

## **Sileby Neighbourhood Plan Review Regulation 16 Consultation:**

### **Charnwood Borough Council Response – 8<sup>th</sup> September 2022**

#### **Response Format**

1. This document sets out Charnwood Borough Council's response to the Regulation 16 consultation on the Sileby Neighbourhood Plan Review Submission Version (July 2022).
2. The strategic policies for the purpose of neighbourhood planning are all the policies in the 'Charnwood Local Plan 2011-2028 Core Strategy (2015)<sup>1</sup>', as confirmed at paragraph 1.2 of that plan. The 'Charnwood Local Plan Saved Policies (2004)<sup>2</sup>' does not contain strategic policies for the purpose of neighbourhood planning.
3. Charnwood Borough Council is currently preparing the emerging Charnwood Local Plan 2021-37<sup>3</sup> which is currently at examination. Whilst the emerging Local Plan is not relevant to the examination of the Sileby Neighbourhood Plan, the evidence base that supports it is and is referenced in these comments where relevant.
4. These comments are made in the order of the Sileby Neighbourhood Plan.

#### **Basic Conditions**

5. Neighbourhood plans must meet the below relevant basic conditions, as set out in legislation.
  - a. having regard to national policies (NPPF) and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan.
  - d. the making of the neighbourhood plan contributes to the achievement of sustainable development.
  - e. the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area) (**see Paragraph 2 of this response**).
  - f. the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.
  - g. prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.
  - x. the making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

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<sup>1</sup>[https://www.charnwood.gov.uk/files/documents/adopted\\_core\\_strategy1/Charnwood%20Local%20Plan%202011%20-%202028%20Core%20Strategy%20Adopted%20November%202015.pdf](https://www.charnwood.gov.uk/files/documents/adopted_core_strategy1/Charnwood%20Local%20Plan%202011%20-%202028%20Core%20Strategy%20Adopted%20November%202015.pdf)

<sup>2</sup> <https://www.charnwood.gov.uk/pages/adoptedlocalplan>

<sup>3</sup> [https://www.charnwood.gov.uk/pages/submission\\_documents](https://www.charnwood.gov.uk/pages/submission_documents)

## **Unamended policies**

6. The following policies are not amended by this review and therefore no comments are made as these have been examined previously.
- G2
  - H4 (previously H3)
  - ENV1
  - ENV2
  - ENV4
  - ENV5
  - ENV7
  - ENV9
  - ENV10
  - ENV11
  - CF1
  - CF2
  - CF3
  - CF5
  - CF6 (previously CF7)
  - T1
  - T3
  - T4
  - T5
  - T6
  - E1
  - E2
  - E3
  - E4
  - E5

## **General Comments**

7. In order to provide a clear framework for decision making, appendices that are referred to in the interpretation of policies should be attached to the final document.

## **Policy G1**

8. Policy G1 wording is consistent with the existing neighbourhood plan. The proposed limits to development are broadly consistent with those proposed in the emerging Charnwood Local Plan 2021-37. In relation to discrepancies between the neighbourhood plan and the emerging Charnwood Local Plan 2021-37:
- North of Stanage Road – this limit boundary is consistent with the proposed Local Plan allocation HA53, therefore no objection.
  - South of Park Road – it is suggested that this limit boundary be extended to reflect proposed Local Plan allocation HA54, this would ensure consistency with the approach taken for the limit boundary for HA53?

- Should proposed Local Plan allocation HA55 be reflected within the limits to development boundary, this would ensure consistency with the approach taken for the limit boundary for HA53?

