

Gladman Developments Ltd

Representations on Melton Local Plan

Focussed Changes

August 2017



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1 INTRODUCTION

1.1 Context

- 1.1.1 Gladman Developments specialise in the promotion of strategic land for residential development with associated community infrastructure. This submission provides Gladman Development's representations on the Melton Local Plan Focussed Changes (FC) August 2017.
- 1.1.2 Whilst Gladman support the approach of the Council in making Focussed Changes to the Local Plan prior to formal submission for Examination, we have highlighted a number of issues which we consider may render the plan "unsound". Our representations therefore set out Gladman's suggestions as to how changes may be incorporated in order for the Local Plan to meet the tests of soundness. **For the avoidance of any doubt, these representations follow the prescribed approach by the Government with reference to paragraph 182 of the Framework. The use of the term "unsound" is therefore a technical planning term and should not be interpreted as a wholesale objection to the preparation of a new Local Plan for Melton Mowbray.**
- 1.1.3 These representations should be read alongside our detailed submissions to the Pre-Submission Melton Local Plan. The Pre-Submission representations set out Gladman's concerns with the Local Plan's conformity with National Policy, Duty to Cooperate, suitability of the Sustainability Appraisal, the assessment of Objectively Assessed Housing Need as well as responding to many of the detailed policies set out in the Plan.
- 1.1.4 Gladman proposed a number of modifications to the Plan, which we believe were required for the Melton Borough Local Plan to be considered sound. This included the need to create an unambiguous policy to tackle acknowledged housing shortfalls in the Housing Market Area (HMA) through the allocation of a New Garden Village at Six Hills.
- 1.1.5 Gladman maintain that this issue has not been addressed through the Focussed Changes and Six Hill remains a viable and deliverable proposal to address the issue of unmet needs from other authorities within the Housing Market Area.
- 1.1.6 Whilst Gladman will continue to request the allocation of the site (as one might expect), we support the identification of the site in the Plan through Policy SS6 as a site which could address those very significant unmet needs of Leicester and Oadby and Wigston. Further, and in comparison to the other sites listed in Policy SS6, we consider the Six Hills site is especially well placed both geographically in relation to the districts where the unmet needs arise, but also in respect of the nature of its promotion, as an outline application for the site will be submitted imminently to demonstrate empirically the absence of constraints and support its future allocation in the Plan or the Strategic Growth Plan.

1.1.7 The National Planning Policy Framework at paragraph 182 sets out four tests that must be met for Local Plans to be considered sound. In this regard, we submit that in order to prepare a sound plan it is fundamental that it is:

- **Positively Prepared** – The Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on a proportionate evidence base.
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with National Policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

