

4 January 2022
Response on Behalf of Redrow Homes.docx



Councillor Mrs E Astill
Chair, Sileby Neighbourhood Plan Advisory Committee
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Dear Councillor Astill

**Sileby Parish - Consultation on Neighbourhood Development Plan
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.

I have enclosed a copy of a site location plan, drawing reference: P21-2418 001 revision A, which identifies the extent of the land.

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 made representations in August 2021 to the Charnwood Local Plan 2021-37 Pre-Submission Draft consultation. Previous representations have been made by the landowners and their advisers. As part of this process we have liaised with relevant officers within the Planning Department at Charnwood Borough Council and other stakeholders relevant to planning for development in this part of Leicestershire. We would welcome the opportunity to meet with the Neighbourhood Plan Advisory Committee and/or Sileby Parish Council.

The Local Plan has been submitted for examination and we are monitoring for the examination updates including identification of the Planning Inspector(s), draft programme, etc. We expect to be identified as participant for relevant hearing sessions into the examination of the Local Plan.

Mr Edmond of Silver Fox Development Consultancy received a letter from you dated 25 November 2021 addressed to the Owner of Site 15 – (SHELAA PSH493).

Unfortunately, the letter did not arrive with Mr Edmond until the 14 December 2021, having been posted by Charnwood Borough Council on the 9 December 2021.

The letter states that Sileby Parish Council is re-drafting its Neighbourhood Development Plan which will shape future decisions over the growth and development of the parish for the next 15 years and that it is important that the content of the Neighbourhood Development Plan incorporates the collective wishes and aspirations of the residents, landowners and other stakeholders in Sileby Parish.

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Redrow Homes and the landowners fall within these categories and will look to engage fully in the re-drafting process. I am the point of contact for Redrow Homes and I liaise closely with Mr Edmond who is the Strategic Development Consultant for Mr Shuttlewood who is one of the landowners. We liaise closely with Mr Cole and Mr Owens of Mather Jamie who are advisers to Mr Mills who is also owner of land within this site.

Mr Edmond had requested a two-week extension in which to reply to this consultation, which would have been a modest extension in our view from the 7 January to the 21 January 2022. This was a reasonable request to make taking into account the delay in receipt of the letter, given that Christmas and New Year intervene and in light of the stated intentions that the Neighbourhood Development Plan incorporates the collective wishes and aspirations of stakeholders.

The extension of time would have allowed Redrow Homes and landowners to consider the consultation documentation and prepare a comprehensive response. This is warranted given the summary and extract contained within and appended to your letter in respect of the Sustainable Site Assessment process.

It was regrettable that Mr Edmond's request was declined for the reason that agreeing to this request might be unfair to the 'other bidders', as everyone needs to be treated equally. Whilst there are particular reasons underpinning our request it could so easily have been the case that the modest extension of time be applied to the consultation overall and not just for this site. All parties would have been treated equally.

As you will be aware Neighbourhood Planning is not a legal requirement but it is a right which communities in England can choose to use.

Neighbourhood planning provides the opportunity for communities to set out a positive vision for how they want their community to develop over the next 10, 15 or 20 years in ways that meet identified local need and make sense for local people. They can put in place planning policies that will help deliver the vision or grant planning permission for the development they want to see.

I mention this in the knowledge that the Sibleby Neighbourhood Plan 2018-2036 was made (aka adopted) on 16 January 2020 and of course you and the wider plan team are to be congratulated on this achievement.

The current Neighbourhood Plan covers the period to 2036 which is just one year less than the proposed period of time to be covered by the emerging Local Plan, which is to 2037. We note that Section 8 of the Neighbourhood Plan states that the Parish Council proposes to formally review the plan in 2024 or to coincide with the review of the Local Plan if this cycle is different.

We are interested to know the timescale and scope for the review of the Neighbourhood Plan and note your letter which refers to a Neighbourhood Development Plan (our emphasis).

Guidance on updating a neighbourhood plan within the Planning Practice Guidance states that there are three types of modification which can be made to a neighbourhood plan, depending on the degree of change which the modification involves. In summary, these comprise: 1. Minor (non-material) modifications to a neighbourhood plan; 2. Material modifications which do not change the nature of the plan which would require examination but not a referendum; and, 3. Material modifications which do change the nature of the plan and would require examination and a referendum. 2. and 3. can both include additional sites for development although allocating significant new sites for development will comprise a material modification under type 3 and in particular examination and a referendum.

There is no requirement under regulations to review or update a neighbourhood plan. However, policies in a neighbourhood plan may become out of date, for example if they conflict with policies in a local plan covering the neighbourhood area that is adopted after the making of the neighbourhood plan. We understand that the current Neighbourhood Plan envisaged this through our interpretation of the comments stated earlier within section 8 of the Neighbourhood Plan.

