

## Public Meeting for Neighbourhood Development Plan 20<sup>th</sup> March 2017

### Attendance:

The Parish Council, 2 x Steering Group Members, 3 x members of ESBC, 66 Members of the Public.

Chairman – Cllr Steve Sanderson

*I would like to welcome you all tonight to this public meeting. Can I start by introducing you to the people at the front. I am Stephen Sanderson, Chairman of Rolleston on Dove Parish Council. Alongside me is Jane Bucknall, Clerk to the Parish Council who will be making minutes of the meeting, and Jason Wyatt, Vice Chairman of the Parish Council.*

*Can I now ask the other members of the Parish Council and Neighbourhood Plan Group to stand and introduce themselves to the members of public.*

*We have three attendees from ESBC:*

*Naomi Perry (Principle Planning Policy Officer),*

*Sal Khan (Head of Service) and*

*Cllr Julia Jessell (Deputy Leader, Planning and Neighbourhoods)*

*Our MP Andrew Griffiths had hoped to join us tonight but commitments at Westminster means he has had to send his apologies, but he has sent a statement which will be read out later.*

*This meeting is an opportunity for your Parish Council, Neighbourhood Development Plan Group and especially you, the members of the village to discuss, listen to and understand what has been happening over the last five and a half years. You have all had the opportunity to see an agenda for this evenings meeting. Everyone will have an opportunity to speak on each of the four topics but before we start I would like to set a few ground rules. I will lead with a statement on each section. I will then ask members of the PC and NHDP groups if they wish to add or alter any of the points, then members of the ESBC group. I will then open it to members of the public to speak. We will invite 1 person at a time to speak following indication to the Chair. Can we ask that each speaker indicates their name before speaking and try to keep comments as brief as possible – no more than 2 minutes to allow as many people who wish to speak the opportunity to do so. We do ask that we do not revisit history though because unfortunately we are where we are! The purpose of tonight is not to allocate blame. It is to find our way forward.*

### Current Situation

*This section does require me to revisit history, but only to enable you to understand what has brought us to our current situation.*

*One of the promises made by the Conservative party in the run up to the 2010 General Election was that if they won power they could empower local people to have a say in how their area would be developed through a Localism Act. This Localism Bill was introduced to*

Parliament in December 2010. It included details of Neighbourhood Development Plans. As a pro-Active PC we began discussions with ESBC Head of Regulatory Services, started preparatory work and research before holding a public meeting on 3<sup>rd</sup> October 2011 where over 200 members of the public were present, The NHDP group was formed and the village was consulted over what they wanted including in the plan. A village questionnaire was produced, circulated to each house and a 37% return enabled the basis of a NHDP to be formulated. This document was then subjected to a 6 week consultation between February and March 2013, was updated and submitted to ESBC for formal consultation during July and August 2013. This attracted 880 letters of support and 2 letters of objection – one from ESBC and one from Burton and South Derbyshire College! BSDC objections revolved around permission to build on the college playing fields which the villagers did not want to be built on. ESBC wanted 125 houses built of which 100 would be on the college field. The NHDP allocated 85 houses none of which were allocated to the college field. ESBC said this was not enough houses but could not explain how they arrived at their required total of 125.

A Settlement Hierarchy document looking at facilities and amenities determined that we were a “Strategic Village” and as such had to have a significant development of 100 new homes. The PC and NHDP objected to the findings of the Settlement Hierarchy and pointed out inaccuracies and illogical conclusions but our objections were rejected.

We asked ESBC to submit the NHDP to an Independent Inspector for Examination.

BSDC planning consultant attended a PC meeting to give a presentation of their proposals for the playing field, and also held a public presentation at Craythorne Golf Club to inform the local residents of their intentions. These were not well received at what was a very stormy meeting. Never the less BSDC submitted their plan for 100 houses on the playing field.

