

Melton Borough Council – Regulation 16 Response Form

Please use this form to submit your comments for the Neighbourhood Plan and return the form to: planningpolicy@melton.gov.uk.

For each representation, please use a separate form and mark clearly which document and part your representation relates to.

PART A: About you & Examination

1. What is your name?
2. What is your email?
3. Please enter your address

4. Are you a resident of the area that this Neighbourhood Plan relates?
(please tick Yes/No)

Yes ☐

No ☒

5. If you answered 'No' above, please select from the appropriate option below
(tick or mark 'Yes' for all that apply)

An Agent

☒

Developer

☒

Landowner

☐

Stakeholder

☐

Consultee

☐

Other

☐

If you have selected any of the above, please give additional information here,
including who you represent:

Representations made on behalf of Davidsons Developments Limited in relation
to Clawson, Hose and Harby Neighbourhood Plan

PART B: Representation Form 1

1. Please indicate which part of the submitted Neighbourhood Plan or supporting documents this representation relates

Which document does this relate to (e.g. submission plan, policy map)

Clawson, Hose and Harby Neighbourhood Plan – Submission Plan

Page Number (if applicable)

23

Paragraph/policy (if applicable)

Policy H1 – Housing Provision

2. Do you believe that this policy/section of the Neighbourhood Plan:

	Yes	No	Unsure
Meets European Obligations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has regard to national Planning polices	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is in general conformity with the Strategic policies of the Local Plan/is compatible with adjoining Neighbourhood Plans	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Contributes to the achievement of sustainable development Do you?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Support this policy/part of the plan	Support this policy/part of the plan subject to modifications	Object to this policy/part of the plan	Neither support or object to this policy/part of the plan
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please provide your comments here:

PART B: REP 1 - Comments

Policy H1 indicates that the target housing provision for the parish will be a minimum of 161 dwellings over the period 2016-2036. Reference is made to the release of Reserve Sites only if a higher residual requirement is identified when the Melton Local Plan is adopted.

The reasoned justification explains that the Plan uses the requirements of the Leicester and Leicestershire Housing and Economic Development Needs Assessment.

It is considered that this approach is not in general conformity with strategic policies of the local plan and fails to contribute to the achievement of sustainable development. The plan does not therefore meet the basis conditions.

The Borough Council has recently published Focused Changes to the submission draft version of the Local Plan. The Focused Changes do not propose any changes to the submission version of the plan in relation to the housing land requirement. The Council's Focused Change FC1.1 clearly sets out the reasons why the proposed housing requirement for the Borough should remain unchanged at 'at least' 245 dwellings a year.

Reports commissioned by the Council, including the Towards a Housing Requirement For Melton report, January 2017 and Addendum, July 2017, set out the clear economic and social benefits of delivering housing provision above the objectively assessed housing need (OAN). These benefits include;

- positively supporting sustainable growth in the Borough's economy and aligning with the evidence in the Employment land study – requiring between 230 and 274 dwellings per annum;
- boosting significantly the supply of housing, with positive impacts in terms of both improving overall housing affordability and meeting the need for affordable homes in the Borough.

There is no justification therefore for the Neighbourhood Plan to seek to plan on the basis of a lower level of provision compared with the Submission Draft Local Plan.

Please suggest any amendments here:

PART B: REP 1 - Suggestions

Policy H1 should be amended to refer to a minimum target of 254 dwellings over the plan period.

PART B: Representation Form 2

1. Please indicate which part of the submitted Neighbourhood Plan or supporting documents this representation relates

Which document does this relate to (e.g. submission plan, policy map)

Clawson, Hose and Harby Neighbourhood Plan – Submission Plan

Page Number (if applicable)

24-29

Paragraph/policy (if applicable)

Policy H2 – Housing Allocations

2. Do you believe that this policy/section of the Neighbourhood Plan:

	Yes	No	Unsure
Meets European Obligations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has regard to national Planning policies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is in general conformity with the Strategic policies of the Local Plan/is compatible with adjoining Neighbourhood Plans	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Contributes to the achievement of sustainable development Do you?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Support this
policy/part of the
plan

☐

Support this
policy/part of the
plan subject to
modifications

☐

Object to this
policy/part of the
plan

☒

Neither support
or object to this
policy/part of the
plan

☐

Please provide your comments here:

PART B: REP 2 - Comments

Policy H2 identifies a number of sites for allocation across the three villages, with proposed allocations shown in Table 3 and Reserve Sites in Table 4. For Long Clawson, the Neighbourhood Plan proposes the allocation of three sites:

NPLONG1 – Land at Melton Road for 10 dwellings;

NPLONG3 – Birleys Garage, Waltham Lane for 45 dwellings;

NPLONG6 – Hickling Lane/Broughton Lane for 32 dwellings.

