



Our Ref: P1368

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Planning Policy

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Dear Sir / Madam

Asfordby Neighbourhood Development Plan Regulation 16 Consultation

Harris Lamb Planning Consultancy has been instructed by Tata Steel (UK) Limited to submit representations to the Asfordby Neighbourhood Development Plan Regulation 16 Consultation.

Tata Steel has land interests in Asfordby Hill that relate to proposed residential allocation A15 in the Neighbourhood Plan. Tata also owns emerging residential allocation ASFH1 and ASFH2 in the Pre-Submission Draft of the Melton Local Plan (2016). Our representations focus on the housing need for Asfordby Hill, the conformity of the neighbourhood plan with the adopted and emerging local plan and the deliverability of the allocations currently proposed in the Neighbourhood Plan. We conclude that in its current form the Neighbourhood Plan does not meet all of the 8 basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990.

Housing Target

The Neighbourhood Plan includes a housing requirement of 300 dwellings for Asfordby and 50 dwellings in Asfordby Hill. Taking into account completions and commitments a residual requirement of at least 148 dwellings is identified (124 dwellings Asfordby and 24 dwellings Asfordby Hill). By contrast Table 7 of the Pre-Submission Draft of the Melton Local Plan identifies a residual housing requirement of 181 dwellings in Asfordby and 70 dwellings in Asfordby Hill for the same period. The main difference is that the figures in the Melton Local Plan are based on The Leicester and Leicestershire Strategic Housing Market Assessment (SHMA) 2014, which is the most up to date

housing need evidence. Contrary to the claims of the Basic Conditions Statement, the Neighbourhood Plan is not, therefore, in conformity with the strategic policies in the emerging plan.

Whilst it is explained in the Planning Practice Guidance that *“a draft Neighbourhood Plan is not tested against the policies in an emerging Local Plan”*, it also explains that *“the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested”*. The example provided in this regard is *“up-to-date housing needs evidence which is relevant to the question of whether a housing supply policy in a neighbourhood plan contributes to the achievement of sustainable development”*. The housing requirement in the Asfordby Neighbourhood Plan does not take account of the up to date housing need evidence, despite the representations from Melton Borough Council to the ‘Pre-submission Draft Asfordby Parish Neighbourhood Plan (2nd Version) Respondents’ that explained the Council were waiting for the updated Objectively Assessed Need.

The distribution of the housing target in the emerging Melton Local Plan has been informed by the ‘Settlement Roles, Relationships and Opportunities Report 2015’, which includes associated sustainability appraisals of the settlement. This is another document in the evidence base that underpins the pre-submission draft of the plan. The distribution of housing has therefore been subject to detailed consideration through the production of the Local Plan and considers the context of the Borough as a whole to ensure the distribution of housing meets the objectives of sustainable development.

It is our view that given the clear conflict of the Neighbourhood Plan with the most up to date housing need evidence base and the distribution of development within the Borough that the Neighbourhood Plan should not be made until the housing target for Asfordby and Asfordby Hill are revised.

Housing Allocations

Taking account of the increase housing target, it is evident that, as a minimum, allocations to deliver a minimum of 181 dwellings and 70 dwellings in Asfordby and Asfordby Hill respectively should be identified. Currently the Neighbourhood Plan falls well short of this, with the identified allocations expected to deliver only 132 dwellings and 20 dwellings respectively. We would also question the deliverability of the sole allocation in Asfordby Hill and its conformity with both the Local Plan and National Planning Policy Framework.

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Site A15: 'Land off Crompton Road / Melton Road, Asfordby Hill'

Site A15 is located on a Protected Open Space in the adopted local plan and there are policies in the adopted local plan, emerging local plan, National Planning Policy Framework and even the draft Neighbourhood Plan to prevent the development of such sites unless provision is made for equivalent or better open spaces elsewhere. The policy includes appropriate wording in relation to the existing play area, but no provision is made for the allotments. The allotments might have become vacant, but this alone is not evidence that the allotments are surplus to requirements.

