



CABINET – 7 FEBRUARY 2025

RESPONSE TO MELTON LOCAL PLAN PARTIAL REVIEW REGULATION 19 PRE-SUBMISSION CONSULTATION DRAFT

REPORT OF THE CHIEF EXECUTIVE

PART A

Purpose of the Report

1. The purpose of this report is to advise the Cabinet on the content of Melton Borough Council's Partial Review Pre-Submission Draft Local Plan, and to set out the proposed response as the views of the County Council.

Recommendations

2. It is recommended that the County Council's response to Melton Borough Council's Draft Local Plan consultation, set out in paragraphs 34 to 37 inclusive, and the appendix to this report be approved.

Reasons for Recommendation

3. The County Council's response will set out key comments for consideration by Melton Borough Council in progressing its new Local Plan. It seeks to ensure alignment with the Leicester and Leicestershire Strategic Growth Plan (SGP), and to influence the content of the Local Plan in the interests of local communities, including ensuring that the Local Plan provides an as robust as possible policy platform for securing the provision of the infrastructure and services required to support its successful delivery.

Timetable for Decisions (including Scrutiny)

4. The County Council's consultation response is required to be submitted to Melton Borough Council ahead of the close of consultation on 28 February 2025.

Policy Framework and Previous Decisions

5. In 2018 the County Council, Leicester City Council, the seven district councils in Leicestershire, and the Leicester and Leicestershire Enterprise Partnership, approved the Leicester and Leicestershire Strategic Growth Plan (SGP) which provides the long-term vision for planned growth for the area up to 2050. Melton Mowbray is identified as a key centre for regeneration and growth.

6. The Leicester and Leicestershire Strategic Transport Priorities (LLTSTP) was approved by the Cabinet on 20 November 2020. This document has a plan period to 2050 and was developed by the County and City Councils alongside the SGP to ensure the long-term development needs and associated transportation requirements are co-ordinated.
7. In 2021, the Council and its partners (Leicester City Council, the seven district councils and the Leicester and Leicestershire Enterprise Partnership (LLEP)), commissioned the Leicester and Leicestershire Housing and Economic Needs Assessment (HENA). The HENA, published in June 2022, provides evidence that across Leicester and Leicestershire, the projected housing need from 2020 to 2036 is 91,400 dwellings and employment land need from 2021 to 2036 is 344 hectares.
8. In September 2022 the Cabinet approved the County Council becoming a signatory to a Statement of Common Ground (SoCG) relating to Housing and Employment Land Needs (June 2022), setting out how the City Council's identified unmet needs would be accommodated in the County. Melton Borough Council approved the SoCG at its Council meeting in July 2022.
9. In November 2022 the Cabinet received a paper setting out the financial implications for the Council of delivering sustainable and inclusive growth and the approach and principles that it is proposed the Council would adopt to address and manage these risks.
10. In December 2023 the Cabinet approved the response to Melton Borough Council's Local Plan Partial Update – Issues and Options consultation.
11. In October 2024 the Cabinet received a paper on the Strategic Planning Issues associated with the emerging Charnwood Local Plan. This included principles for future engagement of the LHA in other local plan processes in light of the County Council's experience of the Local Plan for Charnwood Borough.
12. In December 2024 the Cabinet received a paper on the Provisional Medium Term Financial Strategy 2025/26 – 2028/29. This outlined that it is critical for Local Plans to be prepared with sufficient evidence to secure contributions and delivery for critical infrastructure and it is necessary for the district councils to work with the County Council to ensure Local Plans include policies that balance the need to support delivery of growth without exposing the County Council to further financial risk.
13. The Council's Strategic Plan (2022 to 2026) has five strategic outcomes, including 'Strong Economy, Transport and Infrastructure' and a 'Clean, Green Future' to ensure Leicestershire has the infrastructure to meet the demands of a growing population, whilst looking to tackle climate change, biodiversity loss and unsustainable resource usage.

Resource Implications

14. There are no resource implications arising from the recommendations in this report. The Council has committed significant resources to engaging in and supporting a collaborative approach to strategic planning, which is intended to facilitate the delivery of growth within the County and mitigate the negative impacts of development.
15. The Council's current Capital Programme includes over £200m to fund infrastructure projects that support growth in the County.
16. Delivering infrastructure (highways, schools and some community facilities) has required significant Council forward-funding and in the current financial climate this approach is no longer possible.

