

APPENDIX A: OFFICER RESPONSE TO LONG WHATTON AND DISEWORTH NEIGHBOURHOOD PLAN SUBMISSION VERSION

Reg 14 Plan: Section/Policy Number/Page Number	Reg 14 Plan: NWLDC Response	Reg 15 Plan: Section/Policy Number/Page Number and commentary	Reg 15 Plan: Objections/ Comments
Paragraph 1.6	Last sentence needs amending as the plan period of the new Local Plan is to 2040 (not 2039).	Para 1.6 Plan period has been amended to 2040.	Comment The plan period for the new Local Plan now goes to 2042.
Paragraph 1.8	The NPPF was revised in September and December 2023.	Para 1.8 The revision dates of the NPPF are detailed in para 1.8, including the update in December 2024.	None.
Paragraph 1.13	Last sentence needs amending as the plan period of the new Local Plan is to 2040 (not 2039).	Para 1.13 Plan period has been amended to 2040.	Comment The plan period for the new Local Plan now goes to 2042.
Paragraph 2.13	Consider removing reference to the HS2 station at East Midlands Parkway.	Para 2.13 Reference to the HS2 station at East Midlands Parkway has been removed.	None.
Map 2	Consider removing the now cancelled route of HS2 from the map.	Map 2 (page 9) The proposed route of HS2 has been removed from Map 2.	None.
Paragraph 2.17	Last sentence needs amending as the plan period of the new Local Plan is to 2040 (not 2039).	Para 2.17 Plan period has been amended to 2040.	Comment The plan period for the new Local Plan now goes to 2042.
Paragraph 2.18	As part of the recent consultation on the new Local Plan the information set out in paragraph 2.18 could as set out below.	Para 2.18	None.

APPENDIX A

	<p>The Local Plan Review is seeking to identify land for a minimum of 5,700 dwellings. Therefore, suggest replacing 'provide for' with 'identify land for' in the following sentence:</p> <p><i>Having regard to the Leicester and Leicestershire Strategic Growth Plan, the Local Plan Review is looking to <u>identify land for</u> an additional minimum of 5,700 houses.</i></p>	Amendments have been made in accordance with these comments.	
Paragraph 2.24	<p>Last sentence needs to be reworded to remove 'to us'. Suggest the following:</p> <p><i>...the District Council invited landowners, developers and their agents to submit information about sites within the district...</i></p>	<p>Para 2.24 The section on the Strategic Economic and Housing Land Availability Assessment (SHELAA) has been taken out of the Submission version of the NP.</p>	None.
Paragraph 2.27	Is import in the first sentence supposed to be important? Or is there a word missing before 'import'?	<p>Para 2.25 Wording amended too 'important'.</p>	None.
Paragraph 2.31	East Midland Airport – needs an 's' on Midlands.	<p>Para 2.28 An 's' has been added to Midland.</p>	None.
Paragraph 2.33	Need to remove 'and' after 100ha.	<p>Para 2.34 Parts of the introductory 'Profile' section have been rewritten. This change is no longer required as the text has been amended.</p>	None.
Paragraphs 2.37 + 2.38	Consider deleting these paragraphs or adding some additional wording the reflect the government's decision to cancel the northern leg of HS2.	The section on HS2 has been removed from the Submission NP.	None.

APPENDIX A

LW&D1: Countryside (Page 21)	<p><u>Comment from the Development Management Team</u></p> <p>It may help the user of the document if the individual settlements maps showing the Limits to Development followed this policy rather than being in the housing chapter, particularly as they relate to more than just housing?</p>	Individual settlement maps are still located in the housing requirement section of the NP.	<p>Comment (from the Development Management Team)</p> <p>A more detailed plan is needed to show the extent of the limits to development for the two villages. Map 3 is at too large a scale and the line is very thick, even with a closer scale it will be difficult to accurately work out whether a site is in or outside limits or whether the boundary of the limits is the outer or inner extent of the line. This will make it difficult to properly assess applications that are close to the line of the limits to development. There may be situations where we have to approve schemes on sites that the parish council intended to be outside the limits and subject to countryside policies or refusing schemes that the parish council intended to be within the limits. This could result in appeals that are not easy to defend due to the lack of clarity with the line of the limits.</p>
Paragraph 4.14	Last sentence 'here' needs to be 'where'.	<p>Para 4.14</p> <p>Amendments have been made in accordance with these comments.</p>	None.
Paragraph 4.19	Should the second sentence refer to the 'two' previous studies not 'three'.	Para 4.19	None.

APPENDIX A

		The wording of this para. has been changed and no longer refers to the number of previous studies.	
Policy LW&D2: Long Whatton and Hathern Area of Separation (Page 26)	<p>Retaining the separation between settlements is a strategic matter which is covered in criterion (ii) of adopted Local Plan Policy S3 – Countryside “it does not undermine....the physical and perceived separation and undeveloped character between nearby settlements...”.</p> <p>New Local Plan Draft Policy S4 (countryside) echoes the sentiment of criterion (ii) of the adopted Local Plan. Criterion (b) of the draft policy states that “it does not undermine...the physical and perceived separation and open undeveloped character between nearby settlements...”.</p> <p>Whilst we understand the concerns around potential coalescence, Areas of Separation are usually designated between two built up areas. The proposed Area of Separation does not adjoin a built-up area to the east. Furthermore, there is no evidence that we are aware of to suggest the settlement of Hathern will extend so close to Long Whatton. As such it is unclear why there is a need for an Area of Separation in this location.</p>	This Policy has been removed from the Submission NP. The supporting text is retained which makes reference to the fragile countryside gap between Long Whatton and Hathern.	None.
LW&D2 Landscape Sensitivity (Page 28)		A new policy has been added: Policy LW&D2: Landscape Sensitivity (page 28).	<p>Objection Object to the inclusion of footnotes 5 and 6.</p> <p>Reason</p>

APPENDIX A

		<p>This policy requires development to be located and designed in a way that is sensitive to the open landscape, natural and historic features that characterise the Neighbourhood Area having regard to landscape sensitivity (Appendix 1).</p> <p>Supporting Para 4.24 States that large-scale employment development should be directed to the areas of lowest landscape sensitivity in accordance with Policy LW&D30. Footnote 5 sets out the site size, density and maximum height requirements for residential development. Footnote 6 sets out the site size, density, developable area and maximum height of proposed employment development.</p>	<p>It is not clear how the footnotes would be applied when determining planning applications as they are not part of the policy. It is only policies that can be used to assess proposals for development.</p> <p>There is a lack of clarity and as such the Council objects to the inclusion of the footnotes.</p>
<p>Policy LW&D3: Locally Important Views (Page 27)</p>	<p>Appendix 1 sets out the justification for the viewpoints. Whilst paragraph 4.23 provides a short explanation of the difference between the different viewpoints it would be useful if the supporting text could provide further clarification on the difference between a representative viewpoint and a key viewpoint.</p> <p>Appendix 1 – The key for the Long Whatton Map needs amending the 'Key Viewpoint Locations'</p>	<p>Policy LW&D3: Locally Important Views (page 28).</p> <p>The Policy wording has been updated so rather than a Landscape and Visual Impact Assessment (LVIA) (or similar study) being required where development would have a significant visual impact on</p>	<p>Objection</p> <p>There are a large number of Representative Viewpoints identified on Maps 4 and 5. The user would benefit from more detail about the difference between Representative and Key Viewpoints.</p> <p>Reason</p>