In terms of providing a new play area, it is unclear whether this is expected to happen on site or elsewhere, and if it is to happen elsewhere whether there is any realistic prospect of securing another site that would serve the village. In this context, it is evident that with a proposed yield of 20 dwellings there is no prospect for meeting this policy requirement on site. The allocation only has a site area of only 0.65 hectares (according to the SHLAA) and with a potential yield of 20 dwellings, even with the whole site being developed it would still have a net density of 30 dwellings per hectare. Given that the site currently includes a play area and allotments, we do not consider that sufficient provision could be made on site for a new play area and/or allotments. We would therefore question whether 20 dwellings are actually achievable on this site.

Issues with regard to securing a safe access solution in accordance with Paragraph 32 of the Framework have been raised by the County Highway Authority and Melton Borough Council. Having reviewed the representations received by the County Highway Authority and Melton Borough Council we would question whether an appropriate access solution exists.

Our final comment relates to the requirement in the policy that the comprehensive delivery of the whole allocation must be secured. Whilst we agree this is sensible planning, my client owns part of this site and yet there is no mention of them in the Neighbourhood Plan and I am not aware of any attempt to contact my client to discuss the residential development of this site.

Local Plan Allocations

The emerging Melton Local Plan has considered all of the potential housing sites in Asfordby Hill and concluded that sites ASFH 1 and ASFH 2 (see Appendix 1) are the most appropriate and sustainable sites to deliver the housing requirement. Both of these sites are owned by Tata Steel (UK) Limited and I can confirm that Tata fully support for the allocation of these sites. The first

phase has already been granted planning permission and is almost complete, and an agreement exists with the same developer to progress Phase 2.

Both of these sites are available to be added to the Neighbourhood Plan, should it be agreed that the Housing Requirement needs to be increased in accordance with the up to date housing need evidence base. The allocation of these sites would also address the issues of the capacity and deliverability of Site A15.

Howell Business Park

The position of Howell Business Park and its contribution to housing are currently unclear in the Neighbourhood Plan. When we look at the Basic Condition Statement, in order to explain how Policy A27 conforms with adopted and emerging policy, it is stated that the policy allows for a mix of uses should this be required to facilitate the regeneration for employment use. However, the wording of the policy does not reflect this and simply allows for up to 100 dwellings to be developed. We are not aware of any masterplanning work and/or viability appraisals that have been undertaken in this regard and currently we do not agree that Policy A27 is in conformity with adopted Policy EM4 or emerging Policy EC4. Howell Business Park is a strategically important employment site and it is important that the appropriate evidence is provided before releasing the site for alternative uses.

In order for Policy A27 to conform with both adopted and emerging local policy it is important that the policy wording is amended to state that alternative uses will be considered when the necessary evidence has been provided to demonstrate that the alternatives uses are necessary to facilitate the redevelopment of the wider site within the employment use classes.

In terms of Policy A11, we consider that it is premature to reference Howell Business Park here and that it should be removed to avoid conflict with the principles of sustainable development.

Without the changes to Policy A11 and A27 we do not consider these policies sufficiently conform with the adopted or emerging local plan policy in this regard.

Summary

It has been identified that the housing target does not relate to the up to date housing need assessment. Issues with regard to deliverability and the potential capacity of site A15 have been

identified. We have also identified that the wording of policy A27 prematurely allows the release of part of this site for up to 100 dwellings.

We therefore consider that in its current form the Neighbourhood Plan does not sufficiently contribute to the achievement of sustainable development and is not in general conformity with the strategic policies contained in the development plan. We also consider that appropriate regard has not been given to the National Planning Policy Framework, with particular reference to the objective to building a strong, competitive economy; Policy 47 and the objective to boost significantly the supply of housing; and Paragraph 74 in relation to the development of open space and recreation land.

Should a hearing be held, we would welcome the opportunity to provide oral representations.

