

Please find below the Melton North Action Group's (MNAG) comments on the Pre-Submission Draft Melton Local Plan (November 2016). We appreciate that you would prefer for submissions to be made on the "Representation Form". However as we have a number of comments to make relating to different sections within the Melton Local Plan Pre-submission Draft, the suggested process becomes very long-winded and unwieldy particularly where different 'parts B' are required for each individual section of the document, and on occasion more than one 'part B' is required in connection with the same section.

We understand and accept the requirement to provide the details requested in 'part A' since this creates clarity and enables the representation to be processed as valid. Our submission is given below.

#### Personal details

Full name: Debbie C Adams

[REDACTED]

*The parts of the Melton Local Plan: Pre-Submission Draft to which these representations relate are referred to within the relevant representations detailed below. We can confirm that all these representations are on the basis that it is considered that the Local Plan is NOT SOUND, and we accept that the Plan is LEGALLY COMPLIANT, and COMPLIES WITH DUTY TO CO-OPERATE.*

*Our reasons for considering that the Plan is unsound are detailed in our submission below.*

*Given the amount of representations made pointing to the unsound nature of the Local Plan MNAG would like to participate at the Oral Examination. We confirm that MNAG is a constitutionally regulated residents' group representing residents in the north of Melton Mowbray town and wish to be notified at the email address given above when the Melton Local Plan is submitted to the Secretary of State, when the Inspector's report is available to view, and when the Melton Local Plan is adopted. We also wish to be included in future consultations on the Melton Local Plan.*

#### Pre-amble

Residents were given to understand that lessons had been learnt from previous public consultations with regards to the process of submitting a response which to a lot of people was a somewhat daunting procedure. The council led people to believe that this public consultation would be run along much simpler lines and be more user-friendly to encourage greater feedback from residents. Unfortunately this has not been the case and the process for submitting representations on this latest document has turned out to be even more complicated than at any previous public consultation.

Page 2: submission by Melton North Action Group to the Melton Local Plan Pre-Submission Draft (November 2016)

## **Chapter 1 Introduction**

1.9 Given that the largest community within the Borough is the town of Melton Mowbray, it is difficult to comprehend how a balanced plan can be prepared where there is no Neighbourhood Plan for that particular community. Whereas councillors representing villages throughout the Borough appear to have been in communication with their residents as outlined in 1.9.2 and 1.9.3, there has been no such communication between the council and the town residents.

How can the council justify the fact that they have tried to align timetables for and aspirations of village communities, but have not attempted to do the same for the town community? Absent such communication, we believe the Melton Local Plan is **unsound** due to not being **justified** or **effective**.

1.11 The Melton Core Strategy was indeed withdrawn on the advice of the Inspector who had found that Strategy to be unsound in many respects. He suggested in his letter to the Council dated 11th April 2013, that the "...totality of the further work required including revision of the evidence base..... I consider that the changes required are so significant...that the best course of action is for the Council to consider withdrawing the plan."

The Melton Local Plan has apparently not considered previous consultation feedback from this failed Core Strategy and yet has still retained some of the evidence base on the presumption that it is valid albeit that the Inspector did not appear to think much was valid at all.

We believe that due to this absence the Plan is **unsound** since it is not **justified** and will not be **effective**.

## **Chapter 2 Melton Borough Today - A Portrait**

2.4.2 Given the statement made in this paragraph, how can the proposed population increase in the town of about 30% over the next 20 years, be justified when there is no guarantee of any funding to improve the road infrastructure of the town to a level where any large scale development could be considered sustainable. Similarly it will not improve the prospects of the

town becoming a larger business centre. Given the contradictory nature of current traffic congestion and the plan to build even more homes in the town, the Melton Local Plan cannot be considered **effective**.