APPENDIX A

	<p>need re-labelling as 'Representative Viewpoint Locations' in line with the wording in the Policy and with the Diseworth Map in Appendix 1.</p>	<p>Representative Viewpoints the Policy now requires a LVIA for development that would have a significant visual impact on the Representative and Key Viewpoints.</p> <p>There is some limited explanation of the application of representative and key viewpoints in regard to the Landscape Sensitivity Study in Para 4.21. However, there is no explanation of the difference between representative and key viewpoints.</p> <p>The maps are now in Appendix 2. The Long Whatton Map has not been amended.</p>	<p>More information is needed to aid the decision maker in understanding how the viewpoints differ, which is more important, how proposals could potentially impact them and the appropriate mitigation that would be required.</p> <p>There is a lack of clarity and as such the Council objects.</p> <p>Appendix 2 The key for the Long Whatton Map needs amending; the top label for 'Key Viewpoint Locations' need re-labelling as 'Representative Viewpoint Locations' in line with the wording in the Policy and with the Diseworth Map in Appendix 2.</p>
<p>LW&D4: Protecting Valued Landscapes (Page 27)</p>	<p>The vulnerable landscapes identified on Maps 4 and 5 cover large areas around both settlements.</p> <p>It is unclear how the boundaries of the vulnerable landscapes have been derived from the sites that were assessed in the Long Whatton and Diseworth Landscape Study. The Landscape Study considers 4 parcels of land around Diseworth and 5 parcels around Long Whatton. The vulnerable landscapes do not seem to follow the boundaries of any of the parcels considered in the study.</p>	<p>This Policy has been removed from the Submission version.</p>	<p>None.</p>

APPENDIX A

	Maps 4 and 5 – some of the numbering for the viewpoints is obscured by the yellow dots.		
Policy LW&D5: Countryside Access (Page 29)	No comments.	<p>Policy renumbered to LW&D4: Countryside Access (page 31).</p> <p>The wording of the policy has been amended from: <i>“Development should protect Rights of Way”</i> to <i>“Development should protect Rights of Way or reinstate or replace with enhanced provision”.</i></p>	None.
Policy LW&D6: Ecology and Biodiversity (Page 34)	<p>Having checked our records of LWS against Map 7 of the Neighbourhood Plan we can advise of the following:</p> <ul style="list-style-type: none"> • It is difficult to see the extent of and label for site 90368 on Map 7. • Site 90368 appears to be on Map 7 and also on the Policies Map but it is not listed in Appendix 2: Local Wildlife Sites. • It is difficult to see the extent of and label for 90367 on Map 7. • Should the label for site 72850 be above the label for 73764 as site 72850 is north of site 73764. 	<p>Policy renumbered to LW&D5: Ecology and Biodiversity (page 35).</p> <p>Map 7 has been amended where possible however, some sites are still difficult to distinguish. Although it is acknowledged that some of the LWS are very close together and as such it is difficult for them all to be shown.</p> <p>Site 90368 has also now been listed in Appendix 3: Local Wildlife Sites</p>	<p>Comment The inclusion of maps showing more detail would benefit the user.</p> <p>Footnote 7 (page 33) identifies that The Local Wildlife Sites and Historic Wildlife Sites (shown on Map 7 and listed in Appendix 3) are <i>“known to have had important wildlife value in the past but have not been surveyed since 1980/90s but aerial photographs suggest that they are still present”</i>. It would be useful to clarify their current wildlife value.</p>

APPENDIX A

	<ul style="list-style-type: none"> Sites or labels not visible for sites 72662, 72635, 73488, 72760. There is a cluster of four circles to the west of the M1, given these are so close together it is difficult to see which site the labels relate to on Map 7. There are a number of site labels that overlap the Neighbourhood Area boundary and are difficult to read. <p>For accuracy, the Council recommends that the NP Group checks these discrepancies with the LCC Ecology team.</p> <p>It would be useful to clarify if historic Local Wildlife Sites are still designated sites. If they are no longer designated this would suggest that they are not included.</p>		
Paragraph 4.44	<p>Our data suggests there are 7 confirmed TPOs in Diseworth, 31 confirmed TPOs in Long Whatton and 1 TPO to the south of East Midlands Airport.</p> <p>A spreadsheet detailing the TPOs referred to above has been submitted alongside these comments.</p>	<p>Para 4.49 Changes have been made as suggested.</p>	None.
Policy LW&D7: Trees and Hedgerows (Page 36)	<p>Unsure how Development Management colleagues would determine whether trees or hedgerows were of 'good' arboricultural and amenity value?</p>	<p>Policy renumbered to LW&D6: Trees and Hedgerows (page 36).</p> <p>Additional text has been added to the policy which replaces</p>	None.

		'good' arboricultural value with a specific standard: BS 5837 retention categories A and B.	
Policy LW&D8: Local Green Spaces (Page 37)	<p>For context, it would be useful to highlight the tests which need to be met for a piece of land to be able to be designated as Local Green Space (paragraph 102 of the NPPF) and that this is cross referenced to Appendix 3:</p> <p><i>a) in reasonably close proximity to the community it serves;</i> <i>b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and</i> <i>c) local in character and is not an extensive tract of land.</i></p> <p>Suggest that evidence/justification is provided to supports the various statements at Appendix 3 and how each sites meets the relevant criteria.</p> <p>Specific comments relate to sites 9, 17, 18 and 19 in Diseworth.</p> <p>Site 9 (Hallfield, Diseworth) is significant in size. Whilst there is a public footpath that runs diagonally across the area the site is larger than local in character and so we would suggest that this is an extensive tract of land contrary to the requirements set out in the NPPF.</p>	<p>Policy renumbered to LW&D7: Local Green Spaces (page 37).</p> <p>Additional text has been added to para. 5.2 about the designation of Local Green Space.</p> <p>Appendix 4 (Local Green Spaces) sets out the NPPF criteria for the designation of Local Green Space.</p> <p>Appendix 4 includes a table that shows the Local Green Space assessment against the criteria in Para. 107 of the NPPF. However, not all of the NPPF criteria are included in the table. For example, criteria a) relating to the proximity of a site to the community it serves and criteria c) whether the space is local in character and not an extensive tract of land do not appear in the table. It is noted that the detailed site appraisals of each Local Green Space on the Parish Councils website do assess each site against all of the</p>	<p>Objection Previous comments would still apply in relation to sites 9, 17, 18 and 19. Having regard to the NPPF criteria some of the areas are more than local in character and could be considered extensive tracts of land.</p> <p>Reason The table in Appendix 4 only appears to assess sites against criterion b) of Para.107 of the NPPF. The sites should also be assessed against criteria a) in reasonably close proximity to the community it serves and criteria c) local in character and is not an extensive tract of land.</p> <p>It is unclear whether the sites have been assessed against all of the criteria set out in Para.107 of the NPPF.</p> <p>In relation to the newly added site (Site 21) this needs adding onto Map 9.</p> <p>Appendix 4 Appendix 4 states that the criteria for Local Green Space are</p>

