



EXTRAORDINARY MEETING OF THE COUNCIL
OF THE BOROUGH OF MELTON

PARKSIDE, STATION APPROACH, BURTON STREET, MELTON MOWBRAY

20 OCTOBER 2016

PRESENT

Councillor D.R. Wright (Mayor)
P. Baguley, T.S. Bains, T. Beaken,
M. Blase, G.E. Botterill, P.M. Chandler,
T. Culley, P. Cumbers, R. De Burle,
J. M. Douglas, M. Glancy, L. Higgins, J. Illingworth,
S. Lumley, V. Manderson, J.T. Orson, A. Pearson,
P.M. Posnett, J.B. Rhodes, J. Simpson, J. Wyatt

Chief Executive
Strategic Director (KA), Strategic Director (CAM)
Head of Communications & Monitoring Officer,
Head of Regulatory Services, Regulatory Services Manager;
Local Plans Manager; Democracy & Involvement Officer,
Administration Assistant – Communications & Member Support

CO52. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Graham MBE, Greenow, Holmes, Hurrell, Hutchison, Sheldon

CO53. DECLARATIONS OF INTEREST

Councillors Pearson, Posnett, and Rhodes each declared a personal interest in any matters relating to the Leicestershire County Council due to their roles as County Councillors. Councillors Rhodes and Posnett further declared that that as County Councillors they did not take part in any property related decisions concerning the Melton Borough.

Councillor Orson declared a disclosable pecuniary interest on all items under agenda item 3 (Minutes CO54 to CO58) as a land owner within the Borough and indicated he would leave the meeting before consideration of the items on the Melton Local Plan commenced.

Councillor de Burle declared a personal interest arising from his leadership of the Asfordby Neighbourhood Plan Group.

Councillor Botterill declared a disclosable pecuniary interest in item 3A on the agenda (Minute CO54) as he was a tenant of the Belvoir Estate at Croxton Kerrial.

[Councillors Botterill and Orson here left the meeting.]

CO54. MELTON LOCAL PLAN – PRE SUBMISSION VERSION

Members had before them a report prepared by the Head of Regulatory Services which sought approval of the written content of the Local Plan (Pre Submission version) for the purpose of publication for consultation for a 6 week period. Following consideration of representations received and additional evidence, the Local Plan (Pre Submission version) was presented in 9 Chapters, following the format of the Emerging Options document and contained several Appendices providing details on site selection, village categories, infrastructure delivery and a proposed monitoring framework. The draft plan included policies and proposals for the Borough for the plan period 2011 – 2036 and would be published for the statutory six week consultation from 8 November to 19 December 2016 inclusive.

As Chairman of the Local Plan Working Group, Councillor Chandler

- (a) explained that the pre-submission version now presented built upon the Emerging Options exercise carried out at the beginning of the year and incorporated the results of the deliberations on the many consultation responses received. In addition, more recent evidence has had an influence, and changes required as a result of this had also been included;
- (b) stated that the Local Plan package set out the Council's judgment of the best way the development needs for the Borough should be accommodated up to 2026. It set out the vision for the future and how the Council intended to foster economic growth and population changes that went alongside;
- (c) summarised the key priorities and objectives that were largely defined by the Reference Groups;
- (d) referred to Appendix 10 which would be of particular interest to residents as it set out the Council's proposed best locations for housing development. These were set out on a site by site basis, and alongside were a set of bespoke policies that made specific provisions for circumstances – in some cases related to the village concerned and in many, right down to the individual site level. These set parameters for the development of the sites and would help to ensure the sites were responsive to their individual context;
- (e) emphasised that the Council was not at the end of the process. Whilst this was the result of the Council's deliberations, the pre-submission stage was subject to consultation. This would allow residents to convey whether they agreed or could suggest alternative approaches, and would no doubt reveal a series of issues to which the Council would need to give further thought before submitting the Plan for Examination at the next stage;
- (f) moved the recommendations as set out in the Order paper.

Councillor Illingworth seconded the motion and reserved his right to speak until later in the debate.

