to which consideration should be given when assessing proposals for such developments.” The NP does however refer to and list evidence that has informed the North West Leicestershire Local Plan.</p> <p>Suggest for ease of use that the 1st part of the policy is amended to read <i>‘Small-scale solar and wind generation infrastructure will be supported, subject to their complying with the environmental protection conditions listed in North West Leicestershire Local Plan Policy Cc1 (1).’</i> It is suggested that the inclusion of the wording <i>“local resident, business, amenity or community-initiated”</i> is not necessary. Also unclear what is meant by amenity solar and wind generation infrastructure.</p> <p>The second part of the policy comes across a little confusing. Perhaps it would be clearer to state that:</p> <p><i>‘Large and medium scale turbine developments will only be supported, if in conformity with North West Leicestershire Local Plan Policy Cc1 (2a) and the detail and legend on the map of</i></p>	<p>significant sites and features identified in the Plan (policies ENV 1, 2, 3, 5, 6, 7), when making decisions about renewable energy proposals in the Plan Area. These details are not necessarily identified specifically in the Local Plan.</p> <p>Agreed</p> <p>Agreed</p>	<p>Change to be made as indicated</p> <p>Change to be made as indicated</p>

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				<i>suitability for large and medium scale wind energy to which the policy refers, and Policy Cc1 (2b).'</i>		
Env 10. Area of separation	2	Resident		My concerns that future housing developments on Butt Lane would cause the loss of the green belt between Woodville and Blackfordby.	Noted	None
	9	Derbyshire County Council		An area of separation has been identified between the designated 'limit of development' of Blackfordby and the urban area of Woodville. DCC welcomes and supports Policy ENV10: Area of Separation, as a means of maintaining the separate identities of the two settlements in the absence of Green Belt designation.	Noted	None
	11	Resident		Area of separation ENV10 The area defined should be extended northward as it is totally inadequate to maintain effective separation between Blackfordby and Woodville and the rest of the South Derbyshire conurbation. It should also include the land dedicated in perpetuity for use by the general public by the Agreement dated 3rd June 2004 referred to above.	The area referenced in this comment is not considered in danger of coalescence within the Plan period.	None
	12	NWLDC	40-41	It is suggested that clarification is provided with respect to this policy. Policy wording gives the impression that this is countryside designation (as defined by Policy G1) and countryside type uses would be permitted. If this is the case, it is suggested that the type of uses to be allowed should be detailed in the policy, for clarification.	Noted. An amended form of words will be applied as follows 'To retain the physical and visual separation between Blackfordby and Woodville and the A511 corridor, an area of open land will be designated as an Area of Separation as shown in Figure 13.	Change to be made as indicated.

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				<p>Alternatively, if appropriate, reference could be made to Policy S3 of the NWL Local Plan.</p> <p>However as this particular area has been defined as an Area of Separation should more stringent controls be applied and a more limited form of development be allowed e.g. agriculture, forestry, nature conservation. Leisure, sport, recreation?</p>	<p>Development proposals in the identified gap should be located and designed to maintain, and wherever possible, enhance the separation of the identified areas'.</p>	
E. Community facilities						
	8	Leics. County Council		<p>Education Whereby housing allocations or preferred housing developments form part of a Neighbourhood Plan the Local Authority will look to the availability of school places within a two-mile (primary) and three-mile (secondary) distance from the development. If there are not sufficient places then a claim for Section 106 funding will be requested to provide those places.</p> <p>It is recognised that it may not always be possible or appropriate to extend a local school to meet the needs of a development, or the size of a development would yield a new school. However, in the changing educational landscape, the Council retains a statutory duty to ensure that sufficient places are available in good schools within its area, for every child of school age whose parents wish them to have one.</p>	<p>These general comments are noted.</p>	None

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	8	Leics. County Council		Impact of Development on Civic Amenity Infrastructure Neighbourhood planning groups should remain mindful of the interaction between new development applications in a district area and the Leicestershire County Council. The County's Waste Management team considers proposed developments on a case by case basis and when it is identified that a proposed development will have a detrimental effect on the local civic amenity infrastructure then appropriate projects to increase the capacity to off-set the impact have to be initiated. Contributions to fund these projects are requested in accordance with Leicestershire's Planning Obligations Policy and the Community Infrastructure Legislation Regulations.	These general comments are noted.	None
	8	Leics. County Council		Communities Consideration of community facilities is a positive facet of Neighbourhood Plans that reflects the importance of these facilities within communities and can proactively protect and develop facilities to meet the needs of people in local communities. Neighbourhood Plans provide an opportunity to; 1. Carry out and report on a review of community facilities, groups and allotments and their importance with your community. 2. Set out policies that seek to; • protect	These general comments are noted.	None

