

**MELTON LOCAL PLAN EXAMINATION
STATEMENT OF MELTON BOROUGH COUNCIL
8 January 2018**

**MATTER 11
Managing Development**

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QUESTION 11.1 Should criterion b) of Policy D1 (Raising the Standard of Design) be amended to remove the expectation that the principles in any accompanying supplementary planning document be met?

- 1.1 Policy D1 sets out the Council's approach to raising the standard of design. The policy has 12 criteria which would be used to assess the standard of design in the determination of planning applications. Criterion (b) states the following:

New development should meet basic urban design principles outlined in this plan and any accompanying Supplementary Planning Documents (SPD).

- 1.2 The NPPF states that Supplementary Planning Documents (SPDs) are documents which add further detail to policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. SPDs are capable of being a material consideration in planning decisions, but are not part of the development plan.
- 1.3 It is accepted that a SPD should only contain an interpretation of policy, and as written, criterion b) could be misleading on this. The following modification to Policy D1 is suggested to clarify:

Policy D1

b) New development should meet basic urban design principles outlined in this plan and detailed further in any accompanying Supplementary Planning Documents (SPD).

QUESTION 11.2 Is the reference in criterion j) to Building for Life 12 unduly prescriptive having regard to national planning policy and the Planning Practice Guidance?

- 2.1 Building for Life 12 (BfL12) is an industry standard for the design of new housing developments. The document is not explicitly referenced within either the National Planning Policy Framework (NPPF) or the Planning Practice Guidance (PPG). BfL is endorsed by Government and managed by three partners; Design Council CABE, Design for Homes and the Home Builders Federation (www.designcouncil.org.uk).
- 2.2 BfL is comprised of 12 questions that are designed as a way of structuring discussions about a proposed development. There are four questions in

each of the three chapters relating to integrating the neighbourhood, creating a place and street and home. It is based on a 'traffic light' system whereby the more 'greens' that are achieved, the better a development will be; 'ambers' should be minimised and 'reds' should be avoided.

2.2.1 The BfL scheme was developed out of the policies contained with NPPF, and seeks to give greater clarity as to the aims and objectives of the NPPF, ensuring good, high quality development. It was also designed to support the Government's commitment to building more homes, building better designed homes and collaborative planning system, and involving local communities in shaping development proposals.

2.3 At chapter 7, the NPPF sets out the government's policy on requiring good design. The Framework sets out 12 paragraphs of text, based on the underlying statement that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people (paragraph 56). Paragraph 58 of the Framework gives the most substantial, detailed guidance within chapter 7, setting out 6 points relating to the aims of planning policies and decisions. They are to ensure that developments:

- Will function well and add to the overall quality of the area, not just for the short term but over the life of the development;
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- Respond to local character and history, and reflect the identity of local surroundings and materials, whilst not preventing or discouraging appropriate innovation;
- Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life of community cohesion; and
- Are visually attractive as a result of good architecture and appropriate landscaping.

2.4 The PPG gives further advice on the key points to take into account on design. Specifically, it states that the following issues should be considered:

- Local character (including landscape setting)
- Safe, connected and efficient streets

- A network of green spaces (including parks) and public places
- Crime prevention
- Security measures
- Access and inclusion
- Efficient use of natural resources
- Cohesive and vibrant neighbourhoods

2.5 Both the NPPF and the PPG set out issues to be considered in regards to good design. In particular, the NPPF states at paragraph 64:

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

2.6 In addition, the government's white paper 'Fixing our broken housing market' (<https://www.gov.uk/government/publications/fixing-our-broken-housing-market>) and the most recent consultation 'Planning for the right homes in the right places' (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/652888/Planning_for_Homes_Consultation_Document.pdf) both refer to ensuring that new homes are well-designed, and are built in the right places, planned with the co-operation of the local community, building homes that people want to live alongside as well as in. They indicate the importance that the Government is currently placing on good design.

