

# **East Langton Parish Neighbourhood Plan Review**

## **Independent Examiner's Report**

May 2022

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## **Summary**

I have been appointed by Harborough District Council to carry out an independent examination of the East Langton Parish Neighbourhood Plan Review.

The examination was carried out between March and May 2022 and was undertaken by considering all the documents submitted to me, including the written representations. I visited the Neighbourhood Plan area on 3 April 2022.

East Langton is a small parish in rural Leicestershire, four miles to the north of Market Harborough and comprises two settlements – Church Langton and East Langton. A Neighbourhood Plan was made in July 2018 and this examination focusses on a review of the original plan.

Subject to a number of modifications set out in this report, I conclude that the Neighbourhood Plan Review meets the Basic Conditions and I am pleased to recommend that it should proceed to referendum.

I recommend that the referendum should be confined to the Neighbourhood Plan area.

Barbara Maksymiw

Independent Examiner

May 2022

## **1. Introduction**

1. Neighbourhood planning is a relatively new process, introduced by the Localism Act 2011, which enables local communities to develop planning policies to guide development in their area and help to shape the places where they live and work.

2. East Langton is a small rural parish in the heart of rural south Leicestershire. It lies just to the north of Market Harborough and has a population of around 400, focussed on the two villages of Church Langton and East Langton.

3. Demand for housing is high and the community wish to retain the Parish's rural character while recognising the need to support sustainable growth.

4. The first Neighbourhood Plan for the parish was made in June 2018. Since then, the Harborough Local Plan has been adopted and national planning policy has been updated, so the Parish Council decided to review the original Neighbourhood Plan to see how the policies were working and whether any needed to be updated or added.

5. The purpose of this report is to assess whether the East Langton Parish Neighbourhood Plan Review (NPR) complies with the relevant legislation and meets the Basic Conditions. Where necessary, the report makes recommendations about changes or modifications to the plan to ensure that it meets the legislative requirements.

6. The report also makes a recommendation about whether the NPR should proceed to the referendum stage. If there is a positive recommendation at referendum, the NPR can be "made" by Harborough District Council and so become part of the wider development plan and then used by Harborough District Council to determine planning applications in the plan area.

## **2. Appointment of the independent examiner**

7. I have been appointed by Harborough District Council, with the agreement of East Langton Parish Council, to carry out this independent examination. The Neighbourhood Planning Independent Referral Service (NPIERS) has facilitated my appointment. I am a chartered town planner with extensive planning experience in local government and therefore have the appropriate qualifications and experience to carry out this examination. I am independent of the qualifying body and have no land interest in the area that might be affected by the plan.

### 3. The role of the independent examiner

8. The role of the independent examiner is to ensure that the submitted NPR meets the Basic Conditions together with a number of legal requirements.

9. In examining the NPR I am required, under Paragraph 8(1) of Schedule 4B of the Town and Country Planning Act 1990, to check <sup>1</sup> that:

- the policies in the plan related to the development and use of land for a designated neighbourhood area; and
- the policies in the plan meets the requirements of Section 38 of the Planning and Compulsory Purchase Act (that is, it specifies the period to which it has effect, does not include provision about excluded development and does not relate to more than one neighbourhood area); and
- the plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted by a qualifying body.

10. I must also consider whether the NPR meets the Basic Conditions set out in Schedule 4B of the Town and Country Planning Act 1990 (as amended). A plan meets the basic conditions<sup>2</sup> if:

- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
- the making of the plan contributes to the achievement of sustainable development
- the making of the neighbourhood plan is in general conformity with the strategic policies of the development plan for the area
- the making of the neighbourhood plan does not breach, and is otherwise compatible with European Union (EU) obligations

11. Regulations 32 and 33 of the Neighbourhood Planning Regulations 2012 (as amended) set out two additional basic conditions. These are:

- the making of the neighbourhood plan is not likely to have significant effects on a European site <sup>3</sup> or a European offshore marine site <sup>4</sup> either alone or in combination with other plans or

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<sup>1</sup> Set out in paragraph 8(1) of Schedule 4B of the Town and Country Planning Act (as amended)

<sup>2</sup> Set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act (as amended)

<sup>3</sup> As defined in the Conservation of Habitats and Species Regulations 2012

<sup>4</sup> As defined in the Offshore Marine Conservation (Natural Habitats &c) Regulations 2007

projects and

- having regard to all material considerations, it is appropriate that the neighbourhood development order is made where the development described in an order proposal is Environmental Impact Assessment development (this does not apply to this examination as it is not about a neighbourhood development order).

