

## EXTRAORDINARY MEETING OF FULL COUNCIL

4TH JULY 2017

### REPORT OF THE HEAD OF REGULATORY SERVICES

#### DRAFT MELTON LOCAL PLAN: 'SPATIAL STRATEGY' - CHAPTER 4 OF THE PRE SUBMISSION LOCAL PLAN (WITH THE EXCEPTION OF POLICIES SS4 AND SS5 - SUSTAINABLE NEIGHBOURHOODS)

##### 1.0 PURPOSE OF REPORT

1.1 The purpose of this report is report is to highlight the issues raised in the representations received to Chapter 4 Policies SS1 - SS3 and SS6, and to seek views on the suggested responses to the representations (please note that separate reports cover the remainder of Chapter 4, Policies SS4 and SS5 – **Item 3E of this agenda**). The suggested responses may include reference to proposed focussed changes, or to suggested modifications that can be submitted alongside the draft local plan for Examination (**see item 3I of this agenda**). A paper copy of the extensive schedule of individual representations made, and officers' proposed responses to them will be available in the Members Room.

##### 2.0 RECOMMENDATIONS

2.1 It is recommended that Council :

- (i) Agrees the responses to representations outlined in Appendix 1
- (ii) Agree to the following amendments to Policy SS2 and its 'reasoned justification' as a 'Focussed Change' for consultation (full details are contained within Item 3I of this agenda):
  - Insert 'approximately' into Policy SS2 , i.e. :  
*“Melton Mowbray Main Urban Area is the priority location for growth and will accommodate approximately 65% of the Borough's housing need. The role and sustainability of Melton Mowbray will be significantly enhanced through the delivery of at least 3,980 homes.....”*
  - Amend the first sentence of the fourth paragraph of Policy SS2 is reworded to read – *“Service Centres and Rural Hubs will accommodate the remaining 35% (1822) of the Borough's housing need .....*”
  - Amend the content of Policy SS2 and the associated reasoned justification (para 4.2 to 4.22 including the tables) to reflect the

**revised site capacities;**

- (iii) Agree to a focussed change for consultation comprising of a revised approach to the content of Policy SS3, 'Unallocated Sites' (full details are contained within Item 3I of this agenda);**
- (iv) Agrees to make a modification to paragraph 4.7.4 of the Draft Plan to include reference to Dalby Airfield;**
- (v) Agrees to modifications to update paragraphs 4.7.6 and 4.7.7 of the Draft plan to reflect the updated evidence (HEDNA and the Strategic Growth Plan);**
- (vi) Agrees to amend paragraph 4.7.8 relating to Policy SS6 to clarify that the plan review referred to would be "*commenced within 12 months of any adoption by the Council of the Strategic Growth Plan*".**

### **3.0 KEY ISSUES**

- 3.1 Policy SS1** rehearses the 'presumption in favour of sustainable development' which is a core element of the NPPF and is important to align with, in order to meet the 'soundness' test of compliance with national policy. Policy SS1 follows a form which is regarded as good practice by the Planning Inspectorate and emulates the content of successful local plans elsewhere.
- 3.2 Policy SS2** and its supporting reasoned justification sets out the Spatial Strategy for the Local Plan, by reference to the 'settlement hierarchy' which sets out the approach to the identification of individual settlements as 'Service Centres', 'Rural Hubs', and 'Rural settlements'. It includes proposals for the balance of development between Melton Mowbray and the surrounding rural area. It also sets out the quantity of development to be accommodated within each 'Service Centres' and 'Rural Hub' by relating this to their relative population size, and taking account of planning permissions granted for housing and the availability of sites for new housing. An allowance for small windfalls across service centres, rural hubs and rural settlements was accounted for before the distribution was calculated. Policy SS2 also sets out the approach to unallocated (windfall) sites that may come forward in the lifetime of the plan. By cross reference to SS3, it sets a limit to their size and scale and the circumstances in which they will be supported. The size limit is intended to ensure that 'unplanned' development does not undermine the overall spatial strategy by allowing greater quantities in the most sustainable locations and reducing the limit commensurate with the sustainability credentials of the village 'category' concerned.
- 3.3 Policy SS2** also reinforces the Council's commitment to supporting Neighbourhood Plans in accordance with the statutory duty and aspiration of the NPPF.
- 3.4 Policy SS3** builds on Policy SS2 and provides greater detail on the circumstances in

which unallocated sites that come forward will be supported.

