

Notes of a meeting with the SDDC planning department on Friday February 6th 2015

Present: Stuart Batchelor, Tony Sylvester, Nicola Sworowski, Ian Hey

Ian Turner, Jess Long, Margaret Gildea

After introductions and establishing that there was a shared understanding

- Of the paradox that localism had disempowered the planning department at SDDC
- that a spate of planning applications by speculative developers was having the exact opposite effect from that intended by the Local Plan
- that Melbourne felt under siege by the number of applications already in the system or in the pipeline

we moved to the topic of the Local Plan and the 5 year housing supply.

Local plan and 5 year housing supply

In August 2014, SDDC had only identified 3.88 years worth of the 5 year housing supply set out in the old target. This meant it was likely that SDDC were likely to lose any appeals by developers. The measure was now the target set in the Local Plan but the Inspector was saying that the new plan did not provide a sufficient 5 year housing supply. Nicola Sworowski had argued that this was incorrect but had lost the argument. Tony Sylvester tabled a chart showing that up to 2028 the plan required 726 houses per year. The recession meant that they were already quite a way below the planned level. Building had now begun on Stenson Fields Farm and Boulton Moor and S106s had been signed for Highfields Farm and Chellaston Fields, but there was inevitably a time lag against the plan.

Part 1 of the Local Plan did not identify any Strategic Housing sites in Melbourne. 600 houses would be required across all the villages in Part 2 – these would be in developments of less than 100. SDDC would not identify these allocations until Part 1 of the Local Plan had been agreed.

The status of the Local Plan was that the inspector had asked questions that SDDC were confident they could answer. They expected a couple of days of further examination.

The current environment and other planning applications.

We then discussed Bob Wheeler's recent press release and what had happened to other recent planning applications. In the case of Linton, SDDC had used arguments similar to those used by Melbourne residents but had lost on appeal because of not having a 5 year housing supply. Gladman had not been awarded costs as costs were only awarded if the local authority's arguments were unreasonable.

Permission had recently been recommended for 75 houses at Drakelow. The members of the Planning Committee had unanimously rejected it, but the developers were likely to appeal.

In Rolleston on Dove the developers had appealed against the decision not to grant planning permission, and had won the appeal. However, the Secretary of State had overturned the decision on the grounds that the emerging Neighbourhood Plan superseded the local plan and the result was that permission was not granted.

SDDC were discouraging speculative developers in Melbourne by referring them to the Local Plan, but a number of them were submitting applications anyway.

Tony Sylvester believed that whatever the planning department recommended, there was a real possibility that the planning committee would throw out speculative applications in the run up to the election. The developer was then likely to appeal and/or reapply for planning permission.

The strength of different arguments

Tony Sylvester felt that Melbourne had put as good a case as any village and had not missed any arguments. The best arguments to concentrate on from a planning point of view were

- the potential coalescence of Kings Newton and Melbourne
- the potential effect on the conservation areas, including the Kings Newton conservation area.(SDDC have a consultant looking at this)
- the whole picture of sustainability given the cumulative effect of the various proposed developments on the infrastructure.

Conversely traffic was not a good argument as various government publications, culminating in the NPPF, stated that planners shouldn't be prescriptive about traffic volumes, visibility at junctions or traffic congestion. To turn down an application on traffic grounds, the traffic would need to be very severe. When we mentioned the arguments about traffic used by Derbyshire County Council in arguing that Melbourne would not be the best location for a school, Tony Sylvester explained that the standards for siting a school were different for those for turning down planning permission.

S106/CILs

Jess Long asked for clarification on the S106/CIL position. Tony Sylvester explained that CIL would replace S106 as the government were asking councils to set standard tariffs for development rather than negotiating individual S106 payments. The purpose of the tariff was to mitigate the impact of the development on the infrastructure. We argued that it would not be possible for the S106 money offered by individual developers to solve the problem of education for Melbourne, particularly at secondary level.

Jess then referred to the 'greenway' on Jawbone lane to the Sustrans cycle track and the 'multi user route' that would result from the proposed development.

Tony Sylvester said he would look at that issue, though he didn't feel it was the strongest argument in terms of planning permission.

