

**CABINET - 10 FEBRUARY 2017****PLANNING APPLICATIONS IN MELTON BOROUGH VILLAGES****JOINT REPORT OF THE CHIEF EXECUTIVE AND THE DIRECTOR  
FOR CHILDREN AND FAMILY SERVICES****PART A****Purpose of the Report**

1. The purpose of this report is to highlight the current position and the challenges faced by the County Council arising from a number of planning applications for housing developments in villages within Melton Borough, in particular in relation to Long Clawson, Somerby and Waltham on the Wolds, and the need to ensure that the local planning authority understands the County Council's position when making its decision on these applications.

**Recommendation**

2. It is recommended that:
  - (a) The concerns of the County Council regarding the applications for housing developments in villages within Melton Borough be drawn to the attention of the Borough Council;
  - (b) That in responding as a consultee on planning applications for housing development the County Council will emphasise the need for the local planning authority to ensure that any development permitted is sustainable;
  - (c) That Melton Borough Council be requested to put appropriate mechanisms in place to ensure that the necessary support, through s106 developer contributions, are secured from individual developers to ensure that the infrastructure needs arising from the developments can be fully provided in a timely manner.

**Reasons for Recommendation**

3. There is a risk that a number of development proposals in Melton villages may receive planning consent in advance of the Melton Borough Local Plan being adopted. This would put pressure on, and risk compromising, existing infrastructure in those areas, particularly schools. This in turn may put a significant financial burden on the County Council and run the risk that important infrastructure needed to support such developments is not provided, resulting in them being unsustainable.

4. It is important that the County Council does what it can to meet the demands on its services in increasingly difficult financial circumstances and local planning authorities should do all they can do to ensure developments are sustainable and meet the reasonable obligations requested of them.
5. Ensuring that developers make appropriate contributions to mitigate the consequences of their developments via s106 is essential if communities are not disadvantaged and the County Council is not put under excessive financial demands which it will not be able to meet.

#### **Timetable for Decisions (including Scrutiny)**

6. Outstanding responses to certain planning applications are now overdue. The local planning authority, Melton Borough Council, needs to determine those applications at the earliest opportunity and there is therefore some urgency in conveying the County Council's consultation responses to Melton Borough Council with regard to the need for education and highways provision.

#### **Policy Framework and Previous Decisions**

7. The County Council is a consultee under the Town and Country Planning Acts (both statutory and non statutory) on planning applications and development plans.

#### **Resource Implications**

8. There are no resource implications arising directly from this report. Considering the implications to and responding to planning consultations is contained within the operational budgets of individual service departments.

#### **Circulation under the Local Issues Alert Procedure**

9. A copy of this report has been circulated to the local members representing electoral divisions in Melton: Mr J. T. Orson CC, Mr A. M. Pearson CC, Mrs P. Posnett CC, and Mr. J. B. Rhodes CC.

#### **Officers to contact**

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## **PART B**

### **Background**

10. The Melton Local Plan is expected to be submitted to the Secretary of State for examination later in February 2017. The Cabinet agreed the County Council's response to the Melton Local Plan consultation at its meeting on 13 December 2016.
11. The Melton Local Plan sets out an expectation for housing growth in many of the rural settlements in the area. In many of these areas the primary schools are small and occupy very constrained sites, having limited potential for expansion. Matters are made more complex as certain schools are located within designated conservation areas. Where school expansion may be feasible then the costs of doing so are expected to be high and may well be challenging in terms of obtaining the necessary developer (s106) contributions. However, there is an expectation, based on the draft policies in the Melton Local Plan that proposed developments should be sustainable and that identified infrastructure needs will have to be met before development can proceed. In other words, developers would be expected to fully fund required provision arising from their developments, including the implications for the costs of associated school transport if necessary.
12. Recent planning applications for housing developments in the villages of Long Clawson, Somerby and Waltham on the Wolds, in each case now exceed the site and housing allocations in the Melton Local Plan. This serves to highlight the current position and challenges posed to County Council services. Whilst the primary focus of this report is around the potential effect on school provision in the area, it also highlights difficulties for the County Council as the Highway Authority and a statutory consultee, and as a provider of other services.