## **Policy H1 and H2**

9. The Borough Council welcomes Sileby's positive and proactive approach to planning for future growth. The Borough Council has provided the neighbourhood plan review process an indicative housing figure of 18 dwellings, in line with the requirement of NPPF paragraph 67. The emerging Charnwood Local Plan 2021-37 proposes to meet the borough's housing requirement in full which includes proposing 345 dwellings adjoining Sileby. The indicative housing figure of 18 dwellings equates to an additional 5% of what is proposed in the emerging Charnwood Local Plan 2021-37 and is considered to be appropriate to ensure choice and competition in the market in Sileby (as is suggested for plan making under NPPF paragraph 74). The importance that the Neighbourhood Plan places on meeting NPPF Paragraph 14 is supported and any modifications required to further enable this policy objective is supported.
10. Policy H1 (wording clarification) – the policy should state that the housing allocation is allocated for 18 dwellings to avoid unambiguous wording.
11. Policy H1(e) – open space provision should be provided in line with the Local Plan policy.
12. Policy H1/ H3 (windfall) – it is noted that 42 dwelling completions have been delivered on small sites (9 dwellings or under) in the previous ten years. Rather than stating this as a matter of historic delivery, it appears that the intension of Policy H1/ H3 may be to project forward this scale of windfall development? If so, it should be clarified in policy text that this evidenced windfall projection contributes to meeting the neighbourhood plan area's identified housing requirement. This is a necessary clarification to provide a clear framework for decision making, in particular the application of NPPF paragraph 14b.
13. Policy H1 (allocation) – it is the responsibility of the Qualifying Body to demonstrate that relevant consultees and landowners agree with the allocation. The proposed residential allocation on figure 4a has no known constraints and therefore no objection is raised.
14. Policy H2 (reserve site allocations) – both sites denoted as '2' and '3' on figure 4b are proposed to be carried forward as reserve sites from the existing neighbourhood plan. Both sites are proposed as protected employment sites under Policy E3 of the emerging Charnwood Local Plan 2021-37 (an emerging strategic policy) and are identified as such under Saved Policy E/7 of the Charnwood Local Plan (2004). Although the sites do not conflict with a current strategic Local Plan policy, their allocation will result in discrepancies between the Local Plan and the Neighbourhood Plan. The policy should note that the 'de-designation' of these sites as protected employment sites will be in accordance with the Local Plan policy. Written confirmation should also be obtained from landowners that these sites may be available for residential development during the plan period.

15. Policy H2 (reserve site allocation '2') – the site identified as '2' (The Oaks, Ratcliffe Road) is owned by Charnwood Borough Council with live leases. The Council's Property Services department notes that, although the reserve site is identified in the existing neighbourhood plan, there is no plan in the next 10-20 years that this site will be made available for residential use. However, there no objection to its inclusion as a reserve site provided this does not compromise its existing and continued use as an employment site.
16. Policy H1 / H2 (allocation status) – if the reserve sites are allocated, it would provide a much clearer framework for decision making if both sites were given full residential allocation status under Policy H1. NPPF paragraph 14 requires neighbourhood plans to make allocations to meet the housing requirement. Giving sites 'reserved' allocation status has historically resulted in them being inapplicable for the purpose of applying NPPF paragraph 14. In addition, the Council currently has a shortfall of housing land supply which would trigger Policy H2 upon adoption. It is therefore suggested that all residential allocations are included under Policy H1.

### **Policy H3**

17. Policy H3 proposes to amend Limits to Development boundaries to include local plan allocations that exceed 9 dwellings in size. To ensure that Policy H3 is positively prepared, the policy should clarify that the 9 dwelling threshold does not apply to Local Plan allocations.

### **Policy H5**

18. No objection to the amendment for affordable housing to be delivered in 'clusters of up to 4'.

### **Policy ENV3**

19. This policy has been amended which is not noted in the submitted review statement. Following sites have been included in Figure 9, and are supported given their consistency with the emerging Local Plan 2021-37:
- OOS10
  - OOS11
  - OOS12
  - OOS13
  - OOS14

### **Policies ENV6 and ENV8**

20. These policies have been amended which is not noted in the submitted review statement. The addition of a requirement for major development to provide biodiversity net gain of at least 10% in both policies is supported as it is consistent with emerging Charnwood Local Plan 2021-37 policy EV6.

**Policy CF4**

21. Minor change to presentation has an error – misses section 'c'.

**Policy T2**

22. No objection to the inclusion of this new policy however the Highways Authority has responsibility for highways policy.

**Policy INF1**

23. No objection to new policy.