The Neighbourhood Development Plan

It was very helpful that Melbourne and Kings Newton were working on a Neighbourhood Development Plan. In answer to a question from Ian Turner, Tony Sylvester confirmed that there was no point in allocating sites for potential development unless the landowner and a developer were likely to be interested in coming to market

Ian Hey explained that Repton were also developing a Neighbourhood Plan and the two villages could share research and network. He had identified £1500 funding which could be used (amongst other things) for sharing information. We asked him to ensure Jane Carroll and the Neighbourhood Plan team were aware of this funding.

We also asked whether our Neighbourhood plan could be used as a template by SDDC. The planning team agreed they would use it where the guidance allowed them to.

If the Neighbourhood Development Plan was ready ahead of the Local Plan, that would not be a problem as it would then supersede the existing plan. This could be very helpful in resisting speculative and unwanted development.

What we can do next

It will do no harm to write to the Planning committee stressing the three main arguments set out above in addition to specific points relevant to individual applications.

We should write to Eric Pickles, Brandon Lewis and Heather Wheeler as the situation resulted from the national policy. 'Weight' would matter in terms of the number of people making the arguments.

We should stress our support for the Local Plan and mention that we are working on a Neighbourhood Development Plan

Meanwhile, the Planning team will ensure that even if the Fisher German and Linden Homes developments do not come to the Planning committee at the same time, the committee are made aware of both.

I also agreed to send a copy of the notes of the meeting with Frank McArdle and the Bob Wheeler press statement to Nicola for onward circulation

Finally we agreed to keep in touch as things happen and thanked the Planning team for their time and positive approach to our concerns.

Margaret Gildea

Summary of meeting with SDDC Planning Department

April 2nd 2015 SDDC offices Swadlincote

Purpose: Preliminary discussions around the Local Plan and Melbourne Parish Neighbourhood Development Plan.

Issues covered Respective roles, avenues of communication and levels of assistance available.

Present

SDDC Planning

Nicola Svorowski	Senior planner
Kevin Exley	Sustainability
Karen Beavin	Housing
Ian Hey	NDP Liaison Officer

Melbourne NDP group

Jane Carroll (Chair NDP), Mike Smith (Volunteer), Mair Aitkenhead (volunteer), Ian Turner (volunteer)

Local Plan

Nicola began by summarising the current status of the Local Plan. We were informed that :

The time period of the Plan is 2011 to 2028

12,341 new homes is the strategic target for SDDC

The Planners are struggling to identify a 5 year housing supply

Affordable or social housing is defined as housing rented at 80%of market rent by landlords.

Part One is currently adjourned whilst consultation on sustainability takes place

Hearings should recommence by the end of the summer 2015

The Inspectors report is not expected until the end of 2015

Part 2 should be in consultation before the end of the year

Completion not envisaged until the end 2016

Part 2 anticipates 600 houses across key service and local service villages

We were informed that all new builds and approved planning permissions since 2011 in Melbourne count towards the Part one allocation and not towards the Part two allocation of 600 homes for key service villages

NDP

Kevin informed us that there are statutory obligations to protect the environment which must be taken into consideration when making a NDP. These arise mainly under EU directives.

He distributed lots of literature on this topic and listed the following:

Sustainability appraisal

Environmental impact assessment

Strategic environment assessment

Habitat regulations assessment

Planning Consultants should assess and advise whether any of these are necessary when our NDP policies are written: some almost certainly will not apply to a place the size of Melbourne.

Consultation

Nicola advised us that a consultation questionnaire to neighbouring parties was advisable.

Suggestions included North West Leicestershire District Council, The National Trust (Calke), and the National Forest.

She informed us that the current SDDC Conservation Officer, Mel Morris, will be replaced by a permanent appointee at the end of May.

The Area Development Control Officer for Melbourne is Rebecca Davies.

Maps

We requested some relevant maps from the Planning department.

Ian Hey will send out two A1 Plans of Melbourne, one of the whole parish, and one showing the built up area including King's Newton.

We also requested a separate map\plan showing land owned by SDDC, the Conservation areas and leisure spaces needing protection.

