

Rearsby NP Annex K

Regulation 14 comments and proposed responses (Feb 2019 / Nov 2020)

1. Rearsby Statutory Responses.

1.1 Specific Comments on the proposed maps and policies (sections 7&8)

No.	Plan section/policy number	Comments	From	Response	Proposed amendment
1	4.7.8	Any necessary highway mitigation borne out of new development would need to be fully funded by the developer.	LCC	Noted	None
2	R9	Priority projects – measures will be prioritised and will need to be fully funded by third party funding	LCC	Noted	None
3	Flood risk	Any development would need to take a risk-based approach and use a sustainable drainage system	LCC	We will change the policy to say 'Development proposals will be required to demonstrate that: a. A sequential approach in respect of flood risk has been taken into account when determining the proposal's location (see Policies Map 6); b. the design includes, as appropriate, sustainable drainage systems (SuDS), surface water management measures and permeable surfaces;	Change to be made as indicated .

				c. there will be no resulting increase in the risk of flooding downstream	
4	R3a Settlement Limits	The LLFA welcomes this policy as long as any application mitigates flood risk with an appropriate surface water drainage system.	LCC	Noted - no further action required	None
5	R7 Conserving and Enhancing Rearsby's Natural Environment	Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.	LCC	Dealt with under point 3 above	Change made as indicated.
6	Planning Developer contributions	In order to mitigate the negative impacts of any new development in the future it would be prudent for the NP to consider inclusion of some comprehensive policy in relation to developer contributions.	LCC	The priority projects section lists the local priorities identified through consultation. It is not appropriate to convert this into a policy.	None
7	Adult Social Care	Suggest reference to aging population and that development to include bungalows for downsizing.	LCC	Policy R4A includes the requirement for new housing to meet a local need for smaller and affordable homes for older people wishing to downsize. The policy will be amended to refer to older people wishing to downsize. Section 4.4 references the need to address the circumstances of older people needing to downsize and the narrative above policy R4A reinforces the need to provide homes for elderly villagers.	Change made as indicated.

8	Environment	NP to cover all aspects of the natural environment including climate change, landscape, bio diversity, ecosystems green infrastructure as well as soils, brownfield sites and agricultural land.	LCC	The NP will be restructured to highlight environmental issues.	Change to be made as indicated
9	Communities	Consideration of community facilities is a positive facet of NP and you are encouraged to consider and respond to all aspects of community resources.	LCC	Noted – Policy R6C supports the retention of community facilities	None
10	R2 Area of Local Separation	The proposed extension to the ALS but its cut off on the bottom of the map. Useful to understand what circumstances have necessitated the extension of the boundary explain the methodology and justification	CBC	Supportive narrative provided and map enhanced.	Change made as indicated.
11	R1 Sustainable Development	Make policy more robust by specifically listing needs of the parish	CBC	The needs of the Parish are addressed through the NP as a whole and do not need separately listing. The policy has been revised to confirm the need for compliance with the VDS	Change made as indicated.
12	R3a Settlement Limits	Amend to settlement limits to development and make clear that the NP has adopted the CBC proposed settlement limits. Replace special with valued. List factors for decision making on what adversely affects the distinctive character of Rearsby	CBC	The Limits to Development have been updated to reflect the increase in housing need identified in the Parish through the emerging Local Plan. The red-line boundary has been extended to accommodate further potential growth.	Change made as indicated.

13	R3b Open Countryside	Provide detail on what development would be acceptable in the open countryside.	CBC	The policy says that development in the open countryside will be carefully controlled in line with local and national strategic planning policies. Further detail is unnecessary and would be unhelpful as it would not take into account future changes in legislation.	None
14	R4a Delivering sufficient homes	Potential to provide more detail by listing the specific types of housing needed in Rearsby	CBC	The support for housing for young people, young families and older people is now detailed.	Change made as indicated.
15	R4b Exception Site	The 12 dwellings threshold how was it identified and what evidence supports it.	CBC	The limit has been changed to a maximum of 9 to reflect smaller development in keeping with the Parish.	Change made as indicated.
16	R4b (b) Types of affordable housing	Opportunity for more robust policy and identify specific types of housing. And allocation of housing should be in line with Council's housing allocation policy.	CBC	The policy states that housing should be provided to meet latest evidence of local housing need. Providing more detail now would not future proof the Plan should need change.	Link to CBC housing allocation policy made.
17	R4 d Exception site	Need to evidence the 25% to be open market housing	CBC	The only purpose of allowing an element of cross-subsidy is to enable the viability of the scheme. 25% is considered to be a reasonable upper limit to allow the scheme to proceed and is drawn from evidence from other local planning authorities who have introduced an upper limit to ensure the integrity of the exception site (Note: Harborough DC has a 20% limit on market dwellings within exception sites.	Justification added to narrative above policy.

