

# Cabinet

18 November 2020

**Report of:** Councillor Leigh Higgins - Portfolio Holder for Growth and Prosperity (and Deputy Leader)

## Melton North Sustainable Neighbourhood Masterplan

<b>Corporate Priority:</b>	Priority 3: Delivering sustainable and inclusive growth in Melton Priority 4: Protect our climate and enhance our rural, natural environment
<b>Relevant Ward Member(s):</b>	All
<b>Date of consultation with Ward Member(s):</b>	November 2020
<b>Exempt Information:</b>	No
<b>Key Decision:</b>	Yes c) Has significant impact on two or more wards in the Borough and on communities living or working in those areas
<b>Subject to call-in:</b>	Yes

### 1 Summary

- 1.1 This report seeks Cabinet approval of the Masterplan for the remaining part (land east of Scaford Road) of the Melton North Sustainable Neighbourhood, in accordance with Policy SS5 of the adopted Melton Local Plan.
- 1.2 The Masterplan has been prepared by CSA Environmental, on behalf of the Council and the developers who have an interest in the land (Barwood Land, Taylor Wimpey Strategic Land Ltd and William Davis Ltd). The document has been prepared to guide the future development of the Site.
- 1.3 The Masterplan and associated Design Code document will be a material consideration to be taken into account in all relevant planning applications to which the Council will assign significant weight, building upon, and additional to, the adopted Policy SS5. All planning applications in the site will have due regard and strong adherence to the framework and design coding set out within the document.

## 2 Recommendations

### That Cabinet:

- 2.1 Approves the Masterplan for the purposes of providing a framework to guide the consideration of future planning applications in the North Sustainable Neighbourhood area.
- 2.2 Notes that its adoption will support the delivery of the north and east sections of the Melton Mowbray Distributor Road
- 2.3 Delegates authority to the Director for Growth and Regeneration to make minor adjustments and corrections to the content of the Masterplan document.

## 3 Reason for Recommendations

- 3.1 The Masterplan will meet the requirements of adopted Policy SS5, supporting the wider aspirations of the Local Plan for a high quality sustainable neighbourhood, and the delivery of homes and infrastructure required to support them.
- 3.2 The Masterplan has been developed as a result of close collaboration between the Council and the developers, and represents a strong, positive and coherent approach to the development of this remaining part of the Sustainable Neighbourhood.
- 3.3 The Masterplan will provide the assurance as required by Leicestershire County Council to ensure the delivery of housing and infrastructure, giving them confidence to proceed with the submission of the Full Business Case to the Department for Transport for the MMDR.

## 4 Background

- 4.1 The Local Plan adopted in October 2018 established the requirement for a Masterplan for the Melton North Sustainable Neighbourhood in order to co-ordinate its content and delivery. Melton Borough Council commenced work on development of the Masterplan in early 2019 but initial proposals brought forward in July 2019 were rejected by key stakeholders and the challenging nature of discussions since with some of those stakeholders hampered progress last year. Despite the onset of the Covid-19 pandemic, work has continued with the developers and progress has now been made which has enabled the Masterplan to now be brought forward.
- 4.2 The determination of the two major outline planning applications to the west of Scalford Road, and within what is known as the Northern Sustainable Neighbourhood at the Planning Committee meeting of 1<sup>st</sup> August 2019 to a certain degree detracted from the Masterplanning process and complicated matters. The benefits of this doing this were however, considered preferable to the risks of not doing so given it allowed for the early delivery of homes and for the County Council (one of the landowners) to access Homes England Accelerated Construction Funding for their site at Sysonby Farm. Provision was made within the permissions to ensure that Design Codes would be submitted before reserved matters applications, in order that quality and consistency with the wider area (via the Masterplan) could be assured. Reserved Matters will be considered under

National Design Guide and Policy D1 of the Local Plan Infrastructure provision, including timing (phasing) of delivery, was secured through the associated s106 agreements.

- 4.3 Following the decision by the Planning Committee on 1<sup>st</sup> August 2019, the remaining developers agreed to work together with the Council to create a Masterplan to ensure a comprehensive, cohesive development for the remaining part of the North Sustainable Neighbourhood. Melton Borough Council has been involved at all stages of its development as has been detailed in section 4.2 of the Masterplan document, which can be viewed at Appendix A.

