

Gaddesby Parish Neighbourhood Plan

Regulation 14 responses November 2019

No.	Chapter/ Section	Policy Number	Respondent	Comment	Response	Amendment
1			Hoby with Rotherby Parish Council	Dear John, Thank you for this email. I have shared this with our Parish Cllrs and the NDP Working Group. Congratulations on your document. Regards, Vic.	Noted	None
2			Anglian Water	Dear Mr Simon, Thank you for the opportunity to comment on the Gaddesby Draft Neighbourhood Plan. The following comments are submitted on behalf of Anglian Water. I would be grateful if you could confirm that you have received this response. It would appear that Gaddesby Parish is located outside of our area of responsibility. (We serve part of Melton Borough but not Gaddesby Parish). Therefore we have no comments relating to the content of the Draft Plan. The views of Severn Trent Water who are responsible for potable (clean) water and wastewater services in the Parish should be sought on the Neighbourhood Plan. Should you have any queries relating to this response please let me know. Regards, Stewart Patience	Noted	None

				<p>Spatial Planning Manager</p> <p>Anglian Water Services Limited Mobile: 07764989051 Thorpe Wood House, Thorpe Wood, Peterborough, PE3 6WT www.anglianwater.co.uk</p>		
3			Rearsby Parish Council	<p>Good Evening,</p> <p>Rearsby Parish Council have considered the Gaddesby draft Neighbourhood Plan and are very supportive of its contents and wish you every luck in progressing it through the process.</p> <p>Kind regards</p> <p>Sue Norledge Clerk to Rearsby Parish Council</p>	Noted	None
4				<p>Neighbourhood Plan for Gaddesby</p> <p>Thank you for consulting Historic England about your Neighbourhood Plan.</p> <p>The area covered by your Neighbourhood Plan encompasses Gaddesby Conservation Area and includes a number of important designated heritage assets. In line with national planning policy, it will be important that the strategy for this area safeguards those elements which</p>	Noted	None

				<p>contribute to the significance of these assets so that they can be enjoyed by future generations of the area.</p> <p>If you have not already done so, we would recommend that you speak to the planning and conservation team at Melton Borough Council together with the staff at Leicestershire County Council archaeological advisory service who look after the Historic Environment Record. They should be able to provide details of the designated heritage assets in the area together with locally-important buildings, archaeological remains and landscapes. Some Historic Environment Records may also be available on-line via the Heritage Gateway (www.heritagegateway.org.uk <http://www.heritagegateway.org.uk>). It may also be useful to involve local voluntary groups such as the local Civic Society or local historic groups in the production of your Neighbourhood Plan.</p> <p>Historic England has produced advice which your community might find helpful in helping to identify what it is about your area which makes it distinctive and how you might go about ensuring that the character of the area is retained. These can be found at:-</p> <p><https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/></p>		
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You may also find the advice in *“Planning for the Environment at the Neighbourhood Level”* useful. This has been produced by Historic England, Natural England, the Environment Agency and the Forestry Commission. As well as giving ideas on how you might improve your local environment, it also contains some useful further sources of information. This can be downloaded from:

http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT_6524_7da381.pdf

If you envisage including new housing allocations in your plan, we refer you to our published advice available on our website, *“Housing Allocations in Local Plans”* as this relates equally to neighbourhood planning. This can be found at

<https://content.historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans/heag074-he-and-site-allocation-local-plans.pdf>

If you have any queries about this matter or would like to discuss anything further, please do not hesitate to contact me.

Yours sincerely,

				 Clive Fletcher Principal Adviser, Historic Places clive.fletcher@HistoricEngland.org.uk		
5	5	HBE1		<p>I am writing to you on behalf of</p> <p>I believe that you recently wrote to to make them aware of the Gaddesby Draft Neighbourhood Plan (NP) consultation, which is currently underway. I have now had an opportunity to review the Draft NP on behalf of and would like to submit a brief comment for consideration.</p> <p>It is noted that Page 16 of the Draft NP seeks to introduce a Settlement Boundary to each village, and it is stated that the updated settlement boundary for Gaddesby has been determined using the following criteria:</p> <ol style="list-style-type: none"> 1. Recent approvals and existing commitments by virtue of an extant planning permission for residential development on the fringes of the settlement have been incorporated; 2. Clearly defined physical features such as walls, fences, hedgerows and roads have been followed; 3. The residential development sites allocated within the Local Plan have been 	Thank you for commenting.	

			<p>included within the settlement boundary; 4. Non - residential land which is countryside, agricultural land, paddock, meadow, woodland and/or other green-field land has been excluded.</p> <p>Figure 2 on Page 17 of the Draft NP then shows the updated settlement boundary for Gaddesby.</p> <p>are very concerned however, that this boundary now cuts directly through the recently approved dwelling on a plot of land located to the north-east of Gaddesby Hall (the former tennis court). This Application (Reference 19/00525/FUL) was approved on 12th August 2019 and development is due to commence shortly. I have attached to this email a copy of the approved Location and Site Plans, which show the extent of land subject to this Planning Permission (outlined in red).</p> <p>With this in mind, and given the content of Criteria 1 highlighted above (with regard to how the Settlement Boundary has been determined), I would anticipate that the Settlement Boundary for Gaddesby should be further amended to take into account extant Planning Permission Reference 19/00525/FUL.</p> <p>I trust that these comments will be taken into account in due course.</p>	<p>Noted. Line to be adjusted to account for this.</p>	<p>Change to be made as indicated.</p>
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				<p>In the meantime, I would be very grateful if you could confirm safe receipt of this email and attached documents.</p> <p>Many thanks in advance.</p>		
6	5	HBE 1-5		<p>at:https://www.leicestershirecommunities.org.uk/np/gaddesby.html</p> <p>The boundary plan for Gaddesby directly contradicts the stated criteria, In particular Page 17 criteria no 2 states that the boundary (red line on the plan) will follow walls fences etc. In many place it follows no physical boundary. Re-using the old village envelope plan looks backward to old anomalies that were designed to prevent any development under old planning rules. This is contrary to the aim on page 15 of being up to date and relevant, Neighbourhood plans are now required not to promote less development than set out in the local plan. A shortfall from the local plan is acknowledged but not addressed.</p> <p>Policy Reference Number: HBE 1-5 We would welcome your comments on the policies: If the boundary is so tightly drawn that there is no scope for developments policies HBE 1-5 are just window dressing and somewhat redundant. The consultation shows that residents were concerned to preserve the separation between settlements, not prevent infill developments within the</p>	<p>Thank you for these comments.</p> <p>Noted.</p> <p>It is common practice in drawing settlement boundaries to make a judgement about where to draw the line in relation to large gardens and this has been undertaken here. For clarity, we will amend the methodology criteria 2 to say 'where appropriate' and 4 to read ' Non-residential land which relates more to the countryside such as agricultural land'</p> <p>The settlement boundary HAS been updated and the neighbourhood plan does not promote less housing than is specified in the Local Plan. NPs do not have to allocate development sites to be in general conformity and the Parish Council has chosen not to do so.</p>	<p>None</p> <p>None</p> <p>None</p>

				<p>villages.</p> <p>General comments about the plan: In the past an arbitrary red line was drawn on a map of Gaddesby. In many places it follows no physical features and it means that it is now possible to point out areas that are not isolated, within the built up and main settlement area, not adjacent to open countryside, not an important open space, not a protected view, not important to the character of the village.. but designated open countryside.</p>	<p>There is scope with the settlement boundary for appropriate infill development.</p> <p>Noted.</p>	None
7			Natural England	<p>Gaddesby Neighbourhood Plan – DRAFT</p> <p>Thank you for your consultation on the above dated 26 August 2019.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.</p> <p>Natural England does not have any</p>	Noted	None

				<p>specific comments on this draft neighbourhood plan.</p> <p>However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.</p> <p>For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.</p> <p>Yours faithfully Dawn Kinrade Consultations Team</p>		
8			Leicestershire County Council	<p>Gaddesby Neighbourhood Plan Comments Request – 26th August 2019</p> <p>Leicestershire County Council is supportive of the Neighbourhood plan process and welcome being included in this consultation.</p> <p>Highways</p> <p>Specific Comments</p> <p>The community consultation questionnaire produced as part of the development of the Neighbourhood Plan raised common issues of concerns about speeding, volume of traffic, parking and HGV movements. These seemed to be particularly prevalent at ‘peak’ times, i.e. during times of the school run. The school</p>	Noted. Thank you for these considered comments which the Parish Council will take into account in considering a way forward	None

			<p>run issue is a common problem experienced throughout the county.</p> <p>Throughout the whole of the area contained within the Neighbourhood Plan there has been just one recorded injury accident within the last five years (on Main Street in Gaddesby), therefore any improvement works such as parking restrictions (notwithstanding the fact that any restrictions would further limit the amount of parking space available to local residents), traffic calming or additional footpaths and cyclepaths are unlikely to be funded by the County Council and would require self- funding.</p> <p>The Neighbourhood Plan includes a requirement that any new development should provide adequate parking facilities so as not to impact negatively on parking available for local residents. This should be strongly encouraged.</p> <p>In the section named Speeding and Hazards a number of concerns are raised:-</p> <p>Junctions along the 'main' road (Ashby Road/Rearsby Lane) with Main Street and Chapel Lane</p> <p>Visibility at the Main Street junction looks to be adequate (although problems would be exacerbated at school run times or at times when there are 'events' on at the adjacent public house by on street</p>	Noted	None
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			<p>parking).</p> <p>Visibility at the Chapel Lane junction is restricted.</p> <p>Even though the through route of Ashby Road/Rearsby Lane is designated a 30mph speed limit it has a fairly open aspect along much of its route with limited development to either side. I would expect that speeds are in excess of 30mph. The Community Speedwatch initiative would be open to local residents to address any concerns they may have regarding speeding.</p> <p>Barsby is bisected by the main street running through the village which is a National Speed limit road. The side roads to the crossroads in the village are subject to 30 mph. The Plan suggests that a speed restriction is required for the (limited) built up area of the through road. As there are no recorded injury accidents in Barsby within the last five years, whilst a reduced limit maybe preferable the County Council would be unable to fund this work.</p> <p>The Neighbourhood Plan states that there are 'limited and poorly located' hazard warnings of the crossroads on the main road. From both directions there are 'Crossroads Ahead' warning signs with 'Reduce Speed Now plates attached and 'SLOW' carriageway markings which seem to be a standard distance away from the</p>	
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			<p>crossroads so it is unclear what the Plan reference means.</p> <p>General Comments</p> <p>The County Council recognises that residents may have concerns about traffic conditions in their local area, which they feel may be exacerbated by increased traffic due to population, economic and development growth.</p> <p>Like very many local authorities, the County Council's budgets are under severe pressure. It must therefore prioritise where it focuses its reducing resources and increasingly limited funds. In practice, this means that the County Highway Authority (CHA), in general, prioritises its resources on measures that deliver the greatest benefit to Leicestershire's residents, businesses and road users in terms of road safety, network management and maintenance. Given this, it is likely that highway measures associated with any new development would need to be fully funded from third party funding, such as via Section 278 or 106 (S106) developer contributions. I should emphasise that the CHA is generally no longer in a position to accept any financial risk relating to/make good any possible shortfall in developer funding.</p> <p>To be eligible for S106 contributions</p>	Noted	None
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			<p>proposals must fulfil various legal criteria. Measures must also directly mitigate the impact of the development e.g. they should ensure that the development does not make the existing highway conditions any worse if considered to have a severe residual impact. They cannot unfortunately be sought to address existing problems.</p> <p>Where potential S106 measures would require future maintenance, which would be paid for from the County Council's funds, the measures would also need to be assessed against the County Council's other priorities and as such may not be maintained by the County Council or will require maintenance funding to be provided as a commuted sum.</p> <p>In regard to public transport, securing S106 contributions for public transport services will normally focus on larger developments, where there is a more realistic prospect of services being commercially viable once the contributions have stopped i.e. they would be able to operate without being supported from public funding.</p> <p>The current financial climate means that the CHA has extremely limited funding available to undertake minor highway improvements. Where there may be the prospect of third-party funding to deliver a scheme, the County Council will still</p>		
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				<p>onsite drainage systems are designed in accordance with current legislation and guidance. The LLFA also ensures that flood risk to the site is accounted for when designing a drainage solution.</p> <p>The LLFA is not able to:</p> <ul style="list-style-type: none"> • Prevent development where development sites are at low risk of flooding or can demonstrate appropriate flood risk mitigation. • Use existing flood risk to adjacent land to prevent development. • Require development to resolve existing flood risk. <p>When considering flood risk within the development of a neighbourhood plan, the LLFA would recommend consideration of the following points:</p> <ul style="list-style-type: none"> • Locating development outside of river (fluvial) flood risk (Flood Map for Planning (Rivers and Sea)). • Locating development outside of surface water (pluvial) flood risk (Risk of 		
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				<p>Flooding from Surface Water map).</p> <ul style="list-style-type: none"> • Locating development outside of any groundwater flood risk by considering any local knowledge of groundwater flooding. • How potential SuDS features may be incorporated into the development to enhance the local amenity, water quality and biodiversity of the site as well as manage surface water runoff. • Watercourses and land drainage should be protected within new developments to prevent an increase in flood risk <p>All development will be required to restrict the discharge and retain surface water on site in line with current government policies. This should be undertaken through the use of Sustainable Drainage Systems (SuDS). Appropriate space allocation for SuDS features should be included within development sites when considering the housing density to ensure that the</p>		
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			<p>potential site will not limit the ability for good SuDS design to be carried out. Consideration should also be given to blue green corridors and how they could be used to improve the bio-diversity and amenity of new developments, including benefits to surrounding areas.</p> <p>Often ordinary watercourses and land drainage features (including streams, culverts and ditches) form part of development sites. The LLFA recommend that existing watercourses and land drainage (including watercourses that form the site boundary) are retained as open features along their original flow path and are retained in public open space to ensure that access for maintenance can be achieved. This should also be considered when looking at housing densities within the plan to ensure that these features can be retained.</p> <p>LCC, in its role as LLFA will not support proposals contrary to LCC policies.</p> <p>For further information it is suggested reference is made to the National Planning Policy Framework (March 2012), Sustainable drainage systems: Written statement - HCWS161 (December 2014) and the Planning Practice Guidance webpage.</p> <p>Flood risk mapping is readily available for</p>		
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			<p>public use at the links below. The LLFA also holds information relating to historic flooding within Leicestershire that can be used to inform development proposals.</p> <p>Risk of flooding from surface water map:</p> <p>https://flood-warning-information.service.gov.uk/long-term-flood-risk/map</p> <p>Flood map for planning (rivers and sea):</p> <p>https://flood-map-for-planning.service.gov.uk/</p> <p>Planning Developer Contributions If there is no specific policy on Section 106 developer contributions/planning obligations within the draft Neighbourhood Plan, it would be prudent to consider the inclusion of a developer contributions/planning obligations policy, along similar lines to those shown for example in the Adopted North Kilworth NP and the Adopted Great Glen NP albeit adapted to the circumstances of your community. This would in general be consistent with the relevant District Council's local plan or its policy on planning obligations in order to mitigate the impacts of new development and enable appropriate local infrastructure and service provision in accordance with the relevant legislation and regulations,</p>	<p>Noted. This is general LCC comment which is submitted to each Reg 14 consultation.</p> <p>Please note that the NPs referenced here did NOT have policies related to developer contributions ...</p>	<p>None</p>
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			<p>where applicable.</p> <p>North Kilworth Adopted Plan Great Glen Adopted Plan</p> <p>Mineral & Waste Planning</p> <p>The County Council is the Minerals and Waste Planning Authority; this means the council prepares the planning policy for minerals and waste development and also makes decisions on mineral and waste development.</p> <p>Although neighbourhood plans cannot include policies that cover minerals and waste development, it may be the case that your neighbourhood contains an existing or planned minerals or waste site. The County Council can provide information on these operations or any future development planned for your neighbourhood.</p> <p>You should also be aware of Mineral Consultation Areas, contained within the adopted Minerals Local Plan and Mineral and Waste Safeguarding proposed in the new Leicestershire Minerals and Waste Plan. These proposed safeguarding areas and existing Mineral Consultation Areas are there to ensure that non-waste and non- minerals development takes place in a way that does not negatively affect mineral resources or waste operations. The County Council can provide guidance</p>	Noted	None
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			<p>Adult Social Care</p> <p>It is suggested that reference is made to recognising a significant growth in the older population and that development seeks to include bungalows etc of differing tenures to accommodate the increase. This would be in line with the draft Adult Social Care Accommodation Strategy for older people which promotes that people should plan ahead for their later life, including considering downsizing, but recognising that people's choices are often limited by the lack of suitable local options.</p> <p>Specific Comments</p> <p>P6 – States NPPF was updated in 2018 but this is incorrect - it was revised February 2019. The committee should take into account the revised version. NPPF is referenced throughout though which is good.</p> <p>Policy HBE 5 (page 22): It could be useful if sustainable building materials and design techniques (for example rain water harvesting) were mentioned.</p> <p>P.39 – Small error in 3rd paragraph, 'Parish' is mis-typed as 'Partish'. The plan is strong in mentioning wildlife including birds, bats and hedgehogs.</p> <p>Although there is a section on electric</p>	<p>Noted. The NP makes reference to providing accommodation suitable to meet the needs of older people.</p> <p>The NPPF was updated in 2018. Changes to the text to reference the 2019 version will be made.</p> <p>Agreed. This will be added in.</p> <p>Noted</p>	<p>None</p> <p>Change to be made as indicated.</p> <p>Change to be made as indicated.</p> <p>Change to be made as indicated.</p>
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			<p>vehicle charging points, there is no reference to renewable energy (such as solar or wind power) within the plan.</p> <p>General Comments</p> <p>In regard to the environment and in line with the Governments advice, Leicestershire County Council (LCC) would like to see Neighbourhood Plans cover all aspects of the natural environment including climate change, the landscape, biodiversity, ecosystems, green infrastructure as well as soils, brownfield sites and agricultural land.</p> <p>Climate Change</p> <p>The County Council through its Environment Strategy and Carbon Reduction Strategy is committed to reducing greenhouse gas emissions in Leicestershire and increasing Leicestershire’s resilience to the predicted changes in climate. Neighbourhood Plans should in as far as possible seek to contribute to and support a reduction in greenhouse gas emissions and increasing the county’s resilience to climate change.</p> <p>Landscape</p> <p>The County Council would like to see the inclusion of a local landscape assessment taking into account Natural England’s Landscape character areas; LCC’s</p>	<p>Noted. The PC decided not to include such a policy but to rely on the Local Plan.</p> <p>The following general, non-Gaddesby NP comments are noted.</p>	<p>None</p> <p>None</p>
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			<p>Landscape and Woodland Strategy and the Local District/Borough Council landscape character assessments. We would recommend that Neighbourhood Plans should also consider the street scene and public realm within their communities, further advice can be found in the latest 'Streets for All East Midlands' Advisory Document (2006) published by English Heritage.</p>		
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Biodiversity