APPENDIX A

	<p>Sites 17 (Clement's Gate Crofts, Diseworth) and 18 (Clement's Gate Orchard, Diseworth) these sites individually and more so collectively represent large areas of land contrary to the criteria set out in the NPPF. In addition, neither site appears to be publicly accessible.</p> <p>Site 19 (Millenium Meadow, Diseworth) we note that this was provided by and is maintained by the Parish Council and is therefore already public open space. However, given its distance from Diseworth itself, it is questionable as to whether it meets the criteria for designation set out the NPPF paragraph 102, sub paragraph a).</p>	<p>criteria in Para. 107 of the NPPF, but this is not included in the actual NP itself.</p> <p>Sites 9, 17, 18 and 19 have been retained as a designated Local Green Space in the Submission NP.</p> <p>An additional site has been added to the list in the Policy: Site 21 Historic Verges, Diseworth. However, this site has not been added to Map 9.</p>	<p>contained in Para. 106 of the NPPF, this should be Para 107.</p>
Para 6.27	<p><u>Comments from the council's Senior Conservation Officer</u></p> <p>At paragraph 6.27 the draft neighbourhood plan records 64 listed buildings. The listed buildings are recorded in an inaccessible manner (they are arranged in order of their Historic England serial number). The record would be more accessible if it was arranged by location, thus distinguishing between listed buildings at Diseworth (23), Long Whatton (17), Whatton House (19) and further afield (5). This would reflect the distinction made between maps 10 and 11.</p>	<p>Para 6.27</p> <p>The list of Listed Building has been reordered so those in Diseworth are grouped together and then those In Long Whatton, Long Whatton House and those elsewhere within the NP area.</p>	<p>None.</p>
		<p>Para 6.14</p> <p>The word Monument needs and 's' at the end.</p>	<p>Comment</p> <p>New spelling error identified.</p>
LW&D9: Non-designated Heritage Assets	<p><u>Comments from the council's Senior Conservation Officer</u></p>	<p>Policy renumbered to LW&D8: Non-designated Heritage Assets (page 60).</p>	<p>None.</p>

(Page 54)	<p>The neighbourhood plan records 'features of local heritage interest'. The record includes 20 buildings and 48 'known archaeological remains' taken from the County Council's historic environment record and an undetermined number of 'ridge and furrow areas'. The record also includes 'Diseworth's Crofts'. I refer to maps 12 to 15 and appendix 4.</p> <p>The District Council has adopted five lists of local heritage assets, including a list of places of worship. We said that "as a general rule nonconformist chapels built after c1870 are not suitable for inclusion on the local list". For this reason, our list of local heritage assets does not include the former Wesleyan Methodist chapel on Hall Gate (1887).</p> <p>Ridge-and-furrow may be significant "in association with settlement remains" (i.e. where the relationship between the ridge-and-furrow and the settlement may be easily demonstrated) (link). The neighbourhood plan should select parcels of ridge-and-furrow according to this advice (hence perhaps it should select parcels of ridge-and-furrow that would correspond with the 'vulnerable landscapes' identified on maps 4 and 5).</p> <p>The extent of ridge-and-furrow indicated on map 15 appears to conflict with the extent of settlement earthworks at Diseworth (MLE4759) and Long Whatton (MLE4726ff).</p>	<p>There have been several changes to the number of, and the features listed in the Policy. There are 15 heritage assets that remain the same as those in the Pre-Submission version of the NP, 11 sites have been removed and 7 new sites added.</p> <p>In response to comments received on the Pre-Submission NP the Consultation Statement recommends that <i>"a new appendix be added to include more details of the Features of Local Heritage Interest. This will provide an opportunity to review sites for inclusion"</i>.</p> <p>It is assumed that the changes to the features listed in the policy has come about following the review of sites for inclusion.</p>	
-----------	---	---	--

APPENDIX A

	<p>The record of ‘known archaeological remains’ includes sites that are scheduled (MLE4726ff and MLE4742), sites that are listed (MLE4740) and sites that are registered (MLE4753). MLE21362 reflects the 16 listed buildings in the Chinese Garden. MLE5936 and MLE5937 reflect the conservation areas at Diseworth and Long Whatton. MLE20698 (‘Old Rectory’) and MLE23383 (‘Finger Farm’) refer to post-medieval buildings that have been destroyed.</p> <p>MLE4543 (‘Diseworth Grange’) refers to an unidentified site. Fisher (2016) refers to Diseworth Grange, “an unknown property and perhaps [an] alternative name for Wartoft Grange”.</p> <p>Map 9 indicates crofts at Grimes Gate (14) and Clements Gate (17). Area 14 is not an historic croft; it is outside the extent of the settlement c.1795. It may have value as a local green space, but it has no heritage value. To the immediate south of area 14, however, there is an area of authentic historic crofts that the neighbourhood plan should recognise</p>		
LW&D10: Design (Page 59)	No comment.	Policy renumbered to LW&D9: Design (page 63).	None.
Paragraph 7.5	The end of the first sentence refers to ‘all three communities’ query whether this should refer to two communities i.e. Long Whatton and Diseworth.	Wording has been amended to ‘both’ communities.	None.
		Para 7.7 The word ‘as’ needs adding between ‘identified’ and ‘being’	Comment New wording amendment suggested.

APPENDIX A

		in the last sentence of the paragraph.	
LW&D11: Water Management (Page 62)	<p>Para 175 (NPPF, December 2023) requires that major developments (defined as residential development of 10 or more homes, or the site has an area of 0.5 hectares or more, whilst non-residential development is defined as additional floorspace of 1,000m² or more, or a site of 1 hectare or more) should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The NP requirement for development to incorporate SuDs where the construction area is of 100sqm is much more stringent than the NPPF requirement, unless there is any local evidence to demonstrate that such a requirement is justified.</p> <p>Draft Local Plan (Policy Ap8) requires 'all major development proposals will include Sustainable Drainage Systems (SuDS) for the management of surface water run-off unless it can be clearly demonstrated that: (a) SuDS are not technically, operationally or financially deliverable or viable and that surface water drainage issues from the development can be mitigated in an alternative way; or (b) The SuDS scheme will itself adversely affect the environment or safety and that surface water drainage issues from the development can be mitigated in an alternative way'.</p> <p>The supporting text in the Draft Local Plan acknowledges the government's intention to make SuDS mandatory for most new</p>	<p>Policy renumbered to LW&D10: Water Management (page 68).</p> <p>The policy has been amended to refer to developments being 'designed' rather than built' to manage surface water sustainably.</p>	<p>Objection The NP includes a requirement for all new development where the construction area is of 100sqm or more should incorporate SuDS.</p> <p>The NPPF was revised in December 2024 and Para.182 of the NPPF requires that SuDS, proportionate to the scale and nature of the proposal, should be incorporated by any application that could affect drainage on or around a site.</p> <p>Reason The NP requirement for all new development where the construction area is of 100sqm or more to incorporate SuDS is not consistent with National Policy. There does not appear to be any justification for the 100sqm requirement.</p>