Documents

Ian will send out a list of relevant documents within the Local Plan

This meeting lasted two hours and clarified many issues for the Melbourne NDP group.

Notes on a meeting between SDDC Planning department and members of Melbourne

Neighbourhood Plan Working Party

August 18 2015 SDDC Offices Swadlincote

Present

SDDC Planning Nicola Sworowski, Tony Sylvester, Rebecca Davies, Ian Hey

NDP Working party Councillor Jane Carroll (Chair), Ian Turner (Volunteer) , Mair Aitkenhead (Secretary /Volunteer)

Mair began by stating that the NDP Working party had been informed that the key to success with an NDP was a close relationship with the Planning Department at SDDC. We felt as a group that we needed to inform the Planning Department of our progress to date and to request some help with a problem likely to impede our future progress. Hence the request for a formal meeting.

She outlined the current state of the Melbourne NDP, mentioned that potential development sites had been identified, that a business survey was in progress and that several surveys on Community and leisure facilities were underway. All the information on Conservation , Heritage and environmental matters was also complete. She stated that the Working Party think they are in a position to formulate a Draft Plan and to appoint Consultant Planners to assist with this task. However it was pointed out that the two current planning applications for dwellings on Jawbone Lane were causing a considerable dilemma. Should these applications for over 100 dwellings be approved then two members of the NDP Working group had signalled their intention to withdraw from the NDP seeing little point in continuing, as asking Melbourne residents to vote for even more development in an NDP following the success of the Jawbone lane applications was doomed to fail at referendum. Consequently the NDP and all the work completed so far would be in jeopardy. If the group were to fold then this would be a patent demonstration of the failure of the government's "Locality" agenda with its' stated intention of giving communities the right to determine how they should develop.

Jane Carroll then outlined the position of the Parish Council pointing out that expenses allocated for the project both from the Parish Council and from the Government (via SDDC) and monies spent so far would be wasted if the project were abandoned. She also lamented the waste of the Working Party's time .

Her opinion was that such an outcome will deter volunteers from getting involved with other community projects.

She wanted to ascertain the current position of the Planners on the Jawbone Lane applications before engaging Consultant Planners and incurring a further very large expense.

Tony Sylvester asked Ian Turner about the site allocations .Ian then described putative site allocations for further development in the Melbourne NDP saying that there were possibly 130, but cautioning that some of these could not be brought forward currently as they were dependent on buildings outliving their current use.

The planning department personnel appreciated our difficulties but then outlined the problems they face with complying with all government and legal requirements when each planning application is brought before them. There was then wide ranging discussion on the objections to the Jawbone Lane proposals with the Planners of the opinion that the arguments of prematurity i.e. that the Local Plan and the NDP were at an advanced stage and did not support such a development at this site, had never been successfully tested on appeal elsewhere.

However they did signal their intention to consider both Jawbone Lane applications together, probably in October.

Mair then asked for their professional opinion as to whether we should proceed and appoint Consultant planners or await the October decision.

Nicola thought we should wait for the October decision. Tony recommended contacting "Planning Cooperative" a firm of Consultant Planners based in Buxton who are used to dealing with NDPs and who have a good reputation. he felt they would be able to advise us. Ian Hey undertook to send us contact details.

Although no agreement had been reached, both parties agreed that they each better understood the other's position.

Meeting with SDDC Planning team on 29/10/15 at SDDC Offices

Present:

SDDC: Tony Sylvester, Nicola Sworowski, Ian Hey

Melbourne NDP: Jane Carroll, Frank Hughes, Mike Smith

- Melbourne NDP update:

Good progress made on some sections e.g. business/community & leisure, heritage

Remaining areas need renewed focus & wider consultation, which we explained was our intention with a sub-group tasked with looking at areas where we need to consult, prior to producing a draft NDP for SDDC review.