The Natural Environment and Communities Act 2006 places a duty on all public authorities in England and Wales to have regard, in the exercise of their duties, to the purpose of conserving biodiversity. The National Planning Policy Framework (NPPF) clearly outlines the importance of sustainable development alongside should contribute to conserving and enhancing the natural environment and reducing pollution. Neighbourhood Plans should therefore seek to work in partnership with other agencies to develop and deliver a strategic approach to protecting and improving the natural environment based on local evidence and priorities. Each Neighbourhood Plan should consider the impact of potential development on enhancing biodiversity and habitat connectivity such as hedgerows and greenways.

The Leicestershire and Rutland

			<p>Environmental Records Centre (LRERC) can provide a summary of wildlife information for your Neighbourhood Plan area. This will include a map showing nationally important sites (e.g. Sites of Special Scientific Interest); locally designated Wildlife Sites; locations of badger setts, great crested newt breeding ponds and bat roosts; and a list of records of protected and priority Biodiversity Action Plan species. These are all a material consideration in the planning process. If there has been a recent Habitat Survey of your plan area, this will also be included. LRERC is unable to carry out habitat surveys on request from a Parish Council, although it may be possible to add it into a future survey programme.</p> <p>Contact: planningecology@leics.gov.uk, or phone 0116 305 4108</p> <p>Green Infrastructure</p> <p>Green infrastructure (GI) is a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities, (NPPF definition). As a network, GI includes parks, open spaces, playing fields, woodlands, street trees, cemeteries/churchyards allotments and private gardens as well as streams, rivers, canals and other water bodies and</p>	
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			<p>features such as green roofs and living walls.</p> <p>The NPPF places the duty on local authorities to plan positively for a strategic network of GI which can deliver a range of planning policies including: building a strong, competitive economy; creating a sense of place and promote good design; promoting healthier communities by providing greater opportunities for recreation and mental and physical health benefits; meeting the challenges of climate change and flood risk; increasing biodiversity and conserving and enhancing the natural environment. Looking at the existing provision of GI networks within a community can influence the plan for creating & enhancing new networks and this assessment can then be used to inform CIL (Community Infrastructure Levy) schedules, enabling communities to potentially benefit from this source of funding.</p> <p>Neighbourhood Plan groups have the opportunity to plan GI networks at a local scale to maximise benefits for their community and in doing so they should ensure that their Neighbourhood Plan is reflective of the relevant Local Authority Green Infrastructure strategy. Through the Neighbourhood Plan and discussions with the Local Authority Planning teams and potential Developers communities</p>		
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are well placed to influence the delivery of local scale GI networks.

Brownfield, Soils and Agricultural Land

The NPPF encourages the effective use of brownfield land for development, provided that it is not of high environmental/ecological value.

Neighbourhood planning groups should check with DEFRA if their neighbourhood planning area includes brownfield sites. Where information is lacking as to the ecological value of these sites then the Neighbourhood Plan could include policies that ensure such survey work should be carried out to assess the ecological value of a brownfield site before development decisions are taken.

Soils are an essential finite resource on which important ecosystem services such as food production, are dependent on. They therefore should be enhanced in value and protected from adverse effects of unacceptable levels of pollution. Within the governments "Safeguarding our Soils" strategy, DEFRA have produced a code of practice for the sustainable use of soils on construction sites which could be helpful to neighbourhood planning groups in preparing environmental policies.

High quality agricultural soils should, where possible be protected from development and where a large area of

			<p>agricultural land is identified for development then planning should consider using the poorer quality areas in preference to the higher quality areas. Neighbourhood planning groups should consider mapping agricultural land classification within their plan to enable informed decisions to be made in the future. Natural England can provide further information and Agricultural Land classification.</p> <p>Impact of Development on Civic Amenity Infrastructure</p> <p>Neighbourhood planning groups should remain mindful of the interaction between new development applications in a district area and the Leicestershire County Council. The County's Waste Management team considers proposed developments on a case by case basis and when it is identified that a proposed development will have a detrimental effect on the local civic amenity infrastructure then appropriate projects to increase the capacity to off-set the impact have to be initiated.</p> <p>Contributions to fund these projects are requested in accordance with Leicestershire's Planning Obligations Policy and the Community Infrastructure Legislation Regulations.</p>	
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				<p>Communities</p> <p>Consideration of community facilities is a positive facet of Neighbourhood Plans that reflects the importance of these facilities within communities and can proactively protect and develop facilities to meet the needs of people in local communities. Neighbourhood Plans provide an opportunity to;</p> <ol style="list-style-type: none"> 1. Carry out and report on a review of community facilities, groups and allotments and their importance with your community. 2. Set out policies that seek to; <ul style="list-style-type: none"> • protect and retain these existing facilities, • support the independent development of new facilities, and, <ul style="list-style-type: none"> • identify and protect Assets of Community Value and provide support for any existing or future designations. 3. Identify and support potential community projects that could be progressed. <p>You are encouraged to consider and respond to all aspects of community resources as part of the Neighbourhood Planning process. Further information,</p>		
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guidance and examples of policies and supporting information is available at www.leicestershirecommunities.org.uk/n/p/useful-information.

Economic Development

We would recommend including economic development aspirations with your Plan, outlining what the community currently values and whether they are open to new development of small businesses etc.

Superfast Broadband

High speed broadband is critical for businesses and for access to services, many of which are now online by default. Having a superfast broadband connection is no longer merely desirable but is an essential requirement in ordinary daily life.

All new developments (including community facilities) should have access to superfast broadband (of at least 30Mbps) Developers should take active steps to incorporate superfast broadband at the pre-planning phase and should engage with telecoms providers to ensure superfast broadband is available as soon as build on the development is complete. Developers are only responsible for putting in place broadband infrastructure for developments of 30+ properties.

				<p>Consideration for developers to make provision in all new houses regardless of the size of development should be considered.</p> <p>Equalities</p> <p>While we cannot comment in detail on plans, you may wish to ask stakeholders to bear the Council's Equality Strategy 2016-2020 in mind when taking your Neighbourhood Plan forward through the relevant procedures, particularly for engagement and consultation work. A copy of the strategy can be view at: www.leicestershire.gov.uk/sites/default/files/field/pdf/2017/1/30/equality-strategy2016-2020.pdf</p>		
9			The Ovens Family	<p>PRE-SUBMISSION DRAFT GADDESBY PARISH NEIGHBOURHOOD PLAN 2019—2036 LAND ON THE NORTH SIDE OF FASHBY ROAD, GADDESBY, LEICESTER, LE74WF STATEMENT IN SUPPORT OF OBJECTION</p> <p>1.1.1 INTRODUCTION</p> <p>1.2 Specifically, the Objectors strongly object to</p>	Noted	None