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				<p>and retain these existing facilities, • support the independent development of new facilities, and, • identify and protect Assets of Community Value and provide support for any existing or future designations. 3. Identify and support potential community projects that could be progressed.</p> <p>You are encouraged to consider and respond to all aspects of community resources as part of the Neighbourhood Planning process. Further information, guidance and examples of policies and supporting information is available at: www.leicestershirecommunities.org.uk/np/useful-information</p>		
	8	Derbyshire County Council		St Margaret's Primary School – the school falls within a neighbouring authority, and therefore DCC has no comments to make on the BNP.	Noted	None
	11	Resident		<p>Community assets and facilities Village pubs "The Bluebell" development should only be permitted which would preserve the historic built structure of this site and bring it back into productive use as a community asset.</p> <p>Recreation Ground This must be protected and preserved as a most valuable of community assets. It was given to the residents of Blackfordby for recreational purposes. It is used by the village school</p>	The policy seeks to protect community facilities from inappropriate development	None

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				under sufferance of residents but it does not have any exclusive use.		
CFA1. Communi- ty Facilities and amenities	12	NWLDC	45	It is suggested that it may be more appropriate to include the 'bolded wording' within the text supporting the policy, rather than in the Policy itself. b) The existing community facility is, demonstrably, no longer economically viable or able to be supported by the community – such viability and support includes fundraising and volunteering by parishioners and others ; or...	Agreed	Change to be made as indicated
F. Employment						
	8	Leics. County Council		Economic Development We would recommend including economic development aspirations with your Plan, outlining what the community currently values and whether they are open to new development of small businesses etc	These general comments are noted.	None
BE1: Support existing business- es	12	NWLDC	46	Does this policy apply to all employment uses or just 'B' class uses? How is 'land that provides future potential employment opportunities' defined? How does this relate to criterion a? For example, the policy doesn't make clear if the active use for an area that is a future potential employment opportunity has to be employment related.	It will apply to all employment use This refers to land that is capable of providing employment activity Noted. The phrase 'future potential employment' will be removed.	None None Change to be made as indicated

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				<p>In criterion b, land that has future potential for employment opportunities may not be able to comply as it cannot be redeveloped or reoccupied if it hasn't previously been developed.</p> <p>How is 'an activity that does not provide employment opportunities' defined?</p> <p>Is the 12 months referred to in a) and the 6 months referred to in b) in effect 18 months in total? Or can they be undertaken in parallel?</p> <p>Can the valuation report refer to any employment generating uses?</p>	<p>It would be residential use.</p> <p>They can be taken in parallel</p> <p>Yes</p>	<p>None</p> <p>None</p> <p>None</p>
BE2. Support new business- es	12	NWLDC	47	<p>What are likely to be the exceptional circumstances referred to in criterion a? This could be interpreted very widely/loosely.</p> <p>What is development appropriate to a countryside location?</p> <p>It is presumed that a development is expected to meet all of these criteria (rather than just one) but this is not explicitly stated in the policy.</p>	<p>As previously commented, it is not helpful to specify the 'exceptional circumstances' as confirmed by Examiners. The Adopted Local Plan contains policies and statements that do not define 'exceptional circumstances'.</p> <p>As defined by the NPPF.</p> <p>We will add 'and' to the penultimate criteria</p>	<p>None</p> <p>None</p> <p>Change to be made as indicated</p>

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	12	NWLDC		Policy BE2 similarly conflicts with Ec2 of the adopted Local Plan (New Employment Sites) as the Neighbourhood Plan policy restricts new employment development to within the limits to development for Blackfordby (with some exceptions). However Ec2 of the Local Plan states that where evidence indicates an immediate need or demand for additional employment land, the Council will consider favourably sites which meet a set of criteria – but not restricted to sites within limits to development. The Neighbourhood Plan policy is again more restrictive than, and therefore conflicts with, the adopted Local Plan policy.	NP Policy BE2 allows employment development outside of the limits to development where it is appropriate to a countryside location or in exceptional circumstances and avoids unacceptable traffic movements. The local plan policy EC2 allows for employment development that is not 'detrimental to the amenities of any nearby residential properties or the wider environment' and is accessible. This would seem to be in general conformity with the Adopted Local Plan	None
BE3. Home Working	9	Derbyshire County Council		Home Working – See response policy G3 above.	Noted	None
	12	NWLDC	48	To avoid any confusion, it would be helpful to state in the supporting text that in many cases planning permission is not required for home working. Then the policy could also start with "Where planning permission is required..."	Agreed	Change to be made as indicated
BE4. Tourism						
BE5. Broadband						
G. Transport						
	2	Resident		Other concerns speeding vehicles through the village.	Noted	None