**3.5 Nature of Representations received - Policy SS1 : ‘presumption in favour of sustainable development’**

3.5.1 9 representations were received in respect of Policy SS1, whilst most were supportive, some comments consider the policy to be overly supportive of development proposals and insufficient in citing circumstances which may not be supported.

3.5.2 Criticisms of this policy are that it is unduly supportive of a constructive and positive approach and does insufficient to support the opposition from local residents and setting out circumstances when refusal is appropriate. Other comments are generally supportive.

3.5.3 It is critical to align with the NPPF, in order to satisfy the ‘soundness’ test of compliance with national policy. Policy SS1 follows a form which is regarded as good practice by the Planning Inspectorate and emulates the content of successful local plans elsewhere.

3.5.4 **No modifications are suggested in response to these representations.**

**3.6 Nature of Representations received - Policy SS2 : meeting identified need/SHMA/HEDNA issues and ‘unmet need’**

3.6.1 309 representations were received to Policy SS2, within which were advocates of both a greater and lesser quantity of development.

3.6.2 Several representations questioned the reliance on the 2014 Strategic Housing Market Assessment as the basis for identifying housing requirements, stating that it is not the most up to date evidence available. Arguments were also presented to suggest the Local Plan should make strong provision over and above Melton’s own requirements to meet unmet demonstrated need elsewhere in the Housing Market Area that will need to be accommodated. One representation suggests this should be 2500 (and suggests a site, Six Hills, where it can be accommodated, that relates well to its anticipated sources of population, Leicester and Oadby and Wigston).

3.6.3 In response, it is considered that it is a legitimate comment with regard to reliance on the SHMA though it should be understood it was the most up to date evidence at the time the Pre Submission Plan was published (November 2016). The HEDNA was published in January 2017. It provides a range of assessments of objectively assessed housing needs that the Council could pursue within the Local Plan (please **see item 3B of this agenda** for details) and this is complemented by the ‘Towards a Housing Requirement for Melton’ which considers the implications of HEDNA findings for Melton Borough and the priorities/objectives of the Plan. A further update to the Towards a Housing Requirement report has recently been undertaken to understand the implications of revised whole plan viability work (**see item 3B**). On the basis of these considerations, it is considered that a total of 6125 (245 p.a.) remains an appropriate level for the Plan, and it is recommended that this should remain the level of overall provision within the Plan. The reasons for this conclusion are discussed in detail in item 3B of this agenda. It should be noted that in future consultations, these reports will be published and open to comment and as such, parties are entitled to comment further on their content and the conclusions drawn.

- 3.6.4 The approach set out in the Plan to the question of unmet housing need is addressed in the reasoned justification and Policy SS6. In summary, this recognises that there is a potential that unmet need may need to be accommodated within Melton beyond that catered for by the Local Plan but explains that the Council is committed to resolving this through the production of a Strategic Growth Plan for the Leicester and Leicestershire sub region. In the event that this results in a quantum in excess of that accommodated by the Plan, it is proposed to undertake a review of the Plan and identify the optimum approach and location for this requirement.
- 3.6.5 **Modifications are suggested in response to these representations to reference the appropriate source of the evidence as HEDNA and the ‘Towards a Housing Requirement’ report.**
- 3.7 **The balance of development between Melton Mowbray and the rural area (the 65/35 ratio)**
- 3.7.1 Representations question the appropriateness of the ‘balance’ proposed in Policy SS2, with arguments both in favour of increasing and decreasing the stated apportionments. The principal argument behind increasing the quantity in Melton Mowbray is based on its inherent superior sustainability arising from size, range of services, transport connections etc. The arguments against rely principally on questions regarding deliverability, 5 year housing supply and housing choice, i.e. that a wide range of sites need to be found to maintain supply and offer choice. There were also comments made that it is too ‘rigid’ and may lead to undue constraint upon housing supply.
- 3.7.2 The ‘Settlement Roles, Relationships and Opportunities Report 2015’ assessed the relative merits of maintaining, reducing or increasing the proportional split of historical house building rates in Melton Mowbray and the villages. The study also considered increasing the proportion of the Borough’s housing requirement located in Melton Mowbray, to 65% or 70%, with the remaining 35% to 30% being located in the villages and 65%/35% was concluded as the optimum balance. This evidence is considered to remain valid.
- 3.7.3 Whilst the arguments regarding the relative sustainability of Melton Mowbray are clear, it is also considered that the villages identified as Service Centres and Rural Hubs are also sustainable in their own right. This has been demonstrated in decision making under the NPPF by both the Council and in several cases the Planning Inspectorate, and as such it is considered they are appropriate locations for residential development. It is also evident that a portion of the Borough’s housing need derives from demand associated with locations outside the HMA and some villages have an inherent locational advantage arising from their proximity to those areas.
- 3.7.4 It is agreed that the specification could be interpreted in an overly precise manner and certainly it is not anticipated that development would follow this balance exactly over the period of the plan. Indeed the housing trajectory work indicates that development in villages is likely to progress at a faster rate than in Melton Mowbray owing to the relatively straight forward requirements of the sites when compared to the complexities associated with the Sustainable Neighbourhoods in Melton Mowbray. It is therefore recommended that adjustments are made to the precise text of the policy and reasoned justification to

