

# Nigel Mills M.P.



HOUSE OF COMMONS

LONDON SW1A 0AA

Planning Policy Team  
Amber Valley Borough Council  
Town Hall  
Market Place  
Ripley  
Derbyshire  
DE5 3BT

1 May 2019

Dear Sir/Madam

## **Amber Valley Local Plan**

I am writing to set out my comments on the revisions to the submission local plan recently prepared by Amber Valley Borough Council. These comments are in addition to ones submitted prior to the examination being paused last year.

I am greatly concerned at the approach AVBC have taken in relation to preparing and submitting this version of the local plan. The changes involve the addition of a significant number of sites to the plan, allowing development of a substantial number of homes on the Green Belt with very limited consultation before the decision was taken by the Council. Given that previously, aside from the Cinderhill site, no consideration had been given to sites in the Green Belt, I believe the process followed by the Council in deciding on the revised plan was flawed to the extent to which the resubmitted plan should not be considered sound for the following reasons:

- i) There was no public consultation on the Green Belt review, its methodology or its findings;
- ii) There was no public consultation on which sites should be removed from the Green Belt in comparison to which sites identified for potential removal were not being proposed for removal; this would have allowed the public to provide evidence on the respective merits of each site to enable an informed decision by the Council on which sites to recommend for removal;
- iii) There was no public consultation on the sites proposed to be removed from the Green Belt in order to ensure sufficient evidence was obtained to support the exceptional reasons for the change in allocation or to reject the change;
- iv) There was no opportunity for the public to reconsider non-Green Belt sites that had previously been rejected to assess whether these should now be preferred to the alternative for removing sites from the Green Belt;
- v) There was very little time provided to Councillors to consider these very detailed and complex issues prior to taking the decision and not all the evidence supporting the decision to select certain sites over others, the exceptional grounds supporting that selection, and the reasons for not reconsidering non-Green Belt sites was made available to councillors let alone the public before the decision was taken;

***Member of Parliament for Amber Valley***

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- vi) The advice to councillors to support the proposed changes was based very heavily on the potential threat to the Council's finances from the loss of £1.4m New Homes Bonus if no plan was adopted. There is no realistic prospect of the Council suffering such a loss in 2019-20 or subsequently and in any event this should not have formed a material consideration on the allocation of sites in a local plan.

I therefore request that you refuse to reopen your examination until the process for revising the plan has been carried out in a proper manner.

In the event that you are minded to reopen your examination I would urge you to reject these amendments for the following reasons:

- i) The deletion of land from the Green Belt is contrary to the National Planning Policy Framework unless exceptional circumstances can be demonstrated. These should be on a site specific basis and not just on the basis that "we need houses, these are houses" approach that the Council seems to be citing. This is not a sound basis for such fundamental, irreversible decisions. The analysis of exceptional circumstances for these sites is inadequate and very different to what the council provided for the Cinderhill site and the previous identified site for the Codnor bypass.
- ii) Even the council's logic is fundamentally flawed. The contention seem to be that the only way to achieve a 5 year housing supply is to allocate sites in the Green Belt but the council's own submission shows in excess of a 5 year supply without using the Green Belt setting out that these sites are being included to provide a buffer in the 5 year supply calculation. The provision of buffer cannot possibly be regarded as an exceptional circumstance!
- iii) Even if some buffer were thought appropriate, I cannot see any justification for the amount of sites being proposed for removal – surely a buffer of around 30% cannot be justified?
- iv) There is not clear evidence that no other sites are suitable. Indeed the Council's submission states that it has reassessed other sites but found none suitable even though some of the sites now have planning permission. This hardly suggests a robust approach has been taken.

While I would very much like to see a local plan adopted as soon as possible I do not consider this draft plan to be a sound basis on which to proceed and urge you to reject it. I will happily give evidence in person to your enquiry if that would be of assistance.

Yours faithfully

A handwritten signature in black ink that reads "Nigel Mills".

Nigel Mills MP

Member of Parliament for Amber Valley

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