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By email to: planningpolicy@melton.gov.uk

Dear Sir/Madam

MELTON LOCAL PLAN UPDATE ISSUES AND OPTIONS (REGULATION 18) CONSULTATION

1. Marrons is instructed on behalf of Cora Homes to prepare representations to the Melton Local Plan Update Issues and Options (Regulation 18) Consultation. On behalf of our client, we offer the following comments, which we trust the local planning authority will find helpful.
2. Cora Homes are promoting Land East of Melton Road, Waltham on the Wolds for a residential allocation. The site is currently identified as a reserve site for 168 dwellings within Policy C1(B) of the adopted local plan. The emerging local plan update does not envisage reviewing the status of reserve sites or allocations more generally, but the Five Year Review notes the flexibility that reserve sites provide in terms of shoring up the deliverable supply of housing land over the plan period.
3. The release of reserve sites for development is controlled by Policy CB1(B) of the adopted local plan which will remain unchanged as part of the update. In effect, the key issue to consider is the extent to which the allocated housing requirement is unmet within the settlement and the likelihood of it being met through adopted allocations.
4. In the case of Waltham on the Wolds, the allocations made for residential development have been completed and had already been granted planning permission at the time the adopted local plan was undergoing examination over five years ago. Given this and because the settlement's apportionment of growth has been met, there is apparently little scope for reserve sites such as WAL3 to come forward as a response to changing circumstances either at the local or Borough-wide level, outside of the circumstances of the NPPF's titled balance. Should the intended adjustments to Policy SS3 as discussed

below come into effect, there would be even less flexibility for such sites to come forward to respond to changing circumstances. The Local Plan Update should be make provision to address this issue in order to ensure there are a stock of suitable and deliverable sites which can come forward over the remainder of the plan period to 2036 noting the emphasis the National Planning Policy Framework (NPPF) places upon the role of small and medium sized sites and the important contribution they can make to meeting the housing requirement of an area (paragraph 70). In order to ensure balanced delivery, flexibility and contingency within the overall supply of housing and to ensure that rural areas can grow appropriately, additional allocations for housing should be made through the Local Plan Update.

5. Where reserve sites for housing have been identified at settlements, these represent the most appropriate starting point for specific land allocations, as they have already been found acceptable within the adopted local plan in relation to their site-specific impacts. Reviewing the status of reserve sites and carrying these forward into allocations through the Local Plan Update is important given the wording of Policy CB1(B), which does not allow sufficient scope for reserve sites to come forward where the settlement level apportionment for housing has already been met. Following this logic, Cora's landholding at Land East of Melton Road, Waltham on the Wolds currently identified as a reserve site should be adopted as an allocation, as it is the most suitable site in the village to accommodate residential development. In addition, it remains available, suitable and deliverable for residential development as discussed in further detail below.
6. In relation to the need to retain flexibility within the Local Plan Update, the sustainable neighbourhoods at Melton Mowbray have made progress in coming forward, but their delivery as a whole is contingent upon complex infrastructure requirements including in relation to both highways and education provision. Given Melton Mowbray plays such a large role in the delivery of the spatial strategy, it is only prudent to ensure sufficient contingency is available at other settlements should unforeseen delays and complications result in a drop in delivery and/or deliverable supply. The Five Year Review reports that delivery of housing so far in the Borough has been weighted more strongly towards the Borough's rural settlements which is suggestive of the fact that the stock of smaller and medium sized sites in the adopted local plan are becoming depleted and delivery of the housing requirement going forward will be heavily weighted towards Melton Mowbray. Reserve sites that may come forward to address this situation could be hampered by the settlement-level apportionment of housing growth already being delivered as well as Policy CB1(B)'s restrictive policy approach, which adds further weight to the need to review the status of these and carry them forward as full allocations.
7. The Five Year Review reports that a number of adopted allocations in the local plan have stalled with some showing no progress at all. As a result, it would be sensible and consistent with the deliverability of the local plan and its housing allocations to review those sites where "no progress" has been recorded to assess whether they are still available and deliverable.



