



## Desford Neighbourhood Plan

### The Neighbourhood Planning (General) Regulations 2012 (Regulation 16) Publication of Plan Proposal Consultation

Wednesday 22 January to 5pm Wednesday March 2020

#### Response Form

How to respond:

- Complete our [planning policy contact form](#)
- Send a letter to the planning policy team
- Download, complete and return this Desford Regulation 16 response form
  - Please return to the Hinckley Hub or electronically using our [planning policy contact form](#)

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Position (if applicable):	Associate Planner

Your Representation on the Desford Neighbourhood Plan		
Overall do you support the plan, would support the plan with some modifications, or oppose the plan? (please tick one answer)		
Support <input type="checkbox"/>	Support with Modifications <input type="checkbox"/>	Oppose <input checked="" type="checkbox"/>
Please indicate whether you wish to be informed of any decision by Hinckley and Bosworth Borough Council to either make/adopt the Neighbourhood Plan or refuse to make/adopt the Neighbourhood Plan.		

Yes, please inform me of the decision

No, I do not wish to be informed of the decision

Please give details of your reasons for support/opposition

Paragraph  
number/policy  
reference

Comments/Suggested Modifications

Please see attached representations, there are two sets, one relating to the Regulation 16 Neighbourhood Plan and one relating to the SEA.

(Continue on additional sheets if necessary)

Signature:



Date:

27.02.2020

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All comments will be made available, and identifiable by name and organisation (where applicable) to the appointed examiner, Local Planning Authority, and Desford Parish Council. Please note that any personal information will be processed by the council in line with the Article 6(1)(e) of the General Data Protection Regulation and the Data Protection Act 2018

## **DESFORD NEIGHBOURHOOD PLAN**

## **REGULATION 16 CONSULTATION**

**FEBRUARY 2020**

# **REPRESENTATIONS ON BEHALF OF DAVIDSONS DEVELOPMENTS LTD**



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## 1. INTRODUCTION

- 1.1 This representation is made by Pegasus Group, on behalf of Davidsons Developments Ltd (hereafter referred to as 'Davidsons'), to respond to the Desford Neighbourhood Development Plan (NDP) Regulation 16 consultation. Representations have also been prepared separately for the Strategic Environmental Assessment.
- 1.2 This representation is made in relation to Land off Kirkby Road (Ashfield Farm), Desford (see Site Location Plan / Illustrative Masterplan at **Appendix 1**). The site is referred to as Site Reference AS210 & AS211 in the NDP, which reflects the SHLAA referencing. It should also be noted that a planning application has now been submitted requesting outline consent, with access, for up to 120 homes.
- 1.3 These representations are framed in the context of the requirements of Neighbourhood Plans to meet the Basic Conditions as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990, as applied to Neighbourhood Plans by section 38A of the Planning and Compulsory Purchase Act 2004. The Basic Conditions as set out in National Planning Practice Guidance Paragraph: 065 Reference ID: 41-065-20140306 are:

*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).*

*b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the Order. (This Basic Condition applies only to Orders therefore is not applicable to this case)*

*c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. (This Basic Condition applies only to Orders therefore is not applicable to this case)*

*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).*

*f. the making of the Order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations<sup>1</sup>.*

*g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the Order (or neighbourhood plan).*

- 1.4 The purpose of these representations is to highlight areas of the NDP that are supported, and to draw attention to elements of the NDP that do not meet the Basic Conditions. These representations are intended to be helpful in identifying modifications that should be incorporated within the NDP having regard to changes to national and local policy and guidance which are likely to significantly influence plan-making at the local level.

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<sup>1</sup> This would include any subsequent changes to UK law arising from the transitional arrangements in relation to the withdrawal process from the EU.

## 2. CONTEXT

### Consultation stages

- 2.1 Before the details of the Neighbourhood Plan are considered in relation to the Basic Conditions it is important that the context is understood in terms of how the plan has evolved, as our client has several concerns regarding inconsistency and inaccuracy, which have been raised through previous representations but which have not been addressed and indeed denied in several cases.
- 2.2 The Regulation 14 (Pre-Submission) consultation was undertaken early 2019. This was followed by a consultation undertaken in May 2019 (Supplementary Strategic Sites) which focused upon seven further sites which were introduced to the process as a result of the first Regulation 14 consultation.
- 2.3 In November 2019 consultation on the Strategic Environmental Assessment (SEA) was undertaken for a period of just under three weeks: this will be commented on further in due course. Alongside this, the submission version of the Neighbourhood Plan was published, but there is confusion as to whether this was actually intended for consultation or not as will be explained later in these representations.
- 2.4 In terms of the initial Regulation 14 consultation (January 2019), Davidsons made representations on several issues. These included the need for the Neighbourhood Plan to address housing issues (including quantum) in a way which addresses need and aligns to the emerging Local Plan and the need for the settlement boundary to be redrawn to reflect site allocations.
- 2.5 The representations to the first Regulation 14 consultation also raised significant concerns with the site selection assessment (SSA) and the methodology which had been utilised.
- 2.6 On 12<sup>th</sup> March 2019, a letter was received from Hinckley and Bosworth Borough Council containing an enclosure from the Parish Council which advised that a further seven potential sites were to be assessed following the closure of the Regulation 14 Consultation in January 2019.
- 2.7 This included an attachment of *'the draft sustainable assessment for your land'* and the letter concluded that *'as your site has not been ranked highly enough to merit further consideration at the present time, we will not progress a potential allocation in the Neighbourhood Plan'*.

- 2.8 The 'sustainable site assessment' referred to above only assessed SHLAA site AS211, the process had omitted to assess AS2010 and had failed to consider both sites together as a whole. Davidsons therefore submitted representations to this supplementary consultation in May 2019, again objecting to the unfair and inaccurate process and the conclusions reached which led to the promoted site again being dismissed.
- 2.9 Since the supplementary consultation, further correspondence was received from Desford Parish Council dated 20<sup>th</sup> October 2019. Appended to the letter was a revised site assessment scoring, which had correctly taken both sites AS210 and AS211 together (referencing them as 'Desford Site 4'). The letter advised that the site had been dismissed.
- 2.10 Again, however, it appeared that earlier comments and concerns with the process have, overall, not been taken on board. The assessment showed serious inconsistencies and in many cases the site had been downgraded from earlier scorings when assessed against certain criteria. **Appendix 2** contains a table which shows how inconsistently and unfairly the process had been applied at each stage: the final column contains commentary from Davidsons setting out the inconsistencies, illustrates where 'new' criteria had been introduced resulting in the site being downgraded, and providing a revised scoring. The 'NP SEA consultation responses' document produced by the Qualifying Body insists that scorings were undertaken consistently, stating that the issue over inconsistency is '*a personal opinion from an organisation whose land failed to achieve an allocation*'. The evidence clearly shows otherwise as set out in Appendix 2.
- 2.11 In terms of consultation process and procedure, Davidsons raised several concerns especially with regard to the most recent 'round', undertaken in November 2019.
- 2.12 It was only as a result of a chance conversation with the planning policy team at Hinckley and Bosworth Borough Council on 15<sup>th</sup> November 2019 that it became clear that the Neighbourhood Plan was being consulted on at the same time as the SEA. This was not obvious either from the consultation email received from the Parish Council (**Appendix 3**) nor from the wording of the Parish Council's website (**Appendix 4**). Representations to the latest Neighbourhood Plan consultation had therefore had to be prepared in some haste on this matter to meet an unreasonably short deadline, which is not legally compliant, as set out later in this chapter.

