

**MELTON LOCAL PLAN EXAMINATION  
EXAMINATION STATEMENT OF MELTON BOROUGH  
COUNCIL**

**04 January 2018**

**MATTER 7  
Other Policies for Communities**

## **Matter 7: Other Policies for Communities**

### **QUESTION 7.1**

**Does the Plan adequately address the needs for all types of housing [apart from overall need for affordable housing which will be considered under Matter 3] and the needs of different groups in the community?**

**In particular:**

**i) does Policy C2 (Housing Mix) give clear and sufficient guidance about the basis on which planning applications will be determined in order to meet the Plan's expectations in this regard?**

7.1.1 On reflection, the Council considers that the clarity provided in the reasoned justification for Policy C2 could be applied to the Policy itself through the two following suggested modifications:

**i)** Policy C2 – Housing Mix to the second paragraph, insert text “for 10 or more dwellings” after the wording “residential proposals for developments”

**ii)** paragraph 5.5.7: amend the last sentence and add a further sentence as follows:

The housing mix table will be applied having regard to the particular characteristics of a scheme when providing advice on planning applications, or where planning permission is sought. Further guidance on how housing mix will be dealt with through development management, will be set out in an affordable housing and housing mix supplementary planning document (refer to 5.8.14).

7.1.2 Until an affordable housing and housing mix supplementary planning document is implemented, the Melton Borough Council, Housing Needs Study (MBC HNS), 2016 ([MBC/HM1](#)) and Housing and Economic Development Needs Assessment (HEDNA) ([MBC/HN1a](#)) will be used as evidence to inform the determination of planning applications.

7.1.3 In all other respects, the Council considers Policy C2 gives clear and sufficient guidance. It sets out a threshold (10 or more dwellings), identifies the range of types of accommodation, such as extra care, accessible housing and bungalows that could be included, whilst taking care not to be overly prescriptive.

7.1.4 The 2016 Melton Borough Council Housing Needs Study (*MBC HNS*), 2016 ([MBC/HM1](#)) rather than the more recent 2017 Housing and Economic Development Needs Assessment (HEDNA) ([MBC/HN1a](#)), is used as evidence for the optimum housing size mix (see Table 9 in the Pre-Submission Local Plan) because it is based on the demographic change likely to be associated with the delivery of 245 dwellings per annum.

- 7.1.5 The HEDNA, rather than the MBC HNS, is cited as evidence when planning for accessible housing. This is because the demographic profile for Melton indicates a future need for housing for older and disabled people (including wheelchair user dwellings). The HEDNA, 2017 estimates a 100% increase of people with mobility problems over the plan period.
- 7.1.6 Proposals for retirement homes, sheltered homes and care homes and proposals for wheelchair accessible dwellings (where, for the latter, the council is responsible for allocating or nominating residents) will be supported and encouraged to meet the technical standard for access of Building Regulations 2015 Part M4(2) or any subsequent revisions.
- 7.1.7 The Building Regulations, 2015 Part M4 (2) & M4 (3) will be encouraged rather than required because the revised Local Plan and CIL Viability Study, May 2017 ([MBC/WP5](#)) findings show that it would not be viable as a requirement on every residential development.
- 7.1.8 Through development management discussions with developers, it will be expressed that these technical standards for access, if met, will be a factor in favour of the proposed development.

**ii) is Policy C3 consistent with the Written Ministerial Statement (March 2015) (the Planning Update statement) and Planning Practice Guidance on optional technical standards for housing?**

- 7.2.1 Yes. In accordance with the National Planning Policy Guidance and the Written Ministerial Statement, March 2015 (the Planning Update Statement), the new national technical standards are optional rather than required in the Local Plan. Please refer to the focused change (FC5) that changed the Pre-Submission Draft version from 'required' to 'encouraged'.

**iii) having regard to the robustness of the evidence, does the Plan make adequate provision for the housing needs of the Gypsy and Traveller and Travelling Showpeople communities? Will the committed sites meet these needs? How will the needs of people who have permanently ceased to travel be addressed?**

- 7.3.1 The Leicester City and Leicestershire Gypsy Traveller and Travelling Show people Accommodation Assessment (GTAA) (May, 2017) ([MBC/GT1](#)) was prepared jointly between Leicester City Council and all of the Leicestershire Local Authorities (except for Hinckley & Bosworth BC, who prepared a separate study). Throughout the study the consultants collaborated with all of the local authorities in the study area and the neighbouring authorities. The study was prepared in accordance with the Planning Policy for Traveller Sites (PPTS, 2015). A combination of desk-based research, stakeholder interviews and engagement with members of the travelling community living on all known sites was undertaken.
- 7.3.2 The GTAA identified the following for 2016 - 2036:

### Permanent pitches

No need for additional pitches for households that meet the planning definition.