1.1.8 These representations are made in the context of these four key tests.

2 OBJECTIVELY ASSESSED HOUSING NEED

2.1 Objective Assessment of Housing Needs (Policy S2)

- 2.1.1 When consultation was undertaken on the Pre-Submission Melton Local Plan, the new Leicester and Leicestershire Housing and Economic Needs Assessment (HEDNA) 2017 had not been published. The Council were basing their housing requirement upon the Leicester and Leicestershire Strategic Housing Market Assessment (SHMA) 2014 and subsequently set a housing requirement of 245 dwellings per annum (dpa) in the Plan.
- 2.1.2 Since the Pre-Submission Plan, the final version of the HEDNA has been published which updated the assessment of housing need for Melton, suggesting 170dpa between 2011 and 2036.
- 2.1.3 Melton Borough Council subsequently commissioned GL Hearn (authors of the HEDNA) to undertake additional detailed work to assess locally specific factors which has necessitated a new housing requirement to be set above and beyond the HEDNA findings. This work concludes that local evidence provides a clear justification for a housing requirement for Melton Borough of 230-280dpa between 2011-2036.
- 2.1.4 The report concluded that without this level of housing growth, the needs and demands of the borough's ageing population for services such as schools, shops and public transport would be increasingly difficult to meet, the delivery of the Melton Mowbray Transport Strategy would be compromised owing to a lack of funding and similarly, the levels of affordable housing provision would be reduced due to an increased need for the strategic sites to pay for the delivery of the Transport Strategy at the expense of affordable housing delivery.
- 2.1.5 Importantly, the additional work undertaken also found that local evidence suggested a much greater growth in employment in the borough than had been forecast by the HEDNA due to the manufacturing sector in Melton performing significantly better than across the HMA. This, coupled with a population that is ageing more quickly than the rest of the HMA will lead to a need for a greater number of new dwellings in Melton across the plan period than set out originally in the HEDNA.
- 2.1.6 The conclusion was therefore that between 230-280dpa would be required to meet localised jobs growth. It is therefore clear that this new economic evidence and the OAN derived from it supersedes the HEDNA for Melton, ultimately increasing the overall OAN for the HMA.
- 2.1.7 Further to these findings, the report highlights that a side effect of reducing the housing requirement from 245dpa (in the Pre-Submission Plan) to 170dpa as per the original HEDNA, would have been to necessitate a reduction of the strategic allocations in Melton Mowbray. This would consequently reduce the funding available to deliver the distributor road. The additional housing

- requirement report therefore concluded that a housing requirement of 245 to 280dpa would help to ensure that the Melton Mowbray Transport Strategy remained deliverable.
- 2.1.8 Finally, the report states that only 245dpa or above would help the Council to meet one of the Local Plan's key priorities of delivering a significant proportion of affordable housing in the borough. The higher level of housing provision would also enhance the ability to support local services and facilities in the borough and would help to meet the Framework's requirement to significantly boost the supply of housing, given that the Council have historically delivered, on average, around 170dpa.
- 2.1.9 On the basis of the findings of the additional housing work, it is the opinion of Gladman that after considering constraints, if the upper end of the housing range (280dpa) is deliverable, which the SA Addendum confirms is the case, then the updated OAN for Melton should be 280dpa. The conclusions of the additional OAN work are clear that this level of housing growth is required to meet localised jobs growth, a factor which should be taken into account when establishing the OAN for the borough.
- 2.1.10 The principle of accounting for local economic factors beyond the county-wide OAN was confirmed as being appropriate in the Decision Letter (DL) for the Land south of Greenhill Road, Coalville appeal in North West Leicestershire (APP/G2435/W/15/3005052). Paragraph 25 of the DL established that the Leicester and Leicestershire SHMA (the precursor to the HEDNA) did not comprise the FOAN (Full Objectively Assessed Need) for North West Leicestershire, as it did not adequately address the PACEC economic forecast (a similarly locally-based economic forecast for that authority); an uplift in the OAN for that authority was therefore reasonable and appropriate.
- 2.1.11 Therefore, based on this conclusion, the full OAN for Melton should take account of the additional housing work and 280dpa should be considered as **the "policy-off" housing need figure** as it is the level of housing required to meet the borough's own housing need in full.
- 2.1.12 In fact there is no evidence accompanying the Plan which points to 245dpa (the Council's choice of housing requirement) being the correct housing need figure. It would appear the Council have simply chosen 245dpa because it sits within the range identified in the additional work (albeit towards the bottom of that range) and possibly because it is conveniently the figure that was originally included in the Pre-Submission Plan. Further explanation of the requirement figure selected is therefore required.
- 2.1.13 Taking into account the conclusions of the SA (see section 3 of these representations), it would suggest there is no impediment to the housing requirement of the Plan being 280 dwellings per annum, which is a true reflection of the OAN for the borough. For the avoidance of any doubt, it should be made clear that a housing requirement of 280 dwellings per annum will meet only Melton's defined demographic, economic and affordable housing needs. It is plain that the selected

housing requirement is principally driven by the need to address specific local circumstances and and it will do little to address the unmet needs of neighbouring authorities.