A reserve site is identified at Canal Farm (NPLONG5) for up to 40 dwellings.

The Neighbourhood Plan does not propose the allocation of land at Sandpit Lane (LONG 4) which is proposed for allocation in the Submission Draft Local Plan. At page 31, the Neighbourhood Plan outlines the reasons why the land at Sandpit Lane is not proposed for allocation. Reference is made to community objections, potential flooding issues, impact on heritage interests, risk to the water supply of Manor Farmhouse fish pond and the importance of the land as an important open area.

Paragraph 1 at page 31 refers to supporting evidence, Long Clawson Site Selection. This assesses sites based on a scoring exercise set out in the Potential Housing Development Sites Assessment Framework, along with a consideration of local responses to submitted planning applications and through the Neighbourhood Plan consultation process.

Having reviewed the Development Site Assessment Framework, it is considered that the methodology and approach and conclusions are fundamentally flawed and inconsistent and do not provide a sufficiently robust basis for the assessment of sites for inclusion in the Neighbourhood Plan. The assessment presents a highly subjective analysis that is not informed by the available evidence including technical submissions made as part of the planning application for the land at Sandpit Lane (application reference 16/00032/OUT).

In terms of the assessment of the land at Sandpit Lane, we would make the following comments.

Site capacity – the assessment methodology applies a red score to any developments over 20 dwellings. This approach automatically assumes a larger development is less acceptable. There is no justification to automatically assume that a development of over 20 dwellings would be more harmful. This criterion should be deleted;

Adjoining uses – the Sandpit Lane site adjoins existing built development along Sandpit Lane which provides an existing southern extension to the linear form of the settlement. The masterplan proposals submitted as part of the planning application demonstrate that the development on the site would relate well to the existing settlement form. The Neighbourhood Plan Assessment is inconsistent in

scoring the land at the corner of Broughton Lane and Hickling Lane 'green' and the Sandpit Lane site 'red';

Landscape Quality – the summary assessment is not supported by a detailed analysis of the potential landscape impacts of the development. As part of the supporting submissions for the planning application, a Landscape and Visual Appraisal was undertaken by Golby + Luck, Landscape Architects. The assessment was undertaken in accordance with the Guidelines for Landscape and Visual Impact Assessment, Third Edition (2013) published by the Landscape Institute and Institute of Environmental Management and Assessment. This appraisal concluded that beyond the immediate site level, with the adoption of appropriate mitigation measures, the development would be unlikely to result in any long term adverse effect to the character and appearance of the settlement and adjoining countryside. The masterplan proposals for the site show how existing views along Sandpit Lane and through the site can be retained as part of any development.

Relationship with Existing Pattern of Built Development – The assessment criterion considers the extent to which sites can be viewed from existing properties. The loss of a view is not a material planning consideration and should not be used as a basis for assessing site impacts. The masterplan proposals for the site have been informed by a detailed landscape and visual appraisal which concludes that the development can be accommodated without unacceptable impacts on the wider landscape.

Local Wildlife Considerations – The assessment applies very generalised conclusions in relation to the potential impact of the development on local wildlife. There is no evidence of any detailed ecological assessment of the site having been undertaken to support the conclusions. As part of the supporting documents for the planning application, an Ecological Assessment along with Great Crested Newt and Reptile Surveys were undertaken. The findings of these surveys demonstrate that the proposed development would not unduly impact on ecology and that appropriate mitigation measures for Great Crested Newts can be incorporated as part of the proposals.

Listed Building or important built assets, Conservation Area, Ancient Monuments or archaeological remains – The Neighbourhood Plan assessment scores the site negatively in terms of its perceived impact on heritage resources. Again, there is no evidence of any detailed heritage impact assessment having been undertaken to support the conclusions reached.

For the planning application, a detailed heritage assessment, archaeological assessment and geophysical surveys were undertaken. These assessments concluded that the development of the site would result in less than substantial harm to the identified heritage assets. In accordance with paragraph 134 of the NPPF, the benefits of the development of the site for housing outweigh this less than substantial harm.

