



Ref:

(For official use only)

Melton Local Plan – Proposed Modifications Consultation – Representation Form

Following the Examination hearing sessions held in January and February 2018, Ms Mary Travers, the independent Planning Inspector appointed on behalf of the Secretary of State, has requested that the Council now undertake consultation on a number of Main Modifications (MM) required to make the Plan sound. The Inspector will consider all of the representations that are made on the proposed Main Modifications before reaching her final conclusions on any changes that need to be made to the Local Plan in order for it to be sound and capable of adoption. Her reasons will be set out in her report to the Council which will be published in due course.

Details of what we are consulting on can be found on the Proposed Modifications Consultation page of the Local Plan website at www.meltonplan.co.uk/mods

To participate in this consultation please complete the following form and return it to Melton Borough Council's Planning Policy team. Please complete both part A and part B. Comments may be made on Main Mods (MM), Additional Mods (AM) and Policies Map Changes (PMC). If you wish to comment on more than one MM, AM or PMC you will need to complete additional part B form for each additional one you are commenting on.

Please return forms electronically to PlanningPolicy@melton.gov.uk or alternatively post your responses to

*Planning Policy, Melton Borough Council,
Parkside, Station Approach, Burton Street,
Melton Mowbray, Leics, LE13 1GH*

Part A – Personal Details

If you are responding on behalf of yourself, or your own organisation, please fill in all the ‘Personal Details’ fields. If an agent is appointed, please complete only the Title, Name and Organisation boxes in the Personal Details column, but complete all the ‘Agents Details’ column.

	Personal Details	Agents Details (if applicable)
Title		Mr
First Name		Guy
Surname		Longley
Job Title (where relevant)		Executive Director
Organisation (where relevant)	Davidsons Developments Limited	Pegasus Group
Address Line 1		
Address Line 2		
Address Line 3		
Address Line 4		
Postcode		
Contact Telephone		
Email Address		

Did you comment at Pre-Submission Stage of the Local Plan	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
If yes, please insert your representation number (You can find your representation number on the website or by clicking here .)			392	
Did you comment at Focused Change Stage of The Local Plan	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
If yes, please insert your representation number (You can find your representation number on the website or by clicking here .)			111	
Do you wish to be notified of the subsequent stages of the Local Plan?				
Publication of Inspector’s Report	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Adoption of the Local Plan	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Part B – Your Representation

Please use a separate sheet for each representation

1) To which part of the consultation does this representation relate?

Main Modification

✓

Additional Modification

Please note – comments should be restricted to the matters listed only and should not relate to any other aspect, site or policy of the Local Plan.

Policies Maps

If you are commenting on a Modification, please insert the MM, AM or PMC number.

MM1

Please provide comments below, being as precise as possible. Comments can support, as well as object.

Proposed Main Modification MM1 sets out a series of proposed modifications to paragraphs 4.2.2 -4.2.4 and Policy SS2, along with a revised Figure 6 setting out the housing trajectory for the plan period.

Amendments to paragraph 4.2.2 provides further explanation of the proposed level of housing provision, indicating that the figure of 245 dwellings per annum would meet the demographic need with affordability adjustment identified by HEDNA of 154 dwellings a year, with an additional 91 dwellings per annum required to deliver the strategic and economic objectives of the plan. The modified text advises that this additional quantity would be met from the unmet need present elsewhere in the Housing Market Area (HMA).

Reference is made to The Melton Towards A Housing Requirement, January 2017 and the Addendum, June 2017. This sets out the justification for the uplift of housing provision above HEDNA as relating to a number of factors, including aligning housing and employment strategies, supporting local services, delivering the Melton Mowbray Transport Strategy, boosting housing supply, providing affordable housing and meeting unmet needs from other areas.

The proposed level of housing provision over the plan period at 245 dwellings is supported and this is considered to be justified in relation to the Council’s aspirations for economic growth and local factors relating to the delivery of the Melton Mowbray Transport Strategy. However, it is not considered that a component of this additional provision caters for unmet needs arising from Leicester City. This approach seems to reflect a concern to ensure that the overall housing needs for the HMA as identified in the HEDNA report are not exceeded.

The level of housing provision proposed represents a justifiable ‘policy on’ level of housing provision reflecting the specific growth aspirations of Melton Borough Council. The households that would represent this additional growth above the identified OAN may not necessarily come from Leicester City. Melton’s location means that increased job opportunities may attract households from the wider area including Nottinghamshire and Lincolnshire. The suggestion that the additional 91 dwellings represents Leicester’s unmet needs is therefore overly mechanistic.

At this stage the HMA authorities have not completed a Memorandum of Understanding agreeing a distribution of unmet needs. Indeed, Leicester City have yet to identify the scale of any unmet need.

