



Making a Difference

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Please ask for: Jim Worley
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Date: 06th September, 2017

Dear Neighbourhood Plan Group

RE: Waltham and Thorpe Neighbourhood Plan 2016 - Pre-submission Consultation

Thank you for Submitting the Waltham and Thorpe Arnold Neighbourhood Plan 2017 to Melton Borough Council.

Melton Borough Council fully supports the community's initiative to produce a Neighbourhood Plan and recognises that this is a community-led process. Melton Borough Council's comments to this consultation can be found below. We will publish all responses to this consultation on our website. Moreover, we will start the process of recommending examiners in due course, however we would appreciate early indication if you feel you need additional consultation arising from changes you intend to make to the Neighbourhood Plan. .

This response is structured with regard to the basic conditions as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as applied to Neighbourhood plans by Section 38A of the Planning and Compulsory Purchase Act 2004).

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

It is important to note that in the past months there has been some development of the Melton Local Plan and where we are able we will direct you to these. It must be remembered that as a part of the Development Plan and a legal planning document, the policies proposed must be appropriate for the determination of

planning applications, either in granting or refusing. We note your responses to our Reg 14 comments. The Examiner can view our previous comments if they are inclined to do so, including both common ground and areas of dispute. This correspondence therefore relates to the most significant outstanding issues and those arising from changes between Pre-submission and Submission versions. For ease, we have structured our comments in sections that follow the order they appear in your plan or supporting documentation.

Consultation Statement Part 2 – 5 Year Land Supply

In the Consultation Statement you state that “The reference to the 5-year land supply is noted but attention is drawn to the requirement for Made Neighbourhood Plans to meet a 3-year land supply.” The group are reminded that this caveat is applied only to made plans, furthermore this does not dissolve the parishes importance (delivery of houses in Waltham and Thorpe Arnold are assumed in the Five Year Land Supply Trajectory) in ensuring the Borough Council can show a five year land supply, despite the fact it may not be as vulnerable, in the fullness of time, if the Borough Council cannot.

Consultation Statement Part 2 – OAN

The group are reminded that OAN forms only the basis of formulating housing need. Uplifts can and have been added to the OAN for Melton to deliver the Boroughs Housing Requirement, which seeks to

- Boost significantly the supply of housing, a key aim of the NPPF.
- Deliver affordable housing which the Borough needs.
- Promote economic development.
- Fund strategic infrastructure.

The rationale behind this decision can be found in the following document - https://docs.wixstatic.com/ugd/d246bd_3e27aa3141044994b7b52f7cd626caec.pdf (Towards a housing requirement for Melton BC). This documents status has been ratified since ratified by Melton Borough Council’s Full Council since the Regulation 14 consultation. Whilst non-compliance with the Emerging Local Plan may not be breach the basic conditions, non compliance with the NPPF and NPPG will be.

Consultation Statement Part 2 & NDP Main Document – Limits to Developments & Allocations

The Borough Council is content that Limits to Developments can be introduced via Neighbourhood Plans and such policies are not intrinsically at odds with the requirements of the NPPF, as the group point out, such policies have been indorsed by Neighbourhood Plan examiners in the Borough and elsewhere. The Borough Council note and thank the group for the clarity of the maps provided in the document. However, the Borough Council would remind the group that this policy



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could be seen to conflict with Policy SS3 of the emerging Local Plan. Through the Regulation 16 consultation, a number of queries have been made to the Borough Council regarding the placing of the Limits to Development boundary. The authority will leave any disputes to the examiner, but would remind the group that this boundary should be drawn in a logical way which can be justified if required.

Furthermore, with regards to allocations, the group are reminded that flexibility in the plan is likely to be preferable to plan review, and the existence of allocations and a reserve site could build this flexibility into the plan without the need of a potentially long and arduous process in reviewing the plan. Such plan reviews are likely not to be eligible for any grant funding, meaning such a review would need to be paid for by the Parish Council or Neighbourhood Plan Group.

Windfall Development

The closing statement of this policy “Backland or tandem development in gardens of existing properties will not be supported where the development would cause harm to the local area.” It is suggested that this policy be rewritten positively, to suggest when development would be supported. Moreover, the terminology of ‘cause harm to local area’ could be fleshed out. This policy is particularly important when reintroducing a ‘village envelope’ type policy as it constricts windfall to being within the Limits to Development and therefore it is of particular importance what the group consider to be harm and how this policy should be applied, as well as its compliance with policy SS3 of the emerging Local Plan.

Local Green Space

The group are correct in applying Local Green Spaces designation to only the most important sites within the parish and not applying a blanket LGS designation to a vast number of sites. However the group are reminded that despite being evidence that Local Green Spaces as designated are important to local people, this may not in itself allow it to ascertain LGS designation. To achieve this designation, the criteria in para 77 of the Framework should be met. We therefore refer back to our Reg 14 comments, especially in relation to Local Green Spaces not being able to be compromised of extensive tracts of land as per NPPF para 77.

Community Facilities

Perhaps this should be worded with clearer criterion of what would constitute ‘clearly demonstrated that the service or facility is unviable or is no longer required by the community’. Many Planning Documents suggest timings that the property must be marketed for. With regards to being no longer required by the community, what form of demonstration could be use by applicants to prove that this is the case?



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SEA

The SEA Screening of the site is complete, with all three statutory consultees concurring with Melton Borough Council's Screening Report of 12th July, 2017 that a full SEA is not required.

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

Should you wish to discuss any of the points made in this correspondence, please do not hesitate to get in contact.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jim Worley'.

Jim Worley

Head of Regulatory Services
Melton Borough Council