Officers at the Borough Council advised that the consultation on the plan should be referred to as 'Regulation 14 (2)'.

- 2.13 The 'NP SEA consultation responses' document provides a confused reaction from the Qualifying Body to this issue however. On page 35 / 36 the response states that *'the NP had been amended following Regulation 14 consultation in readiness for submission to HBBC. We are happy for this pre-submission draft to be referred to as such'*. On page 38 it states *'this is not a further Regulation 14 consultation. It is a consultation on the SEA where all relevant documents are available'*.
- 2.14 This confusion is problematic. It is clear that other respondents have interpreted the consultation in differing ways from the nature of their responses, some focusing solely on the SEA, some noting the absence of a Regulation 14 consultation linked to the SEA, and others commenting on the Neighbourhood Plan itself.
- 2.15 Furthermore, the consultation deadline was extremely short. The email publicising the consultation was received on Sunday 3<sup>rd</sup> November 2019 at 20.54pm, with the deadline being 23<sup>rd</sup> November 2019 (a Saturday). This is less than three full weeks. This is not an adequate period of time to enable a meaningful response from a wide range of interested parties.
- 2.16 Regulation 14 (iv) of the Neighbourhood Planning General Regulations 2012 (as amended) requires a consultation period of *'not less than six weeks from the date on which the draft proposal is first publicised'*. This consultation period falls well short of this requirement and is therefore not compliant with legal procedure, thus failing Basic Condition (a).
- 2.17 The Qualifying Body's response to the representations insists that this is not relevant as the consultation did not fall under Regulation 14. However as previously shown, there has been considerable confusion around this matter and it is emphasised that this should have been a Regulation 14 consultation, and treated as such in terms of consultation timescales.
- 2.18 Notwithstanding this, the consultation deadline for the SEA itself was also extremely short. The email publicising the consultation was received on Sunday 3<sup>rd</sup> November 2019, with the deadline being 23<sup>rd</sup> November 2019 (a Saturday). This is less than three full weeks. The Environmental Assessment of Plans and Programmes Regulations 2004 states under section 13c (Consultation procedures) that *'The period referred to in paragraph (2)(d) must be of such length as will*

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*ensure that the consultation bodies and the public consultees are given an effective opportunity to express their opinion on the relevant documents'. This is not considered an adequate period of time to enable meaningful response from a wide range of interested parties on a statutory document, especially one which should be iterative and should inform and shape the plan.*

- 2.19 The response to this issue, on page 38 of the SEA consultation responses document produced by the Qualifying Body is that '*SEA legislation does not specify a timescale and three weeks was considered appropriate given the minor comments made in the SEA report*'. This matter is explored further in the SEA representations, as the way in which the exercise was undertaken suggests SEA was carried out at the end of a process as a tick-box exercise aimed at validating the plan and the conclusion it had already reached, rather than shaping the plan and considering reasonable alternatives, as is its legal duty.

### 3. NEIGHBOURHOOD PLAN POLICIES

#### Housing Need and Provision

- 3.1 Chapter 4 focuses upon Housing and the Built Environment. The acknowledgement in the first paragraph that 'there were (and are) no brownfield sites of any size within the parish and any future development would have to be outside the settlement boundary' is supported and welcomed.
- 3.2 The Neighbourhood Plan sets out the need for Desford to provide for 163 units over the plan period (2026-2036). However, as set out in our earlier representations (January 2019 and November 2019) it is not clear how the indicative figure of 163 units has been derived. Page 14 of the Neighbourhood Plan states that the figure was set using the Standard Methodology and provided by HBBC however it does not state how this figure has been derived to provide a local neighbourhood figure. Furthermore, this figure would have been provided before the Standard Method was formally introduced through the updated NPPF in February 2019.
- 3.3 The fact that the Parish Council has sought a requirement figure is welcomed, however the Neighbourhood Plan should be flexible in order to be able to adapt to the changing context.
- 3.4 The Borough Council is currently reviewing its Local Plan, with a Draft Local Plan anticipated to be produced in 2020. In addition to the minimum housing requirement set by the Standard Method the plan will also have regard to local needs and cross boundary pressures and make important decisions on the spatial distribution of planned growth.
- 3.5 The review process will be informed by the Strategic Growth Plan for Leicester and Leicestershire (December 2018). This is a 'non-statutory' plan, but is intended to provide an agreed framework between the Local Planning Authorities to inform the preparation of Local Plans. The Strategic Growth Plan will play an important role in redistributing a shortfall in housing provision within Leicester City across Leicestershire County.
- 3.6 In February 2019, as mentioned previously, the Government introduced a Standard Methodology for assessing housing need. The Standard Method uses a formula to identify the minimum number of homes expected to be planned for, in a way which



addresses projected household growth and historic under-supply. This forms the default figure in the case of out of date plans (NPPF paragraph 73).

- 3.7 As a result, the minimum number of homes Hinckley and Bosworth Borough Council is expected to deliver is currently 457 per annum.
- 3.8 NPPF Paragraph 65 sets out that *'Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period. Within this overall requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations.'*
- 3.9 NPPF Paragraph 66 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'*.
- 3.10 A pragmatic solution where a Local Plan is out-of-date, which is the case within Hinckley and Bosworth Borough, is to utilise a simple formula-based approach which apportions the overall housing need figure for the relevant local authority area to the neighbourhood planning area. The proposed formula is simply to take the population of the neighbourhood planning area (which is 3,930 for the Desford Neighbourhood Area based on the 2011 Census) and calculate what percentage it represents of the overall population of the local planning area (which is 105,078 for Hinckley and Bosworth Borough based on the 2011 Census). Therefore, the population of the Desford Neighbourhood Area represents 3.74% of the population of the Borough as a whole.
- 3.11 Utilising this information and following the proposed approach, the housing need figure for the Desford Neighbourhood Area would equate to 17 dwellings per annum (3.74% of 457 dwellings per annum). Over the proposed 18 year plan period (2018 – 2036) this would result in a minimum requirement of 306 additional dwellings, and this figure is without the additional buffers necessary to ensure a deliverable supply as required by paragraph 73 of the NPPF.

- 3.12 Given the wider shortfalls in housing need across Leicestershire, and the need for flexibility, it is important that requirements apportioned to Neighbourhood Plans are treated as a minimum. HBBC will need to address shortfall issues under the statutory Duty to Co-operate as the review of the Local Plan is taken forward.
- 3.13 It is also important to note that Hinckley and Bosworth Borough is currently unable to demonstrate a five year supply of housing and therefore significantly needs to boost supply. Neighbourhood Plans have a role to play in assisting with delivering such growth.
- 3.14 In order to meet Basic Condition (a) (*having regard to national policies and advice contained in guidance issued by the Secretary of State*) and (d) (*contributing to the achievement of sustainable development*), the definition of which includes providing a sufficient number and range of homes under the social objective set out in NPPF paragraph 8b), the plan should include more flexibility so that it can adapt to meet the levels of growth needed in line with national policy and in line with the Local Plan as its review advances.