			<p>raftPolicyENV1,which purportsto designate(amongst others)land at Eastfield Bottom, Gaddesby (reference number 198)("the Land")as Local Green Space.</p> <p>1.3</p> <p>The Objectors are the freehold owners of the Land. They have prepared illustrative plansfordevelopmentofthe Land toinclude27 residentialdwellings,a new village green and a turning facility to serve the local primary school and alleviate traffic congestion on local roads at peak (school)times.</p> <p>1.4</p> <p>This statement should be read in conjunction with the detailed objections that have been submitted by McGough Planning on behalfofthe Objectors.</p> <p>1.5 1.6</p> <p>The local planning authority is Melton Borough Council("the LPA").</p> <p>1.7</p> <p>Unfortunately, the Neighbourhood Plan conflicts, in fundamental respects, with national planning policy and guidance and would serve only to sterilise any further development in and around Gaddesby</p>	<p>Noted. The NP is not allocating land for development therefore the submission of illustrative plans is not relevant.</p>	<p>None</p>
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			<p>(including the Land). As a minimum, draft Policy ENV1 should be amended to remove the designation of the Land (as to which</p> <p>2</p> <p>see further below). POLICY FRAMEWORK Melton Local Plan</p> <p>This statement is submitted, on behalf of the Ovens Family ("the Objectors"), in support of their objection to the pre-submission draft of the Gaddesby Parish Neighbourhood Plan 2019 — 2036 (dated September 2019) ("the Neighbourhood Plan"), which has been published for consultation.</p> <p>The Neighbourhood Plan has been prepared by Gaddesby Parish Council ("the Parish Council") and is subject to public consultation until 28 October 2019.</p> <p>429466 961355432 1</p> <p>2.1</p> <p>The Melton Local Plan 2011 - 2036 ("the Local Plan"), as adopted by the Council on 10 October 2018, establishes a clear strategic vision to improve and generate sustainable development in both rural and</p>	
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			<p>service areas across its borough.</p> <p>2.2</p> <p>We note the following policies of the Local Plan (in so far as they are material to this objection):</p> <p>2.3</p> <p>As part of the LPA's development strategy, Chapter 4 of the Local Plan identifies a housing requirement at Gaddesby, which is identified as a rural hub, of 47 dwellings. The Local Plan makes provision for 36 of these 47 dwellings across 3</p> <p>2.4</p> <p>The National Planning Policy Framework ("the NPPF"), a revised version of which was published by the Government in February 2019, includes policy relating to the designation of Local Green Space.</p> <p>'Policy SS1 - Presumption in favour of Sustainable Development</p> <p>When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions</p>	<p>Noted. The Local Plan provides for sufficient housing to meet the needs of the Borough over the Plan period.</p> <p>Noted</p>	<p>None</p>
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			<p>which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</p> <p>Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.'</p> <p>'Policy SS2 — Development Strategy</p> <p>Service Centres and Rural Hubs will accommodate approximately 35% of the Borough's housing residual requirement (1822) on a proportionate basis. This will be delivered by planning positively for the development of sites allocated within and adjoining the Service Centres and Rural Hubs by 2036, and by encouraging small scale residential development, where it would represent sustainable development under Policy SS1 above or would enhance the sustainability of the community in accordance with Policy SS3 - Sustainable Communities.'</p> <p>'Policy SS3 — Sustainable Communities (unallocated sites)</p> <p>In rural settlements outside the main</p>		
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			<p>urban area, the Council will seek to protect and enhance existing services and facilities and will support sustainable development proposals in accordance with Policy SS2 above which contribute towards meeting local development needs, contributing towards the vision and strategic priorities of the plan, and improving the sustainability of our rural areas.'</p> <p>'Policy C7 — Rural Services</p> <p>Support will be given to proposals and activities that protect, retain or enhance existing community services and facilities* or that lead to the provision of additional assets that improve community cohesion and well-being to encourage sustainable development sites in Gaddesby.</p> <p>National Planning Policy Framework</p> <p>42946696135543.2 2</p> <p>2.5</p> <p>This policy is contained in paragraphs 99 - 101 of the NPPF, which provide as follows:</p> <p>'99. The designation of land as Local Green Space through local and neighbourhood plans</p>	<p>Noted. The NP has based its selection criteria on the NPPF. The Open Event outcome makes clear the special nature of the land in question.</p>	<p>None</p>
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			<p>allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes,</p> <p>jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.'</p> <p>'100. The Local Green Space designations should not be used where the green space is</p> <p>a) b)</p> <p>in reasonably close proximity to the community it serves;</p> <p>c)</p> <p>wildlife; and local in character and is not an extensive tract of land.'</p> <p>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),</p>		
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			<p>tranquillity or richness of its</p> <p>'101. Policies for managing development within a local Green Space should be consistent with those for Green Belts.' (our emphasis).</p> <p>National Planning Practice Guidance</p> <p>2.6 The National Planning Practice Guidance 2014 ("NPPG") relating to 'Open space, sports and recreation facilities' provides as follows (insofar as is material to this objection):</p> <p>2.7 The NPPG in relation to 'Neighbourhood planning' provides as follows (insofar as is material to this objection):</p> <p>'How big can a Local Green Space be?</p> <p>..However, paragraph 100 of the National Planning Policy Framework is clear that Local Green Space designation should only be used where the green area concerned is not an extensive tract of land.'</p> <p>(Paragraph:015 Reference ID:37-015-20140306)</p> <p>'Should other public bodies, landowners</p>		
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			<p>and the development industry be involved in preparing a draft neighbourhood plan or Order?</p> <p>...Other public bodies, landowners and the development industry should, as necessary and appropriate be involved in preparing a draft neighbourhood plan or Order. By doing this qualifying bodies will be better placed to produce plans that provide for sustainable development which benefits the local community whilst avoiding placing unrealistic pressures on the cost and deliverability of that development.'</p> <p>(Paragraph:048 Reference ID:41-048-20140306)</p> <p>429466 96135543.2 3</p> <p>3 3.1</p> <p>SUMMARY GROUNDS OF OBJECTION</p> <p>3.2</p> <p>At the outset, however, we do emphasise that it is deeply regrettable that draft Policy ENV1 has plainly been drafted with a view to stifling — as opposed to encouraging — sustainable development. It is a myopic policy, which so obviously fails</p>	<p>We disagree with this assessment. Taken in isolation, any LGS designation 'stifles development'. Its purpose is to protect from inappropriate development the most special local green spaces in the community. NP policies need to be taken as a whole and not in isolation. It is not therefore in contravention of the Local</p>	<p>None</p>
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			<p>to respect policy at all levels.</p> <p>3.3</p> <p>Moreover, it is purportedly predicated upon what is referred to as a 'scoring system'. Whilst we defer to McGough Planning, which has carried out a detailed exposition of this system, generally on this topic it is plain that the scoring system relied upon by the Parish Council does not withstand even cursory scrutiny: it is not fit for purpose and its basic failings fatally infect draft Policy ENV1.</p> <p>3.4</p> <p>Draft Policy ENV1 is contrary to the Local Plan in significant respects and fails to have regard (either properly or at all) to the clear local policy framework to which we have referred above. Simply by way of examples:</p> <p>We only summarise here the Objectors' grounds of objection and reserve their right to augment them in due course.</p> <p>Conflict with the Local Plan</p> <p>(a)</p> <p>it fails to respect the promotion of sustainable development, in respect of which there is a</p>	<p>Plan. Around 20 new houses have been built in the Parish over the past 20 years, and it is expected that this rate of development will continue through the Plan period. Indeed there are recent planning approvals and applications currently in progress which if granted will continue this trend.</p>	
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			<p>presumption in favour;</p> <p>(b)</p> <p>it fails to encourage sustainable residential development within an acknowledged rural hub;</p> <p>(c)</p> <p>to the contrary, it has undoubtedly been designed with a view to achieving the polar opposite i.e. the prevention of any further growth (however sustainable and necessary) at Gaddesby (beyond the 36 dwellings noted above);</p> <p>(d)</p> <p>it is predicated on an entirely false premise (and one that is inconsistent with the LPA's strategic vision) that Gaddesby is incapable of accommodating any further sustainable development beyond the 36 dwellings identified in the Neighbourhood Plan; and</p> <p>(e)</p> <p>moreover, it betrays a fundamental misunderstanding of the wider community benefits that would accrue from sustainable development of the Land such as meeting the identified housing requirement for Gaddesby and by providing</p>	<p>The time that the NP was being prepared coincided with the finalisation of the Local Plan which was clear that there were insufficient sites that were available for development in the parish. This is not the fault of the NP!</p>	<p>None</p>
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			<p>429466 96135543.2 4</p> <p>3.5 3.6</p> <p>Conflictwiththe NPPF DraftPolicyENV1 isalsoinstarkconflictwiththeNPPF. Contraryto paragraph 99 ofthe NPPF, it:</p> <p>3.7</p> <p>(e) isnotcapableofenduringbeyondtheendofthe heNeighbourhoodPlanperiod. Contrary to paragraph 100 ofthe NPPF:</p> <p>3.8</p> <p>Contrary to the NPPG, the Parish Council failed to involve the Objectors in its preparation of the Neighbourhood Plan. Yet, the Objectors have a clear and</p> <p>much- neededfacilitiesforthelocalschooland preventingtrafficcongestion in the area.</p> <p>(a) failsproperlytoarticulatealegitimatebasiso nwhichtheLandisfoundtobe of particular importance to the local community;</p>	<p>This is refuted. Ample opportunities for involvement were provided as the NP evolved and many local people took advantage of this and helped to shape the NP. The progress of the NP was detailed on the Gaddesby Village website and, had they taken the trouble to look, the Objectors would have been able to become involved should they have wished to do so.</p>	<p>None</p>
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			<p>(b) is inconsistent with the planning of sustainable development in the local area;</p> <p>(c) would frustrate, as opposed to complement, investment in sufficient homes and other essential services in the local area;</p> <p>(d) fail to acknowledge that the development potential of the Land has been identified by the Council and not gainsaid by statutory consultees, including Historic England; and</p> <p>(a) it is to demonstrate that the Land is demonstrably special to the local community and/or holds any particular local significance. It is understood that the principal basis on which the Land has purportedly been identified for designation relates to heritage interests, in which case it would appear that it was drafted in ignorance of recent representations made by Historic England, pursuant to which it confirms that is broadly content with the proposed development of the Land per an illustrative masterplan that has been prepared by the Objectors (as above); and</p>	<p>There were many engagement activities through the preparation of the NP to which members of the community were invited to participate. Again, the progress of the NP was detailed on the Gaddesby Village website and, had they taken the trouble to look, the Objectors would have been able to become involved should they have wished to do so.</p> <p>Appendix 5 provides the evidence behind the designations. In addition the results of the Open Event demonstrates that the Parish did not want to see development on Field 198 and that they valued the views from there.</p>	<p>None</p> <p>None</p>
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				<p>(b) the Land (particularly when considered in combination with the other contiguous parcels of land that from part of the policy) comprises an extensive tract of land, which extends along the full length of the eastern boundary of the settlement.</p> <p>Conflict with the NPPG</p> <p>429466 96135543.2 5</p> <p>3.9</p> <p>Its failure to do so was particularly galling in circumstances where McGough Planning (on behalf of the Objectors) expressly requested to be kept informed about progress of the Neighbourhood Plan given the Objectors' stated ambitions to develop the Land. In September 2017, McGough Planning wrote to the Parish Council in the following unequivocal terms</p>	<p>Each site is special locally and merits designation.</p> <p>The e mail referred to was not received. It is surprising that neither Clyde and Co nor Mr McGough provide an exact date for the sending of the e mail and, rather than providing a copy, have set out its terms in Clyde and Co's statement. Mr McGough suggests in his statement that this same e mail was also sent to Melton BC's policy team. Again we have no knowledge of that.</p> <p>The draft of the e mail demonstrates that the Objectors supposedly knew</p>	<p>None</p>
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				<p>3.10</p> <p>It was, therefore, wholly unreasonable for the Parish Council to proceed to designate the Land without even the courtesy of involving or consulting the Objectors:infact,the Objectors only became aware ofthe purported designation of the Land upon publication of the Neighbourhood Plan. Not only was this approach deeply unfair and prejudicial, itwas also contrary to good planning and in conflict w iththe clearguidance inthe NPPG.</p> <p>3.11</p> <p>This unfairness is exacerbated by the implications that flow from successful designation as Local Green Space. As is made clear by paragraph 101 of the NPPF (and draft Policy ENV1), such a designation would result in the Land being managed in accordance with Green Belt policies i.e. a strong presumption against development (only to be permitted in exceptional circumstances).</p> <p>3.12</p> <p>Should the Parish Council persist with this unfair designation, we reserve the Objectors' position generally. For the avoidance of any doubt, however, and quite apart from this procedural unfairness, the Land should be removed</p>	<p>that a Gaddesby Neighbourhood Plan was being developed as long ago as September 2017. That was right at the beginning of the process – the consultation of the Area Designation ran from 7 September 2017 until 18 October 2017. However, at no stage until the statements of Clyde and Co and Mr McGough were received (2 years later) were we aware that they had any interest in the development of the Neighbourhood Plan and were trying to have their site included for development in the Neighbourhood Plan.</p> <p>Mr McGough describes in his statement the way in which the site was deallocated by Melton BC and such deallocation supported by the Inspector who dealt with the Examination in February 2018. As far as we were concerned that was the end of the matter from a development perspective. Since then the Objectors have clearly expended some effort in trying to establish the site viability. It</p>	
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			<p>from draft Policy ENV1 in any event given: the paucity of any credible evidence base to</p> <p>obvious interest in the emerging policy framework and it was incumbent on the Parish Council to involve them from the outset of the plan-making process or, at the very least, from the time when it became clear to the Parish Council that it was proposing to designate the Land as Local Green Space (per the NPPG).</p> <p>We are sure you will be aware of our clients submission to the local plan. Should the Parish Council wish to discuss the how our clients' land can help in the future development of the village, please do not hesitate to get in touch.</p> <p>Kind regards Chris'</p> <p>42946696135543.2 6</p> <p>support it; and it's clear conflict with established planning policy and guidance, as above. On behalf of the Objectors, we would invite the Parish Councils to do so.</p> <p>CLYDE8~COLLP OCTOBER 2019</p> <p>429466 96135543.2</p>	<p>is unfortunate that had they taken the trouble to contact us before they did so and/or looked at the minutes of our Neighbourhood Plan Advisory Committee dated 16 May 2018 they would have realised that we had decided not to carry out a site survey and therefore would not at that stage be looking for further development sites over and above those set out in the Melton Plan.</p> <p>It is interesting to note that although the Objectors allege unfairness and prejudice they do not enumerate how this has occurred. A personal letter was sent to them inviting their comments on the pre-submission draft which they have now done.</p>	
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Pre-application Advice

LAND OFF CHURCH LANE AND ASHBY ROAD, GADDESBY, LEICESTERSHIRE

In response to our letter (HERef_PA00879988_L337566), dated 1/2/19, providing pre-application advice on an indicative plan for a housing development on land adjacent to Church Lane and Ashby Road in Gaddesby, you have requested clarification regarding one particular statement ('We are broadly content with your proposals in principle, subject to you addressing the issues as outlined above before any statutory approval is sought.').

This letter should therefore be read in-conjunction with our previous letter (HERef_PA00879988_L337566).

I can confirm that Historic England is broadly content in principle with the indicative plan outlined in 'Development Framework Option 3' (drawing DF-03 Rev C', dated 22/12/18) and 'Illustrative Masterplan Option 3' (drawing 'IM-03 Rev C', dated 22/12/18) regarding its:

- 1) Extent, which largely respects the historic agricultural landscape and land allocation systems / parcels of ridge and furrow thus preserving the character of the historic landscape, its evolution and relationship with the church;

2) Boundary treatment (of indigenous tree and hedge species), which would be in-keeping with the wider environs; and,

3) Layout, as the density and scale / massing of housing would not impinge on the visual amenity of the historic landscape and its relationship with the church.

As previously stated, the proposed turning-circle ('new village green') opposite the school and village hall is the single-most harmful aspect of the development proposal for the reason outline above. Historic England would, however, accept its inclusion in the development proposal if there were compelling reasons for keeping it, such as community support for it as an amenity or highways safety issues with alternatives. (

I trust this provides the desired clarification, and please contact me if I can be of further assistance.

Yours sincerely



Dr Andy Hammon

Inspector of Ancient Monuments
 E-mail:
 Andy.Hammon@HistoricEngland.org.uk

**DESIGNATED BY MELTON BOROUGH
 COUNCIL IN THE LOCAL PLAN AND
 SUPPORTED IN THE NEIGHBOURHOOD
 PLAN**

		SPECIAL TO			LOCAL			OTHER		NOTES			
													Evid
2010	21	53	23	53	31	21	22	4	Y	Y	Y		Ancient Mon View Curr Knig
2810	17	53	14	13	17	20	2		Y	Y	Y		Caribou tree Wel Gad and
4090	18	53	24	31	18	21	3		Y	Y	N		Com Villa its u Pop taild

Field Overall Score

Proximity 0 - 5

Beauty Tranquillity 0 - 2

Recreational Value
0 – 5 Leics Round or Midlands Way = 3

Total / 25

Total / 4

Historical Significance 0-5

Richness of Wildlife 0-5

Practical Accessibility 0-2

Educational Value 0-2

Already HDC LGS
Legal Access Rights Viewpoint and/or
Prominence

**DESIGNATED BY MELTON BOROUGH
COUNCIL IN THE LOCAL PLAN AND NOT
SUPPORTED IN THE NEIGHBOURHOOD
PLAN**

	SPECIAL TO				LOCAL		OTHER		NOTES						
202	1	5	2	0	0	3	2	1	0	0	0	Y	N	Y	Pr

													Evidence													
													148 .0	1 8	4 3	1 3	3 4	3 3	1 8	2 0	2 0	N	Y	Y	Arable field with Spinney. Boundaries: N, E and W Hedgerow. S Fence with standard Oak. NE Corner Copse with Older standards. Foraging area for Bats, frequent grass snakes from colony near old fish pond in neighbouring garden. High aspect so views of countryside to East and South sides. Views Part of Leicestershire Round Footpath. MLE6023 - suspected Roman site	
													197 .0	1 9	4 3	2 3	3 4	3 3	1 9	0 0	0 0	C	N	Y	Y	Pasture with Ridge & Furrow. Boundaries: N Post and Wire Fence, E mixed hedge, S Fence, W Fence with Ash and Pine Standards. Contains horse graves in NE including that of famous Victorian racing champion Bendigo. Foraging area for Bats, frequent grass snakes from colony near old fish pond in neighbouring garden. Views Part of Leicestershire Round Footpath.
													198 .0	1 8	4 3	1 3	3 4	3 3	1 8	0 0	0 0	C	N	Y	Y	Pasture with Ridge and Furrow. Boundaries N Hedge, E Post and Wire Fence, S Species Rich Hedgerow and Bramble. W Fence. Foraging area for Bats. Regular Feeding place by ditch for Jack Snipe. Views Part of Leicestershire Round Footpath.
501.0 17 5 3 1 3 4 1 17																										
2 2 4																										
Y Y Y																										
Contains Grade 1 listed Monument. Contains marked burials from at least late C17. Bounded by local stone walls to North and West and former almshouses to south.																										

Mature yew and lime trees on western border.
Part of iconic view of trees, pub and church from cricket ground. Current burial ground and location for scattering of ashes.
Neatly mowed and maintained churchyard



Field Overall Score

Proximity 0 - 5

Beauty Tranquillity 0 - 2

Recreational Value
0 – 5 Leics Round or Midlands Way = 3

Total / 25

Total / 4

Historical Significance 0-5

Richness of Wildlife 0-5

Practical Accessibility 0-2

Educational Value 0-2

Already HDC LGS
Legal Access Rights Viewpoint and/or
Prominence

Introduction

This statement is submitted on behalf of our client, the Ovens Family, in support of their objections to the Pre-submission draft of the Gaddesby Parish Neighbourhood Plan 2019- 2035 (dated September 2019) ("the Neighbourhood Plan"). It is in addition to the statement already submitted by Clyde & Co.