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	4	Resident		Speeding idiots, HGV, narrow roads, limited pedestrian footpaths, primary school. I am sure anyone would agree that this is a recipe for disaster. Please can we have something done to stop this happening before it is too late. My neighbour and myself are both pensioners and our driveways access Main Street directly onto the road. We also live the wrong side of a blind bend to traffic coming from the direction of Butt Lane. Every time we leave the driveways we have to take a chance that there is not another speeding motorist approaching. We have both been subjected to foul and abusive language and gestures just for using our driveways. It really is a matter of some urgency that something is done before there is a serious accident. The few speed humps in the village really are not big enough plus we need more and even speed cameras to eliminate this danger. HGV's should be directed of the 511 at the traffic lights. No access down Heath Lane and Main Street.	Many of these issues are not under the scope of the neighbourhood plan, which is a planning document. However the Town Council has helped to facilitate a Community Speedwatch in the village, with residents being trained to carry out the speedwatch and a speedwatch exercise has been undertaken. The Town Council has also purchased speed warning camera that will be located on Heath Lane which will warn drivers that they are speeding. If this is successful consideration will be given to purchasing additional cameras. There is already a weight restriction for HGV's in the village, the problem is getting this policed.	None
	8	Leics. County Council	51	Please note that the A511 is not classified as a trunk road	Noted	Change to be made as indicated
	9	Derbyshire County Council		There do not appear to be any implications of the BNP for Derbyshire's road, and therefore DCC has no comments to make on it.	Noted	None

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TR1. Traffic Management	8	Leics. County Council		<p>Regarding Policy TR1: Traffic Management Any necessary highway mitigation borne out of new development would need to be fully funded by developer contributions.</p> <p>It should be noted that new development has only to mitigate its own residual impact; it cannot be expected for developers to mitigate existing concerns.</p> <p>The LHA would normally expect development proposals to comply with prevailing relevant national and local policies and guidance, both in terms of justification and of design.</p>	Noted	None
	8	Leics. County Council		<p>General Comments The County Council recognises that residents may have concerns about traffic conditions in their local area, which they feel may be exacerbated by increased traffic due to population, economic and development growth.</p> <p>Like very many local authorities, the County Council's budgets are under severe pressure. It must therefore prioritise where it focuses its reducing resources and increasingly limited funds. In practice, this means that the County Highway Authority (CHA), in general, prioritises its resources on measures that deliver the greatest benefit to Leicestershire's residents,</p>	These general comments are noted.	None

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				<p>businesses and road users in terms of road safety, network management and maintenance. Given this, it is likely that highway measures associated with any new development would need to be fully funded from third party funding, such as via Section 278 or 106 (S106) developer contributions. I should emphasise that the CHA is generally no longer in a position to accept any financial risk relating to/make good any possible shortfall in developer funding.</p> <p>To be eligible for S106 contributions proposals must fulfil various legal criteria. Measures must also directly mitigate the impact of the development e.g. they should ensure that the development does not make the existing highway conditions any worse if considered to have a severe residual impact. They cannot unfortunately be sought to address existing problems.</p> <p>Where potential S106 measures would require future maintenance, which would be paid for from the County Council's funds, the measures would also need to be assessed against the County Council's other priorities and as such may not be maintained by the County Council or will require maintenance funding to be provided as a commuted sum.</p>		

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				<p>With regard to public transport, securing S106 contributions for public transport services will normally focus on larger developments, where there is a more realistic prospect of services being commercially viable once the contributions have stopped i.e. they would be able to operate without being supported from public funding.</p> <p>The current financial climate means that the CHA has extremely limited funding available to undertake minor highway improvements. Where there may be the prospect of third-party funding to deliver a scheme, the County Council will still normally expect the scheme to comply with prevailing relevant national and local policies and guidance, both in terms of its justification and its design; the Council will also expect future maintenance costs to be covered by the third-party funding. Where any measures are proposed that would affect speed limits, on-street parking restrictions or other Traffic Regulation Orders (be that to address existing problems or in connection with a development proposal), their implementation would be subject to available resources, the availability of full funding and the satisfactory completion of all necessary Statutory Procedures.</p>		

