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Date: 25th May 2022

Dear Neighbourhood Plan Group,

RE: Burton and Dalby Neighbourhood Plan – Regulation 16 Consultation

Thank you for submitting the Burton and Dalby Neighbourhood Plan (regulation 16 version) 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. The advice contained within this letter is intended to assist the Neighbourhood Plan Group / Parish Council in ensuring a submission version Neighbourhood Plan is developed that will withstand examination and any possible legal challenge.

Melton Borough Council's response is based on the Regulation 16 consultation documents provided and now published online at <https://www.meltonplan.co.uk/burtonanddalby>. 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; and**
- D. Whether the Plan complies with various European Obligations;**

The Melton Local Plan 2011-2036 was adopted by Full Council on October 10, 2018. It sets out the Council policies for the use and development of land across the whole of the Borough. The Local Plan is the main part of the development plan for the Borough and will be given full weight by the Council in making decisions on planning applications. This also means that, as stated above, Neighbourhood Plans must be in general conformity with the strategic policies within the adopted Local Plan. Also, as specified in para 1.8.5 of the Local Plan:

'For the purpose of testing conformity of Neighbourhood Plans with the Local Plan, all policies included in the Local Plan up to and including Chapter 8 are regarded as strategic policies. Whilst the remaining policies will be relevant for determining planning applications, they are not viewed as strategic policies for the purpose of testing Local Plan conformity.'

These issues were subject of scrutiny and debate during the independent Examination of the Local Plan and the wording cited here follows the process of assessment and adjudication by the Inspector.

Additionally, we recommend to the Neighbourhood Plan Group access to the Examiner's report for the Bottesford, Gaddesby, Hoby with Rotherby, Scalford, Somerby and Stathern Neighbourhood Plans, these can be found at:
<https://www.meltonplan.co.uk/neighbourhood-plans>

To help your understanding of our comments, we have structured our comments into themes.

Page number	Reference (policy/paragraph/section)	Importance (Minor, Moderate, Important or Critical)	Comment from officer ('Quotation', <u>Insertion</u> , Deletion, Important)
Housing			
Page 66-67	Policy B&D16: Housing in Great Dalby and Policy B&D17: Windfall housing in Burton Lazars	Moderate	'The <u>existing</u> housing needs of Great Dalby [...] in case the housing needs change as consequence of the publication of future evidence. The same applies to policy B&D17
Page 69	Policy B&D18: Rural Housing	Minor	'Other than housing provided by Policies B&D15 <u>6</u> and B&D16 <u>7</u> , support [...]', as B&D15 refers to infrastructure.
Affordable Housing and Housing Mix			

