



## MELTON LOCAL PLAN – PRE SUBMISSION DRAFT (NOVEMBER 2016)

For official use only	
Respondent Ref:	
Date Received:	Ī

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'. 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).

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Completed forms should be returned to the address below no later than Monday 19<sup>th</sup> December, 2016. 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 <a href="http://www.melton.gov.uk/localplan/site/index.php">http://www.melton.gov.uk/localplan/site/index.php</a> and print it out or complete it electronically and e-mail your response to <a href="mailto:planningpolicy@melton.gov.uk">planningpolicy@melton.gov.uk</a>

Representations can also be made via the Council's on-line consultation portal -

https://meltonboroughcouncil.citizenspace.com

**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).

1. Personal Details	2. Agent's Details (If applicable)
Full Name:	Full Name & Company:
Emilie Carr	
Organisation (if applicable)	Organisation/Client Representations on Behalf Of
Historic England	
Address:	Address:
Historic England (East Midlands)  2 <sup>nd</sup> Floor  Windsor House  Cliftonville  Northampton	
Postcode:	Postcode:
NN1 5BE	
Email:	Email:
Т	
Contact Number:	Contact Number:
-	
Number of Representations Enclosed	l: 1

Signature:		
Date:	14/12/16	

For official use only			5 × 44 50	
Respondent Ref:	Representation Ref:			
Name/Organisation:				
PART B: YOUR REPRESENT council's website Part B of the form	「ATION (This section will ne m as required.)	ed to be completed for each	ch representation made. P	lease photocopy or download from the
3. Which part of the Melton L	ocal Plan: Pre-Submission	Draft does your represe	ntation relate to? (Pleas	e enter the paragraph/policy number)
Paragraph:	Policy:	C6	Policies Map:	
4. Do you consider that the M	lelton Local Plan: Pre-Subr	nission Draft is? (Please t	ick the appropriate box)	
1. Legally Compliant:	Yes	No		
2. Sound:	Yes	No x		
3. Complies with Duty to Co-op	perate: Yes	No		
*The considerations in relation to entered "No" in relation to 4(2), pla	the Local Plan being "sounce ease go to question 5. In all ot	1" are explained in paragra her circumstances, please g	ph 182 of the National Pl o to question 6	anning Policy Framework. If you have
5. Do you consider that the Pappropriate box)	Melton Local Plan: Pre-Sul	bmission Draft is unsou	nd because it is not an	y of the following? (Please tick the
Positively Prepared x	2. Justified	x 3. Eff	ective 4. Co	nsistent with National Policy x
comply with the Duty to Co-o Melton Local Plan: Pre-Submis (Please continue onto a separate sl	perate. Please be as prec ssion Draft or its complian heet if you require more space	ise as possible. If you w nce with the Duty to Co )	ish to support the lega -operate, please use th	ompliant or is unsound or fails to compliance or soundness of the is box to set out your comments.
its criteria.	ully address poten	itial impact upon	heritage assets a	and their settings within
having regard to the test you have duty to co-operate is inca	have identified at 5 above pable of modification at e ally compliant or sound. It	where this relates to so examination). You will n t will be helpful if you ar	undness. (NB Please no eed to say why this ch e able to put forward y	Draft legally compliant or sound, te that any non-compliance with ange will make the Melton Local our suggested revised wording of
An additional criteria:		,		
"are not detrimental to soundness.	o heritage assets a	and their settings	would strength	en this policy to ensure
<b>Please note:</b> Your representation si representation and suggested charepresentation.	hould cover succinctly all the inge, as there will not normal	nformation, evidence neces: ally be a subsequent oppo	sary and supporting inform rtunity to make further re	ation necessary to support/justify the presentations based on this original
After this stage, further submission		Name and Address of the Owner, where the		The second secon
8. Can your representation see the oral part of the examination	king a change be consident Representation (Please tick the appropriation)	red by written represen e box)	tations or do you consid	der it necessary to participate at
Written Represe	entations x	Р	articipate at the Oral Exa	amination
9. If you wish to speak at the ex	kamination, please outline	why you consider this t	o be necessary:	