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	11	Resident		Traffic management TR1 Highway conditions in Blackfordby are already dangerous and becoming worse with increasing levels of traffic, especially traffic using the village as a route to avoid congestion in Woodville. The situation is likely to be made much worse by the completion of the "Woodville Regeneration Route" which will open up more development just over the border in South Derbyshire with increased levels of traffic. A simple examination of a road map by any reasonable person reveals that this route will do little if anything to improve congestion in Woodville but even more traffic will be encouraged to use the link through Blackfordby to avoid that congestion. Some immediate and positive action is required to protect Blackfordby. No development that will increase or be likely to increase traffic should be permitted	Noted. It is not possible to prevent all new development if there is an increase in traffic generated by it. The policy seeks to mitigate the impact of new development.	None
	12	NWLDC	53	<p>It is not clear as to whether all of a) to f) have to be satisfied, particularly as there is an 'and' between d) and e) but not other criteria.</p> <p>Why does the policy only apply to housing and commercial development? Also, what is meant by commercial development?</p> <p>Criterion f) refers to there being a "<i>significant increase in traffic</i>" whilst the first part of the</p>	<p>It is expected that all will apply. The 'and' will be moved to the penultimate criterion</p> <p>We will amend the policy to state 'all development'</p> <p>Agreed</p>	<p>Change to be made as indicated.</p> <p>Change to be made as indicated.</p> <p>Change to be made as indicated.</p>

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				policy refers to the need to “ <i>minimise any increase in vehicular traffic</i> ”. Would it be better to say in the first part of the policy “ <i>minimising the impact of any increase in vehicular traffic</i> ”?		
TR2: Footpaths	11	Resident		Footpaths TR2 The local footpath network must be rigidly protected. There has already been serious deliberate obstruction and interference of ancient public rights of way by developers to suit commercial convenience. New routes should be encouraged in connection with any developments but all existing routes must be rigidly protected and their routes preserved within any development.	The retention of existing footpaths is referenced in policy H3 as well as the maintenance of existing and promotion of new footpaths in policy TR2	None
	12	NWLDC	54	As written the first part of the policy will be difficult to apply to new development. It might be better to say “ <i>The maintenance, upgrading and , where appropriate, extension of the pedestrian footpath network in the Plan Area will be supported as part of new developments :</i> a) <i>provide connections to the existing pedeestrain footpath newtwork</i> Then b) and c) as drafted.	Agreed	Change to be made as indicated.
TR3: Electric vehicles	9	Derbyshire County Council		See response to Policy G3 and above.	Noted	None
	11	Resident		Electric vehicles TR3 Serious and realistic consideration has to be given to the capacity of the electricity supply system to	Noted. With the government committed to end production of petrol and diesel cars by 2032, this	None

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				accommodate a sudden dramatic increase in demand from eco-schemes such as electric cars with a supply increasingly dependent upon natural sources.	is an important reinforcement of that commitment.	
	12	NWLDC	54	No comments but we will forward separately an article which may be of interest in relation to this.	Noted	None
Monitoring & review						
Appendices						
	7	Heaton Planning		Of the nine Appendices to the Pre-submission version Neighbourhood Plan, seven have been uploaded to the Ashby de la Zouch Town Council webpages, with the remaining two (Appendix 1 – Consultation Statement, and Appendix 2 – Statement of Basic Conditions) withheld. We therefore cannot directly comment on the Neighbourhood Plan Group’s own consideration of how the Pre-submission version Neighbourhood Plan would meet the basic conditions at examination as set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).	Appendices 1 and 2 can only be produced with the submission version of the NP and will be prepared once the NP has been revised following comments received at regulation 14.	None
Appendix 1	10	Gladman		Assessment against Basic Conditions Gladman recognises the Government’s ongoing commitment to neighbourhood planning and the role that such Plans have as a tool for local people to shape the development of their local community. However, it is clear from national guidance that the BNP must be consistent with	Noted	None None

