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Date: 17th November 2020
 My ref: JS/JC/20-175
 Your ref: Melton North SN Masterplan
 Contact: John Sinnott
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Dear Edd

Melton North Sustainable Neighbourhood Masterplan

I am writing to you about the Melton North Sustainable Neighbourhood (SN) draft masterplan. I have seen the report that has been prepared for the Borough Council's Cabinet meeting tomorrow and it has been discussed with Cabinet members today. They have asked for this letter to be shown and reported to your Cabinet at its meeting on Wednesday, 18th November.

The County Council set out in writing its concerns about the Melton North SN masterplan on 27 October. However, having read your Cabinet report along with the officer response to our letter, shown at Appendix B, it is noted that the County Council's concerns have once again been largely disregarded.

This piece of work appears to be following a similar path as what happened with the Melton South SN masterplan. That document was also produced without stakeholder engagement and the County Council's concerns were not taken into consideration when it was approved.

You will be aware that discussions are underway to try to re-write the Melton South SN masterplan to help convince Homes England that a credible strategy for growth exists. We need to avoid another situation where a masterplan for part of the North SN is seemingly pushed through without stakeholder support. It will serve little purpose other than to complicate matters and cause delay as developers try to rely upon it while others give it no weight or credibility.

The County Council's substantive concerns remain that the masterplan does not accord with the Melton Local Plan and that the document is being presented without any evidence that it is affordable or deliverable. I have set out below the range of more detailed concerns with the Cabinet report, which underlines the County Council's request that you bring these matters to your Cabinet's attention before a decision is taken.

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Para 1.2 - Report incorrectly states that the Masterplan has been prepared “on behalf of the Council...”. This conflicts with other statements in the report (para 4.3, 5.1, and 5.2) as well as within the masterplan itself (para 1.1), which state that developers have led, and the Council has only been ‘involved’. This is at best misleading as it gives the impression that this is an independent, unbiased, Borough Council document, when it is not. Instead, it is written by developers who have their own interests. It is worded in a way that heavily favours the developers, for instance by using vague generic terminology throughout that allows for interpretation and requirements to be diluted.

Para 1.3 - Report states that the Council will assign “significant weight” to the masterplan when considering planning applications. This is not a credible statement to make. The document will at best carry ‘limited weight’. It has not been subject to stakeholder or public engagement. It covers only part of the SN and therefore does not conform with the Local Plan (policy SS5). It has not been tested as being viable or deliverable. It has not been produced independently, so favours developers over public bodies. It will not have Supplementary Planning Document status. If approved, it would be despite a strong objection from the County Council, a key statutory consultee. It is misleading and unprofessional to advise that this document will carry significant weight if approved.

Para 3.1 - Report states that the masterplan will meet the requirements of Local Plan policy SS5. Your officers are aware that this is simply not the case. Policy SS5 states that the masterplan (including a phasing and delivery plan) should be prepared and agreed in advance or as part of submission of a planning application. It requires that “in order to achieve a comprehensive approach, the masterplan should be prepared for the whole MNSN”. This masterplan covers only part of the SN.

Para 3.3 - Report states that the masterplan “will provide the assurance as required by Leicestershire County Council to ensure the delivery of housing and infrastructure...”. This inaccurate statement is made despite knowing that the County Council has objected to the masterplan.

Para 4.2 - Report refers to the two outline planning applications to the west of Scalford Road and how this detracted from the masterplanning process and complicated matters. This statement is inaccurate and incorrectly implies blame on the County Council’s behalf by wanting to progress its development on Sysonby Farm. A masterplan for the north SN could and should have been brought forward in parallel with those applications, involving all relevant landowners / developers, infrastructure providers and other relevant stakeholders. That approach would have been in accordance with the Melton Local Plan policy SS5.

Para 5.2 - Report refers to how “the document has been produced as an iterative process... where ideas and aspirations have been fine-tuned”. While this may be the case in respect of the Borough Council’s discussions with some of the developers, this is not the case in respect of all developers within the Melton North SN and is not the case in respect of other public bodies and other interested parties. It would be impossible to fine tune a document without having discussions with relevant stakeholders.