Yours Sincerely



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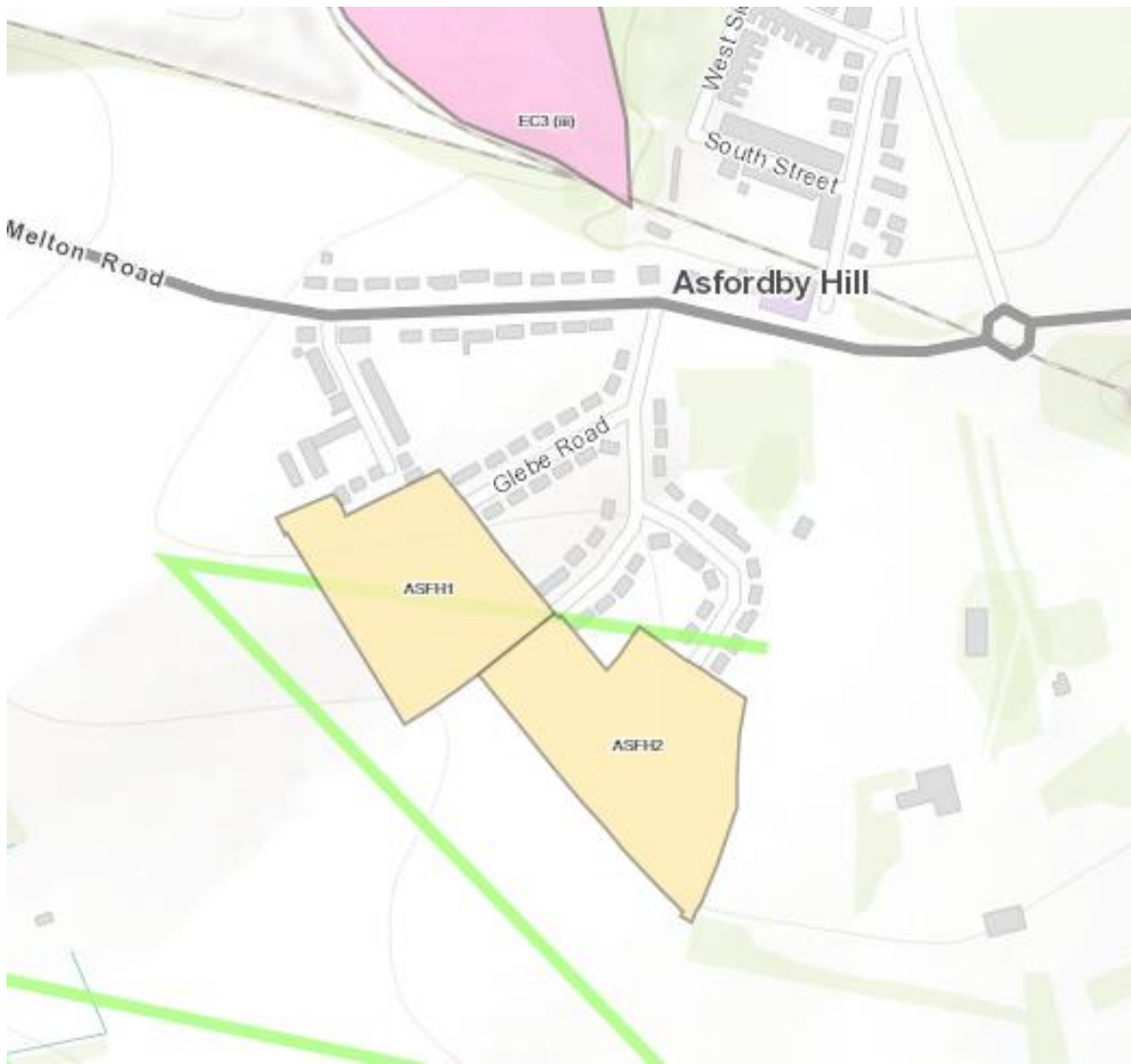
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APPENDIX 1: PRE-SUBMISSION PROPOSAL MAP



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