

# AGENDA ITEM 3A

## SPECIAL MEETING OF FULL COUNCIL

24<sup>TH</sup> SEPTEMBER 2015

### REPORT OF THE HEAD OF REGULATORY SERVICES

#### MELTON LOCAL PLAN EVIDENCE UPDATE

##### 1.0 PURPOSE OF REPORT

- 1.1 This report seeks approval for a number of technical evidence base documents for use in informing the preparation of the Preferred Options (Draft Local Plan) scheduled for public consultation in November 2015.

##### 2.0 RECOMMENDATIONS

- 2.1 **That Council notes that the information in this report is a material consideration in determining planning applications for relevant development and approves it as technical evidence to inform the Melton Local Plan.**

##### 3.0 KEY ISSUES

###### Context

- 3.1 The Planning and Compulsory Purchase Act (as amended) 2004 requires Local Planning Authorities to prepare a development plan for their area. At present this development plan is provided by the saved policies of the Melton Local Plan 1999, read in conjunction with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG).
- 3.2 Following the withdrawal of the Melton Core Strategy from its examination in public in April 2013, it was resolved on 17 July 2013 to commence work on a new comprehensive Local Plan for the Borough alongside a commitment to engage as many people in the process as possible. This included establishing the Melton Local Plan Reference Groups and the creation of the Melton Local Plan Working Group (MLPWG) to oversee the process. A timetable was agreed at this point to progress the plan in stages aiming for adoption in the spring / summer 2017.
- 3.3 Preliminary engagement on the Local Plan was completed in February 2014 and on 30 April 2014 Council approved a draft vision for the Borough. Between October 2014 and January 2015 extensive consultation was undertaken on the Melton Local Plan Issues and Options. This consultation generated approximately 300 responses and 9,000 comments on the key issues and choices facing the development of the Borough.
- 3.4 Informed by numerous engagement workshops with the Melton Local Plan Reference Groups officers are now developing the next formal stage of Local Plan work. This will be a further 12 week public consultation on the Preferred Options (Draft Local Plan). This stage will provide a chance for people to have their say on the preferred development strategy, draft policies and site allocations to guide the development of the Borough up to 2036. It will form part of the process in meeting the requirements of Regulation 18 of the Town and Country Planning Regulations 2014 and provide the Council with the opportunity to adjust the plan before it is

published formally, inviting representations to be considered by an Inspector as part of the public examination.

### **The role of the Local Plan Evidence Base**

- 3.5 The NPPF makes clear that Local Plans must be founded on a robust and credible evidence base. The Local Plan evidence base will be used to demonstrate to an Inspector that the Local Plan is sound i.e. whether it is positively prepared, justified by the evidence, effective and consistent with national policy. The Local Plan evidence base comprises a number of technical studies which look in detail at all issues to be addressed by the Local Plan including, the local housing market, economy, environment and infrastructure needed to support growth. Further studies will be prepared and updated up to, during and beyond the Local Plan examination.

### **Melton Local Plan Evidence Updates**

- 3.6 Included as Appendix 2 are short summaries of the findings of the following evidence bases reports:
- a) Areas of Separation, Settlement Fringe Sensitivity and Local Green Space Study
  - b) Open Space Study Standards Paper
  - c) Melton Mowbray Transport Study : Melton Bypass Options Testing
- 3.7 The full and detailed reports are available in the Members Room and can be downloaded through the web-link at the top of each summary. However, the following section provides a short summary of findings of each study and sets out the main implications for the Preferred Options (Draft Local Plan).

#### Melton Preferred Options Draft Local Plan Implications

##### **a) Areas of Separation, Settlement Fringe Sensitivity and Local Green Space Study (Appendix 2a)**

- 3.8 The Study examines three aspects of landscape in order to inform planning policy formulation, selection of preferred sites for allocation and guidance for future development proposals.
- 3.9 The first aspect of the assessment is a review of the Areas of Separation (AoS), which were previously identified in the 2006 study, and further suggestions that were presented through Issues and Options Consultation in 2014. The purpose of identifying the function, extent and importance of the Areas of Separation will be policy in the new Local Plan. The policy will address the overall principle of preventing coalescence and protecting areas of landscape between settlements, particularly where these are important for tranquillity, and the protection of individual character.
- 3.10 The second aspect of landscape assessed by the Study is the landscape sensitivity of the settlement fringes for Melton Mowbray and the larger settlements. The Study divides the landscape around each settlement into separate Landscape Character Zones (LCZs) and makes an assessment of landscape sensitivity.

- 3.11 For each LCZ, the Study provides guidance in relation to development which includes design guidance, areas most able to accommodate development and identification of landscape elements suitable for incorporation into green infrastructure.
- 3.12 This guidance will be used to inform site allocation policies, the master-planning of future development sites and will inform the development of Landscape policy(ies) in the new Melton Local Plan.
- 3.13 The third aspect of landscape assessed is Local Green Space (LGS). The NPPF sets out the criteria necessary for a LGS designation within a local plan or neighbourhood plan and the study assesses candidate sites against these criteria. The candidates are drawn from Protected Open Areas currently designated in the Local Plan 1999 and suggestions made by Parish Councils.
- 3.14 The Study identifies sites worthy of LGS designation in the new Local Plan. For each site assessed, a strategy for its management is identified, including how a potential site could be made more robust in relation to the LGS criteria.