Councillor Glancy then proposed an amendment to the Monitoring Framework at Appendix 4. In support of her amendment, Councillor Glancy stated that she believed it should include Policy IN2 which would facilitate the monitoring of infrastructure contributions and the CIL necessary for essential infrastructure delivery. This would further tie in the infrastructure delivery schedule into the Monitoring Framework plus illustrate the strength of the Council's commitment to its delivery. The amendment included delegated authority to officers, in consultation with the Chairman of the Local Plan Working Group and herself, to formulate the exact wording and targets to be set out.

Councillors Chandler and Illingworth, as proposer and seconder of the motion, agreed to incorporate Councillor Glancy's amendment within the motion tabled.

A Member then spoke to voice his concerns that although the draft Plan worked well for Melton Mowbray particularly in relation to the delivery of the much needed by-pass, albeit at the expense of reduced affordable housing provision, it did not work for the villages, especially 15 of them. In support of his concerns, he raised the following points:

- (a) the draft Plan was to the detriment of many small villages which needed some development to sustain them but were limited to only 3 or 5 houses each;
- (b) a number of problems were associated with the 15 villages that had been selected because they appeared to be the largest or had land offered by owners; the majority would not be able to accommodate the extra school places needed from the new developments. The County Council's Chief Executive had previously warned that the level of S106 contributions required to provide these additional places at village schools could lead to significant challenge by developers. Appendix 10 referred to development sites only being brought forward in villages such as Long Clawson when primary school places could be provided to meet the needs of new residents;
- (c) queried the population figures quoted in the draft plan for the village of Croxton Kerrial and suggested that this was significantly over stated according to the Parish Council's own figures. The figures quoted in the Plan would mean another 72 houses for that village which would increase the number of houses by 47% which he and the existing residents considered excessive. There was a danger that the Plan would be challenged on this basis at the Public Enquiry and put it at risk;
- (d) suggested that there was an opportunity of a new garden village which could be started within the first 5 years of the Plan. He suggested that in relation to the site at Six Hills, officers had held meetings with developers about which Members had not been told. Members were being advised by officers that it was too late to bring this into the centre of the Plan and relieve the pressure on the existing villages. The Member stated he did not accept that and reiterated his concern that the Plan in its present form was not viable; he suggested the Plan required substantial amendment before he could support it.

The Leader asked to raise a point of order in response to the Member's comments. She stated that the Member had been part of this Plan process from the beginning and he had been part of the Working Group and voted in favour of most of its recommendations. The Leader refuted the assertion that there had been secret

meetings at officer level. She stated she had attended a meeting last week at the request of the agents for the Six Hills site. The reason for the meeting was that they wished to assure her as Leader that they did not have any planning applications to submit; they saw the land as part of the strategic way forward for the Local Plan. The Member raised a point of personal explanation and responded that he considered the Plan had taken a wrong turn when the development in villages had been assigned and was concerned that the measures that could address this were not being taken. He welcomed the Leader confirming that meetings had taken place with agents for the Six Hills site but was concerned that no information about this had been given to Members.

The Chief Executive then gave clarification to the point raised about officer meetings with developers: these meetings had been reported through the Local Plan Working Group and explained in its context and how this fitted within the strategy of the Council and duly recorded in the minutes of the Working Group. The developers had agreed to advise the Council of their considered opinion with respect to the status of the documents they discussed with officers and that response was due shortly. Councillor Chandler stated that she had been approached approximately 18 months to 2 years ago by a member of the consortium for the Six Hills site. She had been concerned at meeting with the agents and had sought the advice of the then Leader. Cllr Chandler said she and the Leader had met with the agents and senior officers had been present at this meeting and a record was made.

The Mayor then invited the Council to consider each of the appendices under item 3A in turn, during which the following comments were made:

Appendix 2 para 2.6.6 – Melton Mowbray hospital was no longer just a maternity unit and this needed correction.