Pedestrian and vehicular access and traffic impact – The assessment for the Neighbourhood Plan raises concerns about traffic impacts of the development on Back Lane. These conclusions are not supported by any robust assessment of traffic impacts. The evidence that is available from the Transport Assessment

undertaken to support the planning application demonstrates that the traffic generated from the development can be satisfactorily accommodated on the local highway network. In response to the application the Highway Authority raised no objections to the proposals. The site connects to existing footpaths on Sandpit Lane that provide access to the village centre.

Flooding and Drainage – The Neighbourhood Plan assessment points to concerns over flooding and drainage. There is again no clear evidence provided to support the conclusions of the assessment. The Flood Risk Assessment undertaken to support the planning application for the site identifies the site as falling within Flood Zone 1. Other than some low level surface water flooding there are no historical records of significant flood events from fluvial pathways or sources in the vicinity of the site. Subject to appropriate conditions there are no objections to the development of the site from either the Environment Agency or the Lead Local Flood Authority. Further evidence submitted as part of the planning application has demonstrated that the proposals for the management of surface water on the site will not affect the water supply to the Manor House Fishpond.

In summary, the approach to the assessment of sites as set out in the Potential Housing Sites, Assessment Framework is insufficiently robust to form the basis for the identification of sites for the Neighbourhood Plan. The assessment of the land at Sandpit Lane is based on a number of suppositions not supported by the available evidence. The assessment has failed to take proper account of the findings of the various technical reports prepared to support the planning application for the site.

The appraisal of sites undertaken for the Neighbourhood plan also places excessive weight on local resident responses to the proposals and fails to properly consider the relative planning merits of the alternative sites.

It is our submission that the Neighbourhood Plan's approach to the proposed allocations has resulted in a strategy that does not present the most sustainable development solution for the village. In rejecting the Sandpit Lane site (despite its allocation in the Submission Draft Local Plan), the assessment has failed to properly consider the available evidence submitted as part of the planning application for the development of the site (ref 16/00032/OUT).

Having considered representations on the Submission Draft Local Plan, Melton Borough Council has recently confirmed the allocation of the land at Sandpit Lane in its Focused Changes.

The suggestion that the site merits designation as an important open space is dealt with in separate submissions.

The Neighbourhood Plan strategy is to allocate two sites on the very western edge of the village (one with planning permission) and a further site and reserve site on the easternmost edge of the village.

Table 1 below provides an analysis of the sustainability credentials of the proposed allocations when compared with the land at Sandpit Lane. The green notation indicates the site(s) closest to the facilities and the red the site(s) furthest away.

This demonstrates that the land at Sandpit Lane represents the most sustainable site in terms of access to local services and facilities. A copy of the Services and Facilities plan submitted as part of the planning application is included at Appendix 1.

Table 1: Site Sustainability Analysis

	Sandpit Lane	NP Long 1	NP Long 3	NP Long 6	NP Long 5
Long Clawson C of E Primary School	0.3 miles	0.7 miles	0.5 miles	0.6 miles	0.6 miles
Long Clawson Medical Practice	0.4 miles	0.8 miles	0.4 miles	0.7 miles	0.4 miles
Centre of the Village	0.4 miles	0.8 miles	0.4 miles	0.8 miles	0.4 miles
Village Hall	0.2 miles	0.6 miles	0.6 miles	0.5 miles	0.6 miles
Village Shops	0.4 miles	0.8 miles	0.4 miles	0.7 miles	0.4 miles
Employment Long Clawson Dairy	0.4 miles	0.2 miles	1 mile	0.2 miles	1 mile

The strategy set out in the Neighbourhood Plan fails to satisfy the basic conditions as it does not contribute to the achievement of sustainable development. The approach to site selection is fundamentally flawed and does not provide a sufficiently robust approach to the identification of preferred sites.

The strategy should be amended to include the land at Sandpit Lane as an allocation. Davidsons has confirmed its willingness to make both the additional education contributions recently requested and provide some 37.5% affordable housing – above the Borough Council's target. The outline planning application has demonstrated the suitability and deliverability of the site for residential development and it should be included as an allocation in the Neighbourhood Plan in accordance with Melton Borough Council's Draft Local Plan proposals.

Please suggest any amendments here:

PART B: REP 2 - Suggestions

Policy H2 should be amended to include the land at Sandpit Lane as an allocation to provide 55 dwellings.