- 2.1.14 In the light of the foregoing, Gladman do not consider the concerns of Charnwood Council, as set out in para 3.17.4 of Agenda Item 3B of the Extraordinary Meeting of Full Council (4 July 2017) are correct. The HEDNA sets out the Objectively Assessed Housing and Employment Needs of the Leicester and Leicestershire HMA and does so by analysing a vast array of data at a strategic level. Melton Borough Council has subsequently, and quite fairly, taken the decision to commission additional work to update the HEDNA by undertaking a finer grained assessment of its own housing and employment data. This work identified that additional employment growth is likely to be generated in Melton Borough owing to the manufacturing sector out-performing the forecasts used as part of the HEDNA analysis. Therefore, any concerns of Charnwood Council that setting a housing target higher than the OAN set in the HEDNA would have wider implications for the Strategic Growth Plan are unfounded. Setting the Melton Local Plan housing requirement in line with conclusions of the additional housing work, which Gladman consider to be the true OAN for the borough i.e. 280dpa, will simply meet Melton Borough Council's own housing need.
- 2.1.15 Therefore, for Melton Borough Council to provide any flexibility in the Plan to help meet identified unmet housing needs in the HMA, a further uplift above 280dpa would be required either as part of this Plan, or as part of a Local Plan Review (with reference to Policy SS6 and Gladman's proposed site at Six Hills).

3 SUSTAINABILITY APPRAISAL

3.1 Melton Local Plan Addendum of Focussed Changes: Sustainability Appraisal Addendum

- 3.1.1 Melton Council appointed LUC to undertake a Sustainability Appraisal (SA) of the Focussed Changes to the Local Plan which built upon the work of the main SA report.
- 3.1.2 The SA Addendum assessed, in detail, three options for the housing requirement in the Local Plan including 154dpa, 245dpa and 280dpa.
- 3.1.3 Para 2.18 of the SA Addendum states that delivering 280dpa up to 2036 would not only allow for the demographic based growth need and economic led development over the Plan period but it would also be in line with the findings of the HEDNA in terms of providing for affordable housing need in full, a key priority of the Local Plan. The SA Addendum also states that delivering this level of housing growth would maintain affordability of properties in Melton and could help to meet the unmet housing need of neighbouring local authorities.
- 3.1.4 As explained in the previous section of these representations, it is clear the increased requirement would meet only Melton's needs and not assist other authorities in meeting their unmet housing needs.
- 3.1.5 When compared to the SA Addendum's assessment of 245dpa, the overall conclusions are very balanced. In fact, looking at Table 2.1 of the SA Addendum, it appears that Option 3 (280dpa) performs better in terms of Sustainability than Option 2 (245dpa) with two negative points less overall for SA Objective 1 (Housing) and SA Objective 10 (Social and Economic Inclusion).
- 3.1.6 The SA Addendum acknowledges in para 2.12 that in order to deliver the level of economic growth that is anticipated in the borough, 230-274 dwellings may be needed, allowing for significant employment growth and reducing out-commuting.
- 3.1.7 Paragraph 2.15 of the SA Addendum also states that proceeding with 245dpa would mean that affordable housing provision, which is seen as important in terms of addressing elements of social and economic exclusion in the borough, would not be fully met.
- 3.1.8 When considering the overall housing requirement options, the conclusion of the SA Addendum is unambiguous. Paragraph 2.27 of the report states that Option 2 (245dpa) and Option 3 (280dpa) perform similarly across most of the SA although Option 3 is expected to perform more positively in relation to the provision of affordable housing and the associated effect this will have on addressing deprivation in the borough. Therefore, given the conclusions set out above in this representation of both the Council's housing requirement and SA work, the firm conclusion must be that in order to be found sound, the Local Plan should indeed provide for a minimum of 280dpa.