reflect this volatility.

**3.7.5 It is recommended that the expression of the balance of development between Melton Mowbray and the rural area of 65/35% are expressed in approximate terms.**

**3.8 Identification of villages within the spatial hierarchy (e.g. Somerby, Gaddesby, Long Clawson and Bottesford)**

3.8.1 Arguments are presented that owing to the limited presence of facilities and/or their capacity, alongside different levels of connectivity, that various villages are inappropriately identified in the Spatial Strategy that forms the basis for Policy SS2. However the evidence on which these conclusions are drawn is considered to be a sound basis, whilst recognising that a range of different approaches could have been adopted.

3.8.2 The Review of the Settlement Roles and Relationships Report (May 2016) and approach to allocation contained within the Consideration Of Settlement Roles and Relationships (1st September 2016) reviewed the approach and identified that 4 key services would be applied to establish the 'category' of the village. These were selected to identify the factors which offered the greatest contribution to sustainability which, in turn, are those best placed to attract a share of housing. The capacity of villages to receive the allocations defined by this approach is based upon an individual assessment of the range of available and suitable sites.

**3.8.3 No modifications are suggested in response to these representations.**

**3.9 'Apportionment' to Service centres. Rural Hubs and Rural Settlements**

3.9.1 Several representations were received suggesting that the apportionments are inappropriate, several conveying the view that the category concerned is proposed to received too great a proportion, but others also suggesting that an increase is warranted. This is particularly the case with regard to Service Centres, where it is argued that a greater proportion should be apportioned as a result of their superior 'sustainability credentials'.

3.9.2 It was also argued that the use of existing settlement size is an inappropriate measure by which to apportion development, it being 'arbitrary' and not reflecting either suitability for the capacity of individual villages to do so, in either environmental or infrastructure terms. It was also argued that the base populations used were wrong.

3.9.3 In response to this it is considered that The 'Settlement Roles, Relationships and Opportunities Report 2015' assessed the relative merits of maintaining, reducing or increasing the proportional split of historical house building rates in Melton Mowbray and the villages and Consideration Of Settlement Roles and Relationships (1st September 2016) reviewed these findings. These reports led to the conclusion that Service Centres and Rural Hubs should accommodate 35% of the need (1822) on a proportionate basis, after taking into account plus an 'allowance' for 'windfall' in both Melton Mowbray and the rural area. It is considered that the identification of the villages listed as 'Service Centres' and 'Rural Hubs' is itself a reflection of their relative sustainability within categories (the studies showed a similar level of services between each village in either category) and that apportionment related to their existing size is an appropriate measure, respecting

their existing size and character and inherently their relative sustainability. With regard to the capacity of services, providers have been consulted and none have identified an insurmountable barrier to the level of provision proposed.

**3.9.4 It is recommended that no modifications are suggested in response to these representations.**

### **3.10 Flooding and other environmental constraints**

3.10.1 Criticism has been made that the Spatial Strategy has not taken into account flood risk and other environmental constraints. This is not the case and where such constraints have resulted in insufficient site capacity, the Plan allows for a shortfall. However this has led to a further issue in that the resultant shortfall is then required to be accommodated a different way. Very many sites are affected by flood risk and other environmental constraints and the incidence of this is prevalent in Bottesford, in particular. However there remain a range of sites unaffected by such factors and it is not considered that the risk is so severe that the sustainability of the village overall is undermined. Site selection will take into account flood risk, the sequential test and mitigation measures.