18	R5a Employment Zone	Identify employment area on the map	CBC	To provide an amended map of this proposal	Identify on map
19	R5a Employment policy	Policy could be made clearer by explaining how the criteria will be applied and how it will be shown that they have been met.	CBC	Policy amended to clarify conditions	Change made as indicated.
20	R5B New Commercial Development	Make clear how an assessment would be made. Reference broadband infrastructure.	CBC	Conditions added to policy and broadened to include businesses across the Parish. The need for superfast broadband to be built into policy	Change made as indicated.
21	R6A Access to local green spaces	It would be helpful if the local green spaces could be referenced on the proposals map.	CBC	Agreed – the proposals map will identify each local green space	To amend the final maps and text
22	R6A Access to local green spaces	Robust evidence, including the selection criteria and method of assessment for the identification of local green spaces will be necessary.	CBC	The evidence for the Local Green Space designations has been strengthened.	Change made as indicated.
23	R6A Access to local green spaces	New development would be required to provide contributions towards meeting the standards of the Charnwood open spaces strategy. Reword policy	CBC	The policy seeks to protect existing spaces not add to them through development	None
24	R6A Access to local green spaces	Land in the ALS and listed as local green space explain why it is allocated as local green space.	CBC	The sites identified as LGS are special to the community in their own right. Development is not ruled out in the ALS, so it is appropriate to retain a LGS even if it is within the ALS.	None

25	R6B	Listing of facilities may be restrictive.	CBC	Most (though not all) examiners require the facilities covered by the policy to be listed in the policy. Should additional facilities be available in Rearsby through the Plan period, these will be picked up through either a formal review of the neighbourhood plan or through non-material changes that local planning authorities are able to make at any time.(Planning Practice Guidance Paragraph: 084a Reference ID: 41-084a-20180222)	None
26	R7 Natural Environment	Further robustness could be provided to this policy.	CBC	Policy and section tidied up in the submission version to separate views and open spaces and to create separate policies with robust evidence base.	Change made as indicated.
27	R8A Conservation Area	Cannot use the conservation rules outside the area but can list the clear design vision for areas adjacent to the conservation area	CBC	Noted. We have removed this policy area	Change made as indicated.
28	R8b other heritage assets	Some duplication to be streamlined	CBC	Section tidied up and evidence base made more robust.	Change made as indicated.
29	R9 Sustainable transport	A development might be asked to mitigate a transport problem it did not give rise to	CBC	The policy is an enabling policy which supports development that improve the aspects identified in the policy. It is not asking the developer to specifically do something that is not associated withy the development.	None

30	Priority Projects	Give more weight to these	CBC	It is considered that sufficient weight is attached by identifying the broad infrastructure areas to be prioritised. We will cross reference to the policy area where the project is identified and given more detail in the NP	Small text addition to be considered
31	R2	Reword to "They can demonstrate that they will not adversely impact upon the floodplain or the operation of the village brook.	Environment agency	We have removed this reference from the policy and included a policy on flood risk at R9.	Change to be made as indicated.
32	4.2	Noted that they are in support of the expansion of the area of local separation.	East Goscote Parish Council	Noted - no further action required	None
33	R2	ALS vital part of maintaining the integrity of a community	Queniborough Parish Council	Noted - no further action required	None

1.2 General Comments

No.	Plan section/policy number	Comments	From	Response	Proposed amendment
1	General	Local concerns about traffic conditions which they feel may be exacerbated by increased traffic due to population, economic and development growth. But any changes need to be fully funded by third parties.	LCC	Noted - no further action required	None
2	General	Plan is well written and easy to read.	CBC	Noted - no further action required	None
3	General	Text and Policy to be listed together	CBC	Agreed	Change to be made as indicated.
4	General	Vision to be placed at the beginning	CBC	Agreed	Change to be made as indicated.
5	General	Community Actions to be listed separately	CBC	The community actions are clearly highlighted as separate from the policies and we wish to keep them in the sections to which they relate.	None
6	General	Evidence Base to be clearly highlighted	CBC	Evidence base strengthened.	Change to be made as indicated.
7	General	Wording of policies should be precise	CBC	We have amended the policies where appropriate	Change to be made as indicated.

