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Date: 19th February 2020

Dear Neighbourhood Plan Group,

RE: Scalford Neighbourhood Plan – Regulation 16 Consultation

Thank you for submitting the Scalford Neighbourhood Plan (regulation 16 version) to Melton Borough Council.

Melton Borough Council fully supports the community's initiative to produce a Neighbourhood Plan and recognises that this is a community-led process. The advice contained within this letter is intended to assist the Neighbourhood Plan Group / Parish Council in ensuring a submission version Neighbourhood Plan is developed that will withstand examination and any possible legal challenge.

Melton Borough Council's response is based on the Regulation 16 consultation documents provided via email to Jorge Fiz Alonso on 12th December, 2019. This response is structured with regard to the basic conditions as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as applied to Neighbourhood plans by Section 38A of the Planning and Compulsory Purchase Act 2004):

- A. **Whether the Plan has regard to National Planning Policy and advice;**
- B. **Whether the Plan contributes to Sustainable Development.**
- C. **Whether the Plan is in general conformity with the Council's own development plan; and**
- D. **Whether the Plan complies with various European Obligations;**

The Melton Local Plan 2011-2036 was adopted by Full Council on October 10, 2018. It sets out the Council policies for the use and development of land across the whole of the Borough. The Local Plan is the main part of the development plan for the Borough and will be given full weight by the Council in making decisions on planning applications. This also means that, as stated above, Neighbourhood Plans must be in general conformity with the strategic policies within the adopted Local Plan. Also, as specified in para 1.8.5 of the Local Plan:

'For the purpose of testing conformity of Neighbourhood Plans with the Local Plan, all policies included in the Local Plan up to and including Chapter 8 are regarded as strategic policies. Whilst the remaining policies will be relevant for determining planning applications, they are not viewed as strategic policies for the purpose of testing Local Plan conformity.'

These issues were subject of scrutiny and debate during the independent Examination of the Local Plan and the wording cited here follows the process of assessment and adjudication by the Inspector.

Additionally, we recommend to the Neighbourhood Plan Group access to the Examiner's report for the Ab Kettleby Neighbourhood Plan at:
<https://www.meltonplan.co.uk/abkettleby>.

To help your understanding of our comments, we have structured our comments into themes.

Page number	Reference (policy/paragraph/section)	Importance (Minor, Moderate, Important or Critical)	Comment from officer ('Quotation', <u>Insertion</u> , Deletion , Important)
General			
N/A	Consultation process	Minor	For the record, the Qualifying body missed one of the responses to their Regulation 14 consultation. This issue was notified during the Regulation 16 consultation. In order to address this matter, and as agreed by all parties, the Qualifying Body provided a response to the comments. Additionally, a potential extension to the Regulation 16 consultation deadline was offered to the affected person.
12	The vision	Minor	You might want to add reference to affordable housing as per the commentary in section 3.2 <i>'people aged been 20 and 39 which may reflect lack of affordable and suitable accommodation for young people entering the housing market'</i>
Housing			
16	Housing Allocation	Minor	<i>'The process undertaken in assessing available sites is described in the supporting information.'</i> We suggest referring to the specific document/appendix in order to enhance the clarity of the document
17	Policy H1 (2c)	Minor	Suggest wording is changed in line with that for policy H1 (1b) to ensure that parking provision requirements are consistent and in keeping with Leicestershire Highways design guide standards i.e. if properties developed on that site have four or more bedrooms at least 3 spaces are provided.
17	Figure 2	Important	We suggest adding the housing allocated (Local Plan) in order to show the whole housing situation for the area. This will enhance the transparency of the Plan in this section.

23	Policy H4	Critical	<p>Paragraph 4.2.17 in the Local Plan does not restrict windfall development to within the built-up area, it may be on the edge of the settlement. Thanks to the LTD policy, windfall development beyond the LTD at Salford would not normally be supported. The policy, therefore will need to enable windfall development within and on the edge of Chadwell and Wycomb.</p> <p>Please consider the following amendment for a) in policy H4: <u>a) Fills a gap in an otherwise built up frontage or on other sites within the Limits to Development of Salford with no more than ten dwellings; fills a gap in an otherwise built up frontage or on other sites within or on the edge of Chadwell and Wycomb with no more than three dwellings;</u> - please see the Examiner recommendations for the Ab Kettleby NP: https://docs.wixstatic.com/ugd/2778e0_a444e0c628ee43149bfb04831fc620fe.pdf</p>
Affordable Housing and Housing Mix			

24	Policy H5	Moderate	<p>In addition to the last sentence: "Affordable Housing for people with a local connection will be encouraged and supported", I recommend for the attached local connection cascade to be included either in the document or as an appendix. The cascade is provided below:</p> <p>Local Connection Cascade</p> <p>1.1 Each criteria is to be taken in the order of priority as set out below with i) being of highest priority and vii) the lowest.</p> <ol style="list-style-type: none"> i. Has, immediately prior to occupation, been ordinarily and legally resident within the Parish of Scalford for at least a 12 month period; or 3 out of the last 5 years; ii. Has formed any strong connection (as outlined in 1.2 below) with the Parish of Scalford or; iii. Has, immediately prior to occupation, been ordinarily and legally resident within the Parish of Eaton; Waltham; or Ab Kettleby for at least a 12 month period or 3 out of the last 5 years; or iv. Has formed any strong connection (as outlined in 1.3 below) with the Parishes of Eaton; Waltham; or Ab Kettleby. v. Is a person who resides in the Borough of Melton but outside Melton Mowbray; or vi. Is a person who resides in Melton Mowbray and in housing need; vii. Is a person who has a local connection to the Borough of Melton through either: <ol style="list-style-type: none"> o a family connection (immediate family associations, limited to parent, sibling or adult child, living in the Borough of Melton) and/or; o an employment connection (permanent employment; temporary employment lasting for at least the last 12 months; or an offer of permanent employment within the Borough of Melton) and/or; o at least one member of the household needs to move within, or to the Borough of Melton, to be close to relatives or other persons, to provide or receive significant amounts of care and support <p>1.2 A strong connection must give regard to:</p> <ul style="list-style-type: none"> • Immediate family associations, limited to parent, sibling or adult child, within the Parish of Scalford. • Permanent employment; temporary employment lasting for at least the last 12 months; or an offer of permanent employment in the Parish of Scalford. • At least one member of the household needs to move within or close to the Parish of Scalford to be close to relatives or other persons to provide or receive significant amounts of care and support. <p>1.3 A strong connection must give regard to:</p> <ul style="list-style-type: none"> • Immediate family associations, limited to parent, sibling or adult child, within the Parishes of Eaton; Waltham; or Ab Kettleby. • Permanent employment; temporary employment lasting for at least the last 12 months; or an offer of permanent employment in the Parishes of Eaton; Waltham; or Ab Kettleby • At least one member of the household needs to move within or close to the Parishes of Eaton; Waltham; or Ab Kettleby to be close to relatives or other persons to provide or receive significant amounts of care and support.
Business and Employment			

