

**REPRESENTATIONS IN RESPECT OF THE MELTON LOCAL  
PLAN (PRE SUBMISSION DRAFT) NOVEMBER 2016**

On Behalf of Ms Laura Fitzpatrick and Ms Sarah Fitzpatrick



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## **Appendices**

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Appendix 2 – Land off Back Lane, Long Clawson – Illustrative Masterplan



## 1. INTRODUCTION

- 1.1 These representations are made on behalf of Ms Laura Fitzpatrick and Ms Sarah Fitzpatrick in respect of the Melton Local Plan Pre Submission Draft November 2016 consultation, and specifically in relation to their interest in the preferred housing allocation at Land of Back Lane, Long Clawson (MBC/028/13).
- 1.2 In summary, these representations seek to support and endorse the classification of Long Clawson as a Service Centre and the identification of Land off Back Lane, Long Clawson (MBC/028/13) as a preferred housing allocation and the most sustainable allocation option for the settlement. However, these representations also seek to increase the percentage level of growth intended for the Service Centres/Rural Hubs, re-classify the largest four Service Centres to recognise their importance in the Borough, and re-evaluate the distribution of development between centres.



## 2. BACKGROUND AND CONTEXT

2.1 For a plan to be adopted it must pass an examination and be found to be 'sound'.

2.2 Paragraph 14 of the National Planning Policy Framework (NPPF) refers to the presumption in favour of sustainable development and makes specific reference to plan making stating that:

- Local Planning Authorities should positively seek opportunities to meet the development needs of their area;

Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

2.3 Paragraphs 154 and 157 of the NPPF identify (amongst other criteria) that Local Plans should be aspirational but realistic and should plan positively for development to meet the objectives, principles and policies of the NPPF.

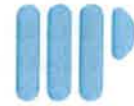
2.4 Paragraph 182 of the NPPF also sets out that the plans will need to be prepared in accordance with the duty to cooperate, legal and procedural requirements and that they must be 'sound'. There are four tests of 'soundness', which are that each plan must be:

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

3.



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## REPRESENTATIONS IN RESPECT OF THE MELTON LOCAL PLAN PRE SUBMISSION DRAFT NOVEMBER 2016 CONSULTATION

- 3.1 This section of the representations contains our detailed responses, prepared on behalf Ms Laura Fitzpatrick and Ms Sarah Fitzpatrick, in relation to the Melton Local Plan Pre Submission Draft Plan November 2016 (PSD).

### General Level of Growth and Policy SS2

- 3.2 The overall level of housing and employment growth to be planned for within Melton Borough to 2036 is under review as part of the Housing and Economic Development Needs Assessment for Leicester and Leicestershire. Until the results of this exercise are published, and the Councils (particularly Leicester City) have demonstrated and agreed to accommodate their needs within their administrative area, it is not possible to comment on whether the 6,125 homes proposed for the plan period is robust.
- 3.3 Notwithstanding this, Policy SS2 identifies that provision will be made for at least 6,125 homes between 2011 and 2036, and also references that at least 3,980 of these homes are to be built in the Melton Mowbray Main Urban Area (MMUA). However, this flexible approach is not reflected throughout the policy with reference to a proposed rigid percentage of growth to be allocated to MMUA (65%) and the Service Centres and Rural Hubs (SCRHs) (35%) and the reference to "remaining need (1,822) on a proportionate basis" in relation to the specific allocation for SCRHs.
- 3.4 With reference to paragraph 182 of the NPPF, the Local Planning Authority (LPA) should be demonstrating synergy between each aspect of the policy approach and, above all, consistency with the overarching presumption in favour of sustainable development identified in Policy SS1 and the NPPF. To propose such a rigid percentage breakdown and remaining need figure of 1,822 for the SCRHs is contradictory to the



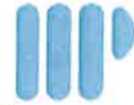
flexibility provided in the phrase “at least” when referring to the overall provision of homes and the number that will be directed to the MMUA. This is not in accordance with paragraph 14 of the NPPF and such inflexibility in their approach to development in the SCRHS does not provide the “sufficient flexibility to adapt to rapid change”.

3.5 Rather, the LPA should provide more flexibility for development to be delivered across the Borough if required. It is not disputed that most development should be directed to the MMUA using phraseology such as “at least” but this approach also needs to be reflected throughout the policy. “At least” should also be noted for the housing target for the SCRHS and the references to percentage growth should equally reflect this approach by stating “circa 65% and 35%” rather than a definitive split.