Our client's representations are set out in the following sections: (which follow the order set out in the draft Neighbourhood Plan):

- - Section 1 - How the Plan fits into the planning system
- - Section 2 - How the Neighbourhood Plan supports sustainable development
- - Section 3 - The Neighbourhood Plan Objectives
- - Section 4 - Community Engagement
- - Section 5 - Housing and the Built Environment
- - Section 6 - POLICY HBE1: SETTLEMENT BOUNDARY and Figure 2 – settlement

boundary for Gaddesby Village

				<ul style="list-style-type: none"> - Section 7 - POLICY ENV 1: PROTECTION OF LOCAL GREEN SPACE - Section 8 - Figures 5.1 & 5.2 - Section 9 - POLICY ENV 4: RIDGE AND FURROW - Section 10 - POLICY ENV7: PROTECTION OF IMPORTANT VIEWS, Figure 11 & Appendix <p>8 Important Views</p> <ul style="list-style-type: none"> - Section 11 - Appendix 4 - Section 12 - Appendix 5 <p>Mostly, the sections identified sets out our client's comments and objections to the identified sections of the Neighbourhood Plan.</p> <p>In section 5, as well as their objection, we also take the opportunity to put forward a parcel of their land (within the land which the plan identifies as ref 198) as a proposed housing allocation for inclusion in the Neighbourhood Plan. In support of this the following documents have been attached for information and consideration:</p> <ul style="list-style-type: none"> - a land-ownership plan; - a site analysis; - a copy of a heritage assessment 	<p>Noted. The PC has taken the decision to not allocate any housing for development therefore it is inappropriate to submit a parcel of land for consideration at this stage. The attachments are noted.</p>	
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			<p>(the Doggett Report);</p> <ul style="list-style-type: none"> • - a development framework plan; • - an illustrative masterplan; • - a copy of Historic England’s consultation response; and • - a copy of the call for sites form. <p>These documents, and the explanatory text in section 5 make up our client’s representation concerning the inclusion of their land as the housing allocation they wish to be considered as part of the Neighbourhood Plan process.</p> <p>The last document our client wishes to submit is their analysis of the sites within appendix 5. Of the seven sites in appendix 5, our client has incorporated the two categories from</p> <p>-1-</p> <p>appendix 4 that are excluded in Appendix 5. Our client’s revised document clearly shows the major inconsistencies, when comparisons are drawn between the sites allocated by Melton Council in the Local Plan (Neighbourhood Plan ref 201,281,409,and 202) and the new sites (Neighbourhood Plan ref 148,197,198 and 501) being put forward in Neighbourhood Plan.</p>	<p>Noted. The Melton Borough Council designations were made without reference to the local community. The sites in the NP are the sites most special locally.</p> <p>It cannot be said to stifle development when it acknowledges all of the allocations within the Local Plan and when no further sites were available for consideration as demonstrated by the inability of the Local plan to identify sufficient</p>	
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			<p>In its way, our client’s analysis illustrates their deep concern about the way the plan has been put together and the potential impact of the policies it sets out. In our view, the Pre- submission draft of the Neighbourhood Plan is a fundamentally flawed document, in that it is promoting a policy framework that seeks to stifle sustainable development as opposed to encouraging it, which is contrary to national and local planning policy and guidance.</p> <p>Even though there has been no discussion with our client to date, given the impact on their land it is incumbent on the Parish Council to engage with our client at the earliest opportunity to discuss ways that their objections could be overcome.</p> <p>Section 1 - How the Plan fits into the planning system (page 6)</p> <p>The Neighbour Plan states:</p> <p><i>“One of the main rules governing the preparation of a Neighbourhood Plan is that it must comply with European regulations on strategic environmental assessment and habitat regulations. It must also be in general conformity with national, county and district wide (i.e. Melton) planning policies. This means that it cannot be prepared in isolation. It will need to take into account, and generally work with, the grain of the district wide</i></p>	<p>residential sites.</p> <p>As noted above, contact was made with the landowner at the point at which the designation was proposed. There were ample opportunities for people to get involved through the preparation of the NP.</p> <p>This comment misunderstands neighbourhood planning and its relationship with strategic planning policies.</p> <p>The Borough Council undertook a Strategic Environmental Assessment screening exercise and determined (in consultation with the consultation bodies) that no SEA was needed.</p> <p>There is no requirement for a NP to undertake a SEA. This is not required by SEA regulations as the respondent suggests. This is wrong.</p>	
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and national policies unless there are good reasons for not doing so.”

Our client agrees that this statement relates the requirements for neighbourhood plans in respect of the environmental assessment of its policy and proposals and how it accords with national and local plan policy. However, we disagree that the Pre-Submission draft of the Neighbourhood Plan meets these requirements. We can find no evidence of any appropriate or adequate environmental assessment within the consultation documentation, nor any statement of reasons explaining why strategic environmental assessment is not required (as required by the SEA regulations).

The Neighbourhood Plan states:

The NPPF requires the planning system (including Neighbourhood Plans) to encourage sustainable development and details three dimensions to that development:

- *An economic dimension – policies should contribute to economic development;*
- *A social dimension – policies should support strong, vibrant and healthy communities by providing the right supply of housing and creating a high-*

			<p><i>quality built environment with accessible local services; and</i></p> <ul style="list-style-type: none"> • <i>An environmental dimension – policies should contribute to protecting and enhancing the natural, built and historic environment.</i> <p>-2-</p> <p>Our client agrees that this paragraph accurately sets out the requirements for neighbourhood plans in respect of national and local planning policy and guidance. However, the Neighbourhood Plan is at odds with national and local planning policy and guidance in that, when looked at as a whole, it is apparent that it has been produced with the intention of creating a device intended to stymie future sustainable development, particularly in and around Gaddesby.</p> <p>Section 2 - How the Neighbourhood Plan supports sustainable development (page 7)</p> <p>The Neighbourhood Plan sets out the ways it will meet its commitment to promoting sustainable development. Our client further objections to the Neighbourhood Plan will show how it fails to meet the identified tests. For example:</p> <ul style="list-style-type: none"> • - the Neighbourhood Plan does not support the continuation of 	<p>On the contrary – the NP contains policies that promote appropriate economic development; support community facilities and contribute to the protection and enhancement of the environment – exactly as set out.</p> <p>The Local Green Spaces in the Local Plan will remain as such.</p>	
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				<p>the allocation/ designation of the Grounds of Paske Grove (plan ref 202) as a Local Green Space. This is at odds with safeguarding/ protecting important and existing opens space from development and for the enjoyment of residents. It is also at odds with the protection of community assets, insofar as Paske Groves contribution to the character of the Conservation Area, as well as the recently adopted Melton Local Plan;</p> <ul style="list-style-type: none"> • - the Neighbourhood Plan fails to address how it will meet the identified objectively assessed need for housing within Gaddesby itself. Instead, it is based upon the false assumption that Gaddesby is incapable of any further sustainable development beyond the 36 dwellings identified in the local plan - it merely replicates the housing allocation from the recently approved local plan and makes no attempt to consider any at other suitable sites that would enable Gaddesby to meet even the minimum objectively assessed need, let alone providing for future generations; • - the plan seeks to protect existing employment but fails to give any guidance on how sustainable employment could 	<p>It is the Local Plan that states (page 31) that Gaddesby cannot meet its residual requirement - so it is wrong to say that the NP is making a false assumption.</p> <p>No NP is required to allocate sites for residential development – this is another incorrect assumption and not a failure to address this issue as suggested.</p> <p>The plan policies are enabling policies. It is not the role of the NP to guide the specific development of sustainable employment. This opinion is not accepted.</p> <p>The NP has sought to balance the need for new housing (as provided through the Local Plan) with the protection of its most important assets.</p>	
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				<p>develop; and</p> <ul style="list-style-type: none"> - the protection of community assets, such as the Gaddesby's school, will be undermined as a result of the policies of the Neighbourhood Plan. <p>The phrasing of the objectives shows a fundamental misunderstanding of the wider community benefits that would accrue from sustainable development on our client's land, such as meeting the identified housing requirement for Gaddesby and by providing much-needed facilities for the local school, a village green and preventing traffic congestion in the area, as it will have less reliance on pupils from outside the area being driven in to fill its roll – our client's proposals are set out in more detail in Section 5 below.</p> <p>Section 3 - The Neighbourhood Plan Objectives (page 8)</p> <p>Whilst our client supports the identified objectives, we are concerned that the Neighbourhood Plan's policies conflict, in fundamental respects, with national and local planning policy and would serve only to</p>	<p>The starting point was that recently undertaken SHLAA processes by MBC had exhausted the range of development sites that had come forward. On this basis it was reasonably considered unnecessary to repeat the process.</p> <p>This viewpoint is noted. The range of people that put the NP together took a different view about the extent of development necessary. This is not conflict with either local or national policies – NPs are not required to allocate housing for development.</p>	
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			<p>sterilise any potential for further sustainable development, particularly in and around Gaddesby. The objectives should be extended to</p> <p>-3-</p> <p>encourage sustainable growth in Gaddesby by meeting, at a minimum, the objectively assessed need for housing and seeking proportionate growth that would enhance the future of the village's of community assets, like the school, through sustainable development.</p> <p>Section 4 - Community Engagement (page 12)</p> <p>Contrary to the advice set out the NPPG, the Parish Council made no effort to involve our client in the preparation of the Neighbourhood Plan before producing the Pre-submission draft. Given our client's clear and obvious interest in the emerging policy framework, and our specific request to be fully involved in the Neighbourhood Plan process (as set out in our email to Parish Clerk, Mrs Trudy Toon, and Melton BC's policy team in September 2017, referred to in Clyde & Co's submission on behalf of our client), it was incumbent on the Parish Council to involve our client from the outset of the plan-making process or, at the very least, from the time when it became clear to</p>	<p>As set out above, the Parish Council has no record of receiving an email from Mr McGough. Had it done so it would have responded accordingly. The NP was promoted in many ways as it evolved and meeting minutes were placed regularly on the Gaddesby Village website. The respondent could have checked on progress in the two years between the date of the first, unreceived, e mail and this contact in October 2019. Further, at the commencement of each monthly Parish Council meeting there is an opportunity for parishioners to attend to raise any issues. On occasions developers' representatives have attended to explain to the PC their client's proposals. At no stage did the Objectors avail</p>	
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				<p>the Parish Council that it was proposing to designate their land (identified as field 198 in figure 4 of the plan) as Local Green Space. It is noteworthy that the Neighbourhood Plan Advisory Committee undertook the survey of our client's land (plan ref 198) without consent or notification.</p> <p>The failure to consult our client is bewildering given that members of the Neighbourhood Plan Advisory Committee and the Parish Clerk were fully aware of attempts to bring forward part of the land as a housing allocation through the Local Plan process – to which the Parish Council objected at the time – further details of this are set out below.</p> <p>Had our clients been consulted, the Neighbourhood Plan Advisory Committee would have discovered that since the Local Plan examination, an illustrative layout plan has been produced in consultation with Historic England for development of part of our client's land, which includes 27 dwellings, a new village green and a turning facility to serve the local primary school and alleviate traffic congestion on local roads at peak (school) time (a copy of which is attached for information and is set out in further detail at Section 5 below). This submission has also formed part of Melton Council's recent call for sites in August 2019.</p>	<p>themselves of that opportunity.</p> <p>As soon as it was clear that the land in question featured as a proposed designation in the NP, a personal letter was sent to the owner.</p> <p>At no time did anyone trespass on land in the ownership of the landowners.</p>	
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			<p>The unfairness of the failure to consult our client is exacerbated by the implications of the designation of their land as Local Green Space. As is made clear by paragraph 101 of the NPPF (and draft Policy ENV1), such a designation would result in our client's land being managed in accordance with Green Belt policies i.e. a strong presumption against development (only permitted in exceptional circumstances).</p> <p>Section 5 - Housing and the Built Environment (page 15)</p> <p><i>"The Local Plan establishes a hierarchy of settlements to help to determine the most appropriate locations for the remaining development. Within this hierarchy, Gaddesby is classified as a Rural Hub. The Local Plan identifies a residual housing requirement for Gaddesby of 47 dwellings, although provision is made for only 36 dwellings reflecting the capacity in the village."</i></p> <p>This paragraph is a clear statement of the status of Gaddesby as a Rural Hub. Our client welcomes this and, for the avoidance of doubt, would object to any attempts to reverse/ undermine Gaddesby's status as a Rural Hub.</p> <p>-4-</p> <p>The paragraph also clarifies Gaddesby's</p>	<p>There is no intention to undermine the status of Gaddesby as a Rural Hub and it is hard to see where this assertion has come from.</p>	
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			<p>share of the housing requirement and that it currently falls short of meeting that requirement. It should be noted that the housing requirement for Gaddesby is based upon the adopted Local Plan strategy for Melton and an assessment of the minimum objectively assessed need for housing.</p> <p>This is an appropriate point to set out our client's proposals for the development of part of their land and its inclusion in the Neighbourhood Plan as an allocation for residential development. Our client's proposal set out in the attached illustrative plan layout for 27 dwellings, a new village green and a turning facility to serve the local primary school and alleviate traffic congestion on local roads at school pick up and drop off times. We also attach the accompanying architectural and heritage analysis and a letter from Historic England confirming their view on the proposal. Before looking at this in more detail, we feel it would be useful to review how the current scheme came about.</p> <p>In November 2016, the Pre-submission version of the Local Plan included our client's 2ha parcel land off Ashby Road (part of your field ref 198) as a housing allocation for 30 dwellings – the Pre-submission Local Plan referred to the proposed allocation as GADD2.</p>	<p>The below narrative is noted. If the landowner was aware of the preparation of the NP it would have been helpful to have made contact at the outset about this intention</p> <p>It is not unreasonable for the PC to exclude this parcel of land from consideration given that it had been rejected by MBC.</p> <p>No further information was provided to the PC by the landowner to alter this position.</p> <p>Although this new information is interesting, the decision of the Parish Council is not to allocate sites for housing within the NP and this new information does not change this position.</p>	
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Unfortunately, in June 2017, we discovered that officers had changed their view and were now seeking to recommend our client's site was deleted as a housing allocation. The site had received objections from the Parish Council (who objected to all the housing allocations throughout the Local Plan process, including at the Examination), Leicestershire County Council's Archaeological Service (LCAS) and Historic England.

In July 2017, Melton Council approved the officers' recommendation to delete our client's site's housing allocation as part of the focused changes to the Local Plan. The officers' committee report provided a useful summary:

- - At Paras 3.22.1 – 3.22.3 - *“It is proposed to remove site GADD2 from the site allocations after a large number of objections from both residents and Historic England who objected strongly to the proposal. Its allocation would have a significant impact on the setting of heritage assets, and it may not be possible to appropriately mitigate impact on landscape character, and as such, it cannot be considered suitable for development. A small replacement site to the north of the village is proposed, with site*

				<p><i>specific wording to ensure it is developed appropriately. Other concerns raised related primarily to the amount of growth proposed, existing highways issues, lack of public transport, village services and facilities, and impact of development on environmental factors, such as flood risk. It is recommended that GADD 2 is deleted; insertion of new site to become GADD3, former GADD3 to become GADD2”;</i></p> <p>And</p> <ul style="list-style-type: none"> • <i>- At para5.7.1 – “Further information has been received in respect of previous site GADD2, Land off Church Lane and Ashby Road, Gaddesby, in terms of impacts on landscape character and significant heritage assets. Historic England have registered objection to the allocation of the site due to the fact they consider that development</i> <p><i>-5-</i></p> <p><i>of that particular site could not be mitigated for or designed in such a way to limit detrimental impact on the setting of the Grade I listed Church of St Luke and the historic landscape setting around it</i></p>		
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which comprises of earthwork remains of medieval and later cultivation. Therefore, the site assessment has been updated to take this into account and it is now considered in light of this information that the site is no longer considered suitable for allocation. It is therefore 15 suggested that this site is removed from the site allocations under policy C1(a)".