PART B: Representation Form 3

1. Please indicate which part of the submitted Neighbourhood Plan or supporting documents this representation relates

Which document does this relate to (e.g. submission plan, policy map)

Clawson, Hose and Harby Neighbourhood Plan – Submission Plan

Page Number (if applicable)

37

Paragraph/policy (if applicable)

Policy H5: Housing Mix

2. Do you believe that this policy/section of the Neighbourhood Plan:

	Yes	No	Unsure
Meets European Obligations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has regard to national Planning polices	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is in general conformity with the Strategic policies of the Local Plan/is compatible with adjoining Neighbourhood Plans	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Contributes to the achievement of sustainable development Do you?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Support this
policy/part of the
plan

☐

Support this
policy/part of the
plan subject to
modifications

☐

Object to this
policy/part of the
plan

☒

Neither support
or object to this
policy/part of the
plan

☐

Please provide your comments here:

PART B: REP 3 - Comments

Policy H5 sets out the proposed approach to securing an appropriate mix of housing on sites. The Submission Draft Local Plan includes a policy on housing mix. The suggested policy for inclusion in the Neighbourhood plan does not add to this policy and should therefore be deleted. The Submission Draft Plan policy recognises the need for flexibility in the application of policies on housing mix, taking account of relevant site specific circumstances including viability.

Please suggest any amendments here:

PART B: REP 3 - Suggestions

Policy H2 should be deleted as it duplicates Policy C2 of the Submission Draft Local Plan.

PART B: Representation Form 4

1. Please indicate which part of the submitted Neighbourhood Plan or supporting documents this representation relates

Which document does this relate to (e.g. submission plan, policy map)

Clawson, Hose and Harby Neighbourhood Plan – Submission Plan

Page Number (if applicable)

46

Paragraph/policy (if applicable)

Policy ENV1 – Local Green Space

2. Do you believe that this policy/section of the Neighbourhood Plan:

	Yes	No	Unsure
Meets European Obligations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has regard to national Planning polices	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is in general conformity with the Strategic policies of the Local Plan/is compatible with adjoining Neighbourhood Plans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contributes to the achievement of sustainable development Do you?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Support this
policy/part of the
plan**



**Support this
policy/part of the
plan subject to
modifications**



**Object to this
policy/part of the
plan**



**Neither support
or object to this
policy/part of the
plan**



Please provide your comments here:

PART B: REP4 - Comments

Policy ENV1 identifies a number of areas of land proposed for designation as Local Green Space, based on an assessment undertaken in November 2016. This confirms that the land at Sandpit Lane does not qualify as a Local Green Space. The decision not to propose the designation of the land at Sandpit Lane as a Local Green Space is supported. The land clearly does not meet the criteria for designation as set out in the NPPF.

Please suggest any amendments here:

PART B: REP 4 - Suggestions

None.

PART B: Representation Form 5

1. Please indicate which part of the submitted Neighbourhood Plan or supporting documents this representation relates

Which document does this relate to (e.g. submission plan, policy map)

Clawson, Hose and Harby Neighbourhood Plan – Submission Plan

Page Number (if applicable)

50-51

Paragraph/policy (if applicable)

Policy ENV2 – Other Sites of Environmental (Natural and Historical) Significance

2. Do you believe that this policy/section of the Neighbourhood Plan:

	Yes	No	Unsure
Meets European Obligations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has regard to national Planning polices	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is in general conformity with the Strategic policies of the Local Plan/is compatible with adjoining Neighbourhood Plans	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Contributes to the achievement of sustainable development Do you?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Support this
policy/part of the
plan**

☐

**Support this
policy/part of the
plan subject to
modifications**

☐

**Object to this
policy/part of the
plan**

☒

**Neither support
or object to this
policy/part of the
plan**

☐

Please provide your comments here:

PART B: REP 5 - Comments

Policy ENV2 seeks to apply a further safeguarding policy on sites considered to be of 'environmental significance'. The policy suggests that the sites have been identified as having local significance for wildlife and/or history.

The Policy refers to the Supporting Evidence CHH NP Inventory for Sites as the basis for the assessment. The land at Sandpit Lane is assessed under site reference MH09. There is no clear evidence presented to justify the conclusions that the site is of wildlife or historical importance. The assessment is insufficiently robust to form the basis of the proposed designation. As indicated above, evidence submitted to support the planning application for the site included ecological and heritage assessments of the site. These demonstrated that the site had limited ecological interest and that the relationship of the site to adjoining heritage interests could be addressed through appropriate masterplanning of the site to safeguard the setting of the listed Manor House.

