

## Response ID ANON-13H4-7YWF-D

Submitted to **Melton Local Plan Pre-Submission Draft**  
Submitted on **2016-12-19 13:28:50**

### About you

#### 1 What is your name?

Name:

Tom Parry

#### 2 What is your email address?

Email:

[REDACTED]

#### 3 Are you responding as an individual, consultee, stakeholder or other?

Consultee

If Consultee, Stakeholder, or Other, please give details here. :

Barkestone Plungar and Redmile Parish Council

#### 4 Address

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

#### 5 Age

Please select your age:

[REDACTED]

### Policy SS2 – Development Strategy

#### 1 CH4PSS2Q1: Do you consider that Policy SS2 is?

Do you consider that Policy SS1 - Legally Compliant::

Do you consider that Policy SS1 - Sound::

No

Do you consider that Policy SS1 - Complies with Duty to Co-operate:

#### 2 CH4PSS2Q2: If answered "No" to "2: Sound" please answer the following question. Do you consider that the Policy is unsound because it is not?

1) Positively Prepared, 4) Consistant with National Policy

**3 CH4PSS2Q3: Please give details of why you consider Policy SS2 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 Policy SS2 or its compliance with the Duty to Co-operate, please use this box to set out your comments.**

Please insert text here. :

The settlement hierarchy differentiates the sustainable Services Centres/Rural Hubs from the unsustainable Rural Settlements (see 4.2.4 and 4.2.5).

Development in Rural Settlements would not normally be in accordance with the NPPF, which carries a presumption in favour of sustainable development. There may be exceptional circumstances where development in Rural Settlements could enhance the sustainability of those settlements.

The Policy does not make it clear however that development in Rural Settlements, to be consistent with the NPPF, will be in exceptional cases.

The policy is not clearly written in paragraph four. The remaining need, as shown in 4.2.13, is 2144 homes. 1822 is 85% of the remaining need, not 35%.

The Policy does not also make it clear that the 322 "windfall" homes will be spread across Service Centres, Rural Hubs and Rural Settlements. Paragraph 6 could

be read to suggest that all 322 homes will be in rural settlements, which is clearly not the intention of the Plan.  
The Policy repeats parts of SS3.

**4 CH4PSS2Q4: Please set out what change(s) you consider necessary to make the Melton Local Plan 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 Melton Local Plan 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.**

**lease set out what change(s) you consider necessary to make the Melton Local Plan legally compliant or sound:**

In paragraph 4 it could read "of the remaining need of 2144 homes, 85% (1822) will be accommodated by Services Centres and Rural Hubs. This will be delivered by planning.....etc" This wording would be consistent with the rest of the plan.

Paragraph 6 could read "The remaining 15% of the homes in the Rural Area (322) will be accommodated by all settlements (Service Centres, Rural Hubs and Rural Settlements) in the Rural Area, through planning positively for new homes as "windfall" sites. In Rural Settlements proposals for new development will only be supported where they are small and enhance the sustainability of the settlement in accordance with clause 7 of Policy SS3 [see our comments on Policy SS3]" This wording would clarify the position and be consistent with the NPPF.

## **Policy SS3 – Sustainable Communities (unallocated sites)**

**1 CH4PSS3Q1: Do you consider that Policy SS3 is?**

**Do you consider that Policy SS1 - Legally Compliant::**

Yes

**Do you consider that Policy SS1 - Sound::**

No

**Do you consider that Policy SS1 - Complies with Duty to Co-operate:**

Yes

**2 CH4PSS3Q2: If answered "No" to "2: Sound" please answer the following question. Do you consider that the Policy is unsound because it is not?**

1) Positively Prepared, 4) Consistant with National Policy

**3 CH4PSS3Q3: Please give details of why you consider Policy SS3 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 Policy SS3 or its compliance with the Duty to Co-operate, please use this box to set out your comments.**

**Please insert text here. :**

The settlement hierarchy differentiates the sustainable Services Centres/Rural Hubs from the unsustainable Rural Settlements (see 4.2.4 and 4.2.5). Development in Rural Settlements would not normally be in accordance with the NPPF, which carries a presumption in favour of sustainable development. There may be exceptional circumstances where development in Rural Settlements could enhance the sustainability of those settlements. SS3 applies a single policy to all settlements despite the clear differentiation between Rural Settlements and others. We consider that this leads to a considerable lack of clarity over how the policy should apply to Rural Settlements. In addition, Rural Settlements are unlikely to have a Neighbourhood Plan, owing to resource and cost constraints and the inappropriateness of the neighbourhood planning process to such settlements. The evidence base generally gives very little information for Rural Settlements. There is therefore unlikely to be adequate evidence or guidance to judge development proposals in Rural Settlements by reference to Policy SS3 (in particular Clause 1) or the related policies (e.g. EN6). Generally, the policy is unclear in some of its phrasing. In particular the phrase and/or is used at the end of clause 1 when it must be either "and" or "or", and then it is not clear whether clauses 2 to 6 should all be met (which we presume they should - therefore they should have "and" after each clause).

**4 CH4PSS3Q4: Please set out what change(s) you consider necessary to make the Melton Local Plan 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 Melton Local Plan 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.**

**lease set out what change(s) you consider necessary to make the Melton Local Plan legally compliant or sound:**

There should be a separate policy (e.g. SS4) giving a clear statement as to (a) what development would be acceptable in Rural Settlements and (b) how evidence would be adduced to support the policy. To some extent clause 7 of Policy SS3 appears to be attempting this, although it does not address (b) above. This would clarify the specific position regarding Rural Settlements and reduce the likelihood of judging proposals in Rural Settlements as if they were inherently sustainable.

Such a policy could direct that development in Rural Settlements will be on an exception basis, given the inherent unsuitability of such settlements for sustainable development. Development proposals should meet a proven need for further housing as demonstrated by community support or the need to develop redundant buildings. The local community should be consulted where existing evidence is not available to assess the impact of policies EN1 and EN6. This policy wording would clarify the type of evidence needed to support proposals for development in Rural Settlements.

In policy SS3, it should read, instead of "and/or", "and all of the following criteria are met". This would make the policy clear.

Clause 7 could be incorporated into the suggested new policy SS4.

## **Policy C7 – Rural Services**

### **1 CH5PC7Q1: Do you consider that Policy C7 is?**

**Do you consider that Policy SS1 - Legally Compliant::**

**Do you consider that Policy SS1 - Sound::**

**Do you consider that Policy SS1 - Complies with Duty to Co-operate:**

**2 CH5PC7Q2: If answered "No" to "2: Sound" please answer the following question. Do you consider that the Policy is unsound because it is not?**

**3 CH5PC7Q3: Please give details of why you consider Policy C7 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 Policy C7 or its compliance with the Duty to Co-operate, please use this box to set out your comments.**

Please insert text here. :

**4 CH5PC7Q4: Please set out what change(s) you consider necessary to make the Melton Local Plan 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 Melton Local Plan 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.**

lease set out what change(s) you consider necessary to make the Melton Local Plan legally compliant or sound:

## **Examination**

**1 EXQ1: 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?**

Written Representations

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

**2 EXQ2: Moreover please indicate if you wish to continue to be involved in the Local Plan (Please tick appropriate boxes).**

If you wish to be notified at the address/e-mail provided 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 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

## **Acknowledgement**

**1 I understand the above statement and agree I have complied with its requirements**

I agree