



**MELTON LOCAL PLAN – ADDENDUM OF FOCUSED CHANGES
(JULY 2017)**

For official use only
Respondent Ref:
Date Received:

The focused changes being proposed in the Melton Local Plan have been split into the main themes that are being addressed since our last consultation in November 2016:

FOCUSED CHANGE DESCRIPTION	FC NUMBER
1. Spatial strategy FC1.1 to FC1.3 (see schedule of the proposed focused changes)	FC1
2. Sustainable neighbourhoods FC2.1 Policy SS4 FC2.2 Policy SS5	FC2
3. Growth strategy	FC3
4. Housing site allocations** FC4.1 Section 5.4, C1 (A) & C1 (B) FC4.2 Appendix 1	FC4
5. Housing mix	FC5
6. Affordable housing	FC6
7. Gypsies and travellers	FC7
8. Economy	FC8
9. Indoor sports & recreation	FC9
10. Infrastructure delivery plan	FC10
11. Melton transport strategy	FC11
12. Developer contributions	FC12
13. Policies map 13.1 Revised boundary of southern sustainable neighbourhood 13.2 Addition of corridor of investigation/interest for the Melton Mowbray Distributor Road	FC13

****PLEASE SUBMIT 1 REPRESENTATION FORM PER FOCUSED CHANGE (FC)****

****To comment on HOUSING SITE ALLOCATIONS, please scroll down to the end of this form****

To view more specific policy numbers, please refer to the relevant FC number using the reports on the website at: www.meltonplan.co.uk/focussed-changes-to-plan

What 'soundness' means

The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is "sound" – namely that it is:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.



MELTON LOCAL PLAN – ADDENDUM OF FOCUSED CHANGES (JULY 2017)

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Melton Borough Council proposes to submit the Melton Local Plan (MLP) to the Secretary of State of Communities and Local Government for independent examination. Before submitting the MLP, the Council is required to publish the document and invite the public to make representations on its 'soundness'. An addendum of 'Focused Changes' (FC) has been published since the last consultation in November 2016, and the Council is now consulting on this addendum. The MLP, once adopted will be the development plan for Melton Borough.

This form has two parts:

- Part A: Personal Details
- Parts B and C: Your representation(s).

When making representations, **please use a separate Part B form for focused change you wish to comment on. Before completing the form you should read the accompanying Guide to Making Representations.** Please ensure that your representation relates to the correct test of soundness (details can be found in the Guide to Making Representations)

Completed forms should be returned to the address below no later than **23rd August 2017. Representations received after this deadline will not be accepted.**

Planning Policy Team
Regulatory Services
Melton Borough Council
Parkside, Station Approach
Melton Mowbray
Leicestershire
LE13 1GH

Alternatively, you can access this form on the Council's website <https://www.meltonplan.co.uk/focussed-changes-to-plan> & print it out or complete it electronically and e-mail your response to planningpolicy@melton.gov.uk

Representations can also be made via the Council's on-line consultation portal - <https://meltonboroughcouncil.citizenspace.com/planning-policy-team/copy-of-focussedchanges-addendum-consultation-s/>

PART A: ABOUT YOU/YOUR ORGANISATION *(if you are an agent, please complete the personal details of your client in 1 and complete agent's details in 2).*

Personal Details	2. Agent's Details <i>(if applicable)</i>
Full Name:	Full Name & Company:
Michele Parker	
Organisation (if applicable)	Organisation/Client Representations on Behalf Of
Burton & Dalby Parish Council	
Address:	Address:
<div style="background-color: black; width: 100%; height: 50px;"></div>	
Postcode:	Postcode:
<div style="background-color: black; width: 100%; height: 20px;"></div>	
Email:	Email:
<div style="background-color: black; width: 100%; height: 20px;"></div>	
Contact Number:	Contact Number:
<div style="background-color: black; width: 100%; height: 20px;"></div>	
Number of Representations Enclosed:	5

Signature:

Michele Parker

Date:

22/08/2017

(PART B)

PART B: YOUR REPRESENTATION (This section will need to be completed for each representation made. Please photocopy or download from the council's website Part B of the form as required.)