### **Current position in villages**

13. The schedule attached to this report highlights the position (as at 30<sup>th</sup> January 2017) of a number of pending planning applications that have been submitted in the three villages of Melton Borough (Long Clawson, Somerby and Waltham on the Wolds) that, if approved, would exceed the draft Melton Local Plan allocations for housing development in those areas.

#### **Long Clawson**

14. There are currently five live (i.e. undetermined) planning applications at Long Clawson, and one approved application totalling 203 proposed houses. The proposed allocations in the draft Melton Local Plan is for 127 houses, which it is forecast would give rise to the need for 31 primary school places. A single storey solution has been designed for the school that would allow it to provide the additional places to meet the Local Plan requirement and the cost for this is expected to be approximately £1,085,000.

15. If all the planning applications in this area were to be approved, it would be extremely difficult to expand the school further to respond to the resultant increase in demand for school places, and to do so could compromise the effective delivery of education on the existing site. The alternative would be to transport school children to other schools with capacity which would put an unacceptable burden on the County Council in terms of additional transport costs. In these circumstances it would not be unreasonable for the developer to cover these additional costs.

#### Somerby

16. The draft Melton Local Plan provides for 49 houses in Somerby, two applications are currently under consideration by the Borough Council which would provide a total of 60 homes. The approximate cost to extend the local school to meet the requirements for those 60 homes is likely to be in the region of £395,000.

#### Waltham on the Wolds

17. The draft Melton Local Plan details an adjusted allocation of 91 homes for the village. However existing and proposed planning applications total some 329 dwellings. It would be possible to expand the primary school to meet the draft Local Plan requirements for 91 homes, but it would be much more challenging if all the additional homes were approved given that the site is relatively small and occupies sloping ground.
18. Some applications are still being assessed by the County Council as Highway Authority, but given the piecemeal submission of planning applications the County Council would want to see that the local planning authority adequately addresses the cumulative impact of a potential 396 houses (which includes 67 approved within the last 7 months) within Waltham on the Wolds.

### **The County Council's response to the draft Melton Local Plan**

19. The County Council's response to the Melton Local Plan (Pre Submission Draft) was agreed by the Cabinet on 13 December 2016. In relation to education matters the report stated that although the proposals set out in the draft Plan were welcomed in the sense that they defined the expected housing growth strategy within the Borough for the next 20 years, it (the draft Plan) was insufficiently detailed for school place planning purposes.
20. In terms of primary school provision, concern was expressed regarding the 'sequence of housing growth'. This is of particular importance in the defined Service Centres and Rural Hubs (as defined in the Melton Local Plan), where a number of individual housing proposals might contribute to the expansion of local primary schools, such as is the case for Long Clawson. If the delivery of these developments does not occur simultaneously then planning for the provision of additional school places could create significant capital funding risks for the County Council.

21. Concerns were also expressed regarding the adverse impact on secondary school 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 here would help the County Council determine the most appropriate solution for the provision of places.
22. It was noted that 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.

### **Considerations/Conclusions**

23. In terms of the various housing applications for the villages, discussions have been ongoing with Melton Borough planning officers. However, there remains significant uncertainty regarding when and if the various schemes might receive approval, and the timescales and build rates for the new homes. This in turn presents significant challenges in relation to the strategic planning and funding arrangements for new school places.
24. The schedule attached to this report evidence that the housing applications picture is now extremely complex. Applications have been received for sites identified in the draft Local Plan, for other areas designated as reserve sites in the Local Plan, and for some sites not so far identified or allocated. It is clear that in the absence of an adopted Local Plan that there will be continued pressure from developers for new housing proposals to be granted planning approval.
25. In the context of the above it is appropriate that the County Council continue to pursue s106 contributions for the full cost of adapting/expanding schools and where necessary school transport arrangements in order to mitigate exposing the County Council to significant financial risk.

### **Appendix**

Appendix - Melton Planning Applications (as at 30 January 2017).

### **Background Papers**

Report to the Cabinet on 13 December 2016

<http://ow.ly/facv308yYKy>

Report to the Cabinet on 17 June 2016 “Developer Contributions Towards County Council Services” and minutes of that meeting

<http://ow.ly/7cbf308yYNv>

### **Equality and Human Rights Implications**

26. There are no equalities or human rights implications arising from the recommendations in this report.

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