12. A further Basic Condition was added by legislation on 28 December 2018. The Neighbourhood Planning (General) Regulations 2012 para 1 states:

- In relation to the examination of neighbourhood development plans the following basic condition is prescribed for the purpose of paragraph 8(2)(g) of Schedule 4B to the 1990 Act
- The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

13. The submitted plan is a review of the adopted NP and proposes a number of changes to the made neighbourhood plan :

- Policy S1 - The policy on a 'Presumption in favour of sustainable development' has been deleted
- New Policy H1 - Site allocations have been made in the Neighbourhood Plan Review to achieve the minimum housing requirement as set out in the Local Plan
- New Policy H2 - Settlement Boundaries have been introduced for both villages
- Policy H3 - Windfall sites (previously H2) – changed to make reference to settlement boundaries
- Policy H4 - Housing mix (previously H3) – changed to make reference to settlement boundaries with additional text to refer to the size of dwellings
- Policy E4 - Broadband Infrastructure – minor text changes
- Policy CS1 - Protecting Key Community Services – addition of explanatory text
- Policy DBE2 - Local Heritage Assets of Historical and Architectural Interest – additional structure added to the list
- Policy ENV 1 - Protection of Local Green Space – an additional site has been added to the list
- Policy Env 2 - Other Environmentally Significant Sites – minor changes to remove a site no longer considered to be environmentally significant
- Policy Env 4 - Trees – minor text changes

- New Policy Env 7 - Protection of Important Views – new policy to allow for account to be taken of important views in planning decisions

14. The Neighbourhood Planning Act 2017 identifies the circumstances that might arise as qualifying bodies seek to review made neighbourhood plans. There are three types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves and are as follows:

- minor (non-material) modifications to a neighbourhood plan or order which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum; or
- material modifications which do not change the nature of the plan or order and which would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan; or
- material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.

15. The Parish Council considers that the changes to the plan are material, requiring a referendum. It is also the view of Harborough District Council that the East Langton Review Plan requires examination and a referendum.

16. I have also concluded that the Plan needs both examination and a referendum, since the submitted Plan includes several policies which are material modifications to the original neighbourhood plan.

17. As independent examiner, having examined the plan, I am required to make one of the following recommendations:

- that the plan as submitted can proceed to a referendum; or
- that the plan with recommended modifications can proceed to referendum; or
- that the plan does not meet the necessary legal requirements and cannot proceed to referendum

18. If the plan can proceed to referendum with or without modifications, the examiner must also consider whether the referendum area should be extended beyond the neighbourhood plan area to which it relates.

19. Harborough District Council will consider the examiner's report and decide whether it is satisfied with the examiner's recommendations and will publicise its decision on whether the plan will be subject to referendum, with or without modifications. If a referendum is held and results in more than half of those voting in favour of the plan, the Council must "make" the neighbourhood plan a part of its development plan. The plan then becomes part of the development plan for the area and is a statutory consideration in guiding future development and determining planning applications in the area.

#### **4. Compliance with matters other than the basic conditions**

20. The Neighbourhood Plan area was designated by Harborough District Council in October 2013. The designated area covers the whole parish and does not cover any other Neighbourhood Area. The NPR covers the period from 2011 to 2031, which aligns with the timespan of the Harborough District Plan 2013 – 2031 which was adopted in April 2019.

21. The plan has been prepared under the direction of the Parish Council supported by professional planning consultants.

22. I am satisfied that the Neighbourhood Plan Review includes policies that relate to the development and use of land and does not include provision for any excluded development. The East Langton Neighbourhood Plan Review therefore meets the requirements set out in para 8 above.