3 Gypsy or Traveller households that may meet the planning definition (as set out in Figure 5 of the GTAA 2017) were identified. However, these pitches have already been identified by the Gypsy & Traveller households themselves, planning permission granted and now implemented.

### Travelling Showpeople plots

No households were identified in the Borough that meet the planning definition. Therefore there is no need for any additional plots for Travelling Showpeople.

### Public transit pitch provision

The GTAA has identified a current need for a minimum of 12 caravan spaces (or managed equivalent) in Leicester City, and a minimum of 36 caravan spaces (or managed equivalent) spread over 2-3 sites elsewhere in Leicestershire.

The GTAA report suggests an initial review of potential deliverable sites with a focus in the North West of the County and the City. Further provision will be required elsewhere in Leicestershire taking account of where higher number of encampments have been recorded; the strategic transport network and the overall geography of the county.

The report recommends for the provision of public transit sites to be balanced off against the use of managed approaches to dealing with unauthorised encampments as opposed to infrastructure provision. This could include continued use of tolerated stopping or consideration of the introduction of Negotiated Stopping Agreements for short-term encampments along with formal public transit sites (Paragraph 1.53 of GTAA study).

A review of the evidence base relating to unauthorised encampments will be undertaken once there is a robust post-Planning Policy Traveller Sites (PPTS, 2015) evidence base. This will establish whether there is a need for and further investment in formal transit sites or emergency stopping places”.

## Gypsy and Traveller households living in bricks and mortar

The GTAA identified 1 Gypsy and Traveller household living in bricks and mortar in Melton Borough. However, they do not meet the planning definition of a Gypsy and Traveller household. As stated in para. 7.4 of the GTAA, "only households that fall within the planning definition, and those who *may* meet the definition (households where an interview was not completed), will have their housing needs assessed separately from the wider population in the GTAA". Therefore, their housing needs will be considered alongside any other household, as part of the HEDNA.

### **iv) are the criteria in Policy C6 justified and consistent with national planning policy?**

- 7.4.1 The criteria set out in Policy C6 are intended to reflect some the key elements of the national Planning Policy for Traveller Sites. However there is no apparent locally specific basis for their identification in the policy, either in the evidence base of the reasoned justification.
- 7.4.2 On reflection therefore, the Council considers that greater clarity could be given in Policy C6 (as amended by Focused Change 7) through a suggested modification that deletes all the text after the first paragraph of Policy C6, as follows:

#### **Policy C6**

**The most recent Gypsy and Traveller Accommodation Assessment will be used to identify pitch and plot requirements and where a need is found, steps will be taken to deliver sites. The GTAA will also be used as a basis for determining planning applications, together with the criteria within the most up to date national Planning Policy for Traveller Sites.**

~~**We will support sites for Gypsies and Travellers that:**~~

- ~~**1. facilitate the traditional and nomadic life of travellers while respecting the interests of the settled community; and**~~
- ~~**2. are appropriate in scale, well designed, and provide suitable landscaping and boundary treatments; and**~~
- ~~**3. provide an acceptable living environment for occupiers and are free from flooding, pollution, hazards or other adverse impacts on standards of living; and**~~
- ~~**4. are well related to local infrastructure and services of a nearby town or village, including safe and convenient access to the road network; and**~~
- ~~**5. promote peaceful and integrated co-existence between the site and the local community.**~~