Circulation under the Local Issues Alert Procedure

17. This report will be circulated to all Members.

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PART B

Background

18. The preparation of Local Plans involves various stages of consultation. This consultation from Melton Borough Council is known as a 'Regulation 19' consultation. Comments received will inform the Borough's policy recommendations ahead of submission of the Local Plan to the Secretary of State. It is currently expected that the Local Plan Examination (part of the statutory process prior to formal adoption) will be held late 2025 or into 2026.
19. This consultation from Melton Borough Council builds on a previous Issues and Options Consultation, to which the Council responded in December 2023.
20. The current Melton Local Plan was adopted by the Borough Council in October 2018. It is a legal requirement that Councils review their Local Plan within five years of adoption, to decide whether the plan needs to be updated, either in whole or in part.
21. The outcomes of the five-year review of the Melton Local Plan were considered by Melton Borough Council at its meeting on 28 September 2023. The review concluded that a partial update was required as most of the development management style policies required revision, whilst the Plan's overall strategic policies relating to the spatial strategy, housing targets and allocations continued to be appropriate and did not need an update.
22. Melton Borough Council intends to commence the next update of the Melton Local Plan as soon as possible after the adoption of the Partial Local Plan Update and this will likely be a full update.
23. In December 2024 a new National Planning Policy Framework was published. This included setting out transitional arrangements for new Local Plans. Given Melton Borough Council is updating its existing plan rather than producing a new local plan, it is currently unclear whether transitional arrangements apply in this instance and Melton Borough may be required to submit its plan by 12 March 2025.

Duty to Co-operate

24. It is recognised that should a Housing Market Area (HMA) authority identify, quantify and provide robust evidence to demonstrate an unmet need, it is incumbent upon the HMA authorities to jointly resolve any cross-boundary matters with HMA partners under the Duty to Cooperate, set out in the Localism Act 2011 and National Planning Policy Framework (NPPF) (December 2024). The duty remains in place until such point Government determines otherwise.
25. Without a clear aligned approach to delivery, Leicestershire faces high levels of speculative/indiscriminate development with the consequent high risk of inadequate highway and education infrastructure provision. To avoid this, ongoing commitment from all the local authorities to joint working is therefore

crucial, as is their support for a collaborative and coordinated approach to the defining and allocating of infrastructure funding requirements of Local Plans.

26. The SoCG relating to Housing and Employment Land Needs (June 2022) for the Leicester and Leicestershire area was guided by the [officer] Strategic Planning Group and Members' [Planning] Advisory Group which consisted of representatives from the County Council, Leicester City Council, and the seven district councils. The SoCG sets out the City Council's identified unmet need of 18,700 homes and 23 hectares of employment land for the period 2020-2036 to be accommodated in the County. The SoCG was agreed by all partner authorities.
27. The Charnwood Local Plan 2021-2037 Examination is ongoing, however Inspectors have confirmed in writing, following hearing sessions in October 2022, that they have "no reason to disagree with the HENA's [Housing and Economic Need's Assessment] conclusion that the standard method establishes a minimum local housing need of 91,408 dwellings across the Housing Market Area (HMA) to 2036...Based on the evidence at this stage and pending further testing of housing delivery through the Leicester Local Plan Examination, we consider that a figure of 18,700 dwellings represents a reasonable working assumption for the scale of Leicester's unmet housing need from 2020 – 2036."
28. Melton Borough Council remains committed to meeting the 2022 Statement of Common Ground relating to Housing and Employment Land Needs, which includes the unmet housing and employment needs of Leicester City.
29. The Council continues to cooperate with Melton Borough Council, and with regards the Melton South Sustainable Neighbourhood, officers attended workshops in September 2024 and are working on a Statement of Common Ground on the Delivery of the Strategic Allocation: 'Melton South Sustainable Neighbourhood (MSSN).' It is expected that the County Council will consider becoming a signatory at a future meeting of the Cabinet.

Overview of content of Melton Partial Review Pre-Submission Draft Local Plan

30. The Local Plan Partial Update is an update of the 2018 adopted Melton Local Plan setting out the development strategy, policies and proposals that will guide land use and development in the Borough.
31. The review focuses on embedding climate change and health throughout the Local Plan, as well as the deliverability of the Sustainable Neighbourhoods and updates to economic policies. Melton Borough Council considers that a number of elements of the plan do not require an update, including its development strategy and housing allocations.
32. The updated plan will still cover the period up to 2036 and retain a number of policies from the existing plan, therefore it needs to be read in conjunction with the 2018 adopted Local Plan.

33. Thirty policies are identified as requiring an update.

Overarching response to the submission draft Local Plan document

34. At this stage of local plan-making, the comments of the Council need to focus on compliance and tests of soundness. Paragraph 35 of the NPPF (December 2024) sets out that for a Local Plan to be found 'sound' it needs to be Positively Prepared, Justified, Effective, and Consistent with National Policy.