Our client objected to the deletion of their site, which was principally a result of representations received from Historic England (HE) and Leicestershire CC Archaeological Service (LCCAS). Based on HE/ LCAS' objections, officers carried out a reassessment of our client's site. This was set out in various documents, including the Rural Hubs Update document (*Rural Hubs Update to site assessments including information on the availability of land, the suitability of site, viability and deliverability timescales Part 3 of 3 – May 2017*), which can be summarised as follows:

- "The original site submitted (8.6ha) was reduced to the site area identified above (2ha) to lessen the impact on the character of the settlement and the landscape. The southern area (off Ashby Road) was identified as the best option due to the potential access constraints at the north of the site (off Church Lane). The south-eastern corner of the site is within flood risk zone 3b (0.16ha) and therefore

was removed from the developable area. The capacity was reduced from 45 to 30 to allow for a lower density development in order to lessen the impact on the character and setting of the village. However, impacts identified in the Landscape Character Assessment and further reinforced by the representations received from Historic England mean that it is now suggested to remove this site from the allocations as it is not considered the detrimental impacts can be adequately mitigated.”

As a result of the officers’ reassessment, our client instructed Asset Heritage Consulting to provide heritage and landscape advice concerning their site and specifically to examine and respond to Historic England’s/ LCCAS views. This is set out in the attached Doggett Report, by Dr Nick Doggett.

Dr Doggett carried out a thorough heritage assessment of the site itself, the church and churchyard. His assessment also looked at the village of Gaddesby as a whole and the surrounding landscape. In relation to the potential impact on the listed church Dr Doggett concluded, *“I can see no justifiable or sustainable ground for removing GADD2 as a housing allocation on the basis that it would have any adverse impact on the setting of St. Luke’s Church as a Grade I listed building.”*

			<p>Concerning the landscape impact, Dr Doggett concluded, <i>“there is no legitimate reason why the District Council should regard the presence of unprotected earthworks, associated with either ridge and furrow ploughing or the later (Victorian) steam ploughing system, as a justifiable ground for not allocating GADD2 as a housing site.”</i></p> <p>Our expert heritage advice was clear; the development of our client’s site would have no detrimental impact on the setting of the listed church or the features in the landscape that</p> <p>-6-</p> <p>officers are now looking to protect. In our view, officers appeared to have decided to recommend de-allocation based on incomplete and/or inaccurate evidence.</p> <p>In September 2017, a report on the consultation responses to the focused changes was considered by Melton’s full council. The agenda included the Officers’ response to our client’s objection to the deletion of their site; now identified as GADD 4 (but formerly known as GADD2), as part of the focused changes consultation. Melton Council’s agreed position on our client’s site and representations were that set out at page 1 of Item 3b Appendix 1 (d)(viii) site-specific policies, which reads as follows:</p>	
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- "Conservation supports HE's view with regards to its objection for the allocation of 30/40 houses at GADD2, **however in line with additional responses for further allocations at present, it recognises the opportunity to mitigate the impact of the new dwellings through carefully considered design.** There are well preserved ridge and furrow earthworks in this location (medieval and later C19 industrialised) and they would be significantly disrupted by the development. **However, Conservation does not consider this to be sufficient justification alone to withdraw the allocation, as Borough of Melton has one of the largest and well-preserved remains of medieval earthworks in the country, and there are a wide number of further allocations that have been included that will involve development on such historic earthworks.** However, cumulatively, the impact on the setting of the church and the historic earthworks are considered to cause harm, although Conservation considers that this may be possible to mitigate through well considered design and ensuring static views to the church are not impacted upon. The issues of kinetic views are more difficult, and Conservation defers to HE in its assessment of this impact."

We emailed officers on 12th October agreeing with the Council's adopted position, i.e. it was possible to mitigate

the impact of the site's development on the listed building and earthworks "through well considered design". We submitted a townscape/ visual analysis of the site and plans of one such proposal that demonstrated very clearly how this can be achieved. In November 2017, having not received a response, we emailed again, trying to arrange a meeting to agree on common ground, and, on 9th November, officers emailed declining our request to meet.

For completeness, we have also tried to meet with Historic England to discuss their objections to our site and they finally declined by email on 20th December 2017.

As members of the Parish Council will recall, we made representations to the Local Plan and attended the Examination hearing on February 2018.

In the report on the Examination of the Melton Local Plan, issued on September 2018, the Inspector concluded:

- "118. The Focused Changes to the Plan removed the originally numbered GADD2 allocation, given the potential for harm to the village's heritage assets and landscape character. Evidence provided in support of re-instating the allocation does not lead me to disagree with the Council or Historic England that the impact of residential

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development of the site on the setting of the Grade I Listed church would be unacceptable. Any benefits arising from the development would not clearly outweigh the harm that it would cause."

In August 2018, we made a pre-application submission to Historic England in respect of the original GADD2 site. As part of this process, Historic England clarified their view on the development potential of our client's land and agreed that it was possible to bring forward development without affecting the views of the listed church or the landscape surrounding it.

At the end of 2018, Historic England agreed that the revised site identified in the plan *Ashby Road-Gaddesby-Development Framework Option 3-2000 at A3-Rev C* (see attached) could be developed for housing in such a way that would not have any detrimental impact on the view of the listed church or the surrounding landscaped. Following this, a revised housing layout proposal was produced to enable them to give a more detailed and considered view. This plan, *Ashby Road-Gaddesby- Illustrative Masterplan Option 3-2000 at A3-Rev C*, is the illustrative layout already referred to and attached.

Historic England's formal response was received on 5th February 2019 (see attached). This letter confirmed that:

“Historic England is broadly content in principle with the indicative plan outlined in 'Development Framework Option 3' (drawing DF-03 Rev C', dated 22/12/18) and 'Illustrative Masterplan Option 3' (drawing 'IM-03 Rev C', dated 22/12/18) regarding its:

1. 1) *Extent, which largely respects the historic agricultural landscape and land allocation systems / parcels of ridge and furrow thus preserving the character of the historic landscape, its evolution and relationship with the church;*
2. 2) *Boundary treatment (of indigenous tree and hedge species), which would be in-keeping with the wider environs; and,*
3. 3) *Layout, as the density and scale / massing of housing would not impinge on the visual amenity of the historic landscape and its relationship with the church.*

As previously stated, the proposed turning-circle ('new village green') opposite the school and village hall is the single-most harmful aspect of the development proposal for the reason outline above. Historic England would,

however, accept its inclusion in the development proposal if there were compelling reasons for keeping it, such as community support for it as an amenity or highways safety issues with alternatives.”

The comments of Historic England set out above were based on the illustrative masterplan attached as *Ashby Road-Gaddesby- Illustrative Masterplan Option 3-2000 at A3-Rev C*. This masterplan shows the proposed development area has the potential for 27 houses (in a mix of types and sizes of dwellings to be provided) in line with the residential context. The

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proposal is for mainly two-storey with lower 1-1.5 storey houses closest to the rear of existing houses on the southern boundary to minimise neighbour impact. A proposed new village green is also shown. The in/out access around village green allows turning space and parking which can serve the school opposite to remove any need for three-point turns at peak times.

The proposed housing has been located west of the footpath as agreed with Historic England to minimise heritage impact. The illustrative masterplan demonstrates interesting views to and through the scheme including reinforcing

