

FULL COUNCIL

4TH FEBRUARY 2015

REPORT OF HEAD OF REGULATORY SERVICES

**MELTON LOCAL PLAN - ISSUES AND OPTIONS RESPONSE SUMMARY AND
PROPOSED APPROACH TO KEY POLICY AREAS**

1 PURPOSE OF THE REPORT

- 1.1 At the meeting on the 16th December 2014 members approved a report on the Melton Local Plan Forward Plan setting out the steps between the Issues and Options and the Preferred Options (Draft Local Plan). As set out in that report Members will be required to give strategic direction on the various steps towards the Preferred Options (Draft Plan).
- 1.2 In accordance with the Forward Plan agreed this report summarises the response received to the Melton Local Plan Issues and Options Consultation and seeks strategic direction on the preferred approach to addressing a number of key issues which will shape the Local Plan and the application of resources within the Local Plans team.

2 RECOMMENDATION

- 2.1 **It is recommended that Council gives the following strategic directions to assist with developing draft policies in the Preferred Options (Draft Plan):**
- I. To prepare the Preferred Options (Draft Local Plan) on the basis of seeking to deliver a target of at least 245 new dwellings per annum between 2011 and 2036 informed by and subject to the most up to date objective assessment of need.**
 - II. To prepare the Preferred Options (Draft Local Plan) without undertaking a detailed review of the all of the Boroughs Village Envelopes.**
 - III. To prepare the Preferred Options (Draft Local Plan) to include Protected Open Areas and Areas of Separation which will involve a review of existing areas and considering the potential designation of new ones through the Local Plan process.**

3 BACKGROUND AND CONTEXT

The Melton local Plan Issues and Options Consultation Summary

3.1 Consultation on the Melton Local Plan Issues and Options was undertaken between 06 October 2014 and 12 January 2015. This involved a number of public events and publicity through a variety of communication media.

296 responses were received to the consultation. On average 27% of respondents answered every question. Approximately 60% of responses were made online using the Community Engagement Software - CitizenSpace.

Question 7 (How should Melton Borough grow) of Chapter 4 received the most responses with 153 respondents answering it. This represents 52% of respondents.

3.3 A breakdown of responses is tabled below.

Group	Number of Responses
Public (individual)	240
Parish Councils	12
Stakeholders (e.g. infrastructure providers; Government Agencies)	11
Community Groups	9
Landowners, Developers or Agents	24
Total	296

3.4 Included as Appendix A is a detailed summary of all responses received and set out below is a brief commentary on the key issues raised by respondents. At this early stage a proposed Borough Council response to each issue has not been included. This will be included as part of the formal Consultation and Engagement Statement to be published alongside the Preferred Options (Draft Plan).

3.5 The level of housing to be planned for over what period will significantly influence all other policies in the plan and therefore needs to be resolved early. The approach to development control policies such as Village Envelopes, Protected Open Areas and the Areas of Separation will have significant resource implications depending upon the policy approach chosen.

3.6 Detailed commentary is provided on these issues as this report seeks strategic direction from members on the approach and sets the framework for developing other policies and Local Plan evidence.

3.7 The strategic direction given by members in response to this report will be used to develop the Local Plan Preferred Options. The direction given does not directly impact on the status of any saved 1999 Local Plan policies used for the determination of planning applications whilst the new Local Plan is under preparation.

4.0 Chapter 1: Introduction

4.1 The only question within Chapter 1 related to the plan period and roughly 88% of those that responded favoured a plan period that looked forward to 2036.

4.2 The NPPF states that plans should be drawn up over an appropriate time scale, preferably a 15 year time horizon, taking account of longer term requirements. It is therefore suggested that members give strategic direction to prepare the plan to cover the period 2011 to 2036.

5.0 Chapter 2: Vision & Objectives for Melton Borough

5.1 The vision and objectives were generally supported subject to a number of minor suggested amendments.

6.0 Chapter 3: Melton Borough Today – A Portrait

6.1 81% of respondents agreed with the portrait for the Borough today. The portrait was generally supported subject to a number of factual amendments and opportunities to enhance some of the detail.

7.0 Chapter 4: Growing Melton Borough – The Spatial Strategy

7.1 Question 6 deals with the overall level of growth based on the range of 195-245 dwellings per annum suggested by the Strategic Housing Market Assessment (SHMA) supported by proportionate employment and infrastructure development.

7.2 133 people responded to the question as follows:

Option 1 - 195 dwellings per annum to meet household projections (35%)

Option 2 - 220 dwellings per annum to meet household projections and partly address affordability and economic development pressures (22%)

Option 3 - 245 dwellings per annum to meet household projections and make the full upward adjustment to meet the full need for housing and address affordability and economic issues (43%)

7.3 There have been a number of recent local cases where the housing requirements set out in the SHMA have been considered by Planning Inspectors. These include the Charnwood Examination in Public and the planning appeals for major housing developments in neighbouring areas. In all case Inspectors have made clear that the objectively assessed need

(OAN) should be met in full unless there are strong sustainability reasons for not doing so.