Which part of the Melton Local Plan: focused changes addendum does your representation relate to? (Please enter the policy number)

FC number:

1

Policy number:

SS3/Table 4

Do you believe that this policy/section of the Melton Local Plan focused change is? (Please tick the appropriate box)

- | | | | | |
|--------------------------------------|-----|--------------------------|----|-------------------------------------|
| 1. Legally Compliant: | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| 2. Sound: | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 3. Complies with Duty to Co-operate: | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |

*The considerations in relation to the Local Plan being "sound" are explained in paragraph 182 of the National Planning Policy Framework. If you have entered "No" in relation to 4(2), please go to question 5. In all other circumstances, please go to question 6

Do you consider that the focused change is unsound because it is not any of the following? (Please tick the appropriate box)

- | | | | | | | | |
|------------------------|-------------------------------------|--------------|-------------------------------------|--------------|-------------------------------------|------------------------------------|-------------------------------------|
| 1. Positively Prepared | <input checked="" type="checkbox"/> | 2. Justified | <input checked="" type="checkbox"/> | 3. Effective | <input checked="" type="checkbox"/> | 4. Consistent with National Policy | <input checked="" type="checkbox"/> |
|------------------------|-------------------------------------|--------------|-------------------------------------|--------------|-------------------------------------|------------------------------------|-------------------------------------|

Please give details of why you consider this focused change is not legally compliant or is unsound or fails to comply with the Duty to Co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of this policy or its compliance with the Duty to Co-operate, please use this box to set out your comments. (Please continue onto a separate sheet if you require more space)

Paragraph 28 of the National Planning Policy Framework supports economic growth in rural areas and promotes the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship. Instead the Melton Local Plan's settlement hierarchy for the rural area is based on the availability of just four 'essential criteria':

1. primary school;
2. access to employment opportunities;
3. fast broadband; and
4. a community building.

Only one of these- a community building- is specifically referred to in NPPF paragraph 28- with the result that the Melton Local Plan's settlement hierarchy has no regard to the desirability of promoting the development and retention of rural shops, sports venues, public houses or places of worship or other key services like rural GP surgeries.

Similarly, National Planning Policy Framework paragraph 35 advises that plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. The failure of the Melton Local Plan's settlement hierarchy to have regard to the availability of public transport, especially bus services is contrary to the Framework but furthermore:

1. has the potential to disadvantage people without access to a private car;
2. fails to provide for the necessary development that will guard against the unnecessary loss of public transport services.

Melton Borough is a predominantly rural area that is subject to significant physical constraints to development, including areas at risk of flooding and areas protected for their heritage and biodiversity importance. In trying to meet future needs it is vital to understand the capacity of the receiving environment to accommodate growth. The Melton Local Plan settlement hierarchy fails to take account of environmental capacity of settlements and therefore it cannot ensure the future integrity of the environment to provide sustainable development as required in the NPPF. The NPPF requires a positive approach for the conservation and enjoyment of the historic environment, including recognition that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance (paragraph 126).

In view of the above, the inclusion of access to superfast broadband as an essential criterion is particularly strange as the Superfast Leicestershire programme is working to ensure that 96% of all homes and businesses have access to fibre broadband by the end of 2017. The County Council is committed to ensuring that everyone in Leicestershire has access to the broadband speeds they need. It seems odd to identify 'fast broadband' as an essential criterion when it is effectively a universal service.

The identification of Great Dalby as a Rural Hub in the publication version of the Melton Local Plan was of purely academic interest to local people at that time as no development was proposed there. The allocation of Land off Burdett Close, Great Dalby (GReA1) through focussed changes to the Melton Local Plan means that, for people living in the village, this is now an entirely different Local Plan to the one that was first

published. In addition to the specific concerns about the suitability of the proposed allocation, the Parish Council does not consider Great Dalby to be a sustainable location for the level of growth now planned for the following reasons:

1. Great Dalby has a limited range of services and facilities with no shops, sports venues, employment or GP surgery;
2. Public transport is limited to a two-hourly bus service with no service at weekends or evenings;
3. In Great Dalby, the historic environmental resource is recognised as rich, complex and irreplaceable. The Great Dalby Conservation Area includes most of the built-up area of the village but is widely drawn to include swathes of open land north of Burrough End and east of Main Street;
4. The residents of Great Dalby are dependent upon travelling to nearby Melton Mowbray for work, recreation and service provision by unsustainable modes of transport.

Please set out what change(s) you consider necessary to make the focused change legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this change will make the suggested focused change legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. (Please continue onto a separate sheet if you require more space)

Great Dalby should be designated as a Rural Settlement.

Can your representation seeking a change be considered by written representations or do you consider it necessary to participate at the oral part of the examination? (Please tick the appropriate box)

Written Representations

Participate at the Oral Examination

If you wish to speak at the examination, please outline why you consider this to be necessary:

Burton & Dalby Parish Council is a statutory consultee. The Parish Council delivered a consultation leaflet to all the 180 households in the village indicating its intention to challenge the allocation, and asking residents to show whether they supported the Parish Council's actions. There was a very high level of response – 108 residents indicated their support for the Parish Council.

