

## **Gaddesby Parish Council response to the Examiner's Clarification note 26 June 2020**

### **Policies as a whole**

We have no problem incorporating these in a more conspicuous fashion.

### **Plan preparation – General**

Gaddesby is a very small parish numbering 762 people living in 316 households according to the 2011 census. It has not changed markedly since then. The draft Neighbourhood Plan has been produced by the efforts of a number of parishioners ( using their spare time ) doing their best with the help of YourLocale who have assisted on the technical side of it's production. The Ovens have had the benefit of using national ( if not international ) advisors who seek a counsel of perfection. Any criticism of what we may or may not have done should be seen in that light.

We believe that the draft Plan correctly reflects the wishes of the Parish.

We refer to Appendix 4 to the regulation 16 submission by Avison Young being the letter from Clyde & Co to Melton Borough Council of 27 April 2020. Our comments are as follows:

#### Para 2.2

The pre-submission draft Melton Plan ( the MP ) included this site as a potential development area ( then known as GADD2) with a proposed 30 houses. This was opposed by Historic England, Leicestershire County Council's Archaeological Service and over 130 objectors from Gaddesby Village ( out of a total of about 350 adult residents ). The objections relating to this site included interference with the setting of St Luke's Church, ecological, and visual impact issues together with the previous SHLAA – MBC/016/13 - which rejected the site as undeliverable and undevelopable.

The MP was then redrafted to include another prospective site north of Pasture Lane Gaddesby and GADD2 was de-allocated.

At the public examination of the MP Mr Chris McGough attended on behalf of the Ovens family to argue that the site should be reinstated into the MP. Having heard his oral submissions, the Inspector did not accept his argument when delivering her report.

As over 37% of the Gaddesby residents objected to the MP the suggestion that all of the 130 objectors would be disqualified from sitting on the NPAC would have meant that it was unlikely that a neighbourhood plan would ever have got off the ground.

#### Para 2.3

The description of the minutes of 19 February 2018 is correct. However, this meeting took place at a very early stage in the development of the Neighbourhood Plan. If the

entirety of the minutes is read it will be seen that we were nowhere near making any meaningful decisions. We dealt with, amongst other matters, funding, our Vision Statement and our Open Event. There was no discussion of any potential sites.

#### Para 2.4

During the development of the Plan three Theme Groups were established one being the Environment Theme Group. John Simon was not involved in that Group. At our Open Event on 17 March 2017 attendees ( other than members of the NPAC ) were invited to indicate whether they would be prepared to help in the development of the Plan. 12 parishioners so indicated. The Environment Group consisted of 2 members of the NPAC and four other parishioners. It was that Group which proposed ENV1 arising out of the field assessments. It is pertinent to note that initially we undertook some training in field assessment by YourLocale and at the end of the training the consultant assisted in the scoring of, amongst others, field 198. At the end of the field assessments the results were moderated and the score for field 198 was reduced by one point. Other parishioners also assisted in the field assessments.

#### Para 2.5

Objecting to a planning application is not a conflict which needs to be declared. Furthermore, the NPAC is not a decision-making body – that is the Parish Council.

#### Para 2.6

It is accepted that the meeting on 23 January 2019 was not quorate. However, as stated above the NPAC is not a decision maker.

#### Paras 2.8, 2,9

Please see the response to 2.5 above.

#### Para 2.10

We attach a copy of the minutes of the meeting of 13 April 2018. We regret that they were not uploaded to the website. It will be seen that as far as conflicts are concerned that which was disclosed to that meeting did not bear on this site.

#### Paras 3.1 to 3.4

For the reasons set out in the response to para 2.2 above we were unaware that the Objectors were still intending to promote the site. When the draft Plan was ready for Regulation 14 consultation the NPAC contacted all the stakeholders previously contacted together with all the landowners potentially affected ( including the Objectors ) so that they could engage in that consultation which they did. The Examiner is referred to the Consultation Statement in that regard. It will be understood that until the NP was in pre-regulation 14 draft form we did not know what land might be affected by its provisions. No development sites were identified other than those in the MP.

### Para 3.5

We are surprised by these two examples. We refer to the regulation 14 statement of Christopher McGough on behalf of the Objectors and in particular to the second, third and fourth paragraphs on page 10 namely:

*“Another oddity is the treatment of Woodbine Cottage, on the north side of Pasture Lane, which is outside the boundary but sandwiched between two housing sites and opposite a street of houses that make up the south side of Pasture Lane.*

*In relation to our client’s land (ref 198), the proposed boundary does not accurately reflect the boundary on the side adjacent to Church Lane, which has an easily identifiable strong existing boundary feature.*

*Finally, the proposed settlement boundary appears to have been drawn to form a visibility splay from the rear of no4 Church Lane over the neighbouring garden of no6 and then over our client’s land (the field referred to as 198). Other than the benefits to No4 Church Lane, we can see no justification for this whatsoever”.*

In other words, the consultation prompted us to accept those observations and alter the line of the settlement boundary as suggested. We are now being criticised for so doing.

### Para 3.6

The Settlement Boundary in fact reflects the Gaddesby Village Envelope incorporated into the Melton Local Plan of 1999.

### Para 4.2

Save that it is accepted that on one occasion a meeting was not quorate and that the NPAC did not meet every 2 months, all other allegations are denied. Had the objectors cared to look at the PC minutes during the period January 2019 and January 2020 they would have read what progress was being made.

### Para 4.3

It is agreed the NPAC did not meet as suggested. However, work was ongoing in the Theme Groups and there was no point in the full committee meetings in the interim.