4 MELTON LOCAL PLAN FOCUSSED CHANGES

4.1 Focussed Change 1 (FC1): Policy SS2 and SS3: Spatial Strategy and Unallocated Sites

- 4.1.1 Gladman do not consider Focussed Change FC1.1 to be sound. It does not seek to build in sufficient flexibility to the Local Plan to assist in meeting the unmet housing need identified within the HMA. The justification for this rationale is explained in Sections 2 and 3 above.
- 4.1.2 Gladman also do not consider Focussed Change FC1.2 to be sound as the change refers specifically to Melton Mowbray delivering approximately 65% of the borough's housing need and the Service Centres and Rural Hubs meeting approximately 35% of the borough's housing need.
- 4.1.3 Whilst Gladman support the change to introduce flexibility into the policy through the addition of the word 'approximately', Gladman have concerns that reference is made in the Policy to housing **need**. There is a fundamental difference between housing need and housing requirement and as the latter can be higher or lower than the former, the Council should be seeking to meet the housing **requirement**. Therefore, for the sake of clarity and to avoid confusion, the reference in Policy SS2 should be amended to 'housing requirement' rather than 'housing need'.
- 4.1.4 Whilst Gladman support the apparent flexibility that has also been introduced to Policy SS2 on small scale unallocated development, the Council seems to have simply deleted the text in the Policy and transposed it to para 4.2.16 of the reasoned justification. This is contrary to the flexible approach advocated by the Framework and does not reflect the change set out in Table 1 of the Council's Addendum of Focussed Changes document, which states that the change replaces site size thresholds for unallocated sites with links to scale and character of host settlements. Consequently, paragraph 4.2.16 of the Local Plan should be deleted.
- 4.1.5 This comment equally applies to the changes proposed to Policy SS3 which again seeks to delete the reference to site size thresholds, which is supported. However, Gladman still consider that as drafted, Policy SS3 is not consistent with the guidance given in the Framework. The Policy unduly restricts sustainable sites from coming forward within the villages because of an arbitrary judgement on the scale of the development (See our representations on the Pre-Submission document).

4.2 Focussed Change 2 (FC2): Policy SS4 Northern and Southern Sustainable Neighbourhoods

- 4.2.1 Gladman note that Focussed Changes FC2.1 and FC2.2 reduce the level of affordable housing provision on the Sustainable Urban Extensions to 15% from 37%. This is considered to be one of the fundamental reasons for the Council needing to set its housing requirement above the OAN.

- 4.2.2 Given that one of the key strategic objectives of the Local Plan is to provide a stock of accommodation to meet the needs of the community including affordable housing, it is essential that the housing requirement is set at a level that maximises affordable housing delivery whilst balancing environmental considerations.
- 4.2.3 The findings of the SA Addendum conclude that the provision of 280dpa would deliver affordable housing need in full whilst not fundamentally causing any additional negative environmental effects when considered against delivering 245dpa. Therefore, it is Gladman's firm view that the housing requirement in the Melton Local Plan should be 280dpa in order to be found sound.

4.3 Focussed Change 3 (FC3) Long Term Growth Strategy and Review Triggers

- 4.3.1 Focussed Change 3 (FC3) proposes changes to reflect the fact that updated evidence, in the form of the Leicester and Leicestershire HEDNA, has been published. The changes also set out that the Council is committed to working collaboratively with the other authorities in the HMA through the Strategic Growth Plan (SGP).
- 4.3.2 Gladman support the collaborative approach of the Leicester and Leicestershire authorities and support the preparation of the SGP which will deal with, amongst other issues, the distribution of unmet housing need.
- 4.3.3 However, Gladman consider that the wording of the review mechanism in the Melton Local Plan needs to be clear, easily understandable, effective and be enforceable. This issue was discussed at length at the North West Leicestershire Local Plan Examination with the Inspector keen to ensure that any review policy was meaningful.
- 4.3.4 North West Leicestershire have subsequently published Main Modifications to their Local Plan including a revised wording for the local plan review mechanism (See Main Modification 9 of the North West Leicestershire Local Plan Main Modifications). Although Gladman still have a number of concerns with the review policy as it is now written, it is fundamentally a policy that is clear, understandable and sets a number of triggers and targets which means it will be "effective". The wording of the review mechanism now contains a start date, an end date that is in the control of the Local Planning Authority and sets out the consequences of failing to meet the target dates.
- 4.3.5 Given the recognition that there will be unmet housing need within the HMA and the fact that all Leicester and Leicestershire authorities are committed to the preparation of a Strategic Growth Plan (SGP) to address the spatial distribution of housing and employment needs across the HMA, it is essential for the review mechanism to make reference to the SGP as the adoption of this document should be the trigger for the commencement of the Melton Local Plan review. It is Gladman's opinion that the review mechanism in the Melton Local Plan, and indeed all Leicester and Leicestershire Local Plans should mirror that proposed in the North West Leicestershire Local Plan