The Independent Examiner published his report on the NHDP on 18<sup>th</sup> October 2013, recommending that with 1 or 2 minor alterations it should proceed to referendum. ESBC were not happy with this result – probably due the Borough Plan not being in place, and even though the NHDP group and PC agreed to all proposed modifications, ESBC refused to put the plan to referendum.

The Planning Application submitted by BSDC for the playing field was refused in December 2013 on the grounds of prematurity as permission would have significantly affected the NHDP. This decision was appealed by BSDC, but before the appeal Inspector could publish his report the appeal was called in, meaning the Secretary of State would make the decision. On 15<sup>th</sup> December 2014 he ruled that the appeal should be dismissed.

ESBC then sought advice on how to legally refuse to hold a referendum.

In January 2015 BSDC’s legal team gave notice of their intention to challenge the SoS’s decision by way of a judicial appeal. The SoS decided not to defend his decision but to reconsider the appeal. Over a period of stagnancy we have seen three Secretaries of State – Eric Pickles MP, Greg Clark MP and most recently Sajid Javid MP. The three years during which no referendum has been allowed on Rolleston’s NHDP has enabled ESBC to produce a

*Local Plan in October 2015 that, surprise surprise, includes the College Fields as a development site against the wishes of the people living in the Parish of Rolleston on Dove.*

*On 11<sup>th</sup> November 2016 the SoS was of a mind to agree to the appeal and permission was granted to allow 100 houses to be built on the playing field. Rolleston PC was extremely disappointed with the outcome of the decision by the Secretary of State. We were hoping the case that had been made was to be successful, but things worked against us. This decision in our opinion shows that the Localism Act of 2010 does not apply to Rolleston on Dove. We were in the vanguard of Parish Councils in attempting to establish our Neighbourhood Plan but feel we have been thwarted in our endeavours by the delaying tactics and intransigence of Planning Officers who in our opinion were manipulative in making us a Tier 1 village by the strategic placing of the centre of the village to a point guaranteed to include the maximum number of facilities to increase our score. This point bears no resemblance to the accepted centre of the village. Several facilities included no longer exist – The Brookhouse Hotel closed and believed to be about to be subjected to planning for conversion to flats and additional housing, the Methodist Church closed for several years and currently on the market to name but two! All discussions with Planning Officers seem to have been manipulative right the way through, using delaying tactics seemingly in an attempt to ensure Burton College gets the full benefit from the land which they were gifted.*

*However, with the SoS decision we have to be realistic and endeavour to move forward with the planners and councillors of ESBC and remember the obligations we have to all our stakeholders: residents, members, borough and county councils, neighbouring villages, businesses, community groups and more. The nature of the work we do means we will not be able to satisfy everyone's often differing interests, but obliges us to act fairly, consistently and with due diligence and awareness of the responsibility we hold.*

Members of the Parish Council, Steering group, ESBC, then Members of the Public were given the opportunity to speak.

Cllr Jessell stated that in the spirit of the opening comments, going over history will not achieve anything. It is unfortunate that we were a frontrunner, before the Local Plan. ESBC understands the frustration and hopes that this evening we can look to the future.

Mr Kahn stated that the use of the word manipulative is not helpful. He always found that meetings were challenging but productive.

Mr Adams explained a volunteer he was incredibly very frustrated by how the meetings with ESBC went. He stated that it was never about quantities of houses, it seemed to be about getting the planning permission for college fields. His fear is that we will end up with 185 houses.

Mr Adams questioned why high ranking officers were present from ESBC, is this because of the waste of £12.5k of money? He stated that the Steering Group knew the College Fields site was promised for development. The Steering Group did what it was told, i.e. to undertake the NHDP, sorted housing numbers but were ignored. He is now concerned that the village will have the 100 homes, plus all other houses that have been developed and those others in the plan.

Mr Adams believes ESBC to be untrustworthy. This statement gained a round of applause.

Ms Claber stated that we have got to move forward, there is nothing we can do about the history. It is her view that we need to move forward with the current plan.