APPENDIX A

	<p>development in England and once SuDS become a legislative requirement there may be no need for a Local Plan policy.</p> <p>The Neighbourhood Plan needs to be consistent with the requirements of the NPPF. As currently drafted the Neighbourhood Plan Policy goes beyond national and local policy requirements.</p> <p>However, as the requirements for SuDS is dealt with at a national and local level we would query whether the policy is required at all.</p> <p>Should the first sentence of the third section refer to developments being 'designed' rather than 'built' to manage surface water sustainably?</p>		
Policy LW&D12: Retention of Community Services and Facilities (Page 68)	No comments.	<p>Policy renumbered to LW&D11: Retention of Community Services and Facilities (page 75).</p> <p>No comments.</p>	None.
		<p>Para 8.23 The paragraph refers to the site allocation policy for Hathern Road, Long Whatton as Policy L22. The Policy reference should be LW&D20.</p>	<p>Comment New wording amendment suggested.</p>
LW&D13: New Long Whatton Community Centre (Page 70)	Adopted Local Plan Policy IF2 (Community and Cultural Facilities) seeks to resist the loss of key services and facilities unless an appropriate alternative is provided, or there is demonstrable evidence that the facility is no longer required	<p>Policy renumbered to LW&D12: New Long Whatton Community Centre (page 77).</p>	<p>Comment We note that the site area for the proposed community centre has been increased but the reasons for this are not clear.</p>

and/or viable and that suitable alternative community uses have been considered.

Draft Local Plan Policy IF2 (Community Facilities) supports proposals for new, extended or improved community facilities. The policy requires that for such facilities that are located in areas identified as the countryside, it must be demonstrated that the proposal will address a proven local need for the facility. The loss of a facility needs to accord with the criteria set out in the Draft Policy. Part (3) of the Draft Policy requires major residential/residential-led development to make provision for new community facilities where no facilities exist, or facilities are insufficient for the demand likely to be generated from the new development.

The issues with the current community centre are noted and these would support the provision of a new community centre.

The site shown on Map 16 of the Submission NP is a much larger site than shown on Map 16 of the Pre-Submission NP (as shown below).

Pre-Submission NP (Map 16)



Submission NP (Map 16)



The Submission NP does not provide any justification for the larger site area. However, the Consultation Statement includes a recommendation that: *“Map 16 be modified to show the full extent of the*

APPENDIX A

		<p><i>proposed location of the new community centre”.</i></p> <p>It is not clear why the full extent of the site for the community centre was not included in the Pre-Submission version.</p> <p>Policy LW&D13 in the Pre-Submission NP included a size requirement for the community centre of a 18m x 10m hall. This size requirement has been replaced with a requirement for the design of the building to have regard to Sport England’s guidance notes on village and community halls.</p> <p>The Pre-Submission NP Policy included a requirement for the building to be located closest to the main part of the village. This requirement has been removed from the Submission NP Policy.</p>	
Policy LW&D14: Internet (Page 71)	No comments.	<p>This policy has been removed from the Submission NP. The supporting text has been retained and updated.</p>	None.

APPENDIX A

Policy LW&D15: Infrastructure (Page 71)	No comments.	Policy renumbered to LW&D13: Infrastructure (page 78). No comments.	None.
Paragraphs 9.5, 9.6 and 9.7 and Map 17	Query whether it is worth deleting this paragraph now that the government has announced that it will no longer proceed with the eastern leg of HS2 which would have passed through the district.	The paragraphs relating to HS2 have been taken out of the Submission NP and the route of the HS2 is no longer shown on Map 17.	None.
Policy LW&D16 Donington Park Services (Page 76)	No comments.	Policy renumbered to LW&D14: Donington Park Services (page 84). No comments.	None.
		Para 9.10 An 'r' is missing from the first 'Kegworth' in the second sentence.	Comment New spelling error identified.
Paragraph 9.16	Remove word 'of' in first part of the first sentence.	Para 9.13 This change has been made.	None.
Policy LW&D17: Nuisance Parking (Page 79)	No comments.	Policy renumbered to LW&D15: Nuisance Parking (page 86). No comments.	None
		Section 9 (Transport) Active Travel (page 87).	Comment (From NWLDC Health and Wellbeing Team) It would be beneficial for the Neighbourhood Plan to refer to NWLDC Local Cycling and Walking Infrastructure Plan (LCWIP) in the Active Travel section. The LCWIP identifies

APPENDIX A

			improvements to cycling infrastructure through Diseworth and Long Whatton – route CD-C08 of the LCWIP.
		Para 9.24 In the fourth sentence the word 'and' is spelt incorrectly.	Comment New spelling error identified.
Policy LW&D18: Noise Impact (Page 83)	<p>Adopted Local Plan Policy D2 (Amenity) requires proposals for development to be designed to minimise their impact on the amenity and quiet enjoyment of both existing and future residents within the development and close to it.</p> <p>Development proposals will be supported where they do not generate a level of activity, noise, vibration, pollution or unpleasant odour emission, which cannot be mitigated to an appropriate standard and so, would have an adverse impact on amenity and living conditions.</p> <p>These requirements are also set out in Draft Local Plan Policy AP2 – Amenity. As such we query whether this policy is necessary.</p>	<p>Policy renumbered to LW&D16: Noise Impact (page 90).</p> <p>The Policy is unchanged apart from the last sentence which has been changed from <i>“Development that is likely to reduce local quality of life as result of change to the acoustic character of the area will not be supported”</i> to <i>“Development should mitigate and reduce to a minimum potential adverse noise impacts and avoid noise giving rise to significant adverse impacts on health and the quality of life”</i> in the Submission version of the NP.</p>	<p>Comment</p> <p>As the policy is largely unchanged the previous comments would still apply.</p> <p>As worded it would appear the requirement for a Noise Impact Assessment could apply to a single new dwelling or conversion and change of use, this requirement could be potentially onerous.</p> <p>The last part of the NP policy has been revised to read: <i>“Development should mitigate and reduce to a minimum potential adverse noise impacts and avoid noise giving rise to significant adverse impacts on health and the quality of life.”</i> It is queried whether this could be worded differently.</p>
Policy LW&D19: Construction	Query what the definition of minor development means – is it the same as the NPPF? It may just need some clarification in the text.	Policy renumbered to LW&D17: Construction	Comment It would be beneficial to the user to clarify whether the definition of

APPENDIX A

Method Statements (Page 83)		Method Statements (page 91). The policy wording has been amended from ' <i>other than for minor development</i> ' to ' <i>prior to the commencement of major development a construction method statement...</i> '	major development is the same as that set out in the NPPF.
Paragraphs 11.2 and 11.3	The redevelopment of previously developed land for housing should be within or well related to the settlement boundary. This should be reflected in the text for clarity.	Para 11.3 This change has been made.	None.
Paragraph 11.4	Second sentence needs amending as the plan period of the new Local Plan is to 2040 (not 2039).	Para 11.4 The change has been made.	Comment The plan period for the new Local Plan now goes to 2042.
Paragraph 11.5	Last sentence needs amending as the 686 dwelling per annum requirement over the equates to 13,720 over the plan period 2020-2040 (not 2021 to 2039). Also the plan period of the new Local Plan is 2020 to 2040 (not 2021 to 2039).	Para 11.5 The text has been amended to 2040.	Comment The plan period for the new Local Plan now goes to 2042.
Paragraph 11.7	Last sentence needs amending as the plan period of the new Local Plan is to 2040 (not 2039). The reference to the potential for the new Local Plan to include a proposal for a new settlement is noted, as is the response to the questionnaire survey undertaken.	Para 11.7 The text has been amended.	Comment The plan period for the new Local Plan now goes to 2042.