8	General	Repetition of core strategy polices not necessary	CBC	Policies generally tightened to be locally specific.	Change to be made as indicated.
9	General	Maps should be easily legible and their intention and purpose in the document clear.	CBC	Maps have been updated.	Change to be made as indicated.
10	General	No specific comments on the NP	Natural England	Noted - no further action required	None
11	General	Given development is infill and small in scale not considered to have any impact on the major roads.	Highways England	Noted - no further action required	None
12	General	There is no record of apparatus in the village.	National Grid	Noted - no further action required	None
13	General	Any development close to the brook will have to be carefully considered so as to preserve access.	Environment Agency	To include this point within the final text Will amend policy R2 b) to say 'they can demonstrate that they will not adversely impact upon the floodplain or the operation of the village brook, including access to it.'	Change to be made as indicated
14	General	Support for multiple policies but no amendments proposed	Queniborough PC	Noted - no further action required	None
15	General	Support for multiple policies but no amendments proposed	Queniborough NP Steering group	Noted - no further action required	None

16	R1	The wording 'demonstrate compliance' [with the Village Design Statement 2002] should be replaced with " <i>Where appropriate, development proposals should have regard to advice contained in Village Design Statement 2002</i> ".	Gladman Developments	Noted. Polciy will be chaged to say 'Design proposals will be supported where they can demonstrate compliance, <i>where appropriate</i> , with the principles contained in the 'Rearsby Village Design Statement 2002', as set out in the Appendix to this Plan.	Change to be made as indicated
17	R2	We would question the purpose of extending the gap designation given that this is a strategic policy and goes beyond the remit of the neighbourhood plan.	Gladman Developments	A Neighbourhood Plan can propose planning policy where it is a matter of local detail. Many Neighbourhood Plans have taken the opportunity to introduce or add to existing AOLSs. The coalescence between villages is an issue of local concern. Land in the identified area is already the focus of speculative development where such activity would involve building contiguously across parish boundaries.	Narrative in support of Area of Separation is strengthened.

18	R2	Gladman recommends the deletion of criteria b) which relates to the suggested flood plain operation. This does not perform any function of a gap policy.	Gladman Developments	The condition has been removed from the policy. AS separate policy on flooding is included at R9.	Change to be made as indicated
19	R3B	Gladman do not consider the use of a tightly drawn settlement limit to be in accordance with the [NPPF] Framework as it will act to contain the physical growth of the settlement.	Gladman Developments	The Limits to Development has been redrawn to be less tightly drawn than the one prepared by Charnwood Borough Council in order to accommodate future residential growth.	Change to be made as indicated
20	R4	Although the policy allows for 25% market housing on the total development site the policy caps development to a maximum of 12 dwellings. It is therefore unlikely that a landowner or developer would be willing to promote such a scheme as it is highly doubtful that it will be viable and achieve the most optimum value of land that could be secured.	Gladman Developments	Following advice from the Borough Council, the Plan will be revised to note the cap in this policy to a maximum of 9 units. Exception site developments provide a viable and accepted level of financial return to a landowner through well-established procedures and assessments that can	Change to be made as indicated

				<p>produce 'affordable; units on each site. There is no preconceived idea of what agency might wish to progress such proposals, but it is accepted that existing or new entities will come forward to build suitable schemes. The whole purpose of 'exception sites' is that they promote appropriate development which would not otherwise come forward. The acceptance of up to 25% market housing demonstrates further flexibility in support of sustainable development.</p>	
21	R7	<p>Gladman raise concerns with criteria (e) which seeks to create 'additional Local Green Space' such an approach would not be in conformity with national policy as Local Green Space can only be designated if it meets the</p>	Gladman Developments	<p>Agreed. This criterion is to be deleted.</p>	<p>Change to be made as indicated</p>

		stringent tests for designation as set out in paragraph 100 of the NPPF.			
22	Site Submission	The Parish Council will be aware of Gladman's land interests in land of Melton Road. Whilst this site is located within East Goscote a small proportion of the site falls within the Rearsby Neighbourhood Area.	Gladman Developments	Noted. The Neighbourhood Plan does not allocate specific sites for development and has prepared policies to shape development within the parish.	None
23	Settlement Limits	There is no evidence to support any of the changes that are proposed to the Settlement Limit boundary.	Jelson Ltd.	The revised Limits to Development are based on CBC's red line boundary with a small extension to help facilitate future growth given the increase in housing requirements locally.	None
24	Area of Local Separation	The adopted ALS boundaries are defined on the basis of housing need up to 2006. Accordingly, the general restriction of development in such areas is incompatible with meeting development needs now, let alone the future needs up to 2036. The boundaries are therefore considered to be out-of-	Jelson Ltd.	The area designated in the Local Plan as an AOLS and the additional area identified in this Neighbourhood Plan are located in open countryside, outside of the Limits to Development and	None