#### **5. The examination process**

23. The documents which I considered during the course of the examination are listed in Appendix 1.

24. The general rule<sup>5</sup> is that an examination is undertaken by the consideration of written representations only. Having considered all the information before me, including the representations made to the submitted plan (the Regulation 16 responses), I was satisfied that the East Langton NPR could be examined without the need for a public hearing.

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<sup>5</sup> PPG para 004 ref id 41-004-20140306

25. During the course of the examination it was necessary to clarify several matters with Harborough District Council and the Parish Council. These are set out in Appendix 2 to this report. I was provided with prompt and helpful responses to my questions and I am satisfied that I had all the information I required to carry out the examination.

26. As part of the Neighbourhood Plan Examination process, it is important for the examiner to understand the context of the neighbourhood plan in the wider area and its overall character, as these shape the issues and policies set out in the plan. I therefore made an unaccompanied site visit to the area on 3 April 2022.

27. The plan has been assessed against the guidance in the National Planning Policy Framework (NPPF) dated July 2021.

## **6. Consultation**

### *Consultation process*

28. Effective consultation and engagement with the local community is an essential component of a successful neighbourhood plan, bringing a sense of public ownership to its proposals and helping to achieve consensus. The policies set out in the Neighbourhood Plan Review will be used as the basis for planning decisions – both on local planning and on planning applications – and, as such, legislation requires neighbourhood plans to be supported by public consultation.

29. Extensive community consultation was carried out for the original Neighbourhood Plan and the NPR carried this process forward. The focus for the review was to inform as many people as possible about the NPR, particularly given the timing during the coronavirus pandemic, and to engage with local landowners to explore potential development opportunities to meet the parish's housing needs.

30. The Consultation Statement demonstrates the range of community consultation activities that were involved, including the open event held in August 2021, and shows that the local community has been fully engaged with the NPR and local people have been kept informed as the plan progressed.

### *Statutory consultations and representations received*

31. Preparing the NPR has involved two statutory six-week periods of public consultation. The Regulation 14 consultation was held between 29 July and 9 September 2021. A total of 53 comments were received .

32. The second consultation on the Submission Version of the NPR was managed by Harborough District Council and took place between 19 January and 2 March 2022. In total 59 responses were received - two from local authorities, two from statutory bodies, two from local agents and three from local charities/organisations . The remainder were from local residents and primarily concerned the designation of Thorpe Path as a Local Green Space.

33. Occasionally in this report I refer to representations and identify the organisation making that particular comment. However, I have not referred to every representation in my report. Nonetheless, I can assure everyone that each comment made has been looked at and carefully considered.

34. I am therefore satisfied that the consultation process which has been followed complies with the requirements of the Regulations.

### **7. Compliance with the basic conditions**

35. In my role as independent examiner I must assess whether the Neighbourhood Plan Review meets the Basic Conditions<sup>6</sup> set out in the Regulations as described in paras 8-11 above.

36. I have considered the East Langton Parish Neighbourhood Plan Review Basic Conditions Statement to assist my assessment which is set out below.

### *National Policy*

37. National planning policy is set out in the National Planning Policy Framework (NPPF) and in the supporting Planning Practice Guidance (PPG). At the heart of the planning system is a presumption in favour of sustainable development, which applies to all levels of plan making. For neighbourhood plans, this means that neighbourhood plans should support the strategic development needs set out

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<sup>6</sup> Para 8(2) of Schedule 4B of the Town and Country Planning Act (as amended)

in Local Plans and plan positively to shape local development. Planning Practice Guidance <sup>7</sup> states that all plans should be prepared positively, be shaped by effective engagement with the local community and contain policies which are clearly written and unambiguous. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.

38. The Basic Conditions Statement (Table 1) sets out assessment of how the policies in the NPR conform with the guidance in the NPPF 2019 (as amended) and the adopted Local Plan. I therefore conclude that this Basic Condition is met.