Mr Edwards stated that the 'Neighbourhood Development Plan' is correct term and that the Secretary Of State had no choice but to approve the College Fields application as it was contained within the Local Plan. Had the NHDP been passed, it would have held precedence over the Local Plan, which would make that document non-compliant.

Mr Chinn asked how many meetings ESBC had with the college about the site? Cllr Jessell stated that she did not have a single meeting with them, but did meet with Rolleston. She was concerned about the development therefore authorised additional expenditure for ESBC to commission an independent traffic report.

Mr Chinn asked why ESBC did not go to other landowners who offered their land for the development of houses? Cllr Jessell confirmed that she did not meet with applicants at all, but she didn't know whether there were any meetings or not.

Mr Young questioned whether the PC is going to work to have a say in housing types and access etc? Cllr Sanderson answered that yes, there is still lots of work to do with a chosen developer to work with them on type and style plus flood defences etc. to ensure the houses are in keeping with the rest of the village. We did investigate appealing against the SOS but it would have been costly with little chance of winning.

Mrs Irwin asked whether we can ensure that properties in the village have parking for 2 cars but without a NHDP in place we cannot specify this. Cllr Sanderson replied that If we do develop another NHDP, that's the time to specify this.

Whilst we have some protection at the moment, it is not a guarantee in future.

Mr Irwin asked how a village is made Tier 1? And is there a long term strategy for Rolleston? Naomi Perry responded by saying that a NHDP has to be in conformity with the Local Plan, which does contain a parking policy. Quite a few NHDPs have parking policies and are different standards to ESBC. In the Local Plan there is a development strategy for the Borough, then local strategies (4 tier 1 villages) which show sustainability and access to facilities. Strategic Green Gaps are also in place so they do not merge.

Mr Irwin asked again what has Rolleston got that makes it a Tier 1 village? Cllr Sanderson replied that we were asked to complete a questionnaire about what facilities we had within the village which informed a points system – we had lots of discrepancies with what ESBC reported, the major one being where the centre of the village was. ESBC stated it was between Croft Close and School Lane. This is not the accepted centre on terms of what is recognised in the village. The points allocated were only a few less than Tutbury which is obviously much bigger than Rolleston. Cllr B Toon stated that anything that has since closed in the village does not get re-counted.

Mr Irwin asked what services the points system included? Cllr Sanderson replied that it was Shops, schools, bus service, even phone boxes. It's taken from a point in history and cannot now be re-counted.

Mrs Irwin asked if there would be any capital investment to make us a Tier 1 village, e.g. doctors? village hall? Cllr Jessell said that there are various elements of the Local Plan, not just housing, but everything in the environment. The process went through three months of public enquiry, and 4 weeks of public consultation. It was tested, challenged and was still approved by an independent auditor. The other Tier 1 villages are Barton, Tutbury and Rocester. There will be no capital funds for a village hall, but we do have the Neighbourhood Fund, together with S106 funding and other sources of funding.

Cllr Sanderson asked whether the S106 funding from College Fields is set in stone? Naomi Perry confirmed that it is £150k for changing rooms on Craythorne Road Playing Fields, and £50k for a PC meeting room.

Mr Whyman was astounded to hear we were 'unfortunate' that the Local Plan wasn't adopted before our NHDP? Is someone going to be held accountable, sacked or reprimanded? He said that we were supposed to have a village hall. Where will the kids go to school, there is no chemist, no doctors.

Mr Barnett stated that the Civic Trust have written to the Head of ESBC to request they come and talk to them about why we are a strategic village and what will they do to make us one.

Mr Adams stated that talking at the public enquiry was very daunting. The NHDP Steering group were never professionals. Hundreds of hours of individual's time have been taken up. The PC spent its own money on specialist advice to get some standing and professionalism at those meetings. They were expected to take time off work etc. to be able to attend.