3.6 Notwithstanding the above, it is submitted that the SCRHS should be allocated more growth in any event. The NPPF states, that “*to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities*” (paragraph 55). The Planning Practice Guidance provides further guidance on this issue, stating:

*“A thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities”* (Rural Housing: Paragraph: 001 Reference ID: 50-001-20140306)

Rural housing is therefore best directed to settlements where it can help sustain and enhance facilities and services. That is not to say that development in the lower order settlements should be completely restricted (also in line with national guidance), but the Council should consider redirecting rural growth to the more sustainable rural settlements, where it can be demonstrated that growth can be sustainably accommodated.



3.7 Moreover, there are various references in section 2.3 of the PSD to the importance of supporting business development in rural areas. Specifically paragraphs 2.3.1 and 2.3.3 highlight the importance of business start ups in rural parts of the Borough where there is a growing trend for home working. It is also importantly acknowledged in paragraph 4.2.3 that a positive approach will be taken the rural economy and states that,

*“Plan policies should support the long term sustainability of the Boroughs villages, building on and furthering the attractiveness of the Borough for homeworking and small business start-ups...”*

Providing a higher proportion of homes in the SCRHs will provide the support needed to allow this sector to further expand and secure the long term sustainability of these businesses.

3.8 Put simply, the SCRHs, and especially Long Clawson should be allocated a larger proportion of dwellings in order to support business development in the rural areas. This would wholly accord with the strategic housing objective of the PSD in developing a housing stock to provide for the future aspirations for the local economy.

3.9 Paragraph 2.3.5 of the PSD identifies that aside from Melton Mowbray, Long Clawson is one of the most sustainable SCRHs and acts as a local service centre alongside other villages such as Asfordby, Bottesford, and Waltham on the Wolds. In addition, Map 1 of the Settlement Roles and Relationship Study 2015 shows how the settlement roles are spread across the Borough. The Study concludes that generally settlements to the north of the Borough perform better than those to the south in terms of sustainability. Map 3 of the Study shows the average service score for each community aggregated by Parish Area. The areas on the Map shaded purple, of which Long Clawson is included, show locations where access to services and employment are highest highlighting the north and west as the better served parts of the Borough.

3.10 Long Clawson is considered to be a highly sustainable location for new



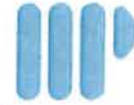


development due to the availability of those local facilities and services which reduce the need to travel. The settlement is well served by public transport to enable journeys to higher order centres to be undertaken as an alternative to the motor car. Consequently, it therefore performs a key role in the Borough and as such it is considered that the settlement is an appropriate location to which a higher level of growth should be directed.

- 3.11 Therefore, it is submitted that the four largest SCRHs should be acknowledged for their high levels of sustainability and should be set above other SCRHs as higher order centres in the settlement hierarchy as previously proposed in the emerging Local Plan. They should in turn be allocated more development where it can be demonstrated that they have the capacity to do so.

#### The Proportionate Approach to Distribution of Housing

- 3.12 Parallel to the above point, it is noted that, whilst Bottesford and Asfordby have been allocated higher levels of development than other villages (23% and 16% respectively), this is not reflected in the approach to Long Clawson and Waltham on the Wolds. We acknowledge that this is because the approach to development has been based on settlement size and population numbers rather than on sustainability credentials and land availability. It is submitted that the current approach is flawed as does not allow for higher levels of development in the most appropriate and sustainable locations.
- 3.13 Allocation of development should be made on the capacity of settlements and existing infrastructure and services to accommodate additional development. The distribution of housing should be allocated based on levels of sustainability and the capacity of SCRHs to accommodate further development. A key soundness test of Local Plans is that they must be justified (NPPF, paragraph 182), meaning they must be based upon **appropriate and proportionate** evidence.
- 3.14 In this respect, a review of the Settlement Roles and Responsibilities



Report (SRRR) identifies that some villages are substantially less sustainable than others, yet they have been allocated relatively high numbers of dwellings due to higher population levels. This is especially evident in SCRHS such as Wymondham, Croxton Kerrial and Asfordby Hill which are to receive 6.1%, 5.1% and 5.7% of proposed development respectively but only fulfil 6, 7 and 8 of the 43 categories of the SRRR respectively when assessing the sustainability of each village. Whilst we appreciate and fully endorse that the allocation of 10.2% of the proposed development for Long Clawson is wholly appropriate given it fulfils 16 of 43 criteria of the SRRR, it is noted that it has only been given a higher level of development as it has a higher population than other settlements. As already stated, this approach is flawed and does not reflect the true sustainability of a settlement and the infrastructure or capacity of a settlement to accommodate anticipated levels of development.