## **Chapter 4 Growing Melton Borough - the Spatial Strategy**

### **Policy SS1 Presumption in favour of Sustainable Development**

In Jacob's "Cumulative Development Impact Study 13/10/2014" on the subject of development within the town it said

*"Given the limited spare capacity, and amount of development proposed, this mitigation needs to be of demonstrably sufficient magnitude to not only mitigate the impacts of the development itself, but also contribute to a wider benefit for residents and as part of the overall growth strategy for the town."*

*"If this is not achieved, then the evidence within this document shows that the development cannot be considered sustainable."*

Page 3: submission by Melton North Action Group to the Melton Local Plan Pre-Submission Draft (November 2016)

Given that this report was prepared on the basis that the "current year" used by Jacobs in this report was 2011, and that the "primary year" for cumulative impact assessments for Melton was 2031, and taking into account that for the purpose of this report a projected figure of 2,550 new homes in and around the town was used, surely that begs the question as to how the council can now consider between 4,000 and 5,000 new homes in and around the town. The report clearly states that with only half the current projected figure for new homes, the impact on the town would be so severe as to deem the development of 2,550 new homes unsustainable without major investment in infrastructure. The 4,000 to 5,000 (figures seem to vary depending upon which document you read) new homes planned for the town in the Draft Local Plan account for 65% of all new homes for the borough of Melton.

If, as is clearly indicated, the two Sustainable Neighbourhoods cannot be considered sustainable unless appropriate road and other infrastructure is in place, and IF (and it is a big IF) the council manages to secure Central Government funding for a fully connected Distributor Road, building of the links to join up the various sections of the road to make it a viable Distributor road is not likely to start until 2022 at the earliest. This makes the Draft Local Plan **unsound** as the Sustainable Neighbourhoods are potentially unsustainable; **unjustified** as insufficient consideration has been given to alternative sites e.g. Six Hills, and the west of Melton (as proposed by the Inspector in 2013); and **ineffective** as it relies on Central Government funding some six years down the line which can be neither predicted nor assumed particularly as there will be by then a new Government in power.

4.2.3 The Local Plan provides for 10ha of employment land to be added to Asfordby Business Park but the Distributor Road (comprising an improved St. Bartholomew's Way) will not provide any link to the south of the town i.e. the Leicester Road other than the existing one through the town creating even more congestion as a road to nowhere.

4.2.4 Regarding the "essential criteria" to determine the role of a village, point 2 "*access to employment opportunities*" is not realistic given the rural nature of the borough.

The only credible access can be by car as public transport is unreliable and in parts non-existent, and the roads in the town and borough are totally unsuited to cycling due to their narrowness.

This is also true of the town. The idea that the Council should turn down planning applications in the borough just because residents cannot cycle or walk to work is ridiculous and unrealistic when considering the fact that the Borough is rural. As a result this part of the Local Plan is **unsound** due to lack of **justification**.

4.3.5 The final sentence "*It is expected that development which is dependent upon the road for access will provide or contribute towards the delivery of the Melton Mowbray Distributor Road.*" needs to be changed as no development will depend upon the Distributor Road for access since they will access onto the existing roads unless of course the council imposes a planning condition whereby the only site access can be from the "Distributor Road".

4.5.4 says that "*Walking and cycling connectivity to the town centre will be significantly improved.*"

How, when the Country Park has no lighting and being a QE2 Field in Trust can have no lighting as it will significantly alter its status particularly in the more sensitive habitat sections of the Park? Also there is no room for creating cycle lanes in the town from any of the roads. There does not appear to be any sustainable **justification** for this statement.

Page 4: submission by Melton North Action Group to the Melton Local Plan: Pre-Submission Draft (November 2016)

It is noted that the development will provide a link road connecting Scalford Road with Nottingham Road. That of course is only part of the planned northern Distributor Road so why is the balance of that road not mentioned? The only rational conclusion is that deals have already been done with the landowners (including Leicestershire County Council) for a contribution towards funding the road as part of planning approval. From a transparency perspective it would be helpful to know if that is the case, and to comprehend the balance of any deal proposed between the council and the

developers/landowners. Within this context one needs to consider the slashing of the affordable home requirements in exchange for road development contributions in respect of planning consents already given by the council in the south. If this part of the link road is funded at the expense of the provision of affordable housing the Plan is **unsound** because it is contradictory and therefore not **effective** or indeed **justified**. If it is not so funded there is no apparent justification for the statement (isolating only that part of the road) and hence is **unsound**.