LAND EAST OF MELTON ROAD, WALTHAM ON THE WOLDS (WAL3)

8. Cora Homes' landholding at Waltham (WAL3) remains available, suitable and deliverable for residential development. The site is in the control of a well-established residential developer, which means it is capable of coming forward rapidly to meet housing needs. Cora Homes is presently updating the technical evidence base in relation to the site. WAL3 remains and will remain the most logical direction of growth in the village now allocations at the village have been fully delivered, being contained on all sites by existing development and integrating seamlessly into the settlement form, with good access via sustainable modes of transport to the key services and facilities present within the settlement, Waltham is a sustainable location for rural housing growth and can continue to play a key role in the delivery of balanced pattern of development across the Borough.
9. Cora Homes has prepared a Vision Document which has been enclosed in support of these representations describing how WAL3 can come forward acceptably and in a manner that provides an attractive and integrated new neighbourhood, which responds sensitively to surrounding rural character through the use of an integrated green and blue landscape strategy. Whilst these representations will not rehearse the content of the Vision Document in full, the following points are worth noting:
 - The site does not lie within any landscape designations. There are no strategic views across the site protected by policy, as the site lies to the north of the important view identified within the adopted Neighbourhood Plan. The site benefits from a relatively enclosed visual envelope due in part to the sloping land form and the vegetated boundaries with buildings beyond. Where views of the site are experienced, those views are filtered through intervening vegetation.
 - Technical work undertaken confirms that the site's tree features are predominantly confined to the site boundaries and field margins that are mainly Category C (indicating of low quality with an estimated remaining life expectancy of at least 10 years or young trees with a stem diameter below 150mm). The opportunities have been taken within the proposals to retain trees and hedgerows wherever possible to retain biodiversity and to enhance visual amenity.
 - In terms of ecology, the site predominantly comprises two large improved grassland fields which dominate the northern extent of the site, with two smaller areas of semi-improved grassland to the south. The grassland on the site is of low value and the intensive management of the site has resulted in species-poor sward which lacks in diversity. The native hedgerows on the site are of some value, as are the young broadleaved woodland, wet ditches and ponds that can be retained and enhanced through the proposed development. A minimum of 10% biodiversity net gain is achievable.
 - The site lies within Flood Zone 1 and is at low risk from surface water and reservoir flooding. The proposals assume at this stage that all surface water is attenuated on



site and discharged to the nearest suitable outfall. Infiltration testing will also consider the potential for soakaways and surface water will be managed in accordance the drainage hierarchy.

- Safe and effective access is achievable to the site for vehicles and pedestrians. There are four existing bus stops within walking distance of the site.
- The enclosed Vision Document articulates a comprehensive vision for the site which demonstrates it is deliverable for up to 160 new homes and circa 3.01 ha of new public open space including footpaths and areas for children’s play. The design principles articulated within the Vision Document provide a robust basis for a future place-making strategy and will ensure that development of the site takes the opportunities available to deliver good design.

SCOPE & PLAN PERIOD

10. The Issues and Options Consultation Document (dated November 2023) makes it clear that only certain policies will be updated. The decision to undertake only a partial review update to the adopted local plan has been influenced by the “Outcomes of the Melton Local Plan Five Year Review” report (the “Five Year Review”) dated September 2023. The Five Year Review concluded that Policy SS2 of the adopted local plan, which relates essentially to development needs and growth strategy did not require updating. The decision was also made not to extend the plan period beyond the current end year of the adopted local plan (2036).
11. As per the December 2022 Local Development Scheme (LDS), the Local Plan Update is not forecast for adoption before 2026. Accordingly, it will only look ahead a maximum of 10 years from adoption, considerably less than the 15 year period required by paragraph 22 of the National Planning Policy Framework (NPPF). That issue is discussed at paragraph 2.2.7 of the Five Year Review but extending the plan period was rejected on the basis that it would only deal with housing need for Melton in isolation and would not include consideration of unmet needs from Leicester City Council, which has only been quantified and apportioned between the Leicester and Leicestershire Housing Market Area (HMA) authorities to 2036. Whilst this may be the case, it does not obviate the need for the Local Plan Update to respond to long-term requirements and opportunities, which is the fundamental purpose of the 15 year timespan articulated within the NPPF. We would strongly suggest that the local planning authority consider using the opportunity presented by the Local Plan Update to extend the plan period beyond 2036 to 2041 as a minimum, in order to comply with paragraph 22 of the NPPF and to take account of longer-term requirements and opportunities within the Borough and across the wider HMA. In terms of accommodating unmet needs arising from Leicester, this matter could be dealt with via sufficient contingency built into the Local Plan Update’s housing requirement, which can



then be refined through ongoing dialogue during the plan preparation process in accordance with the Duty to Cooperate (DtC).