Appendix 4 (Spatial Strategy) – concern was raised that some policies would perpetuate social exclusion for some of the communities of the Somerby Ward and wider Rural Southern Area which was geographically different to the Rural North and had different needs. The Member went on to make the following points:

- policy SS3 on Sustainable Communities would work against starter homes and much needed smaller housing in the southern community;
- whilst the Plan worked well for most areas, it was not evident for the Southern Rural Area and sustaining businesses and communities contrary to the evidence and to the social and economic strands of the NPPF;
- the Plan in its current form for the Somerby Ward would increase pressure on amenities, employers, pubs and schools continuing over its lifetime which would not support sustainable growth;
- the Viability Study for the Southern Rural Area performs better than any other area and can achieve higher CIL contributions for the Borough, including the by-pass;
- the Plan was not one for housing but a Plan for growth. The town needed to grow to support businesses and the town centre and attract the next generation of workers where they can bring up their children;
- referencing page 30 concerning settlement roles: the map showed a cluster of villages which did not have the delivery mechanism for building starter homes across viable communities other than two villages set miles apart.

Despite the evidence showing the need for starter homes, these communities would be left with a policy promoting developments of just three houses at a time. The Plan needed to support sustainable communities which could grow to ensure a balanced village remained for the next generation. Larger 4 or 5 bed housing would not meet the much needed starter homes for young people to own their own home in the community they are part of. The Plan should address this imbalance;

- some communities could have a one off development which provided the vehicle for affordable starter homes but also extracted CIL or S106 contributions direct to the village and area to maintain the life of the amenities.

The Chairman of the Working Group responded to these comments by stressing there was also an acute need for affordable housing in the north of the Borough – any development at Six Hills would not benefit the Bottesford Ward, or the Somerby Ward in terms of those trying to get on the housing ladder.

Appendix 5 (Strong, Healthy and Vibrant Communities) – a Member commented that the size of housing was crucial for families; dwellings needed to be aesthetically pleasing as this had a significant positive psychological impact.

Appendix 6 (Melton's Economy) – a Member mentioned a recent report which referred to the Borough's improving status on low pay and offered to circulate this document to Members.

Appendix 9 (Managing Development) – a comment was made that it was important to recognise the heritage and character of the town and the Borough.

Appendix 10 (Site Allocations & Policies) - In response to a query raised by a Member on the recommendations set out in the Order paper concerning Appendices 1 to 5, the Head of Regulatory referred to the covering report at item 3A which listed these appendices at the end.

Appendix 13 (Infrastructure Delivery Schedule) – A Member provided clarification on the transference of responsibility for water and water waste to Severn Trent Water once the local planning authority had signed off the development.

As seconder of the motion, Councillor Illingworth reiterated his support for the Plan as presented and urged all Members to support it. He acknowledged that it would never satisfy everyone and expressed his great dismay at the comments made earlier in the debate which, he suggested, set town against villages and the north against the south of the Borough. As Chairman of the Working Group, Councillor Chandler stated she was also in complete support of the Pre-submission Plan and thanked Members and officers for all the hard work and effort that lay behind it – the Plan could not be fairer.

The Mayor then called for a vote on the motion which was carried by a majority.

RESOLVED:

(1) to approve the content of the Melton Local Plan (Pre Submission version) and Appendices 1 - 5 for the purposes of publication and consultation from Tuesday 8th

November to Monday 19th December 2016 inclusive, along with other submission documents described in this report – subject to an amendment to include Policy IN2 within the Monitoring Framework at Appendix 4 with delegated authority being given to officers, in consultation with the Chairman of the Local Plan Working Group and Councillor Glancy, to formulate the exact wording and targets to be set out;

(2) to note the findings of the Habitats Regulations Assessment and Sustainability Appraisal as set out in paras 3.10 – 3.20 of the report and authorises their publications alongside the Plan;

(3) to delegate authority to the Head of Regulatory Services to make any necessary changes required for clarification or typographical corrections to the text of the Plan which do not change the overall sense or purpose of the document, prior to publication;

(4) to approve the approach to consultation set out in section 11 of the report.

[Councillor Botterill returned to the meeting at this point.]

CO55. MELTON LOCAL PLAN – LOCAL PLAN EVIDENCE UPDATE

The Head of Regulatory Services submitted a report which had previously been circulated with the agenda which sought approval for five additional technical evidence base documents to be used to inform the preparation of the Pre-Submission Draft Melton Local Plan. Included as Appendices A1 - A5 to this report were summaries of the findings of a number of evidence base reports which had been considered by the Working Group at its recent meetings.