Section 6 - This part of the report seeks to set out the options considered. Rather than setting out credible options, it seeks to advise that it is not possible to include land that has planning permission, claiming that “masterplans cannot be retrospectively applied to sites with planning permission”. This is misleading at best. The purpose of a masterplan is to guide and inform how development will be brought forward, providing a framework for design quality, phasing and delivery. It sets out aspirations for how parcels of land will be joined up and provides a consistent approach in terms of issues such as landscaping, materials, built form and styles. Excluding key parts of the sustainable neighbourhood from the masterplan means that different parcels will be able to be brought forward in isolation. This makes it harder to control phasing and delivery. Examples of problems are

that areas of open space on one part of the development would not be linked to areas of open space on another or if they were, there might be a long-time lag. It means that the phasing and delivery of a primary school might not align with phasing for delivery of the other school or homes built elsewhere. This approach is a recipe for un-coordinated and poor-quality development and has no regard to what might happen if land is sold or if a permission lapses or if parcels of land are broken up and brought forward by different house builders, as often happens.

Para 6.4 - Report refers to the only other option being not to adopt the masterplan. The option that the Borough Council is discounting is the best option - to produce a masterplan that includes all land within the sustainable neighbourhood. That would cause delays getting the document agreed, but the Borough Council has had over two years to produce this document already. Taking a few months longer to resolve this is a small price to pay for producing a document that would carry weight and have a degree of credibility.

Para 7.1 - Report refers to not being able to carry out public consultation due to the "deadlines and timetable" applicable to this exercise. No detail is referred to about what deadlines or timetable officers are apparently working to. The Local Plan required the masterplan to be produced in advance of or alongside a planning application. That deadline passed two years ago. The County Council is not aware of any other deadline or timetable that suggests that the document needs to be approved by Cabinet in November 2020. This is misleading in implying that the masterplan must be approved at this time.

Para 7.2 - Report states that the County Council was consulted in early October and responded on 27 October 2020. While it is correct that the County Council received a version of the masterplan that could be viewed on 5 October, and that a response was provided on 27 October, the report (Appendix B, Q2) is not correct where it states that the County Council took 32 days to respond. A response was provided in 22 days. Appendix B suggests that this is adequate time for a key stakeholder to be engaged in a document of this type, comparing this to a planning application where 21 days is allowed. Again, this reference is misleading and misses the point that complex documents of this type take many months to produce and agree. A 4-week consultation is inadequate, which is why problems remain unresolved.

Para 8.1 - Report states that the masterplan will be a material consideration for the determination of planning applications with immediate effect. As referred to above in relation to paragraph 1.3, the lack of clarity in this paragraph about the limited weight to be given to the document is misleading.

Para 9.1 - Report states that there are no financial implications for the Council, stating that the costs have been met by the developers. This approach confirms the lack of independent scrutiny afforded to the document (see comments on para 1.2 above). To have any credibility, the detailed wording of the document should be independently reviewed to ensure compliance with policy, to make sure that appropriate consultation has been carried out (and responses taken account of) and to make sure that independent scrutiny is carried out from a viability perspective.

I do not intend to respond to all the comments in Appendix B to the report other than to say that similar inaccurate statements are made as have been made in the body of the report. That said, I am grateful that some of our more technical comments have at least been agreed and incorporated into the draft masterplan.

In view of the above, I would request that the Cabinet defers making a decision on this matter to allow officers to consider properly the concerns raised by the County Council and follow the correct steps to produce a masterplan that is credible.

I should stress that if the masterplan is approved as is being presented, the County Council will not treat the document as carrying weight and officers will make this clear when responding to planning consultations and when engaging with developers.

The County Council's Cabinet will be updated regarding this matter at its meeting on Friday 20 November 2020.

Yours sincerely

A handwritten signature in black ink, appearing to read "John".