**3.10.2 No modifications are therefore suggested in response to these representations.**

### **3.11 The 'redistribution' of shortfalls to other villages which have site availability**

3.11.1 The approach of 'redistribution' has attracted strong criticism. However in arriving at this approach, consideration was given to 'reallocating' to Melton Mowbray, focussing on only the 'higher order' villages ('Service Centres') or redistributing following the pattern established by the initial exercise. The latter was agreed on the basis that the approach represents the most appropriate approach bearing in mind the desire to prevent over concentration in one or other category and undermine the wider Spatial Strategy.

3.11.2 The update to the site assessments has provided further information and evidence on the availability, suitability, deliverability and viability of sites put forward for allocation in the Borough (**See Item 3E of this Agenda**) As a result of this enhanced information a total of 81 suggested changes are identified to improve the site allocations and to ensure the sites identified going forward have been selected based on a robust and up to date evidence base. The majority of the changes are minor, in that they clarify the site boundaries and potential capacities of existing sites.

3.11.3 There are more significant changes in that new sites are identified and existing sites are removed, **as detailed in item 3E**. These amendments to the site allocations impact on the delivery of the spatial strategy set out in policy SS2 of the Draft Plan which sets out the requirement of 3780 homes to be delivered on allocated sites in Melton Mowbray and 1822 dwellings in the Service Centres and Rural Hubs, over the plan period.

3.11.4 In the case of Melton Mowbray, allocations identify a supply of 3646 dwellings over the plan period. This figure does not include completions between 2011 and March 2017 which equate to 287 dwellings, existing commitments or windfall allowances.

**Table 3: Housing Supply – Melton Mowbray Allocations**

<b>Melton Mowbray Source of Delivery</b>	<b>Number of Dwellings</b>
North Sustainable Neighbourhood	1500
South Sustainable Neighbourhood	1700
Allocated Sites	446
<b>Total</b>	<b>3646 (+ completions/commitments = 3933)</b>

3.11.5 The total capacity of sites across the Service Centre and Rural Hub allocations is 1619 dwellings. This figure does not include completions between 2011 and March 2017 which equate to 293 dwellings, existing commitments or windfall allowances.

**Table 4: Housing Supply – Rural Area**

<b>Rural Area Source of Delivery</b>	<b>Number of Dwellings</b>
Service Centre Allocations	1267
Rural Hub Allocations	352
<b>Total</b>	<b>1619 (+ completions/commitments = 1912)</b>

3.11.6 In both the Service Centres and Rural Hubs, the potential estimated capacity of dwellings on some sites has increased and in some individual cases it has decreased. However, overall the result is that the updated sites allocated in the Service Centres meet the residual requirement of 1163 with a total figure of 1267 dwellings. In addition, the updated sites allocated in the Rural Hubs meet the residual requirement of 255 with a total figure of 352 dwellings. There is therefore some flexibility so that the plan can respond to a change in circumstances if required to.

3.11.7 **Modifications are suggested in response to these representations and the evidence presented in item 3E of this agenda to reflect the fact that further sites have now come forward where previously there were ‘shortfalls’ and the revised capacity estimates. This prevents the need for the ‘redistribution’ of allocations between Service Centres and Rural Hubs. A proposed Focussed Change presenting a updated version of Policy SS2 and paras 4.2 to 4.22 including the tables is included in Item 3I of this agenda.**

### 3.12 Windfalls

3.12.1 Representations suggest that too great a dependence is placed on a ‘windfall’ allowance, suggesting that infill in the past has taken up many of the opportunities for small scale dwellings and that this form of supply will ‘dry up’.

3.12.2 In response, the ‘windfall allowance’ is informed by past trends which the Council consider will be achievable, and represent a much lower rate (21 pa) than has been achieved in previous (recent) years (70 pa) and is therefore considered to be realistic and

deliverable. Furthermore, it is considered that draft Policy SS3 will increase the opportunity for small scale development adjacent to villages (i.e. not constrained by village envelopes) and in 'rural settlements' which in recent years have been severely constrained as a result of sustainability limitations.

**3.12.3 No modifications are therefore suggested in response to these representations.**

**3.13 New Settlements - Six Hills and other potential locations**

3.13.1 The approach of new settlements has been suggested as an alternative to the dispersal of growth across numerous villages and to reduce 'pressure' on rural settlements.