It is our view that the scale of provision is an appropriate 'policy on' position to support the Borough's growth aspirations and help deliver the Transport Strategy that justifies provision over and above the identified OAN. The issue of unmet needs is a separate matter to be addressed through a subsequent Memorandum of Understanding. A further change to paragraph 4.2.2 is set out below.

MM1 also sets out a revised housing trajectory which provides for stepped approach to housing delivery, with a minimum of 170 dwellings a year to be provided between 2011 and 2021, 245 dwellings a year between 2021 and 2026, then rising to 320 dwellings a year from 2026-2036. Modifications to the Monitoring Framework at Appendix 5 also indicate that the Council will apply the 'Liverpool' approach to accommodating any shortfall in housing provision.

In evidence submitted to the Examination, we and other parties set out the reasons why it was considered that a stepped approach was not justified. We remain of the view that there is no justification for the stepped approach and this will merely mean that there will be no incentive for the Council to bring forward housing to meet the clearly identified needs. The reasons for past rates of delivery being below the annual requirement of 245 dwellings is primarily a result of the Council's failure to have a plan in place and the resultant restriction in supply. The evidence presented by the development industry to the Council demonstrates that the level of housing provision can be achieved through expected delivery rates on committed and allocated sites.

The Council's own evidence as set out in the Towards a Housing Requirement Paper, demonstrates that the delivery of housing at the rate of 245 dwellings a year is not unrealistic. Section 7 of that report considers deliverability and notes that delivery of 245 dwellings a year represents a compound annual growth rate of around 1% per annum (para 7.4 of MBC/HN4a) and that this level of growth has been achieved in Charnwood, Harborough and Hinckley and Bosworth (para 7.5). The application of a stepped trajectory is not justified and MM1 should be further amended to remove this provision and Figure 6 amended accordingly.

The suggested application of the Liverpool approach to dealing with any shortfall is not justified and is not consistent with national planning guidance which is clear that shortfalls in provision should be made up as soon as possible.

This issue was considered by an Inspector in relation to a recent Section 78 appeal at Asfordby (ref APP/Y2430/W/17/3167407). In considering the issue of dealing with the shortfall, the Inspector concluded as follows;

"The Council argued that the shortfall arising from this should be made up over the full plan period to 2036. While there may be circumstances where this is appropriate, as it was not suggested that the Council would need to work with neighbouring authorities to meet the undersupply under the duty to cooperate, this would not accord with the PPG and, on the evidence before me, I find that the shortfall should be dealt with in the first 5 years. I have noted that the Council has never delivered at the rate that this would require, but to approach shortfall in this way would be to admit defeat before even starting and run counter to the imperative in NPPF to boost significantly the supply of housing."

The proposed combination of a stepped trajectory and the application of the 'Liverpool' approach shows no commitment from the Council to seek to significantly boost housing supply or meet the clear immediate needs for additional housing. It results in a highly contrived supply of 9.5 years.

The reference to the 'Liverpool' approach in Appendix 5 should be removed.

Based on the housing supply evidence set out in the Council's Five Year Supply Update, 2017, this approach would show a marginal shortfall in supply for the period 2018-2023. This can be dealt with through further allocations to ensure provision in the early part of the plan period.

If you are objecting, please set out what further changes you consider necessary to make the plan sound.

MM1 should be amended as follows:

The overall quantity proposed is 6125 houses over the plan period of 2011-2036. This quantity would meet the demographic needs with affordability adjustment identified by HEDNA of 154 per year (3850) over the plan period with the additional quantity of 91 per year (2275) required to deliver the strategic economic objectives of the Plan set out in Chapter 3. ~~This additional quantity would be drawn from the unmet need present elsewhere within the Housing Market Area (HMA). Only the City of Leicester have formally declared unmet need up to 2031 and requested that unmet need be dealt with in the Melton Local Plan.~~ Should unmet need be declared elsewhere within the HMA within the local plan period, the apportionment across the HMA authorities of all unmet need arising within the HMA shall be agreed as set out in a Memorandum of Understanding (see para 4.7.8). ~~If the unmet needs are identified, apportioned to Melton Borough exceed the 2275 dwellings,~~ there may be a need for a full or partial review of the Local Plan, in accordance with Policy SS6.

Amend Appendix 5 to set targets based on an average requirement of 245 dwellings a year and making the shortfall up in the first five years:

Revised Targets:

- 1,668 by April 2021
- 3,154 by April 2026
- 4,639 by April 2031
- 6,125 by April 2036

Part B – Your Representation

Please use a separate sheet for each representation

1) To which part of the consultation does this representation relate?

Main Modification

✓

Additional Modification

Please note – comments should be restricted to the matters listed only and should not relate to any other aspect, site or policy of the Local Plan.

Policies Maps

If you are commenting on a Modification, please insert the MM, AM or PMC number.

MM5

Please provide comments below, being as precise as possible. Comments can support, as well as object.