with the amendment to make specific reference to the SGP. This will ensure that all of the Leicester and Leicestershire authorities are aligned in their approach to addressing the outcomes of the SGP and that all Local Plan reviews would be triggered on a common basis in line with the agreement of the Memorandum of Understanding.

4.3.6 The Melton Local Plan Review Mechanism should therefore read:

Melton Borough Council are committed to working with all Leicester and Leicestershire Local Planning Authorities on the preparation of the Strategic Growth Plan which is anticipated will be adopted in January 2018. Once adopted, Melton Borough Council will commit to the delivery of the Strategic Growth Plan through the signing of a Memorandum of Understanding with all the Leicester and Leicestershire authorities. The Strategic Growth Plan will then provide the fundamental basis for the review of the Melton Borough Local Plan and the preparation of the subsequent Local Plans for all other Leicester and Leicestershire authorities.

The Borough Council will commence a review of this Local Plan (defined as being publication of an invitation to make representations in accordance with Regulation 18 of the Town and Country Planning (Local Planning)(England) Regulations (2012)) by the end of January 2018 or within 3 months of the adoption of this Local Plan (whichever is the later). The Plan Review will be submitted for Examination within two years from the commencement of the review. In the event that the reviewed plan is not submitted within two years then this plan will be deemed out of date.

4.3.7 This should replace paragraphs 4.7.7 and 4.7.8 of the Focussed Changes and should form the basis of a revised Policy SS6. Gladman have already set out our concerns over Policy SS6 in our representations on the Pre-Submission consultation. These concerns are maintained.

4.3.8 In terms of building additional flexibility into the Plan, Policy SS6 in its current format recognises Six Hills Garden Village as an alternative development strategy in the event that unmet housing needs are identified arising within the HMA which are not currently accounted for within the Plan. Unmet needs in the HMA have already been identified from both Leicester City and Oadby and Wigston to date. Therefore, it is imperative that as much flexibility as possible is built into the plan to account for these needs in the short term.

4.3.9 In the light of the evidence presented on the housing requirement and Sustainability Appraisal above, Gladman again respectfully request that the Council introduce a new policy into the Local Plan relating specifically to the allocation of the Six Hills Garden Village to assist in meeting unmet housing needs arising elsewhere in the HMA. The introduction of a positive plan-led approach to allocate Six Hills Garden Village through this Local Plan would act to set the parameters to enable the timely and sustained delivery of the garden village proposals together with accompanying

