

Addendum of Focused Changes to the Melton Local Plan and Community Infrastructure consultation

Leicestershire County Council officer response

Education

GENERAL COMMENT

When considering the demand for places the County Council will consider a number of factors which include, as well as new housing; increases arising from births within catchment, and other demographic change for example inward migration.

In determining the potential to expand any particular school consideration is given to; current capacity and availability of places, site limitations and potential building/planning restrictions, as well as operational matters such as school performance, popularity and organisational structure. Account will also be taken of the availability of places at other schools within the locality and within statutory walking distances (deemed as the available route to a school). Pupil yield from housing sites which have already secured planning permission in the locality will also be taken into consideration. Further details on the County Council methodology for determining developer contributions is provided within Appendix 3 to the Leicestershire Planning Obligations Policy (LPOP) agreed in December 2014. This document is currently under review and changes are likely to be implemented before the Plan is approved.

The proposals set out in the document are welcomed in the sense that they define and up-date the expected housing growth strategy within the Borough for the next 20 years, particularly in relation to the Melton Mowbray South and North Sustainable Neighbourhoods, and Primary and Secondary Rural Centres. In contrast the planning timeframes for school places will normally cover 5 years for primary provision, based on known births, and 15 for secondary provision.

Key to developing solutions to provide additional school places will be an understanding of the commencement date and build out rates for the proposed housing growth. It is noted that the document provides up-dated information on the proposed pattern and rate of growth, this is helpful, however, is insufficiently detailed for school place planning purposes. A housing trajectory for each of the locations would assist in the education planning process.

In general terms there are two key issues arising from the Addendum of Focussed Changes to the Local Plan.

FC1 & FC2

The first relates to the sequence of housing growth, as outlined above this is of particular importance in the Primary and Secondary Rural Centres where a number of individual housing proposals might contribute to the expansion of local primary schools. Clearly, if such developments are not occurring simultaneously then planning for the provision of additional school places can

create significant capital funding risks for the Local Authority (if commitment is given to a particular scheme) and may also lead to inefficient use of public resources.

FC1 & FC2

The second issue relates to the impact on Secondary provision in the Melton urban area given the lack of clarity around the sequence and size of developments to the north and south of the town and the rural locations that feed to the Melton town secondary schools. Further clarity in this regard will help the Local Authority determine the most appropriate solution for the provision of places.

In summary the LA would need to have further information surrounding the timing and scale of development to take account of the cumulative impact of housing proposals in each of the identified locations, this is essential to support the strategic planning of school places. It is not expected that any single housing development should carry the full burden of the provision of school places, it is important to take account of the collective impact of all developments within the locality – this is in keeping with the LPOP. To do this clarity about the number of houses to be build and the build out rates is essential.

In some locations there will be potential for phased development of additional provision to mitigate the financial risks, but this will not be the case for all schools.

With specific regard to the detail of the document, I would offer the following comments:-

FC2.1 Policy SS4 Melton Mowbray South Sustainable Neighbourhood

FC2.2 Policy SS5 Melton Mowbray North Sustainable Neighbourhood

Primary provision

The Council is pleased to note that a new primary school is included in both development areas. A 420 place school would be required in each location, the cost of each school is currently in the region of £6.64million, and each site would need to be a minimum of 1.7ha.

Secondary provision

In view of the proposed development to the North and South of Melton and the surrounding villages, there is a need to ensure that secondary provision is planned in response to the overall growth across the district. Potentially there are two options for the provision of additional secondary places in Melton town, to:-

Option one

Share the additional secondary age pupils across the existing two Secondary Schools of John Ferneley and Long Field Colleges and expand both schools to accommodate the additional pupils. Costs have not been determined for this option as this is dependent upon the views of Melton Borough Council regarding flood plain development and land acquisitions. – Any expansion would require the agreement of both Academy Trusts to support the expansion, and advice from Melton planners regarding the development of the Long Field site part of

which is located on a flood plain. It is strongly expected that any solution to expand the Long Field will be in excess of funds from normal developer contributions, in which circumstance the full cost of the work would be sought from the developer(s). Current estimates indicate this figure could be in the region of up to £8million. To expand John Fernley College would also require 2 -3 ha of additional land and would be likely to cost in the region of £5million.