- 7.4 In Melton Borough's case the Full OAN as demonstrated by the SHMA is 245 dwellings per annum between 2011 and 2036. It looks increasingly unlikely that any significant issues will emerge that will sufficiently justify not planning to seek the full OAN. Not seeking to do so would put at risk the overall soundness of the plan. It is therefore suggested that members give strategic direction to develop the Local Plan on the basis of seeking to deliver 245 dwellings per annum between 2011 and 2036.
- 7.5 In terms of how growth should be distributed the majority of people felt that it should be concentrated on Melton Mowbray but with development in rural communities to support local housing and economic needs.
- 7.6 This section also considered the opportunities for large scale development sites; people felt that development should not be concentrated in one large development. Comments did reference new settlements, but alongside that there was concern that a new settlement would detract infrastructure investment from Melton Mowbray. In terms of preference of the large development locations suggested in Question 10 there was a variety of responses, but the common thread throughout the responses was for a combination of options, delivering housing across more than one site and in tandem, in order to achieve necessary and important infrastructure and the rate of development needed to achieve 245 dwellings a year.

8.0 Chapter 5: Melton' Communities – Strong, Healthy and Vibrant

- 8.1 This section considered housing mix, affordable housing provision, Gypsy and Traveller accommodation requirements and also health. In relation to the current 40% affordable housing requirement, 61% of respondents felt this should remain. However, comments made reference to the Strategic Housing Market Assessment suggesting a lower percentage and the need to fund other infrastructure in the Borough.
- 8.2 In relation to the Rural Exception site policy, it was felt that if this approach has proved successful it should continue. 65% of respondents answered yes to continuing with the current approach. However, within the comments there were concerns that this policy would lead to market housing in the open countryside. These concerns were repeated in the question regarding market housing cross subsidising affordable housing on rural exception sites. The recurring comment in respect of affordable housing was a policy approach which is flexible and accommodates site by site demands.
- 8.3 For Gypsy and Traveller provision, Option 2 – providing accommodation on 2 or more allocated sites was the preference of 60% of respondents. Comments

reflected the preference expressed by representatives of the traveller community of not residing on one large site. However, comments also expressed concern about the location of such development and impact on existing residents.

- 8.4 For the protection of rural local services – 97% of respondents answered yes, local services should be protected. Comments expressed concerns about how such a policy would be applied and enforced, but that local services were vital to rural communities' future.
- 8.5 Should the Local Plan contain a policy on health – 89% of respondents answered, yes, however, some comments reflected concerns about how it would be introduced and enforced, other comments felt health could be encompassed within a good design policy.

9.0 Chapter 6: Melton Borough's Economy – Strong and Competitive

- 9.1 This section considered how the Local Plan can most effectively influence the growth of Melton's Economy. Responses revealed that the transport infrastructure around Melton Mowbray needs to improve in order to support growth in employment. Comments referred to tourism and utilising it to improve the appeal of Melton Town Centre and the Borough, perhaps through mechanisms such as the Rural Capital of Food and the Cattle Market.
- 9.2 Possible growth sectors were suggested to be offices and light industrial units for additional employment throughout the Borough. Comments also suggested that growth should centre around Melton Mowbray, Bottesford, Long Clawson, Asfordby and Waltham on the Wolds – in order to support existing services and generate further growth. The provision of Broadband within all rural settlements was highlighted as essential for supporting this growth.
- 9.3 Comments also reflected the importance of the rural economy, through supporting farm diversification and rural businesses development.

10.0 Chapter 7: Melton Borough's Environment – Protected and Enhanced

- 10.1 There is generally strong support for many of the policies whose aim is to promote environmental protection and sustainability. However, concerns exist over the potential adverse impact on development viability and the enforceability and effectiveness of some policies. It is considered that some topics are beyond the scope of a Local Plan and should be dealt with through Building Regulations, e.g. energy efficiency of buildings and sustainable construction methods. Although we may want to consider policies which seek to go beyond the Building Regulations, subject to economic viability.

- 10.2 There is strong support for a specific policy for renewable energy development, with particular concern over the impact of large-scale wind farms on landscape character. Solar is considered to be the most suitable renewable energy development for the Borough.
- 10.3 Generally it is considered that there is sufficient open space in the Borough, however deficits in certain locations are identified. Several areas are identified as being suitable for Local Green Space designation. However more detail is required to demonstrate NPPF compliance.
- 10.4 The majority of respondents do not support development in areas of significant flood risk and state that sufficient land is available in low risk areas. Bottesford is identified as an area where historic flooding has taken place.