We would welcome the opportunity to address the Authority.	above issues by way of a Statement of Common Ground with the Loca	l Planning
Please note: The Inspector will determine the most appropriate part of the examination.	te procedure to adopt to hear those who have indicated that they wish to participate	at the oral
PART C: WHO YOU REPRESENT		
To help us collate the responses to this consultation, verpresenting (Please tick the appropriate box)	we would be grateful if you could tell us which category best describes wh	o you are
Melton Borough Resident	Planning Agent/Planning Consultant	
Developer	Utility/Service Provider	
Government Organisation	X Amenity Group	
Other Organisation	Residents Group	
Business	Town/Parish Council	
Other (Please state)		
Do you want to have further involvement in the Melto	on Local Plan? (Please tick the appropriate boxes)	
If you wish to be notified at the address/e-mail provide State for Communities & Local Government	d in Part A when the Melton Local Plan is submitted to the Secretary of	х
If you wish to be notified at the address/e-mail provide	d in Part A when the Inspector's Report is available to view	х
If you wish to be notified at the address/e-mail provide	d in Part A when the Melton Local Plan is adopted	х
If you/your organisation wish to be included in future or	onsultations on the Melton Local Plan	х
If you/your organisation <b>do not</b> wish to be included in f	uture consultations on the Melton Local Plan	

Thank you for taking the time to submit representations on the Melton Local Plan: Pre Submission Draft (November 2016). It should be noted that representations cannot be treated as confidential.





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1. Personal Details	2. Agent's Details (If applicable)
Full Name:	Full Name & Company:
Emilie Carr	
Organisation (if applicable)	Organisation/Client Representations on Behalf Of
Historic England	
Address:	Address:
Historic England (East Midlands)	
2 <sup>nd</sup> Floor	
Windsor House	
Cliftonville	
Northampton	
Postcode:	Postcode:
NN1 5BE	
Email:	Email:
Contact Number:	Contact Number:
Number of Representations Enclosed:	1

Signature:	
Date:	14/12/16

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Respondent Ref:	Representation Ref:			
Name/Organisation:				
PART B: YOUR REPRESENTA council's website Part B of the form	ATION (This section will need to be completed for each representation made. Please photocopy or download fro a as required.)	m the		
3. Which part of the Melton Lo	ocal Plan: Pre-Submission Draft does your representation relate to? (Please enter the paragraph/policy num	iber)		
Paragraph:	Policy: SS4 Policies Map:			
4. Do you consider that the Me	elton Local Plan: Pre-Submission Draft is? (Please tick the appropriate box)			
1. Legally Compliant:	Yes No No			
2. Sound:	Yes No x			
3. Complies with Duty to Co-ope	erate: Yes No No			
*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				
5. Do you consider that the Mappropriate box)	lelton Local Plan: Pre-Submission Draft is unsound because it is not any of the following? (Please $tid$	ck the		
Positively Prepared x	2. Justified x 3. Effective 4. Consistent with National Policy	х		
comply with the Duty to Co-op	ou consider the Melton Local Plan: Pre-Submission Draft is not legally compliant or is unsound or fal perate. Please be as precise as possible. If you wish to support the legal compliance or soundness of sion Draft or its compliance with the Duty to Co-operate, please use this box to set out your comme eet if you require more space)	f the		