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				<p>national planning policy and the need to take account of up-to-date housing needs evidence and the direction of growth outlined in the emerging Local Plan Review. If the plan is found not to meet the Basic Conditions at Examination, then the plan will be unable to progress to referendum.</p> <p>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</p> <p><input type="checkbox"/> With specific regard to Policy G1 – Limits to Development, Policy G2: Design and Policy ENV4 – Built Environment, these policies do not provide a positive Framework for growth meaning the plan would fail on this basic condition.</p> <p>D) The making of the neighbourhood plan contributes to the achievement of sustainable development</p> <p><input type="checkbox"/> Specifically with regard to Policy G2: Design, the policy does not entirely accord with the tenets of sustainable development.</p> <p>As detailed through these submissions, we suggest that greater flexibility must be built</p>	<p>The NP has used the most up to date housing figures agreed with the local planning authority.</p> <p>This is a false and unhelpful interpretation.</p> <p>You cannot cherry-pick policies in support of an argument that the NP fails to ‘positively provide for growth’ – you must take all policies in the NP into account otherwise you would say that any policy, say, protecting the most special areas as Local Green Space result in a failure to ‘provide a positive framework for growth’. This is clearly not the case. The NP exceeds the minimum housing requirement set by the local</p>	None

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				<p>into the Blackfordby Neighbourhood Plan's proposals. Should the BNP proceed and fail to plan for this flexibility, there is a real risk that its proposals will need to be reviewed upon the emerging Local Plan's adoption, if it is to remain an up-to-date part of the Development Plan.</p> <p>In a number of instances, the BNP policies duplicate the requirements of national or local planning policies, or require further justification and clarity. These issues should be addressed through modification of the plan.</p>	<p>planning authority and includes other policies to shape development in line with local need. Policies on the limits to development, design, housing allocation, housing mix, windfall development, affordable housing, employment, homeworking, tourism and others provide a positive approach to shaping local development</p>	
Appendix 3 – Housing Site Assessments	7	Heaton Planning		<p>We would however like to comment specifically on Appendix 3 – Housing Site Assessments, as below.</p> <p>Firstly, in the absence of any clarity within the Neighbourhood Plan or Appendix 3, it is not clear to what the Appendix 3 relates. The Appendix is entitled 'Housing Growth Strategy to 2036' when the Neighbourhood Plan period is 2019-2031. Furthermore, it is stated in the Neighbourhood Plan Policy H1 preamble that: "the Neighbourhood Plan has undertaken a comprehensive assessment of potential residential development sites in a positive approach to securing sustainable development and to</p>	<p>The letter that was sent invited them to make contact. No response was received.</p> <p>As the Town Council did not have their contact details all contact could only be made through NWLDC.</p>	None

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				<p>help meet a local need. The process undertaken is detailed in the supporting information (Appendix 3)”</p> <p>We are not sure how Appendix 3 can act as a robust methodology for delivering growth in Blackfordby without greater clarity on to what the Appendix relates.</p> <p>Section 1 of Appendix 3 ‘Executive Summary’ immediately conflicts with the Neighbourhood Plan by stating in its first bullet point that two sites have been allocated for residential development rather than the single allocation contained within the Neighbourhood Plan. Confusingly, the ‘first choice’ housing site within Appendix 3 is not the housing site allocated in the Neighbourhood Plan. ‘Blue Bell Inn’ is ranked first at in Appendix 3, with the site to the rear of 31 Main Street ranking second. The Blue Bell Inn is the preferred choice for housing within Appendix 3 despite the owners of the site not promoting it for residential development. Appendix 3 even alludes to the potential for the Blue Bell Inn being designated as a community asset where residential (re)development would be resisted.</p> <p>Appendix 3 at Section 2 outlines the methodology for the RAG scoring system</p>		

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				<p>used to select housing sites for allocation within the Neighbourhood Plan. It states again that the SSA methodology is “accepted by developers and land owners ... as being both robust and proportionate”. We would again stress that we do not consider this to be the case.</p> <p>The third paragraph of Section 2 states that “working in partnership in this way with landowners has enabled a positive SSA process”. We can confirm that neither Heatons or our clients have been engaged with as part of the SSA process. We have not been offered the opportunity to attend any physical meetings, conference calls, or any other such opportunity to present the ideas of our clients.</p> <p>Appendix 3 states that “draft SSA reports need to be shared with the other TG’s for their input, amended and then circulated to the landowners for final comments.” To date, the only SSAs we have received were via email on 12th December 2018 and accompanied a letter from Ashby de la Zouch Town Council explaining that neither site was to be included as a residential allocation in the Neighbourhood Plan. We have not been given the opportunity for ‘final comments’ as stated in Appendix 3.</p>		