Ian mentioned his concern that our consultations have been lagging and highlighted sources for some areas:

- Younger people – approach scouts/guides groups
- Education – approach Governors, Tony Sylvester also agreed to provide a steer on who to contact.
- Health – Robert Hill (Southern Derbys CCG) regarding the £55k & any other funding available to the NHS for Melbourne Surgery needs.
- Advised to send copies of all survey data to Joe Dugdale for his analysis & feedback
- Internet speed – Digital Derbyshire
- Mobile reception – Mobile Operators Association
- Community & Leisure – Tony Sylvester will advise on who to contact in SDDC for the developing strategy regarding Open Spaces & Facilities (Zoe Souter)
- Provision for any new schools in the District will include how to deliver community wide sports facilities (sports hall, swimming etc.)
- Consider following up with Joe Dugdale, or engaging Planning Co-op to carry out a high level initial study to determine how far we have progressed towards the production of a Draft NDP
- It was mentioned that maybe there is a lack of awareness in exactly what SDDC has in terms of facilities – Tony Sylvester took this on board and hoped that the SDDC website would be revamped to better communicate what is available.

General:

- Liaise more with SDDC contacts when we unearth issues etc.
- More consultation needed across all areas – if available, SDDC may be able to attend any public open sessions to provide support and a better understanding of the Local Plan/NDP process.

- Local Plan update:

Nicola outlined the current status –

- Part 1 – Derby MHA including SDDC proposals reworked figures are going to the next Inspector hearing on 8/9/10 December.
- If that was successful a 6 week consultation would follow with a target of the end of Jan'16 for Part 1 approval (earliest)
- Part 2 600 houses – Issue for 8 week consultation early December to be completed by the end of Jan'16. This would then follow the Part 1 process (2 further consultations) with the current anticipated timeline predicting submission to the Sec of State by the end of 2016 with Part 2 approval going into 2017.

- The splitting of the 600 is across the Key Service Villages and maybe even some Rural Villages. Villages. The Part 2 first consultation won't identify specific sites to meet the 600 dwellings. A NDP could potentially lead the way in terms of sites they want to see allocated if timings were right.
- SDDC's SHLAA Map is the starting point for further site allocations for consultation & consideration, in Melbourne this identifies:
 - Persimmon (Back of Woodlands) – already approved
 - 2nd Development adjacent to the Persimmon houses (above)
 - Jawbone Lane – 3 development sites
 - Station Road – adjacent to Sweet Leys – 2 developments – already approved
 - Blackwell Lane.
- Green Belt, Heritage/Conservation, flood plain, settlement envelope are some of the main considerations to take account of in the NDP.
- KEY POINT - via consultation(s) – identify 'KEY GREEN SPACES' in the NDP e.g. Jawbone Lane may be identified as an area to protect.

- 5 Year Housing Supply Status:

Nicola outlined the current position –

- The situation in Mickleover (1650 houses) could contribute to helping the 5 year housing supply target – which is a key factor regarding speculative development
- Once the 5 year housing target is achieved, it may be possible (not definite) to count some of the already approved "Melbourne Windfalls" towards our share of the Part 2 600 allocation
- If the Blackwell Lane (15) application is approved before the Local Plan Part 1 is approved, this will add to the "Melbourne Windfall" total.
- The timing and nature of any Linden Homes appeal against the Jawbone Lane decision – may or may not impact the "Melbourne Windfall" total - there is a current delay in appeals being heard due to the high volumes of applications being appealed across the country.
- Having an NDP will not totally protect Melbourne from any development that is not included in the NDP – any planning application will be assessed on its merits with NDP policies being considered.

Notes from a meeting between SDDC Planners and Melbourne NDP group members
held on January 22nd 2016 at SDDC Council offices Swadlincote.

Present

Nicola Swarowski, Ian Hey (SDDC)

Jane Carroll, Frank Hughes, Mair Aitkenhead (Melbourne NDP)

Aim of the meeting

To discuss the draft Local Plan Part2 Consultation document and its' implications for the NDP

We began by following up previous enquiries.

Nicola provided the following information:

1 Hard copies of Conservation Statements for the three designated areas in the Parish

2 Maps of the position of TPO's in the Parish.

Jane asked for a copy of the Pleydell consultation (looking at indoor/outdoor sport and leisure activities) that had occurred following on from the Parish Plan 2008. Ian offered to find and provide a copy.