35. The Council's position can be summarised as follows:

- It is noted this is a partial (not full) review and that the fundamentals of the development (spatial) strategy, plan period and housing allocations remain unchanged.
- Strong justification is given to maintaining the plan period to 2036 with a view to undertaking a full review with an extended plan period. The recognition of the need to embark on a full review quickly following adoption of this partial review is supported.
- The proposed revised policies reflect the Education infrastructure being planned for in Melton.
- The Local Transport Authority (LTA) has no fundamental issues to raise in respect of the partial review.
- Public Health has worked closely with the Borough Council on the wording for policy C9 and C10 and are fully agreed on the wording proposed. A Health Impact Assessment on the Melton Local Plan will be provided in February 2025.

Comments of the Local Transport Authority (LTA)

36. The LTA was engaged proactively by the district council in the development of the current Local Plan and the two parties worked jointly to develop it and to secure its successful adoption. That joint-working has continued through to the Plan's delivery, with the current construction of the Northern and Eastern sections of the Melton Mowbray Distributor Road and (developer) work to build the housing developments that it enables being significant examples of the Plan's delivery in practice. Given this, and that the partial review of the Local Plan has not affected the fundamentals on which it is based – i.e. the overall spatial strategy and the broad approach to seeking to mitigate the impacts of its growth proposals – the LTA has no fundamental issues to raise in respect of its partial review.

37. There are a few areas, as set out in the County Council's overall response in the appendix to this report, where the LTA would welcome further discussions with the district council to seek to refine the Plan's content. However, these are not fundamental issues of soundness; rather they are, predominantly, areas where the Plan could helpfully be strengthened to better support the delivery of the County Council's recently adopted Local Transport Plan 4 Core Document.

Equality Implications

38. There are no equality implications arising from the recommendations in this report. Melton Borough Council is working with the County Council and with other partners in the Leicester and Leicestershire Housing Market Area to provide for the homes and jobs required in the future.

Human Rights Implications

39. There are no human rights implications arising from the recommendations in this report. Melton Borough Council is working with the County Council and with other partners in the Leicester and Leicestershire Housing Market Area to provide for the homes and jobs required in the future.

Environmental Implications

40. The County Council will continue to work closely with Melton Borough Council and other partners to minimise the impact of the planned growth on the environmental assets of Leicester and Leicestershire.
41. The impact upon the environment is a key consideration in all planning decisions made within the context of an approved or emerging Local Plan, and the County Council will seek to ensure that opportunities are taken to enhance the environment through biodiversity net gain and sustainable forms of development.

Partnership Working and Associated Issues

42. The County Council works closely with the Leicester and Leicestershire Strategic Planning Partnership, which includes Melton Borough Council, the other six district councils in Leicestershire, Leicester City Council and the Leicester and Leicestershire Business and Skills Partnership. A strengthening of partnership working is sought to deal with the transport challenges which require a strategy-led approach with multiple partners across Leicester and Leicestershire and the wider area.

Background Papers

The Melton Local Plan 2011-2036

<https://bit.ly/3WiuPmm>

Report to the Cabinet on 23 November 2018: Leicester and Leicestershire Strategic Growth Plan – Consideration of Revised Plan for Approval

<https://bit.ly/3FbUsNL>

Report to the Cabinet on 20 November 2020: Leicester and Leicestershire Strategic Transport Priorities 2020 to 2050

<https://bit.ly/3Uj5oxc>

Report to the Cabinet on 20 November 2020: Draft City of Leicester Local Plan 2020 to 2036

<https://bit.ly/3Uj5oxc>

Report to the Cabinet on 22 June 2021: Urgent action taken by the Chief Executive in relation to the Leicester and Leicestershire Statement of Common Ground relating to housing and employment land needs (March 2021)

<https://bit.ly/3ueF6S8>

Report to the Cabinet on 23 September 2022: Leicester and Leicestershire Authorities – Statement of Common Ground relating to Housing and Employment Land Needs

<https://bit.ly/3EbMySG>

Report to the Cabinet on 25 November 2022: Managing the Risk Relating to the Delivery of Infrastructure to Support Growth

<https://bit.ly/3EN8P9Z>

Report to the Cabinet on 24 October 2023: Melton Mowbray Distributor Road South

<https://bit.ly/47ekawG>

Report to the Cabinet on 22 October 2024: Strategic Transport Planning Issues Associated with the Emerging Charnwood Local Plan

<https://bit.ly/4h6lZR3>

Report to the Cabinet on 19 December 2023: Response to Melton Borough Council's Local Plan Partial Update – Issues and Options Consultation

<https://bit.ly/4a51P7j>

Appendix

Leicestershire County Council Proposed Response to the Melton Local Plan Partial Review Regulation 19 Pre-Submission Consultation Draft