## **5 Main Considerations**

- 5.1 This Masterplan was developed by the developers, in consultation with officers of the Council. It draws upon much of the groundwork that was undertaken in 2019, but further work relating to deliverability has taken place, ensuring that the development will come forward.
- 5.2 It has been an iterative process, and at various stages officers of the Council have been involved as the Masterplan has been shaped to ensure that it both meets the needs and aspirations of the Council, and the developers who will deliver the Site. Chapter 4 of the Masterplan highlights in detail the iterative process that has led to its production over almost 2 years, to ensure a quality document where ideas and aspirations have been fine tuned.
- 5.3 The main features of the Masterplan are as follows:
- Context and background explaining the role of the Masterplan to the delivery of the Sustainable Neighbourhood, and in turn, its role in the wider strategy for the area.
  - The status of the document as a ‘significant material consideration’ for future applications, and the weight that the Council intends to apply to it;
  - A development framework setting out the applicable part of the neighbourhood in terms of land uses, residential, community facilities, schools, playing fields and the MMDR;
  - A section dedicated to the phasing and delivery, explaining any dependencies required, for example, the provision of schools in relation to the progress of residential development and the necessity of developer contributions to pay for critical infrastructure, including recovery of those ‘forward funded’ by the County Council.
  - A detailed history of the development of the Masterplan, and how the concept Masterplan has been formed;
  - Detailed information relating to street hierarchy, in order to ensure consistency and legibility between different parts (phases) of the site in accordance with the Leicestershire Highways Design Guide;
  - Critical design criteria in relation to layout, the provision of open spaces, legibility, and permeability and building scale.
- 5.4 Of particular significance is the provision of a site for the potential additional 2 form entry primary school to the east of the site, the sports pitches with community hall / changing pavilion to the north of the Country Park, an area for possible retail / health facilities and allotments and community orchard to the south west, adjacent to the Country Park.
- 5.5 The Masterplan covers the period to 2036, and will be subject to changing market conditions and potential changes of land ownership and option agreements. Indeed, the

Local Plan will be reviewed by 2023 at the latest. Therefore, whilst the Masterplan represents the policy, best practise and aspirations today, over its lifetime it may require development, update and amendment.

## **6 Options Considered**

- 6.1 Of particular consideration is the principal issue raised by the County Council in its consultation response to the draft Masterplan (27<sup>th</sup> October 2020). This relates to the fact that the Masterplan presented at Appendix A only covers the parts of the Sustainable Neighbourhood which do not yet have planning permission. They state that the whole MNSN should be Masterplanned to ensure a comprehensive approach. Whilst Policy SS5 of the Local Plan requires as Masterplan for the whole of the MNSN, Members will be aware that as a result of weight assigned to various material planning considerations, some sites within the MNSN have already been granted planning permission (including the County Council's site at Sysonby Farm; see paragraph 4.3 above). Masterplans cannot be retrospectively applied to sites with planning permission due to the absence of a means to influence decisions already taken. In order to ensure those sites with planning permission remain compatible with the Masterplan, conditions have been placed on the permissions requiring the submission of Design Codes prior to the submission of reserved matters applications. This submission will afford the opportunity to ensure compatibility in terms of design principles.
- 6.2 Sites with planning permission were determined on their individual merit, based on material considerations at the time of determination. Applicants successfully argued that they could proceed ahead of the Masterplan as their sites could be delivered effectively, and early to aid housing delivery in the town. Statutory consultation responses at the time supported this fact, giving the Council confidence to approve those sites ahead of an agreed Masterplan.
- 6.3 Members will see within the document at Appendix A, specifically Chapter 4 (page 66 onwards) how the Masterplan has evolved to this current stage. Many issues have been dealt with and options considered over the years since its first inception, prior to the submission of the Local Plan to the Planning Inspectorate. The route of the MMDR was a primary consideration, and helped to shape the land parcels within the allocation, and the ways that those parcels would be accessed.
- 6.4 For the reasons above, it is therefore not considered appropriate to include sites that already have planning permission within the Masterplan. Therefore, the only other option available would be not to adopt this Masterplan; this would likely lead to delays in the submission and determination of planning applications, and the impact of those delays on the housing delivery in accordance with the Local Plan.