#### *Sustainable development*

39. The qualifying body also has to demonstrate how a neighbourhood plan contributes to the achievement of sustainable development as set out in the NPPF<sup>8</sup>. This is addressed in paragraph 3.9 of the Basic Conditions Statement. I therefore conclude that this Basic Condition is met.

#### *Development Plan*

40. The NPR also has to demonstrate that it accords with the strategic policies of the Development Plan. In this case, the development plan is the Harborough Local Plan which was adopted in April 2019. Table 1 of the Basic Conditions Statement sets out how each policy in the NPR conforms with the policies in the Local Plan .

41. From my assessment of the plan's policies in the rest of my report, it is evident that the strategic policies of the adopted Harborough Local Plan have generally been carried through to the NPR. Therefore, subject to the recommended changes set out in Section 8 below, I conclude that the NPR is in general conformity with the strategic policies of the development plan and therefore this basic condition is met.

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<sup>7</sup> Planning Practice Guidance Paragraph: 041 Reference ID: 41-041-20140306

<sup>8</sup> NPPF paragraph 16

## *European obligations and Human Rights Requirements*

### *Strategic Environmental Assessment (SEA)*

42. The SEA Directive aims to provide a high level of protection to the environment by ensuring that environmental considerations are included in the process of preparing plans and programmes. A neighbourhood plan must be compatible with European Union obligations as incorporated into UK law, in order to be legally compliant. Key directives relate to the Strategic Environmental Assessment Directive and the Habitats and Wild Birds Directives. Regulation 15 of the Neighbourhood Planning Regulations as amended in 2015 requires either that a Strategic Environmental Assessment is submitted with a Neighbourhood Plan proposal or a determination is made by the responsible authority that the plan is not likely to have “significant effects”.

43. A Strategic Environmental Assessment (SEA) Screening Opinion was issued by Harborough District Council in February 2022. This determined that a full SEA would not be required. In addition, a Habitat Regulation Assessment (HRA) Screening was carried out and this concluded that an HRA was not required.

44. I conclude therefore that the necessary legislative requirements have been met and that the basic condition is complied with.

### *Human rights requirements*

45. The Basic Conditions Statement, in paragraphs 3.13 and 3.14, briefly explains how the plan fulfils other EU obligations in relation to human rights.

46. I am satisfied, therefore, that the NPR is compatible with the requirements of EU obligations in relation to human rights and no evidence has been submitted to me to suggest otherwise. I am satisfied, then, that the Plan does not breach the European Convention on Human Rights obligations and therefore meets the Basic Conditions.

### *Other Directives*

47. I am not aware of any other European Directives that would apply to this NPR, and in the absence of any evidence to the contrary, I am satisfied that the plan is compatible with EU obligations.

## 8. Neighbourhood Plan policies

48. This section of my report considers the NPR policies against the basic conditions. It includes a series of recommended modifications to ensure that the policies are expressed concisely and precisely in order to comply with the basic conditions. Where I have suggested modifications, these are identified in **bold text**. The recommended modifications relate mainly to issues of clarity and precision and are designed to ensure that the plan fully accords with national and strategic policies. I have considered the policies in the order they appear in the plan, by section and comment on all of the policies, whether I have suggested modifications or not. Where I consider that the supporting paragraphs need amendment to help explain and justify the plan policy, I have made comments to that effect.

49. The Plan is well presented and illustrated with photographs, with a clear structure distinguished by separate sections. The text explains why a review of the original Neighbourhood Plan has been prepared and highlights the main changes involved. This examination focusses on these changes.

50. All of the policies relate to the development and use of land and none cover excluded development, such as minerals and waste, so the statutory requirements and guidance set out in Planning Practice Guidance<sup>9</sup> are met.

51. The first seven sections of the Neighbourhood Plan explain why the original plan is being reviewed, why a neighbourhood plan is needed, how the plan was prepared and describes the community of East Langton and what the NPR is seeking to achieve. This is a very useful, succinct background to the planning policies which follow.