### Para 4.4

Although the minutes of the meeting of 6 January 2020 do not say so, it was only at that meeting that the minutes of the previous meeting on 23 January 2019 were approved hence the delay in publicising them.

#### Para 4.5

Please see the Consultation Statement. We understand that our approach exceeded the minimum requirements as to consultation. The Objectors had ample opportunity to make contact with the Parish Council or other members of the NPAC but failed to do so. ( Please see our responses to Christopher McGough's regulation 14 statement at <https://www.leicestershirecommunities.org.uk/uploads/pre-submission-comments-schedule.pdf> ). In relation to fairness the objectors were able to raise these issues in the regulation 14 consultation but failed to do so.

#### **Policy HBE1**

To the land east of Main Street ( we assume you mean Park Hill )

These houses have extremely long gardens. It is understood that all the houses there extended their gardens by buying part of the field behind them and was therefore all agricultural land – see criteria 4

To the east of the northernmost property on the eastern side of Church Lane

We can see that this should perhaps be amended to include all the garden.

To the properties to the South of Ashby Road (including the school)

This line reflected the 1999 village envelope referred to above and our preference would be to retain it.

#### **Policy HBE3**

The most recent NP which has passed examination in the Melton Borough is at Scalford where the Examiner allowed development to be within the LtD for Scalford and on the edge of the built up areas of Wycomb and Chadwell. This seems to be an important principle to adhere to in Gaddesby.

#### **Policy ENV1**

148=4.9ha. 197=5ha. 198=5.7ha

The size of the three parcels of land is not considered excessive in relation to the size of Gaddesby.

A single LGS designation in Old Dalby within Melton BC was for 16ha – greater than the 14.6ha combined for the three parcels here.

The approach used ( scored using NPPF 2019 LGS criteria ) demonstrates regard for National Policy. Appendix 5 describes each site and their suitability compared to NPPF criteria.

The environment comments and the dot exercise carried out at the Open Event held on 17 March 2018 evidences the parishioners' opinion on the land concerned. This can be viewed on pages 10 and 11 at <https://gaddesby.org.uk/wp-content/uploads/2018/05/Gaddesby-Parish-Consultation-Analysis-March-2018-web-version.pdf> These show that the proposed LGS is demonstrably special to the local community and of particular significance.

#### **Policy ENV4**

The purpose of the policy is to ensure that development only takes place if the benefit of that development outweighs the harm. In this regard, the second element of the paragraph is more important. The first part sets out the intent that loss is to be avoided. The second element will apply if some loss is involved.

As part of the inventory process: every open parcel of land was visited and the presence of visible ridge and furrow recorded. In addition, the 1999 map (figure 7.2) was used as a baseline – survival or loss of R&F between 1999 and 2018 was checked.

All surviving, visible ridge and furrow was recorded; no distinction needed to be made between 'certain' and 'possible' in the 2018 survey as every field was visited (the 1999 survey was based on aerial photographs).

#### **Policy ENV7**

The important views were largely based on the dot exercise referred to above and the field assessments.

Circles are centred on the viewpoint (from which the view can be seen); arrows indicate direction and scale of the view but not an exact representation of the distance to a view-terminating feature – generally views extend further than the arrow points unless it extends beyond the Parish boundary.

We suggest description of proposed measures for mitigating the damaging effects of the development on the extent and components of the view, e.g. reduced or varied heights of buildings, provision of gaps through development by judicious layout planning, landscaping or tree-planting to soften the impact of built structures in a rural landscape, etc

View 2 – As one walks south from Pasture Lane along the Leicestershire Round the views south, south east and east are sought to be established. Perhaps the arrows should point in all three directions.

From the left the photographs are believed to have been taken:

- 1 west in field 197
- 2 south in field 148
- 3 west towards the Church on the Midshires Way
- 4 south near Pasture Lane in field 148

### View 3

The intention is to preserve the views of the church from the South ( i.e. looking north ) along the Leicestershire Round and as one descends from Barsby along Ashby Road.

The photograph on the left is believed to have been taken in field 198 and the right hand photograph on the Ashby Road descent.

### **Policies T1/T3**

Policy T3 should be renumbered.

### **Representations**

We refer to the regulation 16 representations provided by Avison Young on behalf of the Ovens family.

### Chapter 6 – Policies

The Plan adopts the Melton Plan in relation to a housing requirement of 36 houses – rather than the 47 initially allotted. The objectors suggest that Melton might be short of housing in the long run. Since the adoption of the Melton Plan a number of planning permissions have been granted in Gaddesby namely;

- 19/01250/FUL ( one house ) 19/01073/FUL ( eight rather than the original five ) 20/00251/OUT ( two houses )
- a further application for one house is pending – 20/00252/FUL

Since the early 1970's on average every year one new house has been built in Gaddesby. The idea therefore that we will not reach a total of 47 during the plan period is highly unlikely. The more likely scenario is that we will well exceed this total. The Plan does not hinder sustainable development.

Gaddesby has become less sustainable – our bus service was removed at the end of 2019. It will be recalled that Gaddesby was deemed to be a rural hub in the Melton Plan. With the removal of the bus service, which reduces access to employment ( one of the four criteria used to designate villages ) it is arguable that Gaddesby would be downgraded to a rural supporter and consequently not be allotted any development at all other than limited windfall sites.

The approval and building of the Melton Distributor Road and the recently proposed Government relaxation of planning policies means that it is highly unlikely that Melton will be short of their housing requirement during the life of the Melton Plan.