		<p>date, so that new robust evidence must inform any amendments, particularly where extensions are proposed.</p> <p>[...] In light of the above, it is inappropriate and unsound for the RNP to propose an ALS boundary in the absence of any detailed landscape character and visual appearance analysis to justify either the principle of an area of separation or its defined boundary.</p>		<p>therefore subject to careful control in line with local and national strategic planning policies.</p> <p>The development needs of the Borough are identified and met in the emerging Local Plan through specific allocations and through windfall development that takes place within settlement boundaries.</p> <p>It cannot follow, therefore, that this land is necessary to meet the Borough's future housing need.</p>	
25	Housing Need	The basis for addressing housing need therefore appears to rely on an unjustified assumption that as a five-year supply can be demonstrated, there is no need to provide any additional land for housing in the village.	Jelson Ltd.	<p>NPs do not have to allocate residential development sites.</p> <p>The latest evidence of housing need through the emerging Local Plan suggests that</p>	None

		[...] The RNP as currently drafted is not based on an up to date assessment of housing need and it therefore fails to satisfy criteria (c) of the basic conditions.		'Other Settlements' such as Rearsby need to find around 18 new homes over the Plan period. This can be accommodated through windfall development.	
26	Housing Need	[Jelson's 2016] Neighbourhood Assessment identifies that there is a clear evidenced based need for additional development within the village across the period 2014-2028. Furthermore, the need is of a level that far exceeds that which could be accommodated within the proposed settlement limit, or through the policy relating to exception sites.	Jelson Ltd.	To be considered by NP Sub-group / Your Locale The Neighbourhood Plan is based on the latest assessment of housing need undertaken by CBC, which indicates that around 18 new homes will be required over the Plan period. This objectively assessed need is considered more reliable than figures produced to support a developer's business plan.	Small text addition to be considered
27	Local Green Space / R6	Circumstances with regards to the status and use of Jelson's land have not changed since the	Jelson Ltd.	Agreed. We have reviewed the LGS	Change to be made as indicated

		<p>Parish reached this conclusion in November 2017. It is therefore unclear how the proposed designation as LGS is now justified in the view of the qualifying body.</p> <p>Taking this into account, it is clear that there is no evidence to justify the allocation of our Client's land as LGS and therefore, we respectfully that the reference to OS5 Open space/field on Melton Road opposite New Avenue and Weston Close be deleted from Policy R6.</p>		designations and removed this field.	
28	Jelson Land at Melton Road	This is a site that the development potential of which must be kept under review. Development pressures will continue to mount and national and local planning policies will need to be reviewed to accommodate future development needs. Whether or not this site forms part of the response to that in the future must be kept open to review through the planning system.	Jelson Ltd.	This site has been the subject of two rejected planning applications and a refused appeal to the Planning Inspectorate. It does not feature as a requirement within the lifetime of this Plan.	No amendment required.

2. Rearsby Residents Responses.

2.1 Specific Comments on the proposed maps and policies (sections 7&8)

No.	Plan section/policy number	Comments	From Detail removed as required	Response	Proposed amendment
1	4.74	Essential food shop also essential adequate parking availability Brook street not the answer action required		Food shop added to essential category. Traffic impact of development is covered in Policy R3A f).	None
2	Green space	Wreake Drive green space being used as a convenient car park could it be trees and flowers and be an amenity		Noted. This is not a planning policy (Community action?)	None
3	6.3	Future housing in Rearsby there are better sites eg infill, conversion or backland area not site PSH100		PC agrees removal of PSH100 map and refocus of text upon 'exception' site potential and extension of Limits to Development	Change to be made as indicated
4	R3A	This should be applied to the line of trees between Gaddesby lane and the bypass		The Limits to Development is to be extended to accommodate potential	Change to be made as indicated

				development in this area.	
5	R7	To maintain the gateway view of Rearsby from Gaddesby PSH100 should not be developed		PC agrees removal of PSH100 map and refocus of text upon 'exception' site potential	Change to be made as indicated
6	4.52 R6A	Support the PC acquiring ownership and management of the quoted large verges and consider uses such as for community orchards		Noted	None
7	R4a	To address local needs in a flexible manner new homes should be designed and built to lifetime homes standard.		Local Plan policy CS3 requires new homes to be built to Lifetime Homes standard 'where feasible'	None
8	1.4	Notable enterprises now having a national and even international reputation. (known personally about symbiosis)		Noted - no further action required	None
9	2.23	Protecting the landscape ... especially its ecology geology and visual appeal and amenity and enhancing wild life corridors		Noted - no further action required	None
10	6	Apart from a few places where our preference is to strengthen the points being made and to make clear a more proactive approach, we are pleased to endorse the policies outlined and the values and principles they reflect		Noted - no further action required	None

