

Response ID ANON-13H4-7YPP-G

Submitted to Melton Local Plan Pre-Submission Draft
Submitted on 2016-12-18 19:50:58

About you

1 What is your name?

Name:

Dermot Daly

2 What is your email address?

Email:

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

Resident

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

4 Address

5 Age

Please select your age:

Chapter 1: Introduction

1 CH1Q1: Do you consider that Chapter 1 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:

No

2 CH1Q2: If answered "No" to "2: Sound" please answer the following question. Do you consider that the Policy is unsound because it is not?

2) Justified, 3) Effective

3 CH1Q3: Please give details of why you consider Chapter 1 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 the Chapter 1 or its compliance with the Duty to Co-operate, please use this box to set out your comments.

Please insert text here. :

SOUNDNESS OF PROCESS (see MLP introduction and glossary 'Soundness' p.155)

Previously rejected development (SHLAA) sites in the Emerging Options and earlier phases, for reasons of Flooding or Separation, have now resurfaced as acceptable. Only the MBC 'marking scheme' for strategic priorities has changed. This irregularity indicates the process to be inconsistent and therefore not sound.

Expected / promised investigations into the needs and impact relating to traffic, schools, health facilities, shopping, leisure and employment, associated with the

population growth have not been carried out. This would indicate that Bottesford may not be sustainable (in a similar manner to the smaller villages). This lack of formal and expert investigation indicates a process that is not sound and not based on robust evidence.

The local residents in the parish of Bottesford, who formally commented to the Emerging Options and earlier draft plan, have received no indication that their comments have been taken into account, in fact it seems from the latest draft that the comments have been ignored. This is an unacceptable lack of process.

Both the on-line form and the paper based form are over-complex, they reflect planning terms, planning policies and expect a certain level of planning knowledge. This is not all-inclusive for the general public and identifies a process that is not sound.

A local group, Bottesford Forum, approached Melton Borough Council for copies of the paper form (for responding to the draft Local Plan document) so that they could be distributed to every household in the parish. This was rejected by Melton Borough Council. This indicates a level of digital exclusion for an ageing population in the Bottesford parish and identifies a process that is not sound.

Bottesford Parish Council, Bottesford Neighbourhood Plan Steering Group, and Bottesford Forum, requested of Melton Borough Council to have one of their Local Plan open forums in Bottesford, especially with the fact that Bottesford has so far been identified as the major location for the highest proportion of the rural housing allocation. This was rejected by Melton Borough Council. This identifies a process that is not sound.

The allocation of housing in a proportion of 65% to the town of Melton and 35% to rural areas is completely arbitrary and does not reflect any logic, in fact it the sustainability elements of employment, leisure, services, transport and communications indicate the need for a higher proportion of housing in and around the town of Melton. This subsequently maintains the rural character, the village life that is quintessentially British, and the protection of the conservation elements - Bottesford ticks all of these boxes including a substantial conservation area across a large part of Bottesford village. Keeping rigidly to this unsubstantiated proportional allocation of housing identifies a process that is not sound and not supportive of the population the Melton Local Plan is aimed to serve.

4 CH1Q4: Please set out what change(s) you consider necessary to make Chapter 1 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 Chapter 1 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 set out what change(s) you consider necessary to make the Melton Local Plan legally compliant or sound:

All responses received from members of the public should not only have their receipt confirmed but the authority should indicate for each point whether the point is valid or invalid; they should also identify their reasons behind that validity decision.

Without this confirmation there is a legal challenge as to whether the public has been consulted in a proper manner.

Policy SS1 - Presumption in favour of Sustainable Development

1 CH4PSS1Q1: Do you consider that Policy SS1 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 CH4PSS1Q2: If answered "No" to "2: Sound" please answer the following question. Do you consider that the Policy is unsound because it is not?

2) Justified, 3) Effective

3 CH4PSS1Q3: Please give details of why you consider Policy SS1 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 SS1 or its compliance with the Duty to Co-operate, please use this box to set out your comments.

Please insert text here. :

IMPACT FROM FLOODING (see MLP policies EN8 p.114 and EN11 pp.125-127)

Bottesford has 413 (28%+) properties in flood zone 3 and ranks as one of the highest risk villages in the whole of the East Midlands. Paragraph 7.22.3 of the Plan states that "sites at risk of flooding can only be allocated for development if there is insufficient land available in areas with lesser or no flood risk". There are many other sites in Melton Borough with lower flood risk than Bottesford.

The Bottesford SHLAA sites of Rectory Farm, Grantham Road Clay Pit and adjacent area to the Clay Pit are subject to flooding and partially categorised as flood zone 3b (designed to flood as an alleviation method). Any development on these sites will have a knock-on effect on the whole village which will be at higher risk of flooding.

The Melton Strategic Flood Risk Assessment 2015 states 22% of suggested development sites in Bottesford are in Flood Zones and so is 49% of the Rectory Farm site. The report continues to identify Bottesford as high risk to increased impact of flooding from Grantham Canal and again from impermeable surface drainage such as roads, drives and the houses.