Please note: The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

FC4 HOUSING SITE ALLOCATIONS COMMENTS

The following questions will relate to housing site allocations. Please only use 1 form for each site you wish to submit a comment on. You may copy this page for additional site representations.

Please note: site references may have changed since the previous Local Plan edition, so please use this document to quote any references to sites:

Table 1: Schedule and Summary of the proposed Focused Changes FC4: Housing site allocations, reserve sites and site specific policies				
FC4.1	Section 5.4 Policy C1(A) Policy C1(B)	Reflecting and referencing the findings on suitability, sustainability, site capacity, availability and deliverability, which are set out in updated site and sustainability assessment work. Affects the reasoned justification and policy on housing allocations overall and the associated site specific policies and preamble. Includes deletions, additions, revised site boundaries and capacities, and some recategorisation.	- 11 site allocations deleted - 3 reserve sites deleted - 16 site allocation boundaries amended - 22 allocated sites with capacity changes - 1 reserve site with a capacity change - 8 new site allocations, and 2 extended existing sites - 2 new reserve sites - 14 allocated sites and 2 reserve sites renumbered.	
FC4.2	Appendix 1	Amended site specific policies. New reasoned justification and site specific policy for Scalford and Great Dalby.	- Reflects FC4.1 above. - Amended criteria setting out development conditions for some site specific policies.	

SITE SETTLEMENT *(Please select the site that you interested in (additional sites will need to be entered on another form))*

SITE

Ab Kettleby	<input type="checkbox"/>	Asfordby	<input type="checkbox"/>	Melton Mowbray	<input type="checkbox"/>
Asfordby Hill	<input type="checkbox"/>	Croxton Kerrial	<input type="checkbox"/>	Old Dalby	<input type="checkbox"/>
Bottesford	<input type="checkbox"/>	Easthorpe	<input type="checkbox"/>	Scalford	<input type="checkbox"/>
Frisby	<input type="checkbox"/>	Harby	<input type="checkbox"/>	Somerby	<input type="checkbox"/>
Gaddebsy	<input type="checkbox"/>	Hose	<input type="checkbox"/>	Stathern	<input type="checkbox"/>
Great Dalby	<input checked="" type="checkbox"/>	Long Clawson	<input type="checkbox"/>	Thorpe Arnold	<input type="checkbox"/>
		Wymondham	<input type="checkbox"/>	Waltham	<input type="checkbox"/>

PLEASE INDICATE THE SITE REFERENCE HERE (If you wish to comment on the approach or policy as a whole please do so in the boxes below):

Do you believe that this policy/section of the Melton Local Plan focused change is? *(Please tick the appropriate box)*

1. Legally Compliant: Yes No
2. Sound: Yes No
3. Complies with Duty to Co-operate: Yes No

*The considerations in relation to the Local Plan being "sound" are explained in paragraph 182 of the National Planning Policy Framework. If you have entered "No" in relation to 4(2), please go to question 5. In all other circumstances, please go to question 6

9. Do you consider that the focused change is unsound because it is not any of the following? (Please tick the appropriate box)

Positively Prepared

Justified

Effective

Consistent with National Policy

3. Please give details of why you consider this focused change is not legally compliant or is unsound or fails to comply with the Duty to Co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of this policy or its compliance with the Duty to Co-operate, please use this box to set out your comments. (Please continue onto a separate sheet if you require more space)

NPPF paragraph 47 expects local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% or 20% and identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15.

To be considered deliverable or developable, sites should be in a suitable location for housing development.

Land off Burdett Close, Great Dalby (GREA1) is neither deliverable or developable as the site is unsuitable for the following reasons:

Heritage

The site lies within the Great Dalby Conservation Area. The Conservation Area Appraisal recognises that 'the tracts of open land between Burrough End and Nether End is an important characteristic of the village comprising orchard land, paddocks and open grazing'. The importance of the open area to local heritage has been recognised in several planning decisions.

The field proposed for housing development is pasture land which makes a very positive contribution to the character and appearance of the designated conservation area in Great Dalby. Lying behind the linear built form of Main Street it is such an important part of the defining backcloth of attractive, undulating countryside that most of the site also falls within the conservation area boundary. Indeed, given its importance to the special character and appearance of the designated conservation area Burton & Dalby Parish Council considers that housing development on this site, no matter how sensitively designed, would lead to such a fundamental loss of significance as to constitute substantial harm in planning policy terms.