11	General	We are pleased to support the pre submission Dec 2018 NP for our village		Noted - no further action required	None
12	4.32 page 6 and fig 6 app A map 2	The plan appears contradictory in the areas I have mentioned. PSH100 land off Gaddesby Lane are seen as providing potential development land in 10 – 15 years' time. Yet in App A this land is shown as an extension to ALS except for a small area fronting Gaddesby Land.		PC agrees removal of PSH100 map and refocus of text upon 'exception' site potential	Change to be made as indicated
13	General	Also, in Map 2 the proposed limits to development are within this piece of land and development is not showing as proposed there. Please can you clarify? Is it just a small area of landing fronting Gaddesby Lane that may provide potential development? This is concerning as a large development on this land would breach several proposals in the NP.		The Limits to Development are to be extended to facilitate small scale residential development.	Change to be made as indicated
14	3AF Traffic	New Ave access would present a danger to both drivers and to pedestrians since it is scarcely wide enough for the passage of two cars. There is no space for a pavement, there is no street lighting.		PC agrees removal of PSH100 map	Change to be made as indicated
15	General	New Ave is not wide enough to have increased traffic flow, no street lighting or pavements. The road was designed as a dead-end avenue for only local residents and to support		PC agrees removal of PSH100 map	Change to be made as indicated

		local parking. This would cause accidents and the loss of life with increased traffic flow, pedestrians due to the design of the road.			
15	6.3	Development to be mainly comprised of infill. PSH100 as potential development land would not be infill		PC agrees removal of PSH100 map	Change to be made as indicated
16		Development of PSH100 would be outside the settlement limits boundary		PC agrees removal of PSH100 map	Change to be made as indicated
17		Development of PSH100 would not retain existing boundary trees		PC agrees removal of PSH100 map	Change to be made as indicated
18		Development of PSH100 would impact gateway views of Rearsby from Gaddesby		PC agrees removal of PSH100 map	Change to be made as indicated
19		Development of PSH100 would impact traffic and road safety		PC agrees removal of PSH100 map	Change to be made as indicated
20		Development of PSH100 contradicts the proposed extension to the ALS on proposal map 1		PC agrees removal of PSH100 map	Change to be made as indicated

2.2 General Comments

No.	Plan section/policy number	Comments	From	Response	Proposed amendment
1	General	Very happy with the revised plan. Presentation and layout of the document has improved, and more detail given surrounding the polices.		Noted - no further action required	None

2	General	I fully endorse the vision and objectives for Rearsby Parish. I also endorse the plan policies which represent a balance between maintaining and protecting village assets and sustainable development.		Noted - no further action required	None
3	General	I feel the plan reflects the desires of the village for small scale sustainable development and for the protection of heritage assets and for protection and expansion of green space.		Noted - no further action required	None
4	General	We are happy with natural development that keeps our natural village feeling. Expansion on any large scale is undesirable. Infill is acceptable on a limited scale. We are happy to agree with the draft NP for our village		Noted - no further action required	None
5	General	I believe the plan covers all of the key areas required and of concern to residents. Limited growth of the village whilst maintaining its identity, protecting the natural environment and open spaces for present and future generations. Recognising the legal and statute requirements and the responsibility to ensure the village heritage is protected.		Noted - no further action required	None

6	General	I would propose the planting of further trees, in particular fruit trees on the wide verges and greens) on Station Road, Bleakmore Close, Wreake Drive. Therefore, protecting these areas from the parking of vehicles.		To include within final maps Community action?	Final maps to be amended
7	General	Much of the plan consists of pages of dense text and is quite technical. Would it be possible to provide a summary of some of the key points hopefully jargon free?		The Plan is written to be as accessible as possible, but unfortunately as a statutory planning document, it is necessary to use formal language in places. We hope that the restructuring of the NP is helpful.	Change to be made as indicated
8	General	Map 2 settlement limits – surely by reducing the area it will remove the chance of infill development which you want to encourage. By including houses in front of Kays Nursery would this not alter the area of local separation in favour of the refused Jelson planning?		The Limits to Development have been relaxed from the CBC draft to incorporate the potential for more small-scale development.	Change to be made as indicated

9	General	Map 3 – cant see why only half of the field on Melton Road (Jelson field) has been included, would it not be better to include the whole site included in refused planning. I feel this leaves it open to future development depending on individual interpretation of local/national plans.		The field falls within the Area of Separation and affords protection from inappropriate development.	Change to be made as indicated
10	General	The revised NP is well written and covers all the main points raised by villager's over the past three years. I support the plan.		Noted - no further action required	None