



CABINET – 13 DECEMBER 2016

MELTON LOCAL PLAN – PRE SUBMISSION DRAFT

CONSULTATION RESPONSE

REPORT OF THE CHIEF EXECUTIVE

PART A

Purpose of the Report

1. The purpose of this report is to seek the approval of the Cabinet for a response to the Melton Local Plan Pre Submission Draft which has been produced by Melton Borough Council.

Recommendations

2. It is recommended that;
 - a) The detailed comments on the Melton Local Plan Pre Submission Draft as set out in the Appendix to this report, be submitted to Melton Borough Council as the views of the County Council;
 - b) The key comments set out in paragraphs 26 to 41 of the report be specifically drawn to the attention of Melton Borough Council.

Reasons for Recommendations

3. To ensure that the County Council provides appropriate input at this key stage in the Local Plan process, so that issues of importance for the County Council are clearly expressed and the authority influences the shape and content of the Local Plan.

Timetable for Decisions (including Scrutiny)

4. Officers have prepared a response to the Pre Submission Draft which needs to be submitted to Melton Borough Council before the end of the consultation which ceases on 19 December 2016.
5. Consideration of the draft plan and representations by the Secretary of State through Examination is scheduled from February 2017. Melton Borough Council anticipates that the Local Plan will be adopted in 2018.

Policy Framework and Previous Decisions

6. In recommending a County Council response particular consideration has been given to the Local Plan's:
 - Consistency with the provisions of the County's Waste Development Documents and Mineral Development Documents;
 - Consistency with the County Council's Strategic Plan 2014 to 2018 and Enabling Growth Plan (March 2015);
 - Consistency with the Leicester and Leicestershire's Enterprise Partnership's (LLEP) Strategic Economic Plan (2014);
 - Impact on the County Council's ability to implement any service or infrastructure it provides,
 - Impact on the County Council's interests as land and property owner; and,
 - Impact on the County Council's role as Lead Local Flood Authority (LLFA) for Leicestershire.

National Context

7. The Government has made significant changes to how planning operates at a national and local level. The Localism Act and the National Planning Policy Framework (NPPF) have brought into operation a system which places greater emphasis on local decision-making, removes the regional tier and reduces the extent of national planning guidance.
8. The NPPF, published in March 2012, set out a streamlined approach to national planning policy to empower local authorities and local communities to make decisions about the sustainable development of their area through local and neighbourhood plans. National Planning Policy Guidance (NPPG) on a range of topics, assists in the interpretation and application of the NPPF. Local Plans must be positively prepared, justified, effective and consistent with the NPPF and NPPG, applying objectives of national policy to local circumstances and local priorities.

Regional Context

9. The Localism Act gave the Secretary of State power to revoke Regional Plans, and the East Midlands Regional Plan, published by the Secretary of State in March 2009 was revoked on 12 April 2013. The Localism Act introduced a Duty to Co-operate which applies to all local authorities and a number of other agencies. The Duty to Co-operate is the mechanism for agreeing strategic issues that go beyond individual local authority boundaries.
10. Work is underway on the preparation of a Strategic Growth Plan to 2050 for Leicester and Leicestershire; this will greatly assist joint working with the City Council, the Leicestershire districts and the LLEP on strategic planning matters. Between 5 August 2016 and 16 September 2016 consultation was undertaken on the Strategic Growth Statement, which forms the first stage of the Strategic Growth Plan. It is anticipated that consultation on the draft Strategic Growth Plan

will take place in Summer 2017, prior to publication of the final Strategic Growth Plan in early 2018.

11. The local planning authorities and the County Council work closely with the Leicester and Leicestershire Enterprise Partnership (LLEP) to ensure planning policies and proposals are aligned with sub-regional economic priorities set out in the Strategic Economic Plan (SEP).

Previous Decisions on the Melton Local Plan

12. On 3 April 2012 the Cabinet agreed comments on the Melton Local Development Framework Consultation: Melton Core Strategy Submission version which included key comments on the Melton SUE and broadband.
13. The Melton Core Strategy was withdrawn from Public Examination in April 2013, closely followed by a commitment to develop a New Local Plan swiftly and engaging as many people as possible in the process, mostly through the use of reference groups.