11.0 Chapter 8: Managing the Delivery of the Melton Borough Local Plan (Delivering Infrastructure)

- 11.1 People were asked to prioritise infrastructure investment in the Borough. Transport emerged as top priority.
- 11.2 For question 54 - 69% of respondents ranked transport as the top priority for new infrastructure in Melton Borough. Comparatively, 29% of respondents ranked health and emergency services as the top infrastructure priority.

12.0 Chapter 8: Managing the Delivery of the Melton Borough Local Plan (Managing Development)

- 12.1 The Local Plan will include both strategic policies as well as development management policies. At present policies for development management are the saved policies of the Melton Local Plan 1999 that remain consistent with the NPPF. The Local Plan will review these policies in one single document.
- 12.2 Development management policies will have choices around the use of different policy mechanisms to achieve the same outcome. This is the case with Village Envelopes, Protected Open Areas and Areas of Separation. The key choice is whether to designate land on the policies maps or use criteria based policies to assess the impact of individual proposals on their merits.

13.0 Village Envelopes

- 13.1 Village envelopes serve the purpose of managing development in and around villages outside of allocated development sites.
- 13.2 In the NPPF, there is no mention, of the phrase “village envelopes” (or their kind, expressed in different words). They effectively define areas within which development would in principle be acceptable; and conversely areas outside town and village envelopes where development in principle would not be supported.

13.3 The options presented in the Issues and Options and response is presented in summary below, together with the implications for each approach:

Option 1 - Undertake a review of all village envelopes (34% of respondents who answered the question) - Between 2004-2008 the Borough Council in partnership with Parish Councils undertook a review of village envelopes. Whilst the final report was never published this work could form a useful starting point. However some of the villages have changed significantly since 2008 and the work would need to be revisited in detail. This would involve direct consultation with each community and officer survey of each settlement with consultation with any affected landowners.

The result of the exercise would ultimately lead to redrawing of each village envelope which would potential result in lengthy debate at the Examination in Public resulting in a risk of increase in examination costs.

Option 2 - Review some villages where development is likely to take place and have criteria in places where less development is likely to be encouraged (36% of respondents who answered the question) - This would have similar implications to options 1 & 2 but would be less resource intensive. However it would still require the development of a criteria based policy to manage development in those settlements which would not have a designated village envelope. This approach is quite common in other local plans and an example of policy could include criteria as follows:

Planning permission will only be granted for small sites (sites of 10 or fewer houses) provided that, it is within or adjacent to the existing developed footprint of the village and:

- *Would not result in the coalescence with neighbouring villages*
- *Would not have an adverse impact on the character and appearance of the surrounding countryside*
- *Is of a scale, form and location that is in keeping with the core shape and form of the settlement*
- *Would not result in the loss of important open spaces*
- *Can be served by sustainable infrastructure*
- *It would not result in the loss of high grade agricultural land*
- *the site respects ecological, archaeological and biodiversity features*
- *Would positively enhance the setting or character of the settlement*

Option 3 - Replace village envelopes with a criteria based approach (30%) - The line drawn on a map provides a clearly defined boundary upon people can clearly identify land which is within and land which is outside. However over time this is less flexible and could be a tool which is used to restrict or

discourage positive development. The NPPF is contains a clear presumption in favour of sustainable development. It could be argued that the presence of a “line on a map” lends itself to a presumption against development outside of that line instead of weighing up the potential benefits of the development against its harm. Whilst the majority of development will be expected to be delivered on allocated sites over the plan period it is likely that not all sites will be built out as envisaged. Flexibility in being able to release additional land outside of allocations will be useful in managing development over the plan period but also demonstrating to the Inspector that the housing land supply proposed in the Local Plan has an added degree of flexibility which will be advantageous at the Examination.

- 13.4 Once in place the Local Plan will provide a sufficient supply of development sites (allocations) which will ensure the pressure to release land in locations which are not viewed as appropriate will be much less. These allocations will be for sites capable of accommodating not less than 5-10 dwellings. There will still therefore need to be development on sites below this threshold that will not be allocated in the plan.
- 13.5 There will therefore be occasions where it will be beneficial to release land for development in locations likely to be within and on the edge of villages for small developments.
- 13.6 Overall it is suggested that members direct that the Local plan is prepared on the basis of not undertaking a review of Village Envelopes and instead develop a criteria based approach to assessing development proposals outside of Local Plan Allocations. Undertaking a review of Village Envelopes would involve considerable application of resources within the Local Plans team and there would be a disproportionate effect in terms of the overall development of the Borough. The result would be allocations delivering the majority of the Borough development needs supported by small scale development in appropriate locations and policy which will seek to ensure any development is designed in a way that will enhance the sustainability of villages. This flexibility will assist in meeting the requirements of the NPPF and help to ensure we can effectively manage land supply and development over the plan period.