			<p>view corridors to the church with building alignment and planting. Frontages behind landscaping provide a positive edge to the setting of the church as well as overlooking the pedestrian route.</p> <p>Distance separation, building placement, orientation and planting minimises the impact on the setting of the church as well as neighbour amenity.</p> <p>For the avoidance of doubt, the attached plans, assessments and consultation response all form our client's submission for the inclusion of this part of their land within the Neighbourhood Plan as a new housing allocation.</p> <p>Since the Examination, our client has had a lengthy engagement with Historic England through their pre-application process. As a result, Historic England has clarified their view on the impact of housing development on the view of the listed church and the surrounding landscape. Historic England has agreed that the housing development, as set out in the illustrative masterplan, demonstrates it is possible to bring forward housing development in a way that <i>"would not impinge on the visual amenity of the historic landscape and its relationship with the church"</i>.</p> <p>It is clear that but for Historic England's advice on the original housing allocation proposed (at Pre-Submission stage), our</p>	<p>Noted – however no request has been made by the PC as part of the process of preparing a NP for land to be included for residential development within the NP. None is still sought.</p> <p>The submission of this land for inclusion within the NP is therefore irrelevant and unnecessary.</p>	
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			<p>client's site would have retained Council support. Similarly, the Local Plan Inspector also followed Historic England's advice in rejecting that allocation. Given Historic England has now clarified its position and accepts the new site can be developed without affecting the listed church and surrounding landscape, and that the Council's previous sustainability assessment of our client's original site applies equally to the new one, we believe our site should go forward as a housing allocation in the Neighbourhood Plan.</p> <p>Section 6 - POLICY HBE1: SETTLEMENT BOUNDARY and Figure 2 – settlement boundary for Gaddesby Village (page 18).</p> <p>Our client objects in principle to establishing a settlement boundary. National and local planning policy more than adequately meet the objectives of draft policy HBE1 without the need to draw artificial or arbitrary settlement boundary lines.</p> <p>The proposed settlement boundary was purportedly drawn (amongst other things) to take account of "<i>Clearly defined physical features such as walls, fences, hedgerows and roads</i>". This is clearly not the case as the proposed settlement boundary cuts through the rear gardens of houses in the village at several points on the east, west and south sides of</p>	<p>Noted. It is possible for NPs to re-establish settlement boundaries once removed from Local Plans and the PC has taken advantage of this opportunity. The reinstatement of settlement boundaries in local planning authority areas which have removed them is a well-established practice to help shape development.</p> <p>Noted. The words 'where appropriate' will be added to the relevant criteria.</p>	
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			<p>Gaddesby.</p> <p>-9-</p> <p>Additionally, the proposed boundary excludes half of the school's field despite this having an obvious and strong boundary treatment. This peculiarity is equalled in its eccentricity where the proposed boundary appears to take in a parcel of undeveloped land to the east of St Lukes Church, yet another parcel of land (the field behind Holme Farm) is placed outside the boundary even though it is almost enclosed by the proposed boundary contriving to exclude it. This happens again with the pond and field off Park Hill.</p> <p>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.</p> <p>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.</p> <p>Finally, the proposed settlement boundary appears to have been drawn to</p>	<p>There is inevitably an element of interpretation in drawing a LtD line, but the group looked at each boundary and drew the line is considered appropriate. Having reviewed the LtD we will include Woodbine Cottage and the additional area referred to in our comment to Respondent 5 above</p>	
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			<p>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.</p> <p>The Neighbourhood Plan states that "the purpose of the newly drawn settlement boundary is to ensure that sufficient land is identified to meet residential need and that this is available in the most sustainable locations." However, it is clear that the settlement boundary has been drawn tightly with the intention of stopping any development beyond the 36 dwellings the Local Plan requires the Parish to accept, leaving no realistic prospect of sustainable development delivery in the future.</p> <p>Our client strongly objects to draft policy HBE1 and the boundary shown in Figure 2; it is contrary to the Local Plan in significant respects:</p> <ul style="list-style-type: none"> • it fails to respect the promotion of sustainable development in respect of the presumption in favour, particularly within an acknowledged rural hub (contrary to Policies SS1 & SS2 Development Strategy); • it has undoubtedly been designed to prevent any further growth at 	<p>There remain areas within the boundary that could accommodate development. In Gaddesby two recent successful planning applications have provided 3 new dwellings and there is one current planning application for two additional houses.</p>	
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				<p>Gaddesby beyond the 36 dwellings noted above (contrary to Policy SS1 & SS2 and the policy and guidance relating to meeting the objectively assessed need);</p> <ul style="list-style-type: none"> • it is based on the false assumption (and one that is inconsistent with the LPA's strategic vision) that Gaddesby is incapable of accommodating any further sustainable development beyond the 36 dwellings; • it demonstrates a fundamental misunderstanding of the wider community benefits that would accrue from sustainable development of part of our client's land (as set out above) such as meeting the identified objectively assessed need for housing in Gaddesby and by providing much-needed facilities for the local school and preventing traffic congestion in the area (contrary to Policies SS1 – 3 and Policy C7); and • it fails to acknowledge that Melton Council has undertaken a review of the settlement boundary and removed it around Gaddesby. <p>-10-</p> <p>Section 7 - POLICY ENV 1: PROTECTION OF LOCAL GREEN SPACE (page 26)</p>	<p>This is incorrect. The settlement boundary is not based on this assumption – it has been drawn to update the previous settlement boundary from the former MBC Core Strategy.</p> <p>This is not a misunderstanding at all. Many NPs do not allocate sites for development and the Parish Council has taken this route.</p> <p>MBC has removed the settlement boundary around all villages where it previously existed. It absolutely acknowledges this which is why it has been reintroduced.</p> <p>Noted.</p>	
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			<p>Our client objects strongly to the policy as set out and to the allocation of their land (identified as Eastfield Bottom, Gaddesby, your reference 198) as Local Green Space.</p> <p>The draft Policy ENV1 is contrary to the Local Plan in several meaningful respects and fails to have regard (either properly or at all) to the clear local policy framework as set out within the adopted local plan, for example:</p> <ul style="list-style-type: none"> • - it fails to respect the promotion of sustainable development, in respect of which there is a presumption in favour (contrary to Policy SS1 - Presumption in favour of Sustainable Development); • - it fails to encourage sustainable residential development within an acknowledged rural hub (contrary to Policy SS2 Development Strategy); • - it has undoubtedly been designed to prevent any further growth of Gaddesby beyond the 36 dwellings noted above (contrary to Policy SS1 & SS2 and the policy and guidance relating to meeting the objectively assessed need); • - it is based upon the false 	<p>This is incorrect. You cannot see each policy in isolation otherwise there would not be the opportunity for NPs to designate Local Green Spaces!</p> <p>This is incorrect – it has several polices that promote sustainable development including the settlement boundary, windfall sites and housing mix.</p> <p>The intention is the shape and control development to the most sustainable locations which it does.</p> <p>This is clearly not the case. You cannot mistake not allocating sites with the policies on windfall, housing mix etc all of which help to direct development to the most</p>	
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				<p>assumption (and one that is inconsistent with the LPA's strategic vision) that Gaddesby is incapable of accommodating any further sustainable development beyond the 36 dwellings: and</p> <ul style="list-style-type: none"> • - it demonstrates a fundamental misunderstanding of the wider community benefits that would accrue from sustainable development of part of the site (as set out above) such as meeting the identified housing requirement for Gaddesby and by providing much-needed facilities for the local school and preventing traffic congestion in the area (contrary to Policies SS1 – 3 and Policy C7). • - it fails to acknowledge that Melton Council would have undertaken a review of the land's potential for Local Green Space as part of the Local Plan process, as it did with the nearby adjacent Grounds of Paske Grove (Neighbourhood Plan ref 202); which was designated as Local Green Space in the Local Plan; and now the Neighbourhood Plan is all but inviting the owner to make representations to have that allocation removed. Not only did Melton Council not seek to put forward our client's land as an allocation for Local Green Space, 	<p>sustainable locations. This demonstrates a balance between development opportunities and protection of important local assets.</p> <p>Assessments of land that are 'demonstrably special' to the local community is best undertaken by the community itself.</p>	
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				<p>the Council put it forward as an allocation for housing in the Pre-submission Local Plan. But for objection from Historic England, the Council would have continued to support the allocation because they assessed it as the most sustainable site in the village (see the Pre-submission Draft Local Plan's Sustainability Appraisal).</p> <p>Draft Policy ENV1 is also in clear conflict with the guidance for Local Green Space set out in the NPPF in paragraphs 99 and 100.</p> <p>Contrary to paragraph 99 of the NPPF, the draft policy:</p> <p>- fails properly to adequately explain any legitimate basis on which our client's land is found to be of particular importance to the local community;</p> <p>-11-</p> <ul style="list-style-type: none"> • - is inconsistent with the planning for sustainable development in the local area; • - would frustrate, as opposed to complement, investment in sufficient homes and other essential services in the local area; • - fails to take account that the development potential has been 	<p>We disagree. The evidence is provided in appendix 5 and demonstrates the local importance of the site by comparing it through a scoring system with each other open space in the Parish based on NPPF criteria. This is a robust and comprehensive approach</p> <p>NPs are relevant bodies for the determination of Local Green Spaces and the PC has taken the opportunity to do so. The justification for the proposed designation is provided for in appendix 5.</p>	
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				<p>acknowledged by statutory consultees, including Historic England; and</p> <ul style="list-style-type: none"> • - is not capable of enduring beyond the end of the Neighbourhood Plan period. Contrary to paragraph 100 of the NPPF, it: • - omits to demonstrate that the land making up the proposed Local Green Space is demonstrably special to the local community and/or holds any particular local significance. It appears that one of the categories by which the land has been identified as a potential Local Green Space relates to heritage interests. In which case, it would appear that policy was drafted unaware of recent submissions made in relation to Melton's call for sites following extensive discussion with Historic England; following which, Historic England confirmed that it is broadly content with the proposed development of the part of our client's land as per the illustrative masterplan referred to above; and • - our land clearly comprises an extensive tract of land in its own right. This is even more so when our client's land is combined with 	<p>The designation of Local Green Space is not affected by the proposed application for development of the site. This does not diminish its importance to the local community.</p> <p>There is no definition of 'extensive' in the NPPF. Sites of above 16 Hectares have been designated as LGS within Melton Borough in communities the same size as Gaddesby.</p>	
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				<p>the other field forming the proposed Local Green Space, which extends along the full length of the eastern boundary of the village. By way of illustration, we calculate the area of Gaddesby village within the proposed settlement boundary is around 24.4 hectares, whilst the area of land of the proposed Local Green Space on Gaddesby's eastern side measures around 17.7 hectares. In other words, the proposed Local Green Space would be equivalent to over 72.5% of the area of Gaddesby village.</p> <p>Draft Policy ENV1 is contrary to the advice set out the NPPG.</p> <p>The Parish Council made no effort to involve our client in the preparation of the Neighbourhood Plan. Given our clients clear and recognisable interest in the emerging policy framework, and our specific request to be fully involved in the Neighbourhood Plan process (as set out in our email to Parish Clerk, Mrs Trudy Toon, and Melton BC's policy team in September 2017, referred to in Clyde & CO's submission on behalf of our client), it was</p>	<p>This is not accepted. The preparation of the NP was well publicised and specific contact was made with the owner once the proposed designation was confirmed.</p> <p>.....</p>	
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				<p>incumbent on the Parish Council to involve our client from the outset of the plan-making process or, at the very least, from the time when it became clear to the Parish Council that it was proposing to designate their land as Local Green Space.</p> <p>The failure to consult our client is bewildering given the Parish Council was fully aware of our attempts to bring forward part of the land as a housing allocation through the local plan process – to which the Parish Council objected at the time. Had our clients been consulted, the Parish would have discovered that since the local plan examination an illustrative layout plan has been produced in consultation with Historic England for development of part of our clients land, which includes 27 dwellings, a new village green and a turning facility to serve the local primary school and alleviate traffic congestion on local roads at peak (school) times</p> <p>-12-</p> <p>(a copy of which is attached for your information). This submission has also formed part of the submission to Melton Council’s recent call for sites in August</p>		
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			<p>2019.</p> <p>The unfairness of the failure to consult our client is exacerbated by the implications of the designation of their land as Local Green Space. As is made clear by paragraph 101 of the NPPF (and draft Policy ENV1), such a designation would result in our client's land being managed in accordance with Green Belt policies i.e. a strong presumption against development (only permitted in exceptional circumstances).</p> <p>The NPPG makes clear there are no hard and fast rules about how big a Local Green Space can be because places are different, and a degree of judgment will inevitably be needed. However, paragraph 100 of the National Planning Policy Framework is clear that Local Green Space designation should only be used where the green area concerned is not an extensive tract of land. Consequently, a blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, the NPPG advice is designation should not be proposed as a 'back door' way to try to achieve what would amount to a new area of Green Belt by another name (Paragraph: 015 Reference ID: 37-015-20140306).</p> <p>Draft Policy ENV1 is also contrary to the advice set out in "Neighbourhood</p>		
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			<p>Planning Local Green Space: A toolkit for neighbourhood planners”, which can be found on https://neighbourhoodplanning.org/</p> <p>On page 7 of the guide, the section headed “Planning for Local Green Space” states,</p> <p><i>“Designation of Local Green Space must be done in accordance with the criteria contained with the National Planning Policy Framework 2018...</i></p> <p><i>Good Planning requires that green infrastructure be considered in terms of its values to the local community, local environment and local economy. This can be demonstrated by providing a clear rationale and evidence for the Local Green Space designations and policies</i></p> <p><i>In addition to a robust and proportionate evidence base, it is necessary to engage with local communities and stake holders...</i></p> <p><i>Care is required to ensure that the green space policies are not being misused, for example through making designation to stop development, rather than ensure proper green space provision.”</i></p> <ul style="list-style-type: none"> • - The reasons Draft Policy ENV1 and the designation of our client's land (and the other connected 	<p>The scoring for LGS designation has been undertaken specifically with the NPPF in mind – 2019 not 2018 as suggested. This same process has been followed in over 20 NPs successfully including 6 in Melton Borough.</p>	
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				<p>landholdings for that matter) do not meet the requirements of the NPPF are set out above.</p> <ul style="list-style-type: none"> • - It is also clear that the Neighbourhood Plan fails to provide a clear rationale and evidence to justify the policy and designations around Gaddesby, in terms of its value to the local community, environment or economy. • - Curiously, insofar as the draft policy opens the door to the de-allocation of the current area of Local Green Space (the Grounds of Paske Grove ref 202), the policy similarly fails to provide a clear rationale or evidence for that either <p>-13-</p> <ul style="list-style-type: none"> • - It is evident that the Parish Council has made no attempt to contact our client, despite knowing of our plans to bring forward housing and our client's written request to be involved in the Neighbourhood Plan. • - Our client feels there is clear evidence that the Parish Council is seeking to use the Neighbourhood Plan, and particularly draft policy ENV1, to stop any further development rather than ensure proper green 	<p>This LGS is contained in the Melton Local Plan so remains a LGS.</p> <p>This is incorrect. The LGS has been considered in its own right. The expressed intention of the land owner to develop the site did not feature in the consideration.</p>	
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				<p>space provision.</p> <p>On page 14 of the guide, in the section headed “<i>Local Green Space implications:</i>”,</p> <p><i>“Where there is no green belt, it would not be appropriate to try and use Local Green Space designation to attempt to impose green belt protection of land around an urban area. This would be a misuse of the designation and would be likely to result in the neighbourhood plan running into difficulties in meeting the basic conditions at the independent examination stage.”</i></p> <p>Given the size of the area of land identified by draft Policy ENV1 as Local Green Space extending along the full length of the eastern boundary of the Gaddesby, it is clear that the Parish Council is effectively trying to introduce an area of green belt (or certainly green belt controls) by the “back door” without proper justification. There has been no attempt to explain why such an extensive tract of land (equivalent to 72.5% of the area of Gaddesby) is required or justified.</p>		
						Noted. As the site is proposed

				<p>Section 8 - Figures 5.1 & 5.2 (page 28)</p> <p>It is noteworthy that our client's land is neither a <i>site of historical environment significance</i> nor is it a <i>site of natural environment significance</i> as set out in these figures. It is also noteworthy the Grounds of Paske Grove (which is an existing allocated Local Green Space and is not supported by the Parish Council) is identified as a site of natural significance, but the Neighbourhood Plan Advisory Committee does not support it continued designation as Local Green Space.</p> <p>Section 9 - POLICY ENV 4: RIDGE AND FURROW (page 33)</p> <p>Our client's objection to this policy relates to its general effect as well as its particular relevance to their land.</p> <p>As our heritage consultant, Dr Nick Doggett, makes clear (see his attached letter), ridge and furrow earthworks on our client's land have no statutory protection. He goes further:</p> <p><i>"Ridge and furrow earthworks are plentiful in the Midlands and</i></p>	<p>for LGS, this is the appropriate designation.</p> <p>Noted. Ridge and Furrow is a rapidly diminishing resource which is why the NP seeks to protect it.</p>	
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Leicestershire is no exception. Indeed, there are several other fields on the edge of Gaddesby that have such earthworks, including the housing allocation site on the northern side of Pasture Lane.” (They now form the housing allocations Gadd2/3).

Moreover, Melton Council’s agreed position on ridge and furrow in relation to our client’s previous site allocation (referred to in section 5 above) was:

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“Conservation does not consider this to be sufficient justification alone to withdraw the allocation, as Borough of Melton has one of the largest and well-preserved remains of medieval earthworks in the country, and there are a wide number of further allocations that have been included that will involve development on such historic earthworks”

As we have set out above, we have had lengthy and detailed discussions with Historic England and they concluded that they were *“broadly content in principle with the indicative plan”* (the illustrative layout referred to earlier), including the *“Extent, which largely respects the historic agricultural landscape and land allocation systems / parcels of ridge and furrow thus*

			<p><i>preserving the character of the historic landscape, its evolution and relationship with the church”.</i></p> <p>Our client’s objection to this policy is that it fails to take account of:</p> <ul style="list-style-type: none"> • - the extent of ridge and furrow fields locally and in the wider area; • - the significance of there being no statutory protection regime in place; • - Historic England view on our client’s proposals for the development of 27 dwellings on their land; and • - Draft Policy ENV4 seeks to place a blanket protection on all the identified areas of ridge and furrow (including our client’s land), without properly investigating whether such protection is justified. <p>Our client objects to this policy as it affects their land in particular. Our client also questions whether such a policy is required given their pre-application and local plan experience of how Melton Council and Historic England deal with heritage issues. As it stands, it is a further example of how the Neighbourhood Plan is promoting policy in an effort to stifle</p>	<p>Noted. However the lack of statutory protection is no reason to remove the policy from the NP. It will afford additional protection which is important where the loss of Ridge and Furrow is becoming more and more widespread.</p> <p>Policy ENV 4 does not introduce a ‘blanket protection’ – it is a balanced policy.</p>	
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				<p>sustainable development as opposed to encouraging it, which is contrary to national and local planning policy and guidance.</p> <p>Section 10 - POLICY ENV7: PROTECTION OF IMPORTANT VIEWS (page 37), Figure 11 & Appendix 8 Important Views.</p> <p>Our client objects to draft policy ENV7; specifically, to the identified view 3 within the policy and as shown in Figure 11.</p> <p>Draft policy ENV7 seeks to protect view 3 “From Ashby Road beside field 198 at the approach into Gaddesby from Ashby and Barsby, west across a good ridge and furrow ‘parkland’ field to St Luke’s Church and the village.”</p> <p>Our client has taken considerable care, in discussion with Historic England, to establish where the important views across their land are. This relates essentially to the view from Ashby Road as it crosses over Gaddesby Brook looking back over their land up a tree-lined grassed avenue back up the hill to St Luke’s Church. There is also a secondary view of the Church from the field gate opposite the school, although this</p>	<p>Noted. The importance of the view has been identified by the community.</p>	
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				<p>gives a view of the bungalow at the top of Church Lane, behind which is St Luke's (a grade I listed church).</p> <p>-15-</p> <p>The important view is not where it is indicated in Figure 11, which seems to be pointing from Ashby Road to the rear of the houses along Church Lane (which are examples of quite recent house-types), particularly numbers 4 & 6. The way the Parish Council has drawn the view arrow 3 fails to take account of the fact that this view is obscured by trees and hedges along Ashby Road for some way and does not take account of the view of St Luke's. It also fails to take account of our client's discussions with Historic England.</p> <p>The photographs in Appendix 8 are misleading:</p> <ul style="list-style-type: none"> • - one shows a view of Ashby Road only (not across the so-called ridge and furrow parkland), although this does show the extent of the hedge and tree belt on Ashby Road frontage of our client's land, which obscures the view from Ashby Road; and • - the other is a picture taken from our client's land, inside the line of the hedge and tree belt to Ashby Road, facing up to the St 	<p>Noted. We will adjust the arrows accordingly.</p> <p>Noted. We will provide better images of the views to demonstrate their importance.</p>	
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				<p>Luke's Church and not in the direction of the arrow in Figure 11.</p> <p>More widely, as it is, draft Policy ENV7 is a further example of how the Neighbourhood Plan is drafting policy in an effort to stifle sustainable development as opposed to encouraging it, which is contrary to national and local planning policy and guidance.</p> <p>Section 11 - Appendix 4</p> <p>Our client has strong concerns about the integrity and transparency of the survey of the sites and the adopted scoring system listed in Appendix 4.</p> <p>It has proved challenging to map which sites have been surveyed across the Neighbourhood Plan area. This is important because it would give an insight into the selection process and allow us to determine whether those sites going forward for assessment were chosen in a robust, transparent and fair way.</p> <p>In addition, the adopted scoring system also lacks transparency. It appears to be partially based on some of the factors listed in NPPF</p>	<p>Noted. The policy is clear that it does not prohibit development but requires it to 'respect' and mitigate the development to take the view into account. This is shaping not stifling development.</p> <p>The process of undertaking the environmental inventory has been comprehensive and thorough. Its results are fully transparent.</p>	
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				<p>paragraph 100. In particular,</p> <ul style="list-style-type: none"> • - paragraph 100a, which requires the proposed local Green Space to be <i>reasonably close proximity to the community it serves</i>; and • - Paragraph 100b, which lists some examples of the characteristics of the proposed local Green Space that would make it <i>demonstrably special to a local community and holds particular local significance</i>". Examples cited are <i>its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife</i>). <p>However, the survey provides no assessment of whether the proposed Local Green Space is <i>"local in character and is not an extensive tract of land"</i>, as required by paragraph 100c. This is clearly a test that has to be applied i.e. it not an optional requirement. There has to be an assessment of whether the proposed area is local in character and not an extensive tract of</p> <p>-16-</p> <p>land. Without this, the assessment fails to meet the tests for assessing Local Green</p>		
					Sites that are too large would be removed – this is not a	

