

Appendix 1

Melbourne Neighbourhood Plan Version 0.7 (as amended) - South Derbyshire District Council Comments

South Derbyshire District Council has been involved at officer level in an advisory capacity with the Parish of Melbourne's Neighbourhood Development Plan (NDP) regarding policy creation since the designation of the Neighbourhood Plan Area on 29 January 2015. As stated in the Consultation Statement: "There were a series of meetings with SDDC throughout the formulation of the plan. These meetings took place in April, August and October 2015, January and October 2016 and May 2017." These meetings were an opportunity to update the neighbourhood planning group on the progress of the South Derbyshire Local Plan (SDLP) Parts 1 and 2 and to provide a policy steer to the group in the formulation of the NDP policies and associated documents.

The pre-submission version (version 0.7) of the NDP contains eight policies: three regarding housing, four regarding open spaces and one regarding heritage and conservation. The District Council has, on three occasions, made written comments on the NDP, firstly in August 2016 on the initial draft; secondly in December 2017 on a pre-submission draft and thirdly in December 2018.

Some of the concerns raised during the earlier stages of NDP production remain outstanding in the final pre-submission version. These remaining concerns are set out below.

Policy HP1: Development will be 'infill' only within the settlement boundaries of the villages.

The SDLP already allows for infill development. It was suggested that a more positively worded policy than the one set out above would be more appropriate; a policy that has the potential to stifle sustainable development risks failing the basic condition. The supporting text to the policy where it is stated "no new homes should be built in the fields around Melbourne and Kings Newton" does not appear to accord with the strategic policies in the SDLP, namely Policy BNE5 and the policies referred to in Policy BNE5(i). It is noted that, as yet, there is no indication within the NDP as to how it will contribute toward future development within South Derbyshire.

Policy HP2: Maintain the separation between Melbourne and Kings Newton

The Council's written comments on both occasions have been to suggest that the area of separation be shown on a map. The latter comments also suggested that the NDP group consider whether a green wedge could be designated between parts of the two settlements, however this has only been included as a possibility in the policy's supporting text: "no further development should take place in the open space around Jawbone Lane, which could possibly be designated as Green Wedge". The

exact area that the NDP is trying to protect from development to maintain the separation is not clear from the NDP as it stands, nor is there a policy tool to do it.

Policy HP3: Proposals for development of dwellings within the settlement boundaries will be supported if they have 3 bedrooms or fewer, which means that any 'infill' will be for new starter homes and for downsizing rather than for large 'executive homes'.

The Council's initial written comments were that a policy stating that "any development within the settlement area should be restricted to two-bedroomed properties" would need to be justified. The revised policy was amended to three bedrooms or fewer, and the Council's subsequent comment was that the policy risked failing the basic condition because it was not in accordance with SDLP Policy H20: Housing Balance, and also risked failing the basic condition regarding sustainable development. The need for such a policy needs to be supported by evidence.

Policy OS1: Development in the 8 areas of Local Green Space will not be supported.

Local green spaces are being taken forward both through the Local Plan and the Neighbourhood Plan. The Local Plan has a local green space policy, BNE8, in its Part 2 Plan. A separate Local Green Spaces Development Plan Document is being produced, which will include proposed allocations and further local green space policies. This document has now been submitted for Examination.

Policy BNE8 protects local green spaces from development except for in very special circumstances which clearly outweigh the harm that may be caused, or for limited types of development which preserves the openness of the local green space and does not harm the purpose for its designation.

The Council's concern is that Policy OS1 does not conform to strategic policy BNE8 because the policy wording does not support development of any type. The latest version of the NDP makes reference to exceptional circumstances in the supporting text but not within the policy itself.

The NDP supports areas of local green space being put forward by the Council, however this Plan is still in production and some of the spaces referred to will not be in the Regulation 19 consultation. It may be prudent for the NDP to include all spaces that the Parish Council would like to see designated, regardless of what the Council's Local Green Spaces Plan includes.

Policy OS2 – Protection from development for footpaths, public rights of way and greenways.

The policy itself reads more as a heading than a policy. The Council expressed concern regarding the sentence "Greenways must not be urbanised by new house

building along them”, both in terms a need to justify the statement and that is was not clear what the statement really meant. The final version of the NDP now includes a reference to SDLP policy INF2; it is unclear whether OS2 adds anything to SDLP policy INF2.

Concern was expressed through the latter written comments that a developer cannot compel the County Council to add a route to the definitive map.

Policy OS3 – Developments that protect and enhance biodiversity will be supported.

It is not clear how this policy adds to the SDLP policies referred to in the supporting text.

Policy OS4 – The preservation of Grade 1, 2 and 3a agricultural land will be supported.

It is not clear how this policy adds to the SDLP policy BNE4.