APPENDIX A

Paragraphs 11.7 to 11.9 New Settlement	It is not clear whether the reference at paragraph 11.7 to 30 years should be 20 years?		
Paragraph 11.11	Query whether the plan period for the NP should be 2020-2040 to align with the new LP or whether the NPs plan period is as stated (2021-2039).	Para 11.9 The NP period has been changed to 2020-2040.	Comment The plan period for the new Local Plan now goes to 2042.
Paragraph 11.12	This paragraph also reference the NP's plan period to 2039 (see comment above).	Para 11.10 The NP period has been changed to 2040.	Comment The plan period for the new Local Plan now goes to 2042.
Policy LW&D20: Housing Requirement (Page 87)	Query whether the NPs plan period should align with the new Local Plan's plan period?	Policy renumbered to LW&D18: Housing Requirement (page 94). The plan period of the NP has been changed to 2020-2040.	Comment The NP period has been changed to 2020-2040.
Policy LW&D21: Windfall Housing Development (Page 90) (Maps 19 and 20)	<p>It is noted that the proposed Limits to Development for both Long Whatton and Diseworth do not fully accord with the Limits to Development in the adopted Local Plan.</p> <p>The Council have undertaken a review of the Limits to Development. Public consultation on this review took place from 05 February to 17 March 2024. The proposed Limits to Development for Long Whatton and Diseworth in the Neighbourhood plan do not fully accord with the proposed Limits to Development as set out in the Local Plan consultation document.</p> <p>The differences between the NP and draft LP in Long Whatton are:</p>	<p>Policy renumbered to LW&D19: Windfall Housing Development (page 97).</p> <p>NWLDC have met with the NP group and have agreed some potential changes to the Limits to Development in the new Local Plan. These changes will be included on the Local Plan Policies Map once the NP has been Made.</p>	None.

	<ul style="list-style-type: none"> • Rear of No.2 West End (property curtilage included in LP not in NP). • All Saints Church and two large properties accessed of Mill Lane (excluded from LtD in NP). • Land to east of Harlow Bros Ltd (included in NP as expansion land). <p>The differences between the NP and draft LP in Diseworth are:</p> <ul style="list-style-type: none"> • Garden land north of nos. 9 to 15 Clements Gate (included in draft LP excluded in NP). • Slight difference around new housing at Avocet Close. • Land north of no. 9 Hall Gate (Draft LP includes more land than the NP). • Triangular parcel of land north of Hall Gate (include in draft LP not in NP). • Land rear of the Plough Inn (parcel of land included in draft LP but not in NP). <p>We would welcome a meeting to discuss this matter further.</p>		
Policy LW&D22: Hathern Road, Long Whatton (Page 90)	Given that there is no housing requirement for Long Whatton or Diseworth in the adopted Local Plan, planning policy officers have provided the Parish Council with indicative housing figures. Having tested various housing growth and distribution scenarios a final figure was determined of 13 dwellings for both Long Whatton and Diseworth for the plan period.	<p>Policy renumbered to LW&D20: Hathern Road, Long Whatton (page 97).</p> <p>The policy has been updated and requires the provision of 5-7 self-build plots in accordance with Policy LW&D22.</p>	<p>Objection</p> <p>The Policy wording has been amended from the Pre-Submission Version. Revised policy criteria E. refers to the provision of a new community centre unless it is demonstrated that it is “<i>beyond the scope of the relevant regulations or is</i></p>

APPENDIX A

	<p>Officers welcome the Parish Council's proposal to allocate a site for housing as it represents positive planning which is based on evidence. However, the proposed site in Long Whatton is for approximately 90 dwellings which greatly exceeds the 13-dwelling requirement.</p> <p>It is noted that the Housing Allocation was further informed by a 'Call for Sites' and Site Appraisal process. The proposed allocation site appears to be a logical extension to Long Whatton.</p> <p>Although query whether it would be possible for the housing and the community centre to be provided on the same site.</p> <p>Criteria C of the Policy refers to the provision of a community centre - it is unclear if this refers to the land or the building itself. We would also query whether the size of the site is sufficient to justify a requirement to provide a community centre in terms of the CIL test. The Policy could, however, refer to the allocated housing site contributing towards a community centre.</p>	<p>The Pre-Submission NP Policy LW&D 22 required (at Part C) <i>"The development shall make provision for a new community centre in accordance with Policy LW&D13"</i>.</p> <p>The requirement for the provision of a community centre in the Submission NP has been moved to criteria E. which states that: <i>"The development shall make provision for a new community centre in accordance with Policy LW&D12 unless this is demonstrated to be beyond the scope of the relevant regulations or is unnecessary or not viable"</i>.</p> <p>This revised policy criteria makes it possible for development to go ahead without the provision of a new community centre.</p> <p>The requirement in the Pre-Submission NP (Part E) for the development to incorporate a Local Area for Play has been removed from the policy.</p>	<p><i>unnecessary"</i>. It is unclear what regulations are being referred to or why the provision of a community centre would be deemed unnecessary when land is allocated in the NP for a new community centre and the provision of a new community centre is subject to Policy LW&D12 (New Long Whatton Community Centre).</p> <p>Reason There is a lack of clarity and as such the Council objects to the wording of Part E. of the Policy.</p>
Policy LW&D22: Hathern Road, Long Whatton	<u>Comments from the council's Senior Conservation Officer</u>	Landscape Sensitivity (page 24)	None.

