

From: James Beverley
Sent: 19 January 2017 12:16
To: 'Scott Bailey'
Subject: RE: Frisby on the Wreake neighbourhood Plan

Dear Lisa

Many thanks for sending this draft of the Frisby NDP for comment. Moreover we welcome your patience during Local Plan consultation period and which has been exceptionally demanding on our officers capacity. As mentioned in previous correspondence the Council is happy to review all parts of the NP in due course. These detailed responses, we hope, will ensure any submitted Neighbourhood Plan will be effective in delivering the aspirations of the community and will meet the basic conditions as listed in the National Planning Policy Guidance, which are the first tests of Neighbourhood Plans before examination – However, in the interest of speed, I did want to raise an early area of concern which we believe is fundamental to the development and progress of the plan and its eventual Examination. <http://planningguidance.communities.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/>

We consider that the Plan at present does not pass the basic conditions of Neighbourhood Planning, in particular Basic Condition A, in two of respects:

- Is incompatible with the strategic content of the emerging Local Plan (explanation below).
- It promotes less development than the Local Plan (explanation below).
- Is deficient in explaining the rationale for site selection.

Please could I refer you to the areas of national guidance that describe the needs to which the points above relate

‘Basic Condition “A) states that Neighbourhood plans should have regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan)” (NPPG).

The NPPG goes on to explain that to meet this condition, Neighbourhood Plans must have due regard for Paragraph 16 of the NPPF, which sets out that Neighbourhood Plans should support the “strategic development needs” set out in the Local Plan. Moreover the NPPG clearly directs Neighbourhood Plan Groups to Paragraph 184 of the National Planning Policy Framework which states

“Neighbourhood plans should reflect these policies (as contained in a Local Plan) and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.” (NPPF Para 184)

Whilst we appreciate the Local Plan is not adopted, the contents of the Submission Plan have been made available to the Parish Council in advance of the Statutory Consultation.

Our primary issue relates to housing, and whilst we appreciate the group has matched the numbers as outlined in the Pre-Submission Local Plan (78 to be delivered in the remainder of the plan period on allocated sites), we note an approach to the delivery of housing which differs profoundly from that set out in the Local Plan. Whilst this is not inherently a problem as variations from the Local Plan may be possible, as outlined in earlier meetings (though may cause some difficulties in terms of alignment that we cannot fully comment on at this stage). These differences become immaterial if your Neighbourhood Plan is undeliverable and we fear in its current format it may be and thus would fall foul of Basic Condition A.

We note that you have reduced the allocations from 3 to 2 to deliver the required residual quantum of housing. This is done by using one of the sites allocated in the Local Plan (Fris1) and the reserve site Fris4.

With regard to Fris1 should be allocated, planning permission has now been granted (subject to s106) for the site (ref: 16/00491/OUT) for up to 48 residential units. We note the draft NDP states this site is allocated for up to 54 units, meaning there is a 'shortfall' of 6 units.

For the rest of the allocations there is a far greater degree of conflict. The Local Plan allocates Fri 2 and 3, with Fris 4 as a reserve in case any of the sites in Frisby could be proven were undeliverable and hence would not come forward during the life of the plan. The Neighbourhood Plan looks to allocate Fris4 and discounts the rest, without inserting another reserve site. This would be in direct conflict with the Local Plan both in terms of the choice of sites and the absence of a reserve sites, both of which form part of the overall strategy for housing delivery.

In addition, we have concerns over the deliverability of Fris4. Fris4 was part of a larger submission of land, 4 and 6 on the below map. The Council made the decision to split the site and assess them as two different sites, with 4 being more preferable to 6, but less preferable than 2 and 3. The Draft Neighbourhood Plan seems to agree that site 6 on the below map is also less preferable, earmarking the land both as Local Green Space, in an area of separation and outside the limits to development.



The issue with relying on just site 4 is that the owner has stated that it is not deliverable without site 6. This, has come fresh of the recently held Local Plan consultation. The owner of the site, state that the cost of redevelopment of fris4, including expensive works to the Grade Two Listed Zion House and the relocation of the farm to a new working location mean that without Fris6, Fris4 cannot come forward alone (we have attached his Representations, though we would appreciate if you did not widely circulate them until we publish all representations – we have done this as a special measure to aid you).

There is an issue for the Local Plan with regards to this point also, as that Fris 4 may not be deliverable and not suitable as a reserve site. However this is much more critical for the NP as it relies on it to achieve housing delivery and unless deliverability can be demonstrated, the NP will have a significant shortfall in provision (6 at Fris1 and 24 at Fris4). Changes in circumstances may mean over the twenty year period it is possible to develop Fris4 in the future, if it is needed, but for land supply land in a LP or NP it has to be “available now”. The Group could meet with the owner of the site, to see how much land would need to be allocated on site 6 to make site 4 viable, but obviously this would raise the housing numbers for the village, given Fris1 now benefits from a permission that cannot be taken away and potentially be in conflict with policies within the Neighbourhood Plan also.