**b) Open Space Study Standards Paper (Appendix 2b)**

- 3.15 This study sets out an approach to securing open space facilities through new housing development and forms the basis for negotiation with developers for contributions towards the provision of appropriate open space facilities and their long-term maintenance.
- 3.16 The study identifies all open space typologies, identifies the extent of any deficiencies and makes recommendations for each of the four analysis areas: Central Melton; East Melton; North Melton; and West Melton. In addition, quantitative deficiencies are identified on a ward by ward basis.
- 3.17 The Paper provides guidance on determining contributions from developers in accordance with the recommended standards. This includes circumstances when off - site provision may be preferable and a basis for determining the nature and extent of such contributions.

**c) Melton Mowbray Transport Study : Melton Bypass Options Testing (Appendix 2c)**

- 3.18 The study builds upon previous work. These studies have established that the existing network cannot accommodate the level of growth anticipated without severe delays to journey times, and therefore strategic infrastructure investment is required in order to facilitate the overall growth that the town requires. This further study examines the impact that two potential bypass options could provide: an 'inner' and an 'outer' option.
- 3.19 The study concludes that, though significantly lower cost, an 'inner' solution would not create the capacity anticipated to be necessary for the level of provision anticipated by the Local Plan and would also provide no capacity for growth in the longer term, but an 'Outer' approach would provide additional benefits to all routes in the town, to a significantly greater extent, i.e meeting the impact of the current levels of growth anticipated and providing additional capacity for future demand.
- 3.20 The Outer Bypass thereby offers a longer-term solution to the town, and is therefore

a more strategic solution. Delivery of this option does however require multidimensional funding being realised.

### **Next Steps (Remaining Evidence)**

- 3.21 Further studies are under preparation which will inform the Preferred Options (Draft Local Plan) and Sustainability Appraisal.
- a) A detailed Flood Risk Assessment
  - b) Biodiversity and wildlife studies
  - c) A detailed Infrastructure Delivery Plan which will assess all infrastructure requirements and set out how they will be addressed over the plan period as new development comes on stream.
  - d) A review and update of the requirements for provision of Gypsy and Travellers sites (this is being developed on a HMA-wide basis with neighbouring Authorities.
  - e) Regular updating of the Settlement Roles assessment previously considered by Council on 22<sup>nd</sup> July 2015.
- 3.36 It is intended that these studies will be reported to Full Council in November 2015, alongside the Preferred Options (Draft Local Plan).
- 3.37 These studies will need to be kept up to date and where necessary may be reviewed over the duration of the preparation of the Melton Local Plan and beyond.

## **4.0 POLICY AND CORPORATE IMPLICATIONS**

- 4.1 These studies develop our understanding of the key challenges facing the development of the Borough and how the Local Plan may be able to guide development to address them.
- 4.2 Further work is required to draw upon this evidence and to select the preferred development strategy and draft policies for the Borough. To assist this and in part justify the Preferred Options (Draft Local Plan) a Sustainability Appraisal Report (Preferred Options) will be prepared and published alongside the Draft Local Plan. This will test and assist with testing and refining the alternative approaches and assessing their social, economic and environmental effects. This exercise will be informed by this evidence.
- 4.3 These studies are not only relevant to the Melton Local Plan; they provide an evidence base to inform all of the Borough Council's activities and communities wishing to develop their own strategies for the development of their areas through Neighbourhood Plans, and provide evidence to inform decisions on planning applications.

## **5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS**

- 5.1 There are no financial or resource implications arising from this report. The studies have either been produced in house using the resources of the Regulatory Services Team or have been financed through funds allocated in the Local Plan budget.

## **6.0 LEGAL IMPLICATIONS/POWERS**

6.1 The evidence updates are, where relevant, now material considerations in determining planning applications for development.

6.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 and the NPPF require that plans are prepared based on evidence.

**7.0 COMMUNITY SAFETY**

7.1 There are no direct community safety implications as a direct result of this report.

**8.0 EQUALITIES**

8.1 The Local Plan is being subject to a detailed equalities impact assessment through each stage of preparation.

**9.0 RISKS**

9.1

<b>L I K E L I H O O D</b>	<b>A</b>	<b>Very High</b>				
	<b>B</b>	<b>High</b>				
	<b>C</b>	<b>Significant</b>		4	1	
	<b>D</b>	<b>Low</b>		2		
	<b>E</b>	<b>Very Low</b>		3		
	<b>F</b>	<b>Almost Impossible</b>				
			<b>Negligible 1</b>	<b>Marginal 2</b>	<b>Critical 3</b>	<b>Catastrophic 4</b>

**IMPACT**

<b>Risk No</b>	<b>Risk Description</b>
1	Any evidence is open to challenge and scrutiny as part of the Local Plan Examination.
2	Evidence needs to be kept up date otherwise the risk of challenge is increased.
3	Evidence is challenged as part of wider Leicestershire Duty to Cooperate
4	Evidence becomes out dated by development proposal advancing ahead of the Local Plan which are inconsistent with the emerging strategy

## 10.0 CLIMATE CHANGE

10.1 There are no direct climate change issues arising from this report.

## 11.0 CONSULTATION

11.1 The consultation involved in each of the Evidence Base documents is explained in detail in each individual technical report. The evidence will inform consultation on the Preferred Options (Draft Local Plan) in November 2015 in accordance with Regulation 18 of Town and Country Planning (Local Planning) (England) Regulations 2012 as amended.

## 12.0 WARDS AFFECTED

12.1 All.

Contact Officer J Worley, Head of Regulatory Services  
Date: 14 September 2015

Appendices :  
Summaries of Evidence Studies:  
2a: Open Space Standards  
2b: Settlement Fringe Sensitivity Study (incorporating Local Green Spaces and Areas of Separation)  
2c: Highways issues: Latest Highways Evidence and next steps

Background Papers: None