

Sent by email only to: [planningpolicy@melton.gov.uk](mailto:planningpolicy@melton.gov.uk)

Tuesday 08<sup>th</sup> November 2022

Dear Sir/Madam,

This letter provides Gladman Developments Ltd (Gladman) representations in response to the submission version of the Asfordby Neighbourhood Plan (ANP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.

Gladman specialise in the promotion of strategic land for residential development and associated community infrastructure and have considerable experience in contributing to the Development Plan preparation process having made representations on numerous planning documents throughout the UK alongside participating in many Local Plan and Neighbourhood Plan examinations. It is based on that experience that these representations are made.

Gladman are promoting land to the north of the A6006, Asfordby for residential-led development through the Melton Local Plan Review (see accompanying Site Location Plan at Appendix A). We want to work collaboratively with key stakeholders through this process and are keen to hear what could be provided at this location to meet the needs of existing and new residents. The design process for the site is at an early stage and can be further shaped to meet the needs of the local community. We would welcome the opportunity to discuss how the site could be delivered with Asfordby Parish Council (APC).

### **Legal Requirements**

Before a neighbourhood plan can proceed to referendum, it must be tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The basic conditions that the ANP must meet are as follows:

“(a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.

(d) The making of the order contributes to the achievement of sustainable development.



(e) The making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

(f) The making of the order does not breach, and is otherwise compatible with, EU obligations.

(g) Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).”

## **National Planning Policy Framework**

The National Planning Policy Framework (the Framework) sets out the Government’s planning policies for England and how these are expected to be applied. In doing so it sets out the requirements for the preparation of neighbourhood plans to be in conformity with the strategic priorities for the wider area and the role they play in delivering sustainable development to meet development needs.

At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a golden thread through plan-making and decision-taking. This means that plan makers should positively seek opportunities to meet the development needs of their area and Local Plans should meet objectively assessed housing needs, with sufficient flexibility to adapt to rapid change. This requirement is applicable to neighbourhood plans.

Planning Practice Guidance (PPG) makes clear that neighbourhood plans should conform to national policy requirements and take account of the most up-to-date evidence. This is so that APC can assist Melton Borough Council (MBC) in delivering sustainable development and be in accordance with basic condition (d).

The application of the presumption in favour of sustainable development will have implications for how communities engage with neighbourhood planning. Paragraph 13 of the Framework makes clear that Qualifying Bodies preparing neighbourhood plans should develop plans that support strategic development needs set out in Local Plans, including policies for housing development and plan positively to support local development.

Paragraph 15 further makes clear that neighbourhood plans should set out a succinct and positive vision for the future of the area. A neighbourhood plan should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Neighbourhood plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to the wider opportunities for growth. Paragraph 29 of the Framework makes clear that a neighbourhood plan must be aligned with the strategic needs and priorities of the wider area and plan positively to support the delivery of sustainable growth opportunities.

## **Asfordby Neighbourhood Plan**

Gladman support the community's initiative to prepare a neighbourhood plan for Asfordby and we welcome the opportunity to comment on the submission plan. The following section responds to the ANP submission document and its supporting evidence base. At this stage, we do not consider it necessary to comment on each policy contained within the ANP, rather we have sought to provide feedback with the aim to assist in creating robust policies. Our advice is intended to help the ANP in its examination in order to ensure that the ANP meets the basic conditions.

### Relationship to Local Plans

To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, neighbourhood plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan. The adopted development plan relevant to the preparation of the ANP, and the development plan which the ANP will be tested against, is the Melton Local Plan 2011-2036. The Melton Local Plan was adopted in October 2018 and sets out policies for the use and development of land across the whole of the borough. It replaces the saved policies of the 1999 Melton Local Plan.

As set out in national policy, there is a requirement to maintain an up-to-date Local Plan, and to do so it must be reviewed at least every 5 years. The Local Plan is now over 4 years old and therefore in April 2022, Melton Borough Council committed to undertaking a review of the adopted Local Plan. This process is now underway, and it is our understanding that the Council will undertake a Regulation 18 'Issues and Options' consultation in early 2023.

Whilst it is expected that the ANP will be 'made' in advance of any firm progress on the Melton Local Plan Review, it will nonetheless be crucial for APC to keep abreast of this process and any impacts that this could have on the drafting of its neighbourhood plan. As currently drafted, the ANP is silent on the emerging Melton Local Plan Review, and we suggest that the draft plan could benefit from a commitment to undertake a review of the neighbourhood plan when the Local Plan Review is further advanced in the plan-making process.

### Policy A10: 'Windfall' development

Policy A10 'Windfall Development' sets out that, in addition to existing housing commitments and Local Plan allocations, permission for housing development within the Asfordby Village, Asfordby Hill and Asfordby Valley Settlement Boundaries, as defined on the Policies Map, will be supported. Outside of the Settlement Boundaries, support for housing development will be limited to within the defined criteria set out in A-F.