We hope this information will be of use, and we suspect you may require additional work on the deliverability of your allocations to ease these fears, or even a change of choice of sites.

At present the rationale for the choice of sites is not clear, and in particular why different conclusions have been reached in assessing and thus selecting sites. It may well be this forms another evidence document which you have prepared, though it should form part of your submission, especially given the discrepancies listed above and that planning is “evidence

based” and the authority will have to make comments on such a document, whether to support or to oppose the conclusions of such evidence.

We take this opportunity to remind you that whilst a Neighbourhood Plan is not examined against an emerging Local Plan, the evidence base used to underpin the Local Plan can and likely will be used in examination of a Neighbourhood Plan, including evidence such as site assessments and deliverability as well as environmental factors. Moreover, it is of note that new housing requirements may possibly arise from the HEDNA (Housing and Economic Needs Assessment) which may deliver a new OAN to the borough (up or down), is published soon and thus, like us, it may be prudent to await the receipt of this document and assessment of its implications of this document before advancing. Planning must be based on the most up to date evidence so if HEDNA does bring a big change, we feel it would be foolish to ignore it, though the hope is that if it is different, it will not be significant.

We will thus allow you this opportunity to consider your options in light of this, before sending more substantive comments on smaller issues, less fundamental to the plans progression. We are happy to discuss the points raised above in further detail and will assist in anyway practicable to allow you to continue progression of your Neighbourhood Plan.

Kindest regards

James Beverley

Planning Policy Officer

Regulatory Services

Melton Borough Council

Tel: 01664 502321

Email – jbeverley@melton.gov.uk

From 1st August I will be handling Neighbourhood Planning enquiries and work between set hours - Monday's – 8:30am-12:00am and Fridays – 8:30am-12:00am. Enquiries or issues sent outside this time will only be answered if urgent.

From: Scott Bailey [

Sent: 19 January 2017 10:18

To: James Beverley

Subject: Re: Frisby on the Wreake neighbourhood Plan

Hi James

Thanks very much for coming back to me, I shall look forward to your response later on today.

Kind regards

Lisa

Sent from my iPad

On 19 Jan 2017, at 08:56, James Beverley <jbeverley@melton.gov.uk> wrote:

Dear Lisa,

Apologies was not in the office yesterday as was called up to view a Local Plan hearing. Just awaiting a meeting with Jim so should have a response to you by early afternoon at the latest.

Kind regards

James

From: Scott Bailey [
Sent: 18 January 2017 10:42
To: James Beverley
Subject: Re: Frisby on the Wreake neighbourhood Plan

Morning James

Hope you are well and things are a little calmer for you, I was just wondering if you were still on track to get a response to us today? Could you let me know? Also fyi and to keep you in the loop I sent an e mail to Pat this morning just to check he got all the info he needed following his e mail yesterday to us.

kind regards

Lisa

From: James Beverley <jbeverley@melton.gov.uk>
Sent: 13 January 2017 09:50
To: 'Scott Bailey'
Subject: RE: Frisby on the Wreake neighbourhood Plan

Dear Lisa,

Many thanks for your email. I did, I hope you did also!

Unfortunately this year, baring a couple of meetings, I have done nothing but upload Local Plan Reps. Of the 450ish we received, only 100 came in via Citizenspace, and as such had to be manually uploaded. I appreciate this is probably very frustrating for you, and I can ensure you it is for myself also as doesn't really feel like the planning work I signed up for when joining the Council, but alas in the interest of the consultation and to ensure all members of the community could have their say it was important this was done.

That being said the plus side is as of yesterday the last remaining comment has been uploaded to CS, and as such I can (finally) progress other matters, with this top of my list. I'm aiming to get something back to you by Tue/Wed of next week, but will advise is soon as I am able. I appreciate your anxious to advance this, and given the recent ministerial statement the importance of getting a made Neighbourhood Plan in place is in my opinion of even greater importance.

I hope this is the only time we will delay you to this extent, but as mentioned earlier it was probably the most hectic month I've worked here.

Kindest regards.

James Beverley
Planning Policy Officer
Regulatory Services

Melton Borough Council
Tel: 01664 502321
Email - Jbeverley@melton.gov.uk

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-----Original Message-----

From: Scott Bailey []
Sent: 13 January 2017 08:24
To: James Beverley
CcSubject: Frisby on the Wreake neighbourhood Plan

Good morning James

Happy New Year to you I trust you enjoyed the festive break.

I write with reference to my voicemail message last week and the correspondence we had the week prior to Christmas seeking MBC feedback to the Frisby Neighbourhood Plan. You confirmed that you would give us formal feedback at the latest early in the New Year and I wonder if you are in position to update me on when this might be.

We are keen to get our plan on its journey with haste and to initiate regulation 14 having had MBC feedback so your comment and response would be most welcome. I shall look forward to hearing from you in the near future.

Kind regards
Lisa Bailey

Sent from my iPad

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