Great Dalby grew up in two distinct parts, Upper End and Nether End, approximately 400 metres apart. They are separated by an open area crossed by numerous public rights of way. The distribution of surviving 17th- 18th century buildings throughout both Upper End and Nether End indicates that both parts of the village evolved together. The overall extent of development changed little in the 20th century with planning policy respecting the conservation area and encouraging only limited small-scale infill and the reuse of redundant farm buildings and farmsteads. This policy approach has successfully managed development and has allowed the village's historic significance to remain legible.

The village retains its pleasant, rural appearance largely because of the survival of most of the original farmsteads and cottages that historically made up the settlement; and the ancillary buildings that once housed a school, a blacksmith, a wheelwright, a baker and a butcher, a policeman and several public houses are all still in existence. The village was owned by the Burdett Estate and a majority of traditional buildings are of brick & slate with smaller cottages and ancillary buildings often roofed with red pantiles. Some have distinctive details such as the 'Burdett Estate chimney'. In the post-war period after the estate had been sold, private owners of some older properties used corrugated iron to cover their thatch but a positive change that happened during the late 20th century is that most of these have been restored to thatch. The village contains a lively mix of architectural styles. Late 20th century development along Main Street serves, if anything, to emphasise the linear character of the built form while retaining a very visible connection with open countryside beyond. The proposed access to GREA1, Burdett's Close, is local authority housing that was already in existence on Nether End when the conservation area was drawn up, and is included in it.

Great Dalby's highly unusual linear form can be seen clearly on the 1904 Ordnance Survey map and the 1921 Burdett Estate map, with farmhouses and cottages situated along the roadside and ancillary buildings, orchards, paddocks and grazing land stretching out behind them into open countryside. An understanding of the historic village form led to the designated conservation area being widely drawn larger for a reason... to include these orchards, paddocks and open areas. The tract of land south of Nether End and east of the Main Street is particularly identified for its contribution to understanding the special character of the village's historic development and to reading the historic form of the village in its landscape setting. As previously stated, the proposed development site occupies this identified tract of open land which is so fundamental to the special character and appearance of the conservation area.

Although the authority's appraisal of the GREA1 has clearly misinterpreted the village and failed to fully understand the harm that this proposal would do to the conservation area, it nevertheless identifies that there would be a harmful impact on the conservation area. Whilst B & DPC believes the loss of significance would constitute substantial harm, even an outcome of 'less than substantial harm' should be avoided and, when weighed against the public benefit of the proposal, great weight should be given to the asset's conservation. Burton & Dalby Parish Council considers this development would bring no benefit to Great Dalby.

Public Rights of Way

GREA1 is crossed by several public footpaths with access at four different points. These rights of way are of historic significance as they link Upper End and Nether End as well as forming part of longer distance routes used in the past by graziers and smallholders to reach their outlying fields. GREA1, known locally as The Halford, is an open green space that the public values and enjoys. Its network of footpaths is used daily, continuing to provide a highly meaningful public amenity that must be respected and retained.

Flooding

In the light of the Government's announcement on 28 July 2017 that it would introduce secondary legislation to extend the Permission in Principle consent route (effectively outline planning permission) to all housing proposals which gain support through the local plan site allocation process, particular care should now be taken at the draft local plan stage to scrutinise all potential constraints which would otherwise have come to light when outline planning permission was sought.

Contrary to the statement in GREA1 appraisal, there have been recorded flooding issues in Great Dalby for 40 years. The implications of these have not been sufficiently scrutinised.

During the progress of the planning application for 4c and 4d Nether End (04/00445/FUL) the Environment Agency had such concerns about the application's hydraulic model that they issued a holding objection. It was a condition of permission that underground tanks were constructed to 'prevent the increased risk of flooding by ensuring the provision of satisfactory means of surface water disposal'.

Leicestershire County Council has erected signs on Main Street warning that the highway is liable to flooding. The Highways Authority found it necessary to undertake remedial work in 2017 to address problems of surface water running off GREA1 onto the B6047.

The deliverability of the site would surely be affected by the need to resolve the considerable surface water run-off problems and to mitigate the impact on Nether End and Main Street. If the proposed allocation stage is to confer permission in principle this issue requires serious attention.

Access

Burton & Dalby Parish Council considers that there are access issues and the impact on residents on Burdetts Close must be properly considered. The access to the proposed allocation through Burdetts Close would be extremely problematic due to on-street parking and road width.

4. Please set out what change(s) you consider necessary to make the focused change legally compliant or sound, having regard to the test you have identified at 2 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this change will make the suggested focused change legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. (Please continue onto a separate sheet if you require more space)

The allocation, Land off Burdett Close, Great Dalby (GREA1) be deleted.