#### **Settlement Boundary (Policy H1)**

- 3.15 Draft Policy H1 of the NDP should make provision that where the NDP is reviewed under the circumstance of increasing housing needs in the Borough or the failure of a housing commitment in the Parish to be developed, that the defined settlement boundary would also be subject to review under such circumstances. Without this, the Plan does not provide the necessary flexibility to satisfy Basic Conditions (a) (*having regard to national policies and advice contained in guidance issued by the Secretary of State*) and (d) (*contributing to the achievement of sustainable development*). As set out in NPPF paragraph 15 and paragraph 005 of the associated guidance, plans should be '*aspirational but deliverable*', so flexibility in boundaries to enable changing needs to be met would assist with this.

#### **Housing Allocation (Policy H2)**

- 3.16 It is noted that the Neighbourhood Plan is proposing allocating land at Barns Way for around 80 units, and Davidsons have already made clear their objections to the way in which site selection was undertaken. However, it is also noted that this site has recently received outline planning consent. It is therefore questionable whether this consented site should now still be included as an allocation.

- 3.17 Notwithstanding this however, this does not mean that the Neighbourhood Plan should not still be considering further allocations to meet local needs and to assist with delivering a supply of sites for the Borough as a whole or indeed any further shortfall arising from neighbouring areas. Land at Ashfield Farm is being promoted as a sustainable and deliverable site, and it is submitted that it should have been fairly and transparently considered through this process, using accurate information. Commentary on this, as highlighted earlier, is set out in Appendix 2.
- 3.18 Without further flexibility either through further allocations or through flexible policies, and a housing requirement which is treated as a minimum, it is considered that Basic Conditions (a) (*having regard to national policies and advice contained in guidance issued by the Secretary of State*) and (d) (*contributing to the achievement of sustainable development*) are not met. As set out in NPPF paragraph 15 and paragraph 005 of the associated guidance, plans should be '*aspirational but deliverable*', so flexibility in boundaries to enable changing needs to be met would assist with this.

### **Affordable housing (Policy H3)**

- 3.19 Policy 15 of the adopted Core Strategy concerns affordable housing, identifying a need of a minimum of 2,090 affordable homes between 2006 and 2026 (105 per annum). The Policy confirms that in 'rural areas', which includes Desford, 40% affordable housing will be sought on site as part of major residential developments. The Policy goes on to state that these figures will be kept up-to-date through an Affordable Housing Supplementary Planning Document. However, the current SPD is outdated as it was adopted in 2011 and an updated document had not been produced at the time of writing. It is important that the role of larger sites in delivering much needed local affordable homes is recognised and provided for in the Neighbourhood Plan.

### **Housing mix (Policy H4)**

- 3.20 Policy H4 of the NDP sets out that housing development proposals should provide a mixture of housing types specifically to meet identified local needs. It goes on to state that the provision of dwellings of 1, 2 and 3 bedrooms and of homes suitable for older people including single level living and a supported living complex will be supported. It also requires 'where possible' all homes to be built to Building Regulations M2 (accessibility standard) with 10% built to M3 (wheelchair standard).

3.21 Davidsons encourage the need for a mixture of housing types specifically to meet local needs, particularly the provision of smaller properties, accessible properties and single level living for older persons. However, Davidsons raise concern that such policy requirements may be somewhat onerous especially to small and medium sized developers, likely to result in small sites being unviable and remaining undeveloped over the long term. As such, this increases the risk of this much needed housing never coming forward. The policy should be worded flexibly to allow for individual site circumstances (supported by evidence) and should also recognise the role that larger developments can play in delivering a broader mix of housing to meet identified and evidenced local needs.

### **Windfall Site Development (Policy H5)**

3.22 The NDP includes a policy covering windfall site development. Policy H5 states that small residential proposals for infill and redevelopment sites will be supported, subject to it being within the settlement boundary amongst other criteria. Davidsons support the need to encourage the redevelopment of brownfield and derelict sites within the settlement boundary, however the NDP currently relies upon such sites to come forward in order to achieve the total housing need for the Parish.

3.23 Davidsons object to this approach as it is not considered appropriate or best practice to make an allowance for windfall sites in the NDP supply as there is no certainty or guarantee that these sites will come forward. This is particularly an issue if the housing needs for Desford increase due to increased needs across the Borough. The NPPF (Paragraph 70) states that '*compelling evidence*' is needed before an allowance for windfall can be justified. As mentioned previously the Neighbourhood Plan states clearly in Chapter 4 that '*there were (and are) no brownfield sites of any size within the parish and any future development would have to be outside the settlement boundary*'. Therefore there is no '*compelling evidence*' and the policy fails Basic Condition (a) as it does not comply with national policy.

3.24 A better and more positive approach would be to allocate more sustainable sites in Desford to meet all of the identified housing need (if the most sustainable site has the capacity to do so) and if any windfall sites do come forward this would only add to the supply of housing in the Parish and in HBBC, an approach encouraged in the NPPF where local authorities should be seeking to boost the supply of housing. In

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addition policies should be more flexible to allow for changes to the settlement boundary where justified by evidence of need.

#### 4. LAND AT ASHFIELD FARM, KIRKBY ROAD, DESFORD

##### Site Proposals

- 4.1 Land North of Kirkby Road (Ashfield Farm), Desford (“the site”), is located to the south west of Desford village, north of Kirkby Road and covers an area of 5.35ha. It comprises Ashfield Farm made up of a single property, barn and one agricultural field. The site’s north-eastern boundary lies adjacent to the settlement boundary of Desford with residential development off Cambridge Drive. Beyond the north-western boundary is the recent Bellway Homes development known as “The Paddocks” at Lockeymead Drive.
- 4.2 To the west lies the open countryside made up of agricultural fields, however directly adjacent to the western boundary is a strip of land covered with densely planted vegetation. A public footpath runs through this area along the western boundary of the site. Kirkby Road forms the south-eastern boundary of the site, beyond which lies the open countryside in agricultural use. Across Kirkby Road directly to the east of the site is an area of public open space, which includes a football pitch, children’s play area and small car park. All boundaries of the site are defined by hedgerows, with the western boundary of the site including several mature trees.
- 4.3 The site has capacity to accommodate up to 120 dwellings. Given the site’s size, there is the flexibility to allow for a mix of housing types and tenures, as well as allowing for the provision of on-site open space. At the time of writing these representations Davidsons were awaiting a decision on their outline planning application on the site for up to 120 dwellings with access, reference 19/01243/OUT. The illustrative masterplan can be seen at Appendix 1.

##### Social Infrastructure and Accessibility

- 4.4 The site is well located in relation to a number of local facilities in the surrounding area which could be used by future residents of the site.
- 4.5 The nearest school to the site is Desford Community Primary School which is located approximately 300 metres to the east. This school is therefore accessible within an approximate 2-minute walk from the site. The nearest secondary school is Bosworth Academy, located approximately 1.4km to the east within Desford.

- 4.6 Desford Post Office, High Street is a Grade II Listed Building, is located on High Street, approximately 800 metres walk to the east of the site.
- 4.7 In terms of medical facilities, the nearest doctor's surgery is Desford Medical Centre, located approximately 1km to the north-east of the site. A pharmacy (Desford Pharmacy) is located on the High Street some 800 metres away from the application site.
- 4.8 The nearest shops are also located on High Street, approximately 800 metres east of the site. The local retail facilities include services such as food/grocery and convenience stores, hairdressers/beauty, post-office and hot food takeaways. Bus services provide access to Market Bosworth, Newbold Verdon and Leicester which provide higher-order services and facilities, including retail.
- 4.9 Existing sports fields are located adjacent to the public rights of way of the application site to the south of the application site, as well as a play park within this same area. In addition, the village supports a number of public houses and Desford Library, all within 800 metres walking distance of the site.
- 4.10 The nearest bus stops are located East of the site, on Main Lane. These bus stops are served by the 153 service between Market Bosworth, Newbold Verdon and Leicester. This is a half-an-hourly daytime service that runs on Monday to Saturday.
- 4.11 The 153 bus service provides direct access to St Margaret's bus station, which is a 2 minute walk from Leicester railway station. This station provides direct services to a variety of destinations, including Birmingham, Nottingham, London and Sheffield.