It is therefore not considered that the land at Sandpit Lane merits the proposed designation as an 'other site of environmental significance'. The masterplan proposals for the site submitted as part of the outline planning application ensure that the adjoining heritage interests to the north of the site are appropriately safeguarded by the retention of an area of open land on the northern site boundary.

There is therefore no justification for inclusion of the land for safeguarding under this policy.

The Neighbourhood Plan variously proposes the designation and protection of Local Green Spaces (Policy ENV1), Other Sites of Environmental Significance (Policy ENV2), Important Open Areas (Community Action ENV1) and Ridge and Furrow (Community Action ENV3). This approach to the designation of a multiplicity of land safeguarding policies is unnecessarily complex and overly restrictive. It is an approach that is not supported by the NPPF.

The NPPF refers to the identification of Local Green Space and sets out clear and limiting criteria for the types of spaces that could qualify for designation. The Submission Draft Neighbourhood Plan concludes that only a limited number of sites would merit safeguarding as Local Green Space, but then seeks to safeguard those sites that do not merit safeguarding as a Local Green Space through other designations. There is no national planning policy basis for the application for this multiplicity of safeguarding designations. This approach is unacceptable and these additional safeguarding policies should be deleted.

Please suggest any amendments here:

PART B: REP 5 - Suggestions

Delete Policy ENV2.

PART B: Representation Form 6

1. Please indicate which part of the submitted Neighbourhood Plan or supporting documents this representation relates

Which document does this relate to (e.g. submission plan, policy map)

Clawson, Hose and Harby Neighbourhood Plan – Submission Plan

Page Number (if applicable)

53-54

Paragraph/policy (if applicable)

Community Action ENV1: Important Open Areas

2. Do you believe that this policy/section of the Neighbourhood Plan:

	Yes	No	Unsure
Meets European Obligations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has regard to national Planning polices	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is in general conformity with the Strategic policies of the Local Plan/is compatible with adjoining Neighbourhood Plans	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Contributes to the achievement of sustainable development Do you?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Support this
policy/part of the
plan

☐

Support this
policy/part of the
plan subject to
modifications

☐

Object to this
policy/part of the
plan

☒

Neither support
or object to this
policy/part of the
plan

☐

Please provide your comments here:

PART B: REP 6 - Comments

Community Action Policy ENV1 advises that the Parish Council will actively work with the Borough Council to secure the protection of the locations and features of a number of listed sites, including the land at Sandpit Lane. The Policy again makes reference to the Supporting Evidence CHH NP Inventory.

There is no justification for the Neighbourhood Plan to seek to apply a multiplicity of land safeguarding designations to sites such as the land at Sandpit Lane that clearly do not merit designation as Local Green Space in accordance with the guidance set out in the NPPF.

The land at Sandpit Lane does not merit designation as a Local Green Space and this is confirmed in the Neighbourhood Plan. There is no justification for the proposed designation of the land under Policy ENV2 as an Other Site of Environmental Significance or under Community Action Policy ENV1 as an Important Open Area. The Policy should be deleted.

Please suggest any amendments here:

PART B: REP 6 - Suggestions

Delete Community Action Policy ENV1.

PART B: Representation Form 7

1. Please indicate which part of the submitted Neighbourhood Plan or supporting documents this representation relates

Which document does this relate to (e.g. submission plan, policy map)

Clawson, Hose and Harby Neighbourhood Plan – Submission Plan

Page Number (if applicable)

61-62

Paragraph/policy (if applicable)

ENV7- Protection of Great Crested Newts and Their Habitats

2. Do you believe that this policy/section of the Neighbourhood Plan:

	Yes	No	Unsure
Meets European Obligations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has regard to national Planning polices	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is in general conformity with the Strategic policies of the Local Plan/is compatible with adjoining Neighbourhood Plans	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Contributes to the achievement of sustainable development Do you?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Support this policy/part of the plan	Support this policy/part of the plan subject to modifications	Object to this policy/part of the plan	Neither support or object to this policy/part of the plan
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please provide your comments here:

PART B: REP 7 - Comments

Policy ENV7 seeks to safeguard Great Crested Newts and their habitats. The justification for the policy is that it is intended to supplement legislative protection and encourage a greater level of enhancement measures to ensure that the local population thrives.

As worded the policy implies that all developments of 5 dwellings or more will be required to provide additional enhancement measures for Great Crested Newts. This is not justified and the policy wording should be amended to refer to the encouragement of additional enhancement measures where appropriate.

