

Dear Mr Kemp,

I previously suggested that Water Lane in Frisby was a poor allocation choice because I thought the council should have taken a sequential approach to the flood risks present on that site, and suggested housing instead on alternative available sites. The main and obvious choice would be the extension to the Great Lane site which was supported by 85% of the village in the preparation of our Neighbourhood Plan.

Since then our Neighbourhood plan has come through examination and the examiner has rejected the village choice of an extension to Great Lane (FRIS1) on the grounds of Landscape Sensitivity and has suggested we accept his proposal that we accept the site proposed by the Water Lane developer ,outside and west of the allocation site (FRIS2). I see that Mary Travis has been made aware of the examiner's report and feels the acceptance of this could lead to an alignment of the NP and LP allocation sites for Frisby.

Looking at the NP examiners decision making and looking at the evidence base of the emerging Local Plan his decision is not supported by the evidence.

In his rejection of our Great Lane extension site, which we know is easily capable of delivering 22 to 30 houses from the involved developer, the examiner says:-

'I do have reservations about the neighbourhood plan's proposals to extend the Great Lane site, into a second phase. Whilst an extension to a consented site, I have concerns that this extra development will be a further incursion of development into the countryside, extending the built-up area of the village, to the south east and is in a location which could be particularly intrusive in landscape terms from long distance views across the Wreake Valley.'

The evidence base for MBC's Landscape Sensitivity assessment comes from **'The Influence Study**, commissioned in 2015 in which all of the Borough's villages were assessed. Fringe areas related to the village were all assessed and given a rating at one of 3 levels from LCZ1 to LCZ3, where 1 is the most sensitive and 3 is the least sensitive.

The Great lane site and its extension lie in an area rated LCZ3, least sensitive, and Water lane lies in an area rated LCZ2, intermediate sensitive. The Great lane extension site would intrude about 40-50m into the countryside. The Water Lane site would intrude 200m into the countryside. Landscape sensitivity is the only reason the examiner makes for his preference for Water Lane.

I think anyone faced with those facts would regard his decision as illogical and thus unsound.

Furthermore, in the emerging Local Plan, in the evidence base under focussed changes MBC provide 'An update to site assessments in Rural Hubs'. I have provided a link to this for ease of access.

https://docs.wixstatic.com/ugd/d246bd_cdf9e8d652ff43739f984caf9b79529d.pdf

On pages 88 to 103 you will see the SHLAA assessment for FRIS2 which points out the following

Gross Site Area 0.89ha (Original SHLAA submission had a site area of 3.33ha however western part of site removed to limit the impact on the character of the settlement)

Landscape designation The site was not assessed in the settlement fringe landscape sensitivity analysis, and the development of this site is not considered to have an adverse impact upon the appearance of the settlement edge. However site lies in LCZ2 where “a medium to high overall landscape sensitivity, due primarily to the open visual character and the degree of intervisibility, the character of which would be vulnerable to change in light of residential development.”

Visual Impact the original site area submitted in the SHLAA process was a larger site extending further west. The site is adjacent to existing residential development. It is considered that the eastern part of the site that is more in line with the existing built form of the settlement in this location would not have a detrimental visual impact. Therefore the site has been reduced to limit the visual impact on the character of the village, limiting development to the eastern part of the land

It is clear from this that the council is aware of the landscape sensitivity of this site as they have made decisions on site selection to deal with it. Again the NP examiner seems to have completely missed, or ignored that when he made his decision to reject our support for the Great Lane extension and support the Water Lane development.

The Water Lane site is currently all in flood zone 1 but does not avoid other flood risks from surface water, groundwater and reservoir breach flooding, indicated by EA and BGS maps.
The Great Lane site has no flood risk.

The Great Lane site is 500m from a ‘sustainable bus service’ (definition in 6C’s design guide for Leicester County Council). Service 5/5a Melton – Leicester , 3xhr 7 days per week.
The Water Lane site is 1.25km away and is only served by an ‘unsustainable bus service’ nearby, the 128 6x a day 6 days a week. (the SHLAA gives incorrect information on that).

The tragedy of all this is that the Parish Council may feel the need to accept this unsound plan from the examiner because overall it would like to establish some limits to development even though overall the village feels its NP has gone and been replaced by one which is unsound and they really do not feel support for.

By aligning your plan with his you are compounding his errors and giving support to an NP examination which is unsound.

Having worked my life as a Medical Doctor If I made a decision as unsound as this a patient could report this to a higher authority or even my professional body. I find it most odd that there seems to be nowhere that I can bring a complaint about the examiners flawed report, that would lead to some one investigating it. If there is a mechanism I would be glad if you could let me know.

Finally and obviously I (and our village) would not agree with the choice of the Water Lane site over the Gt Lane extension site for the above reasons,

Dr Brian Kirkup

