4 reps
1. Policy SS3
2. Policy EN10
3. Policy SS4
4. Policy EN4

Melton Local Plan
The Borough's Future

Melton Borough Council

MELTON LOCAL PLAN – PRE SUBMISSION DRAFT (NOVEMBER 2016)

For official use only
Respondent Ref:
Date Received:

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).

When making representations, **please use a separate Part B form for each policy or paragraph you wish to comment on. Before completing the form you should read the accompanying Guide to Making Representations.** Please ensure that your representation relates to the correct test of soundness (details can be found in the Guide to Making Representations)

Completed forms should be returned to the address below no later than **Monday 19th 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 http://www.melton.gov.uk/localplan/site/index.php and print it out or complete it electronically and e-mail your response to planningpolicy@melton.gov.uk

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:
Robert Malcolm Hobbs	
Organisation (if applicable)	Organisation/Client Representations on Behalf Of
Address:	Address:
[redacted]	
Postcode:	Postcode:
[redacted]	
Email:	Email:
[redacted]	
Contact Number:	Contact Number:
[redacted]	

Number of Representations Enclosed:	4
Signature:	[redacted]
Date:	13/12/2016

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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. 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	x	Participate at the Oral Examination	

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

Please note: *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)*

Melton Borough Resident	X	Planning Agent/Planning Consultant	
Developer		Utility/Service Provider	
Government Organisation		Amenity Group	
Other Organisation		Residents Group	
Business		Town/Parish Council	
Other *(Please state)*			

Do you want to have further involvement in the Melton Local Plan? *(Please tick the appropriate boxes)*

If you wish to be notified at the address/e-mail provided in Part A when the Melton Local Plan is submitted to the Secretary of State for Communities & Local Government	X
If you wish to be notified at the address/e-mail provided in Part A when the Inspector's Report is available to view	X
If you wish to be notified at the address/e-mail provided in Part A when the Melton Local Plan is adopted	
If you/your organisation wish to be included in future consultations on the Melton Local Plan	
If you/your organisation **do not** wish to be included in future 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.

Respondent Ref:	Representation Ref:
Name/Organisation:	

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:	SS3	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	X	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*

5. Do you consider that the Melton Local Plan: Pre-Submission Draft is unsound because it is not any of the following? *(Please tick the appropriate box)*

1. Positively Prepared		2. Justified	X	3. Effective		4. Consistent with National Policy	

6. Please give details of why you consider the Melton Local Plan: Pre-Submission Draft is not legally compliant or is unsound or fails to comply with the Duty to Co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Melton Local Plan: Pre-Submission Draft or its compliance with the Duty to Co-operate, please use this box to set out your comments. *(Please continue onto a separate sheet if you require more space)*

Policy SS3 is JUSTIFIED as it is consistent with National Policy specifically:

NPPF Paragraph 7, point 3: "... contributing to protecting and enhancing our natural, built and historic environment."

NPPF Paragraph 126: "Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:

- the desirability of new development making a positive contribution to **local character and distinctiveness**; and
- opportunities to draw on **the contribution made by the historic environment to the character of a place.**

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)*

No change necessary.

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Name/Organisation:	

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

Paragraph:		Policy:	EN10	Policies Map:	

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

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

**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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13. Positively Prepared		14. Justified	X	15. Effective		16. Consistent with National Policy	

6. Please give details of why you consider the Melton Local Plan: Pre-Submission Draft is not legally compliant or is unsound or fails to comply with the Duty to Co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Melton Local Plan: Pre-Submission Draft or its compliance with the Duty to Co-operate, please use this box to set out your comments. *(Please continue onto a separate sheet if you require more space)*

NPPF Paragraph154. "Local Plans should be aspirational but realistic. They should address the spatial implications of economic, social and environmental change. Local Plans should set out the opportunities for development and **clear policies on what will or will not be permitted and where**. Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan."

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)*

As per letter from The Department for Communities and Local Government to Clr J Simpson dated 26th August 2016 which states;

*"The new planning tests announced in the June 2015 written statement reflect our view that wind turbines should only get the go-ahead when local people say they want them and where. **I can confirm that the statement does** not require local planning authorities to identify suitable areas for wind energy development."*

Therefore LCU8 should be removed from the plan.

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

Paragraph:		Policy:	SS4	Policies Map:	

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

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

**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 Melton Local Plan: Pre-Submission Draft is unsound because it is not any of the following? *(Please tick the appropriate box)*

5. Positively Prepared		6. Justified		7. Effective		8. Consistent with National Policy	X

6. Please give details of why you consider the Melton Local Plan: Pre-Submission Draft is not legally compliant or is unsound or fails to comply with the Duty to Co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Melton Local Plan: Pre-Submission Draft or its compliance with the Duty to Co-operate, please use this box to set out your comments. *(Please continue onto a separate sheet if you require more space)*

Policy SS4 conflicts with Policy EN4 in this plan and is therefore NOT consistent with National Policy:

NPPF Paragraph154. "Local Plans should be aspirational but realistic. They should address the spatial implications of economic, social and environmental change. Local Plans should set out the opportunities for development and **clear policies on what will or will not be permitted and where**. Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan."

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Chapter 8: **Figure 7 - The Southern Sustainable Neighbourhood Concept Map** should be re-drawn to indicate the intention to enforce the Environment section of Policy SS4;

Notably points:

"en1: Protection of the separate identities of Burton Lazars and Eye Kettleby in accordance with Policy EN4 and respond to settlement fringe sensitivity in accordance with Policy EN1 to create a locally distinctive development and an improved town edge;"

"en3: Protection and enhancement of historic and archaeological features in accordance with Policy EN13; including the St. Mary and St Lazurus hospital scheduled monument"

"m3: Areas of green infrastructure and green space (including important strategic green gaps to be protected);"

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

Paragraph:		Policy:	EN4	Policies Map:	

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

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

**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 Melton Local Plan: Pre-Submission Draft is unsound because it is not any of the following? *(Please tick the appropriate box)*

9. Positively Prepared		10. Justified		11. Effective		12. Consistent with National Policy	X

6. Please give details of why you consider the Melton Local Plan: Pre-Submission Draft is not legally compliant or is unsound or fails to comply with the Duty to Co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Melton Local Plan: Pre-Submission Draft or its compliance with the Duty to Co-operate, please use this box to set out your comments. *(Please continue onto a separate sheet if you require more space)*

NPPF Paragraph154. "Local Plans should be aspirational but realistic. They should address the spatial implications of economic, social and environmental change. Local Plans should set out the opportunities for development and **clear policies on what will or will not be permitted and where**. Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan."
The zig-zag lines used are not acceptable to describe Areas of Separation.

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)*

Policy EN4 is a very important policy and has the support of borough residents. However, to carry any weight it should be clear. The zig-zag lines used to indicate Areas of Separation in the Melton Borough Areas of Separation, Settlement Fringe Sensitivity and Local Green Space Study (Influence, 2015) should not be repeated in the Local Plan documents but should be replaced by clearly delineated areas that indicate exactly 'what will be permitted and where". This should particularly apply to Figure 7, The Southern Sustainable Neighbourhood Concept Map in Chapter 8 which presently indicates encroachment of development into two Areas of Separation.