(Page 90)	<p>August 2023</p> <p>It is proposed to develop about 90 dwellings on a 3.8ha site to the south of Hathern Road. It is proposed to develop a community centre and playing field on land to the north of Hathern Road.</p> <p>The housing site to the south of Hathern Road is the preferred option of “four housing site options at Long Whatton” (see paragraph 11.17). I do not know what other site options were considered. I do not know what selection methodology was used. I do not know whether (or to what extent) heritage considerations formed part of the selection methodology. I do not know whether other site options would have been preferable in heritage terms.</p> <p>The draft neighbourhood plan identifies key viewpoints containing “landscape and visual features important to the identities of the settlements” (see appendix 1). Key viewpoints around Diseworth are indicated on a map (see page 110), but there is no corresponding map for Long Whatton. Viewpoint VP21 is situated on Hathern Road and illustrates the “heavily treed ridgeline ... to the north”. That ridgeline forms part of the registered landscape at Whatton House.</p> <p>The draft neighbourhood plan says that “a landscape and visual impact assessment (LVIA) will be required for major developments and proposals that are likely to impact on locally important views” (appendix 1 refers to “key</p>	<p>Additional supporting text has been added Paras. 4.20 to 4.24 regarding the Parish Councils Landscape Sensitivity Study regarding how the study was undertaken.</p>	
-----------	--	--	--

	<p>viewpoints”, while policy 3 refers to “locally important views”).</p> <p>The attached map indicates a line of intervisibility between the registered landscape and the housing site. The attached ‘street view’ photograph illustrates the view from the housing site toward Whatton House and its landscape (note the parkland tree to the left of the photograph). The attached photograph 103050 illustrates the view from the landscape toward the housing site (i.e. beyond the distinctive white bargeboards of 13 Mill Lane).</p> <p>The proposed housing development would be visible from the registered landscape at Whatton House. However, based on the limited information in the draft neighbourhood plan, I cannot determine the degree of harm to the landscape (e.g. I cannot determine from which parts of the landscape the proposed development would be visible).</p> <p>Considering the draft neighbourhood plan’s own advice about the need for an LVIA, the next step should be to identify a zone of theoretical visibility (ZTV) for the proposed housing development, to inform further discussion and potentially to inform the preparation of an LVIA.</p> <p>Re the proposed community centre: The draft neighbourhood plan refers obliquely to the “limited opportunities in the centre of the village”. The former Methodist chapel is established in use class F (‘local community and learning’), but</p>		
--	--	--	--

	<p>it does not appear under policy 12 'retention of community services and facilities'. In January 2022 the parish council proposed to purchase the chapel for community use; I do not know what became of this proposal.</p> <p>Finally, considering the risk of flooding from surface water, I do not know whether (or to what extent) it would be feasible to redevelop the friendship centre as proposed at paragraph 8.22.</p> <p>October 2023 I offered supplementary advice. The draft neighbourhood plan does not reflect that advice.</p> <p><i>Some form of visual impact assessment should be carried out prior to adoption of the neighbourhood plan. If that assessment identifies an unacceptable harmful impact, then it may be necessary to consider an alternative allocation. If no assessment is made prior to adoption, then there is a risk that permission would not be granted for development of the allocated site.</i></p> <p><i>One acceptable form of visual impact assessment would be for the advisory committee to erect some form of visual markers on the allocation site (e.g. balloons or flags) and for the LPA to visit the registered landscape to assess the visibility of those markers from key viewpoints.</i></p>		
Policy LW&D23: Tea Kettle Hall, Diseworth	Given that there is no housing requirement for Long Whatton or Diseworth in the adopted Local Plan, planning policy officers have provided the	Policy renumbered to LW&D21: Tea Kettle Hall, Diseworth (page 99).	Objection Previous comments still apply in relation to the site being

<p>(Page 92)</p>	<p>Parish Council with indicative housing figures. Having tested various housing growth and distribution scenarios a final figure was determined of 13 dwellings for both Long Whatton and Diseworth for the plan period.</p> <p>Officers welcome the Parish Council's proposal to allocate a site for housing as it represents positive planning which is based on evidence. The site at Tea Kettle Hall, Diseworth is allocated for approximately 13 dwellings which would meet the housing requirement.</p> <p>The site at Tea kettle Hall lies to the south of the settlement of Diseworth and is somewhat isolated from the rest of the settlement, with a road in between. As such it is not an ideal location for housing development, but as the site is previously developed land, it is considered that this weighs in favour of the site and so no objection is raised.</p> <p>It is noted that para 11.18 refers to the site being previously developed. However, Policy LW&D23 (criteria C) refers to the site being considered as greenfield for the purposes of the affordable housing requirement. The affordable housing requirement should reflect the status of the site as previously developed land. As such, and in accordance with the affordable housing requirement in the Local Plan no affordable housing would be required unless there is local evidence to suggest otherwise.</p>	<p>Policy now includes a criterion (Part B) for the provision of 2-5 self-build plots in accordance with Policy LW&D22.</p> <p>The Policy still includes (Part D) that for the purposes of affordable housing; the site shall be considered as greenfield.</p>	<p>considered as greenfield for the purposes of the affordable housing requirement. The affordable housing requirement should reflect the status of the site as previously developed land.</p> <p>Reason There is a lack of consistency between supporting text para 11.16 which states the site is previously developed and the Policy requirement (at criteria D.) which states that the site will be considered as greenfield for the purposes of affordable housing.</p>
------------------	---	--	---

<p>Policy LW&D22: Self-Build and Custom-Build Housing</p>		<p>New Policy LW&D22: Self-Build and Custom-Build Housing (page 100).</p> <p>This is a new policy that was not included in the Pre-Submission version of the NP.</p> <p>The adopted Local Plan does not contain a policy on self-build and custom build housing. However, the draft Local Plan does include a draft policy and the requirements set out the NP Policy (LW&D22) are broadly in line with draft Local Plan Policy.</p> <p>The requirements for self and custom build housing in the draft Local Plan Policy are 5% on sites of 30 or more dwellings. As such, the NP allocation at Tea Kettle Hall (13 dwellings) would fall below the threshold proposed in the draft Local Plan policy although the policy relating to Tea Kettle Hall in the NP (LW&D21) does include a requirement for 2-5 self-build plots. The NP allocation at Hathern Road, Long Whatton (90 dwellings) would be required to provide 5 (rounded) self or custom build</p>	<p>Objection</p> <p>Object to the wording of Part iv of the Policy which states that “<i>Plots can be used to discount the affordable housing (Policy LW&D24) and housing mix (LW&D23) requirements</i>”.</p> <p>Reason</p> <p>Whilst the supporting text sets out the demand for self-build and custom housebuilding plots and that to encourage self-build and custom housebuilding plots may be discounted against the affordable and housing mix requirements it is unclear how it would be determined as part of a planning application or which requirement (affordable housing, housing mix or self-build) would be take precedence.</p> <p>Part iv of the policy introduces a degree of uncertainty and potential conflict with the Affordable Housing and Housing Mix policies of the NP.</p>
---	--	--	--

APPENDIX A

		<p>dwelling against the draft Local Plan policy. Policy LW&D20 (Hathern Road, Long Whatton) requires the provision of 5-7 self-build plots which is in line with the draft Local Plan policy.</p> <p>The supporting text in the NP sets out the demand for self-build and custom build housing and Para. 11.23 details that to encourage self-build and custom build housing, plots may [emphasis added] be discounted against the affordable housing and housing mix requirements.</p> <p>Part iv of the Policy states that <i>“Plots can [emphasis added] be used to discount the affordable housing (Policy LW&D24) and housing mix (LW&D23) requirements”</i>.</p>	
		<p>Para 11.26 The link in the paragraph takes you to the Breedon on the Hill Housing Needs Assessment rather than the Long Whatton and Diseworth Housing Needs Assessment.</p>	<p>Comment Link needs amending.</p>
Policy LW&D24: Housing Mix (Page 95)	Policy LW&D24 identifies a housing mix that developments of 10 or more dwellings should broadly reflect, unless informed by a more up to	Policy renumbered to LW&D23: Housing Mix (page 104).	None.

