



**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.



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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

Full Name:

Richard D Chandler

Organisation (if applicable)

Address:

Postcode:

Email:

Contact Number:

2. Agent's Details (If applicable)

Full Name & Company:

David A Haston, Haston Reynolds Ltd

Organisation/Client Representations on Behalf Of

Address:

Woodlands Barn
Walton
Telford
Shropshire

Postcode:

TF6 6AN

Email:

Contact Number:

Number of Representations Enclosed:

1

Signature:

Date:

11 August 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:

FC4

Policy number:

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 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 type="checkbox"/> | 2. Justified | <input type="checkbox"/> | 3. Effective | <input type="checkbox"/> | 4. Consistent with National Policy | <input 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)

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)

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"/>	Croton 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 type="checkbox"/>	Long Clawson	<input checked="" 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): LONG5

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

- Legally Compliant: Yes No
- Sound: Yes No
- Complies with Duty to Co-operate: Yes No

1. 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

2) Justified

3) Effective

4) 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)

Representations were made on behalf of Mr R D Chandler (representor 385) to the pre-submission draft Melton Local Plan.

Those representations focussed on the Council's selection of sites for housing allocations in Long Clawson which was considered to be flawed, with insufficient regard having been given to the significant benefits that would be derived from the allocation and redevelopment of the Canal Farm farmstead site (LONG5) within the Site Assessments by Settlements (Document SS51), whilst weight appeared to have been attached to constraints in the delivery of that site which could readily be overcome.

Various aspects of the Council's assessment were reviewed and those aspects which were flawed and had a material effect on the scoring for the LONG5 site (in some instances by way of comparison with other Long Clawson sites) were highlighted.

The Council has since updated its site assessments in support of the pre-submission Local Plan and associated focussed changes.

The details of the update to the site assessments for Long Clawson are set out in the Service Centres update (part 2 of 3 dated 30 May 2017).

The details relevant to Long Clawson are provided at pages 196 to 272 of that document with a summary table detailing the updated score and ranking for each site within the table on pages 196 and 197.

The Council has also published a very brief summary of the representations made to the pre-submission draft version of the Melton Local Plan together with the Council's responses.

The Council's summary of the representations made on behalf of Mr Chandler in respect of site LONG5 simply states:

'Objection to the way the site has been assessed on the 'SS51 Long Clawson Site Assessment by Settlement'

The MBC response to the representations made on behalf of Mr Chandler simply states:

'An update of the assessments has been done on May 2017. The site is still ranked on 5th place and due the Long Clawson threshold this is still a Reserve Site.'

No change or modification was proposed by MBC and LONG5 currently remains a Reserve Site.

Site Assessment for LONG5

Notwithstanding the representations made to the pre-submission draft plan, the updated site assessment for LONG5 is still fundamentally flawed and under-scores the site in respect of some of the potential impacts.

Brownfield Land

It is unclear from the assessment on page 232 what score has been attributed to LONG5 in relation to this potential impact.

In any event, whilst agricultural developments do not fall within the NPPF definition of previously developed land, the majority of the site is, as a matter of fact, developed with buildings, concrete clamps, concrete yards, fixed structures and equipment and a slurry lagoon. That area cannot be considered to be 'greenfield' and attributed the same or similar scores as completely undeveloped and wholly grassland or arable fields.

Accordingly, the site should be attributed a score of + (positive) at the very least.

Loss of Employment or Other Beneficial Use

As explained in the previous representations, one of the fundamental drivers behind the redevelopment of the Canal Farm farmstead site is its inherent unsuitability for accommodating the dairy herd of 300 milking cows and the need to relocate the enterprise to a more appropriate location on the farm. The background to the current situation is provided at Section 2.1 of the Planning, Design & Access Statement (PDAS) (submitted with the previous representations), whilst the benefits to the agricultural business from the residential redevelopment of the site are set out in paragraph 6.12.9 of the PDAS.

The redevelopment of the utilitarian Canal Farm site would help to provide the capital funding necessary to facilitate the relocation of the dairy herd and thereby secure the long term future of the agricultural business, together with the direct and indirect employment that it generates. Relocation would also facilitate the expansion of the dairy enterprise which cannot realistically be done at the Canal Farm site.

Rather than jeopardising employment, the redevelopment of the farmstead is necessary to, and would secure the long term future viability of the farm business, secure existing employment by the farm business and generate new direct and indirect employment

Accordingly, rather than attributing what is currently a 0 score, this Issue should have generated a ++ (strong positive) score.

In light of the above, the assessment is flawed and overall performance of the Canal Farm site has been understated.