## **Benefits and Drawbacks**

### *Benefits:*

*A NP carries legal weight and is a statutory document.*

*Having a NP increases to 25% of Community Infrastructure receipts from development (instead of 15%) which goes directly to the parish for them to spend supporting growth capped at £100 per existing Council Tax household.*

*To proceed with a new NP allows us to re-use a significant part of the detailed work done by our dedicated and hard-working NP group whilst allowing further improvements to be added in to improve our requirements for developments e.g. provide 3 car spaces per household, determine the need for green space, materials to be used, access to be maintained to rear of properties for storage of bins, and any other initiatives we can use in planning to enable us to prevent over development of space and to keep buildings in character.*

*It would give us the opportunity to express opinions on locations for development as well as the type of houses. We recognise as a PC the need for parishioners to be able to downsize, thus freeing up larger properties for other families.*

*We can now benefit and get support from other groups who have successfully developed their own plans.*

*Having a NP allows for it to be reviewed at the end of a 5 year period.*

*Finally and not least ESBC have indicated a keenness for us to develop a new plan and a promise of support to help us do this!*

**Drawbacks:**

*The cost involved in producing a new NP on top of the money already expended.*

*The time involved in revisiting the various stages needed in producing the new NP.*

*Over this period of time the fact that there is no cap on the number of windfall sites that may be developed.*

*If during this period ESBC have a Housing Supply that falls below 5 years the village will be at risk of further development. This is what happened when the area along Craythorne Lane received planning permission for three substantial houses, an area now subject to a change of plan to build some 32 retirement homes.*

*The risk of the NP failing at the examination stage.*

*The risk of the NP failing at the referendum stage.*

Members of the Parish Council, Steering group, ESBC, then Members of the Public were given the opportunity to speak.

Cllr S McManus stated that as he is relatively new to the village, he has seen so much anger and frustration which came to a head in November when the SOS made his decision. We now need to get back a relationship of trust with ESBC. If we work together a NHDP can be achieved a lot faster than the timeline suggested. Even with the plan we could have things thrust upon us, however we need the protection of a NHDP. This gained a round of applause.

Mr White introduced himself as the Secretary of College Fields Action Group. He is worried about the future, would echo Cllr McManus words. We are at risk. The future is an awfully long time. With volunteers in the village we have to work through the plan He would be willing to help.

Mr Hannibal stated we need some assurances from ESBC. He also stated he had expressed his opinion previously, and voted on it but was ignored, so why should we vote again?

Cllr Jessell stated that we need to build trust which is why ESBC reps were in attendance. She will do everything she can to get a plan adopted, and can totally understand the anger felt in the village.

Mr Hannibal asked what if the new one was not compliant too? Cllr Jessell explained there are some minor points in the current plan required with the exception of College Fields and is sure it can get through. There is a legal process that cannot be short circuited, but ESBC have for-shortened the process to get them done quicker. In no way would a plan get to referendum, supported by the village, would ESBC turn it down.

Mr Adams stated he was easy with which way the decision goes but questioned why the NHDP needs tweaking as there can be no more development. What else can be developed? With college fields passed there cannot be any use for a plan. Cllr Jessell replied that a NHDP is more than just housing numbers. 65% of the region's population is over 65. We can influence design, building materials, landscaping, and open spaces.

Lisa Claber gave huge thanks to Shaun Adams and Barry Edwards for the amount of work they have done. She stated that she felt reassured at the end of the last meeting with ESBC in December 2016.

Mr Chinn asked whether we could we afford to work through another draft? Cllr Sanderson will come to this point later.

Mr Edwards asked that if there is not a 5 year housing supply, are all plans out of the window? Cllr Jessell stated it was very complicated. Naomi Perry explained that if there is no supply, the Local Plan becomes outdated immediately. If there is three year supply then it can stand. A ministerial paper to this effect being worked on currently.

Mr Edwards stated he don't mind which way the decision goes. What happens if you state additional parking places over and above ESBC? Naomi Perry stated that she would have to take advice from SCC as it would be a matter of Highway Safety.