Councillor Chandler commended the report to Members during which she

- (a) explained that it conveyed a package of recently received evidence that set out how this affected the content of the Plan. The information was
- A biodiversity assessment on additional proposed housing allocations
 - A strategic flood risk assessment addendum report (2016)
 - Areas of separation, settlement fringe sensitivity and local green space study relating to new sites
 - Leicestershire Gypsy & Traveller Accommodation Assessment (GTAA)(2016); and
 - Health Impact Assessment (August 2016)
- (b) advised that the need for the first 3 was triggered by the introduction of new sites in new locations following the revisiting of sites in villages and new sites coming forward. In the case of the Strategic Flood Risk Assessment, it was Borough wide and was an update following the release of new data from the Environment Agency on the risk and extent of flooding;
- (c) drew Members' attention to the Gypsy & Traveller Assessment which provided an update on the need in the area following changes to definitions introduced by the Government. This had the effect of reducing the requirements for Melton and with recent grants of planning permission, the Council did not have to find further provision;

- (d) explained that the Health Impact Assessment was an innovative contribution provided by the Public Health team. It undertook a review of the Plan from a health point and made various recommendations. Many of these were already contained in the Plan and as a result only minor amendments had been made;
- (e) stated the evidence documents were all reviewed by the Working Group and the recommendations had been incorporated into the Draft Plan;
- (f) moved the recommendations as set out in the Order paper.

Councillor Illingworth seconded the motion. There being no questions or comments from Members, the Mayor moved to the vote following which the motion was carried unanimously.

RESOLVED: to

(1) note the receipt and the individual recommendations within the following reports (as reported to Melton Local Plan Working Groups in September and October 2016) and approves them as technical evidence to support the Pre-Submission Draft Melton Local Plan:

- A Biodiversity Assessment Addendum Report on additional proposed housing allocations
- Strategic Flood Risk Assessment Addendum Report (2016).
- Areas of Separation, Settlement Fringe Sensitivity and Local Green Space Study Part 2 (August 2016).
- Leicestershire Gypsy and Traveller Accommodation Assessment (GTAA) (2016) and;
- Health Impact Assessment (August 2016)

(2) agree the recommendations stated in each of the appendices A1 – A5 for incorporation into the Pre Submission Draft Local Plan.

CO56. MELTON LOCAL PLAN – SUSTAINABILITY APPRAISAL

In a report previously circulated, the Head of Regulatory Services set out the findings of the Sustainability Appraisal (SA) of the 'Pre- Submission Draft Melton Local Plan' and to consider whether it is appropriate to publish this SA, as statutorily required, alongside the Pre-Submission Draft Melton Local Plan.

The SA of the Melton Local Plan was designed to ensure that the plan preparation process maximised the contribution that a plan makes to sustainable development and minimises any potential impacts. The SA process involves appraising the likely social, environmental and economic effects of the policies and proposals within a plan from the outset of its development.

Councillor Chandler presented the report to Members, highlighting the very detailed nature of the document that reviewed every policy, every change that had been made, and every site that had been considered, both those selected in the Plan and

those that had been rejected, large and small. She explained that the key headlines from this work were that the Plan performed well in sustainability terms and that the alternatives would be a weaker option.

Councillor Chandler concluded by stating that this would not be the last document of this nature as it was an iterative process and would be repeated at the next stages of the Plan. Councillor Chandler then moved the recommendation as contained in the Order paper and this was seconded by Councillor Illingworth.

There being no comments or questions from Members, the Mayor called for the vote to be taken following which the motion was carried unanimously.

RESOLVED: that the Council approves the Sustainability Appraisal for publication as part of the evidence base alongside the Pre-Submission Draft Melton Local Plan.

CO57. MELTON LOCAL PLAN – INFRASTRUCTURE DELIVERY PLAN (IDP)

Members had before them a report by the Head of the Regulatory Services which had previously circulated with the agenda. The report informed Members of the Infrastructure Delivery Plan (IDP) and accompanying Infrastructure Delivery Schedule (IDS) which had been prepared as part of the evidence base to support the emerging Melton Local Plan.