Gladman are concerned that Policy A10, as currently drafted, conflicts with local plan policies SS2 and SS3 which clearly set out that windfall development could take place within **and adjoining** (emphasis added) Service Centres, Rural Hubs and existing settlements.

Consequently, we politely recommend the modification of the policy and suggest that it should make explicit reference to land adjacent to the Settlement Boundaries to conform with adopted local plan policy.

#### Policy A12: Asfordby Storage and Haulage Depot, Main Street, Asfordby

The Asfordby Storage & Haulage Depot is allocated for redevelopment in Policy A12 to provide for around 67 dwellings. Whilst broadly supportive of APC's intention to allocate brownfield sites in the village for redevelopment, we nonetheless have several concerns with this proposed allocation.

Firstly, the site has a number of constraints including being situated in an area of Flood Zone 2, proximity to Flood Zone 3, and is potentially contaminated land. Secondly, it is our understanding that the site is still currently in use for logistics purposes and that the landowner has not been involved in the neighbourhood plan process. Without the participation of the landowner, the site is not available and there is no certainty provided that the site would be delivered over the course of the neighbourhood plan period to 2036. Indeed, the neighbourhood plan explicitly highlights at paragraph 6.23 that APC cannot be sure there is a realistic prospect of development coming forward.

Consequently, the policy does not seem to be soundly based. We suggest that this allocation is removed from the draft neighbourhood plan.

#### Policy A14: First Homes

First Homes are a new type of affordable housing and offer eligible first-time buyers an opportunity to purchase their own home, at a discounted price. They were introduced by the Government in May 2021 and are now a requirement of national planning policy. National policy as set out in the Written Ministerial Statement and Planning Practice Guidance is clear that, after the discount has been applied, the initial sale of First Homes must be at a price no higher than £250,000.

Policy A14 is seeking to apply an initial sale cap of just £83,000, significantly below the £250,000 threshold as set out in national policy. This appears to be based on data contained within the MBC Housing Needs Study 2016, which detailed for the Asfordby ward an average lower quartile house price of £119,004. With the 30% discount applied, this infers a price of £83,000. However, this data is now over five years old and is not considered robust to support the proposed threshold. Gladman note that the lower quartile house price in the borough has increased by 32% between 2016 and 2021 (ONS Lower Quartile House Price data). If this was replicated in Asfordby, the proposed £83,000 threshold would clearly be out of sync with local house prices. Consequently, this element of the policy is not supported by robust or proportionate evidence. It is therefore unjustified and should be removed from the policy.

## Policy A17: Children's Play Areas

Policy A17 states that Local Areas for Play (LAP), should be provided on new developments of ten or more dwellings. In the supporting text to the draft policy (paras 7.17-7.22), APC note that the existing play areas within the village are well used by school children and would benefit from new play equipment on the existing four play areas. In paragraph 7.22, it is explicitly stated by APC that *"it would be better if new development contributed to the improvement of existing play areas."* However, the policy as currently drafted does not refer to improvements to existing play areas and instead states that a new LAP should be provided on every new development of 10+ dwellings. This could result in a number of LAPs being provided across the village if a number of 10+ dwellings residential developments applications are implemented over a short space of time.

Gladman recommend that the draft policy is modified to allow developers to provide a financial contribution, proportionate to the size of the proposed residential development, to improve existing children play areas within the village. In the adopted Melton Local Plan, the Melton Open Space Assessment is applied to all residential-led developments in relation to the quantum of children's play space should be provided on sites.

### **Conclusion and Next Steps**

Gladman recognises the Government's ongoing commitment to neighbourhood planning and the role that such plans have as a tool for local people to shape the development of their local community. Through our consultation response, Gladman has sought to clarify the relationship of the draft ANP as currently proposed with the requirements of national planning policy and the strategic policies for the wider area. Gladman would like to highlight that the above consultation response is not a criticism of the work put into the draft ANP so far.

As detailed at the outset of this representation, Gladman are in the early stages of promoting land to the north of the A6006 for a residential-led development. We are committed to placing engagement with communities and stakeholders at the heart of everything we do in delivering the proposal from this point onwards. With this in mind, we would be happy to have an initial meeting with APC at their discretion to discuss the site in more detail.

Should further clarification be needed on points raised above, the Parish Council are welcome to contact Andrew Collis at [a.collis@gladman.co.uk](mailto:a.collis@gladman.co.uk).