### **Suitability**

- 4.12 The site is located outside of the settlement boundary of Desford. The settlement boundary abuts the north-eastern boundary of the site defined by the rear of the back gardens of the residential properties along Cambridge Drive. Given the recent planning consents directly to the north of the site, the site will therefore be enclosed by residential development on both its north-eastern and north-western boundaries. It is clear that development of this site would make a logical extension to the village along Kirkby Road. The site's western boundary is well defined by a belt of mature vegetation and the southern boundary defined by Kirkby Road.

- 4.13 The site is located within the open countryside but adjacent to the settlement boundary of Desford. There are no statutory designations covering the site.
- 4.14 The site is bounded by existing landscape features, namely hedgerows and mature trees. Development of the site would be well contained from the wider open countryside with residential development located directly to the north-west and north-east. A Landscape and Visual Impact Assessment (LVIA) has been prepared in support of the proposed development.
- 4.15 A number of ecological reports have been prepared, including; a Preliminary Ecological Appraisal, a Breeding Bird Survey, a Bat Survey, a Reptile Survey and an Ecological Mitigation and Enhancement Strategy. The soft landscaping scheme, retained hedgerows, and significant areas of open space including attenuation pond proposed for the site will provide connectivity and net gain.
- 4.16 A Flood Risk Assessment and Drainage Strategy has been prepared. The site has not been found to be at any direct risk from flooding associated with fluvial, sewer or groundwater sources. The development site is entirely within Flood Zone 1 and there are no established sources of flood risk. The surface water drainage strategy has been considered, and it is proposed to use a combination of infiltration drainage techniques and onsite attenuation to manage surface water runoff generated by the development. An attenuation basin is indicatively shown to the northern boundary of the site.
- 4.17 The site is not within or adjacent to the Desford conservation area. There are no listed buildings or structures on or within the immediate vicinity of the site. Archaeological assessment work (desk based assessment, geophysical survey and trial trench evaluation) has recorded no significant archaeological remains within the site.
- 4.18 With regards to access the proposed development would be accessed from Kirkby Road. A Transport Assessment and Residential Travel Plan has been prepared. The Transport Assessment confirms that satisfactory vehicular access to the site can be achieved via an extension of Kirkby Road, with the major arm routing straight through to the development. Pedestrians would be able to access the site along Kirkby Road via a new footway with pedestrian links through to the Bellway scheme to the north at Lockeymead Drive. The pedestrian linkages offer the opportunity



for residents to walk to Desford village centre and the variety of facilities that it offers within a reasonable walking distance from the site.

- 4.19 There are no infrastructure constraints or requirements to bring forward this site for residential development. A high voltage power line crosses the site which would require diverting. The village is well served by all utilities and broadband.
- 4.20 The risk of ground contamination issues on this site is low as identified by a Phase 1 Site Appraisal.
- 4.21 Residential development would not impact upon the amenity of neighbouring properties. The predominant land use around the site is residential and agricultural. There are no other uses in the immediate vicinity that may be compromised if residential were to come forward on this site.

### **Achievability**

- 4.22 The site is capable of coming forward for residential development in the next five years. The site is within single ownership and is being promoted by Davidsons Developments Ltd. Residential development on this site is viable and therefore the site is considered achievable.

### **Availability**

- 4.23 The site is within single ownership and is being promoted by Davidsons Developments Ltd. There are no ownership issues that would prevent development coming forward on this site.

### **Economic Benefits**

- 4.24 In terms of economic sustainability, jobs would be created during the construction phase of the development (including indirect employment through the construction supply chain). The new residents of the development would also serve to support the existing local facilities and services within the village, through additional household spend.

## 5. SUMMARY AND CONCLUSIONS

- 5.1 Having raised the matter several times previously, Davidsons continue to submit that the Neighbourhood Plan has not been based upon an objective nor fair assessment of sites when considering the site allocations.
- 5.2 The Neighbourhood Plan is not providing for sufficient development to enable it to meet the future needs of Desford, and of the Borough as a whole.
- 5.3 The consultation period for the SEA / Regulation 14 (2) exercise was wholly inadequate, and not in compliance with Regulation 14 (iv) of the Neighbourhood Planning General Regulations 2012 (as amended).
- 5.4 Davidsons consider that the following Basic Conditions have not been met:
- Basic Condition (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)*. The Plan and SEA have not satisfied legislative requirements in terms of adequate consultation, and the plan has not been prepared in line with the most up to date NPPF. Policies are not considered flexible enough to be able to accommodate changing circumstances and the plan is not therefore fully addressing the achievement of sustainable development, is not aspirational nor deliverable, nor shaped by effective engagement as required by the NPPF Paragraph 16 (a), (b) and (c). Other policies (eg Windfall) are not in conformity with the NPPF as they are not supported by evidence.
  - Basic Condition (d): *the making of the Order (or neighbourhood plan) contributes to the achievement of sustainable development*. NPPF Paragraph 8 sets out that '*sustainable development*' has a social objective including '*ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations*'. Whilst the plan has taken some steps to addressing need, this should have been reassessed in the light of changing Government policy, as the plan is not flexible enough to provide for further growth in order to meet this test.
  - Basic Condition (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)*. The strategic

policies of the Core Strategy are out of date, and whilst this is acknowledged in parts of the Neighbourhood Plan, the steps taken are insufficient to ensure the meeting of this Basic Condition.

- Basic Condition (f): *the making of the Order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.* The SEA has not been undertaken in compliance with these obligations as set out in the accompanying representations in relation to this.

5.5 Davidsons continue to promote Land at Ashfield Farm, Kirkby Road as an entirely logical and sustainable extension to the community, which can help Desford meet its future needs, through a development of up to 120 homes including 40% affordable provision.

# **APPENDIX 1**

## **SITE LOCATION / PROPOSED ILLUSTRATIVE MASTER PLAN**





**LEGEND**

- Site boundary  
5.49ha / 13.57 acres
- Vehicular access
- Key landmark building
- New pedestrian link

- Grasscrete
- Existing tree
- Proposed trees

- 01** New site access arrangement
- 02** Key arrival space
- 03** Potential footpath link to adjacent development
- 04** Play space
- 05** Landscape buffer
- 06** Public open space
- 07** Retained field access for agricultural purposes

Rev A: Amendment to access and footpath links (CM 28/02/18)  
 Rev B: Amendment to layout and attenuation area (IW 27/06/19)  
 Rev C: Potential single storey dwellings removed (IW 27/06/19)  
 Rev D: Revised layout based on surveys and constraints data (CM 18/09/19)  
 Rev E: Local Area for Play relocated (CM 27/09/19)  
 Rev F: Revised site area (CM 07/10/19)  
 Rev G: Grasscrete access added (CM 25/10/19)