- 3.15 In relation to capacity to accommodate further development, it is noted that the tables at Policy C1 (A) of the PSD identify a capacity of 405 dwellings in Bottesford but it is proposed to allocate 427 dwellings at this location. Again, in the case of Wymondham there is capacity for 63 dwellings but it is proposed to allocate 68 dwellings to this village. Whilst settlements such Long Clawson have a capacity to accommodate 141 dwellings but it is proposed to allocate a mere 127 dwellings to this centre.
- 3.16 Put simply, this approach to the distribution of housing is clearly flawed and could lead to the plan being found unsound. Local Plans also need to be effective in order to meet the soundness tests at paragraph 182 of the NPPF. This means that Plans should be **deliverable** over the plan period, and in accordance with NPPF paragraph 47, need to identify a supply of deliverable and developable sites for housing. Overestimating housing number and deliverable or developable sites means the Local Plan is in danger of being considered unsound. Fundamentally, this approach will lead to issues when dwellings are delivered as villages could become akin to housing estates with unsustainable patterns of travel to other villages for services and facilities rather than being self



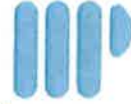
sufficient villages in their own right. In addition, allocating more development to villages with less land capacity could lead to a shortfall in development, especially if developers seek to provide low density schemes on those allocated sites to assimilate with the character of surroundings.

#### The Preferred Sites for Allocation

- 3.17 In respect of the proposed site allocations, we wholly support and endorse the inclusion of Land off Back Lane, Long Clawson (MBC/028/13) as proposed allocation LONG2 in the PSD.
- 3.18 A planning application for the development of the site has been submitted and is being considered by Melton Borough Councils Development Management team.

#### ***The Site and Surroundings***

- 3.19 The site is located within the settlement of Long Clawson just outside but contiguous with the previously defined village envelope of Long Clawson in the adopted Melton Local Plan. To the site's immediate south and west is the Village Hall comprising a car park (for 50 cars and 2 disabled spaces), a sports recreation ground, play area, multi-use games area and nature area with wildlife pond. To the east of the site is residential development; the site is enclosed to the north and the west by Back Lane. The location is shown on the Site Location Plan at **Appendix 1** of these representations.
- 3.20 The site currently comprises a grass field of some 0.9 hectares (2.2 acres) with two vehicular accesses being provided onto Back Lane, one on the site's northern boundary and the other being at the south-west corner of the site. The site is roughly circular in shape. There is a Public Right of Way (PRoW) which runs across the site, namely the PRoW referred to as G47.
- 3.21 The site is enclosed by an established hedgerow, with a small section of