Historic England object to this allocation, in so far as it lies east of Dalby Road due to the setting impact upon the significance of the Scheduled Monument of St Mary and St Lazarus Hospital. It is noted that the Sustainability Appraisal site appraisal also raises concerns. The hospital was the principle establishment of the Knights of St Lazarus in England and is of exceptional archaeological and historic importance (even amongst monuments designated on the basis of national archaeological importance). Whilst noting the case for the utility of a southern bypass, Historic England do not accept the planned capacity for residential development to the east of Dalby Lane and south of Kirby Lane is sustainable with regard to the conservation of the Scheduled Monument in its agrarian landscape setting, consciously at a distance removed from the town, with strip fields between. If the planned option for development including housing and a relief road south of Kirby Lane is to be pursued, the bypass (Outer Western Relief Route) and associated landscaping should be sited as far north of the scheduled monument as possible. and without intrusion into areas of surviving ridge and furrow earthworks or breaking through key historic boundaries and breaks in topography. This view is reflected in Historic England's responses to 15/00127/OUT and previous local plan consultation responses. Historic England have provided detailed and constructive advice, meeting with the Local Planning Authority and the proposed developer on several occasions and have clearly set out in letter and plan form a relatively small amendment, which whilst still allowing for development to the east of Dalby Road, including the bypass, would prevent the most significant harm to the scheduled ancient monument. As indicated in our previous correspondence the introduction of housing as well a relief road in the area east of Dalby Road will be harmful to the significance of the scheduled monument, but there is a substantive increase in impact where the proposed road line breaks field boundaries as discussed below.

We are aware that limiting housing development in the setting of the scheduled monument to the topographic break provided by the line of Dalby Lane may increase requirements to the west, however this underlines the need for nuanced decisions in which the relative importance and sensitivity of heritage assets is properly understood. It is evident that a funding model in which adjacent housing phases deliver the immediately adjacent stretch of road may be too inflexible and should not in our view justify this level of avoidable harm.

Although welcomed, reference to the protection and enhancement of historic and archaeological features, including the St. Mary and St. Lazarus hospital scheduled monument and its setting within policy SS4 is not sufficient to address the issues set out above. As proposed, the allocation would be contrary to criteria en3 of policy SS4en3.

7. Please set out what change(s) you consider necessary to make the Melton Local Plan: Pre-Submission Draft 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 Melton Local Plan: Pre-Submission Draft 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)

To provide a sound allocation, being positively prepared, justified and consistent with national policy, protecting the setting of the Scheduled Monument of St Mary and St Lazarus Hospital, the site allocation should be realigned partially to the north, in accordance with our previous advice.

South of the line E-D-C-B-A (on attached plan) lie earthworks of medieval / post medieval cultivation (ridge and furrow) which directly support the historic landscape context and hence the significance of the scheduled monument. The historic field boundary on line E-D-C-B-A forms a clear tipping point in itself in terms of level of harm to the monuments significance through setting impacts.

Keeping the relief road to the northern side of line E-D-C-B-A would greatly reduce the prominence of the road when viewed from the scheduled area and it would avoid breaking the 115m contour.

The next key tipping point (heading west) is where a revised relief road would break the existing east-west oriented field boundary west of point E, in order to approach the proposed Sandy Lane junction north of the mature tree at G. If the point where the field boundary is crossed is constrained to a point west of point F this will work with the natural topography which falls away from that point, greatly reducing the visibility of the new road from the monument, hence the new road should not in our view break through the existing boundary between points F and E. Having examined the proposed junction on Sandy Lane, whilst our preferred location was north of that indicated, Historic England believe that as long as the junction is kept north of the mature tree at location G (hence on the north facing slope) harm will again be kept overall to a less than substantial degree.

To summarise, Historic England consider that a relief road line north of G - F - C - B - A could avoid substantial harm.

**Please note:** Your representation should cover succinctly all the information, evidence necessary and supporting information necessary to support/justify the representation and suggested change, as there will not normally be a subsequent opportunity to make further representations based on this original representation.

After this stage, further submissions will only be at the request of the Inspector based on the matters and issues they identify at the examination.