**ASHFIELD FARM, DESFORD | ILLUSTRATIVE MASTERPLAN**



# **APPENDIX 2**

## **SITE ASSESSMENT SCORINGS**

## Desford Neighbourhood Plan

A comparison of the site assessment scoring undertaken at different stages, and the assessment undertaken by Davidsons

Criteria for assessment as referenced in appendix 2 of the neighbourhood plan Regulation 14 consultation documentation	<b>Original assessment scoring</b> for the Regulation 14 consultation documentation This correctly related to SHLAA references AS210 and AS211 to be considered together	<b>Revised scoring for the Supplementary Sites consultation</b> Related only to AS211 <b>which was incorrect</b> as this related only to PART of the site being promoted	<b>Further revised scoring October 2019</b> In a letter from the Parish Council (20 <sup>th</sup> October 2019), This correctly treats SHLAA references AS210 and AS211 to be considered together.	<b>Scoring undertaken by Davidsons</b> in response to the original Regulation 14 consultation and updated to reflect further work undertaken since the original representations
Site capacity	117 units (3 bed)  Score: RED	50 units (3 bed)  Score: RED	105 units (3 bed)  Score: RED	Capacity for approx. 120 dwellings – mixed sizes / tenures in line with NPPF. Planning application is for ‘up to 120 dwellings’.  Site capacity should not be a criterion. However if still to be considered in scoring this should be GREEN
Site is an arable field in current use, existing use needs to be relocated	2 arable fields – use needs to be relocated Score: AMBER	Site is an arable field in current use, existing use needs to be relocated Score: AMBER	Site is two arable fields in current use, existing use needs to be relocated. Score: AMBER	Would result in loss of <u>one</u> arable field. Arable use would <u>not</u> require relocation  Score: GREEN
Adjoining uses	Edge of built area, surrounded on two sides by arable fields, existing uses on Cambridge Drive to the Eastern edge. AMBER	The site is near to the current Bellway development but is separated from the current built form and is surrounded on three	Site sits on the edge of current built form and surrounded by two sides by further arable fields in current use with a recent housing	The site is surrounded on two sides by the settlement boundary and built development. Does not adjoin fields on the western boundary as this is defined by a strip of land with extensive tree and vegetation cover which separates and contains the site. This should score amber as the assessment

Criteria for assessment as referenced in appendix 2 of the neighbourhood plan Regulation 14 consultation documentation	<b>Original assessment scoring</b> for the Regulation 14 consultation documentation This correctly related to SHLAA references AS210 and AS211 to be considered together	<b>Revised scoring for the Supplementary Sites consultation</b> Related only to AS211 <b>which was incorrect</b> as this related only to PART of the site being promoted	<b>Further revised scoring October 2019</b> In a letter from the Parish Council (20 <sup>th</sup> October 2019), This correctly treats SHLAA references AS210 and AS211 to be considered together.	<b>Scoring undertaken by Davidsons</b> in response to the original Regulation 14 consultation and updated to reflect further work undertaken since the original representations
		sides by further arable fields in current use. Score: RED	development to the north. Adjacent to the settlement boundary with existing residential units on Cambridge Drive and to the eastern edge. RED	criteria state that this relates to sites which adjoin the village envelope or residential location, which this site does.  Score: AMBER
Topography	Relatively flat Score: GREEN	Relatively flat and straightforward to develop Score: GREEN	Relatively flat and straightforward to develop Score: GREEN	Agree the site is flat and straightforward to develop Score: GREEN
Greenfield or Previously Developed Land	Wholly greenfield Score: RED	Wholly greenfield comprising a large arable field with very open aspects to most sides  Score: RED	Wholly greenfield site comprising of two arable fields with very open aspects to two sides Score: RED	Majority of site is greenfield but there is an existing dwelling on part of the site which would be demolished as part of any development proposals, therefore part is previously developed land. Open aspect issue does NOT form part of the assessment criteria, hasn't been used previously and should not be introduced here, this is NOT a consistent approach Score : AMBER



Criteria for assessment as referenced in appendix 2 of the neighbourhood plan Regulation 14 consultation documentation	<b>Original assessment scoring</b> for the Regulation 14 consultation documentation This correctly related to SHLAA references AS210 and AS211 to be considered together	<b>Revised scoring for the Supplementary Sites consultation</b> Related only to AS211 <b>which was incorrect</b> as this related only to PART of the site being promoted	<b>Further revised scoring October 2019</b> In a letter from the Parish Council (20 <sup>th</sup> October 2019), This correctly treats SHLAA references AS210 and AS211 to be considered together.	<b>Scoring undertaken by Davidsons</b> in response to the original Regulation 14 consultation and updated to reflect further work undertaken since the original representations
Good Quality Agricultural Land?	Grade 2 – very good quality Natural England recommend no development of Grade 2 land Score: RED	Whole of the site is grade 2 ie very good. Natural England best practice recommends no development of Grade 2 land Score: RED	Whole of the site is grade 2 ie very good. Natural England best practice recommends no development of Grade 2 land as it is a nationally scarce resource. Score: RED	NE recommendations are not policy and the NPPF is worded differently (Para 170) as it does not preclude development.
Site Availability – single or multiple ownership?	Multiple ownership – one family Score: AMBER	Single ownership Score: GREEN	Single ownership Score: GREEN	The site is available in single ownership and controlled by a single developer (Davidsons) Score: GREEN
Landscape quality? Overview Visual Impact Assessment?	Open long distance vistas to some boundaries, site feels very rural in character development would cause substantial harm to this ‘edge’ of settlement. Inside the	Open long distance vistas found to all boundaries of the area and site feels very rural in character, development would cause substantial harm. Inside the Desford Vales landscape character assessment	Open long distance vistas found to all boundaries of the area and site feels very rural in character, development would cause substantial harm to this edge of the settlement.	No evidence of substantial harm in visual and landscape terms. Previous planning application (14/01166OUT) did not consider landscape harm to be substantial, and the landscape and visual assessment supporting the original application and the recently submitted new application have both identified that mitigation can be achieved relating to long distance views. It is a misrepresentation that the site feels very ‘rural’ in character. The

Criteria for assessment as referenced in appendix 2 of the neighbourhood plan Regulation 14 consultation documentation	<b>Original assessment scoring</b> for the Regulation 14 consultation documentation This correctly related to SHLAA references AS210 and AS211 to be considered together	<b>Revised scoring for the Supplementary Sites consultation</b> Related only to AS211 <b>which was incorrect</b> as this related only to PART of the site being promoted	<b>Further revised scoring October 2019</b> In a letter from the Parish Council (20 <sup>th</sup> October 2019), This correctly treats SHLAA references AS210 and AS211 to be considered together.	<b>Scoring undertaken by Davidsons</b> in response to the original Regulation 14 consultation and updated to reflect further work undertaken since the original representations
	Desford Vales landscape character assessment Score: RED	Score: RED	Score: RED	Bellway development to the north has altered the setting. More accurate to say the site is more suburban in character. Now questionable as to whether there remain long vistas on to the site. Site should be rescored amber.  Score: AMBER
Important Trees, Woodlands or Hedgerows?	Hedgerows along three boundaries, development would require destruction of small section of hedgerow  Score: AMBER	Hedge along three boundaries and a small section of trees within the curtilage. Development would require substantial mitigation  Score: RED	There is a hedge along most boundaries and a small section of trees within the curtilage of the site. Development would require destruction of a section of ancient hedgerow  Score: RED	Development (120 homes) could come forward without removing existing hedgerows and trees. Only a small section of low quality hedgerow would need to be removed along the Kirkby Road to accommodate a new access road as shown in the supporting information to the planning application. There is NO ancient hedgerow, and this has been added in to the scoring where as it was not mentioned previously. Scoring criteria reference 'important' trees and hedgerows, the small section to be removed is of low quality therefore not considered important, the rest will be retained.  Score should be GREEN.