3.13.2 These opportunities were considered in the early plan-making exercise and are reflected in the SA. The 'Assessing Large Scale Development Sites' paper (July 2015) considered 11 alternative options for Large Scale Development Sites. These included: three 'urban extension' options and two large scale 'directions of growth' to Melton Mowbray; two options close to Melton Mowbray at Thorpe Arnold and Welby; an urban extension to Bottesford; and three new settlements at Dalby Airfield, Six Hills and Normanton airfield. The assessment concluded that the proposed 'Melton North' and 'Melton South' Sustainable Urban Extensions offered the best opportunities to provide the most sustainable strategic scale growth. They were most able to deliver the outstanding requirements for new housing and employment development and, because of their scale, are able to support the range of services & facilities, public transport and green infrastructure that help to encourage communities to form and reduce the need to travel.

3.13.3 The proponents of the site at Six Hills have promoted it as an opportunity in the context of their calculation that the overall housing provision should be increased by approximately 2500, in preparation to meet unmet need from elsewhere in the HMA. However it is considered that in the light of the most recent evidence (HEDNA and 'Towards a Housing requirement for Melton', Jan 2017 and its addendum) a substantial increase in overall provision is unlikely (see item 3B of this agenda). The Council is committed to resolving the issue of unmet need through the production of a Strategic Growth Plan for the Leicester and Leicestershire sub region. In the event that this results in a quantum in excess of that accommodated by the Plan, it is proposed to undertake a review of the Plan and identify the optimum approach and location for this requirement. This site would be one such option, and is referenced as such in draft Policy SS6.

**3.13.4 No modifications are suggested in response to these representations.**

**3.14 Service and Infrastructure provision and capacity**

3.14.1 Numerous representations question whether the capacity of local services can accommodate the growth proposed, with references to schools, health services, highways infrastructure, utilities and also private businesses such as shops.

3.14.2 Consultation with infrastructure providers has not given rise to evidence that such issues cannot be overcome. It is certainly the case that some facilities and services will reach or exceed their capacity but providers have indicated that they can expand alongside the levels of growth anticipated through the use of normal provisions, albeit in some locations a bespoke solution is required (e.g. for school expansion in Waltham, and Long Clawson

– see details in item 3F of this agenda).

**3.14.3 No modifications are suggested in response to these representations.**

**3.15 Minor and Consequential amendments**

3.15.1 Various suggestions have been made regarding the detailed wording of policies and the reasoned justification (explanatory text):

- (i) Amendment of Policy SS2 Clarification of the intention of the 4<sup>th</sup> paragraph of draft Policy SS2 to specify that the 35% is to be accommodated within service centres and rural hubs.
- (ii) Heritage England suggest the words “where appropriate” are inserted into bullet 4 of Policy SS3.

3.15.2 These suggestions are not regarded as affecting the soundness of the plan as a whole, and so are suggested as modifications to the submitted plan, rather than being included in the Addendum of Focused Changes.

**3.16 Policy SS3: Specification of size limits for unallocated sites**

3.16.1 Comments have been made concerned that the limits specified in Policy SS3 are arbitrary and unresponsive to local needs which may change over time.

3.16.2 The limits of 3, 5 and 10 were originally included as to reflect the settlement hierarchy which in turn reflects their sustainability, in relative terms. The wording of the policy was intended to accommodate development where it made a positive contribution to meeting identified need and the sustainability of settlements, alongside ‘conventional’ planning considerations (environmental impacts etc) and these expectations are encompassed in the criteria contained within the Policy

3.16.3 However it is recognised that such circumstances could vary significantly from location to location and over time, bearing in mind that the Plan has a ‘life span’ extending to 2036. In order to be able to be more responsive to such circumstances, it is proposed that a ‘focussed’ change is made to SS3 to remove the specification of the figures quoted. These could still appear in the reasoned justification in order to provide clarity of what is anticipated, whilst not being ‘binding’ by virtue of inclusion in the Policy itself. The essential thrust of the Policy in terms of making a positive contribution to the sustainability of a settlement would remain, and size and scale considerations governed by a requirement that development under this Policy by an over arching requirement that it is in keeping with the ‘host settlement’.