Proposed Modification MM5 proposes a number of changes to Policy C/1(b) dealing with Reserve Sites. The amended policy advises that proposals on the identified reserve sites will be permitted where it helps to meet the identified housing requirement and development needs of the settlement and it will secure the sustainability of the settlement (revised clauses a) and b)). The modifications clarify that where proposals on a reserve site are submitted, assessment will be carried out taking into account the degree to which the allocated requirement is unmet within the settlement and evidence of community support.

For Waltham, a reserve site, WAL3 east of Melton Road is identified as a Reserve Site with a capacity of 168 dwellings.

Proposed Modification MM3 allocates two sites in Waltham (WAL1 and WAL2) to provide a total of 131 dwellings – 26 on WAL1 and 105 on WAL2. The site at WAL1 is under construction and Brampton Valley Homes has commenced work on the first phase of the WAL2 site consisting of 45 dwellings. In reality therefore, any potential shortfall from the proposed allocation at Waltham is likely to be limited to some 60 dwellings.

It is therefore excessive for the Local Plan to identify a reserve site with a capacity for at least 168 dwellings. The land at Bescaby Lane, Waltham on the Wolds, under the control of Davidsons Developments, represents a more suitable option in terms of scale, with a development potential of 45 dwellings.

Indeed, the Planning Committee, in refusing permission for the development of the proposed Reserve Site WAL3 (application ref 16/0097/OUT), concluded that the development of 124 dwellings on the site was out of scale with the existing built form of the village. The development of the proposed reserve site would therefore be contrary to the modified Policy C1(B) as its development would not secure the sustainability of the settlement.

In terms of evidence of public support for the proposed Reserved Site, the Consultation Statement on the Waltham on the Wolds and Thorpe Arnold Neighbourhood Plan noted that through consultation on potential sites, there was strong opposition to site 4 (Reserve Site

WAL3). Again, the proposed reserve site does not satisfy the requirements of Policy C1 (B) as proposed for modification.

The proposed modification includes an amendment to clause i) of the policy advising that the assessment of the need to release reserve sites will consider the degree to which the allocated requirement is unmet within the settlement. This is considered to be unnecessarily restrictive. Paragraph 5.4.7 of the plan explains that the inclusion of the policy reflects good practice to build in flexibility within the plan itself to allow for a more robust approach and 'insulate' the need for a review arising from relatively minor shortcomings on delivery.

The identified reserve sites provide the plan with the necessary flexibility to deal with shortfalls in delivery across the Borough and their release should not be restricted only to situations where this shortfall arises in the specific village where the reserve site is located. This approach severely limits the effectiveness of the policy aim to avoid the need for a plan review. It is noted that, for Policies C1(A) and C1(B), the monitoring framework at Appendix 1 seeks to measure delivery against proposed provision for different levels of the settlement hierarchy – Melton Mowbray, Service Centres and Rural Hubs and not for specific settlements. The appropriate trigger for release of Reserve Sites should be either a shortfall in overall delivery for the Borough, or a shortfall in the urban area or Rural Areas as set out in the monitoring framework for Policy SS2. We have made separate representations that the monitoring framework for Policy SS2 should not apply a stepped approach to delivery.

The reference to unmet need within the settlement at sub-clause i) should be deleted and consequential modifications should be made to Appendix 5 to measure the need for release of reserve sites against the overall trajectory or the Melton urban area or Rural Areas.

Policy C1(B) should therefore be amended to include the land at Bescaby Lane as a reserve site for the development of 45 dwellings.

If you are objecting, please set out what further changes you consider necessary to make the plan sound.

Policy C1(B) should therefore be amended to include the land at Bescaby Lane as a reserve site for the development of 45 dwellings.

The reference to unmet need within the settlement at sub-clause i) should be deleted and consequential modifications should be made to Appendix 5 to measure the need for release of reserve sites against the overall trajectory or the Melton urban area or Rural Areas.

Declaration

I Understand that all comments submitted will be considered in line with this consultation and that my comments will be made publicly available and I may be identifiable to my name/organisation.

I acknowledge that I have read and accepted the information and terms specified under the Data Protection and Freedom of Information Statement.

Signed:

Date: 1st August 2018

Data Protection and Freedom of Information Statement

The personal information you provide on this form will be processed in accordance with the requirements of the General Data Protection Regulation 2018. It will be used only for the preparation of Local Development Documents as required by the planning and Compulsory Purchase Act 2004, save for requests of such information required by way of enactment. Your name, organisation and representations will be publicly available when displaying and reporting the outcome of this statutory consultation stage, and cannot be reasonably treated as confidential. Other details, such as your address and other contact details will be treated as confidential.

You should not include any personal information in your comments that you do not wish to be made publicly available.

Your details will remain on our database and will be used to inform you of future planning policy matters and procedures relating to this Local Plan. If at any point in time you wish to be removed from the database or have your details changed, contact Planning Policy at PlanningPolicy@melton.gov.uk or by ringing the Council on 01664 502502.