APPENDIX A

	<p>date evidence of housing need. This is justified having regard to the housing profile of the Parish as well as a 2021 Housing Needs Assessment.</p> <p>This is in line with Local Plan Policy H6 which also applies to developments of 10 or more dwellings.</p>	No comment.	
Paragraph 11.34	This refers to the North West Leicestershire Core Strategy – this needs to be amended to the adopted Local Plan.	Para 11.37 This change has been made.	None.
Policy LW&D25: Affordable Housing (Page 98)	<p>The provision of affordable housing is a strategic policy matter. The quantum/tenure of affordable housing provision therefore needs to be in accordance with the requirements of Local Plan Policy H4.</p> <p>It is proposed that the requirement for a local connection should be deleted from this policy for the following reasons; a) it does not accord with the affordable housing eligibility criteria applied by the district council's Housing team. The criteria require a connection to the district, not to the local area; and b) it is not in general conformity with NWLLP Policy H4 which includes no such local connection requirement.</p> <p>On a practical level, a consequence of a local connection requirement is that people in housing need who come from places with no/limited new development would never have their needs met. Local connection requirements can also constrain Registered Providers' ability to secure funding for new affordable housing schemes.</p>	<p>Policy renumbered to LW&D24: Affordable Housing.</p> <p>LW&D24: Affordable Housing The last part of the Policy has been changed from: <i>"Unless informed by more up to date evidence of local affordable housing need, 25% of affordable housing shall be rented with the remainder providing a subsidised route to home ownership (which shall include at least 25% First Homes)."</i> To: <i>"Unless informed by more up to date evidence of local affordable housing need, 80% of affordable housing shall be rented with the remainder providing a subsidised route to home ownership."</i></p>	<p>Objection NWLDC objects to this policy for the reasons given at the pre-submission (Regulation 14) stage. The requirement for a local connection should be deleted from this policy for the following reasons; a) it does not accord with the affordable housing eligibility criteria applied by the district council's Housing team. The criteria require a connection to the district, not to the local area; and b) it is not in general conformity with NWLLP Policy H4 which includes no such local connection requirement.</p> <p>On a practical level, a consequence of a local connection requirement is that people in housing need who come from places with no/limited new development would never have</p>

	<p>A similar approach has been advocated in other Neighbourhood Plans in the district and has not been supported by Examiners. Supporting such an approach would be inconsistent.</p> <p><u>Summary of the comments made by The NWLDC Strategic Housing Team.</u></p> <p>It is the view of the Strategic Housing Team that the NP has sought to deliver a report that supports a desire to maximise delivery of affordable home ownership over investigating a full picture of affordable housing needs. Existing evidence has only been used where this supports this goal and any evidence to the contrary has been disregarded. The data sources used are in the main out of date and have been superseded (housing register, SHMA/HEDNA) and only specific elements of the findings have been included. The Strategic Housing Team have serious concerns that the findings from the NP differ completely from the evidenced need identified historically and from the HEDNA report</p> <p>The NP produced does not reflect the Councils adopted Allocation Policy or Local Plan Policies and could conflict with new policies being considered under the Local Plan refresh process. The Strategic Housing Team does not consider this report to provide a full unbiased assessment of affordable housing need in the settlements and strongly urge the LPA to indicate that this report is unacceptable in its current format.</p>	<p>The Policy still includes priority to be given to people with a local connection to the Long Whatton and Diseworth Neighbourhood Area.</p> <p>The Strategic Housing Team wish to reiterate the point previously made. This policy does not align with the affordable housing eligibility criteria applied by the Council's Housing Service and is not in general conformity with the adopted Local Plan Policy H4 which includes no such local connection requirement. Policy LW&D24 would disadvantage those people in housing need coming from places with no/limited new development, as they would never have their needs met. It would also appear or comments relating to the methodology/findings of the Housing Needs Assessment have not been addressed or responded to.</p> <p>For the avoidance of doubt, these comments relate to the earlier version of the plan. However, these comments would also apply to the</p>	<p>their needs met. Local connection requirements can also constrain Registered Providers' ability to secure funding for new affordable housing schemes. This objection has been supported at other Neighbourhood Plan Examinations, including for the Blackfordby NP and Swannington NP. The examiner for the Ashby NP also concluded that the allocation of affordable housing was not a matter for a Neighbourhood Plan. The examiner considered the local connections element of the policy strayed too far beyond land use planning matters and into housing policy that is a matter for the Council. This element of the policy was recommended for removal.</p> <p>Reason</p> <p>The policy would be contrary to Local Plan Policy H4. The policy is not in general conformity with the strategic policies of the Local Plan and the NPPF. It should be noted that at paragraph 13.5 of the adopted Local Plan (2017) it is confirmed that "The policies in this Local Plan are the strategic policies that Neighbourhood Plans will be required to be in conformity with."</p>
--	---	---	---

APPENDIX A

		Submission Version of the Neighbourhood Plan, as such the earlier comments will be submitted to the Examiner alongside the Council's response to the Submission Version of the Neighbourhood Plan. This will help provide context to this objection.	
Policy LW&D26: Rural Housing (Page 98)	The existing Local Plan and the new Local Plan are silent on the issue of subdivision of an existing residential dwelling. However, the NPPF allows for the development of isolated homes in the Countryside if the development would involve the subdivision of an existing residential dwelling.	<p>Policy renumbered to LW&D25: Rural Housing.</p> <p>The draft wording for new Local Plan Policy S4 (Countryside) has been amended and supports the subdivision of existing dwellings. This revised wording has been agreed at Local Plan Committee for inclusion in the Regulation 19 version of the Local Plan.</p>	None.
Policy LW&D27: Residential Conversion of Rural Buildings (Page 100)	Query is raised over the application of this policy. For example, would the residential conversion of a rural building not be supported if a building is not of architectural and historic interest. This approach would be odds with national and local policy.	<p>Policy renumbered to LW&D26: Residential Conversion of Rural Buildings.</p> <p>The requirement for the building to be of architectural and historical interest has been removed from the policy.</p>	None.
Policy LW&D28: Rural Worker Accommodation (Page 101)	In line with the policy in the new Local Plan.	Policy renumbered to LW&D27: Rural Working Accommodation.	None.