For the land at Sandpit Lane, the planning application included a Great Crested Newt Survey undertaken by Middlemarch Environmental. The findings of this survey informed the masterplan proposals incorporating a buffer area on the northern part of the site that could provide for appropriate habitat mitigation as necessary. Subject to these mitigation measures, the County Council Ecologist raised no objections to the application.

The Neighbourhood Plan makes reference to the Great Crested Newt Appraisal by Aron E and Cooper A, 2016. At page 16 there is the suggestion that there is a connection between ponds west of Church Lane, north of the village and Manor Farmhouse Fishpond. As the report by Middlemarch Environmental concludes, these ponds are separated from the site by residential development and local roads and therefore the newt populations in these ponds are more likely to use suitable terrestrial habitats and ponds located to the north rather than commuting south towards the site.

Please suggest any amendments here:

PART B: REP 7 - Suggestions

Amend Policy ENV/7 to refer to the encouragement of additional enhancement measures where appropriate.

PART B: Representation Form 8

1. Please indicate which part of the submitted Neighbourhood Plan or supporting documents this representation relates

Which document does this relate to (e.g. submission plan, policy map)

Clawson, Hose and Harby Neighbourhood Plan – Submission Plan

Page Number (if applicable)

64-65

Paragraph/policy (if applicable)

Policy ENV8- Protection of Important Views

2. Do you believe that this policy/section of the Neighbourhood Plan:

	Yes	No	Unsure
Meets European Obligations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has regard to national Planning polices	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is in general conformity with the Strategic policies of the Local Plan/is compatible with adjoining Neighbourhood Plans	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Contributes to the achievement of sustainable development	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do you?			
Support this policy/part of the plan	Support this policy/part of the plan subject to modifications	Object to this policy/part of the plan	Neither support or object to this policy/part of the plan
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please provide your comments here:

PART B: REP 8- Comments

Policy ENV8 seeks to resist development that would impact adversely on locally important and valued views. One view referred to is View 15 from Back Lane and Sandpit Lane. Appendix 2 provides some information on the important views proposed for safeguarding.

For view 15 the Appendix suggests the view is fully accessible from public rights of way and highways. The accompanying photograph is however taken from private land where there is no public access. There is no record of any request from the Neighbourhood Plan Group or its consultants your locale to the landowner to obtain access to the land. The included photo is not representative of the views available from public vantage points to the south of the village.

In support of the planning application for the land at Sandpit Lane, a Landscape and Visual Appraisal was undertaken by Golby + Luck Landscape Architects. This detailed assessment concluded that the development of the site would be not result in any adverse effects on the wider character of the site. A number of mitigation measures were recommended and have been included in the masterplan proposals for the site, including the retention of a vista through the site to St Remigius Church.

The supporting evidence included at Appendix 2 including a photograph taken from private land without consent is unrepresentative of the views available from publicly accessible vantage points. It does not provide sufficiently robust evidence of the nature and importance of Viewpoint 15. In contrast, detailed evidence submitted in support of the planning application by qualified Landscape Architects, demonstrates that development could take place on the land at Sandpit Lane without harming the wider views from the south of the village. This shows that views from public vantage points include the existing urban influences from existing properties along Sandpit Lane and the modern property on the northern site boundary.

The plan should be amended to remove Viewpoint 15 from Environment Fig 10 and Appendix 2.

Please suggest any amendments here:

PART B: REP 8 - Suggestions

Amend Environment Fig 10 and Appendix 2 to remove reference to Viewpoint 15.

PART B: Representation Form 9

1. Please indicate which part of the submitted Neighbourhood Plan or supporting documents this representation relates

Which document does this relate to (e.g. submission plan, policy map)

Clawson, Hose and Harby Neighbourhood Plan – Submission Plan

Page Number (if applicable)

74-75

Paragraph/policy (if applicable)

Policy CF3- Schools

2. Do you believe that this policy/section of the Neighbourhood Plan:

	Yes	No	Unsure
Meets European Obligations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has regard to national Planning polices	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is in general conformity with the Strategic policies of the Local Plan/is compatible with adjoining Neighbourhood Plans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contributes to the achievement of sustainable development	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do you?			
Support this policy/part of the plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Support this policy/part of the plan subject to modifications	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Object to this policy/part of the plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neither support or object to this policy/part of the plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please provide your comments here:

PART B: REP 9 - Comments

Policy CF3 Schools sets out the requirements for contributions from developments towards improved school provision where necessary. On behalf of Davidsons Developments, Pegasus made representations on the Policy at the Regulation 14 consultation stage. The original policy wording implied that bussing of children to nearby schools as an interim measure was not acceptable. Whilst this wording has been deleted from the policy, the supporting justification still refers to possible issues of social integration associated with children being bussed to other schools.

