



Planning Policy
Charnwood Borough Council
Council Offices, Southfield Road
Loughborough, LE11 2TN

David Bainbridge
E: David.bainbridge@savills.com
DL: +44 (0) 7866 885372

By email only to: localplans@charnwood.gov.uk

Wytham Court
11 West Way
Oxford OX2 0QL
T: +44 (0) 1865 269 000
F: +44 (0) 1865 269 001
savills.com

Dear Sir / Madam

Sileby Neighbourhood Plan Review 2022-2037 Submission Version Response on Behalf of Redrow Homes and Landowners

I write regarding the above on behalf of my client Redrow Homes and Landowners.

I am a planning adviser to Redrow Homes who are working in partnership with the owners of land south of Sileby to the west of Ratcliffe Road.

Redrow Homes East Midlands have their office in Castle Donnington and are a key stakeholder in planning for delivery of sustainable development across Leicestershire and the East Midlands. Existing sites include Wigston, New Lubbersthorpe, Coalville and Market Harborough.

We welcome this opportunity to comment on the Sileby Neighbourhood Plan Review 2022-27 Submission Version. We are supportive of neighbourhood planning which can help shape growth of local areas but we must express our concerns regarding the Neighbourhood Plan Review.

Concerns and Request for Changes

We must express our concerns in respect of various aspects of this Submission Version of the Neighbourhood Plan Review.

These concerns are that aspects of the Neighbourhood Plan Review do not meet the 'basic conditions' as set out in paragraph 8 (2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended). Only a draft neighbourhood plan that meets each of the basic conditions can be put to a referendum and be made (or adopted).

We consider the Neighbourhood Plan Review does not meet the following:

- (a) having 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),
- (d) the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development,
- (e) the making of the order (or 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).

We request consideration of these representations leading to a pause in the process for the Neighbourhood Plan Review and not to be submitted for examination.

This will allow more detailed consideration of the matters raised with a view to making changes to the Neighbourhood Plan Review and hence this would entail taking at least one step back in the process.



We consider it is necessary for the evidence base to be reviewed, for the Neighbourhood Plan Review itself to be reviewed and for another consultation to be held on a revised version of the Neighbourhood Plan Review.

We request a meeting with appropriate representatives of Charnwood Borough Council and the Neighbourhood Plan Advisory Committee.

Should the Neighbourhood Plan Review be progressed through to submission for examination despite our concerns under the basic conditions we request that our full response is provided to the appointed Examiner for consideration.

We would ask that the Examiner agrees to hold a hearing for the purpose of receiving oral representations about particular issues at the hearing and not to undertake the examination through consideration of written representations only.

Redrow Homes and/or their appointed agent are entitled to make oral representations about these issues at the hearing. This is necessary to ensure consideration of oral representations to enable adequate examination of the issues and to provide participants with a fair chance to put their case across.

Background

I have previously been in contact with the Sileby Neighbourhood Plan Advisory Committee and hence I enclose a copy of my letter dated 4 January 2022 and enclosures. The enclosures include a copy of a site location plan, drawing reference: P21-2418 001 revision A, which identifies the extent of the above land.

Unfortunately we consider that our concerns regarding the neighbourhood plan have not been addressed.

As you are aware this land is being promoted for residential-led development through the emerging development plan. We consider the land is capable of delivering some 665 dwellings and associated development.

This land is identified in the Charnwood Borough Council 2020 Strategic Housing and Economic Land Availability Assessment (SHELAA) report of December 2020, under site reference: PSH493.

We have made representations to Charnwood Local Plan 2021-37 process, and we are participating in the examination hearing sessions. The Planning Inspectors are due to examine in more detail the question of incorporating Leicester's unmet needs into the local plan following the publication of the Statement of Common Ground (SoCG) on Leicester's unmet housing need, and which have subsequently been added to the hearing schedule for 25 and 26 October 2022.

The SoCG is being formerly considered by all Leicestershire's authorities and the 1,248 dwellings over the plan period arising from the unmet need could now be added to the total dwellings for the plan period in Charnwood. This could have implications for the Neighbourhood Plan Review as the figure for housing need in Sileby could be affected under changes to the strategy for housing allocations.

In our letter of 4th January 2022, we outlined the extent of our site and that it should be given greater weight in its assessment under the neighbourhood plan process.

National Planning Policy Framework

Paragraph 29 of the NPPF, February 2019, states:

"Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies."

We consider that the Neighbourhood Plan Review does not provide a shared vision for the area and it is not able to demonstrate compliance with the requirement to not promote less development than set out in strategic policies or undermine these strategic policies because of the absence of up to date strategic policies. We accept this is not the responsibility of the Neighbourhood Plan Body but nonetheless this does not change the position.

Paragraph 31 of the NPPF, states:

“The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals.”

This is relevant for Local Plans and Neighbourhood Plans alike. To satisfy the Basic Conditions, Neighbourhood Plans need to demonstrate a robust evidence base. There is an absence of evidence to justify aspects of this plan, leaving policies without justification and contrary to the NPPF.

Paragraph 67 of the NPPF, states:

“Where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.”

In our view there is insufficient explanation of this aspect in the Neighbourhood Plan Review. Footnote 33 seeks to explain the circumstances where it is not possible to provide a requirement figure for a neighbourhood area. This footnote, states:

“Because a neighbourhood area is designated at a late stage in the strategic policy-making process, or after strategic policies have been adopted; or in instances where strategic policies for housing are out of date.”

These circumstances apply here and are reason to pause progress on the Neighbourhood Plan Review. The pause will allow for a review of the evidence base and to enable engagement with stakeholders including with Redrow Homes.