Please note: Your representation should cover succinctly all the information, evidence necessary and supporting information necessary to support/justify the representation and suggested change, as there will not normally be a subsequent opportunity to make further representations based on this original representation.

After this stage, further submissions will only be at the request of the Inspector based on the matters and issues they identify at the examination.

5. Can your representation seeking a change be considered by written representations or do you consider it necessary to participate at the oral part of the examination? (Please tick the appropriate box)

Written Representations

Participate at the Oral Examination

6. If you wish to speak at the examination, please outline why you consider this to be necessary:

Burton & Dalby Parish Council is a statutory consultee. The Parish Council delivered a consultation leaflet to all the 180 households in Great Dalby indicating its intention to challenge the allocation, and asking residents to show whether they supported the Parish Council's actions. There was a very high level of response – 108 residents indicated their support for the Parish Council.

Please note: The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

PART B: YOUR REPRESENTATION (This section will need to be completed for each representation made. Please photocopy or download from the council's website Part B of the form as required.)

Which part of the Melton Local Plan: focused changes addendum does your representation relate to? (Please enter the policy number)

FC number:

FC13

Policy number:

Policies map
Revised boundary of
southern sustainable
neighbourhood

Do you believe that this policy/section of the Melton Local Plan focused change is? (Please tick the appropriate box)

1. Legally Compliant: Yes No
2. Sound: Yes No
3. Complies with Duty to Co-operate: Yes No

*The considerations in relation to the Local Plan being "sound" are explained in paragraph 182 of the National Planning Policy Framework. If you have entered "No" in relation to 4(2), please go to question 5. In all other circumstances, please go to question 6

Do you consider that the focused change is unsound because it is not any of the following? (Please tick the appropriate box)

5. Positively Prepared 6. Justified 7. Effective 8. Consistent with National Policy

Please give details of why you consider this focused change is not legally compliant or is unsound or fails to comply with the Duty to Co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of this policy or its compliance with the Duty to Co-operate, please use this box to set out your comments. (Please continue onto a separate sheet if you require more space)

NPPF paragraph 47 expects local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% or 20% and identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15.

To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.

There is a current, undetermined planning application (16/00515/OUT) for the development of 1,500 dwellings and associated infrastructure in the eastern portion of this proposed sustainable neighbourhood. The southern sustainable neighbourhood is proposed to be extended to align with the indicative layout associated with the planning application.

The planning application, and thereby the proposed Local Plan allocation is neither in a suitable location nor is there a reasonable prospect that the site is available and could be viably developed at the point envisaged.

The site (as proposed for amendment) is not in a suitable location for the following reasons:

Heritage

The revised boundary of southern sustainable neighbourhood site brings development closer to the St Mary and St Lazarus Hospital, moated site and two fishponds, Burton Lazars. This monument is scheduled under the Ancient Monuments and Archaeological Areas Act 1979 is of national importance. Historic England (HE) has objected to the planning application because of the relationship between the development and the St Mary and St Lazarus Scheduled Monument (SM). It considers that the proposed development would result in substantial harm to the Scheduled Monument. It follows that the revised boundary of southern sustainable neighbourhood site would result in substantial harm to a designated heritage asset.

NPPF paragraph 132 states that 'As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification... Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments ... should be wholly exceptional.'

Area of Separation

The potential for the coalescence of Melton Mowbray with the settlement of Burton Lazars has been recognised by several landscape studies including the Melton Borough Landscape & Historic Urban Character Assessment Report 2006, Final Report Identifying Areas of Separation, Melton Landscape Character Assessment Update 2011 and Melton Borough Areas of Separation, Settlement Fringe Sensitivity and Local Green Space Study. The proposed revised boundary of southern sustainable neighbourhood reduces the Area of Separation and thereby increases the potential for the coalescence of Melton Mowbray with Burton Lazars to the detriment of the character of both settlements.

Furthermore, the proposed site is not available nor can be viably developed at the point envisaged for the following reasons:

Unwilling Owner

A site is considered available for development, when, on the best information available, there is confidence that there are no legal or ownership problems. This will often mean that the land is controlled by a developer or landowner who has expressed an intention to develop, or the landowner has expressed an intention to sell. (Planning Practice Guidance Reference ID: 3-020-20140306)

The western end of the proposed southern sustainable neighbourhood is the subject of representations from the family which farms and owns the land and which includes land proposed for residential and employment development and across which the proposed road crosses. Their objection relates to the prospect of their land holdings and business interests being severely and adversely affected by the proposals for Melton South, and the proposal for a new link road passing through and severing their farm holdings.

