

For official use only

Respondent Ref: Representation Ref:

Name/Organisation: Davidsons Developments Limited

PART B: YOUR REPRESENTATION (This section will need to be completed for each representation made. Please photocopy or download from the council's website Part B of the form as required.)

3. Which part of the Melton Local Plan: Pre-Submission Draft does your representation relate to? (Please enter the paragraph/policy number)

Paragraph: Policy: EC1 Policies Map:

4. Do you consider that the Melton Local Plan: Pre-Submission Draft is? (Please tick the appropriate box)

- 1. Legally Compliant: Yes No
- 2. Sound: Yes No
- 3. Complies with Duty to Co-operate: Yes 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*

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Policy EC1 sets out the Council's approach to employment growth in the Borough over the plan period to 2036. The proposals include the provision of 20 hectares of employment land as part of the South Melton Sustainable Neighbourhood.

The proposals for the inclusion of an area of employment land as part of the Melton South Sustainable Neighbourhood is supported. This will provide a logical expansion of existing employment areas to the south of the town and will provide for a highly sustainable development with easy access to local employment and community facilities.

The Indicative Framework Plan prepared by Davidsons Developments Limited and submitted as part of these representations, includes the provision of 20 hectares of employment land in accordance with this policy requirement.

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)

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Policy SS4 of the Submission Draft Plan proposes the identification of the South Melton Sustainable Neighbourhood as a strategic development location. The policy indicates that the Sustainable Neighbourhood will deliver 2,000 homes with 1,700 homes being delivered in the plan period to 2036. The policy also requires the provision of 20 hectares of employment land and new community facilities including a new primary school and local centre. The policy also refers to the provision of a comprehensive package of transport improvements including a strategic link road connecting the A606 to the A607 to form part of a Melton Mowbray Distributor Road.

Paragraph 4.4.2 advises that the South Melton Sustainable Neighbourhood is a key part of the delivery strategy for the Local Plan, constituting some 30% of the overall housing requirement and 60% of the outstanding employment requirements over the plan period.

As indicated in our separate responses, Davidsons Developments has worked closely with officers and members as the local plan has been prepared following the withdrawal of the Core Strategy. Submissions were made in response to the Emerging Options Local Plan consultation outlining how Davidsons, through its land interests to the south of Melton could support the delivery of the South Melton Sustainable Neighbourhood. As part of the response to the Emerging Options Local Plan, an Indicative Framework Plan was submitted demonstrating how the required housing, employment, supporting community facilities and southern link road could be delivered.

The Indicative Framework Plan was informed by detailed technical reports considering transport, flood risk and drainage, ecology, heritage and archaeology and noise and air quality. These technical reports formed part of the documentation submitted in support of an outline application for the development of 1,500 homes along with supporting infrastructure including a primary school and local centre. This application (ref 16/00515/OUT) was submitted to the Council in July 2016. Relevant documentation, including the Transport Assessment, Heritage Assessment and Design and Access Statement are

included as part of these representations for information. The complete documentation for the application, including the Environmental Statement, is included on the accompany CD by way of background information. The planning application relates to land in Davidsons control and shows how some 1,500 homes could be delivered on land west and east of Dalby Road, extending to Burton Road. The application would secure the delivery of key components of the proposed southern link road including a link from Burton Road to Dalby Road and from Kirby Lane to Leicester Road, along with improvements to Kirby Lane to allow this first component of the South Melton Sustainable Neighbourhood to come forward ahead of the completion of the link between Kirby Lane and Dalby Road.

The principle of a South Melton Sustainable Neighbourhood as a key strategic site to deliver the Council's strategy is supported. With its land interests to the south Melton, Davidsons Developments has a key role to play in the delivery of the Sustainable Neighbourhood. The work Davidsons has undertaken in preparing detailed designs for the southern link road and for the outline application for the delivery of 1,500 homes demonstrates that the proposed South Melton Sustainable Neighbourhood is a deliverable opportunity.

However, we are concerned that the approach the Council has taken in the Submission Draft Plan to the identification of the South Melton Sustainable Neighbourhood as a 'strategic development location', including the Concept Map included as Figure 7, means that the plan is fundamentally unsound in that it is not adequately justified or effective.

The Submission Draft Local Plan was considered by Council at an Extraordinary Meeting on the 20th October 2016. As originally drafted, Policy SS4 proposed that the South Melton Sustainable Neighbourhood (SSN) be identified as a strategic allocation on the Policies Map. An Erratum presented to the meeting proposed that the description of Sustainable Neighbourhoods to the north and south of the town be amended to 'strategic development location' in order to allow better opportunity for development of detailed composition following resolution of key issues. A copy of the Erratum is included as part of these submissions. It is noted however that the both the Melton South and Melton North Sustainable Neighbourhoods are still included in Policy C1 (A) Housing Allocations.