### *Sustainable Development*

52. Policy S1 in the made Neighbourhood Plan has been deleted as the intent of the policy is covered in the supporting text. I have no comments on this change.

### *Housing*

#### *Policy H1 Residential Site Allocations*

53. This policy provides guidance for two sites in East Langton which are allocated for residential development. In seeking to restrict affordable housing to housing for rent, Policy H1A goes further

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<sup>9</sup> Planning Practice Guidance PPG para 004

than the definition used in Annex 2 of the NPPF, which includes four definitions of affordable housing. A minor adjustment is therefore needed to the policy to ensure it complies with the NPPF.

- **Recommendation : Delete “for rent” in second bullet point of H1A**

#### *Policy H2 Settlement Boundaries*

54. This policy proposes new settlement boundaries for East Langton and Church Langton. Two housing sites are allocated, both of which are in East Langton, and together they can accommodate up to ten dwellings.

55. The settlement boundary for East Langton has been drawn to include two housing site allocations at Sites A and B. Unusually, the settlement boundary around Site B is detached from the boundary for the rest of East Langton. I saw on my site visit that the area between Site B and East Haven includes a public footpath and is also an environmentally significant site, protected under Policy Env2. In these circumstances, the settlement boundary is appropriate. I also saw that part of the housing site for 17 dwellings, which is currently under construction to the east of Thornton Crescent is included in the settlement boundary, while the access road and public open space lies within the area of separation protected under policy ENV6.

56. There is thus an up to date settlement boundary for both villages which incorporates current planning permissions and new housing allocations which reflects their classification as “Selected Rural Villages” in the Harborough Local Plan (adopted 2019). Together, policies H1 and H2 comply with the strategic policies in the development plan and therefore meet the basic conditions.

57. A representation has been made seeking to amend the settlement boundary of Church Langton to allocate a site on the west side of Church Causeway to the north of the property named The Causeway for residential development.

58. This site was assessed as part of the call for sites for the original neighbourhood plan and was not allocated as other sites scored more highly against the assessment criteria. The housing requirements for the parish have been met through the allocations made in the NPR so there is no need for any additional sites. I also note that the site lies within the area of separation defined in Policy ENV6.

59. On a point of detail, Figures 3 and 4 are titled Settlement Boundaries for the respective villages but the legend uses the term “Proposed Limits to Development”. For clarity, the terms used should

be consistent with that used in Policy H2, ie settlement boundaries..

- **Recommendation : Change legend for Figures 3 and 4 from “Proposed Limits to Development” to “Settlement Boundary”**

#### *Policy H3 Windfall Sites*

60. This policy deals with windfall sites. In response to my query the Parish Council confirmed that the policy applies within the new settlement boundaries. To meet the basic conditions, this needs to be made explicit in the policy.

- **Recommendation : After “infill housing” in opening sentence of Policy 3 add “within the defined settlement boundaries”**

#### *Policy H4 Housing Mix*

61. The Parish Council confirmed that there is a word missing from the fourth line of Policy 4.

- **Recommendation : Add “they” after “particularly supported where” in fourth line of Policy 4**

#### *Policy H5 Affordable Housing*

62. In Policy H5, clauses f) to j) repeat clauses a) to e) and should be deleted.

- **Recommendation : Delete clauses f) to j) from Policy H5**

#### *Employment*

##### *Policy E1 Employment*

63. The reference to Class E being restricted to light industrial uses conflicts with the guidance in the NPPF, as other uses such as financial and professional services and office uses could also provide employment opportunities. To meet the basic conditions, the policy requires some minor rewording.