4.5 Figure 8 Although the Distributor Road (DR) is "indicative" one has to assume it will be placed at the northern edge of future development in the north of the town. According to the map of the North Sustainable Neighbourhood (NSN) Concept, the proposed development will finish opposite Twinlakes Park (TP). If there is to be no development on the northern side of the DR then where is the link between Melton Spinney Road and the A607 Grantham Road to go - north or south of TP? All indicators point to there being no intention of linking Melton Spinney Road with the A607 Grantham Road. (See Appendix 4 Infrastructure Delivery Schedule which suggests the Eastern Distributor Road links to Thorpe Road **and** Melton Spinney Road). Instead all traffic will be expected to travel down Melton Spinney Road and join up with the A607 at the bottom of Thorpe Arnold Hill. The Plan contains many comments relating to improvements of existing roads/creation of roundabouts and junctions but makes no mention whatsoever of any improvement to Melton Spinney Road which is little better in parts than a country lane with no ability for two HGVs to pass each other. Even if the Eastern Distributor Road is eventually funded and built, the junction between Melton Spinney Road and Thorpe Road will be a potential accident black spot and create even more congestion on Melton Spinney Road with traffic flowing to and from the NSN and TP. If traffic is then expected to turn left out of Melton Spinney Road to travel uphill on the A607 Grantham Road, this hill (called Thorpe Arnold Hill) will also become an accident black spot due to its narrowness and the sharp left hand blind bend at the top of the hill. This section of road struggles now to cope with the large amount of farm machinery and HGVs that have no alternative but to use this stretch of road. Surely to connect Melton Spinney Road with the A607 Grantham Road beyond Thorpe Arnold should be prioritised as to miss out this link would inevitably mean the northern section of the Distributor Road would just be a road to nowhere.

The earliest possible delivery of the Eastern Distributor Road is sometime after 2022 and in the interim congestion and pollution levels will be beyond acceptable levels and the Plan fails to recognise this or allow for mitigation and is therefore **unsound** due to being not **effective**.

There is clear indication that most of the northern edge of the Melton Country Park will be bordered by development which will turn the Country Park into a Town Park as the small corridor that has been left for wildlife is only the width of the disused railway line and its embankment which is not sufficient. It is also not clear how the Northern Distributor Road

will cross the northern boundary of the Country Park which is the most sensitive part of the wildlife park. It is also not clear how this section of the Distributor Road will be funded as there will be no adjacent developer. The Inspector in his letter to the Council of 11<sup>th</sup> April 2013 explaining the inadequacy of the Core Strategy suggested that "*the cutting off from the open countryside of the Country Park will also have an adverse effect on biodiversity*". Since then the Country Park has acquired "QE2 Fields in Trust" status which arguably would be put in jeopardy by implementation of the Local Plan. There appears to be no evidence that the council has consulted with the QE2 Fields in Trust organisation with regards to the Local Plan and its effect on the Country Park.

### Policy SS5 - Transport

t1 suggests a "*comprehensive package of transport improvements informed by an appropriate transport assessment*". That assessment details a road link between the A606 Nottingham Road to Melton Spinney Road and refers to "*securing a route that allows north/south connectivity*". The former is clearly a desire to build a road based on funding by developers, the latter does nothing more than identify where an appropriate connecting road could be built. This is insufficient since without connectivity traffic congestion is such that development of any magnitude becomes unsustainable as indicated in the Jacobs report (see comments on SS1 above). Without the north/south link, the proposed Northern Distributor Road finishing as it does on Melton Spinney Road does nothing to mitigate traffic flow within the town centre, exacerbates congestion and in reality is a road to nowhere.