Councillor Chandler advised

- (a) that the IDP was an exercise in drawing together all of the infrastructure needs that the development proposed in the Plan would require, applying costs and setting them out in a schedule so that all of the agencies concerned with providing infrastructure had a common view of the requirements. This schedule was contained in appendix A to the report. This was carried out to ensure that infrastructure requirements could be known and planned for – both physically and financially – so that their provision takes place alongside the planned growth;
- (b) this was also an iterative exercise and from the baseline of having identified the infrastructure, agencies and developers could deliberate on how they would be provided. This in turn may develop the policy content of the Plan, where it is necessary to specify that individual developments need to make provision for a type of infrastructure or where they are dependent upon such provision, or in many cases a combination of these;
- (c) the infrastructure schedule also formed the baseline for the introduction of the Community Infrastructure Levy which would be funded by CIL if and when it is adopted.

Councillor Chandler moved the recommendation contained in the Order paper which was seconded by Councillor Illingworth. There being no questions or comments from Members, the Mayor moved to the vote which was carried by a majority.

RESOLVED: that the Council accepts the Infrastructure Delivery Plan & Infrastructure Delivery Schedule as additional evidence to support the Pre Submission Draft Melton Local Plan.

CO58. MELTON LOCAL PLAN - VIABILITY ASSESSMENT

In his final report to Members, the Head for Regulatory Service had previously circulated a paper to inform members of the Draft Whole Plan Viability Report that had been prepared as part of the evidence base to support the emerging Melton Local Plan. He explained that the National Planning Policy Framework (NPPF) (March 2012) requires local planning authorities to ensure that their Local Plans and the policies/proposals contained within them are deliverable. An essential element of this is viability. Viability also had a key role to support the development of the Community Infrastructure Levy (CIL), another means of delivering infrastructure to support development in the area.

In presenting the report for Members' consideration, Councillor Chandler explained

- (a) that this item related to the previous one and investigated how the infrastructure requirements impacted on the development proposed by the Plan. It had valued the costs of the infrastructure provision and mapped them against known land and development values to identify whether the development was a realistic proposition in viability terms and whether expectations of them were feasible;
- (b) affordable housing was a major cost for new housing and it had calculated the impact of 40, 30 and 20% affordable housing provision in different parts of the Borough. The key conclusion was that whilst 40% was achievable in some locations, 30% was more realistic elsewhere and 20% would be necessary in Melton Mowbray because of lower sales values and the sustainable neighbourhoods because of the amount of infrastructure expected;
- (c) the Council's affordable housing policy C5 offered flexibility to account for viability considerations and this report indicated what may be expected from various locations. However there would always be site specific factors and in each case a reduced level would need to be demonstrated;
- (d) the report also conveyed the development value of schemes that would be available for the introduction for CIL. Similar to affordable housing, it showed wide variety and that on the higher value areas there would be more headroom for CIL and less elsewhere. It also showed there would be little prospect for CIL contributions from commercial development;
- (e) CIL charges would need to take full account of this evidence and when presented, the Council could expect a sophisticated approach that would differentiate different rates, for different purposes from area to area.

Councillor Chandler moved the recommendations as set out on the Order paper and this was seconded by Councillor Illingworth.

Before moving to the vote, a Member referred to page 21 of appendix A to the report which showed Melton Borough achieved residential land values, pointing out that the southern rural area had higher land values and therefore the potential to

extract higher CIL contributions. After reiterating previous comments made earlier in the debate concerning the vital importance of starter homes for the sustainability of local communities and the next generation, he thanked the Working Group, the Head of Regulatory Services and his team, and the members of the public who had attended the meeting.

A vote was then taken on the motion as tabled which was unanimously carried.

RESOLVED:

(1) to accept the Viability Assessment as additional evidence to support the Pre Submission Draft Melton Local Plan;

(2) to delegate authority to the Head of Regulatory Services to make any necessary changes required for clarification or typographical corrections to the text of the assessment which do not change the overall sense or purpose of the document, prior to publication.

The meeting, which commenced at 6.30 p.m., closed at 7.38 p.m.

Mayor