- **Recommendation : Delete “Light Industrial “ in first sentence of Policy E1.**

##### *Policy E2 Re-use of agricultural or commercial buildings*

64. This policy is unchanged in the Neighbourhood Plan Review. I have no comments to make.

*Policy E3 Home working*

65. This policy is unchanged in the Neighbourhood Plan Review. I have no comments to make.

*Policy E4 Broadband infrastructure*

66. This policy is unchanged in the Neighbourhood Plan Review. I have no comments to make.

*Community services*

*Policy CS1 Protecting key community services*

67. This policy is unchanged in the Neighbourhood Plan Review. I have no comments to make.

*Policy CS2 New or improved community facilities*

68. This policy is unchanged in the Neighbourhood Plan Review. I have no comments to make.

*Design and the Built Environment*

*Policy DBE1 Protection of the built environment : conservation areas and listed buildings*

69. This policy is unchanged in the Neighbourhood Plan Review. I have no comments to make.

*Policy DBE2 Local heritage assets of historical and architectural interest*

70. Harborough District Council has suggested that the finger post in Church Langton should be added to the list of heritage assets in Policy DBE2 and the Parish Council agrees with this suggestion.

- **Recommendation : Add “10. Church Langton finger post” at end of list in Policy DBE2**

*Policy DBE3 Design*

71. This policy is unchanged in the Neighbourhood Plan Review. I have no comments to make.

*The Natural and Historical Environment*

*Policy ENV1 Protection of Green Spaces*

72. The NPR amends policy ENV1 to add in an additional Local Green Space at Thorpe Path in Church

Langton.

73. Thorpe Path is a well-defined green space to the rear of the Hanbury Institute and at the time of my site visit it was being used by a number of families, walkers and dog walkers. The northern portion of the site appears to have been recently fenced off, although public access is still maintained through an adjoining field.

74. The site was proposed for designation as a Local Green Space in the original submission version of the Neighbourhood Plan. It was deleted by the Examiner on the grounds of it potentially being needed to accommodate future housing provision and it not being sufficiently special to the community.

75. The housing provision for Church and East Langton is now settled through the adoption of the Harborough Local Plan and the allocations and settlement boundaries made in the NPR, so there is no requirement for any further housing allocations. A significant body of further evidence which demonstrates how the site is of value to the local community has been provided in Appendix 5. I also noted that many members of the community made representations on the submission version of the NPR supporting the designation of Thorpe Path as Local Green Space.

76. In response to my query, the Parish Council has confirmed that the Parish Council is in the process of acquiring the whole field from the current owners for community use. The Parish Council is also submitting proposals to Harborough District Council for the land to be registered as an Asset of Community Value. There is thus every prospect that Thorpe Path will continue as a community space well beyond the NPR period.

77. I therefore conclude that Thorpe Path should be designated as LGS in policy ENV1. The only minor amendment required to the policy is to simplify the inventory reference so that it is in the same format as is used for the other sites designated under policy ENV1.

- **Recommendation : Delete “Inventory reference” in first bullet point of Policy ENV1**

*Policy ENV2 Other environmentally significant sites*

78. The NPR removes one site from the list of other environmentally significant sites as it is no longer considered to be environmentally significant. The policy itself is unchanged in the Neighbourhood Plan Review. I have no comments to make.

*Policy ENV3 Biodiversity*

79. This policy is unchanged in the Neighbourhood Plan Review. I have no comments to make.

*Policy ENV4 Trees*

80. This policy is unchanged in the Neighbourhood Plan Review. I have no comments to make.

*Policy ENV5 Ridge and furrow fields*

81. This policy is unchanged in the Neighbourhood Plan Review. I have no comments to make.

*Policy ENV6 Area of separation*

82. This policy is unchanged in the Neighbourhood Plan Review and I note that the boundary of the area of separation shown in Figure 11 aligns with the new settlement boundary for Church Langton identified in Figure 4. I have no comments to make.

*Policy ENV7 Protection of important views*

83. A policy on the protection of open views was included in the submission version of the Neighbourhood Plan, but was deleted by the examiner.

84. The revised version of EN6 has an updated list of views and, rather than stating that development that impacts on these views will not be supported unless in exceptional circumstances, it sets out the factors that would need to be taken into account in considering proposals that might affect these views. With the identification of settlement boundaries for both villages under policy H2, development on the periphery of the two villages which might impact on these views will be limited in any case. Photographic evidence to support the designation of each view is set out in a new Appendix 6 - East Langton Parish Landscape: Views Assessment.