- community infrastructure. Details of the suggested policy were included with our representations to the Pre-Submission Local Plan.
- 4.3.10 Gladman's arguments for the allocation of Six Hills are set out in detail in our response to the Pre-Submission Plan and so don't need to be repeated here. However, this representation should be read alongside the Pre-Submission representation to gain a full understanding of this matter and a short summary and update on progress is also set out below.
- 4.3.11 The site is free from any substantive environmental constraints, and due to its location and the interaction of existing vegetation and topography, is not overlooked by any significant residential communities. It is strategically well located on the existing transport network of the A46 and A6006, providing convenient access to Melton Mowbray, Loughborough, Leicester and Nottingham.
- 4.3.12 The scale of the site is such that Six Hills Garden Village can deliver a significant level of new housing, together with the provision of on-site uses for sustainable living such as schools, local shops, good access to new public bus routes, space for play and recreation and healthy active living.
- 4.3.13 Pre-application discussions have been held with various key stakeholders including Melton Borough Council, Charnwood Borough Council, Leicester City Council, Leicestershire County Council, the LLEP, Highways England, NHS England, Opun Design Review Panel and Parish Councils (Broughton and Old Dalby Parish Council). Following advice from Melton Borough Council, two Public Exhibition Events were arranged. These were held from 3-7pm on Friday 16th June at the Six Hills Golf Course Club House and 10-4pm on Saturday 17th June at Melton Mowbray Library, Wilton Road, Melton Mowbray.
- 4.3.14 Current development proposals are for up to 3,000 well-designed new homes for modern living, including 'starter' and family homes, extra-care retirement living and affordable housing. Land will be provided for two new Primary Schools and a new Secondary School. The proposals will also deliver a mixed-use Neighbourhood Centre, an Innovation Campus, an Employment Zone, extensive Green Infrastructure including the Six Hills Park, sports provision, allotments and childrens' play areas.
- 4.3.15 An EIA scoping response was received from Melton Borough Council in February 2017 which is being used to inform the application proposals.
- 4.3.16 Gladman are currently reviewing the feedback from the pre-application discussions and are finalising the reports for an outline planning application. Gladman are aiming for submission by late September 2017.

5 CONCLUSIONS

5.1 Summary

- 5.1.1 Having considered the Focussed Changes to the Melton Borough Local Plan, Gladman are concerned about a range of matters including the housing requirement, treatment of unallocated sites and the long-term growth strategy and review triggers.
- 5.1.2 The plan must be positively prepared, effective, justified and consistent with national policy to be found sound at examination. In the first instance, the Council must start with clearly defining a NPPF and PPG compliant OAN by developing an unconstrained requirement which properly follows the guidelines set out at the national level. The Council should then develop a robust housing requirement using this OAN as a starting point. Gladman acknowledges that Melton has taken a positive and proactive step to identify an OAN for the borough above that established in the HEDNA to take account of their own local circumstances and that the principle of this approach has been previously demonstrated as appropriate elsewhere in Leicestershire.
- 5.1.3 When considering the overall housing requirement options, the conclusion of the SA Addendum states that Option 2 (245dpa) and Option 3 (280dpa) perform similarly across most of the SA although Option 3 is expected to perform more positively in relation to the provision of affordable housing and the associated effect this will have on addressing deprivation in the borough. Therefore, 280dpa appears to be the most sustainable housing option.
- 5.1.4 On the basis of the findings of the additional housing work, Gladman's view is that after considering constraints, if the upper end of the housing range (230-280dpa) is deliverable, which the SA Addendum confirms is the case, then the updated OAN for Melton should be 280dpa. The conclusions of the additional work are clear that this level of housing growth is required to meet localised jobs growth, a factor which should be taken into account when establishing the OAN for the borough and will deliver affordable housing need in full. This is also a policy-off housing need figure as it is the level of housing required to meet the borough's own housing need.
- 5.1.5 There is no evidence accompanying the Plan which explains why 245dpa (the Council's choice of housing requirement) is the correct housing need figure. The Council has simply chosen 245dpa because it sits within the range identified in the additional work (albeit towards the bottom of that range) and is curiously the figure that was originally included in the Pre-Submission Plan.
- 5.1.6 We therefore consider that the housing requirement that is included in the Plan should be 280dpa which is a true reflection of the OAN for the borough. It should be explained in the Plan that this housing requirement will meet only Melton's defined demographic, economic and affordable housing needs; it is plain that the selected housing requirement will do little to address the unmet needs of neighbouring authorities.

- 5.1.7 Therefore, for Melton Borough Council to provide any flexibility in the Plan to help meet identified unmet housing needs in the HMA, a further uplift above 280dpa would be required either as part of this Plan, or as part of a Local Plan Review (with reference to Policy SS6 and Gladman's proposed site at Six Hills).