Resource Implications

14. There are no resource implications arising from this report.

Circulation under the Local Issues Alert Procedure

15. A copy of the report has been sent to County Councillors representing Electoral Divisions in Melton Borough:

Mrs. P. Posnett CC
 Mr. J. B. Rhodes CC
 Mr. J. T. Orson CC
 Mr. A. E. Pearson CC

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PART B

Melton Local Plan Pre Submission Draft - November 2016

16. The draft plan includes policies and proposals for Melton Borough for the plan period 2011 to 2036. In brief, the spatial strategy makes provision for at least 6,125 dwellings and 51 hectares of employment land. It distributes the majority of housing (approximately 65 per cent of the requirement, at least 3,980 dwellings and up to 31 hectares of employment land) and employment growth to Melton Mowbray, and the remaining 35 per cent (1822 dwellings) of the housing requirement is shared between the villages, through an allowance for 'windfall' development (small sites accounting for 15 per cent) and site allocations.
17. The spatial strategy also identifies specific housing targets for the villages identified as Service Centres and Rural Hubs based on their population but also informed by the availability of suitable sites. Allocations are identified along with 'reserve sites'. It is explained in the draft plan that these 'reserve sites' are selected to maintain supply should an allocation not come forward.
18. The draft plan identifies two new Sustainable Neighbourhoods, which will effectively form urban extensions to the north and south of Melton Mowbray. These will accommodate housing and employment growth identified for the town and will also deliver sections of the Melton Mowbray Distributor Road.
19. The Melton Mowbray North Sustainable Neighbourhood (NSN) will deliver 1,700 dwellings (1,500 dwellings within the plan period) and small scale economic development start-ups and a new primary school. The Melton Mowbray South Sustainable Neighbourhood (SSN) will deliver 2,000 dwellings (1,700 dwellings within the plan period) 20 hectares of employment land and a new primary school.
20. Proposals are also included for employment development in Melton Mowbray and an extension to the Asfordby Business Park.
21. As anticipated in the draft plan policies are also included on matters such as the delivery of an appropriate housing mix, affordable housing, gypsy and traveller accommodation, healthy and sustainable communities, a vibrant town centre, tourism, environment, landscape, heritage, open space and design.
22. Infrastructure and facilities to support the growth of communities are set out in the draft Infrastructure Development Plan.
23. A Memorandum of Understanding (MoU) was signed by all of the local authorities in the Leicester and Leicestershire Housing Market Area (L&L HMA) in late 2014 which confirmed that each local authority could meet its own Objectively Assessed Need (OAN) as identified in the Strategic Housing Market Assessment (SHMA) up to 2028, and that the local authorities would continue to work together to support the preparation of Local Plans post-2028.
24. All partners in Leicester and Leicestershire are currently working together on the preparation of a Housing Needs and Economic Development Needs Assessment

(HEDNA) which will form a key piece of evidence for the Strategic Growth Plan. A joint position statement has been prepared recently confirming the collaborative work which is ongoing to inform housing and employment provision to 2036. All partners are signatories to this joint position statement.

Context for Comments relating to County Council Landholdings

25. The comments include a consideration of the effects of the proposals on County Council landholdings and property assets in Melton Borough.

Key Comments

26. Key comments are summarised below, and detailed comments are included in the Appendix.

Education

27. Although the proposals set out in the draft plan are welcomed in the sense that they define the expected housing growth strategy within the Borough for the next 20 years it is insufficiently detailed for school place planning purposes. Officers continue to hold discussions to secure data for year on year housing trajectories to inform school place planning.

28. There are two fundamental issues from an educational perspective as follows:

- **Sequence of growth.** This is of particular importance in the Service Centres and Rural Hubs where a number of individual housing proposals might contribute to the expansion of local primary schools. If the delivery of these developments does not occur simultaneously then planning for the provision of additional school places can create significant capital funding risk.
- **Impact on secondary provision in the Melton Mowbray urban area.** The lack of clarity around the sequence and size of developments to the north and south of the town is a concern. More clarity will help the County Council determine the most appropriate solution for the provision of places.

In some locations there will be potential for phased development of additional provision to mitigate the financial risks, but this will not be the case for all schools.

29. The inclusion of a new primary school for each of the two Sustainable Neighbourhoods is welcomed.

30. There are three potential options for the provision of additional secondary spaces for Melton Mowbray. The best solution is considered to be a new secondary school to the south of Melton Mowbray.

31. If the Sustainable Neighbourhoods are timed sequentially it would help for a more strategic approach to be taken and for solutions to be arrived at and agreed with Melton Borough Council.