APPENDIX A

Policy LW&D29: Replacement Dwellings (Page 102)	<p>Are we correct in our understanding that the prevention of the loss of 2 or 3 bedroom accommodation is linked to the local housing profile.</p> <p>We appreciate the desire to resist the loss of a 2- or 3-bedroom property, but such properties could still be lost through an extension to an existing 2 or 3 bedroom property, so will the policy achieve its objective? In addition, if Criteria C is complied with, how likely is it that the new build would have more bedrooms than was previously the case?</p>	<p>Policy renumbered to LW&D28: Replacement Dwellings.</p> <p>The policy is unchanged.</p>	<p>Comment</p> <p>As the policy is unchanged the previous comments regarding the effectiveness of this policy would apply.</p>
Paragraph 12.3	First sentence consider deleting 'lie' to ensure the sentence makes sense.	<p>Para 12.3</p> <p>The word 'lie' has been removed from the first sentence of this paragraph.</p>	None.
Paragraph 12.7	Consider deleting the word 'any' from the second sentence to ensure the sentence makes sense.	<p>Para 12.7</p> <p>This change has been made.</p>	None.
Policy LW&D30: Harlow (Page 107)	<p>Neither the supporting text nor the policy make reference to the additional land that has been included to the east of the current Harlow site to allow the business to expand.</p> <p>It is unclear whether the policy relates to Harlow expanding or whether any other local business could use the site. The policy needs to be clearer as to whether the additional land is for use by Harlow or whether another business could use the site. Is there any local need for additional employment land?</p> <p>Query whether there should in fact be 2 separate policies - one relating to the retention of existing</p>	<p>Policy renumbered to LW&D29; Harlow.</p> <p>The Policy in the Submission NP has been amended and includes a limit for small-scale B8 units up to 9,000sqm. There was no size limit set out in the Policy in the Pre-Submission version.</p> <p>Policy wording has been amended from <i>'Proposals for the extension of business activities will be supported</i></p>	<p>Objection</p> <p>Object to the inclusion of land to the east of the Harlow site being included in the Limits to Development as shown on Map 19 (Long Whatton Limits to Development) and Map 21 (Harlow).</p> <p>Reason</p> <p>The only justification for the land to the east of Harlow being included within the Limits to Development appears to be supporting text in para.12.8 that</p>

APPENDIX A

	<p>site and its use and an additional policy that refers to the new site/additional land extension of the existing site.</p>	<p><i>where...</i> to <i>'Proposals for the intensification of existing business activities within the site will be supported where...'</i>.</p> <p>The Policy wording is clearer as it refers to the intensification of existing business activities on the site. Although it is still considered that it would be clearer if there were 2 separate policies as per our previous comments.</p>	<p>states that as part of the 2021 questionnaire survey 56% of respondents were prepared to support small-scale extensions to the business (Harlow).</p> <p>Planning permission (15/00575/FULM) has been previously granted to extend the site into land to the east and the two pre-commencement conditions which needed to be discharged before development commenced (nos. 11 – construction traffic management plan and 17 – surface water drainage scheme) were discharged on the 18th September 2018.</p> <p>An enforcement investigation, under reference E/20/00235/UDNDOM, established that part of the access had been formed to 'implement' the planning permission granted under application reference 15/00575/FULM. However, by June 2023 these works appear to have been 'reassimilated' into the natural environment</p> <p>On this basis it is unclear whether the planning permission granted under 15/00575/FULM has been</p>
--	--	---	---

APPENDIX A

			<p>'lawfully' implemented and the Development Management Team at NWLDC advise that it would be for the applicant to demonstrate that it had by the submission of a Certificate of Lawfulness application.</p> <p>Part of the site (adjoining Hathern Road) has been extended eastwards and the Development Management team advise that this would not be in compliance with the planning permission granted under 15/00575/FULM as such these works would not result in the planning permission being implemented. Based on Google Earth Pro maps such works became established between 2019 and 2021 so would appear to be unauthorised.</p> <p>In view of the above there is insufficient justification in the NP for land to the east of the Harlow site to be included within the Limits to Development.</p>
		<p>Para 12.11 This paragraph refers to landscape sensitivity and the first sentence refers to criterion c of Policy LW&D30. However, criterion c of the Policy is</p>	<p>Comment Amend the reference to criterion c of the Policy to criterion b.</p>

		concerned with Public Rights of Way. The reference in the paragraph should be to criterion b of Policy LW&D30.	
Policy LW&D31: Employment Development in the Countryside (Page 108)	In terms of criteria c of the policy would it be worth adding a reference to maps 4 and 5 that show the Vulnerable Landscapes.	<p>Policy has been renumbered to LW&D30: Employment Development in the Countryside.</p> <p>The Planning and Compulsory Purchase Act 2004, Section 38B (1) (b) states that “A <i>neighbourhood development plan may not include development that is excluded development</i>”. The test that is used to determine this criteria states: Does the ‘Neighbourhood Development Plan’ (as defined under Section 38A) include any provision relating to ‘excluded development’ as defined by Section 61k of the Town and Country Planning Act, 1990?</p> <p>The Town and Country Planning Act 1990 61K sets out the meaning of excluded development for the purposes of 61J. Part (d) of 61K states that “development that consists (whether wholly or partly) of a significant infrastructure project</p>	<p>Objection</p> <p>Whilst the Long Whatton and Diseworth Neighbourhood Plan does not allocate a site for excluded development it does contain a policy (LW&D30: Employment Development in the Countryside) that would restrict/constrain the physical form of the Freeport which is a Nationally Significant Infrastructure Project (excluded development) that is wholly within the Neighbourhood Plan area.</p> <p>Reason</p> <p>The inclusion of the criteria B. in Policy LW&D30 is contrary to The Planning and Compulsory Purchase Act 2004, Section 38B (1)(b).</p>

APPENDIX A

		<p>(within the meaning of the Planning Act 2008).</p> <p>The Freeport site is wholly within the Long Whatton and Diseworth Neighbourhood Plan (NP) Area and has been identified as being an NSIP – referred to as East Midlands Gateway Phase 2 East Midlands Gateway Phase 2 - Project information (often referred to as The Freeport).</p> <p>The policy in the NP on ‘Employment Development in the Countryside’ has been amended between the Pre-Submission Version and the Submission Version. This is partly due to landscape evidence that has been produced between the two versions of the NP. The policy in the Submission NP (specifically criteria B) seeks to direct development away from areas of higher and medium-high sensitivity to employment development (the Freeport site is within an area identified as medium-high sensitivity).</p>	
Policy LW&D32: Business	No comment	Policy renumbered to LW&D31: Business	None.

APPENDIX A

Conversion of Rural Buildings (Page 109)		Conversion of Rural Buildings. Policy wording unchanged.	
Policy LW&D33: Working from Home (Page 110)	No comment	Policy renumbered to LW&D32: Working from Home. Policy wording unchanged.	None.

Long Whatton and Diseworth Neighbourhood Plan Design Code 2023

Plan Section/Policy Number (Page Number in Brackets)	Officer Response	Comments on the Long Whatton and Diseworth Neighbourhood Plan Design Code 2024
Page 12 Para 2.1	Design code refers to the 'North West Leicestershire District Council Local Plan 2011-2031 (Adopted November 2017)' It should be the 'North West Leicestershire Local Plan (as amended by the Partial Review) adopted March 2021'	This change has been made.
Section 7 Page 66	First sentence refers to Breedon on the Hill Neighbourhood Plan – this needs changing to Long Whatton and Diseworth Neighbourhood Plan.	This change has been made.