			<p>Space as set out in the NPPF.</p> <p>Moving on to the scoring system itself, it is a matter of considerable concern to our client that we are not able to identify the assumptions the adopted scoring system is based upon or the expertise of the surveyors who undertook the assessments.</p> <p>Whilst it may seem obvious to the Parish Council, and those members of the Neighbourhood Plan Advisory Committee whose properties adjoin site 198, what constitutes beauty or tranquillity in terms of the marks given, it is not. These matters are inherently subjective, which is why a clear and transparent scoring system is required.</p> <p>The same goes for the other factors identified as a way of assessing why prospective sites are “special to the community”. For example, the Neighbourhood Plan Advisory Committee probably does understand why it is that the curtilages of listed churches, an established and iconic village cricket ground and working farmland/ pasture fields bordering Gaddesby all achieve the same score for beauty, but we do not. Nor do we understand how the Grounds of Paske Grove (a listed Hall and an allocated Local Green Space) is given a lesser score.</p> <p>Nor does our client understand how the</p>	<p>criteria for scoring but a ‘red flag’ that would be introduced if necessary.</p> <p>NPs evidence base needs to be proportionate. Specialist knowledge is not a pre-requisite.</p> <p>It is true that these judgements involve an element of subjectivity but these are the characteristics specified in the NPPF.</p> <p>Sites were assessed on a consistent basis using the criteria identified in the NPPF. We are confident that the scores were recorded</p>	
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			<p>score given for their farmland/ pasture field relates to the low scores given for the majority of working farmland/ pasture fields assessed in the survey; in most cases, a nil score is given, but our client's field scored 3.</p> <p>We have similar concerns with the scoring for tranquillity, where all the fields and listed curtilages proposed for local green spaces around Gaddesby achieved a score of 1 or 2 (out of a maximum of 1 2), but the Grounds of Paske Grove was scored nil.</p> <p>It may be obvious that well-used parks or playing fields have a high recreational value, but it is not so clear why working farmland/pasture fields with a footpath (like our client's) would have a similar recreational value, particularly where the overwhelming majority of the other farmland/ pasture fields assessed have low value or nil. It is also noteworthy (and incomprehensibly so) that the Grounds of Paske Grove was considered to have nil value.</p> <p>Similarly, with historical value, it may seem obvious to why the Neighbourhood Plan Advisory Committee gave the curtilages of listed churches high values, but it is not so clear why the curtilage of a nearby listed hall (in the case of the Grounds of Paske Grove) has significantly less value, still less why it is the fields</p>	<p>consistently and fairly. Indeed field 198 was the first field which was assessed and formed part of our field assessment training by our consultant. She guided us on its assessment.</p>	
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			<p>identified proposed Local Green Space (including our client's land ref 198) have greater values – in fact, the same value as the curtilage of one of the listed churches. The scoring is made even more opaque when it is considered that the majority of the other working farmland pasture fields were assessed as having lower values or nil.</p> <p>We consider the scoring for the richness of wildlife to be as vague and ambiguous as the other factors. For example, most of the Local Green Space proposed allocations have the same score (for reasons that are not at all clear), except for the Community Gardens at Barsby and the Grounds of Paske Grove, which have the same lower scores. The score given to the curtilage of St Marys is the lowest and, again, there is no clear reason why this should be. The</p> <p>-17-</p> <p>is also no clear reason why the other working farmland/ pasture fields assessed almost uniformly have lower scores than the fields around Gaddesby proposed for Local Green Space.</p> <p>Lastly, the assessment includes scoring for practical accessibility and educational value. It is not clear what is meant by either category, but we note that two of the fields proposed for Local Green Space</p>		
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			<p>(including our client's ref 198) score nil on both (i.e. no practical accessibility and no educational value), whilst the most northerly one is considered to have high practical accessibility and no educational value. Again, the Grounds of Paske Grove also achieve the lowest marks – nil for both. In the context of other working farmland/ pasture fields, they are marked the same as our client's land – nil for both almost across the board.</p> <p>We have provided clear reasons for our client's misgivings about the lack of transparency in the way the sites were chosen for inclusion in the assessment, the nature of the scoring system, the expertise of the assessors and, very importantly, the probity of the scoring that would have been carried out by the Neighbourhood Plan Advisory Committee, particularly in relation to their land ref 198, and more generally in relation to all the sites. Our client is concerned that all this has served to corrupt the Parish Council's data and assessment and, therefore, the choices of sites being put forward as allocations for Local Green Space (as well as the one seemingly being offered for de-allocation – the Grounds of Paske Grove ref 202).</p> <p>Given the allocations for Local Green Space are ostensibly based upon the assessment, we agree with the assertion made by Clyde & Co, who submitted an</p>	<p>The assessments were undertaken by an Environmental Theme Group with guidance provided by a NP consultant with experience of undertaking similar approaches in over 20 Made NPs. The suggestion that the survey work needs to have been undertaken by experts is rejected.</p> <p>Paske Grove is not being de-allocated. It was a designation made by MBC and will remain as such.</p> <p>The assessments were undertaken by a consistent</p>	
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objection on behalf of our client to Policy ENV1, in that *“it is plain that the scoring system relied upon by the Parish Council does not withstand even cursory scrutiny: it is not fit for purpose and its basic failings fatally infect draft Policy ENV1.”*

Section 12 - Appendix 5

The entry for the Grounds for Paske Grove (ref 202) states that it was “not survey for inventory”. This appears to be a mistake because the land was surveyed, and the marking given appears in Appendix 4 with a score of 12.

Our client undertook their own analysis of the site in appendix 5 and their summary is attached. Of the seven sites in appendix 5, our client has incorporated the two categories from appendix 4 that are excluded in Appendix 5. Our client’s revised document clearly shows the major inconsistencies, when comparisons are drawn between the sites allocated by Melton Council in the Local Plan (Neighbourhood Plan ref 201,281,409, and 202) and the new sites (Neighbourhood Plan ref 148,197,198 and 501) being put forward in Neighbourhood Plan. This analysis also forms part of our client’s objection to draft Policy ENV1 and the allocation of their land as Local Green Space.

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group of people and moderated accordingly. An assessment of a single site by another individual is bound to generate different outcomes.

			<p>Dear Chris,</p> <p>Our ref: ND/9603 21 August 2017</p> <p>RE: Land off Church Lane and Ashby Road, Gaddesby: Proposed allocation for 30-40 houses (GADD2) in the Melton Mowbray Local Plan</p> <p>I am writing following my instruction from the Ovens family to provide them with heritage advice relating to the above, with specific reference to the objections raised by Historic England and Leicestershire County Council Archaeological Service (LCAS) to the potential allocation of the above site in Melton Borough Council's emerging Local Plan. This instruction will include giving evidence to the Local Plan Examination should this prove necessary.</p> <p>I am a heritage consultant with around 35 years' experience of working in the historic environment in both the public and private sectors. Since going into the private sector in 2002, my clients have included a number of Oxford colleges and organisations such as the Bournville Village Trust, The Ministry of Justice, the Universities of Bristol & Coventry, and independent schools such as Abingdon School (see my qualifications and experience at Annexe 1).</p> <p>My visit to the site was made on 15 August at which time I made myself</p>	<p>Noted. As the NP is not making any residential allocations, this information is irrelevant to the NP.</p>	
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			<p>familiar not only with the site itself, the church and churchyard, but also with the village of Gaddesby as a whole and the surrounding landscape.</p> <p>In her comments, Emilie Carr of Historic England states that: 'The proposed allocation GADD2 will be harmful to the significance of the Grade I Church of St Luke. The church gains significance from its historic landscape setting which to</p> <p>Chris McGough Page 2 21 August 2017 Land at Gaddesby, Leics</p> <p>its east comprises the earthwork remains of medieval and later cultivation. Both in static and kinetic (moving) views one can appreciate the evolution of the agricultural and land allocation systems which supported the parish community and their clergy. Of particular interest are the apparent phases of cultivation between straighter steam ploughed ridges and earlier horse and oxen ploughed strips. The proposed development would not only cause direct loss to earthwork remains but would also extend the impact of existing bungalow development into main views from the east side of the churchyard and gated lane. As such, the allocation is not considered to be sound in respect of heritage assets'.</p> <p>These comments are, in my opinion, wide of the mark. While I would be among the</p>		
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			<p>first to acknowledge the historic and architectural importance of St. Luke's Church, which clearly fully merits its Grade I listing (a status it has held since 1968), Ms Carr is simply incorrect when she implies that development of GADD2 would be visible 'from the east side of the churchyard'.</p> <p>In fact, GADD2, while it is visible from parts of the 'gated lane' (really a trackway) to the south of the churchyard, is not visible from any point of the churchyard. This means that in both its existing and potentially developed form GADD2 makes no contribution to the setting of the Grade I listed church as this is perceived from within its churchyard.</p> <p>As far as views from the trackway on the south side of the churchyard are concerned, it is true that GADD2 can be seen from there (as can the wider countryside beyond), but so can much of the modern development running all the way up Church Lane from Ashby Road and which now forms the immediate setting of St. Luke's Church on the main approach to its churchyard.</p> <p>Strangely however, Ms Carr makes no comment about this large area of 'standard' modern development, which (quite rightly in my view) is excluded from the Gaddesby Conservation Area, first designated in 1976. Not inappropriately,</p>		
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			<p>this modern development is also described as 'incongruous' in the Council's own Conservation Area Character Appraisal.</p> <p>Ms Carr's statement that the allocation of GADD2 for 30-40 houses would 'extend the impact of existing bungalow development into main views from the</p> <p>www.assetheritage.co.uk Wolfson College, Linton Road, Oxford, OX2 6UD T: 01865 310563</p> <p>Asset Heritage Consulting Ltd: Registration No: 07502061</p> <p>Chris McGough Page 3 21 August 2017 Land at Gaddesby, Leics</p> <p>east side of the churchyard and gated lane' is open to different interpretations. Hers is clearly that it would be harmful, but mine is otherwise. Indeed, as I point out above, GADD2 is not visible at all from the churchyard and although from the 'gated lane' it can be seen, this is in the context of much else that is visible from here, including the 'incongruous' modern development along Church Lane that the Council itself chose to exclude from the Gaddesby Conservation Area.</p> <p>With regard to Ms Carr's specific</p>		
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reference to 'existing bungalow development', this must be that off Ashby Road directly adjoining GADD2 as the majority of the dwellings on the east side of Church Lane visible from the trackway to the south of the churchyard are actually substantial houses not bungalows.

In this connection it is therefore perfectly reasonable to suggest that, although the allocation of GADD2 would 'extend the impact of (the) existing bungalow development' off Ashby Road, this would not be at the expense of the setting of the church. Furthermore, with careful attention to site layout, density and design at planning stage, extension of built development could actually help to mitigate the unfortunate 'incongruous' form and appearance of the bungalows and the nearby modern development along Church Lane.

In wider historic landscape terms too, the impact of 30-40 houses on GADD2 would be minimised by its low-lying location adjoining the bungalows off Ashby Road. This is important because, although the views of the tower and spire of St. Luke's Church on the descending approach to the village from the south-east along the dead straight section of Ashby Road, beyond the bridge over Gaddesby Brook to the point where Ashby Road meets Gaddesby Lane, are almost certainly

			<p>accidental rather than planned, these views are nevertheless striking even in summer when trees and other vegetation to some extent obscure them.</p> <p>These views would effectively be preserved if GADD2 were to be developed, as owing to its low-lying location, it falls outside the line of sight from this section of Ashby Road and would therefore not impinge upon the views obtainable on the descending approach to the village from this direction. Likewise, once the traveller from this direction is over the bridge the land is level and even the</p> <p>www.assetheritage.co.uk Wolfson College, Linton Road, Oxford, OX2 6UD T: 01865 310563</p> <p>Asset Heritage Consulting Ltd: Registration No: 07502061</p> <p>Chris McGough Page 4 21 August 2017 Land at Gaddesby, Leics</p> <p>tower and spire of St. Luke's are less prominent in views from the road than they are from the higher ground to the south-east.</p> <p>This all means that I can see no justifiable or sustainable ground for removing</p>		
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			<p>GADD2 as a housing allocation on the basis that it would have any adverse impact on the setting of St. Luke's Church as a Grade I listed building.</p> <p>Historic England's other objection (and that made by LCAS) relates to the loss of some of the earthworks associated with the medieval ridge and furrow ploughing and later (Victorian) steam ploughing systems. This is all very well, but fails to acknowledge the critical point, an error also made by LCAS, that the earthworks on GADD2 enjoy no statutory protection whatsoever.</p> <p>Ridge and furrow earthworks are plentiful in the Midlands and Leicestershire is no exception. Indeed, there are several other fields on the edge of Gaddesby that have such earthworks, including the housing allocation site on the northern side of Pasture Lane. In addition, the earthworks on GADD2 extend without a break well beyond the site's confines to the rest of the large pasture field owned by your client's family, including the portion closest to the church.</p> <p>In short, there is no legitimate reason why the District Council should regard the presence of unprotected earthworks, associated with either ridge and furrow ploughing or the later (Victorian) steam ploughing system, as a justifiable ground for not allocating GADD2 as a housing site.</p>		
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				I hope you find these observations, which I trust demonstrate that the allocation of GADD2 for housing would not cause any harm in heritage terms, helpful in the representations you will shortly be making to Melton Borough Council on the suitability of GADD2 as a housing allocation site.		
10			The Coal Authority			
11			The Environment Agency	<p>Dear John,</p> <p>Thank you for giving the Environment Agency the opportunity to comment on the Pre-Submission Gaddesby Neighbourhood Plan.</p> <p>Please can you accept this email in lieu of the on-line consultation comments form since I am having difficulty downloading and resaving the form in a format such that it can be completed.</p> <p>The Environment Agency has reviewed your Draft Neighbourhood Plan and we have no adverse comments to make.</p> <p>(My email signature provides the information you require for identification purposes as requested on your consultation form).</p> <p>Regards</p>	Noted	None

				Nick		
12			Melton Borough Council	<p>Thank you for sending the Gaddesby Neighbourhood Plan (regulation 14 version) to Melton Borough Council for comment.</p> <p>Melton Borough Council fully supports the community's initiative to produce a Neighbourhood Plan and recognises that this is a community-led process. The advice contained within this letter is intended to assist the Neighbourhood Plan Group / Parish Council in ensuring a submission version Neighbourhood Plan is developed that will withstand examination and any possible legal challenge.</p> <p>Melton Borough Council's response is based on the Regulation 14 consultation documents provided via email to Jorge Fiz Alonso on 26th August, 2019. This response is structured with regard to the basic conditions as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as applied to Neighbourhood plans by Section 38A of the Planning and Compulsory Purchase Act 2004):</p> <p>A. Whether the Plan has regard to National Planning Policy and advice; B. Whether the Plan contributes to Sustainable Development. C. Whether the Plan is in general</p>	Noted	None