32. Elsewhere in the Borough development within the Service Centres and Rural Hubs will require S106 contributions. Many of these locations occupy constrained sites, and are located in conservation areas. Two examples are Long Clawson and Somerby. In such circumstances it would be appropriate for the County Council to seek from developers the full costs of expanding schools rather than a contribution based on the yield rates and cost multipliers. In such circumstances payment is required at an early stage, if this is not possible then the County Council may also seek an additional contribution to cover transport transitional costs for pupils to travel to nearby schools until such a time as the new school accommodation is available.
33. Secondary provision in the Borough will fall within the catchment area of the Melton town secondary schools or within the catchment area of the Bottesford Belvoir High school, which based on current forecast pupil numbers is capable of expansion to accommodate the additional pupils, so does not pose an issue.
34. In summary, with regards to the educational element of the Plan the current situation is that although the issues are not considered to be insurmountable they pose a significant financial risk to the County Council if solutions are not identified and tied into the requirements of the Local Plan. Officers are keen to provide guidance towards a solution/solutions.
35. There is a need to look at the forward funding of infrastructure before housing is delivered. Furthermore, transitional arrangements strongly relate to the Community Infrastructure Levy (CIL) which will need to align with the Infrastructure Delivery Plan alongside the Local Plan.
36. Melton Borough Council anticipates consulting on a charging schedule for CIL in early 2017. This will be the first proposed in Leicestershire and it will be crucial that the infrastructure required to support the draft Plan has been properly identified, costed and tested for viability to support the deliverability of the Plan.

Transport

37. In brief, the County Council understands and supports the emerging transport strategy including the need for a Melton Mowbray Distributor Road in order to deliver the planned growth in Melton over the next plan period. It has worked closely with Melton Borough Council on developing a robust evidence base that has identified the transport issues in the town, the impact of those issues on Melton's ability to accommodate future growth which has led to the conclusion that a key element of the strategy is the provision of additional highways infrastructure in particular a distributor road. The evidence has further demonstrated a route to the east of the town would have the greatest overall benefits.
38. At present, the Local Plan does not clearly set out the thoroughness of the work that has been undertaken to inform the development strategy and how it relates to the future growth of the town. It would be unfortunate if others had concerns over the deliverability of the plan and therefore consider it to be possibly unsound as a result of this. Therefore it would be helpful to strengthen the Plan to

demonstrate the robust evidential approach that has been undertaken in developing the plan and identifying associated transport infrastructure.

39. In summary, the County Highway Authority has no cause to question the soundness of the Local Plan in respect of the proposed proportion of housing growth to be accommodated in and around Melton Mowbray and the proportion elsewhere across the Borough. Nor does it with respect to the proposed levels of housing allocated to the various villages. Consideration of specific sites will be subject to normal considerations through the development management process including (for example) the provision of safe and satisfactory site access and any required highways and transport mitigating measures.

Strategic Assets

40. In brief, in relation to the County Council's role as landowner the key comments are:

- The Council supports the rationale for the distribution of housing (65 per cent Melton Town/ 35 per cent rural); however it notes the need for flexibility to ensure sustainable sites can be brought forward in lower tiers of the settlement hierarchy.
- The Council supports the proposed allocation of Melton Mowbray North Sustainable Neighbourhood which would include County Council owned land at Sysonby Farm. It notes that the site is capable of making a significant contribution to the infrastructure needs of the town. A flexible approach to master planning is requested to expedite delivery, and to note the scheme can deliver significantly higher numbers than the 1700 dwellings proposed in the plan period.

Waste Management

41. Any development around Melton Mowbray is likely to have a detrimental effect on the civic amenity infrastructure which already has an evidenced capacity shortfall. The Melton Mowbray civic amenity site provides an on demand service to which at peak times there has been an evidenced capacity deficiency. Furthermore, the Melton Mowbray civic amenity site has no effective means of increasing capacity beyond that already identified and allocated to existing planning obligations or historical planning applications. Appropriate mitigation measures, which may include land for and development of or contributions towards land for and development of a new civic amenity site and / or waste transfer station to off-set the increased demand placed on the waste infrastructure, need to be recognised in this plan.

Equality and Human Rights Implications

42. Through their policies, Local Plans have significant implications for disadvantaged people living in Leicestershire. By seeking to ensure economic growth is secured and an appropriate provision of affordable homes is made, the County Council can, through its representations, contribute to the needs of disadvantaged groups.

Background Papers

National Planning Policy Framework (NPPF) – March 2012

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/60777/2116950.pdf

Leicestershire County Council Strategic Plan 2014 – 2018

http://www.leics.gov.uk/leics_strategic_plan.pdf

Report to the Cabinet – 16 March 2015 - Enabling Growth Plan -

[http://politics.leics.gov.uk/Published/C00000135/M00004360/AI00043150/\\$6EnablingGrowthPlan.docA.ps.pdf](http://politics.leics.gov.uk/Published/C00000135/M00004360/AI00043150/$6EnablingGrowthPlan.docA.ps.pdf)

Appendix

Melton Local Plan Pre Submission Draft - Leicestershire County Council response