



# Cabinet

13 October 2021

**Report of:** Councillor Joe Orson - Leader of the Council

## Melton North Sustainable Neighbourhood Masterplan

<b>Corporate Priority:</b>	Priority 3: Delivering sustainable and inclusive growth in Melton
<b>Relevant Ward Member(s):</b>	All
<b>Date of consultation with Ward Member(s):</b>	25 August 2021
<b>Exempt Information:</b>	No
<b>Key Decision:</b>	No
<b>Subject to call-in:</b>	No Not key decision

### 1 Summary

- 1.1 This report seeks Cabinet approval of the Masterplan for the Melton North Sustainable Neighbourhood.
- 1.2 The Masterplan has been prepared on behalf of the Council and the developers in the area with an interest in the land (Barwood, Taylor Wimpey, William Davis, Leicestershire County Council and Bloor Homes).
- 1.3 The Masterplan is a non-statutory document to provide guidance on the implementation and application of the Local Plan in the North Sustainable Neighbourhood area and will be a material consideration to be taken into account in all relevant planning applications, building upon, and additional to, the adopted Policy SS5. All planning applications in the site will be expected to demonstrate due regard and strong adherence to the framework as set out within the document.

### 2 Recommendations

**It is recommended 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, subject to the receipt of a viability assessment that demonstrates its deliverability.**

- 2.2 **Notes that the approval of the Masterplan will support the delivery of the north and east sections of the Melton Mowbray Distributor Road (MMDR) in particular;**
- 2.3 **Notes that the adoption of the Masterplan is a part of the package of works required to support the County Council in accepting the Homes England Housing Infrastructure Fund (HIF) grant, as set out by their Cabinet on 20 July 2021.**

### **3 Reason for Recommendations**

- 3.1 The Masterplan meets the main 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 the infrastructure required to support them.
- 3.2 The Masterplan has been developed as a result of close collaboration between the Council and the landowners/developers, and represents a strong, positive and coherent approach to the continued development of the North Sustainable Neighbourhood.
- 3.3 The adopted Masterplan will provide the assurance as required by Leicestershire County Council to ensure the delivery of housing and associated infrastructure, giving them the confidence to proceed with and ‘forward fund’ the education requirements for the Borough and the MMDR project.
- 3.4 Viability assessment of the Masterplan is underway, and initial outputs are expected in mid-October 2021. The County Council is keen to see progress with the Masterplan, and agrees with the approach set out at recommendation 2.1, that the Masterplan is adopted subject to viability assessment. The headline viability assessment and its final outputs will be shared with the County Council at the earliest possible opportunity, and the assessment will be subject to the scrutiny of both parties.

### **4 Background**

- 4.1 The Local Plan adopted in October 2018 established the policy basis for a Masterplan for the Melton North Sustainable Neighbourhood in order to co-ordinate its content and delivery.
- 4.2 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 with some of those stakeholders which followed hampered progress over 2020. Despite the onset of the Covid-19 pandemic, work however continued with the developers.
- 4.3 Members may recall that a draft Masterplan for the eastern section of the Melton North SN was due to be considered by Cabinet in November 2020, but was subsequently deferred following ongoing discussions with key stakeholders. Since then, the focus has been on expanding the scope of the document to encompass the whole sustainable neighbourhood and specifically the incorporation of the wider area of land west off Scalford Road, currently under the control of Leicestershire County Council and Bloor’s. Consequently, the Masterplan presented for consideration now includes all of the allocated SN area; however the design code element has been removed and will be presented alongside planning applications for the land east of Scalford Road.

- 4.4 The determination of the two major outline planning applications within the Northern Sustainable Neighbourhood, to the west of Scalford Road, in August 2019, has had a significant bearing on the Masterplanning exercise. Whilst it would have been preferable to agree a Masterplan first, the benefits of agreeing these planning applications were considered to outweigh the constraints, 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. Provisions were made within the permissions to ensure that Design Codes would be submitted before or alongside reserved matters applications, in order that quality and consistency with the wider area (via the Masterplan) could be assured. Reserved Matters applications will be considered under National Design Guide, Policy D1 of the Local Plan, and subject to timing, the Design of Development SPD which is also to be considered at this meeting of the Cabinet. Infrastructure provision, including timing (phasing) of delivery, for those sites was secured through the associated s106 agreements, and the decision notices were published in Summer 2020 for both sites.
- 4.5 Following these decisions by the Planning Committee in 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. Sites to the west of Scalford Road have now been included within the Masterplan, including the phasing and delivery to tell the complete composition and evolution of the Melton North Sustainable Neighbourhood, and to indicate the location and timing (in relation to the wider development) of key infrastructure.

## **5 Main Considerations**

- 5.1 This Masterplan was developed by both the developers and Officers of the Council in a collaborative manner. 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. As parts of the site already have permission, it has been necessary to divide the Masterplan document up into parts to ensure that it can be easily understood. Part 1 covers the whole SN area, Part 2 the sites to the east of Scalford Road, and Part 3 the sites to the west of Scalford Road. The Masterplan provides the background of the evolution of the MMDR, the Masterplan and the development approach, and demonstrates that the document has evolved over a time to ensure a quality document to guide delivery of Local Plan Policy, within which ideas and aspirations have been fine tuned.
- 5.3 The main features of the Masterplan are as follows:
- Context and background, site analysis and vision, 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 'material consideration' for future applications, and the weight that the Council intends to apply to it;
  - A development framework setting out 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 safeguarding of a site for the additional 2 form entry primary school in the eastern part 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 (matching the Local Plan) 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 assists with application of the Local Plan, best practice, and aspirations today, over its lifetime it may require development, update and amendment.