With this late amendment, it appears that the Council is not proposing the allocation of the Sustainable Neighbourhoods through the Local Plan, as was clearly the original intention. As set out in our separate representations, the Government's clear preference as confirmed in the National Planning Policy Guidance (NPPF) and National Planning Practice Guidance (NPPG) is that Councils should prepare a single local plan for its area, with additional development plan documents only being used where clearly justified. As the Submission Draft Plan is framed, it is not clear how the Council intends to progress the Sustainable Neighbourhoods through subsequent development plan documents if they are not shown as allocations in the Local Plan.

In our view, given the critical role the proposed Sustainable Neighbourhoods play in the delivery of the Local Plan strategy, they should be included as proposed allocations as was originally proposed by the Council. For the South Melton Sustainable Neighbourhood, the Council has sufficient information available from the work it has undertaken and supported by the technical studies undertaken by Davidsons Developments, to allow it to allocate land for the provision of the South Melton Sustainable Neighbourhood in the Local Plan.

The Indicative Framework Plan submitted by Davidsons in response to the Emerging Options Local Plan consultation, and included as part of these submissions, should form the basis for the allocation of land for the South Melton Sustainable Neighbourhood. The Indicative Framework Plan reflects detailed design work for the southern link road that provides a route that is technically deliverable. Within the land under its control, Davidsons Developments can deliver a new link road from Burton Road to Dalby Road along with a link connecting Kirby Lane with Leicester Road.

The Concept Plan at Figure 7 of the Submission Draft Plan does not provide an appropriate basis for the South Melton Sustainable Neighbourhood. It does not show a route for the Southern Link Road that is technically deliverable and supported by the evidence. The westernmost part of the link road between Kirby Lane and Leicester Road falls outside the land under Davidsons control and is not therefore deliverable. The route indicated on Davidson's Indicative Framework Plan reflects detailed

design work on the road undertaken by ADC Infrastructure. In preparing the proposal for the link road, the Highway Authority was consulted and the design was amended to reflect comments received. The route for the southern link road as shown on Davidsons' Indicative Framework Plan should form the basis of the South Melton Sustainable Neighbourhood Allocation and the route should be identified as the preferred corridor for the link road on the Proposals Map.

For the easternmost part of the site towards Burton Road, the Council's Figure 7 Concept Plan shows the route of the link road following existing hedgerow boundaries. Whilst the plan is indicative, this suggested routeing is clearly impractical. Davidsons' Indicative Framework Plan shows the proposed link road running slightly to the south of existing field boundaries in this location in order to achieve appropriate alignment with the proposed roundabouts on Sandy Lane and Burton Road and to ensure a sufficient quantum of development to support the delivery of the necessary supporting transport infrastructure.

In preparing the Submission Draft Plan, the Borough Council has engaged with Historic England in relation to the potential impacts of the proposed South Melton Sustainable Neighbourhood on the St Mary and St Lazarus Scheduled Monument (SAM) located to the north of Burton Lazars. A number of meetings have been held with Council officers and representatives from Historic England and Davidsons Developments. Following these meetings, Historic England responded to the Council in May 2016, advising that Davidsons Indicative Framework Plan would result in substantial harm to the SAM due to the development and link road extending south of existing field boundaries to the east of Sandy Lane. This is despite the fact that, in responding to identical proposals that formed part of a planning application for the development of 175 dwellings submitted in February 2015, Historic England concluded that the harm would be less than substantial. There has been no material change to the proposals for this part of the site to justify Historic England's revised advice.

Following Historic England's response in May 2016, CgMs on behalf of Davidsons Developments reconsidered and revised the Heritage Assessment prepared to support the outline application for 1,500 dwellings. This provided additional information and an analysis of the historical context between the SAM and the development site. In addition, further landscape and visual assessment was undertaken and incorporated into the Design and Access Statement to further assess the potential impact of the proposals on the setting of the SAM. Copies of the Heritage Assessment and Design and Access Statement for the outline application are included as part of these submissions.

