

Christopher Jesson
JGP Properties
Planning and Design Group
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Good afternoon

Thank you for the opportunity to be consulted on the Focussed Changes to
Please see the attached as our representations prepared on behalf of JGP Properties Ltd. Also as
requested in my correspondence with Ripple Gupta, this also includes matters in our response to the
SHLAA/Full Council papers submitted on 28th June 2017.

I trust that the representations will be taken into consideration and we request that we be updated
including participation at Examination at the appropriate time. Should there be any queries about the
letter please do not hesitate to contact me.

Kind regards,

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BY EMAIL ONLY

Melton Borough Council
Parkside
Station Approach
Burton Street
Melton Mowbray
Leics
LE13 1GH

Our Ref: 13.034 23-08-2017

23rd August 2017

Dear Sir/Madam,

Re: Melton Borough Council Draft Local Plan – Focussed Changes (August 2017)

Thank you for notifying P&DG regarding the release of the Draft Local Plan documentation to Full Council, and the corresponding SHLAA shortlist. We write on behalf of JGP Properties Ltd with commentary in respect of the shortlisted sites in Burton Lazars and more widely the Draft Local Plan as put before Full Council on 4th July 2017. This representation was submitted prior to July and remains valid, plus we provide further comments on the Focussed Changes that have resulted from the Council meeting. I trust this will be considered at the next stage of consultation on the Plan and by the appointed Inspector when submitted.

Further comments raised on Focussed Changes

P&DG broadly agrees to a position on the quantum of development that does not specify a specific number of dwellings in rural settlements in favour of there being no reference to a specific number. Development must be both sustainable and proportionate to the settlement concerned and the former cap of 3 dwellings was not proactively worded in accordance with national policy requirements should sites meet other sustainability expectations.

Leading on from this, in Focussed Change FC1.2, the proposed amendments to the wording of Policy SS3 relating to the development of unallocated sites in or adjacent to the most rural settlements now involves more criteria, for instance to demonstrate a proven local need and other policy tests (landscape, sustainable access).

While the requirement for criteria is not unreasonable, the wording of such criteria is not presently sound in our view since it appears to imply that all, not some of the criteria needs to be passed to meet the expectations of Policy SS3. The policy is therefore not appropriately justified and should refer to criteria being met on an 'or' rather than 'and' basis after each criterion.

Initial Comments on the SHLAA and Council Meeting (submitted Pre July 2017)

We welcome the conclusions made in the SHLAA regarding the two sites at Burton Lazars (refs MBC_007_17a and MBC_007_17b) and the Council's support that this is a sustainable location without many constraints. We can confirm that the sites, considered together or separately,

continue to be available for residential development in the short term. The Council's assessment of both yield and the possibility of development within the next 3-5 years, is reasonable.

Given the shortlist and the minutes of the SHLAA Working Group in the context of the sites at Burton Lazars and the sustainability of the village, it is important that we have the opportunity to respond to those conclusions. In our previous representations we have said that the emerging options for setting out the spatial strategy for the Borough need careful consideration and must be taken on balance when allocating sites. This is to ensure an appropriate spread of sustainable locations and to meet the housing needs over the whole Plan period.

We have stated before that to avoid overreliance on large urban extensions, it will be essential that the Council have a sufficient number of smaller sites, which can come forward in the early stages of the plan period. The distribution of growth between Melton Mowbray, Service Centres and Rural Hubs is welcome, and reflects an assertion that the development needs of rural areas is important. However, other than an acknowledgement that 15% of growth could come from windfall sites, an allowance of which could be apportioned to rural settlements in the hierarchy, no response is provided whatsoever by the Council in its report to Full Council (4th July 2017) on any of the representations made about Rural Settlements at the most recent Local Plan consultation and indeed, if any housing growth has been reconsidered in light of those representations. The report is solely concerned with the distribution between Melton, Service Centres and Rural Hubs.

Mindful of this position we note that that Burton Lazars maintains the role of 'Rural Settlement' within the present settlement hierarchy. At the last round of consultation on the Local Plan we had some concerns that the proposed settlement hierarchy no longer included the category of 'Rural Supporter' settlements as a basis of establishing future expectations of growth and how this may be apportioned across the Borough. In the earlier iteration of the Local Plan this category was included in the settlement hierarchy, with some settlements highlighted for their role in providing a small but important number of amenities, and others to highlight their distinctive spatial relationship to the main settlement of Melton Mowbray.

Whilst the proposed Local Plan spatial hierarchy still categorises Rural Hubs below Service Centres, which is supported, the policy's lack of distinction or consistency on settlements that are close to Service Centres and Melton Mowbray in applying their candidacy as a Rural Hub makes the policy, in our view, unsound. The Council's report: Settlement Roles and Relationships (September 2016) seeks to clarify the criteria against which the settlement hierarchy is established. To be considered a Rural Hub, villages must pass at least 3 of the 4 essential criteria and one must be a primary school. The crucial matter that has been left out of this consideration is that the Council has repeatedly expressed a commitment in the policy that settlements which are within 500m of a Service Centre or 2.5km of Melton Mowbray will be regarded as Rural Hubs.