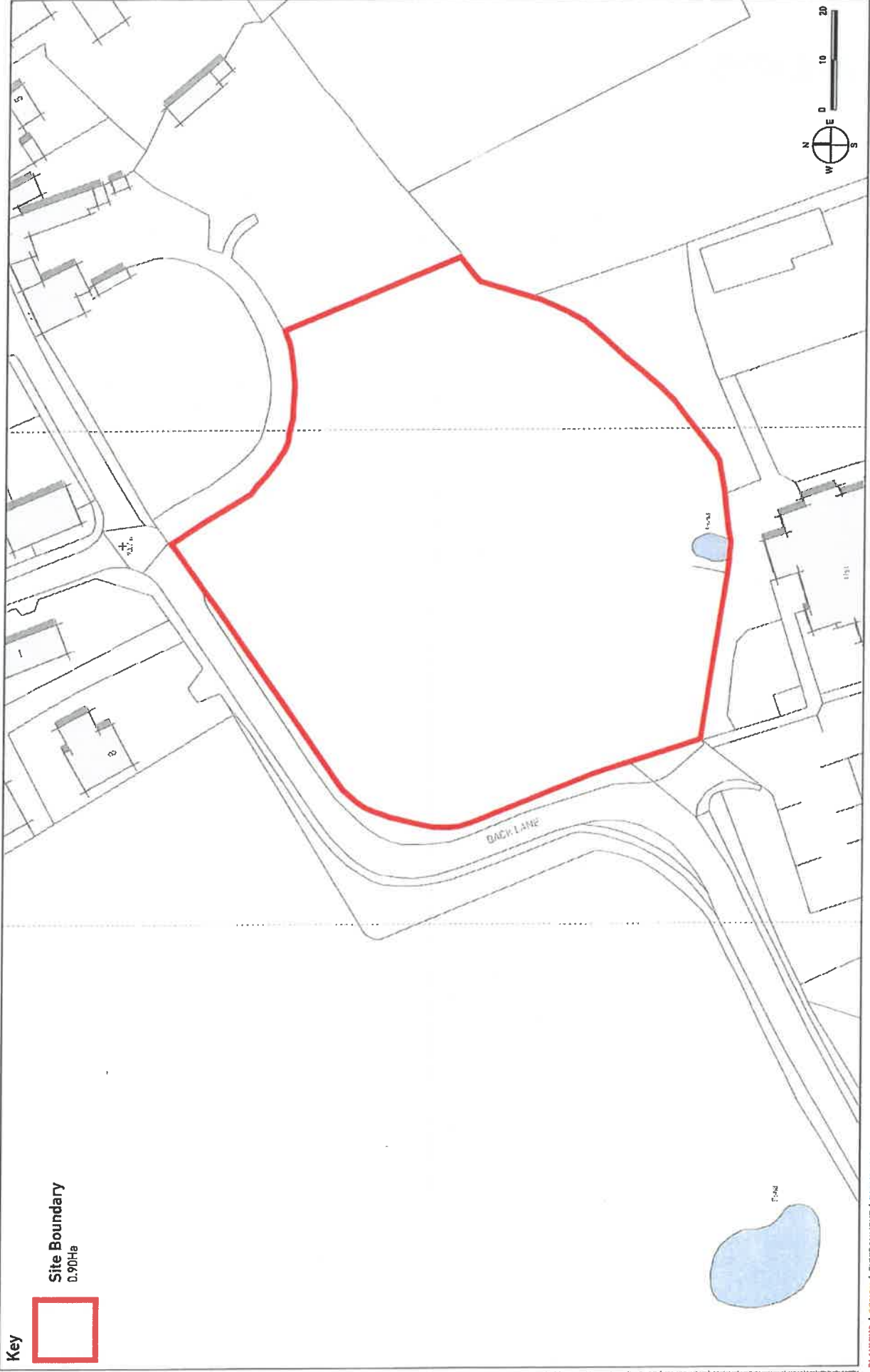
brick wall on the north-east corner of the site. There is also an established hedgerow along the west boundary of the site, with some mature trees and hedges on the north and east boundaries.

- 3.22 Long Clawson is considered to be a highly sustainable location for new development due to the availability of those local facilities and services which reduce the need to travel for day-to-day needs. The settlement is well served by public transport to enable journeys to higher order centres to be undertaken as an alternative to the car. The site is served by the no.24 Centrebus service that runs between Bottesford and Melton Mowbray; this provides a regular hourly service, Monday to Saturday in both directions from Long Clawson. Journey times between Long Clawson and Melton Mowbray are typically 15-20 minutes using this service and approximately 30 minutes to Bottesford.

***Proposed Development***

- 3.23 An indicative Masterplan of the proposal is provided as part of these representations at **Appendix 2**.
- 3.24 The scheme proposes a development of circa 22 dwellings together with associated access, drainage infrastructure and open space. A new vehicular access is proposed to Back Lane. The existing south-western access would be kept exclusively for cycle and pedestrian traffic and could offer potential as an emergency services access. The provision of a new footway to link with the existing footpath on the southern side of Back Lane will also be provided.
- 3.25 The dwellings would be of a high quality of design to reflect local vernacular. The site would provide some on-site open space including a landscape buffer running contiguous to Back Lane. The proposals will retain the small pond to the south of the site, whose biodiversity value would be enhanced. An attenuation area in the south-western corner of the site will also deal with the surface water drainage.
- 3.26 The proposals will divert PRoW G47 within the above landscape buffer