On the basis of this evidence, it is considered that there is no justification for Historic England's conclusion of substantial harm. The Heritage Assessment provides a detailed review of historical records which shows that there is no historical evidence of the association of the field to the north of the SAM with the SAM itself, and therefore no historical basis for the contention that the development would constitute substantial harm to the SAM. In terms of the visual impact of the proposals, the further assessments and visualisations included in the Design and Access Statement for the outline application demonstrate that the proposed alignment of the link road and associated development, with associated landscaping proposed, would not result in a significant visual impact and would not constitute substantial harm to the setting of the SAM. For its part, Historic England has provided no clear evidence, historical or otherwise to justify its conclusions on substantial harm or to explain why its position has changed since its original advice provided in February 2015.

Davidsons remain firmly of the view that Historic England's contention of substantial harm associated with its development proposals is unsubstantiated and unjustified. The thorough assessment of this issue as set out in the supporting documentation confirms that any impacts to the setting of the SAM would be less than substantial. In accordance with paragraph 134 of the NPPF, the benefits associated with the South Melton Sustainable Neighbourhood, including the significant contribution to meeting housing needs and delivery of a key component of strategically important transport infrastructure in the form of the southern link road, clearly outweigh the less than substantial harm to heritage assets.

Melton Borough Council should continue its discussions with Historic England on this issue to reach agreement that the harm to heritage assets is less than substantial in this case and are outweighed by the clear strategic benefits associated with the delivery of the South Melton Sustainable Neighbourhood.

The inclusion of illustrative Areas of Separation on Figure 7 is also not considered appropriate. The Local Plan includes a policy, Policy EN4 on Areas of Separation which identifies a number of Areas of Separation. The Local Plan should identify these Areas of Separation more specifically on the Policies Map.

For the South Melton Sustainable Neighbourhood, the Settlement Fringe Sensitivity and Local Green Space Study identified broad Areas of Separation between Melton Mowbray and Burton Lazars and Melton Mowbray and Eye Kettleby. Landscape assessments undertaken to inform the Indicative Framework Plan demonstrate that development to the south of Melton can be accommodated without threatening separate identities of Burton Lazars and Eye Kettleby. Areas of Separation should be identified more specifically on the Policies Map. This could include land south of the proposed southern link road and Burton Lazars and Eye Kettleby.

The South Melton Sustainable Neighbourhood represents a sustainable development solution and is a key component of the Council's strategy to deliver growth over the plan period. It will play a key role in supporting the delivery of the southern link road as part of the Melton Distributor Road. As a key strategic site, the Local Plan should be clear in its allocation of the site rather than its proposed identification as a strategic development location.

The Indicative Framework Plan prepared by Davidsons Developments is based on supporting technical evidence, including design of the proposed southern link road. The Local Plan should be amended to show the site as an allocation on the Policies Map with route of the southern link road identified as the preferred corridor for the link road. The allocation of the strategic sites could follow the approach set out in the Charnwood Local Plan Core Strategy which allocated land for sustainable urban extensions west of Loughborough and east of Thurmaston. The approach in the plan was to show a redline boundary showing land allocated on the Policies Map with a concept masterplan included for the site for illustrative purposes.

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Policy SS4 should be amended to refer to the identification of the South Melton Sustainable Neighbourhood as an allocation on the Policies Map.

The following additional text should be inserted after para 4.4.7:

"The redline boundary on Figure 7 shows the land allocated for the South Melton Mowbray Sustainable Neighbourhood on the Policies Map along with the preferred corridor for the southern link road. It also shows a concept masterplan for the site for illustrative purposes. We will work with our partners to refine the masterplan as more detailed evidence is prepared."

Figure 7 should be replaced with a plan reflecting the Indicative Framework Plan prepared by Davidsons Developments and submitted as part of these representations.

The Policies Map should define Areas of Separation between the South Melton Sustainable Neighbourhood and Burton Lazars and Eye Kettleby.

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Policy SS2 sets out the overall development strategy for the Borough over the plan period to 2036. It indicates that provision will be made for the development of at least 6,125 homes, with Melton Mowbray urban area identified as the priority location for growth, accommodating 65% of the Borough's housing needs. The policy sets out the proposals to deliver at least 3,980 homes and up to 31 hectares of additional employment land by 2036 and advises that development will be expected to contribute positively to the provision of key infrastructure, including traffic relief within the town.

The policy is supported. It appropriately recognises the key role played by Melton Mowbray as the most sustainable settlement in the Borough. Melton Mowbray is the focus for a wide range of services and facilities and employment opportunities meeting the needs of its residents and those residents in smaller settlements across the Borough.

The proposed distribution of 65% of the housing need to Melton Mowbray over the plan period is considered an appropriate and sustainable approach which recognises the role played by the town as the major sustainable centre in the Borough, whilst at the same time allowing for further growth in the more sustainable rural villages to support their services and facilities.

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