Option two

Build a new 600 place secondary school in the town. This would require a site of approximately 5ha to be set aside by developers, but it would have the added benefit of future proofing secondary provision, in terms of further growth and demand for places. The cost to provide a 600 place secondary school is currently £16.6million.

The Authority's preferred option would be to expand both secondary schools to accommodate the additional pupils, at the estimated costs detailed above. However in the event that the number of dwellings approved goes above that indicated in the document it may be more appropriate to consider building a new secondary school. Whilst this is not considered necessary based on the current information, if required, it would cost in the region of £16.6million and require a site of 5ha.

FC4.1 Policy C1 – Housing allocations

Primary provision

Development of the Primary and Secondary Rural Centres will require S106 contributions to meet the cost of expanding the existing schools within the villages named. It is noted that the allocations for certain villages, in particular Long Clawson, Harby, Frisby, and Waltham have increased. Expansion of schools in village locations is problematic and costly, the schools in these locations occupy very constrained sites, with some located in conservation areas and/or having buildings of architectural value and have limited potential for expansion.

Two examples are Long Clawson and Waltham on the Wolds. Where it would be appropriate for the County Council to seek from developers the full costs of expanding schools rather than a contribution based on the yield rates and cost multipliers, this is set out for example in the response to application 2016/0032/06 for Sand Pit Lane, Long Clawson. There are a number of pending applications in Waltham on the Wolds where information has been provided to Planning Officers at MBC indicating the costs and requirements of expanding the school. In such circumstances the County Council would wish to see the contribution paid at a very early stage of development to ensure the early availability of places as new housing becomes occupied.

If this is not achievable or possible then the County Council may also seek an additional contribution to cover transport transitional costs for pupils to nearby schools having a place, until such time as the new accommodation is available in the locality. This may in part be mitigated if trigger points for S106 contributions are made early in each development.

Of particular concern are the reserved sites allocated for Long Clawson and Waltham on the Wolds, both village schools present major challenges in terms of expansion and the approval of additional

sites will place further pressure on schools which are already struggling to meet the requirements of the former allocations.

The issue relating to sequencing and timing of housing developments is critical to these rural locations, and it is essential to count the cumulative impact of developments when planning for the provision of additional school places.

Secondary provision

Rural developments will either fall within the catchment area of the Melton town secondary schools, and would be considered as part of the Secondary options outlined above, or within the catchment area of the Bottesford Belvoir High school, which based on current forecast pupil numbers is capable of expansion to accommodate the additional pupils from development in these areas.

FC4.2 Local Plan Appendix One – Sites allocations and policies

This document contains information on school current and forecast numbers which was correct as at March 2017. This information has changed with the addition of up-dated pupil forecasts and births data; however the conclusion referred to in the document with regards to school places have not fundamentally changed.

FC10, FC12 and Community Infrastructure Levy consultation

The levy proposal for each of the areas does not reflect the availability or otherwise of school places, or the cost of providing additional places required.

The proposals for introducing CIL do not include Education provision on the 1,2,3, list. The assumption is therefore that school places will continue to be funded through the S106 process.

Given the proposed CIL rates and value of potential commitments on the 1,2,3, list will this leave sufficient funding from those developments to pay for additional school places?

Transport

We have been closely involved in drafting the focussed changes relating to transport infrastructure, and broadly welcome and support these changes given our role in supporting the future growth of Melton Mowbray. There are however a number of comments and points for clarification as set out below:

FC2, FC2.1, FC2.2, FC11, FC12

- Noting that it is not proposed to apply CIL to the Melton Urban Area, it would be helpful if the relevant local plan policies (in particular SS4/SS5, IN1/IN2) and the CIL Schedule could be cross-referenced such that it is clearer to readers how and where developments within the Melton Urban Area will nonetheless be contributing to the Melton Mowbray Transport Strategy (including the Melton Mowbray Distributor Road).

FC2

- The revised paragraph 4.5.4 states that “the development will also provide a new link road connecting the Scafford Road with Nottingham Road and upgrades to Bartholomew’s Way and Welby Road linking to the A6006 Asfordby Road, as part of the wider Melton Mowbray Distributor Road.” However, as Bartholomew’s Way and Welby Road do not form part of the Melton Mowbray Distributor Road (as described elsewhere within the Local Plan) this is potentially misleading and it is suggested that the paragraph be rephrased to separate these out.