Additionally apparently there will be "*New and enhanced bus services connecting the development with the town centre ....and .....new walking and cycle links ....*". There are currently no direct bus links to the employment areas from the north of the town, and although there is a limited bus service along parts of Scaford Road and Nottingham Road, these do not continue into the evenings nor do they operate on a Sunday. Leicestershire County Council (LCC) withdrew its funding for the Centrebus Service No.18 in February 2016. There is now no town bus service for residents living in the Thorpe Road and Melton Spinney Road area. Presumably LCC stopped this hourly service because it was too costly but the Local Plan suggests the service will become every 20 minutes and yet the Plan does not explain how this is to be funded and consequently the Plan is **unsound** since there is no **justification**.

In addition the only safe area to cycle from the north of the town into the town centre is through the Country Park, but there is no lighting provided in the Country Park which severely impacts on the use of the Country Park as a cycle way or indeed a walk way after dark. As part of its QE2 Fields in Trust

status the Country Park cannot have night time lighting.

en8: One assumes that the document has a misprint and that "MSSN" should read "MNSN".

Apparently there should be no built development in areas that are at higher risk of flooding, and yet Melton Spinney Road floods with great regularity when there is rain lasting longer than about 2 hours. On that basis en8 suggests there should be no development leading on to Melton Spinney Road which contradicts other sections of the Local Plan which is consequently **unsound** since it is not **effective** or indeed **justified**.

Page 6: submission by Melton North Action Group to the Melton Local Plan Pre-Submission Draft (November 2016)

4.5.8 There is mention of 723 dwellings without cross reference to any source document and similarly there is no indication as to how 3,980 has been derived. These numbers certainly do not appear in Appendix 1 dealing with site allocations. How can documents with contradictory numbers be sustainable? They are by definition **unsound** through lack of **justification**.

4.6.2 On a similar theme to that mentioned in 4.5.8 above the numbers of dwellings being delivered during the Plan period reflected in table 8 do not add up to the number of dwellings again if the numbers do not work and are inconsistent it can only point to an inadequate, **unjustified, ineffective, unsound** Plan.

#### Policy SS6 - Alternative Development Strategies and Local Plan Review

Generally this is quite disappointing since it seems to give the council the opportunity to adjust the Local Plan as they see fit and without further public consultation where certain circumstances prevail. Those circumstances could include a slow-down in the housing market without any specific reference to Melton borough. Of greater concern however is the list of alternative options to be explored by the council. These include sites that are specifically marked as being previously considered together with land to the west of Melton Mowbray. The clear indication is that the land to the west of Melton Mowbray was not considered as part of the Local Plan despite the Inspector dealing with the Core Strategy specifically stating in his letter that one of the multitudinous reasons as to why that Strategy was unsound was its failure to consider a western growth option. Similarly the Local Plan is **unsound**.

### **Chapter 5: Melton's Communities - Strong, Healthy and Vibrant**

#### Policy C4 - Affordable Housing Provision

The council still aspires to its figure of 37% affordable homes "*within housing developments on all sites of 11 or more units.....*". This requirement is

**unsound** as it has been acknowledged by the council that for the two Melton Sustainable Neighbourhoods to contribute effectively towards the Melton Distributor Road and to contribute to other road infrastructure, new schools etc., the council will have to accept that affordable housing requirement for each site will need to be dramatically reduced from 37%. This has already happened with one planning application for over 500 homes in the south of the town (15/00910/OUT) where on 21st April 2016 in exchange for a £4.5million contribution towards "*strategic road improvements*", the council agreed a reduction from 37% affordable to 15% affordable homes on that site. With the north and south Sustainable Neighbourhoods unable to meet the 37% requirement for affordable homes due to the amount of funding needed from the developments for the Distributor Road and other infrastructure requirements, the Local Plan is therefore **ineffective** and **unsound** whilst it continues to demand that 37% of new housing should be affordable.

Page 7: submission by Melton North Action Group to the Melton Local Plan Pre-Submission Draft (November 2016)

## **Chapter 8: Managing the Delivery of the Melton Local Plan**

8.1.4 says "*New development cannot be used to fund an existing lack of infrastructure or address current shortfalls in provision, but is solely required to address the needs arising from new development.*" Traffic congestion in the town is an existing problem which has plagued the town for years. The council will have to admit to developers that any planning application for development in or around the town will be unsustainable unless there is a significant contribution from the developer towards the Distributor Road and other infrastructure as required. By admitting this to developers, the council is also therefore acknowledging that their Local Plan is flawed and is therefore **unsound** and **ineffective**.