Criteria for assessment as referenced in appendix 2 of the neighbourhood plan Regulation 14 consultation documentation	<b>Original assessment scoring</b> for the Regulation 14 consultation documentation This correctly related to SHLAA references AS210 and AS211 to be considered together	<b>Revised scoring for the Supplementary Sites consultation</b> Related only to AS211 <b>which was incorrect</b> as this related only to PART of the site being promoted	<b>Further revised scoring October 2019</b> In a letter from the Parish Council (20 <sup>th</sup> October 2019), This correctly treats SHLAA references AS210 and AS211 to be considered together.	<b>Scoring undertaken by Davidsons</b> in response to the original Regulation 14 consultation and updated to reflect further work undertaken since the original representations
Relationship with existing pattern of built development?	Adjacent to current settlement boundary and the Bellway New Build site so could be developed.  Score: AMBER	Site is adjacent to the new Bellway development but vehicular access not possible through that site and although planting could mitigate visibility from the properties on Cambridge Drive the location is a sensitive one  Score: AMBER	The site is adjacent to the new Bellway development but vehicular access is not possible through that site and although planting could mitigate visibility from the properties on Cambridge Drive the location is a very sensitive one. Development would create a large incursion in to open countryside.  Score: RED	Agreed that the site is adjacent to the settlement boundary, but as such site would be a logical extension. It is not understood why vehicular access to the new Bellway development is of any relevance this is not in the assessment criteria for this issue.  Site would only be visible from existing residential properties on Kirkby Road, Cambridge Drive and the Bellway development, mitigation (planting etc) can be provided and scoring should reflect this. Design and layout has been carefully considered to avoid overlooking and amenity issues. Instead of taking these issues into account the most recent assessment has added an extra note about 'large incursion into open countryside' and downgraded the site to score red with no obvious reason. This is inconsistent and unfair. Based on the criteria it is considered that the land is visible from a small number of properties and should score green.  Score: GREEN

Criteria for assessment as referenced in appendix 2 of the neighbourhood plan Regulation 14 consultation documentation	<b>Original assessment scoring</b> for the Regulation 14 consultation documentation This correctly related to SHLAA references AS210 and AS211 to be considered together	<b>Revised scoring for the Supplementary Sites consultation</b> Related only to AS211 <b>which was incorrect</b> as this related only to PART of the site being promoted	<b>Further revised scoring October 2019</b> In a letter from the Parish Council (20 <sup>th</sup> October 2019), This correctly treats SHLAA references AS210 and AS211 to be considered together.	<b>Scoring undertaken by Davidsons</b> in response to the original Regulation 14 consultation and updated to reflect further work undertaken since the original representations
Local Wildlife Considerations?	Nesting birds, badgers and small mammals including BAP 2012 species Score: RED	Nesting birds, badgers and small mammals  Score: RED	Nesting birds, badgers and small mammals.  Score: RED	Considerable ecological assessment work has been undertaken to inform the process including the planning application, there are no badgers evident. Mitigation for all other species present can be achieved and an ecological mitigation enhancement strategy has been produced.  Score: AMBER
Listed Building or important built assets?	None Score: GREEN	None identified Score: GREEN	None identified in this location.  Score: GREEN	Agreed.  Score: GREEN
Impact on the Conservation Area or its setting?	Outside of the conservation area and far enough away to be of no influence.  Score: GREEN	Outside of the conservation area and far enough away to be of no influence  Score: GREEN	The site is outside of the conservation area and far enough from it to be of no influence upon it.  Score: GREEN	Agreed.  Score: GREEN

Criteria for assessment as referenced in appendix 2 of the neighbourhood plan Regulation 14 consultation documentation	<b>Original assessment scoring</b> for the Regulation 14 consultation documentation This correctly related to SHLAA references AS210 and AS211 to be considered together	<b>Revised scoring for the Supplementary Sites consultation</b> Related only to AS211 <b>which was incorrect</b> as this related only to PART of the site being promoted	<b>Further revised scoring October 2019</b> In a letter from the Parish Council (20 <sup>th</sup> October 2019), This correctly treats SHLAA references AS210 and AS211 to be considered together.	<b>Scoring undertaken by Davidsons</b> in response to the original Regulation 14 consultation and updated to reflect further work undertaken since the original representations
Safe pedestrian access to and from the site?	None exists in to the site but should be possible to extend the footway in from Kirby Road with significant improvements  Score: AMBER	None exists and it is a long way to the nearest adopted footway it could be possible to extend the footway from Kirby Road  Score: AMBER	None exists and it is a long way to the nearest adopted footway. It could be possible to extend the footway in from Kirby Road with significant improvement. Score: AMBER	Adopted footpath along Kirkby Road can easily be extended into the site, it is not a long way as it runs to the edge of the site.  Score: GREEN
Impact on existing vehicular traffic?	Very large scale negative impact from this large number of units in this very sensitive highways location, all traffic will have to cross through the settlement which is already congested at peak times.  Score: RED	A large scale negative impact from this large number of units in this very sensitive highways location, all traffic would have to cross through the settlement with routes that are already severely congested for long periods  Score: RED	A large scale negative impact from this large number of units in this very sensitive highways location. All traffic would have to cross through the settlement with routes that are already severely congested for long periods.  Score: RED	No evidence for these conclusions, Traffic impacts were considered as part of a 2014 planning application for 120 dwellings, LCC had no objection subject to conditions. Planning officer considered that whilst there would be an impact on traffic and queuing at peak times at main junctions on balance with mitigation would accord with policy. This evidence has been updated to inform the recently submitted planning application which concludes that mitigation can be provided for minor impacts. This falls within the green assessment criteria ie ie 'impact on village centre minimal'. Score: GREEN

Criteria for assessment as referenced in appendix 2 of the neighbourhood plan Regulation 14 consultation documentation	<b>Original assessment scoring</b> for the Regulation 14 consultation documentation This correctly related to SHLAA references AS210 and AS211 to be considered together	<b>Revised scoring for the Supplementary Sites consultation</b> Related only to AS211 <b>which was incorrect</b> as this related only to PART of the site being promoted	<b>Further revised scoring October 2019</b> In a letter from the Parish Council (20 <sup>th</sup> October 2019), This correctly treats SHLAA references AS210 and AS211 to be considered together.	<b>Scoring undertaken by Davidsons</b> in response to the original Regulation 14 consultation and updated to reflect further work undertaken since the original representations
Safe vehicular access to and from the site?	A minor track serves the site from the south. Only minor farm access to Ashfield Farm is in place but only for farm machinery and no road width or visibility splays are present. It appears possible to build new highway access arrangements to meet safety standards with significant improvement.  Score: AMBER	A land locked site. A minor track serves the site from the south. It is very problematic to build new highway access arrangements to meet safety standards but possibly viable, potentially through the Bellway site with the support of a third party owner. No current access in place and no visibility splays are present. It appears impossible to build new highway access arrangements into the site.  Score: RED	A minor track serves the site from the South. It is very problematic to build new highway access arrangements to meet safety standards and not possible through the Bellway site without the support of a third party owner and a change of direction from the planning authority. No current adequate access in place and no visibility splays are present. It appears impossible to build new highway access arrangements in to the site.  Score: RED	Vehicular access is not required from the new Bellway development, it can safely be provided from Kirkby Road as the information in support of the submitted planning application shows.  Score: GREEN.