FC2.2

- We note that policy SS5 now refers to the Melton (Country) Park Greenway as part of the Transport Infrastructure to be delivered through the site. In relation to this we interpret that this has been included as a general community need relating specifically to the site, identified through the Local Plan process. We would add that this does not currently form part of the Melton Mowbray Transport Strategy, given that this is still in development and therefore definitive measures for the transport strategy (other than the MMDR) have yet to be identified.

FC11

- Within policy IN1, the reference under subsection (a) should refer to paragraphs 8.3.16 and 8.3.17 (only refers to 8.3.17 at present).

Strategic Assets

The following comments are made by Strategic Property Services Asset Management Group in relation to the County Council’s role as landowner.

Leicestershire County Council’s land main interests in Melton Borough to which these comments relate are as follows:

- Land at Sysonby Farm, Melton Mowbray – this site forms part of the Melton Mowbray North Sustainable Neighbourhood for which a separate detailed collaborative response will be submitted.
- Potential smaller scale sites within Melton Mowbray and rural settlements throughout the Borough.

Focused Change 1.2

Policy SS2 – Development Strategy

Melton Borough Council’s approach to the calculation of Objectively Assessed Need (OAN) and Employment Land Requirements is seen as sound and the retention of the headline housing numbers (6125 residential dwellings – 245 dwellings per annum) and employment land assessment (51 hectares) are supported as is the fact that these are seen as the minimum requirements for the period to 2036 by the inclusion of the words “*at least*” within the text.

The plan is further supported by the Joint Statement of Co-operation (January 2017) which states *“at present there is no declared unmet need in the HMA but it is recognised that the ability of each authority to meet its own OAN will vary”*. Currently both Leicester City Council and Oadby & Wigston Borough Council cannot meet their own need and will be dependent on authorities such as Melton Borough Council to accommodate this demand. Accordingly, retaining the requirement of 245 dwellings per annum demonstrates that it robustly addresses the duty to co-operate as detailed in paragraphs 178 to 181 of the NPPF.

The rationale behind Policy SS2 the distribution of housing throughout the Borough with approximately 65% of housing concentrated in Melton Mowbray is entirely logical. This policy facilitates the delivery of necessary infrastructure through larger scale developments in Melton Mowbray whilst recognising the importance of supporting a prosperous rural economy, as detailed at paragraph 28 of the NPPF, enabling key rural settlements throughout the Borough to remain sustainable. Further, it recognises the positive role of Service Centres, Rural Hubs and other smaller settlements in contributing to the delivery of housing numbers. The inclusion of the word “approximately” gives the policy added flexibility and potentially facilitates the delivery of additional housing within the Melton NSN where the proposed allocation currently falls short of site capacity of 2200 dwellings.

By the removal of prescribed numbers for small scale development the distribution of housing throughout the lower tiers of the settlement hierarchy now has the flexibility to enable sustainable sites to be brought forward on an opportunity basis in order to maximise the delivery of housing across the Borough.

Policy SS3 – Sustainable Communities (unallocated sites)

The changes to Policy SS3 relating to the delivery of windfall sites are welcomed as the policy is seen to both meet the guidance set out in paragraph 48 of the NPPF and, whilst the preamble makes reference to housing numbers, now has the flexibility to improve the delivery of increased housing numbers necessary to support the sustainability of settlements across the Borough.

Focused Change 2

Policy SS5 – Melton Mowbray North Sustainable Neighbourhood

Housing

The proposed allocation of the Melton Mowbray North Sustainable Neighbourhood, including LCC owned land at Sysonby Farm, is strongly supported. Further, the site is available being controlled by developers or being actively promoted by willing landowners, suitable as demonstrated by technical reports supported by the Sustainability Appraisal and deliverable. Further, it is capable of making a significant contribution to the infrastructure needs of the town. The key deliverables other than housing numbers are seen as desirable but should be brought forward in response to evidence base and/or commercial demand.

Whilst the allocation is strongly supported attention is drawn to the ability of the overall allocation to deliver significantly higher numbers than the 1700 currently proposed. Accordingly, it is

regrettable that the Focused Change fails to recognise the true capacity of the NSN (c.2200 dwellings) as this constrains the Borough's ability to both meet its OAN by restricting opportunities for making up shortfalls elsewhere in the Borough and wider HMA and secure the delivery of vital infrastructure by restricting the potential funding available.