Access Including Public Footpath Access

It is unclear why the Council has increased the score for this potential impact from - (negative) to + (positive) rather than ++ (strong positive) given that it has been demonstrated that vehicular access and safe pedestrian access issues have been resolved.

All public rights of way located to the north of the site would be retained and would be supplemented with additional footpaths, enhancing accessibility to the public rights of way network for not only residents of the proposed development, but also for existing residents of Long Clawson.

Accordingly, rather than increasing its assessment from a – (negative) score to a + (positive), it is considered that the potential impact would be one of significant enhancement and should therefore be a ++ (strong positive) score.

Heritage Assets

For the reasons set out in the representations to the pre-submission draft Local Plan and the findings of the Mayfield CA Heritage Assessment it is considered that this potential impact should be scored ++ (strong positive) rather than just + (positive).

Flooding / Drainage

Unlike sites LONG1, LONG2 and LONG4, the Canal Farm site is already developed with a large range of utilitarian farm buildings, silage clamps, concrete yards etc.

Unlike those other sites, the redevelopment of the Canal Farm site will result in little if any overall increase in impermeable area and inherently will not increase the risk of flooding elsewhere.

Notwithstanding this, all surface water generated within the site would be attenuated on-site within an attenuation pool with a 1:100 year + 30% capacity and an outfall restricted to no more than 5 litres per second as set out in the Flood Risk Assessment (submitted with the previous representations). This is an integral part of the proposed scheme which can be readily delivered and should not be treated as a constraint.

The redevelopment of the Canal Farm site would consequently provide a significant improvement when compared with the existing situation.

Whilst the Council's Assessment has quite rightly attributed a score of ++ (strong positive) to the Canal Farm site on this Issue, it has attributed exactly the same score to the LONG1, LONG2 and LONG4, even though the Canal Farm site significantly and demonstrably out-performs them.

Visual Impact

The Council has revised and uplifted its previous assessment of the LONG5 site in relation to Visual Impact to + (positive) on the basis that the site is '*Reasonably well related to the existing built-up form of the village.*' The assessment of the potential impact for this matter does not however give any acknowledgement to the fact that the site is already largely developed with a large range of utilitarian and unsightly agricultural buildings, concrete structures, fixed equipment, concrete yards and a slurry lagoon. Unlike sites LONG1, LONG2 and LONG4, the baseline position is not a croppable greenfield site. Rather it is an existing developed site and any assessment of visual impact needs to reflect that.

The score in relation to visual impact should therefore be higher than those for LONG1, 2 and 4 and should be ++ (strong positive).

Agricultural Land Classification

The Council's assessment fails to recognise that the majority of the Canal Farm farmstead site is already developed with buildings, permanent structures, concrete yards, slurry lagoon etc.

Under the MAFF/DEFRA *'Agricultural Land Classification of England and Wales Revised guidelines and criteria for grading the quality of agricultural land'* the farmstead would be classified as *'Agricultural Buildings'* defined as *'Includes the normal range of agricultural buildings as well as other relatively permanent structures such as glasshouses'* and could not be classified as land falling within ALC Grades 1, 2, 3a, 3b, 4 or 5.

The Council's assessment that the site is *'Mostly 2 (small part to north of site 3b)* is factually incorrect and renders the potential impact score of - - (strong negative) fundamentally flawed.

Indeed, the majority of the remainder of the site which is not currently developed, would be used for public open space and landscaping, which the ALC system recognises are *"Soft' uses where most of the land could be returned relatively easily to agriculture, including golf courses, private parkland, public open spaces, sports fields, allotments and soft-surfaced areas on airports/airfields. ...'* The use of land for these purposes is not deemed to constitute irreversible loss.

Accordingly, rather than a - - (strong negative) score, the LONG5 site should have been attributed a ++ (strong positive score).

Noise or Other Pollutants

An Environmental Risk Assessment for the Canal Farm site has previously been submitted to the Council. This recommends: remediation of the former and existing agricultural fuel tank areas to reduce hydrocarbon levels in surface layers at those locations; undertaking an asbestos survey prior to demolition of the farm buildings and decommissioning of the slurry lagoon.

None of the recommendations are onerous, but any works that are required will help to improve the local environment and as such the scheme could be viewed as delivering beneficial environmental effects, particularly compared with the development of virgin greenfield sites.

Furthermore, the redevelopment of the Canal Farm site would facilitate the relocation of intensive agricultural operations and activities to a more appropriate location away from private residential properties. The re-development of the Canal Farm site would therefore deliver potentially significant benefits in terms of reductions in noise (machinery, equipment and cattle), odour (silage, fresh faeces and urine from cows together with stored slurry and dirty water) and agricultural vehicle movements within the immediate vicinity of the village.