5.6 Considering the substantial changes to infrastructure requirements, and in order to ensure that the Neighbourhood remains deliverable / viable, a further viability assessment was undertaken on the draft Masterplan in September/October 2021. The outcome of that assessment will be assessed by the Council in order provide assurance that the Masterplan is realistic and deliverable. Leicestershire County Council will be afforded opportunity for similar analysis.

## **6 Options Considered**

6.1 As sites to the west of Scalford Road already had planning permission, the previous version of the Masterplan (deferred from Cabinet in November 2020) only included those sites which do not yet have planning permission (i.e. those to the east of Scalford Road). Through discussion with key stakeholders it was clear there was a desire for a single Masterplan covering the whole of the Sustainable Neighbourhood area and, consequently, further work was undertaken to ensure the finalised Masterplan now includes the wider Melton North Sustainable Neighbourhood.

6.2 The previous Masterplan also included a Design Code for the sites to the east of Scalford Road. A Design Code is not required by Policy SS5, but would be welcome to accompany the planning applications for those sites to ensure that there is a consistent approach to the development across that area. Indeed, the Design Code has recently been submitted alongside planning applications for Barwood and William Davis on land to the east of Scalford Road. Including the Design Code in this Masterplan document which now includes sites with planning permission that are subject to conditions regarding the submission of a Design Code separately caused confusion and made the Masterplan unnecessarily complex to understand.

- 6.3 The final option considered was to not adopt a Masterplan for the area. A Masterplan is not explicitly required by Local Plan Policy SS5. However, it is encouraged by the policy and a specification is included within Policy SS5 regarding its scope and content and the Masterplan document is considered to satisfy this aspiration. A more formal approach, such as an SPD, is considered inappropriate given the policy context already provided by the Local Plan. In terms of content, the Masterplan in its revised form is considered to fully satisfy the ambitions presented by Policy SS5. It will also have an important role assisting with assurance regarding the County Council's significant and important infrastructure investments.

## **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.
- 7.2 The Masterplan has not been subject to public consultation owing to its status as non-statutory guidance.
- 7.3 Leicestershire County Council was consulted on the Masterplan on 17<sup>th</sup> August 2021. Their responses have been considered and incorporated within the document as appropriate.
- 7.4 The main outstanding issue raised by officers of the County Council related to the labelling of the second primary school to the east of the site. In previous drafts it had been labelled as 'Potential Primary School' within the Masterplan, which the County Council were concerned would add to uncertainty, and the label should be changed to 'Primary School'. It is also labelled as such in all planning application documentation received to date on land to the east of Scalford Road from Barwood and William Davis. Following further stakeholder engagement, a compromise position has been reached – the primary school is now labelled as 'Primary School Site (subject to LCC justification at planning application stage)'. As such, recognising all requests require justification under the CIL Regulations in any event, the County Council has no outstanding objections to the Masterplan document.
- 7.5 Melton Borough Council Members were provided with a draft version of the Masterplan on 23 August 2021 followed by a briefing on 25 August 2021.

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

- 8.1 The Masterplan will be a material consideration to assist with decision making, to which the Council will assign weight reflecting its non-statutory status, for the determination of planning applications with immediate effect.

## **9 Financial Implications**

- 9.1 The cost of the Masterplan work has been met by Melton Borough Council via the Local Plans budget/ reserve and the developer consortium for the land to the east of Scalford Road. The Masterplan was initially funded by the key stakeholders but the work undertaken to increase its scope to address land west of Scalford Road has been funded by the Council at a further cost of approximately £3,500.

- 9.2 The Council is currently seeking capacity funding from Homes England to support the development of key infrastructure documents that provide the conditions to be able to secure funding for infrastructure (including the MMDR) and to progress the major applications within the Neighbourhood and the equivalent Melton South Sustainable Neighbourhood.

**Financial Implications reviewed by: Dawn Garton, Director for Corporate Services  
08.10.21**

## **10 Legal and Governance Implications**

- 10.1 Approval of the Masterplan is an executive function.
- 10.2 As described in the report the masterplan is an informal non-statutory document and whilst it can be used as a material consideration in the determination of planning applications to support the delivery of allocated sites in the adopted Local Plan, the weight to be attached to such a document is a matter for the decision maker.

**Legal Implications reviewed by: Kieran Stockley (Monitoring Officer) 08.10.21**

## **11 Equality and Safeguarding Implications**

- 11.1 No equality or safeguarding issues have been identified.

## **12 Community Safety Implications**

- 12.1 No community safety issues have been identified.

## **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)**

None

## 15 Risk & Mitigation

Risk No	Risk Description	Likelihood	Impact	Risk
1	The Masterplan is not adopted, causing issues in terms of MBC's agreed package of works to enable LCC to secure HIF.	Low	Critical	Medium
2	The Masterplan is afforded insufficient weight because it is neither a local development document or SPD	Low	Marginal	Medium
3	Non statutory guidance documents can be challenged on the basis they should follow formal procedures for SPD's or local development documents	Low	Marginal	Medium

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

Risk No	Mitigation
1	Consultation has taken place with key stakeholders; it is not considered that this risk is likely as there are no outstanding objections.
2	Key stakeholders have been involved in its production and support the Masterplan. The Council will be the main decision-maker and understand its role and the importance of its content with regard to delivery of the Neighbourhood and securing wider strategic infrastructure
3	The masterplan is not a local development document.

## 16 Background Papers

### 16.1 Melton Local Plan, Policy SS5

## 17 Appendices

17.1 A: Melton North Sustainable Neighbourhood Masterplan Final Draft, September 2021

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