Page 63	8.14	Important	<p>The Written Ministerial Statement (May, 2021) which introduces the new tenure of affordable housing: First Homes, allows neighbourhood planning groups to set their own percentage discount to the open market value for First Homes to either 40% or 50% (higher than the standard 30% discount for First Homes). The WMS also allows neighbourhood planning groups to set their own maximum property price cap, below the First Homes standard of £250,000 (outside of London), after the discount has been applied.</p> <p>The Melton Borough Council Housing Mix and Affordable Housing Supplementary Planning Document (SPD) (2019) Appendix 7 states the minimum percentage discount required from open market value, based on lower quartile house prices and incomes by ward, to make the housing affordable. For the Gaddesby ward, this is 50%.</p> <p>The Burton and Dalby Neighbourhood Planning Group have stated “a first sale price of £130,000 (after 50% discount) is more appropriate having regard to local house prices”.</p> <p>The Lower Quartile Property Price used for the Housing Mix and Affordable Housing SPD (July, 2019) for the Gaddesby ward is £258,750 which with the 50% discount is £129,375. These figures are taken from the Melton Borough Council Housing Needs Study of 2016. As this was over 5 years ago now and the property prices have increased, we recommend the property price cap of £130,000 to be re-considered to reflect current house prices.</p>
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Design			
Page 54	Design Code document	Minor	<p>Considered in general conformity with Melton Local Plan (MLP). Parking sections add good clarity and are in line with the Leicestershire Highways Design Code.</p> <p>May be useful to include a link to the Burton and Dalby Parish Design Code document.</p>
Transport, Infrastructure and Employment			
Page 57	Policy B&D13: Retention of services and facilities.	Minor	Aligns with policy C7 MLP and Chapter 6. Building a strong, competitive economy; paragraph 84 of the National Planning Policy Framework (NPPF) (page 23).
Page 58	Policy B&D14: Superfast Broadband	Minor	Aligns with Policy IN4 Broadband and Chapter 10. Supporting high quality communications; paragraph 114 of the NPPF (page 33).
Page 60	Policy B&D15: Infrastructure	Important	<p>Previous comments still stands: -</p> <p>We think this policy needs to make a reference to the Developer Contributions SPD which is now adopted, particularly in terms of the priority order and the appendix for the area within that document. Appendix E shows your three priorities (agreed by ward councillor and Parish Council):</p> <ul style="list-style-type: none"> • Public transport • Great Dalby Village Hall improvements • Bus shelters <p>Please note that education is right at the top of the priorities table within the SPD and that your parish is also within the 'roof' tax area (see Figure 1) for making contributions towards the wider developments in Melton for secondary/post 16 and Special Educational Needs and Disabilities.</p>
Page 71	Policy B&D20: Rural Worker Accommodation	Minor	Aligns with policy EC2 Employment Growth in the Rural Area (Outside Melton Mowbray) and Policy D1 Raising the Standard of Design and Chapter 6. Building a strong, competitive economy; paragraph 84 and 85 of the NPPF (page 23).

Page 74	Policy B&D22: Business Conversions of Rural Buildings	Minor	Aligns with policy EC2 Employment Growth in the Rural Area (Outside Melton Mowbray) and Policy D1 Raising the Standard of Design and Chapter 6. Building a strong, competitive economy; paragraph 84 and 85 of the NPPF (page 23).
Page 75	Policy B&D23: Working from home	Minor	Aligns with policy EC2 Employment Growth in the Rural Area (Outside Melton Mowbray) and Policy D1 Raising the Standard of Design and Chapter 6. Building a strong, competitive economy; paragraph 83 of the NPPF (page 23).
Page 76	Policy B&D24: Former Melton Airfield	Important	Does not align with Policy EC2 and NPPF, if classed as a rural area. Policy very restricted as B2 and B8 only. Which does not comply with the NPPF which is permissive of new and expanded employment opportunities in the rural area.
Environment			
Page 18, 20 & 23	Policy B&D3: Great Dalby Character, B&D4: Burton Lazars Character & B&D6: Little Dalby Character	Moderate	Previous comments still stand: - These policies seem quite restrictive, it may be worth stating that development will not be supported unless in exceptional circumstances.
Page 32	Policy B&D9: Local Green Spaces	Important	Previous comments still stand: - Could areas 8-12 be classed as an extensive tract of land? Area 8 includes private gardens, can these be classed as Local Green Space as they are not accessible to the public? Has a scoring criteria (point system) been used to determine and provide evidence as to which areas can be classed as Local Green Spaces? It does not appear to be clear as to the exact significance of each green space over and above other green areas within the Neighbourhood Plan area.

Page 51	Policy B&D10: Great Dalby Conservation Area	Moderate	Previous comments still stand: - We are not sure what this policy adds above policy EN13 of the Melton Local Plan
Page 53	Policy B&D11: Non-Designated heritage Assets	Important	Previous comments still stand: - Has a scoring criteria (point system) been used to determine which buildings can be classed as non-designated heritage assets?

Strategic Environmental Assessment (SEA)

The SEA Screening was issued the 9th December 2021, in relation to the Neighbourhood Plan in its regulation 14 consultation stage. The nature of the changes from regulation 14 to regulation 16 makes this document still valid for this consultation. The document is available at <https://www.meltonplan.co.uk/burtonanddalby>.

The community are congratulated for making considerable progress on the draft 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 so that together we can progress towards a Neighbourhood Plan that will stand the test of examination and responds accordingly to the community's desire for suitable, sustainable development.

Yours sincerely,

Planning Policy Team
Melton Borough Council