The proposed southern sustainable neighbourhood is therefore not available for development.

Melton Mowbray Distributor Road

Future growth in Melton Mowbray relies on pooled contributions from developments to support the delivery of wider infrastructure including the Melton Mowbray Distributor Road. Without this infrastructure there will be a significant deterioration in traffic conditions.

The Transport Assessment submitted in support of this application associated with the proposed southern sustainable neighbourhood has stated that the proposals include a Link Road between the A606 Burton Road and Dalby Road, which could, in the future be extended to connect through third party land to the A607 Leicester Road to form the Melton Mowbray Southern Distributor Road. There is no reasonable prospect for public funding to secure the construction of the remainder of the Southern Distributor Road and much of the land necessary for the road is owned by an unwilling landowner.

The inevitable conclusion is that the southern sustainable neighbourhood is not developable.

Please set out what change(s) you consider necessary to make the focused change legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this change will make the suggested focused change legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. (Please continue onto a separate sheet if you require more space)

The revised boundary of the southern sustainable neighbourhood not be accepted.

Can your representation seeking a change be considered by written representations or do you consider it necessary to participate at the oral part of the examination? (Please tick the appropriate box)

Written Representations

Participate at the Oral Examination

If you wish to speak at the examination, please outline why you consider this to be necessary:

Burton & Dalby Parish Council is a statutory consultee. The Parish Council delivered a consultation leaflet to all the 170 households in Burton Lazars indicating its intention to challenge the revised boundary to the southern neighbourhood, and asking residents to show whether they supported the Parish Council's actions. There was a very high level of response – 90 residents indicated their support for the Parish Council.

Please note: The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

PART B: YOUR REPRESENTATION (This section will need to be completed for each representation made. Please photocopy or download from the council's website Part B of the form as required.)

Which part of the Melton Local Plan: focused changes addendum does your representation relate to? (Please enter the policy number)

FC number:	FC11	Policy number:	Replacement Section 8.3, new Policy IN1, revised existing Policy IN1, and new evidence references
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Do you believe that this policy/section of the Melton Local Plan focused change is? (Please tick the appropriate box)

1. Legally Compliant:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2. Sound:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
3. Complies with Duty to Co-operate:	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**The considerations in relation to the Local Plan being "sound" are explained in paragraph 182 of the National Planning Policy Framework. If you have entered "No" in relation to 4(2), please go to question 5. In all other circumstances, please go to question 6*

Do you consider that the focused change is unsound because it is not any of the following? (Please tick the appropriate box)

9. Positively Prepared <input checked="" type="checkbox"/>	10. Justified <input checked="" type="checkbox"/>	11. Effective <input checked="" type="checkbox"/>	12. Consistent with National Policy <input checked="" type="checkbox"/>
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Please give details of why you consider this focused change is not legally compliant or is unsound or fails to comply with the Duty to Co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of this policy or its compliance with the Duty to Co-operate, please use this box to set out your comments. (Please continue onto a separate sheet if you require more space)

The amount of growth and its spatial distribution is likely to have severe highway impacts within Melton Mowbray and therefore hamper its ability to grow without substantial infrastructure investment. Melton Mowbray already experiences high levels of cross town and through traffic, with limited rail and river crossings resulting in few alternative route options. The heavy goods vehicle element of this traffic exacerbates the impact of this.

FC11 updates and clarifies the reasoned justification for the Melton Mowbray Distributor Road and sets out a new policy specifically for delivery of the Melton Mowbray Transport Strategy. It also identifies and safeguards a 'corridor of investigation' on the Policies Map, within which the preferred alignment of the MMDR will be. The proposed changes express a preference for a Melton Mowbray Distributor Road (MMDR) from the A606 Nottingham Road to the A607 Leicester Road around the east of the town. It was found that this would have the greatest positive long term effects on traffic congestion within the town centre and offer best value for money. It is confirmed that the delivery of the MMDR is dependent upon substantial public funding. Work to model, engineer and cost route options for the MMDR is ongoing.

The Borough Council and Leicestershire County Council have agreed in principle that some development should be allowed to take place prior to full completion of the MMDR, with the acceptance that there could be some localised adverse traffic impacts with vehicles using alternative routes to move within and through the town until key sections of the route are completed.