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				<p>Finally, the Introduction to the SSAs explained that the SSAs were a confidential draft, and if this is the case then at the time of writing we have not received a 'final' version. It should be noted that we assume the SSAs have been updated as the RAG scorings for site reference By4 and site reference Bo1 contained within Appendix 3 differ from that shown on the draft SSAs received via email on 12th December 2018. Site ref. By4 apparently scores 3 points better-off than in the SSA we have had sight of, whereas site ref. Bo1 is shown 3 points worse-off.</p> <p>Our comments above relating specifically to the inclusion of two housing allocations within Appendix 3 but just a single allocation being identified with the Pre-submission version Neighbourhood Plan have also been raised by NWLDC in their Proposed Response to the Presubmission draft Blackfordby Neighbourhood Plan to be presented to the Local Plan Committee on 26th June 2019. NWLDC's Proposed Response also reiterates that the RAG Scoring System "needs some explanation" and raises the importance of seeing how the sites were scored in each category as part of the site selection methodology, which is absent from the Pre-submission version.</p>		

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	12	NWLDC		<p>Appendix 3 Housing Site Assessments - Refers to there being 2 housing allocations (rear of 31 Main Street and the Blue Bell Inn) – but Policy H1 only identifies 1 housing allocation.</p> <p>Refers to ‘HDC’s emerging Local Plan’. This will need amending.</p> <p>The acronyms TG and HTG need writing in full on first use.</p> <p>Suggest that the RAG Score needs some explanation.</p> <p>Would be useful to see how the sites scored in each category to understand how the final scores were arrived at.</p>	<p>The document will be updated once all regulation 14 comments have been received.</p> <p>Agreed</p> <p>Agreed</p> <p>Agreed</p> <p>The full assessments will be made available.</p>	<p>Change to be made as indicated</p> <p>Change to be made as indicated.</p> <p>Change to be made as indicated</p> <p>Change to be made as indicated</p> <p>Change to be made as indicated</p>
Appendix 4 – Housing Needs Report	12	NWLDC		Need to delete all references to MSOA E02005612 and Rockingham, Cottingham, East Carlton and Middleton.	Agreed	Change to be made as indicated
Appendix 5 – Environmental Inventory	12	NWLDC		It would be useful to have a map showing the location of the parcels of land.	We will produce a map for the submission version of the NP	Change to be made as indicated
Appendix 6 – Local Green Space Assessment	12	NWLDC		Generally the scoring system is confusing. Our interpretation of paragraph 100 of the NPPF is that sites only need to meet one of the following criteria: beauty, historic significance, recreational value, tranquility or richness of wildlife. Whereas the scoring	<p>Noted.</p> <p>It is not a requirement that the LGS meets ALL the criteria, but each criterion is scored to provide an overall picture. This provides a</p>	None

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				<p>system used appears to require sites to meet all of these criteria.</p> <p>Access criteria and scoring is questioned as the Planning Practice Guidance states that land can be considered for designation as Local Green Space even if there is no public access. Therefore sites with public access should not score higher than those with no public access.</p> <p>The third criteria listed refers to 'bounded, not extensive' sites. There is no requirement in the NPPF for sites to have a specific boundary. Overall, it is considered that this criteria may be better outside of the scoring system, for example, it would seem easier to apply a first sieve of sites and for them to be discounted if they are considered to be an extensive tract of land before any detailed assessment work is undertaken. A paragraph could be added to the supporting text stating that sites were discounted where they were considered to be an extensive tract of land.</p> <p>There is a column labelled 'special' in the assessment tables – this doesn't appear to</p>	<p>more scientific justification for the sites chosen as designations that merely relying on individual and subjective judgements.</p> <p>Noted – however the more accessible a site the more it can be enjoyed and used therefore it is considered appropriate to score an accessible site more highly. The scoring system has been successfully applied in over 25 Made NPs.</p> <p>The criteria listed in para 100 of the NPPF is not exhaustive. A key way of demonstrating its size is by it being 'bounded' and clearly identifiable – it is for this reason that the category is included.</p> <p>We will remove the category 'special' for clarity.</p>	<p>Change to be made as indicated</p>

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				be populated or have an explanation and therefore could be removed.		

~~Version 1: 28/6/19~~

~~Version 2: 2/7/19~~

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