Policy ENV 2

We note that Policy ENV 2: Protection of Sites of Environmental Significance, includes a natural environment site marked as 083 on the plan reference 8.2, and that this site is a Woodland Priority Habitat (WPH).

We understand that this is not new and was included in the ‘made’ version of the Neighbourhood Plan. Part of this WPH site is allocated in the emerging local development plan for development under Policy DS3(HA56). The wording of Policy ENV 2, that development ‘*on these sites should not be approved*’ would seem to stand in direct opposition to the emerging policy of residential development for up to 24 dwellings on this site. The current review of the neighbourhood plan would seem a good opportunity to make an allowance for development in this location, given the emerging local plan policy, whilst taking into account the nature of the site. Policy DS3(HA56) does not highlight the WPH designation, but does make allowances for the existing orchard on that half of the site.

We welcome the proactive stance taken by the Neighbourhood Plan committee to allocate sites for future growth. We note that the limits to development boundary has been changed to include areas on the edge of the village where development is proposed, such as in the north east of the town where HA53 is proposed and to the south where the land off Cossington Road has been approved by application. However, the same changes have not been included for parcels HA54, HA55 and HA56 which are all allocated for future development in the emerging local plan.

Paragraph 8 (2) (e) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) states that “*the making of the order 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)*”. Whilst it is the case that the allocations described above are in the emerging local plan, given the plan is at examination and the handling of other designations (HA53) that these sites should at least be included in the limits to development boundary in order that the plan is in general conformity and for consistency.

In the section ‘*what changes have been made*’, page 5, it states that H3 Housing Mix is unchanged – however whilst the wording remains unchanged it has moved to H4 and this should be captured.

Request for Inclusion of Land South of Sileby to the West of Ratcliffe Road

Redrow Homes have prepared a vision for sustainable development comprising some 665 dwellings, land for a primary school, land for a local centre, green and blue infrastructure and biodiversity net gain. Vehicular access would be taken off Ratcliffe Road.

Our request is for identification of this site as a proposed allocation for residential-led development as part of the Neighbourhood Plan Review.

The allowed planning appeal decision at Land East of Cossington Road, Sileby (references: APP/X2410/W/21/3287864 and P/21/0491/2), confirms that Sileby is a sustainable settlement and that further development can be located at Sileby in accordance with the settlement hierarchy and this would meet development needs.

Paragraph 16 of this appeal decision states in part:

“Sileby performs well in terms of services and facilities compared to other Service Centres according to the Settlement Hierarchy Assessment.”

This should be taken into consideration by the Neighbourhood Plan Review.

The Charnwood Borough Council 2020 Strategic Housing and Economic Land Availability Assessment (SHELAA) report includes site reference: PSH493, Land off Ratcliffe Road, Sileby.

This site is identified as a gross site area of 52.40 hectares, a dwelling capacity of 675 dwellings and a net site area of 22.50 hectares. The site is identified as being capable of delivering 250 dwellings within the period 6-10 years (2025-2030), 250 dwellings in the period 11-15 years (2030-2035) and the remainder post-2035. For the purpose of consideration under the National Planning Policy Framework, this puts the site within the definition of ‘developable’ being a site in a suitable location for housing development with a reasonable prospect that the site will be available and could be viably developed at the point envisaged i.e. 2025 onwards.

We can confirm that the site is a suitable location for housing development and that the landowners working in partnership with Redrow Homes intend to make the land available for housing development, subject to progress through planning and the site can be viably developed. It is our view that the Council should go further and agree that this site is deliverable within years one to five of the plan period. This is because as well as being available, the site is in a suitable location now for development which is achievable within five years. Redrow Homes have a track-record of delivery of place-making and are able to commence delivery from this site, subject to planning, within the period 2023 to 2025.

One particular benefit of Sileby is the presence of a train station with good links to Leicester and Loughborough. The village has a primary school, GP surgery and convenience store accessible on foot.

Identification of the site off Ratcliffe Road, Sileby for residential-led development, including land for a primary school, would form a logical progression of the village, which in part adjoins proposed allocation site reference: HA56 Land off Kendal Road (South of Butler Way and Gray Lane), Sileby.

Identification of the site off Ratcliffe Road, Sileby, as part of a review of the Neighbourhood Plan Review evidence base and engagement with stakeholders, will assist with meeting the basic conditions tests. In particular, identification of the site for residential-led development would contribute to the aims of providing for sustainable development within the context of a plan which, through changes, would have regard to national policies and advice and would be in general conformity with the emerging strategic policies for Charnwood Borough.

Conclusion

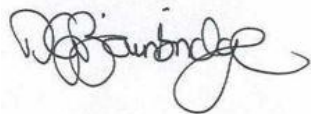
We are grateful for the opportunity to comment on the Neighbourhood Plan Review and would like to express our support for neighbourhood planning. However, we have identified concerns over aspects of the Neighbourhood Plan Review under the basic conditions which require a pause in progress.

In particular we have identified concerns that the Neighbourhood Plan Review does not follow national policies and advice, that it will not contribute to the achievement of sustainable development and that the plan cannot be seen to be in general conformity with strategic policies contained in the development plan for the area.

We consider these concerns should result in a revision to the Neighbourhood Plan Review and we request consultation is held on a revised version taking into account our comments, prior to submission for examination.

We look forward to receiving acknowledgement of receipt of this response on behalf of Redrow Homes and Landowners.

Yours faithfully



David Bainbridge MRTPI
Director

Copy: Redrow Homes, Silver Fox Development Consultancy and Mather Jamie

Encl: Copy of letter dated 4 January 2022 and enclosures