12. We note the commentary of the Five Year Review that the Borough's latest Local Housing Need (LHN) figure calculated using the Standard Method (185 dwellings per annum) is similar to the housing requirement of the adopted local plan (170 dwellings per annum). However, as the LPA will be aware and as confirmed by the Planning Practice Guidance (PPG), the LHN provides a minimum starting point for calculating housing needs. It does not produce a housing requirement. The PPG confirms that there are a wide variety of other inputs that should be taken account in the formulation of the housing requirement, such as growth strategies for the area; strategic infrastructure improvements; unmet needs from neighbouring authorities; and where previous levels of housing delivery or assessments of need are significantly greater than the outcome from the Standard Method. This is not an exhaustive list and other matters should also be taken into account, including levels of economic growth to ensure an integrated approach between homes and jobs, as well as the need to maximise affordable housing delivery and the delivery of other specialist housing types and tenures. This appears to be implicitly acknowledged within the Five Year Review which states at paragraph 2.2.2 that "the Council intends to commission further work on housing need." Clearly, the conclusion cannot be drawn that the adopted housing requirement is still up-to-date before housing needs have been fully considered through the evidence base.
13. The Leicester & Leicestershire Housing & Economic Needs Assessment (HENA) dated June 2022 considers overall housing needs for the wider HMA. It does so to both 2036 and 2041. Paragraph 3.18 states that there are no factors which might indicate an upward adjustment to the overall housing need across the entire Housing Market Area. The rationale behind this statement is not explained, but since the HENA only makes this statement in relation to the HMA as a whole, it does not capture authority specific circumstances. In addition, plainly Leicester's unmet need is a key factor that could require an upward adjustment to housing requirements, in general terms. This is not, as the HENA claims, a matter for consideration in relation to the distribution of development, but rather a matter that must be considered in the formulation of housing requirements underpinning local plans within the HMA. As a result, the assertion that there are no requirements for an uplift above baseline housing need across the HMA is wrong on its face.
14. Paragraph 3.20 of the HENA states that the distribution of development in the sub-region will be informed by the review of the 2018 Strategic Growth Plan (SGP). This will likely cover a longer time horizon than the "interim" distribution of housing across the HMA to 2036. As part of the SGP review, as with the current iteration, it is expected that it will identify major strategic sites and growth locations to plan for new growth at scale and with associated major infrastructure improvements. As such, the delivery of growth strategies and major infrastructure items are further factors which should be taken into account in formulating the housing requirement in relation to whether an uplift is required on the baseline LHN figure. The overall conclusion to be drawn from the wider strategic planning context within the HMA is that whilst the LPA may take some comfort in respect of the



adopted local plan's performance against the LHN figure, this is not the whole story and does not remove the need for plan-making to grapple with the key strategic issues in the HMA over a suitable time period.

15. In relation to locally specific matters, the HENA reports a considerable need for affordable housing across the HMA. Within Melton the HENA confirms a need for 149 dwellings per annum. Earlier work set out in the Affordable Housing Development Plan produced by Melton Borough Council suggests there is currently a shortage of affordable homes in the Borough and forecasts a net deficit of 95 affordable homes per annum from 2011-2036 or 2,375 homes over 25 years. The position is likely to have deteriorated against the more up-to-date affordable housing needs figures reported in the HENA which represents the majority of the LHN. To expand on this point, the need for affordable homes in the Borough has only grown following adoption of the 2018 Local Plan, and as such the shortfall recorded by the Affordable Housing Development Plan will now be materially higher than 95 dpa. The Local Plan Update offers an opportunity to review the housing requirement to ensure that more affordable housing is delivered to meet substantial local needs. That opportunity has not been taken up and the limited scope of the update is likely to contribute further to the deterioration of affordable housing delivery in the Borough.
16. The direction of travel in relation to both the Five Year Review and the Consultation Document suggests that additional employment allocations will be made through the Local Plan Update. This is due to an identified shortfall of employment land against the figures presented within HENA and the datedness of the existing evidence base in respect of employment land needs. In making additional allocations for employment land, consideration should be given within the housing needs evidence base as to the relationship between overall employment land provision and the housing requirement to ensure an integrated approach between homes and jobs. It is also noteworthy that the figures presented within the HENA consider employment land needs up to 2041. Given that the HENA is an important evidence base document which should influence plan-preparation, it is unclear why the Local Plan Update does not appear to be responding to it in terms of the plan period and aligning the provision of homes with that of jobs.

POLICY SS3: SUSTAINABLE COMMUNITIES (UNALLOCATED SITES)

17. The Consultation Paper proposes to review Policy SS3 of the adopted local plan. Policy SS3 in brief states that new residential development in the rural area within or on the edge of existing settlements will be supported if it is in keeping with scale and character provided that it, amongst other things, provides housing which meets proven local needs as identified by substantive evidence such as a community-led strategy, a housing needs assessment or other evidence provided by the applicant. The Five Year Review found that Policy SS3 is not clear for decision makers and the policy fails to adequately consider wider social, economic and environmental sustainability, including the need to tackle climate change.



Questions 6/7: Which option do you support and explain your response?