The County Council as Education Authority has a statutory duty to make appropriate provision for additional school places generated by proposed new development. Improvements to existing facilities will only be achieved through the allocation of sites and securing appropriate contributions to improve existing facilities.

The provision of additional school places can involve the improvement of facilities at Long Clawson Primary School or interim provision in nearby schools whilst improvements take place. In rural areas the bussing of children to schools is a common occurrence. There is no evidence to demonstrate that bussing of children has any negative impacts on social integration. On the contrary, travelling to school by bus can have positive effects in children developing social networks.

Proposals have been developed by Leicestershire County Council in conjunction with the Long Clawson Primary School Board of Governors for improvements to the primary school to accommodate additional development in the village. For the land at Sandpit Lane, Davidsons is willing to make the requested contributions towards improvements to the school and school transport in the interim.

The Neighbourhood Plan should take a positive and proactive approach to longer term education requirements in the village and identify land adjacent to Long Clawson Village Hall as a suitable site for a replacement school.

The plan should be amended to remove the reference in the text to perceived negative impacts of bussing children and should allocate land adjoining the Village Hall for a replacement primary school facility.

Please suggest any amendments here:

PART B: REP 9 - Suggestions

Amend plan to remove the reference in the text to perceived negative impacts of bussing children and should allocate land adjoining the Village Hall for a replacement primary school facility.

PART B: Representation Form 10

1. Please indicate which part of the submitted Neighbourhood Plan or supporting documents this representation relates

Which document does this relate to (e.g. submission plan, policy map)

Clawson, Hose and Harby Neighbourhood Plan – Submission Plan

Page Number (if applicable)

88

Paragraph/policy (if applicable)

Policy DC1- Developer Contributions

2. Do you believe that this policy/section of the Neighbourhood Plan:

	Yes	No	Unsure
Meets European Obligations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has regard to national Planning polices	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is in general conformity with the Strategic policies of the Local Plan/is compatible with adjoining Neighbourhood Plans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contributes to the achievement of sustainable development Do you?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Support this
policy/part of the
plan

☐

Support this
policy/part of the
plan subject to
modifications

☐

Object to this
policy/part of the
plan

☒

Neither support
or object to this
policy/part of the
plan

☐

Please provide your comments here:

PART B: REP 10 - Comments

Policy DC1 indicates that contributions will be sought, either through planning obligations or CIL charge for the provision of new physical, social and green infrastructure. The policy includes a list of the types of infrastructure required to support new development.

The National Planning Policy Framework (NPPF), paragraphs 203-205 advises that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Paragraph 204 confirms that planning obligations should only be sought where they are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development. Paragraph 205 emphasises the need for local planning authorities to be sufficiently flexible to prevent planned development being stalled.

The National Planning Practice Guidance (NPPG) provides further guidance on CIL. It advises that the neighbourhood portion of CIL can be used to fund local priorities, being spent on supporting the development of the area. Parish Council's should consider publishing their priorities, highlighting those that align with the charging authority.

As currently framed, Policy DC1 confuses the contributions from development that could legitimately be secured through planning obligations with the local priorities that could potentially be funded through the neighbourhood portion of CIL.

In terms of any planning obligations, for any specific development proposal, any contributions would need to meet the relevant tests as set out in the NPPF. This will be matter for negotiation in relation to specific planning applications. It is not appropriate for the policy to identify a general list of infrastructure required to support new development to be secured by way of planning obligations.

The NPPG advises that parish councils can consider publishing their local priorities for the neighbourhood portion of CIL. It would more appropriate that the list of infrastructure be removed from the policy wording and included in the text, making it clear that these are local priorities to be funded through the neighbourhood portion of CIL. In terms of the list of local priorities, given the identified issues in relation to the need for improved education facilities in the village, it is considered that the list of infrastructure to be funded through the neighbourhood portion should include contributions towards improvements to Long Clawson primary school.