**3.16.4 *It is proposed that a Focussed Change is published for consultation producing a revised version of Policy SS3 and its related reasoned justification, to delete the specification of numerical limits on proposals coming forward on unallocated sites.***

**3.17 Policy SS6 - Long Term Growth Strategy And Review Triggers**

- 3.17.1 A total of 41 representations were received to this Policy and its associated reasoned justification, of which six were whole or partial expressions of support. The remainder of this report sets out the main issues raised and the suggested responses to them.
- 3.17.2 Several representations from the development industry sought more clarity and certainty that the Council would undertake a Local Plan review when it is needed. They wanted terms like ‘significant’ and ‘persistent shortfall’ in housing delivery precisely defined, and a commitment from the Council to undertake an early review of the Local Plan, rather than just considering an early review. However, the wording is deliberate to allow the Council some flexibility in triggering a Local Plan review, and to reflect changing case law and best practice nationally on the amount of deviation from housing delivery targets that is held to warrant remedial action.
- 3.17.3 The Council is committed to contributing to the production of a Strategic Growth Plan for the Leicester and Leicestershire sub region. If this results in a quantum in excess of that which can be accommodated by the Plan, it is proposed to undertake a review of the Plan and identify the optimum approach and location for this requirement. There may be sufficient flexibility within the plan, e.g. as a result of the flexibility and ‘headroom’ above OAN already present in the Plan, to accommodate a change in the requirement arising from across the HMA, and the future distribution of any unmet needs from elsewhere through the Strategic Growth Plan, without the need to amend the plan.
- 3.17.4 However the Strategic Growth Plan is clearly a development that has the potential to trigger the need for review and there is some certainty regarding its timetable for production. A commitment to the process of review following its completion is therefore considered appropriate, though for the reasons set out above, this may not necessarily result in any/significant changes.
- 3.17.5 ***A suggested modification is recommended that amends paragraph 4.7.8 to clarify that the plan review referred to would be “commenced within 12 months of any adoption by the Council of the Strategic Growth Plan “.***
- 3.17.6 **Policy SS6: Potential alternative or long term options if a plan review is needed**
- 3.17.7 There has been both support and objection to the named sites, and a number of representations suggested they should be allocations rather than future options, to lift the pressure off the villages and provide additional capacity. These issues and the response to these representations are explored in more detail in the consideration of Policy SS2 and SS3 above.
- 3.17.8 Some representors felt it was premature to include the alternative locations in the plan at this stage; the promoter of land to the east of Melton Mowbray was one, citing the more suitable opportunity for growth that would arise if the Melton Mowbray Eastern Distributor Road is implemented.
- 3.17.9 The named sites in the draft policy are examples of option that would be considered and do not preclude the consideration of other alternatives. This would be necessary for the process to be considered sound. Also, as it is not possible to predict the nature or scale of the unmet housing need or shortfall against delivery that might occur, it would be

premature to be precise about the solution.

**3.17.10 Policy SS6: Up to date evidence (HEDNA) should be taken into account**

3.17.11 Several representors raised concerns about use of out of date SHMA data, and that the Council should use the latest evidence in the Housing and Economic Development Needs Assessment (HEDNA).

3.17.12 HEDNA was not published until after the draft plan was prepared, so could not be relied upon at that time; now that it has been, the implications of its findings can be considered (see Item 5 of this agenda) and proposed changes and suggested modifications are put forward to update the appropriate references. References to the Strategic Growth Plan will also be updated through suggested modifications.

**3.17.13 *It is recommended that Working Group agree to suggested modifications that would update paragraphs 4.7.6 and 4.7.7 to reflect the updated evidence.***

**3.17.14 Land to west of Melton Mowbray**

3.17.15 Representations were received objecting to the exclusion of land to the west of Melton Mowbray within the Plan, mentioning that it was raised by the Inspector at Core Strategy

3.17.16 This area of land was considered as an alternative in early plan-making and is reflected in the SA. As it is mentioned in draft Policy SS6, it will be explored when the local plan will be reviewed. Also, the land is not available in the foreseeable future and as such, is not appropriate for inclusion as an allocated site. However, changes in circumstances could occur and any review will allow this to be taken into account. The Jacobs 2016 Options appraisal for the Melton Mowbray Distributor Road (MMDR) indicates that preference should be given to eastern MMDR rather than a western one, and this is now being pursued through design work and a business case for funding from Central Government. This also reduces the rationale for development to the west at this time.

**3.17.17 No modifications or proposed changes are suggested in response to this.**

**3.17.18 Policy SS6 : reference to Six Hills**

3.17.19 Six Hills has been promoted and suggested as an allocation to reduce pressure on rural settlements and accommodate additional housing capacity of approximately 2500, in preparation for 'unmet need' arising from elsewhere in the HMA. On the other hand, Charnwood BC points to Six Hills and Normanton Airfield performing less positively on SA than other alternatives, so questions their inclusion in draft Policy SS6.