			<p>conformity with the Council's own development plan; and</p> <p>D. Whether the Plan complies with various European Obligations;</p> <p>The Melton Local Plan 2011-2036 was adopted by Full Council on October 10, 2018. It sets out the Council policies for the use and development of land across the whole of the Borough. The Local Plan is the main part of the development plan for the Borough and will be given full weight by the Council in making decisions on planning applications. This also means that, as stated above, Neighbourhood Plans must be in general conformity with the strategic policies within the adopted Local Plan. Also, as specified in para 1.8.5 of the Local Plan:</p> <p>'For the purpose of testing conformity of Neighbourhood Plans with the Local Plan, all policies included in the Local Plan up to and including Chapter 8 are regarded as strategic policies. Whilst the remaining policies will be relevant for determining planning applications, they are not viewed as strategic policies for the purpose of testing Local Plan conformity.'</p> <p>These issues were subject of scrutiny and debate during the independent Examination of the Local Plan and the wording cited here follows the process of assessment and adjudication by the Inspector.</p>		
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				<p>Additionally, we recommend to the Neighbourhood Plan Group access to the Examiner's report for the Ab Kettleby Neighbourhood Plan at: https://www.meltonplan.co.uk/abkettleby as the latest Neighbourhood Plan to have a successful referendum in the Borough</p> <p>To help your understanding of our comments, we have structured our comments into themes.</p>		
	8	Neighbourhood Plan objectives. First paragraph	Moderate	[...] which deliberately mirrors that of the draft <u>adopted</u> Local Plan.	Agreed	Change to be made as indicated
	13	Community Questionnaire section	Moderate	We would recommend adding the questionnaire as an appendix, in order to be able to see to the questions and options.	The Questionnaire will be an appendix to the consultation statement.	None
	15 & 19	5.A and Affordable housing section	Important	As it is the first draft of the Neighbourhood Plan, we would recommend using the most updated version of the NPPF. In this case the sections make reference to the 2018 NPPF whilst the February 2019 revised NPPF is the most up to date version.	Agreed	Change to be made as indicated
	18	HBE1	Moderate	Could the policy be ambiguous when	We would wish to keep this	None

				using 'close' to define where new community facilities would be supported?	description. Its suitability will be considered against its function.	
19	HBE3	Moderate		For consideration only. You might want to add a bullet point that reads as: <u>Fills a gap in an otherwise built up frontage or on other sites within the Limits to Development of Gaddesby with no more than five dwellings; fills a gap in an otherwise built up frontage or on other sites within or on the edge of Barsby and Ashby Folville with no more than three dwellings.</u>	Agreed	Change to be made as indicated
19	Windfall sites – HBE3	Minor		May wish to consider adding in some type of caveat to the wording to promote best possible outcome in terms of housing mix and use of a site, there may be situations where a site might be capable slightly more than set out in the policy and having a more flexible policy might offer greater protection and better outcomes e.g. 3 or 5 larger dwellings would be an inefficient use of land and over the longer term lead to need to provide more housing across other sites in addition to not providing the best mix of housing or a mix that community do not support.	Thank you for suggesting this. We think that the policy on housing mix prevents larger dwellings being provided.	None
15	Allocated Sites	Moderate		There is an opportunity to shape these developments within the NP, suggest adding comment in line with HBE3 requirements for windfall sites	The allocated sites from the Local Plan will be expected to conform to the NP policies.	None

19	Affordable housing section	Important	The following text at the start of this section is from the previous NPPF and will need to be removed: <i>“Affordable housing is defined in the NPPF (Annex 2) as “social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market.”</i> Reference to NPPF 2018 needs updating to NPPF 19.	Agreed	Change to be made as indicated
20	HB4	Critical	<i>Policy HB 4 states “Development proposals for new housing where there is a net gain of 11 or more dwellings should provide affordable housing in line with the Local Plan requirements.”</i> This does not align with the Local Plan, which states in policy C4 that the threshold for affordable housing provision is met <i>“within housing developments on all sites of 11 or more units and/or where the floor space exceeds 1000 m²”</i> .	Agreed	Change to be made as indicated
20	Affordable housing section	Important	There is a reference to 37% affordable housing requirement instead of 40% as stated in our Local Plan (Value Area 1)	Agreed	Change to be made as indicated
21-22	HBE5	Important	It is a matter of choice in terms of how much guidance on local design is provided in the NP, however local community support for retaining rural and local character and respecting local landscape comes across very strongly in the NP priorities and this is	Noted. We did consider this but decided that we would not be prescriptive and that the policy is sufficient.	None

			<p>not supported by any significant guidance on design to support this.</p> <p>Although it is acknowledged that there is a desire in the NP for no 'one solution fits all' response to design, if no guidance is provided on local character and design, it is likely to be harder to challenge poorly designed development proposals that fail to reflect it. Additional guidance can be particularly beneficial to applicants who are looking to undertake small scale projects, such as extensions, where they are less likely to engage the services of design professionals.</p> <p>The Council is preparing a Design Supplementary Planning Document to provide more detailed guidance on good design, however good quality guidance at a very local level is likely to be best placed in NPs and beyond the scope of a borough wide guidance document, the MLP encourages NPs to identify features within settlements which contribute positively towards settlement character and design because of this.</p> <p>The NP may wish to include some examples of what local character is across the three settlements; there</p>		
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				<p>are some references to local design in section 2 (history of settlements) that could be highlighted in a paragraph of 2 of the design section of the document. Melton Borough Council also has conservation area management plans and assessments that might provide additional information in the NP or at least be useful to reference in the NP.</p> <p>In terms of what additional information is recommended, you may wish to think about what makes each settlement unique in terms of scale, massing, design, appropriate materials, landscaping, street layout and architectural detailing and how can new development acknowledge this (without dictating style or stifling innovation). This could be achieved through an appendix to the main document rather than adding more to the main NP if desired. Images can be a good means of conveying such information; I would suggest looking to Somersby's recent draft NP for examples of more detailed guidance on local design, although your NP might not wish to replicate this level of detail.</p>		
22	HBE5	Minor	It is noted that unusually for a NP there are no references to broadband	Noted. We will add in reference to electric car	Change to be made as indicated.	

				connections, electric vehicle charging points, climate change adaption, renewable energy generation, parking standards, Secure by Design (crime prevention/safety) in the design policy. This may be deliberate, this comment is simply to highlight that these issue are often included in NP design policies to ensure that they NP is aware of these issues in terms of the design of development to ensure that they have not been accidently overlooked.	charging. Broadband has separate policy	None
22	HBE6	Minor	<p>It is noted that domestic security lighting, which often has the potential to be the biggest impact locally on light pollution is not subject to planning restrictions, homeowners can simply purchase it from DIY stores. We have previously suggested a community action point to address this concern in NPs where dark skies are a local priority. This could take the form of providing guidance or advice to local people to help them select the most appropriate security lighting options (if lighting is necessary at all) and highlighting the impact of poor lighting on local wildlife.</p> <p>Overall the policy does not read clearly as it is set out, alternative wording is suggested below that</p>	Agreed.	Change to be made as indicated.	

				<p>would meet the same policy aims;</p> <p><i>Any new lighting should be well designed and the minimum required to meet its purpose. Development proposals should not increase local light pollution (excess artificial light that shines where it is not wanted or needed), therefore;</i></p> <ul style="list-style-type: none"> • <i>street lighting should be used only where and when it is needed</i> • <i>all external lighting should only shine where the light is needed and not create glare or light intrusion (and may need to be shielded to direct light downwards in order to ensure this)</i> • <i>External lighting should be designed to minimise energy use and reduce the potential to impact wildlife, including bats.</i> <p>You may wish to make reference to CPRE dark skies mapping tool to evidence dark skies area in your NP area. Please see https://www.nightblight.cpre.org.uk/take-action-about-local-light-pollution for more information.</p>		
	41	Policy C1; b)	Moderate	Recommend the removal of the word all in the following “ <i>network that will serve ## businesses and households</i> ”	Agreed	Change to be made as indicated

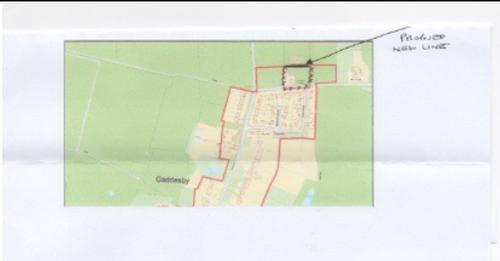
				this removal will ensure that improvements may occur that serve some parts of the Parish whereas the inclusion of “all” maybe overwhelming to some developments.		
41	Policy C1; c)	Moderate	“not be in or near to open landscapes” may be questioned to what extent and meaning of the words “near to” and how this will be quantified when it comes to planning applications. I would therefore suggest either the removal of this part of the policy or a greater quantification of the word near.	Agreed. Will replace ‘near’ with ‘to minimise potential adverse visual impact’	Change to be made as indicated.	
42	Parking	Minor	Slightly spelling mistake “patrons particularly on themed evenings such as its well frequented Wednesday evening pie night.”	Agreed	Change to be made as indicated.	
42	Parking	Important	For data protection reasons the number plates in the photos need to be blurred.	Agreed	Change to be made as indicated.	
43	Parking	Moderate	I would suggest an amendment to the opening of the paragraph “In Barsby there is a great deal of street parking in Baggrave”, upon reading this it immediately sounded as if there were plenty of spaces for street parking, therefore if you would like I would suggest changing the sentence to read “In Barsby there is a large amount of parking on the street in Baggrave End and Main Street,”	Agreed	Change to be made as indicated.	
44	Speeding	Important	For data protection reasons the	Agreed	Change to be made as	

		and Hazards		number plates in the photos need to be blurred.		indicated.
45	Policy T3: Electric Vehicles	Moderate	A good policy however the specific quantification of “7kW Cabling” may cause an issue if technical specifications and improvements are made in the electric car industry before 2024. Therefore I would suggest the wording be changed to “ appropriate electricity cabling ”.	Agreed. Will change to ‘appropriate electricity cabling, currently 7KW	Change to be made as indicated.	
46	Policy BE1	Minor	The policy itself is good and there are no issues with wording, however I would like to make you aware that apart from planning applications, permitted development rights do allow for the change of use of existing employment business without the need of planning applications these can be viewed in The Town and Country Planning (General Permitted Development) (England) Order 2015 specifically Schedule 2 Part 3 from Class M to Class Q. This information may be of interest to you just to be aware that change of use development can occur without planning applications.	Noted	None	
49	Policy BE5	Minor	Similar to the comments above I would like to make you aware that apart from planning applications, permitted development rights do allow for the change of use of existing agricultural buildings without the	Noted	None	

				<p>need of planning applications these can be viewed in The Town and Country Planning (General Permitted Development) (England) Order 2015 specifically Schedule 2 Part 3 from Class Q, R, S and then Part 6. This information may be of interest to you just to be aware that change of use development can occur without planning applications.</p>		
45	POLICY T3: ELECTRIC VEHICLES	Moderate	<p>Technology is still evolving in terms of electric vehicle charging points and in general I would advise not placing specific kwh requirements in the policy wording, as this may change in the near future.</p> <p>This policy simply generally support the provision of charging points, the NP could go further as per MLP and expect the installation of charging points or cabling to install charging points in all new dwellings (within this or your design policy)</p> <p>We have suggested in other NPs the inclusion of a NP community priority for the provision of community charging points, going beyond simply supporting the installation of such facilities. This may be useful to take advantage of any future government grant of funding to help local</p>	Noted. The policy is deemed to be sufficient.	None	

				communities to install such points (by demonstrating community support to install such facilities for the local community).		
26	Policy ENV1	Important	The Plan states that the scoring criteria used was 76% or 18/25. These figures do not seem to add up. Should this be 76% (19/25) or 72% (18/25)?	Agreed. Will amend to 75% (19/25)	Change to be made as indicated.	
26 & 27	Policy ENV1	Moderate	Sites 201 and 202 do not match up to the map on page 27. When comparing these sites to the data within appendix 4 it appears that St. Luke's churchyard should be 202 and the grounds of Paske Grove should be 201, as shown in Policy ENV1 and appendix 4. Therefore, the map on page 27 and the information within appendix 5 are incorrect. The site numbers the wrong way round.	Agreed	Change to be made as indicated.	
26 & 27	Policy ENV1	Moderate	Could sites 148, 197 and 198 be seen as an extensive tract of land? Site 501 seems to have only scored 17 points, therefore below the criteria for designation as Local Green Space.	We believe that the sites are sufficiently special locally to warrant inclusion. Similarly sized and larger sites have secured LGS designation elsewhere. Site 501 is an MBC LGS. It is below the criteria for the NP but remains as a LGS identified in the Local Plan.	None	
32	n/a	Minor	Small typos – within the second paragraph, the relevant figures are	Agreed	Change to be made as indicated.	

				referred to as 6.1 and 6.2, these should be 7.2 and 7.3.		
33	Policy ENV4	Minor		Small typo – Policy references figure 7.3 “above”, however the figure is below the Policy.	Agreed	Change to be made as indicated.
n/a	Appendix 4	Minor		Site 501 is not clear on the table – it seems to be listed between 202.0 and 203.0 on page 18 of the appendix as ‘nnn’.	Agreed	Change to be made as indicated.
n/a	Appendix 7	Minor		Points 5 & 6 appear to be missing, may just need re-numbering.	Agreed	Change to be made as indicated.
47	POLICY BE3: HOME WORKING	Minor		You may wish to consider here or in the design policy some wording to promote the inclusion of home working space/live work units in new build development (where it can be successfully integrated into the design of the dwelling from the outset)	Noted. The policy is considered to be sufficient	None
49	POLICY BE5: FARM DIVERSIFICATION	Minor		You may wish to consider adding in requirement for such development to have regard to design policies of the NP as well as	We expect all the policies of the NP to apply so will keep it as it is.	None
13				I request that you consider amending the settlement boundary line by squaring off the two adjacent areas identified for possible future development. See plan attached	Agreed.	Change to be made as indicated

						
			<p>Please see enclosed a completed comments form relating to the above consultation, on behalf of my client Charnwood Developments. We are pleased that the Plan acknowledges the allocation of my client's site in the Local Plan (GADD1), however we would suggest the allocations in the Local Plan should be identified within the Neighbourhood Plan to be consistent.</p> <p>My client has a further site which he would like to be considered for allocation in the Neighbourhood Plan, namely a small site for 8-10 dwellings, which would represent an extension to the existing allocated site. Gaddesby is a sustainable location for limited further development and a small site like this could make provision for additional housing, either as an allocation or as a reserve site in the event that the allocations do not come forward as anticipated, thus protecting the village from unplanned speculative schemes. An indicative site plan is attached with this representation.</p> <p>In addition we have a number of general comments regarding several areas of the</p>	<p>Noted. It is not considered essential to refer specifically to the allocations in the Local Plan</p> <p>Noted. Site plan received – however, the PC has decided against allocating sites for development within the NP.</p> <p>Agreed.</p>	<p>None</p> <p>None</p> <p>Change to be made as indicated.</p>	

			<p>Plan. The Plan makes reference to the 2018 NPPF, which has now been superseded by the 2019 version. The Plan should be amended to reflect this. The Plan also makes reference to the Borough Council requiring 37% affordable housing. This is incorrect and relates to the previous local Plan. The adopted Local Plan sets out varying levels of affordable housing required dependent upon the particular area. For Gaddesby this is set at 40%. Reference is also made in the Plan to a preference of clusters of 4 affordable dwellings. Given the small size of the allocations in Gaddesby and therefore small numbers of affordable housing required (in respect of GADD1 it would be 6), it is unlikely to be able to split the affordable housing into more than one cluster.</p> <p>I hope you find these comments constructive. My client would be happy to discuss this further with you if you deem appropriate.</p>	<p>Agreed</p> <p>Noted</p>	<p>Change to be made as indicated.</p> <p>None</p>
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