58	Policy BE2	Important	The opening sentence of the policy should be amended to state ' <i>new development will be required supported where:</i> ' This allows for some slightly flexibility and especially when the policy uses words such as 'where possible' and 'unless' then 'supported where' follows this language well.
58	Policy BE2	Important	Part d) of this policy should be altered to state ' <i>not involve the net loss of dwellings</i> '. This will allow for more diverse developments that may be able to create a business opportunity and a new residential property, otherwise the current policy may restrict this. The NPPF supports the conversion of existing buildings in rural to support the rural economy and it may lead to more opportunities for mix-use developments as supported by Policy EC4 of the Melton Local Plan.
60	Policy BE5: Tourism	Moderate	Part d) repeats part a) by stating and is ' <i>proportionate to the size of settlement in which it is located</i> ' we would recommend this part be deleted to remove the repetition.
Transport and infrastructure			
P6	Policy TR2: Electric Vehicles	Moderate	TR2 specifies the provision of 7kW cabling (or better if feasible) where as MLP Policy EN9 (8) requires development proposals to provide charging points for cars, subject to viability. I consider TR2 to be too detailed and prescriptive in that as the technology evolves other charging devices and facilities may become preferable and therefore that is does not generally conform with MLP Policy EN9 (8), nor does it have regard to national guidance, building regulations are considered the best place to provide specific guidance in relation to technical and kW requirements for electric vehicle charging points.
56	Electric Vehicles	Minor	"Sales of new petrol and diesel cars are to be banned from 2040" - Suggest alteration to text to reflect very recent government announcement that combustion engines are to be phased out by "no later than 2035" rather than 2040.
Environment			
31	Figure 5	Moderate	Local Green Space due to its detachment and size Fields 109 and 110 may be considered extensive tracks of land. National guidance advises that LGS will not be appropriate for most green areas or open space. The designation should only be used where the green space is reasonably close to the community it serves; where it is demonstrably special to the local community, where it is local in character and is not an extensive area of land.
33	Policy ENV2	Moderate	ENV2 (Fig 6.1) Although not necessarily in conflict, the policy and the map identifies an area where the allocation is. The requirement indirectly imposed through ENV2 to the allocation might need to be watered down in order to avoid conflict with the site-specific policies in the Local Plan.
35	Policy ENV3 – Figures 7.2 & 7.3	Moderate	The open spaces have not been numbered. Should this be done for clarity?
40	Policy ENV5 – Figure 9.2	Moderate	ENV5 The map shows extensive areas and further assessment may be required, in order to provide a justification to that level of protection for the whole area
45	Policy ENV9 – Figure 13	Important	ENV9 (figure 13) Viewpoint 2 is in conflict with the Local Plan.
32	Figure 6.1	Minor	Sites of Historical Environmental Significance – Map contains very high level of information which isn't

			entirely clear; Historic Environment Record(HER) Sites mapped with references but not listed within Appendix 7. What specifically are the orange polygons representing and what relevance do they have with the inventory map references shown in Appendix 7? Full extent of designated area hidden by copyright notice.
32 & 33	Figures 6.1 and 6.2	Minor	Figure 6.2 - Sites of Environmental Significance – High level of information as noted also on Figure 6.1, occasional clashing of colouring causing some reference numbers to become illegible and polygons to clash. Full extent of designated area hidden by copyright notice.
34 & 35	Figures 7.1, 7.2 and 7.3	Minor	Land parcels missing identifying numbers.
37	Figure 8.1	Minor	Local Heritage List – Recommend mapping features in a uniform style, preferably using points. Current style unclear, in particular locations 3 and 4.

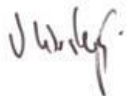
Strategic Environmental Assessment (SEA)

The SEA Screening was issued the 8th January 2020, in relation to the Neighbourhood Plan in its regulation 14 consultation stage. The nature of the changes from regulation 14 to regulation 16 makes this document still valid for this consultation. The document is available at www.meltonplan.co.uk/scalford

The community are congratulated for making considerable progress on the draft Neighbourhood Plan. Melton Borough Council again welcomes the opportunity for continued communication on the interlinking relationship between the Neighbourhood Plan and Melton Local Plan.

Should you wish to discuss any of the points made in this correspondence, please do not hesitate to get in contact so that together we can progress towards a Neighbourhood Plan that will stand the test of examination and responds accordingly to the community's desire for suitable, sustainable development.

Yours sincerely,



Jim Worley

Assistant Director for Planning and Regulatory Services
Melton Borough Council