The latest settlement matrix also disregards this distance threshold, presumably as a decision has already been reached to define growth between Melton, Service Centres and established Rural Hubs. The existence of a primary school, while advantageous in the criteria, does nothing to support the long-term vitality of moderately sized settlements without one. Distance must come into it in other ways, therefore, we are concerned that Burton Lazars, which has an identical service and amenities score to the Rural Hub of Asfordby Hill in the Settlement Roles and Relationships Report 2016, and is also within 2.5km of Melton Mowbray as required in the sustainability matrix, is discounted. Is this only on the premise of the existence of a primary school at Asfordby Hill? Similarly, Easthorpe has been considered prominently in the Plan as a Rural Hub, and in planning permissions secured, by virtue of its functional relationship with Bottesford. Taking that away would leave it in a similar position to the Council's view of Burton

Lazars, but the principle here is that it is included as a Rural Hub because of that spatial relationship.

Burton Lazars has a population of circa 450 people, in excess of certain villages graded as Rural Hubs and Service Centres. While we know that the broad scale of a settlement cannot be the sole precursor to levels of growth, it is still a valid matter when assessing sustainability. Burton Lazars is only 0.5km from the outer edges of Melton Mowbray and local amenities in those estates, within 2 miles of Melton Town Centre, and on suitable bus routes. The village is also close to the proposed Melton South Sustainable Urban Extension planned as part of the same Local Plan, the amenities within will be a key consideration to the future sustainability of that settlement. Overall, the village passes the distance criteria to be a Rural Hub, in the same way the existence of a primary school or other facilities would for other Rural Hub settlements.

On behalf of the landowner, JGP Properties Ltd, we have promoted two sites in the SHLAA (refs: MBC_007_17a and MBC_007_17b). The conclusions of the SHLAA are definitive in that these sites are sustainable locations for growth, and could be delivered in the next 3-5 years. It follows that the Council should reconsider its assessment of Burton Lazars village, which is currently a defined Rural Settlement. In the context of meeting housing growth needs and appropriate application of the criteria, Burton Lazars should be a Rural Hub. With that in mind, the sites (together or separately, each considered on its merits) could be considered for residential allocation within the early part of the plan period for the yield specified in the shortlist. For instance the southern part of the site (MBC_007_17a) demonstrates suitability in the SHLAA for the growth of up to 11 dwellings commensurate with the scale of the settlement.

The site(s) meet the distance thresholds of sustainability. Burton Lazars has a unique relationship with Melton Mowbray; a matter that is not transferable to every distinct settlement. Our question is why the 2.5km distance from Melton Mowbray is specified as a sustainability criteria but there is no consistency among villages that lie within that threshold in terms of their position within the settlement hierarchy?

Essentially there needs to be consistency applied to the settlement hierarchy to commit to the distinctive relationship settlements have when they are close to service centre villages and Melton Mowbray. There also needs to be consideration of the proposed urban extension to the south of Melton Mowbray and the implications this may have upon the settlements of villages that lie in close proximity to it and the rest of Melton, to determine a robust and positively prepared approach to the hierarchy across the plan period.

Notwithstanding our comments above on the application of distinct criteria in proposed Policy SS3 and if they should be on an 'or' rather than 'and' basis, we note that by applying the criteria that the sites, in our view, would not unduly depart from those requirements. For instance, our review of the Council's Housing Needs Assessment suggests that a demand exists in the Gaddesby Ward, inclusive of Burton Lazars for market housing. That demand need not be concentrated solely in the village of Gaddesby if a true, consistent understanding of sustainability in Burton Lazars could be realised. Similarly:

- There is no particular landscape or settlement character issue that cannot be mitigated, while green infrastructure to the east of Lynn Cottage could be retained as setback from New Road as defined on the layout submitted at the time (enclosed), thereby preserving the spacious character and openness of the gap along the street frontage. The proposal we submitted in application 16/00614/OUT was also partly in the existing settlement framework. The Council has cited earlier appeal decisions that take precedence but these predate the most up to date perspective on
- The site has a sustainable means of access, confirmed in application 16/00614/OUT;

- There are no ecological constraints that would be affected in the smaller site, as confirmed in application 16/00614/OUT where the ecology officer concluded there would be 'no significant harm'. For the larger site, there is great scope for biodiversity enhancement which would be for a planning proposal to demonstrate;
- At no point is the best and most versatile agricultural land being affected; and
- No flood risk implications, as confirmed in planning application 16/00614/OUT.

In summary, moderate growth in Burton Lazars would be suitable and appropriate for proportionate development growth given the strong connection and relationship the village has with Melton Mowbray. The physical relationship of the two settlements plays a fundamental role to the sustainability of the village, which by itself is considered by the Council as having more limited services. Nevertheless, 3 of the 4 essential facilities exist in Burton Lazars. It is one of only five Rural Settlements to achieve these criteria and is by far the closest of those to Melton Mowbray. Burton Lazars is a settlement which offers the Council the opportunity to consider small housing sites, which would support village vitality without compromising the physical separation of the village and Melton Mowbray.