Yours sincerely

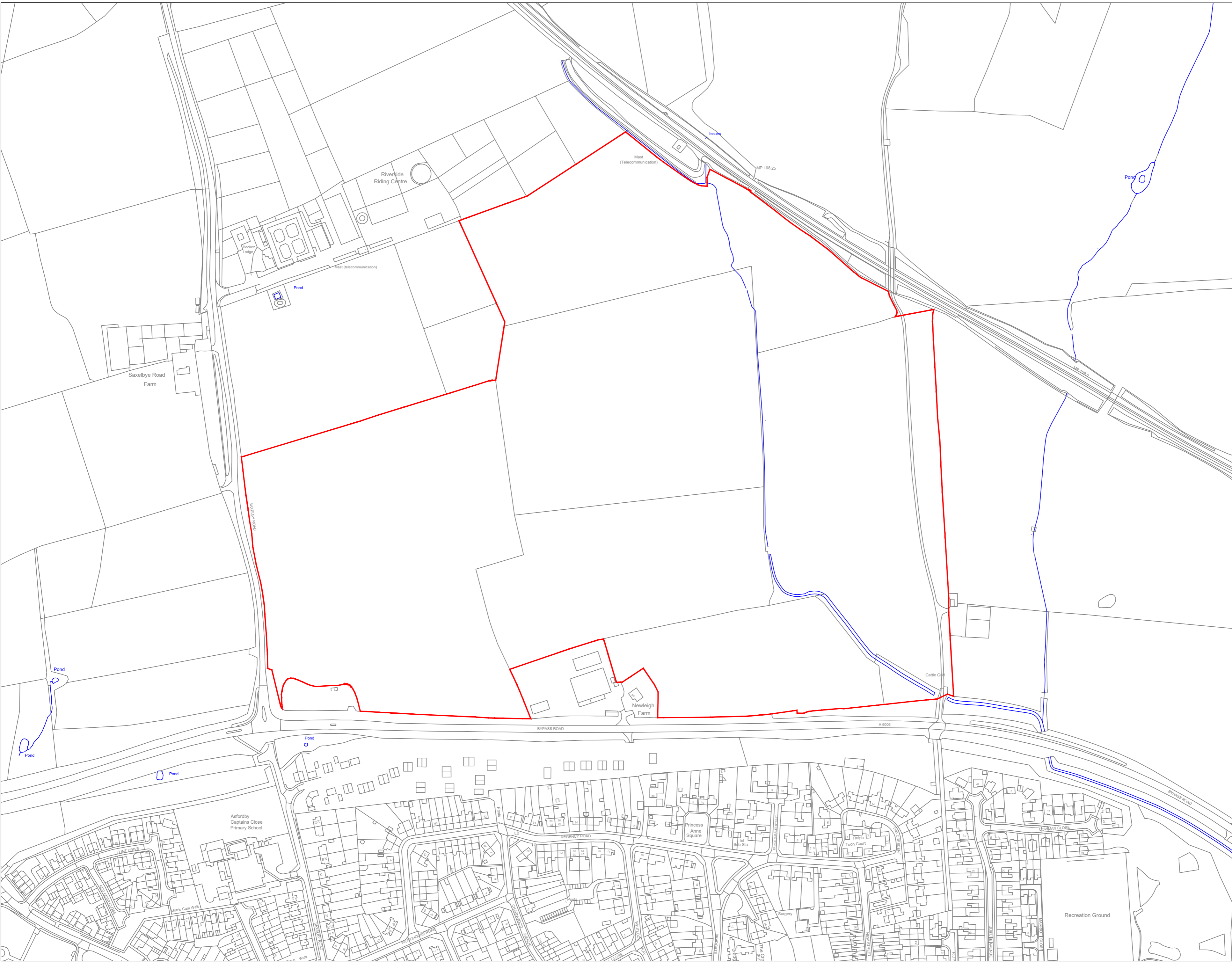
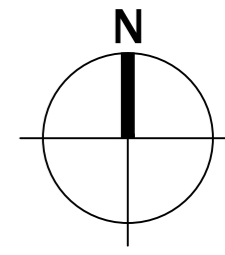
*Andrew Collis*


Andrew Collis

Planner

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Appendix 1 – Land north of the A6006, Asfordby



Rev	Date	Revision notes	By
*	*	*	*
DO NOT SCALE			
<b>INFORMATION</b>			
<b>Project</b>			
<b>ASFORDBY, SAXELBY ROAD</b>			
<b>Title</b>			
<b>LOCATION PLAN</b>			
		<b>GLADMAN</b> <small>Gladman House, Alexandra Way Congleton Business Park Congleton, Cheshire CW12 1LB Tel: 01260 288800 Fax: 01260 288801 www.gladman.co.uk</small>	
<b>Drawn by</b>	<b>Issue date</b>	<b>Title checked by</b>	<b>Issue date</b>
SB	25.10.2022	CHECKED BY	CHECKED_DATE
<b>Highways checked by</b>	<b>Highways checked date</b>	<b>Topo checked by</b>	<b>Topo checked date</b>
CHECKED BY	CHECKED_DATE	CHECKED BY	CHECKED_DATE
<b>Scale(s)</b>			
1:2500 @ A2			
<b>Project no.</b>	<b>Drawing no.</b>	<b>Revision</b>	
2022-018	101	*	