3.17.20 The commentary at section 3.13 above provides the response to these issues.

**No modifications or proposed changes are suggested in response to this.**

**3.17.21 Policy SS6 : references to Dalby Airfield**

3.17.22 Representations were received that requested this be removed from Plan as it is not sustainable. A comment was also made about the inconsistency of paragraph 4.7.4 and draft Policy SS6.

3.17.23 The response to this is also as set out in Section 3.13 above. The site performed reasonably well in SA objectives in comparison to other alternatives, and therefore is considered appropriate to include alongside those others areas listed in the draft Policy. The inconsistency can be addressed by amending paragraph.4.7.4, and would be a suggested minor modification.

**3.17.24 A minor modification to paragraph 4.7.4 to include reference to Dalby Airfield is recommended.**

### **3.17.25 Policy SS6 : General and other issues**

Several general issues have been raised on this policy as follows:

- (i) No reference made to neighbourhood plans in this policy,  
*Response: (This comment has been made against a wide range of plan policies, so this response applies to them all). Reference is made in section 1.9 of the plan and the relationship to local plans is set out in national policy and does not need repetition.*
- (ii) Whilst the large and small alternative options have received some support, concern has been raised that insufficient priority has been given to brownfield land in arriving at these options.  
*Response: Melton is largely a rural district and the amount of brownfield land falls short for future development. Policy SS6 does not preclude the consideration of other sites as other reasonable alternatives if the need for a review is triggered.*
- (iii) The policy should be deleted as it pre-determines the outcome of a future review by highlighting locations.  
*Response: The review policy is needed to confirm Council's actions to ensure delivery of enough housing to meet identified need should it change from that provided for within the Plan or should there be a failure of delivery, quantitatively or spatially.*
- (iv) Land east of Belvoir Road, a SHLAA site, has been proposed for inclusion in the policy.  
*Response: locations are identified in the policy, not sites, but are priorities to explore at the time of review, and this does not preclude consideration of reasonable alternatives. During Issues and Options stage, Belvoir Road site performed poorly and was not considered in the 'Emerging Options' or 'Pre Submission' stages.*
- (v) A suggestion that the policy should include the reserve sites and the spatial

strategy should be amended to reflect that.

*Response: Para 4.7.3 indicates the initial action if the strategy is not delivering against the target which would involve considering the reserve sites alongside other options. This is also referred to in draft local plan paragraphs 5.4.7, 5.4.8 and Policy C1(B).*

#### **4.0 POLICY AND CORPORATE IMPLICATIONS**

4.1 The Melton Local Plan sets out the Council's preferred approach to addressing the issues and challenges which need to be dealt with through the Local Plan, to deliver the development the Borough requires and to deliver the vision and objectives of the Plan.

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

5.1 There are no significant unknown financial or resource implications arising from this report. The Local Plan publication and consultation are core elements of the existing budget provision. Whilst will have a significant resource implication on the staffing resources and expenditure relating to statutory notices and publicity, this will be met through the existing Local Plan budget provisions.

#### **6.0 LEGAL IMPLICATIONS/POWERS**

6.1 The preparation of the Local Plan is governed by legislation (The Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011) and also Regulations (The Town and Country Planning (Local Planning) (England) Regulations 2012).

6.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 and the NPPF require that plans are prepared based on the most up to date 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 (EIA) through each stage of preparation. The pre submission Local plan has been the subject of an EIA which is now published in accordance with the Council's policy.

## 9.0 RISKS

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

**IMPACT**

Risk No	Risk Description
1	Scale and nature of representations received through consultation demonstrate the plan is unsound
2	Evidence is challenged and scrutiny as part of the Local Plan Examination.
3	Evidence becomes out of date
4	The approach to Review is challenged as part of the Duty to Cooperate

## 10.0 CLIMATE CHANGE

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

## 11.0 CONSULTATION

11.1 The evidence referred to in this report and modifications to the content of the Plan will be published alongside the 'Focussed Changes' proposed (**see item 3A of this Agenda**) in accordance with Regulation 19 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: 24<sup>th</sup> June 2017

Appendices : Appendix 1 – responses to representations (deposited in the Members Room)

Background Papers: None