The last 20 years have seen a significant increase in the number of 'one in a hundred year' flood events - two major events in 1999, one serious event in 2001 (causing severe building damage) and an increase in less major events more recently. Bottesford is now categorised in 'one in seventy-five year' flood event.

The 2004 Entec report states that there are no flood alleviation options that can be implemented and that climate change over coming years is expected to increase flood levels within Bottesford by 39cm (15.5").

When viewing the Environment Agency Flood Map the areas of significant risk (Zone 2 and Zone 3) within the Borough of Melton are along the Wreake to the West of Melton Mowbray, a small area to the Northwest of Redmile and the whole area of Bottesford and Easthorpe. Given this, why does the MLP place the most significant rural housing volumes in Bottesford?

There appears to have been no credence taken of these points in respect of flooding impact to Bottesford and so the policy SS1 Sustainable Development and the policy SS2 Development Strategy are found to be unsound (and not withstanding the policies EN8 and EN11 do not explicitly state any risk reduction).

ROAD SAFETY AND TRAFFIC (see MLP policies C9 pp.71-72, IN1 p.134 and D1 pp.143-144)

It is expected that 428+ houses will create in excess of 3,000 extra vehicle movements per day through our villages. A recent local study identified that there are currently in excess of 500 vehicle movements on Barkestone Lane around school start time. Another 428+ houses could potentially double this figure.

The lack of parking in the village centre is already an issue. A further 428+ houses in total across the village will mean that current on-street and off-street parking will be unable to cope with the demand.

This uplift of traffic flow through the village will increase the pollution factor especially in the centre of the village and around the schools, shops and health centre.

The majority of the increase in traffic flows are expected to be channelled through the most highly impacted roads in the centre of Bottesford village as it travels to the key local towns of Grantham, Bingham, Newark and Nottingham, and the major routes of A52, A46 and A1.

There appears to have been no analysis of traffic increase or traffic impact carried out on Bottesford by Melton Borough Council even following a promise to do so by the Head of Regulatory Services when addressing a public meeting in Bottesford at the Emerging Options stage. Therefore the policy SS1 Sustainable Development and the policy SS2 Development Strategy are found not to be sound (and not withstanding the policies C9 pp.71-72, IN1 p.134 and D1 pp.143-144 do not explicitly state any element of risk reduction). Furthermore, the policy SS3 Sustainable Communities is found not to comply with the duty to cooperate.

STRESS ON EXISTING SERVICES (see MLP policies C9 pp.71-72, EN12 pp.127-128 and IN1 p.134)

Schools: Applying the current ratio of children against the number of houses in the parish, which is on the low side for a modern build, this would expect to generate over 250 children. All levels of school and pre-school in Bottesford are already at or near full capacity therefore a significant increase in housing and population will be unsustainable.

Doctors are currently stretched and will be overwhelmed with an estimated additional 1700 new patients from an extra 428+ houses. This is on top of a reduction/merging of village surgeries in 2017. Therefore a significant increase in housing and population will be unsustainable.

Drainage: both rain water run-off and foul sewers are coming under increasing pressure, with gardens under water on a regular basis and sewers breaching. This issue will be accentuated by the significant increase in housing being proposed.

Bus services are very limited and causing the vast majority of new households to travel by car which will impact on traffic movement in the village and in neighbouring districts (South Kesteven and Rushcliffe).

Train services: while neighbouring stations of Bingham and Radcliffe-on-Trent receive assistance to increase the number of trains stopping aligned with increased development, Bottesford is receiving none.

Therefore the policy SS1 Sustainable Development and the policy SS2 Development Strategy are found not to be sound (and not withstanding the policies C9 pp.71-72, EN12 pp.127-128 and IN1 p.134 do not explicitly state any element of risk reduction).

ANALYSIS OF LOCAL DEVELOPMENT (see MLP policies SS2 pp.29-30, EN1 p.98 and D1 pp.143-144)

Historically, housing development in the villages in the Borough has been over allocated when compared to development in Melton itself.

The following statistics show how excessive development has consistently been permitted in Bottesford, relative to the town of Melton:

Census	1971	2011	2036	% increase	% increase
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population	last 40 years	next 25 years			
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Melton	19,930	27,158	36,300	36%	33%
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Bottesford	1,868	3,587	5,300	92%	48%
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LOCATION Vs. SUSTAINABILITY (see MLP policies SS3 p.34, EN11 pp.125-127 and IN1 pp.134-135)

Villages closer to Melton are more sustainable due to proximity of work opportunities, shopping, health services, transport links, etc. Bottesford has so far been identified as the most appropriate location for the majority of the rural allocation of housing. Most residents work, travel and shop in neighbouring Counties.

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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?

2) Justified, 3) Effective

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.

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Policy C1 (A) – Housing Allocations

1 CH5PC1(A)Q1: Do you consider that Policy C1 (A) 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 CH5PC1(A)Q2: If answered "No" to "2: Sound" please answer the following question. Do you consider that the Policy is unsound because it is not?