Mair asked for information on land usage in the Parish. Nicola replied that information on particular parcels of land and its ownership can be obtained from the Land Registry for a fee, and that she would endeavour to pull together a document concerning land usage (percentage residential, percentage agricultural etc) in our Parish.

Update on NDP

Nicola asked for a summary.

We stated that currently all information and evidence obtained is being collated and that another Public Meeting is to be held in February.

Another Workshop has been conducted by RAD . This gave us redirection, and identified gaps .

The Consultation Group are in the process of drawing up a Consultation Plan.

We mentioned that we had discussed the draft Local Plan Part 2 at our last meeting which had prompted the request for this meeting.

Local Plan Part 2 Consultation Document

It is our intention to take our NDP group view of this document to the Parish Council Planning and Strategy Committee where hopefully our views will concur. The responses will be amalgamated and forwarded to SDDC.

In response to some queries, Nicola clarified that in total the Part 2 SHLAA sites amounted to 40,000 possible homes but only 600 are needed. There was not going to be any process of allocating so many houses to particular villages.

Frank asked whether SDDC would wait for developers to identify sites they wished to develop or whether there would be a more proactive approach or a method of prioritising sites from SDDC.

Nicola replied that all sites are proposed by developers, but that SDDC will identify the most suitable sites and prioritise, taking into consideration both the Part 1 allocations and also criteria such as whether the site is well related to a settlement, TPO's contained, flood zone 3b, green belt and environmental considerations etc . Not all SHLAA sites had yet received these detailed evaluations.

Frank asked whether it was anticipated that specific sites would be referenced in the consultation responses, and at the various Consultation meetings, and Nicola replied in the affirmative and it was anticipated that developers would be responding too.

Settlement Boundary.

We next discussed the proposed settlement boundary to further understand its' significance

The proposed settlement boundary changes in the draft document were to accommodate recent housing developments in Melbourne, where there have been completions. We expressed concern that this reconfiguration could recur, and the settlement boundary could just keep extending. Nicola stated that once the boundary is agreed it will then be fixed (not movable) until the next Local Plan due in 2028.

Once a 5 year supply is achieved and allocations are set the settlement boundary carries weight . Proposed housing development outside the boundary should then prove difficult and will be subject to the more restrictive policies in the countryside.

Frank asked if it was advisable for the NDP to recommend small patches of development within the settlement boundary and if so would this be deemed sufficient? For instance at the February Consultation if we displayed the settlement boundary and identified possible places for small developments rather than larger sites,(given that most of the SHLAA sites are already subject to planning applications or appeals) would this be acceptable ?

Consensus view was that this could only be done if the particular landowners had been contacted and if they had shown interest. Some discussion occurred as to what the mechanism to involve landowners could be.

Local Plan Part1

Frank asked about the progress of the Local Plan Part 1.Nicola replied that currently a six week consultation on suggested modifications is beginning. After another 8 weeks this will be taken to the full Council . She expected Part 1 to be adopted in May 2016.

Green Spaces

Nicola said that once green spaces were identified and adopted, then they carried the same implications for planning as green belt, with the proviso that these areas should be smaller and "not huge swathes of land". Areas of green space owned by the Parish Council and the District Council are not designated as green spaces and identified on maps as they are already deemed to be automatically protected. Local Authority allotments are in this category but if allotments are privately owned then Nicola thought that land owners would be obliged to find an alternative location if building was to occur.

Retail

We asked why Melbourne had not been included as a retail site in the Consultation document.

Nicola explained that identifying a retail area was a way to encourage high density shopping development within a town and town centre and to avoid retail opportunities being widely spread out. She explained that Swadlincote, as a town, was the only area where this was appropriate.

We agreed that this was not a problem for Melbourne, which is a village, and so it would be inappropriate to designate Melbourne as a retail area.

Housing density

Frank asked if there was a formula governing this.

Nicola replied that 20 to 30 houses per hectare was the accepted density.

Community facilities strategy consultation

Ian mentioned that there would be a consultation on SDDC Open Spaces and Community Facilities Strategy running concurrently with the Consultation on the Draft Local Plan Part 2 on January 27th.