14.0 Areas of Separation

- 14.1 A number of our settlements are separated from each other by small areas of open countryside which is subject to development pressure. These areas are highly valued locally for their character. The Melton Areas of Separation Report 2006 identified the following strategic areas of separation to avoid the coalescence (joining) of settlements:

- Melton Mowbray and Burton Lazars

- Melton Mowbray and Thorpe Arnold
- Bottesford and Easthorpe
- Asfordby Valley and Asfordby Hill
- Asfordby and Asfordby Valley

14.2 Views were sought on whether these areas should be retained and whether any new areas should be identified. The majority of respondents suggested that these areas should be retained and further areas should be considered. Subject to the recommendation to no longer pursue a Village Envelope policy it is suggested that members give strategic direction to undertake a review of Areas of Separations with a view to carrying forward proposed designations through the Local Plan process.

15.0 Protected Open Areas

15.1 Protected Open areas were considered as part of the review of Village of Envelopes work undertaken between 2004 and 2008 and again could form a useful starting point for any future work. There are many open areas of land within settlements which make an important contribution to the character of the street scene or the physical environment of the settlement as a whole. Some of these sites have historically been promoted for development. The Issues and Options sought views on whether these should be reviewed as part of the Local Plan process. The overall response suggested they should be reviewed, and such a review will not only need to consider the potential designation of new Protected Open Areas it will also need to consider the de-designation of existing ones. It is therefore suggested that Members give strategic direction to commence a review of Protected Open Areas to include designations in the new Melton Local Plan.

16.0 Chapter 9: Development Site Options (starting the process of selecting site allocations)

16.1 This section sought comments on the deliverability and sustainability of sites identified in the Strategic Housing Land Availability Assessment and the Employment Land Review. Roughly 40% of respondents answered question 83 in relation to potential development sites. These responses received will feed into an update of both of these pieces of evidence and the proposed site allocations.

16.2 This section also invited the submission any new potential development sites, to date 18 new sites have been submitted. 6 of these sites were already known, but the boundaries have been revised. All new sites will be published after the 30 January 2015 deadline for submissions to enable the public to make any comments.

17.0 POLICY AND CORPORATE IMPLICATIONS

17.1 This report seek to inform members of the response received to the Melton Local Plan Issues and Options and seek strategic direction form members to assist with the efficient preparation of the Melton Local Plan Preferred Options (Draft Plan). In doing so it does not create any new policy itself however the direction given will guide the preparation of policy.

18.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS

18.1 Members strategic direction on the issues set out in the report will ensure the most effective use of resources. The level of housing to be planned for has financial implication in a number of areas such council tax, planning fee income and contributions from new development.

19.0 LEGAL IMPLICATIONS/POWERS

19.1 There are no direct legal implications of this report.

20.0 COMMUNITY SAFETY

20.1 There are no significant community safety implications arising from this report.

21.0 EQUALITIES

21.1 Each formal stage of preparation of the Melton Local Plan is supported by a Sustainability Appraisal of each option and the preferred. The Preferred Options (Draft Plan) Sustainability Appraisal will be based upon the detailed framework which incorporates Equalities Impact Assessment.

21.2 Therefore equalities impacts are addressed as a continued thread through the process of preparing the Melton Local Plan.

22.0 RISKS

22.1 This report seeks to inform members of the response received to the Melton Local Plan Issues and Options and seek strategic direction form members to assist with the efficient preparation of the Melton Local Plan Preferred Options (Draft Plan). In doing so it does not create any new policy itself however the direction given will guide the preparation of policy. However in doing the recommendation will feed into to the Preferred Option (Draft Plan) to be presented to members in June 2015, here there is a risk that member do resolves to support the Preferred Options and draft Policies associated with the matters set out in the report. This could result in lengthy delays to preparation of the Melton Local Plan.

Probability

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Very High A						
High B					Risk	Description
Significant C		1			1	Members do not support the Preferred Options or Draft Policies relating to the matters considered in this report in June 2015 which will lead to significant delays in the preparation of the Local Plan.
Low D						
Very Low E						
Almost Impossible F						
	IV Neg- ligible	III Marg- inal	II Critical	I Catast- rophic		
	→ Impact					

23.0 CLIMATE CHANGE

23.1 Part of the evidence base for the preparation of the Melton Local Plan will be relevant Climate Change Studies concerning appropriate Policies.

24.0 CONSULTATION

24.1 Each of the stage of the process of preparing the Melton Local Plan is informed by extensive consultation.

25.0 WARDS AFFECTED

25.1 This report refers to matters that affect the whole Borough.

Contact Officer: Luke Fleming (Local Plans Manager)

Date: 19 January 2015

Appendices: Appendix A: Melton Local Plan Issues and Options Consultation Response Summary

Background Papers: None