8. C	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	х

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

To fully set out Historic England's case. In the meantime, if amendments can be made as set out above, we would welcome the opportunity to address the above issues by way of a Statement of Common Ground with the Local Planning Authority.		
<b>Please note:</b> 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.		
PART C: WHO YOU REPRESENT		
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)		
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Developer Utility/Service Provider		
Government Organisation x Amenity Group		
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Full Name:	Full Name & Company:
Emilie Carr	
Organisation (if applicable)	Organisation/Client Representations on Behalf Of
Historic England	
Address:	Address:
Historic England (East Midlands)  2 <sup>nd</sup> Floor  Windsor House  Cliftonville  Northampton	
Postcode:	Postcode:
NN1 5BE	
Email:	Email:
Contact Number:	Contact Number:
Number of Representations Enclosed:	1

Signature:	167	
	4	
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Name/Orga	anisation:									
PART B: YOUR	R REPRESENT	TATION (This	s section will nee	d to be comple	ted for each rep	oresentati	ion made.	Please photoc	opy or downloa	d from the
3. Which part o	Contract of the last	Contract Contract		Praft does you	ır representati	ion relat	e to? (Plea	se enter the p	aragraph/policy	number)
Paragraph:			olicy:	SS3			s Map:			
4. Do you consid	der that the M	lelton Local I	Plan: Pre-Subm	ission Draft is	? (Please tick the	e appropr	riate box)	A CALLED		
1. Legally Compl			es	No	4 1 2 01 2					N N N S N S N S N S N S N S N S N S N S
2. Sound:		Ye	es 🔲	No x						
3. Complies with	Duty to Co-o	perate: Ye	es	No						
*The consideration entered "No" in re	ns in relation to lation to 4(2), pl	the Local Pla ease go to que	an being "sound" estion 5. In all oth	are explained er circumstance	in paragraph 18 s, please go to q	82 of the Juestion 6	National I	Planning Polic	y Framework. Ij	f you have
5. Do you consi	der that the I	Melton Loca	l Plan: Pre-Sub	mission Draft	is unsound be	ecause i	t is not a	ny of the fo	llowing? (Plea.	se tick the
1. Positively Pr	epared x		2. Justified	х	3. Effectiv	e _	4. c	onsistent wi	th National Po	licy x
6. Please give de comply with the Melton Local Pla (Please continue or	: Duty to Co-o an: Pre-Submi	perate. Plea ssion Draft o	se be as precis or its compliand	e as possible.	If you wish to	o gaus o	rt the lega	al compliand	e or soundne	ss of the
Although cr prevent any	riteria 5 is potential	welcom <u>harm</u> ' m	ned, it is c ay create t	onsidered he assum	I that the ption that	wordi harm	ing ' <u>an</u> can al	d provid ways be	es mitigat mitigated.	tion to
7. Please set out having regard to the duty to co-o Plan: Pre-Submis any policy or tex	the test you l perate is inca ssion Draft leg	nave identifi pable of mo ally complia	ed at 5 above v dification at ex nt or sound. It v	vhere this rela amination). Y will be helpful	ates to soundr ou will need I if you are abl	ness. (Ni to say w le to put	B Please n why this cl forward	ote that an nange will n your sugges	y non-complia nake the Melt	nce with on Local
The wording the assump policy.	g ' <u>and pro</u> ition that	<u>vides mit</u> harm ca	igation to r n always t	orevent ar De mitigat	ny potentia ed, in ord	al harn der to	n' shou ensur	ild be de e the so	leted to prundings	revent of the
Please note: Your r representation and representation.	epresentation si suggested cha	hould cover su nge, as there	ccinctly all the inj will not normal	formation, evide ly be a subsequ	ence necessary a uent opportunit	and suppo y to mak	orting inform se further i	nation necess epresentation	ary to support/j ns based on thi	ustify the s original
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W	Vritten Repres	entations	х		Partici	pate at t	the Oral E	camination		
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If you/your organisation wish to be included in future or	onsultations on the Melton Local Plan	х
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