

Melton Borough Council - Regulation 16 Response Form

Under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012, **Burton and Dalby Parish Council** has submitted its draft Neighbourhood Plan to Melton Borough Council. In accordance with Regulation 16, Melton Borough Council would like to invite comments from organisations and individuals on the submitted Neighbourhood Plan. All background documents are available to view on the <https://www.meltonplan.co.uk/burtonanddalby> webpage.

Please use this form to submit your comments for the Neighbourhood Plan and return the form to: planningpolicy@melton.gov.uk. For each representation, please use a separate form and mark clearly which document and part your representations relates to.

PART A: About you & Examination

1. What is your name?

Harriet Nind

2. What is your email?

harriet.nind@panddg.co.uk

3. Please enter your address

Planning and Design Group, Pure Offices, Lake View Drive, Sherwood Park, Nottin

4. Are you a resident of the area that this Neighbourhood Plan relates?

Yes No

5. If you answered 'No' above, please select from the appropriate option below

Agent

Developer

Landowner

Stakeholder

Consultee

Other

If you have selected any of the above, please give additional information here, including who you represent.

Planning and Design Group represents JPG Properties, a local landowner.

Do you wish to be notified of the local planning authority's decision under Regulation 19 in relation to the Neighbourhood Development Plan? Yes

NOTICE: Melton Borough Council will process the information you provide in a manner that is compatible with the General Protection Regulations (GDPR), 2018. Please be aware that all representations received by the authority will be made publicly available (in due course). These will be identifiable by name and organisation (if applicable).

PART B: Representation Form (1)

1. Please indicate which part of the submitted Neighbourhood Plan or supporting documents this representation relates (e.g. submission plan, policy map)

Neighbourhood Plan Submission Document

Page number (if applicable)

32

Paragraph/policy (if applicable)

Policy B&D9 (Local Green Spaces)

2. Do you believe that this policy/section of the Neighbourhood Plan:

	Yes	No	Unsure
Meets European Obligations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Has regard to national Planning policies	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is in general conformity with the Strategic policies of the Local Plan/is compatible with adjoining Neighbourhood Plans	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Contributes to the achievement of sustainable development	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Do you?

Support this
policy/part of the
plan

Support this
policy/part of the
plan subject to
modifications

Object to this
policy/part of the
plan

Neither support or
object to this
policy/part of the
plan

Please provide your comments here:

Introduction

On behalf of JGP Properties, Planning and Design Group wish to submit representations to Melton Borough Council as part of the Regulation 16 Consultation of the Burton and Dalby Neighbourhood Plan.

This commentary relates specifically to Policy B&D9 (Local Green Spaces). This policy states:

‘Development that would harm the openness or special character of the following Local Green Space (as designated on Maps 6 & 7 and the Policies Maps) or its significance and value to the local community will not be supported unless there are very special circumstances which outweigh the harm to the Local Green Space:

1 The Green, Great Dalby

2 Nether End verges, Great Dalby

3 The Halford (part), Great Dalby

4 Great Dalby Primary School playing field

5 Brook side bridleway, Great Dalby

6 St James' churchyard, extension and paddock, Burton Lazars

7 Woodland west of the Childs Close, Burton Lazars

8 Private gardens between Cross Lane and New Road, Burton Lazars

9 Paddocks between Cross Lane and New Road, Burton Lazars

10 Land at end of Barnard Close, Burton Lazars

11 Field between Cross Lane and Hollow Lane, Burton Lazars

12 Gap adjoining 20 Cross Lane, Burton Lazars’

JGP Properties are the landowner for the proposed designations 9 (‘Paddocks between Cross Lane and New Road, Burton Lazars’) and 12 (‘Gap adjoining 20 Cross Lane, Burton Lazars’). Government Guidance (Paragraph: 048, Reference ID: 41-048-20140306) states:

‘...landowners and the development industry should, as necessary and appropriate be involved in preparing a draft neighbourhood plan or Order. By doing this qualifying bodies will be better placed to produce plans that provide for sustainable development which benefits the local community whilst avoiding placing unrealistic pressures on the cost and deliverability of that development’.

The landowner would have been delighted to engage with the Parish Council from an early stage of the Plan making process to help define the proposed green space allocations. Notwithstanding this, there have been no formal attempts of direct contact from the Parish Council to either JGP Properties or Planning and Design Group. This has resultantly led to the submission of this representation to raise query over some aspects of the allocations.

Designation 12 (‘Gap adjoining 20 Cross Lane, Burton Lazars’)

Draft allocation 12 is small, defined, parcel of land fronting Cross Lane. Located on the periphery of a broader series of green spaces, this site is not considered to be intrinsic to the character of such and does not truly reflect 'significance and value to the local community' as set out in the policy.

As privately owned land with a defined curtilage, the site is not publicly accessible and any views into or through the parcel are incidental to the fact the landowner has chosen to minimise boundary treatments. There does not appear to be any robust evidence to support this particular allocation. The Neighbourhood Plan notes that the site does not hold a particular local significance for heritage, recreational, tranquillity or ecological reasons. It does instead suggest that the designation is due to its beauty. No further evidence is provided on how this conclusion was reached, with all supportive questions (7.1-7.7) of the 'Local Greenspace Designation Toolkit' submitted as part of the evidence base left blank. No information presented in the Burton and Dalby Landscape Appraisal further suggests any rationale for the allocation. As such, there appears to be no conclusive evidence to support this allocation and it should be removed.

Designation 9 ('Paddocks between Cross Lane and New Road, Burton Lazars')

Draft designation 9 comprises a large area of privately owned land, currently used as a paddock. Public access is restricted to the Public Right of Way running from north to the south of the land. The allocation includes a 'finger' of land extending down to New Road, bordering a property to the east that the landowner is also in ownership of. For avoidance of doubt, this part of the paddock allocation is outlined in red below at Figure 1. As with allocation 12, as a periphery location which has a more identifiable relationship with New Road, the extension of the designation to this particular part of paddock does not demonstrate sufficient evidential reasoning.

Cont.



Figure 1. Part of draft green space allocation 9 in question (red outline)

This part of the paddock is not included in the BL2 Peripheral Area analysis within the Burton and Dalby Landscape Appraisal. Instead it is denoted as an 'area of least landscape constraint', suggesting that the approach of a blanket application of the green space designation is not appropriate and that this part of the paddock reflects a different character to the rest.

A live planning application is currently underway on the easterly adjoining site to the piece of paddock in question, also owned by the landowner (planning application reference 21/00834/FUL). The planning application, which predates the draft designations, proposes using this part of the paddock as private amenity space for the dwelling. Given the land is already in private use, this is not considered to have any impact on the landscape, as views from the parcel into the wider paddock are once again incidental and screening via boundary treatments are subject to the landowner's discretion.

It is therefore suggested that this part of the paddock is excluded from designation 9, owing to a clear lack of evidence to demonstrate this piece of land exhibits the same characteristics and landscape qualities as the rest of the designation.

Summary

JGP Properties supports the Parish's aims in delivering a unified Neighbourhood Plan. The concerns raised, however, impact the soundness of using the local green space policy as a whole. There is not considered to be enough robust evidence to support the inclusion of designation 12 and part of designation 9 as open space.

Both parcels of land in question are closer akin in character to the built-up form of Burton Lazars and are already subject to a number of means to restrict development (such as removal of Permitted Development rights) and countryside policies within the adopted Melton Local Plan. We would therefore respectfully request for the removal of designation 12 and the revision of designation 9 as to not detract from the intended purpose of Policy B&D9.