Burton & Dalby Parish Council have considerable concerns about the relationship between the MMDR and the emerging Melton Local Plan strategy:

1. Melton Borough Council and Leicestershire County Council confirm that work to model, engineer and cost route options for the MMDR is ongoing. The project is at a very early stage, a route has not yet been approved and a route for an eastern section has not yet been identified. The implications of this are:
 - a. The Melton Local Plan has been prepared on an incomplete evidence base;
 - b. The Sustainability Appraisal is based on incomplete evidence;
 - c. The business case for the MMDR is uncertain.
2. Melton Borough Council and Leicestershire County Council have expressed a preference for an eastern MMDR, yet almost all the land allocated for employment development is to the west of Melton Mowbray. Indeed, the major, existing employment areas are all located to the west of Melton Mowbray. Consequently, the strategy will fail to remove the heavy goods vehicle element of traffic growth from the town centre. To exacerbate the spatial dysfunction between the proposed route of the MMDR and the development strategy, there are no strategic growth proposals for the east of Melton Mowbray;
3. The business case for the MMDR is uncertain and substantial public funding is required. There is no public funding committed to the construction of the MMDR. To exacerbate the problem, the MMDR is not a priority for either the Midlands Engine for Growth/Midlands Connect nor the Leicester and Leicestershire Enterprise Partnership's (LLEP) Strategic Economic Plan (SEP) both of which are important determinants of future infrastructure spending. Leicestershire County Council accept that there is no guarantee that funding will be secured for the MMDR. With a high level of uncertainty over the delivery of the MMDR there is the strong likelihood that the strategy of the Melton Local Plan will give rise to severe highway impacts within the town contrary to the provisions of NPPF paragraph 32. Contrary to NPPF Paragraph 177, there is no reasonable prospect that planned infrastructure will be deliverable in a timely fashion;

4. With no reasonable prospect that the MMDR will be delivered and no approved route, it is not appropriate to safeguarded land from other development.
5. One of the core principles of the NPPF is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable. The strategy of the Melton Local Plan and the proposed MMDR is not in accordance with that core principal. The MMDR-based strategy is further undermined by focused change 2.1 which removes reference to 20 minute bus frequency in connection with the proposed Southern Sustainable Neighbourhood.

Please set out what change(s) you consider necessary to make the focused change legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this change will make the suggested focused change legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. (Please continue onto a separate sheet if you require more space)

The safeguarding of a 'corridor of investigation' be deleted.

Can your representation seeking a change be considered by written representations or do you consider it necessary to participate at the oral part of the examination? (Please tick the appropriate box)

Written Representations

Participate at the Oral Examination

If you wish to speak at the examination, please outline why you consider this to be necessary:

Burton & Dalby Parish Council is a statutory consultee. The Parish Council delivered a consultation leaflet to all the 170 households in the Burton Lazars indicating its intention to challenge the corridor of investigation, and asking residents to show whether they supported the Parish Council's actions. There was a very high level of response – 90 residents indicated their support for the Parish Council.

Please note: The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

PART B: YOUR REPRESENTATION (This section will need to be completed for each representation made. Please photocopy or download from the council’s website Part B of the form as required.)

Which part of the Melton Local Plan: focused changes addendum does your representation relate to? (Please enter the policy number)

FC number:	F13	Policy number:	Addition of corridor of investigation/ interest for the Melton Mowbray Distributor Road
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Do you believe that this policy/section of the Melton Local Plan focused change is? (Please tick the appropriate box)

1. Legally Compliant:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2. Sound:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
3. Complies with Duty to Co-operate:	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**The considerations in relation to the Local Plan being "sound" are explained in paragraph 182 of the National Planning Policy Framework. If you have entered "No" in relation to 4(2), please go to question 5. In all other circumstances, please go to question 6*

Do you consider that the focused change is unsound because it is not any of the following? (Please tick the appropriate box)

6. Positively Prepared <input type="checkbox"/>	7. Justified <input checked="" type="checkbox"/>	8. Effective <input checked="" type="checkbox"/>	9. Consistent with National Policy <input checked="" type="checkbox"/>
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Please give details of why you consider this focused change is not legally compliant or is unsound or fails to comply with the Duty to Co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of this policy or its compliance with the Duty to Co-operate, please use this box to set out your comments. (Please continue onto a separate sheet if you require more space)

FC11 updates and clarifies the reasoned justification for the Melton Mowbray Distributor Road and sets out a new policy specifically for delivery of the Melton Mowbray Transport Strategy. It also identifies and safeguards a ‘corridor of investigation’ on the Policies Map, within which the preferred alignment of the MMDR will be.