Criteria for assessment as referenced in appendix 2 of the neighbourhood plan Regulation 14 consultation documentation	<b>Original assessment scoring</b> for the Regulation 14 consultation documentation This correctly related to SHLAA references AS210 and AS211 to be considered together	<b>Revised scoring for the Supplementary Sites consultation</b> Related only to AS211 <b>which was incorrect</b> as this related only to PART of the site being promoted	<b>Further revised scoring October 2019</b> In a letter from the Parish Council (20 <sup>th</sup> October 2019), This correctly treats SHLAA references AS210 and AS211 to be considered together.	<b>Scoring undertaken by Davidsons</b> in response to the original Regulation 14 consultation and updated to reflect further work undertaken since the original representations
Safe access to public transport?	Yes, the nearest bus stop is a fair distance walk about 575m  Score: RED	Yes, the nearest bus stop is a fair distance walk about 600m  Score: RED	Yes, the nearest bus stop is in excess of a 500m walk.  Score: RED	Site is within 400m of a bus stop (from site centre / site access) and pedestrian link to north (as shown on masterplan) can improve access further. This falls within the Amber category for the site assessment criteria. The criteria were challenged through earlier representations as the scoring thresholds were considered arbitrary and should have been amended to accord with Manual for Streets.  Score: AMBER (or GREEN if Manual for Streets is applied)
Distance to designated village centre	A distance of over 1100m  Score: RED	Walking distance of over 1200m  Score: RED	Walking distance of over 1000m.  Score: RED	Site is within 800m from village centre. This falls within the Amber category for the site assessment criteria. The criteria were challenged through earlier representations as the scoring thresholds were considered arbitrary and should have been amended to accord with Manual for Streets (the site falls within the latter's recommended walking distances).

Criteria for assessment as referenced in appendix 2 of the neighbourhood plan Regulation 14 consultation documentation	<b>Original assessment scoring</b> for the Regulation 14 consultation documentation This correctly related to SHLAA references AS210 and AS211 to be considered together	<b>Revised scoring for the Supplementary Sites consultation</b> Related only to AS211 <b>which was incorrect</b> as this related only to PART of the site being promoted	<b>Further revised scoring October 2019</b> In a letter from the Parish Council (20 <sup>th</sup> October 2019), This correctly treats SHLAA references AS210 and AS211 to be considered together.	<b>Scoring undertaken by Davidsons</b> in response to the original Regulation 14 consultation and updated to reflect further work undertaken since the original representations
				Score: AMBER (or GREEN if Manual for Streets is applied)
Distance to GP / health centre	A distance of about 900m Score: RED	Walking distance of about 1000m Score: RED	Walking distance of over 900m. Score: RED	Scoring threshold is arbitrary (see above comments), should accord with Manual for Streets  Score: GREEN
Distance to Primary School	A distance of about 350m  Score: AMBER	Walking distance of about 250m  Score: AMBER	Walking distance of about 200m.  Score: GREEN	Scoring threshold is arbitrary, should accord with Manual for Streets. Site is very close to Desford Primary School. Agree with score however.  Score: GREEN
Current existing informal / formal recreational opportunities on site?	None identified  Score: AMBER	None identified  Score: AMBER	None identified  Score: GREEN	The updated assessment scoring is supported.  Score: GREEN



Criteria for assessment as referenced in appendix 2 of the neighbourhood plan Regulation 14 consultation documentation	<b>Original assessment scoring</b> for the Regulation 14 consultation documentation This correctly related to SHLAA references AS210 and AS211 to be considered together	<b>Revised scoring for the Supplementary Sites consultation</b> Related only to AS211 <b>which was incorrect</b> as this related only to PART of the site being promoted	<b>Further revised scoring October 2019</b> In a letter from the Parish Council (20 <sup>th</sup> October 2019), This correctly treats SHLAA references AS210 and AS211 to be considered together.	<b>Scoring undertaken by Davidsons</b> in response to the original Regulation 14 consultation and updated to reflect further work undertaken since the original representations
Ancient monuments or archaeological remains?	None identified  Score: GREEN	None identified  Score: GREEN	None identified  Score: GREEN	Agree  Score: GREEN
Any existing public rights of way / bridle paths?	None found in this location  Score: GREEN	The bridleway on the southern boundary will require mitigation but this is not within the actual site  Score: AMBER	The bridleway on the southern boundary will require mitigation but this is not within the actual site  Score: AMBER	There is no bridleway on the southern boundary <a href="https://footpathmap.co.uk/map/?zoom=15&amp;lng=-1.310661183278337&amp;lat=52.621645928852274">https://footpathmap.co.uk/map/?zoom=15&amp;lng=-1.310661183278337&amp;lat=52.621645928852274</a> There is a footpath in an adjacent field.  Score: GREEN
Gas and / or oil, pipelines and electricity transmission network? (not water / sewage)	An electricity supply cable passes through the site and will require relocation  Score: AMBER	Yes, an electricity supply cable passes through the site and will require relocation  Score: AMBER	Yes, an electricity supply cable passes through the site and will require relocation  Score: AMBER	It is agreed that an electricity supply cable passes through the site and will require relocation. This is easily achievable as confirmed through the supporting technical reports to the recently submitted planning application.  Score: AMBER

Criteria for assessment as referenced in appendix 2 of the neighbourhood plan Regulation 14 consultation documentation	<b>Original assessment scoring</b> for the Regulation 14 consultation documentation This correctly related to SHLAA references AS210 and AS211 to be considered together	<b>Revised scoring for the Supplementary Sites consultation</b> Related only to AS211 <b>which was incorrect</b> as this related only to PART of the site being promoted	<b>Further revised scoring October 2019</b> In a letter from the Parish Council (20 <sup>th</sup> October 2019), This correctly treats SHLAA references AS210 and AS211 to be considered together.	<b>Scoring undertaken by Davidsons</b> in response to the original Regulation 14 consultation and updated to reflect further work undertaken since the original representations
Any noise issues?	No issues identified  Score: GREEN	No issues identified  Score: GREEN	No issues identified  Score: GREEN	Agreed  Score: GREEN
Any contamination issues?	HBBC SHELAA identifies that there may be historical ground contamination adjacent to the site and recommends further investigations Score: AMBER	Unmade ground found, small fly tips will require further investigation  Score: AMBER	Unmade ground found, small fly tips will require further investigation but should be easily mitigated subject to a detailed survey.  Score: AMBER	Low risk, further survey would be needed at detailed planning application stage  Score: AMBER
Any known flooding issues?	The land is within flood zone 1, no known flooding although the size of the development means that a Sustainable Urban Drainage System (SUDS) will be required Score: GREEN	The land is within flood zone 1, no known flooding although the size of the development means that a Sustainable Urban Drainage System (SUDS) will be required  Score: GREEN	The land is within flood zone 1. No known flooding although the size of the development means that a Sustainable Urban Drainage System (SUDS) will be required.  Score: GREEN	Agree with score  Score: GREEN