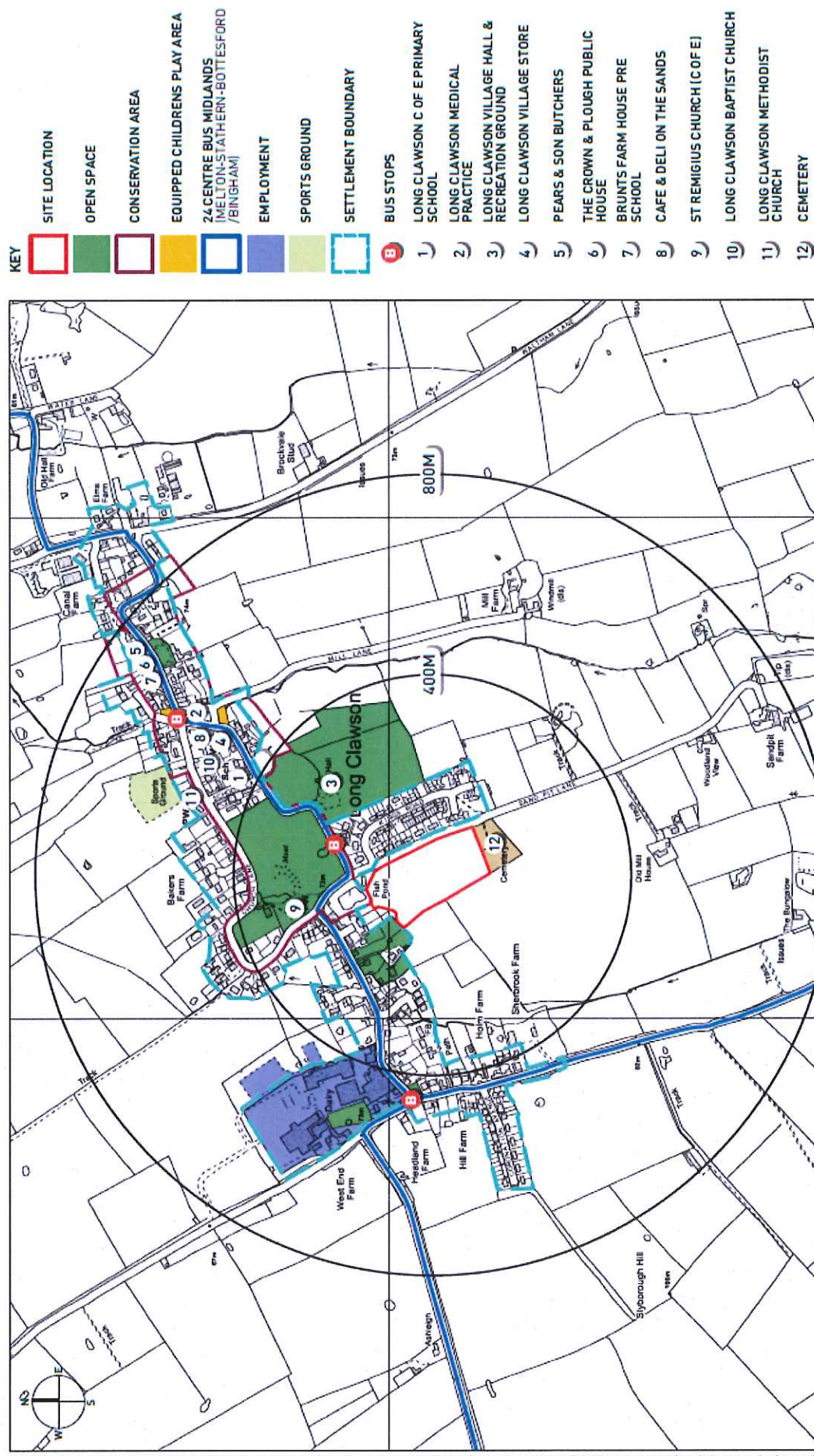
Please suggest any amendments here:

PART B: REP 10 - Suggestions

The policy should be amended to remove the list of infrastructure and include it within the text to the policy, making it clear that this relates to local priorities for the neighbourhood portion of CIL and not for any contributions to be secured through planning obligations. The latter will need to be negotiated on a site by site basis and satisfy the relevant tests.

The list of local priorities to be secured through the neighbourhood portion of CIL should also include improvements to Long Clawson Primary School.

Appendix 1: Services and Facilities Plan (Representation on Policy H2).



LAND AT SAND PIT LANE, LONG CLAWSON - FACILITIES & SERVICES PLAN