On that basis, the Canal Farm site should attract a score of ++ (strong positive) rather than +(positive) and should have a higher score than any of the other four sites.

Conclusion

In light of the above, it is considered that the performance of the LONG5 site has still been significantly under-scored by MBC and that its overall score should be increased by up to 11 points.

Indeed, the correction of the erroneous application of ALC Grades 2/3b to the existing developed farmstead site alone merits an increase in score of up to 4 points.

It is therefore clear that the Council's evidence base is fundamentally flawed, that the ranking of sites in Long Clawson is erroneous, that the proposed allocation of sites in Long Clawson is not justified and that the Local Plan is therefore unsound.

Ranking of Sites in Long Clawson

The MBC response to the representations previously made on behalf of Mr Chandler states that:

'An update of the assessments has been done on May 2017. The site is still ranked on 5th place and due the Long Clawson threshold this is still a Reserve Site.'

However, it is evident from the table on page 196 of the Councils Service Centres Assessment that LONG4 and LONG5 have the same MBC Assessment Score of 22 and should therefore presumably be ranked =4th.

There is nothing within the Council's assessment that explains why LONG4 is ranked higher than LONG5.

It is therefore considered that the Council's assessment is flawed.

In any event, once the flaws in the MBC assessment of LONG5 are properly and fully addressed, LONG5 would have a significantly higher overall score than LONG4.

MBC Score Methodology

Clarification has been sought from the Council on the methodology of how the individual ++, +, 0, - and - - scores for each matter translates into the overall numerical Score Assessments for each site in the 9th column of the table on pages 196 and 197 of the Service Centres Update to Site Assessments.

However, as of the date of submission of these representations, the Council has been unable to provide such clarification but has indicated that it will try to establish the methodology that it has used as soon as possible.

In the absence of any other explanation of methodology, it is assumed that the potential impact scores for each matter is intended to translate as follows:

- + + = plus 2 points
- + = plus 1 point
- 0 = 0 points
- = minus 1 point
- - = minus 2 points

If that is the case, then the updated scores for LONG1, LONG2, LONG3, LONG4 and LONG5 have all been miscalculated and are all erroneous.

Based on the MBC assessments for each site (without correction of the flaws in the assessment of site LONG5 highlighted above), the overall scores shown in the table on page 196 should be amended as follows:

LONG1 should be reduced from 25 points to 21 points

LONG2 should be reduced from 29 points to 25 points

LONG3 should be reduced from 26 points to 22 points

LONG4 should be reduced from 22 points to 18 points

LONG5 should be reduced from 22 points to 20 points.

On that basis alone, LONG5 would move up to the 4th ranked position and should therefore be allocated.

When the flaws in the assessment of LONG5 are corrected, LONG5 would potentially justify the position of top ranked site in Long Clawson and should therefore be allocated.

In the event that the Council is able to clarify the methodology it used in translating +/- scores into numerical point scores, then this aspect of these representations will be reviewed prior to the Examination in Public.

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 errors in the Site Assessment of LONG5 should be corrected.

The overall score for LONG5 should be corrected.

LONG5 should be elevated from the position of a Reserve Site to an Allocated Site.

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:

Despite having raised many of these points (in relation to the assessment of LONG5) at the previous consultation stage, there remain some serious flaws in the Council's assessment.

The methodology in translating the +/- scores to the overall numerical scores for each site requires detailed scrutiny.

It is therefore considered that these matters would be most effectively addressed orally at the Examination,

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 | <input type="checkbox"/> | Planning Agent/Planning Consultant | <input type="checkbox"/> |
| Developer | <input type="checkbox"/> | Utility/Service Provider | <input type="checkbox"/> |
| Government Organisation | <input type="checkbox"/> | Amenity Group | <input type="checkbox"/> |
| Other Organisation | <input type="checkbox"/> | Residents Group | <input type="checkbox"/> |
| Business | <input type="checkbox"/> | Town/Parish Council | <input type="checkbox"/> |
| Other <i>(Please state)</i> | <div style="border: 1px solid black; padding: 2px;"> Planning consultant acting for Melton Borough resident and site owning farmer. </div> | | |

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	<input type="checkbox"/>	Community	<input type="checkbox"/>	Tourism & events	<input type="checkbox"/>	Town Centre	<input type="checkbox"/>
Benefits	<input type="checkbox"/>	Local Plan	<input type="checkbox"/>	Online services	<input type="checkbox"/>	Waste and recycling	<input type="checkbox"/>