**v) are the requirements of Policy C8 for self-build and custom-build housing justified and deliverable?**

- 7.5.1 Yes. There is continuing Government support for custom and self build as part of the overall provision of new housing. Most recently, the Housing White Paper<sup>1</sup> says that the Government wants to support the growth of custom built homes (para. 3.14), as they represent a way of getting more homes built quickly and there is demand for them. Its commitment to this is also reflected from the continued exclusion of self and custom builds from any Community Infrastructure Levy chargeable in the area (para 3.16 of the White Paper). The White Paper goes on to say (para 3.18) that the Government will consider taking further action including possible changes to legislation, if it thinks local authorities are not doing enough to promote opportunities for custom-building and self-building.
- 7.5.2 There is certainly evidence of significant demand for custom and self build in Melton Borough. Feedback from estate agents for the Housing Needs Study in 2016 ([MBC/HM1](#)) revealed that demand for custom build is high and the problem is the supply of suitable plots, some of which are not actively being sold for sale. Between 1<sup>st</sup> November 2015 and 31<sup>st</sup> October 2016, 24 people applied to join the local authority self and custom build register, and this rose to 35 new applicants for the following year (1<sup>st</sup> November 2016 – 31<sup>st</sup> October 2017). Data from BuildStore indicated that in 2015, 63 people had registered an interest in self or custom build<sup>2</sup>. At least one self build/custom build developer, Redmile Developments, is currently active in the Borough, on site HAR2, where 10 dwellings are being built.
- 7.5.3 It is also likely that most of the single dwellings granted planning permission are self or custom builds. It is estimated that 71 single dwelling plots will be built out over the next five years, indicating significant effective demand.
- 7.5.4 So the requirement proposed in Policy C8 is to respond to local evidence of demand and to help deliver on the Government's recently stated policy aspirations.
- 7.5.5 The provision of 5 or more plots on a site of 100 or more dwellings is not considered to be onerous. A threshold of 100 is considered appropriate as it allows developers to market serviced plots with a separate access from the main development. If organised early, it should not be beyond the capabilities of the volume builders who will be bringing forward these sites to devise operational arrangements that do not have construction site health and safety implications and minimise any site marketability implications and issues that may arise from concurrent self building or custom building; it could even be those volume builders who deliver the

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<sup>1</sup> Fixing Our Broken Housing Market, CLG, March 2017

<sup>2</sup> Para. 9.12 in the Melton BC Housing Needs Study, 2016

self build/custom build plots. Moreover, whilst the Council's whole plan viability work ([MBC/WP5](#)) indicates that self build may have an impact on the marketability of the wider site, no evidence has been submitted to the Council which confirms this as anything other than theoretical and certainly none to indicate that it would be so serious as to undermine delivery of the remainder of the site, or the site as a whole. At lower thresholds, this may be harder to achieve, and could affect the viability and marketability of the site.

7.5.6 Without a policy requirement, it is unlikely very many, if any, self build plots will be delivered on larger sites. The threshold of 100 dwellings seems reasonable in the context of a minimum of 5 plots being delivered as self build alongside delivery over about 3-5 years of a minimum of 95 dwellings, and it would only apply to the allocations at BOT 4 and the northern and southern Sustainable Neighbourhoods where a planning application has not already been submitted or granted.

7.5.7 The Melton policy is limited to self and custom builders, and the small scale nature of these operators is that their products are complementary not competitive with the products that volume housebuilders will build on the rest of the site. It is also possible that volume builders could offer a percentage of their housing as custom build options.

7.5.8 For all the reasons outlined above, the Council considers the requirements for self build and custom build to be justified and deliverable.

**vi) in all other respects are the Plan's policies for communities soundly based?**

7.6.1 Policy C9 Healthy Communities (a-h) will help to ensure that the local plan's policies for communities make a positive contribution to the health and well-being of the communities. The policy itself aligns with the NPPG's themes of transport, natural environment, climate change and design, which are also addressed through the rest of the policies within the local plan. The policy also supports the purpose of planning 'to contribute to the achievement of sustainable development' and to 'support strong, vibrant, and healthy communities' as stated in the NPPF. The policy clauses take into account the guidance as per paragraphs 69-70 in the NPPF.

7.6.2 Policy C9 is also informed by the Leicestershire's Health and Wellbeing Strategy ([MBC/WP1](#)). The strategy has been developed by Leicestershire's Health and Wellbeing Board that is working with Leicester and Leicestershire Enterprise Partnership (LLEP) to maximise the health gain associated with new employment opportunities in the county with the overarching plan to improve the health and wellbeing of children and adults and to reduce health inequalities. The strategy is driven by the joint strategic needs assessment, the overarching assessment of the health and wellbeing needs of the population across the wider health and social care

economy. Policy C9 as part of the whole Plan is positively prepared, aiming to achieve sustainable development by promoting the health and well-being of communities.

7.6.3 The Policy has been assessed against the Sustainability Appraisal objectives and has been taken forward to the publication stage through different stages of the plan making process.

7.6.4 The policy is effective and deliverable – the effectiveness of the policy will be checked through the decisions made in accordance with the policy – satisfaction of the policy clauses will weigh on the positive side of the planning balance when planning applications are considered.

7.6.5 The policy is based on joint working and is consistent with national policy as explained above.