He said that this strategy had implications for the allocation of Section 106 monies and that it was important that suggestions for capital projects be made.

Actions

Land usage in Melbourne Parish	Nicola
Large Maps for Consultation Meeting Feb 20th	Ian
Pleydell Document	Ian
Link to Open Spaces/ community facilities consultation	Ian

The meeting ended with the NDP group thanking Nicola and Ian for giving their time to answer our many questions.

Meeting with SDDC Planning department

Monday May8th 10.30am 2017

Present Nicola Sworowski, Ian Hey (SDDC)

Mike Smith, Jane Carroll, Margaret Gildea, Frank Hughes, Mair Aitkenhead
(Melbourne NDP)

At the outset of the meeting it was decided to centre our discussions around Draft 6 of our NDP with Open Spaces, Housing Policy HP 3 and the Consultation Document highlighted as areas where we were in need of guidance.

We also requested some feedback on the progress of the Local Plan Part 2.

Open Spaces

Reference was made to the SDDC Consultation Document on Green Open Spaces which has recently been produced, and contains information on some, although not all of the Spaces identified in the Melbourne NDP.

We asked for a definition of an "extensive tract of land" to which Nicola responded that any area above one hectare (2.5 acres) might be regarded as such.

Margaret pointed out that our NDP list of spaces had been endorsed by 92% of respondents in the residents' questionnaire as evidence, but Nicola pointed out that it was up to us to provide more specific evidence that designated spaces were of special value to the community.

Discussion took place on the number of objections to various open spaces in the document communicated by affected landowners. Two had already been removed for this reason.

Nicola thought that the legal implications of retaining spaces where landowners had objected was likely to cause problems. She suggested revisiting all designated spaces in the NDP, completing the criteria proforma in the SDDC Consultation Document (which she will send if necessary) and then deciding which spaces were most important to retain.

Jawbone lane is a SHLAA site and is therefore not eligible to be considered as an open space.

Housing Policy HP3

HP3 (builds of three bedrooms or less) was endorsed by 64% of respondents to the Residents Questionnaire, but this was a lower level of endorsement than for all other policies. Furthermore this level of endorsement was lower among younger respondents, and we have concluded that the community is not in complete agreement with this policy.

Advice from Nicola and Ian was to change the wording of this policy. They suggested using the phrase "preference for houses of 3 bedrooms or less" whilst preserving the intention of the policy. Nicola undertook to forward some SHMA data on proportions of various types of mix of housing (for SDDC, not Melbourne only) which could be useful information to include to support this policy. We should also check the "mix" of the various recently completed developments in Melbourne.

Consultation Document

We asked for advice on whether every piece of consultation evidence should be included in full in the Consultation Evidence file as this amounts to a huge amount of paperwork. The advice given was that we should make use of summaries.

SDDC will undertake the consultations with the County Council, adjoining parishes and all other statutory consultees after submission of the NDP.

Pre submission Consultation

There has been no further communication with the business community since the production of the business survey. Pre submission consultation has taken place with residents through the residents survey. We need to extend this to people who work in Melbourne and Kings Newton. Letters will be sent to all businesses informing them of the completed draft NDP with a link to its' situation on the Parish Council website.

We confirmed to SDDC that the presubmission consultation had taken place from the second week in February until the end of March (more than the required 6 weeks).

In response to a query from Jane , Nicola stated that she would provide links to good quality SDDC maps of Parish designation, settlement boundary, Conservation Areas and Statements etc when the NDP is submitted.

Nicola asked Mike to send her a copy of NDP Version 5 (prior to consultation period)

Frank will write an article for Village Voice informing readers of the way the NDP has been altered to take account of the findings of the questionnaire.

Local Plan Part 2

Nicola reported this seemed to be going well with only minor changes recommended by the Inspector so far. There was no recommended change to housing sites. The date of ratification is unknown but not likely before August 2017

The meeting concluded with the Melbourne NDP group thanking Ian and Nicola for their time in what had been a productive meeting.

M. Aitkenhead May 8 2017