The reduction in the level of affordable housing which is supported by the Revised Local Plan Community Infrastructure Levy Study (Cushman and Wakefield – May 2017) is welcomed. Whilst, at this stage there is nothing to indicate 15% affordable isn't achievable it is considered that the words "*subject to viability*" should be retained within the policy to ensure flexibility in the event that circumstances change and the 15% requirement cannot be met.

It is essential to adopt a flexible approach to master planning of the Melton Mowbray NSN in order to expedite delivery. Within this process there is a need for landowners/ developers to commit to the location of uses and secure the line of the link road. Beyond that each should have the flexibility to bring forward development at a time appropriate to them within the context of the plan. In particular, the land between Nottingham Road and Scalford Road (partly in LCC ownership) has the ability to be brought forward, as a standalone site, at an early date. This approach will support the delivery of housing numbers in the early years of the plan and secure infrastructure vital to the wider community and avoid the potential for housing delivery becoming dependant on the delivery of other sites within the Borough.

Transport

In addition to the changes detailed it is proposed that Policy t1A should also be revised to include a commitment, in so far as it is practical, to aligning the route of the Melton Mowbray Distributor Road to maximise housing delivery from the site and protect the housing numbers that underpin the Local Plan, and providing specific access points into development parcels to ensure that they are well accessed and that an economically viable development can be delivered on a phased basis.

Focused Change 4

Policy C1(A) – Housing Allocations

The policy needs the flexibility for further unallocated sites to be brought forward to support overall housing delivery in Melton Mowbray and other settlements.

Policy C1(B) – Reserve Sites

The proposal to consider the allocation of Reserve Sites appears consistent with the provisions of the NPPG. However, in the development of this Policy consideration of the potential to increase the level and speed of housing delivery within the Sustainable Neighbourhoods should also be taken into account and the benefits of increasing numbers in the delivery of community infrastructure weighed against the constraints identified in respect of the reserved sites proposed.

Focused Change 5

Policy C2 – Housing Mix

The flexible approach to Housing Mix is broadly welcomed but needs to have regard to both current and changing market conditions and viability. The provisions within the policy that take account of the needs of the ageing population and people with specific accommodation requirements are also supported.

High Quality Design

The need for high quality housing that meets National Space Standards and complies with the Building Regulations 2015 is supported but the policy should be clear that these requirements should be met at the detailed planning stage not the outline stage.

Focused Change 6

Policy C4 – Affordable Housing Provision

The reduction in the level of Affordable Housing from 37% to 15% within the Melton NSN is supported.

Focused Change 8

Economy

The proposed changes to Section 6.5 are supported. However, it is considered that it is worthwhile reiterating earlier representations, namely

“Policies EC1 and EC2 provide the necessary platform to deliver future economic growth and are therefore welcomed. However, the plan needs to be sufficiently flexible to enable further sites to be brought forward to replace existing employment areas that become unviable or unfit for purpose as detailed in Policy EC3.

Policy EC5 whilst supportive of maintaining a vibrant town centre is regarded as placing unnecessary restrictions on the retail development of the edge of the centre as the scale would be incompatible with the existing town centre but nevertheless would have the effect of attracting additional business and potential footfall to the town creating further potential economic benefits.”

Focused Change 11

Melton Mowbray Transport Strategy – Policy IN1

The commitment to the Melton Mowbray Distributor Road in Policy IN1 is welcomed. However, in relation to the northern section of the route from Nottingham Road to Melton Spinney Road the supporting text needs to include a commitment, in so far as it is practical, to aligning the line of the road to maximise housing delivery from the site and protect the housing numbers that underpin the Local Plan. Further the design of the road needs to achieve a balance between providing traffic relief to the town and the need to deliver well accessed viable development opportunities within the NSN.

It is also important that a flexible approach is taken to the delivery of the distributor road in order that housing delivery, particularly in the early years of the plan, is not constrained.

Waste Management

FC10, FC12 and Community Infrastructure Levy consultation

Similarly to LCC being the local Highways Authority responsible for the delivery of the Melton Mowbray Eastern Distributor Road, equally, LCC as Waste Disposal Authority is responsible for the delivery of the municipal public household waste and recycling facility (HWRC) / and provision of waste disposal or treatment points which may include waste treatment stations. Therefore, there needs to be a clear and transparent mechanism whereby sufficient CIL levy funds collected by the Borough Council are re-distributed to LCC for the delivery of the HWRC (locally referred to as RHWS (recycling and household waste site) and transfer station. Additionally, to facilitate work planning and scheduling, the CIL funding collected should be provided in a timely manner and be proportionate to the project and properly audited.

