

INDEPENDENT EXAMINATION OF THE BREEDON ON THE HILL NEIGHBOURHOOD PLAN

EXAMINER: Wendy Burden BA (Hons) DipTP MRTPI

Samantha Lockwood
Clerk to Breedon on the Hill Parish Council

Alison Gibson
North West Leicestershire District Council

Examination Ref:03/WB/BOTHNP

28 October 2024

Dear Ms Lockwood and Ms Gibson

Following my visit to the Parish on the 15 October 2024 and further study of the Breedon on the Hill Neighbourhood Development Plan (BOTHNP) and the adopted and emerging North West Leicestershire Local Plan (NWLLP), I have some further matters to raise on which I invite comments from Breedon on the Hill Parish Council (BotHPC) and North West Leicestershire District Council (NWLDC)

Question for BotHPC

1. With regard to the strip of land fronting Ashby Road which is proposed as part of Local Green Space (LGS) 4 in the BotHNP: there is a path which runs through the first part of the strip before it makes a 90' turn away from the road frontage. Once the path turns away, the only public view of the remainder of the strip is from the roadside. Ashby Road is a well used public highway and the road frontage is densely planted with trees and bushes such that any views into the proposed LGS are heavily restricted. The 30MPH speed restriction ends about halfway along the frontage proposed for LGS designation and traffic is generally travelling at speed as it passes the site.

The short strip of frontage which incorporates the path forms a link between the site of the balancing pond and the path which heads away from the frontage. This part of the frontage strip is clearly of importance to the local community for recreation. However, it is difficult to identify the reasons why the remainder of the strip would meet the criteria set out in paragraph 106 of the NPPF. Can the BotHPC provide supplementary clarification and direct me to any further relevant evidence to demonstrate that the designation of the whole length of the frontage strip as LGS is justified?

Question for BotHPC and NWLDC

2. A Settlement Boundary is proposed for Wilson within which Policy BotH17 would apply. The adopted Local Plan (NWLLP) makes no provision for such a designation in a Neighbourhood Plan. In the preparation of the new NWLLP, a review of the Limits of Development is being undertaken. However, Wilson is not included in that review. The introduction of a Settlement Boundary for Wilson would introduce a new designation in the BotHNP which has no policy basis in the adopted Local Plan. Nor does it reflect any emerging proposals in the new NWLLP. In these circumstances such a designation would be inconsistent with both the adopted and emerging Local Plan policies. I would welcome comments from the Parish and District Councils on this matter.

Question for BotHPC and NWLDC

3. Having visited the proposed housing allocation at Brook Farm Tonge, I question the treatment of the site as “previously development (sic) land” in Policy BotH18. In the Glossary to the National Planning Policy Framework (NPPF), the definition of “previously developed land” explicitly excludes “land that is or was last occupied by agricultural or forestry buildings --- and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape”. Having regard to previous uses of the land and the current overgrown and dilapidated state of the site, does this definition preclude Brook Farm from the national definition of “previously developed land”?

Furthermore, is there any basis in adopted NWLLP policies for the allocation of this site which lies within an area subject to Policy S3?

I would be grateful for a response on or before **Monday 4 November 2024**.

In the interests of transparency, may I prevail upon you to ensure that a copy of this letter is placed on both the Breedon on the Hill Parish Council and North West Leicestershire District Council websites. In due course, the response(s) to my questions (and any associated documents provided) should also be placed on the websites.

Thank you in advance for your assistance.

Yours sincerely

Wendy Burden

Examiner