# APPENDIX 1



Key

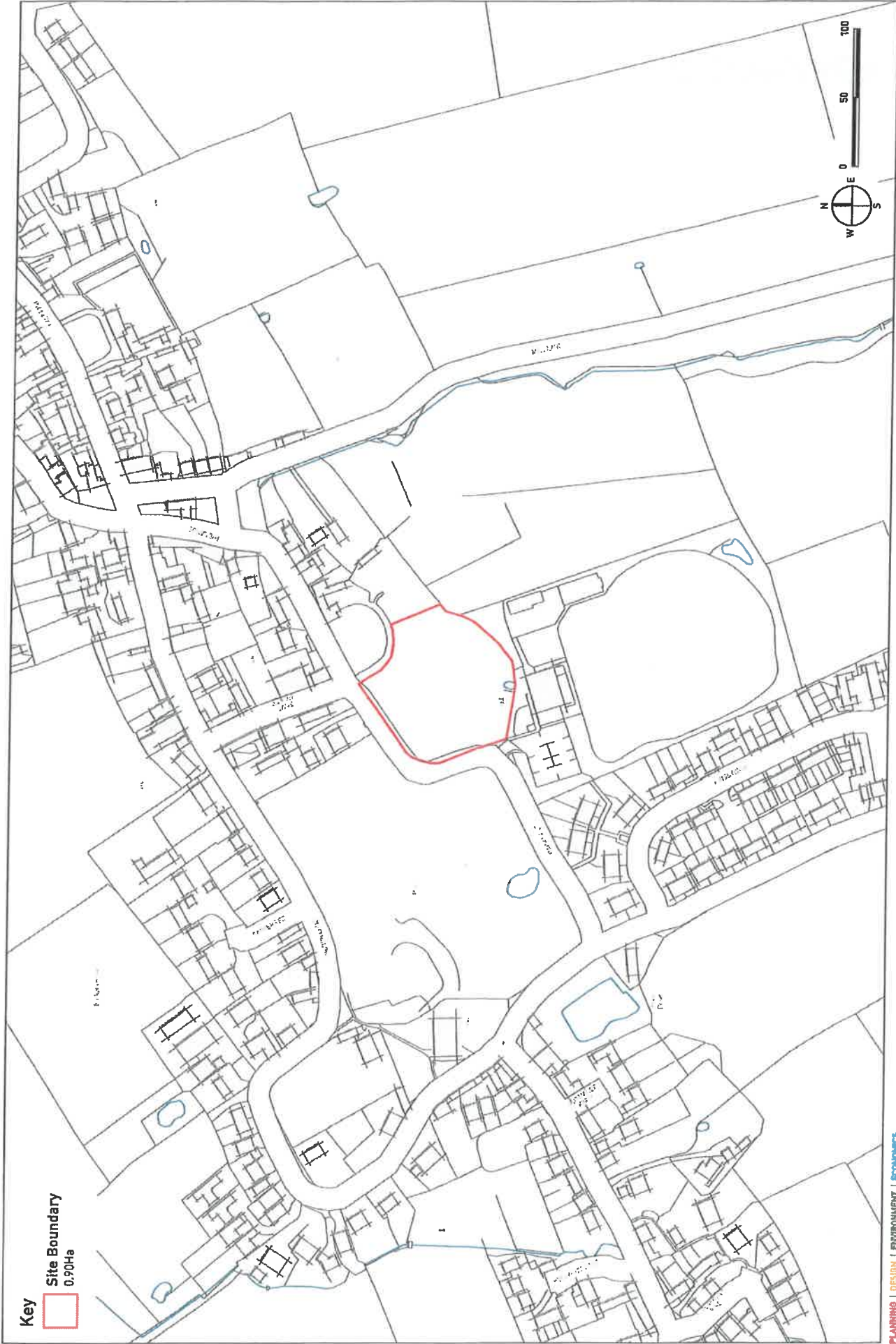
Site Boundary  
0.90Ha

PLANNING | DESIGN | ENVIRONMENT | ECONOMICS

Pegasus  
Design

| www.pegasusupps.co.uk | TEAM/DRAWN BY: JF | APPROVED BY: PS | DATE: 14/09/16 | SCALE: 1:500 @ A2 | DRWG: EHS2440\_001 SHEET NO. 0 REV: - | CLIENT: LAURANSARAH FITZPATRICK |





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## APPENDIX 2





- Key**
- Site Boundary  
0.878Ha
  - Proposed Footpath Diversion  
(PROW: 647)
  - Proposed Storm Water  
Attenuation
  - Tree Retention Information  
(See Arboricultural Report by  
R.J. Tree Surveys)
  - Proposed Residential  
22 dwellings @ 24 dph
  - Proposed Garages
  - Existing Vegetation
  - Indicative Planting
  - Potential Footpath Link

PLANNING | DESIGN | ENVIRONMENT | ECONOMICS



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