Similarly we have some reservations that the Focussed Change FC1.2 and the implied expectation that development must meet all criteria; this will no doubt stifle proportionate growth and vitality of settlements insofar that with many sites there will be constraints that can be overcome with due mitigation – the criteria as applied would not allow that balancing exercise to take place. Overall, the removal of capping development quantum across the settlement hierarchy, subject to other requirements, is broadly welcomed.

I trust that these representations are of assistance to the Council and will be considered in the lead in time before anticipated submission of the Local Plan in October 2017. We request to be informed and participate at the Local Plan Examination to discuss the comments we have raised in particular on the settlement hierarchy in the context of Burton Lazars. A copy of the SHLAA sites referred is attached for your evaluation prior to the Plan's submission. In the meantime, if any further information is required please do not hesitate to contact me.

Yours Sincerely

Chris Jesson
Principal Town Planner

Enc SHLAA Pro-formas (MBC_007_17a and MBC_007_17b)

Enc Site Layout Plan accompanying application 16/00614/OUT

Cc JGP Properties Ltd

Site ID MBC/007/17a

Settlement Burton Lazars

Address Land off New Road (small site)

SITE DETAILS

Size (ha)	0.35	Number of units MBC	11	Building rate (dwellings/year)	36
Number of units proposed	3 to 6	Units type	Mix		
Northing coord	477141	Easting coord	317101		
Proposed use	R/S	Current use	R/S. ENERGY		
Predominant adjoining use	R/S	Alternative use	None.		
Relevant Planning History	16/00614/OUT withdrawn.				

CONSTRAINTS

Flood Risk	<input type="checkbox"/>			
Biodiversity Constraint	<input checked="" type="checkbox"/>	Biodiversity constraints		
Landowner Consent	<input checked="" type="checkbox"/>	Single ownership		
Landscape Constraints	<input checked="" type="checkbox"/>	LCZ4 (Melton M.) Med/High		
Access Constraints	<input type="checkbox"/>	Off New Road		
Contamination Constraints	<input type="checkbox"/>			
TPO	<input type="checkbox"/>	Physical Constraint		
Trees/mature hedges	<input type="checkbox"/>	Heritage Designations		
Mineral Consultation Area		Local Plan Designations	POA. VE	
Hazardous infrastructures				
Agricultural Land Class	3b	Other Constraints	Footpath	
Interventions to overcome constraints				

Comments

Part adjacent to New Road withdrawn application (16/00614/OUT), Highways commented that impact of development is not severe, however have attached conditions. Site lies in sustainable location. Cross Lane part of site considered suitable.

Site visit

Steep slope on site at New Road part, above road level on New Road, access issue. On the other side of site (x Road) site has better access, is flat. Suitable for about 2 large dwellings similar to existing

CONCLUSIONS

Suitable	Y - see above	Time Frame/MBC Time F.	0-5 years	3-5 years
Available	Y	Developable	Y	
Achievable	Y	Deliverable		

Site ID MBC/007/17b

Settlement Burton Lazars

Address Land off New Road (large site)

SITE DETAILS

Size (ha)	1.75	Number of units MBC	43	Building rate (dwellings/year)	36
Number of units proposed	Unknown	Units type	Mix		
Northing coord	477097	Easting coord	317143		
Proposed use	R/S	Current use	R/S. ENERGY		
Predominant adjoining use	R/S	Alternative use	None.		
Relevant Planning History	Southern part 16/00614/OUT withdrawn.				

CONSTRAINTS

Flood Risk	<input type="checkbox"/>			
Biodiversity Constraint	<input checked="" type="checkbox"/>	Biodiversity constraints		
Landowner Consent	<input checked="" type="checkbox"/>	Single ownership		
Landscape Constraints	<input checked="" type="checkbox"/>	LCZ4 (Melton M.) Med/High		
Access Constraints	<input type="checkbox"/>	Off New Road or off Cross Lane		
Contamination Constraints	<input type="checkbox"/>			
TPO	<input type="checkbox"/>	Physical Constraint		
Trees/mature hedges	<input checked="" type="checkbox"/>	Heritage Designations		
Mineral Consultation Area		Local Plan Designations	POA. VE	
Hazardous infrastructures				
Agricultural Land Class.	3b	Other Constraints	Footpath	
Interventions to overcome constraints				

Comments

Site visit

Same as previous

Same as previous

CONCLUSIONS

Suitable	Time Frame/MBC Time F.	0-5 years
Available	Developable	
Achievable	Deliverable	



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FOR ILLUSTRATIVE PURPOSES ONLY

Drawn By	R.J.	Title	Burton Lazars ILLUSTRATIVE LAYOUT	Drawing No	13.034/04
Approved By	C.H.				
Project Name	LINEAR	Scale	DATE	<small>This drawing is for illustrative purposes only and should not be used for any other purpose without the written consent of P&DG.</small>	
			10/2015	<small>This drawing is for illustrative purposes only and should not be used for any other purpose without the written consent of P&DG.</small>	