2) Justified, 3) Effective

3 CH5PC1(A)Q3: Please give details of why you consider Policy C1 (A) – Housing Allocations 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 C1 (A) – Housing Allocations or its compliance with the Duty to Co-operate, please use this box to set out your comments.

Please insert text here. :

Please refer to earlier section comments in respect of flooding, impact of traffic, unsustainable services and lack of justified housing allocations.

4 CH5PC1(A)Q4: 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:

Policy C1 (B); Reserve Sites

1 CH5PC1(B)Q1: Do you consider that Policy C1 (B); Reserve Sites 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 CH5PC1(B)Q2: If answered "No" to "2: Sound" please answer the following question. Do you consider that the Policy is unsound because it is not?

3 CH5PC1(B)Q3: Please give details of why you consider Policy C1 (B); Reserve Sites 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 C1 (B); Reserve Sites or its compliance with the Duty to Co-operate, please use this box to set out your comments.

Please insert text here. :

4 CH5PC1(B)Q4: 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:

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.

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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:

Policy EN6 – Settlement Character

1 CH7PEN6Q1: Do you consider that Policy EN6 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 CH7PEN6Q2: If answered "No" to "2: Sound" please answer the following question. Do you consider that the Policy is unsound because it is not?

2) Justified, 3) Effective

3 CH7PEN6Q3: Please give details of why you consider Policy EN6 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 EN6 or its compliance with the Duty to Co-operate, please use this box to set out your comments.

Please insert text here. :

As commented in previous sections the unjustified and significant increase of housing (50% including windfall and developments since 2011) in Bottesford over the term of the Local Plan will impact the character of rural village of significant character and history. It is not a Town and should not become one - this is a view of the significant part of the population.

4 CH7PEN6Q4: 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.

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EN8 – Climate Change

1 CH7PEN8Q1: Do you consider that Policy EN8 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 CH7PEN8Q2: If answered "No" to "2: Sound" please answer the following question. Do you consider that the Policy is unsound because it is not?

2) Justified, 3) Effective

3 CH7PEN8Q3: Please give details of why you consider Policy EN8 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 EN8 or its compliance with the Duty to Co-operate, please use this box to set out your comments.

Please insert text here. :

Please refer to earlier section comments in respect of flooding.

4 CH7PEN8Q4: 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.

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Policy EN11 – Minimising the Risk of Flooding

1 CH7PEN11Q1: Do you consider that Policy EN11 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 CH7PEN11Q2: If answered "No" to "2: Sound" please answer the following question. Do you consider that the Policy is unsound because it is not?

2) Justified, 3) Effective

3 CH7PEN11Q3: Please give details of why you consider Policy EN11 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 EN11 or its compliance with the Duty to Co-operate, please use this box to set out your comments.

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Policy EN12 – Sustainable Drainage Systems

1 CH7PEN12Q1: Do you consider that Policy EN12 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 CH7PEN12Q2: If answered "No" to "2: Sound" please answer the following question. Do you consider that the Policy is unsound because it is not?

2) Justified, 3) Effective

3 CH7PEN12Q3: Please give details of why you consider Policy EN12 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 EN12 or its compliance with the Duty to Co-operate, please use this box to set out your comments.

Please insert text here. :

Please refer to earlier section comments in respect of flooding, unsustainable services and lack of justified housing allocations.

4 CH7PEN12Q4: 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:

Bottesford should be allowed organic growth, controlled on an annual allocation that can be a defence to excessive development. Furthermore, the authority should conduct the necessary investigation to impact of flooding, traffic, supporting services, public transport and village character.

It is not necessarily the general public that should be stating the answers to these challenges. It is the responsibility of the authority to suggest, discuss, consult and change on an iterative basis.

Policy D2 – Equestrian Development

1 CH9PD2Q1: Do you consider that Policy D2 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 CH9PD2Q2: If answered "No" to "2: Sound" please answer the following question. Do you consider that the Policy is unsound because it is not?

2) Justified, 3) Effective

3 CH9PD2Q3: Please give details of why you consider Policy D2 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 D2 or its compliance with the Duty to Co-operate, please use this box to set out your comments.

Please insert text here. :

The number of existing equestrian centres within the cartilage of Bottesford village, is confirmation the Bottesford is a village not a town.

4 CH9PD2Q4: 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:

Bottesford should be allowed organic growth, controlled on an annual allocation that can be a defence to excessive development. Furthermore, the authority should conduct the necessary investigation to impact of flooding, traffic, supporting services, public transport and village character.

It is not necessarily the general public that should be stating the answers to these challenges. It is the responsibility of the authority to suggest, discuss, consult and change on an iterative basis.

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?

Participate at the Oral Examination

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

The complexities of the response can only be adequately communicated orally. Melton Borough Council have done their utmost to make the response mechanism complex and to exclude huge swaths of the affected communities.

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