8.3.5 The "Leicestershire Local Transport Plan 3 (LTP3)" by Leicestershire County Council as the Highways Authority was produced in April 2011 during the period of the Coalition Government and was used as a supporting document for the Melton Core Strategy which was thrown out in 2013. This document is grossly out-of-date talking as it does of a housing allocation for Melton and its borough of 3,400 new dwellings between 2006 and 2026 which would include a SUE at Melton (the 1,000+ dwelling Northern SUE which was considered unsustainable by the Inspector in 2013).

### **Policy IN1 - Transport and Strategic Transport Infrastructure**

#### **Infrastructure Delivery Schedule (Appendix 4)**

On page 6 under the 'Transport' section, the MMDR - Northern Distributor Road is described as providing "*a link from the A606 Nottingham Road to Salford Road and across to Melton Spinney Road*" at an estimated cost of £26.1m. There is no mention of roundabouts, road junctions, a bridge to span the Country Park wildlife corridor. In fact the description above is so vague as

to call into question how the figure of £26.1m was arrived at particularly as the section across the north of the Country Park (which is the most sensitive wildlife section of the whole Park) will prove somewhat expensive and is unlikely to be funded by site developers in the north of the town. With the Road finishing on Melton Spinney Road, it is a road to nowhere.

On page 6 the Southern Distributor Road is described as running from the Burton Road to the Leicester Road with associated roundabouts, road improvements "(including stopping up orders and so forth)" and other off-site highway improvements. This is estimated to cost £29.6m. Presumably as this is somewhat more detailed in its description, there has been a pre-planning agreement reached between the developer and the council with regards to the provision of the Southern Distributor Road.

On page 8 the Eastern Distributor Road described as "*A potential Eastern Distributor Road would link A606 Burton Road to the A607 Thorpe Road; Melton Spinney Road connecting the Southern and Northern Distributor Roads.*" The estimate for this is £75.5m and would need to be funded by Central Government. From the description of this section, it is clear that there is no intention of continuing the Eastern Distributor Road across Melton Spinney Road to link up with the Northern Distributor Road. This illogical planning and complete lack of foresight is highlighted in 4.5 above.

Page 8: submission by Melton North Action Group to the Melton Local Plan Pre-Submission Draft (November 2016)

On page 20 the "Infrastructure item" "*Drainage and flood risk management infrastructure/ schemes*" which are required to serve the growing population are prioritised as only being "*Desirable*". This includes such 'projects' as:  
en3: which covers the protection and enhancement of the Melton Country Park, and the establishment of a protection zone between the Country Park and any future development;  
en8: developments that provide appropriate SuDS and flood-alleviation measures;  
en11: dealing with minimising the risk of flooding;  
en12: covering SuDS.

How can this section dealing with a very real and common flooding problem in parts of Melton (e.g. Thorpe Road, Melton Spinney Road, Saxby Road) only be classified as "desirable"? It also indicates that protection of the Country Park's status is not high on the council's agenda.

The Infrastructure Delivery Schedule is seriously flawed just on the Transport section alone. There is and can only be just a vague schedule for transport infrastructure as there is uncertainty regarding the ability of developers to produce sufficient funding for, or to build the desired sections of the Distributor Road to a sufficiently high enough standard for the Road to cope with the high volume of HGVs and farm machinery complete with trailers, plus a dedicated cycle/footpath which is separate from the road across the whole of the north of Melton. Any potential major development in or around Melton Mowbray will

rely on the delivery of the Distributor Road to make the development sustainable. With the high dependency on funding from Central Government to complete the Distributor Road, none of these potential developments can be considered sustainable due to the very high uncertainty surrounding the funding and building of the Road. The Infrastructure Delivery Schedule is flawed, **unsound, unjustified and ineffective.**