In respect to any further comments about the proposed CIL schedule, the need for:

- a periodic review mechanism for re-setting viability of infrastructure projects;
- regular dialogue between the borough council and LCC to ensure maintenance of shared aims and objectives; and
- care to be taken in considering which infrastructure projects should be included on the 123 list.

There is a concern about the lack of reference to the installation of electric vehicle infrastructure for existing development. Paragraph 7.17.1 highlights how existing dwellings may have their energy efficiency increased through retrofitting measures and Policy EN9 provides for charging points for electric cars for new developments, but there is no specific reference to how existing developments and housing stock will be future proofed against a model shift from diesel/petrol vehicles to electric vehicles.

In July this year, the government signalled its intent to ban the sale of all diesel and petrol cars and vans from 2040 as part of its Clean Air Plan which aims to reduce the effect of poor air quality on people's health. Provision of and accessibility to appropriate electric vehicle infrastructure therefore, would be necessary to enable Melton residents and businesses to contribute to the aims of the government, climate change mitigation and the Carbon Reduction Target for Leicestershire to reduce emissions by 23% between 2005 and 2020.

Community Infrastructure Levy

FC10, FC12 and Community Infrastructure Levy consultation

- The Proposed Preliminary Draft Charging Schedule (PDCS) refers to certain areas (or zones) within the Melton local authority area but there is no clear map that accompanies the PDCS that defines these areas. One should be provided. No reference is made in the PDCS to the built-up area of Melton Mowbray. It would be helpful to state explicitly the status of the

Melton Mowbray built up area and confirm that there is a £0/m² for residential development within that area. Also, confirmation that the rates for Commercial development apply to the whole local authority area.

- If it is correct that the CIL rate within the Melton Mowbray built up area is £0, then some clarification is required as to whether there would be an expectation that developers within the Melton Mowbray built up area would make a contribution to the Melton Mowbray Eastern Distributor Road (MMEDR) without falling foul of it being on the 123 list.
- In view of the inclusion of the MMEDR on the draft 123 list then as the Borough Council is the charging authority for the CIL levy, there needs to be a clear and transparent mechanism whereby sufficient CIL levy funds collected by the Borough Council are re-distributed to the County Council as local highways authority responsible for the delivery and implementation of the MMEDR. To ensure the delivery of this major piece of transport infrastructure then the CIL funding which is collected should be provided in a timely manner and properly audited. Furthermore the MMEDR as a major infrastructure project would need to be prioritised to ensure the implementation of the scheme is delivered in a timely manner.
- The Borough Council propose that the draft 123 list is to be updated on a regular basis by the Borough Council taking account of the Infrastructure Delivery Plan. There may be a possible risk that the identified infrastructure may be unable to be met depending on any funding gaps and future growth could be stalled. Therefore setting charges and particularly priorities will require clear and shared objectives between the two Councils as to what infrastructure and services will be required.
- The amount of CIL revenue which could be collected after adoption of a charging schedule is estimated to be in the region of £14 million (minus administration costs, parish and neighbourhood plan contributions) which represents about 14%-15% of the funding required on the 123 list. It would be helpful to know how and when (given the anticipated build out rates) that CIL contribution will be applied to the items on the 123 list.
- Viability is likely to change and be influenced over time by cyclical economic circumstances. Therefore a review mechanism for re-setting viability and thus the charging levy should be considered. This could assist in making sure the CIL charge offers dynamic funding for the provision and delivery of the infrastructure.
- The continued use of S106 planning obligations is still currently considered an important source of infrastructure funding and is especially advantageous to use planning obligations for larger developments e.g. Sustainable Urban Extensions (SUEs) which in themselves would trigger the requirements for planning obligations such as on site primary school provision. In those circumstances then care should be taken in considering which infrastructure projects should be included on the 123 list because once a project is included on the list it cannot obtain S106 contributions under the 'double dipping' rule. Regular dialogue between the Borough Council and the County Council is required about future infrastructure items and whether they are included on the 123 list.