18. We do not agree with any of the options presented in the Consultation Document and consider that Policy SS3 should remain as drafted. Policy SS3 is a criteria-based policy which was only recently found sound as part of the adopted local plan. The Inspector conducting the examination into the now adopted local plan found that Policy SS3 embodied a suitably flexible approach to development proposals, in keeping with national planning policy (paragraph 47).
19. Paragraph 2.3.3 of the Five Year Review states that the settlements in relation to which Policy SS3 is largely applied typically lack basic services and facilities to meet every day needs. This statement is hard to understand when Policy SS3 itself states that it applies to all rural settlements outside of the urban area. There are a variety of rural settlements such as the Service Centres and Rural Hubs identified in the adopted local plan which are capable of accommodating development sustainably, as reflected by the level of growth apportioned to these locations. These settlements will have their own growth needs for market and affordable housing as well as specialist housing types and tenures that will not be met through the Local Plan Update, which does not intend to review housing needs or allocate additional land for housing. Allowing these settlements the flexibility to accommodate further growth where the need for this can be evidenced is an important element in providing the local plan with the ability to respond to changing circumstances, noting that there will be no substantive review of housing needs or distribution as part of the local plan update.
20. Option 2 would, as the Consultation Draft acknowledges, provide too rigid an approach that would take away the very flexibility that Policy SS3 should provide, as it would set out detailed criteria for what local housing need is and how it can be proven.
21. The justification for Option 3, the preferred approach, is unclear. In essence, Option 3 would result in a policy that requires, even where there is an immediate proven housing need, for corresponding development to “enhance local sustainability.” Whilst there is little clarity of what this would look like, examples provided are the provision of “exemplar development” and “low energy green homes.” In our opinion, the provision of housing for which there is a demonstrable local need contributes to the enhancement of local sustainability in and of itself and there should be no rigid requirement for new development that is justified through this route to deliver other benefits, beyond the meeting of housing need. Clearly the provision of such benefits may be required in some instances depending on the circumstances of the individual case and these can be weighed in the planning balance, but they won’t always be viable, deliverable or even necessary. Option 3 is unlikely to improve the clarity or consistency of Policy SS3 as currently drafted and is in our view unsound for want of justification.

POLICY SS6: ALTERNATIVE DEVELOPMENT STRATEGIES AND LOCAL PLAN REVIEW

22. The Consultation Document proposes to revise Policy SS6, which relates to Alternative Development Strategies and Local Plan Review. The preferred approach (Option 2) is to reduce the criteria for such a local plan review to locally specific criteria only, such as significant changes to the Strategic Growth Plan, delivery issues associated with large-scale strategic allocations or failure to deliver the Melton Mowbray Distributor Road. As noted within the Consultation Document, whilst Policy SS6 articulates situations where a local plan review would be appropriate, it does not commit the LPA to doing so or impose any consequences if such a review is not carried out beyond that which is already provided for by national planning policy in relation to the five year housing land supply requirements and the Housing Delivery Test (HDT).

Questions 14/15: Which option do you support and explain your response?

23. Committing to a review to respond to the wider changes within the HMA whether due to overall development needs or spatial strategy is generally a sound one, given that it will provide the local plan with flexibility to respond to changing circumstances to meet development needs arising from other administrative areas. These issues have already been dealt with over the timespan of the adopted local plan to 2036 and purely on a numerical basis, no further housing growth is required in Melton to respond to Leicester's unmet needs as apportioned by the June 2022 Statement of Common Ground (SoCG).
24. That said, the LPA has determined that the local plan including its strategic policies require updating and so it should consider the necessary strategic issues over the relevant period to respond to the evidence base and not defer this to a future review. As set out above, the Local Plan Update should as a minimum look ahead to 2041 to comply with the NPPF and to respond to the content of the HENA. That will require a robust approach to dealing with issues of unmet need from other areas across an appropriate time horizon. This aspect should not be deferred to future reviews of the plan but rather be dealt with within the current update against the framework of an up-to-date evidence base.

CONCLUSION

25. We consider that the local plan review by virtue of its very limited scope is unlikely to be effective most notably because it will fail to look across the minimum 15 year time horizon from adoption required by the NPPF and as such, fail to engage with longer-term strategic planning issues, particularly in relation to unmet need from across the wider HMA, meeting affordable housing need and aligning the delivery of homes and jobs noting the local plan update will likely make employment land allocations. The retention of a "review mechanism" within the local plan is not a substitute for addressing these strategic issues across the appropriate time horizon.



26. In addition, the contingency and flexibility built into current local plan by way of reserve sites and small and medium sized should be addressed within the Local Plan Update to ensure that a sufficient stock of these remain available and deliverable throughout the remainder of the plan period to address risks to the overall spatial strategy and to provide flexibility to respond to changing circumstances at the Borough and settlement level.

27. We trust that the LPA will find these comments helpful.

Yours Sincerely,

Ben Ward MRTPI
Planning Director