## **Conclusion**

For decades Melton Mowbray town residents have been told that their council has been trying to get a bypass for the town. At a meeting between Melton Borough Council (MBC), Leicestershire County Council (LCC) Highways Authority, Jacobs Consultants, and Melton North Action Group (MNAG) on 27th October 2016, we were informed by the Highways Authority that earnest discussions and planning for the bypass started after the Core Strategy was thrown out in 2013. MBC decided that the only way forward was to build two Sustainable Neighbourhoods (SN), one in the north and one in the south of Melton and between them providing about 4,000 new homes (an approximate increase in the population of Melton of 30% over the next 20 years). This way MBC claimed, funding could be obtained for a Melton bypass or the Melton Distributor Road as it is now called.

What MBC and by association LCC have failed to grasp is that neither of these SNs particularly the one in the north of the town can be considered sustainable unless the appropriate transport infrastructure is in place to accommodate such large scale developments. The following quotes are relevant:

Page 9: submission by Melton North Action Group to the Melton Local Plan Pre-Submission Draft (November 2016)

### Jacobs' Melton Transport Study "Cumulative Development Impact Study" 13/10/2014

*"Given the limited spare capacity, and amount of development proposed, this mitigation needs to be of demonstrably sufficient magnitude to not only mitigate the impacts of the development itself, but also contribute to a wider benefit for residents and as part of the overall growth strategy for the town."*  
*"If this is not achieved, then the evidence within this document shows that the development cannot be considered sustainable."* As mentioned earlier in Chapter 4 Policy SS1, the 'development' mentioned in this report was for a north Melton SUE of 1,000 homes and a total of 2,550 new homes for the town and borough.

### House of Commons Communities and Local Government Committee: Operation of NPPF- Fourth Report of Session 2014-2015 printed on 9/12/2014

On the subject of identifying and co-ordinating development requirements

including the provision of infrastructure, the Committee concluded (on page 11): *"In our view, development can only be sustainable if it is accompanied by the infrastructure necessary to support it."* and *"It is important that infrastructure provision takes place at the same time as housing development, or the development will be unsustainable. We recommend that the Government issue guidance reminding local authorities and the Planning Inspectorate of the importance of timely infrastructure provision to delivering sustainable development."*

NPPF Point 177 (with regard to ensuring viability and deliverability)

*"It is equally important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion. To facilitate this, it is important that local planning authorities understand district-wide development costs at the time Local Plans are drawn up. For this reason, infrastructure and development policies should be planned at the same time, in the Local Plan....."*

The above when applied to the Melton Local Plan Pre-Submission Draft highlight the fact that the two SNs particularly the one in the north of the town, cannot be considered sustainable as the infrastructure (particularly the Melton Distributor Road) to support such large scale developments is not in place, is not at the 'shovel-ready' stage and has not even got guaranteed funding for its construction. Without that all important funding, the town will be faced with a series of portions of road that lead from nowhere to nowhere. Only by providing a fully joined-up road will traffic be diverted from the centre of the town.

MNAG has tried through its submissions during public consultations on the Draft Local Plan, and more recently at meetings with members of MBC, to draw the attention of the council to the shortcomings of the Plan and to the very real possibility that once more the council will be faced with a Local Plan which is not fit for purpose. It is our belief that whilst some of our comments have been taken on board, for the most part the council has stuck to its belief that the Local Plan is sound this time even though warning shots have been fired across their bow by the town's residents and by MNAG.

Page 10: submission by Melton North Action Group to the Melton Local Plan Pre-Submission Draft (November 2016)

Alarm bells should have been ringing a long time ago when it was realised that the Local Plan would be submitted without the guarantee of funding for the Distributor Road and which would thus ensure that two-thirds of the Plan's total housing provision could not therefore be considered sustainable. This in turn would make the Melton Local Plan Pre-Submission Draft **unjustifiable, ineffective, and inconsistent with the NPPF** and as a consequence the Plan is **unsound**.

Submitted by Debbie Adams,  
Secretary, Melton North Action Group

18th December 2016