While Burton & Dalby Parish Council consider it inappropriate to safeguard land from development due to uncertainties over the delivery of the MMDR, it also has significant concerns about the extent of the ‘corridor of investigation’ shown on the Policies Map:

Heritage

The ‘corridor of investigation’ could bring development closer to the St Mary and St Lazarus Hospital, moated site and two fishponds, Burton Lazars. This monument is scheduled under the Ancient Monuments and Archaeological Areas Act 1979 is of national importance. Historic England (HE) has objected to the planning application because of the relationship between the development and the St Mary and St Lazarus Scheduled Monument (SM). It follows that the development of the MMDR further south of the proposed development would result in substantial harm to the Scheduled Monument.

NPPF paragraph 132 states that ‘As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification... Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments ... should be wholly exceptional.’

Burton & Dalby Parish Council also notes that the sustainability appraisal has inadequately assessed the heritage implications of the MMDR. The Sustainability Appraisal Addendum’s consideration of the Eastern Distributor Road only concerns the route from Melton Spinney Road to Burton Road (A606), whereas the ‘corridor of investigation’ extends significantly further westwards bringing the MMDR within the influence of the St Mary and St Lazarus Scheduled Monument. The impact of the Eastern Distributor Road has therefore not been scored correctly and should be shown as a negative effect with the result being that the negative effects of the Eastern Distributor Road far exceed those of the western route option.

Area of Separation

The potential for the coalescence of Melton Mowbray with the settlement of Burton Lazars has been recognised by several landscape studies including the Melton Borough Landscape & Historic Urban Character Assessment Report 2006, Final Report Identifying Areas of Separation, Melton Landscape Character Assessment Update 2011 and Melton Borough Areas of Separation, Settlement Fringe Sensitivity and Local Green Space Study. The proposed route of the MMDR as defined by the ‘corridor of investigation’ reduces the Area of Separation and thereby increases the potential for the coalescence of Melton Mowbray with Burton Lazars to the detriment of the character of both settlements.

South Melton Mowbray Sustainable Neighbourhood

Criterion T1A of Policy Policy SS4 – South Melton Mowbray Sustainable Neighbourhood (Strategic Development Location) requires the provision of a strategic road link connecting the A606 to the A607 to part of the Melton Mowbray Distributor Road. That road link lies within the allocated South Melton Mowbray Sustainable Neighbourhood. It is illogical to extend the ‘corridor of investigation’ beyond the allocated site.

Functionality

Most traffic (around 80% of the total peak hour and daily traffic in the town) is non-through traffic; that is traffic either travelling between origins and destinations within Melton Mowbray or travelling externally to a destination/from an origin within the town. The overall length and alignment of the MMDR will therefore need to be sufficiently direct to provide attractive alternative for traffic compared to existing routes through the town centre. Consequently, the 'corridor of investigation' for the MMDR should be as close to the built-up edge of Melton Mowbray as possible, particularly near the A606 Burton Road.

Please set out what change(s) you consider necessary to make the focused change legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this change will make the suggested focused change legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. *(Please continue onto a separate sheet if you require more space)*

The safeguarding of a 'corridor of investigation' be deleted.

Can your representation seeking a change be considered by written representations or do you consider it necessary to participate at the oral part of the examination? *(Please tick the appropriate box)*

Written Representations

Participate at the Oral Examination

If you wish to speak at the examination, please outline why you consider this to be necessary:

Please note: The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

To help us collate the responses to this consultation, we would be grateful if you could tell us which category best describes who you are representing *(Please tick the appropriate box)*

Melton Borough Resident

Planning Agent/Planning Consultant

Developer

Utility/Service Provider

Government Organisation

Amenity Group

Other Organisation

Residents Group

Business

Town/Parish Council

Other (Please state)

Do you want to have further involvement in the Melton Local Plan? (Please tick the appropriate boxes)

If you wish to be notified at the address/e-mail provided in Part A when the Melton Local Plan is submitted to the Secretary of State for Communities & Local Government

If you wish to be notified at the address/e-mail provided in Part A when the Inspector's Report is available to view

If you wish to be notified at the address/e-mail provided in Part A when the Melton Local Plan is adopted

If you/your organisation wish to be included in future consultations on the Melton Local Plan

If you/your organisation **do not** wish to be included in future consultations on the Melton Local Plan

Thank you for taking the time to submit representations on the Melton Local Plan: Addendum of Focused Changes 2017. It should be noted that representations cannot be treated as confidential.

Would you like to be kept informed of other council services? We will not share this data with another provider (Please tick the appropriate boxes)

All council services Community Tourism & events Town Centre

Benefits Local Plan Online services Waste and recycling