

Dunton Bassett Neighbourhood Plan 2020 - 2031

Further Comments of the Independent Examiner

Prepared by

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20th July 2022

22 August 2022 - Response of Qualifying Body and Harborough District Council included

1. I am grateful to both the Parish Council and the District Council for the responses to my Initial Comments document. I have considered the responses carefully.
2. I note that the District Council has now prepared an Addendum to the SEA Screening Determination and is currently consulting the 3 consultation bodies. I assume that after receiving and considering the responses received, it will then issue a final determination. I would ask that the consultation responses are also forwarded to me, alongside the final determination document.

HDC response - The Final SEA Determination of the District Council has been prepared in the light of the comments from the statutory consultees and forwarded as a separate document. (forwarded on 22 Aug 2022)

3. As the Aitchison Rafferty's Regulation 16 representation refers to the Strategic Heritage Assessment, I would ask that the District Council sends a copy of its Addendum to Nigel Ozier and invite him to submit any comments on that determination which can be forwarded to me and I suggest that he be given a 3- week period to respond.

HDC Response - The Strategic Heritage Assessment has been forwarded to Aitchison Rafferty as requested. Aitchison Rafferty have no further comments to make at this time

4. I also understand that Richborough Estates, who I assume are the landowner of the allocation site, have been asked by the Parish Council to respond to some of my initial enquiries. I have been told these will be available shortly and I will await their receipt before coming to my final decision as to whether I need to call a public hearing. However, I would advise that based on the responses I have received to date to some of my questions, I am minded to call for a public hearing which will allow me to explore in more detail particular aspects of the plan. I stress that this is only a preliminary view and I will issue a further note as to whether a hearing is required, once I receive the further information.

Richborough Estates response forwarded to Examiner

5. If it does turn out that a hearing will be required, I will set out the specific matters which I will want it to cover and which parties I would like to be invited to take part in the hearing. A public hearing can now be held in person, rather than by video conferencing (as occurred during the pandemic) and hopefully it can be held in the village.

Noted – arrangements will be made by the District Council with support from the Qualifying Body

6. There are some matters upon which I wish to seek further representations, which can be dealt with in the interim period. In particular, there are a number of cases where the Parish Council has not fully and satisfactorily addressed the specific questions I was requesting in my Initial Comments. I hope that my questions were clear, but the responses, particularly to questions 26,28 and 32 have not fully answered the questions that I was asking. If the meaning of the questions is unclear, please come back to me and I will try to make my request clearer.

QB response – The submission from Richborough Estates (July 2022 – also enclosed) addresses questions 26/28/32 of the first clarification request (dated July 2022)

7. Turning to other supplementary matters, I would like to know the landowner's views on the plan's proposal to designate The Beats as local green space. I note that the response was that the Parish Council will address this with the landowner, but such consultation is expected to be done earlier in the process rather than after the examination. I need to know whether they support or oppose the proposed designation.

QB response – Email sent to Wells McFarlane 18 Aug 2022 –

We have been asked if the landowner would consider allocating the land known as the Beat, Church Lane Dunton Bassett as public open/recreational space, as at present there are two public footpaths and a bridleway.

No response to date.

Would this be something that the landowner would consider going forward? has not provided additional information as at 22 Aug 2022

8. Can the District Council send me the decision notice and officer report in respect of the refusal of the development proposal on that land including, if appropriate, a copy of any appeal decision.

HDC response – documents enclosed with this response

9. Relating to the same site, can I ask specifically what the reasons are, that leads the Parish Council to conclude that the land is demonstrably special to the local community so as to warrant LGS status, as it stated that is not for its recreational use.

QB response - The Beat carries 2 no. public footpaths, part of the Leicestershire Round , is bounded on 2 sides by a bridle way and is a buffer on the SE edge of the village.

10. Similarly, can the Parish Council expand on the reasons why it believes the village places particular significance on the Parish Council Field Site H, which justifies its proposed local green space status.

QB response - The Parish Field site is owned by the Parish Council and as owners they support and are content for the area to be designated as an area with local green space status.

11. The Parish Council's response to my question 29 referred me to the policy following the approach of the District Council, in terms of how it deals with bungalows on affordable housing schemes. In that case, I would ask the District Council to address that question please.

*HDC Response - The Council routinely analyses the need for bungalows on a site by site basis and works with developers to provide a small proportion of this unit type as part of Harborough's affordable housing requirement. We encourage developers to provide this unit type by requesting bungalows on a 1 for 2 basis, for example one bungalow is equal to 2 affordable units. Whilst this approach reduces Harborough affordable percentage requirement it is important in meeting the specific needs for Harborough's older persons provision. It also means we negotiate a unit mix profile of affordable house types that provides for a improved, balanced community on affordable sites. **It is important to note that this is a process the council uses to encourage more bungalow provision and not set in policy. It is assessed on a site by site basis (primarily on medium and large sites) and driven by need***

12. I was somewhat confused by the Parish Council's response to question 46, where it refers to the matter being dependent on the purchase of land direct from the landowner. My question was aimed at exploring whether the policy would allow support to be given for new school buildings if they are required to be built on part of the school playing fields. Can the Parish Council clarify its position.

QB response - We would support the school land being removed from Policy ENV 2 to avoid conflict with Policy CF3.

13. The other area where my question may have been misconstrued is in response to question 52, where I was seeking to understand the reason why an existing row of houses was included in the proposed area of separation as it was already built up. I had always appreciated it was in Dunton Bassett parish.

QB response - The AOS covered the existing row of houses to avoid further development adjacent to this setting. On reflection the footprint of the housing can be removed from the AOS.

14. I propose to give the Parish Council and the District Council, a three-week period to respond to these matters ie I would ask for responses to be sent to me by 5pm on **10th August 2022** by which time I hope to be in a position to decide whether the examination will require the holding of a public hearing or not.

Notes – extension requested until 22 Aug 2022.

15. I would request that copies of this note and the respective responses are placed on the Neighbourhood Plan's and also the Borough Council's website.

Noted – the response of the QB and HDC will be published on the websites

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Independent Examiner to the Dunton Bassett Neighbourhood Plan

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