We are mindful that this consultation does not appear to comprise one of the stages within The Neighbourhood Planning (General) Regulations 2012 for example this does not appear to be the pre-submission publicity and consultation stage. This is relevant because we have not included in this response our assessment of the emerging Neighbourhood Development Plan against the Basic Conditions, which a draft plan must meet if it is to proceed to referendum. We therefore must preserve our position on this until we have had sight of the formal consultation version.

We have not seen any wider publicity on this consultation and note that the Latest News on the Parish Council's website does not refer to this consultation and the Neighbourhood Plan page on the Parish Council's website was last updated on 11 July 2019.

A Neighbourhood Plan Body should be inclusive and open in the preparation of its neighbourhood plan and ensure that the wider community is kept fully informed of what is being proposed, is able to make their views known throughout the process and has opportunities to be actively involved in shaping the emerging neighbourhood plan. We would welcome discussions with you on the means by which this emerging Neighbourhood Development Plan can adhere to these requirements.

Whether modifications change the nature of the plan is a decision for the independent examiner. The examiner will consider the nature of the existing plan, alongside representations and the statements on the matter made by the qualifying body and the local planning authority.

At this stage of the re-drafting of the Neighbourhood Development Plan for Sileby Parish it would be relevant to know what the Neighbourhood Plan Advisory Committee is thinking in respect of the scope for the review?

On the basis that a Sustainable Site Assessment process has been undertaken and inclusion of 'development' in the plan title, we would understand that the plan is to include sites for development over and above the emerging Local Plan.

In this regard we must state our objection to the extract from the Sustainable Site Assessment for this site and the matrix appended to your letter.

We are of the firm and clear view that the findings of this assessment are not based on a robust method and fail to take into account evidence in respect of the site and hence the outcome of the assessment for this site is not credible.

Our request is for the Neighbourhood Plan Advisory Committee to consider this letter and our submission made to the aforementioned consultation on the emerging Local Plan. To this end we have enclosed a copy of the following documentation:

1. Letter from Savills to Charnwood Borough Council, dated 23 August 2021
2. Site Location Plan, drawing number: P21-2418 001 revision A, prepared by Pegasus Design.
3. Concept Plan, drawing number: P21-2418 003 revision D, prepared by Pegasus Design.
4. Vision Document, reference: P21-2418_200, prepared by Pegasus Design
5. Built Heritage and Archaeology Constraints and Opportunities Report, prepared by RPS
6. Ecological Constraints and Opportunities Briefing Note, prepared by Aspect Ecology
7. Landscape and Visual Technical Note, prepared by Aspect Landscape.
8. Initial Transport Appraisal, reference: JNY11145-01, prepared by RPS
9. Drainage Technical Note, reference: HLEF81190, prepared by RPS

This documentation demonstrates that Redrow Homes, working in partnership with the landowners 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, with vehicular access to be taken off Ratcliffe Road.

In our letter of 23 August 2021 to Charnwood Borough Council we explain the benefits of proposed development on this site south of Sileby and we request identification of this site as a proposed allocation for residential-led development as part of the emerging Local Plan.

We must point out that this site, within the SHELAA, 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.

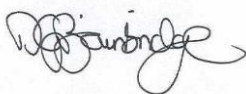
We object to the executive summary for this site within the Sustainable Site Assessment which erroneously directs itself to a 'red flag' in planning policy terms and so does not take this site forward to a stage two assessment.

We have raised many fundamental points in respect of the neighbourhood plan process in our letter arising from notification of the Sustainable Site Assessment for this site that we consider at this stage it is preferable to engage directly with the Neighbourhood Plan Advisory Committee to talk about the harm and benefits arising from the proposed development of the site including mitigation of harm and effects, rather than to provide what is likely to be a lengthy critique of the assessment extract provided for this site.

Our preference is to avoid having to prepare a detailed critique of the assessment which has not had the benefit of the enclosed evidence in respect of this site, which has been compiled by a full consultant team working collaboratively and having undertaken assessment of the site including site visits. The assessment finds a red against the site simply for being a greenfield site and yet takes no account of the availability, or otherwise, of previously developed land. There are comments which appear anecdotal observations, which are not evidence-based, on a range of matters for example landscape, visual, ecology, agricultural land classification, accessibility, etc.

We would like to work collaboratively with the Neighbourhood Plan Advisory Committee and Sileby Parish Council and hence request a meeting, preferably this month, to discuss matters in respect of land south of Sileby, accessed off Ratcliffe Road.

Yours sincerely



David Bainbridge MRTPI
Planning Director

Encl: As listed above

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