85. In views of these changes, I have no comments on the updated policy EN6.

*Policy ENV8 Electric vehicles*

86. This policy is unchanged in the Neighbourhood Plan Review. I have no comments to make

### *Traffic, Parking and Transport*

#### *Policy T1 Traffic management*

87. This policy is unchanged in the Neighbourhood Plan Review. I have no comments to make.

#### *Policy T2 Footpaths, footways and bridleways*

88. This policy is unchanged in the Neighbourhood Plan Review. I have no comments to make.

### **9. Conclusions and Recommendations**

89. I have examined the East Langton Parish Neighbourhood Plan Review and I have concluded that, subject to the modifications set out in my report, it meets the basic conditions and other statutory requirements.

90. I am therefore pleased to recommend to Harborough District Council that, subject to the modifications set out in my report, the East Langton Parish Neighbourhood Plan Review should proceed to referendum.

91. I am also required to consider whether the referendum area should be extended beyond the East Langton parish council area. I see no reason why it would be necessary to alter or extend the plan area for the purposes of holding a referendum, nor have I received any representations to that effect. I therefore conclude that the plan should proceed to referendum based on the neighbourhood area approved by Market Harborough District Council in October 2013.

## **APPENDIX 1: Background Documents**

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

- East Langton Parish Neighbourhood Plan Review : Submission Version 2011-31 and supporting appendices
- East Langton Parish Neighbourhood Plan Review : Consultation Statement November 2021
- East Langton Parish Neighbourhood Plan Review 2021- 2031: November 2021
- East Langton Neighbourhood Plan Review : Strategic Environmental Assessment Determination Report Prepared by Harborough District Council on behalf of East Langton Parish Council : February 2022
- East Langton Parish Neighbourhood Development Plan : Report of the Examination into the East Langton Neighbourhood Development Plan : Timothy Jones Independent Examiner : 1 February 2018
- East Langdon Parish Neighbourhood Plan - Referendum Version : Made by Harborough District Council on 26 June 2018
- Harborough Local Plan 2011-2031: Adopted April 2019
- National Planning Policy Framework (NPPF) July 2021
- Planning Practice Guidance March 2014 and subsequent updates

## **APPENDIX 2:**

### **East Langton Neighbourhood Plan Examination**

#### **Request for further information and questions from the Examiner to Harborough District Council and East Langton Parish Council**

I have carried out a preliminary review of the Neighbourhood Plan and the evidence submitted in support of it and there are a few points where I need some clarification or further information. I would therefore be grateful if both Councils could assist me, as appropriate, in answering the following questions.

##### *Windfall Sites*

Policy H3 deals with windfall sites which are defined as small scale development proposals for infill housing. Given the NPR now defines settlement boundaries for both villages, can the Parish Council confirm whether this policy is intended to apply only within these new settlement boundaries?

##### *Housing Mix*

In policy H4, fourth line, there appears to be some words missing after “particularly supported where”. Please can the Parish Council supply the missing wording.

##### *Affordable Housing*

In Policy H5, clauses f) to j) seem to repeat clauses a) to e). I would be grateful if the Parish Council could review this and provide any comments.

##### *Thorpe Path, Church Langton – proposed Local Green Space*

On my recent site visit, I visited Thorpe Path which is proposed as a Local Green Space in the Neighbourhood Plan. I noticed that it now appears to be in two distinct parts, with the larger, northern portion enclosed by what seems to be a recently erected fence with access by means of padlocked gate. I would be grateful for the Parish Council’s comments on the extent to which both parts are accessible for public use.

*Policy DBE2 Local Heritage Assets of Historical and Architectural Interest*

Harborough District Council has suggested that the fingerpost on Church Langton should be added to the list of heritage assets. Does the Parish Council have any views on this suggestion?

Thank you for your assistance with these questions. Once I have received your responses, I may need to ask for further clarification or further queries may arise as the examination progresses.

Please note that these questions and requests for information is a public document and the answers and any associated documents will also be in the public domain. Both my questions and the responses should be placed on the Councils' websites as appropriate.

Barbara Maksymiw

13 April 2022