Criteria for assessment as referenced in appendix 2 of the neighbourhood plan Regulation 14 consultation documentation	<b>Original assessment scoring</b> for the Regulation 14 consultation documentation This correctly related to SHLAA references AS210 and AS211 to be considered together	<b>Revised scoring for the Supplementary Sites consultation</b> Related only to AS211 <b>which was incorrect</b> as this related only to PART of the site being promoted	<b>Further revised scoring October 2019</b> In a letter from the Parish Council (20 <sup>th</sup> October 2019), This correctly treats SHLAA references AS210 and AS211 to be considered together.	<b>Scoring undertaken by Davidsons</b> in response to the original Regulation 14 consultation and updated to reflect further work undertaken since the original representations
Any drainage issues?	A small amount of pooling found on site, requires mitigation but readily achievable  Score: AMBER	No serious issues identified although slight pooling on site due to soil type  Score: AMBER	No serious issues identified, although slight pooling on site due to elevation and soil type.  Score: AMBER	Recently submitted planning application is supported by a drainage strategy which shows that minor issues can be mitigated for.  Score: AMBER
Distance to nearest employment site	Large employment activities, Bosworth Academy about 1500m of the centre of the site  Score: RED	Large employment activities, Bosworth Academy about 1600m of the centre of the site  Score: RED	Large employment activities, Bosworth Academy about 1400m from the centre of the site.  Score: RED	Scoring thresholds are arbitrary and should be amended to accord with the Manual for Streets. Scoring is also inconsistent as Bosworth Academy is identified as an employment site but Desford Community Primary School is not similarly referenced.  Score: GREEN

## **APPENDIX 3**

### **SEA CONSULTATION EMAIL**

### Appendix 3: extract from the email advising of the consultation (SEA)

#### **Notification of consultation on the Strategic Environmental Assessment**

You are invited to comment on the independent Strategic Environmental Report (SEA) that has recently been completed on behalf of Desford Parish Council.

SEAs are sometimes required when Neighbourhood Plans are being created, but not always. The Desford Neighbourhood Plan was deemed to require a SEA because the proposed Plan included identification of a possible site for housing that might impact adversely upon the natural environment of the parish.

The purpose of the SEA is to help communities avoid adverse environmental and socio-economic effects through the Neighbourhood Plan and identify opportunities to improve the environmental quality of the area covered by the Neighbourhood Plan and the quality of life of residents.

The SEA Report can be read, along with the draft Neighbourhood Plan, at Desford library or downloaded from the Neighbourhood Plan section of Desford Parish Council website:

<https://www.desfordparishcouncil.co.uk/neighbourhood-plan.html>

Copies are available in the library and someone from the Neighbourhood Plan Working Group will be available in the library on Saturdays 9th, 16th and 23rd November between 10am and 1pm to answer any questions individuals might have.

Following this public consultation of the SEA, the Neighbourhood Plan will be reviewed in the light of these comments and submitted to Hinckley & Bosworth Borough Council, together with all the supporting documentation, including a Basic Conditions Statement and Consultation Statement setting out who has been consulted, how the consultation has been undertaken and how the representations have informed the Plan.

Hinckley & Bosworth Borough Council will then invite representations from parishioners and other stakeholders, before the Plan is subjected to Examination by an Independent Examiner. Once any further amendments have been made, the Plan will be subject to a local Referendum. If the Referendum is successful, the Plan will be "made" by Hinckley & Bosworth Borough Council.

kind regards

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# **APPENDIX 4**

## **PARISH COUNCIL CONSULTATION PAGE**

Screenshot of Desford Parish Council's website publicising the consultation

The screenshot displays the Desford Parish Council website. The header features the council's name, contact information (Tel: 01455 822993, Send email), and a search bar. The main content area is titled "Desford Neighbourhood Plan" and includes a breadcrumb trail: Home » Planning » Neighbourhood Plan. Below the title, there is a link to the "Neighbourhood Plan website" and a "Latest Update - November 2019" section. This section states that a further document showing modifications to the Strategic Environmental Assessment (SEA) is available, with a link to the "SEA Mitigation Table (Word Document, 17 Kb)". Below this, the "October 2019 - Neighbourhood Plan Consultation" section describes the council's strategic environmental assessment and provides links to the "Neighbourhood Plan Submission October 2019" (PDF, 5.2 Mb) and the "NDP SEA Report October 2019" (PDF, 3.8 Mb). The "April 2019 - Supplementary Strategic Site Assessment Consultation" section details the council's first draft consultation and lists seven potential housing sites for assessment. A sidebar on the left contains navigation links such as Home, A-Z of Services, Planning, Agendas & Minutes, About The Council, Councillors, Community, News, Site Map, and Council Meetings. A sidebar on the right features an "A-Z of Services" grid, a "GOV.UK" logo, and information about the council's affiliation with Hinckley & Bosworth Borough Council and Leicestershire County Council.

DESFORD PARISH COUNCIL

LL9 3JF  
Tel: 01455 822993  
Send email

Welcome to our new website, please tell us if you spot any inaccuracies or would like to recommend a ch \_ enter keyword

Home » Planning » Neighbourhood Plan

## Desford Neighbourhood Plan

More information can be seen on the [Neighbourhood Plan website](#)

### Latest Update - November 2019

A further document showing the modifications to the Strategic Environmental Assessment (SEA) is below.

Any comments should be made to the Clerk at the Parish Council office or by [email](#) on or before 23rd November 2019

- [SEA Mitigation Table](#) (Word Document, 17 Kb)  
An update of the SEA

### October 2019 - Neighbourhood Plan Consultation

Desford Parish Council has through the agency of AECOM Ltd carried out a Strategic Environmental Assessment (SEA) of the proposed Neighbourhood Plan. Copies of the plan proposal and SEA can be inspected at Desford Library during normal opening hours or by following the links below.

- [Neighbourhood Plan Submission October 2019](#) (PDF, 5.2 Mb)  
Neighbourhood Plan Submission October 2019
- [NDP SEA Report October 2019](#) (PDF, 3.8 Mb)  
Strategic Environmental Assessment of the proposed Neighbourhood Plan

### April 2019 - Supplementary Strategic Site Assessment Consultation

The Parish Council consulted parishioners on its first draft of the Neighbourhood Plan during December and January 2018/2019. The draft included all the sites assessed as possible housing sites in the parish and recommended the allocation of one major site.

Responses to this consultation and discussions with Hinckley and Bosworth Borough Council's Planning Department have resulted in the need to assess and consult on 7 further sites. This does not mean that all or any of them will be allocated in the plan. Indeed, any views received in response to this consultation will help the Council to decide which, if any, should go forward.

The sites are:

- Snowdene and land to the rear, Main Street, Botcheston
- Land to the rear of Manor Farm, Main Street, Botcheston
- Land at disused Sewage Works, Lindridge Lane, Desford
- Land adjacent to Lyndale Cattery, Desford
- Hunts Lane extension, Desford
- Land to the South of Desford, to the East of Peckleton Lane
- Land to the South of Desford, extension of above to the West of Peckleton Lane

72,916 page views over twelve months, updated daily.

A-Z of Services

A	B	C	D
E	F	G	H
I	J	K	L
M	N	O	P
Q	R	S	T
U	V	W	X
Y	Z		

GOV.UK

The Borough Council is Hinckley & Bosworth Borough Council.

The County Council is Leicestershire County Council.

The Neighbourhood Policing Unit is Bosworth, Ratby, Groby, Markfield And Stanton.