## **7 Consultation**

- 7.1 The Melton North Sustainable Neighbourhood was formulated by the Melton Local Plan (2011-2036) and was subject to significant engagement with statutory consultees and interested parties and its various stages of development, in accordance with statutory requirements over the period from 2014-2018. No public consultation has been undertaken in relation to this formulation of this Masterplan. It has not been possible to undertake this due to the deadlines and timetable applicable to this exercise.

- 7.2 Leicestershire County Council was consulted on the Masterplan in early October 2020, and they responded in part on 27<sup>th</sup> October 2020. A response to the points raised can be viewed at Appendix B to this report, and is addressed in section 6 'Options Considered' above.

## **8 Next Steps – Implementation and Communication**

- 8.1 The Masterplan will be a material consideration for the determination of planning applications with immediate effect

## **9 Financial Implications**

- 9.1 The costs of the Masterplan work has been met by the developer consortium; there is no financial implication to the Council.

**Financial Implications reviewed by: Director for Corporate Services**

## **10 Legal and Governance Implications**

- 10.1 Adoption of the Masterplan is an executive function.
- 10.2 The legislation relating to Supplementary Planning Guidance status is found in the Town and Country Planning (Local Planning) (England) Regulations 2012 as follows:
- 10.3 8.—(1) A local plan or a supplementary planning document must—
- (a) contain the date on which the document is adopted; an
  - (b) indicate whether the document is a local plan or a supplementary planning document.
- (2) A local plan or a supplementary planning document must contain a reasoned justification of the policies contained in it.
- (3) Any policies contained in a supplementary planning document must not conflict with the adopted development plan.**
- (4) Subject to paragraph (5), the policies contained in a local plan must be consistent with the adopted development plan.
- (5) Where a local plan contains a policy that is intended to supersede another policy in the adopted development plan, it must state that fact and identify the superseded policy

**Legal Implications reviewed by: Monitoring Officer**

## **11 Equality and Safeguarding Implications**

- 11.1 No equality or safeguarding issues have been identified to date.

## **12 Community Safety Implications**

- 12.1 No community safety issues have been identified to date.

## 13 Environmental and Climate Change Implications

- 13.1 This report is significant to environmental impact and climate change. The Sustainable Neighbourhood and Melton Mowbray Distributor Road are both important elements of the approach to sustainable development particularly in terms of travel patterns and traffic flow. The Local Plan, and the allocation of the Sustainable Neighbourhoods has been sustainability appraised prior to its adoption, and the Development Plan has been considered to be the most sustainable approach to development in the Borough.

## 14 Other Implications (where significant)

- 14.1 None.

## 15 Risk & Mitigation

Risk No	Risk Description	Likelihood	Impact	Risk
1	MMDR Full Business Case is not submitted by LCC	Low	Catastrophic	Medium Risk
2	LCC continue with their objections to the content of the Masterplan	Low	Critical	Medium Risk

		Impact / Consequences			
		Negligible	Marginal	Critical	Catastrophic
Likelihood	Score/ definition	1	2	3	4
	6 Very High				
	5 High				
	4 Significant				
	3 Low			2	1
	2 Very Low				
	1 Almost impossible				

<b>Risk No</b>	<b>Mitigation</b>
<b>1</b>	The adoption of the Masterplan should give assurance to LCC that the site is deliverable, giving confidence to submit the FBC
<b>2</b>	The Masterplan is widely compliant with the adopted Local Plan Policy SS5, and most of the content is for the agreement of Melton Borough Council. It is high level, and detail will be decided on the submission of individual planning applications.

## **16 Background Papers**

### **16.1 A. Melton Local Plan Policy SS5**

## **17 Appendices**

### **17.1 A: Melton North Sustainable Neighbourhood Masterplan Final Draft, November 2020**

### **17.2 B: The Council's response to the consultation response of Leicestershire County Council 27<sup>th</sup> October 2020**

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