Cllr J Toon reiterated Mr White's suggestion. If we decide that we want a NHDP we need to sort the problems out and get it passed. Lots of 'Here here'.

4 members of the public left at this point.

### **Options Open to Us**

#### *1. There are three options:*

- a. To pursue the existing NP. ESBC have already indicated that this is a none-starter as it will not be allowed to progress any further.*
- b. To not have a neighbourhood Plan*
- c. To spend time modifying and re-working the existing plan into a new NP*

*At this point I would like to ask Jane to read the contribution from Andrew Griffiths MP.*

***Statement from Andrew Griffiths MP for Rolleston Parish Council Public Meeting:***

***Please accept my apologies that I am not able to join you for this very important public meeting, but unfortunately duties in the House of Commons mean I have to be in Westminster.***

***Even though I have to be absent, I wanted to pass on my support for everything the Parish Council and the Neighbourhood Plan Working Group have achieved so far. The outcome for the original neighbourhood plan was disappointing to all of us, especially after the huge amount of work that the whole community had put into it.***

***I know there are now decisions to be made about how the parish now proceeds. I know many of you may feel disheartened after what happened with the College Fields application against the original plan's express wishes. But I just wanted to take the opportunity to encourage you to continue.***

***I think it is very important that communities are able to shape their own local areas, and constructing neighbourhood plans is the best way of doing so. With that in mind, I would encourage you to continue to pursue the idea of a neighbourhood plan, however you choose to do so.***

***My main advice would be that in the light of the experience of the College Fields, I am sure you would all agree with me that the sooner a plan can be constructed and formally adopted, the better, to make sure that it is much harder for developers to make speculative applications for land that is not earmarked for development in the plan.***

***Whatever the Parish Council and the wider Rolleston community choose to do, you have my continued support. As always, I am happy to do whatever I can to assist, and my door is always open to anyone from Rolleston who wants to come and discuss their views and concerns.***

Members of the Parish Council, Steering group, ESBC, then Members of the Public were given the opportunity to speak.

Cllr B Toon stated that she has lived here for 56 years and has seen a tremendous amount of change into what is now quite a large village. We should now move on, the Local Plan will protect us to certain degree. NHDP is required for more protection. We need to carry on.

Peter Barnett stated he has always been a sceptic on Localism, but believes we need a NHDP.

Cllr J Toon thinks we should go forward with the plan.

Mr Cunningham lives on Shotwood Close. He is appreciative of the support and will look forward to cooperation of the planning department to point out the problems with the plan to move it forward. There are definite benefits of having a NHDP.

Cllr Wyatt said it was fantastic to see so many people in attendance. If we do decide to move forward with the plan, we will require you all to work on the plan. The amount of people here is a demonstration of how strong the village community is. Cllr Wyatt asked that when the public left they consider what they could do to contribute to this plan.



## **Next Steps**

*As a Parish Council and NP group we need to go away from this meeting, to digest facts and points raised, to do further investigations before making a decision.*

*If the decision is to produce a new NP we will need to check costing and funding sources and find some new members to supplement the NP group to get us over the line with a NP fit for purpose to protect us for the next 5 years to the next review date. Should any of you wish to volunteer to join this group please give your name and details to our Parish Clerk, Jane.*

*Can I on behalf of the PC thank you for giving your valuable time to attend this meeting and for the contributions you have made to our discussions.*

Cllr Sanderson summed up that there are obvious strong feelings about what has happened in the past, but he had a strong belief to get on with developing a NHDP.

Decision will be made by PC and NHDP Group after this meeting, taking into consideration the feelings here tonight. Cllr Sanderson stated that further monies are available

Naomi Perry went through funding available through the frontrunner grant, and two funds through Locality (Govt' scheme up to £15k). This would be more than enough to get passed the finishing line. Locality offer direct support from them too not just the money.

Thanks given to all in attendance.

Round of applause given at the end.