2.7 However, neither the NPPF or the PPG offer any specific guidance as to what can specifically constitute good design, nor do they offer any basis for weighing competing design objectives, or assessing the extent to which a development can demonstrate good or poor design. By using a simple traffic light system for an assessment of the standard and quality of the design of a development, the BfL criteria makes the process of assessing design far more transparent and accessible to the public.

2.8 In the Council's opinion, requiring good performance against the BfL criteria within Policy D1(j) is entirely justified. This is particularly important in Melton Borough where there are high quality local environments which the local community rightly wishes to conserve. Good design may go some way to addressing the fears of the impact of development amongst those who oppose it. The use of BfL will ensure that new developments coming forward in the Borough are well designed in accordance with the Framework and Guidance, and that this can be robustly and transparently demonstrated by reference to the performance of the proposal against the BfL criteria.

- 2.9 The Council respectfully draws the Inspectors attention to the inclusion of the reference to BfL criteria within policies SS4 and SS5 relating to the Sustainable Neighbourhoods, should she consider any modifications are needed in respect of plan references to BfL.

QUESTION 11.3 Is paragraph 9.4.8 justified as a policy requirement? If so should it be moved to Policy D1 to replace criterion a)?

- 3.1 The Council agrees with the above statement, and suggests the following minor modification to criteria a) of policy D1:

a) The siting and layout must be sympathetic to the character of the area in terms of its street layout, appearance (in terms of urban form, architecture and hard and soft landscaping).

- 3.2 Paragraph 9.4.8 should be removed as a minor modification to the plan.

QUESTION 11.4 Does the Plan as a whole make sufficient provision for inclusive design and accessible environments, consistent with paragraphs 57, 58, 61 and 69 of NPPF?

- 4.1 Paragraph 57 of the NPPF states the following:

It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider development schemes.

- 4.2 The Plan sets out a number of Strategic Objectives, one of those relates to the environment, where the plan sets out a specific objective to promote high quality and innovative design which is visually attractive, reflects local context and distinctiveness, and, contributes to a safe and accessible environment, to make places better for people.
- 4.3 Within the policies which relate directly to the provision of the two Sustainable Neighbourhoods (SN), where some 3200 dwellings are planned over the Plan period, there are specific policies regarding the provision of accessible community facilities and accessible transport with the SNs.
- 4.4 Chapter 5 of the Plan 'Melton's Communities – Strong, Healthy and Vibrant' specifically aims to support and strengthen local communities throughout the Borough, focusing on people's needs, including accessible services, housing, transport and jobs. In particular, Policy C2 relating to housing mix specifies that:

"Residential proposals for developments should seek to provide an appropriate mix and size of dwellings to meet the needs of current and future households in the Borough including extra care and accessible housing, having regard to the latest evidence of housing need."

- 4.5 The plan goes on to state at paragraph 5.6.1 that new homes need to be high quality, accessible and sustainable.
- 4.6 Policy C9 – Healthy communities also requires development proposals to make a positive contribution to the promotion of health and wellbeing. Specifically at point a) the policy requires the provision of good quality, accessible green spaces, public realm, sport and recreational facilities close to where people live and work.
- 4.7 Chapter 7 of the Plan, which relates to protecting and enhancing the environment, goes further to state in paragraph 7.1.1 that the areas is valued by residents and visitors for its pleasant and tranquil environment and accessible countryside.
- 4.8 Within Chapter 8 of the Plan, reference is made to the Leicestershire Local Transport Plan 3 ([LTP3](#)) which is Leicestershire County Council's most up to date plan. This seeks to ensure that an accessible and integrated transport system is available to help to promote equality of opportunity for all Leicestershire residents.
- 4.9 It is therefore considered that the Plan does plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider development schemes in accordance with paragraph 57 of the Framework.
- 4.10 Paragraph 58 of the NPPF states an expectation that local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. The policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Specifically, with regards to inclusive design and accessible environments it states that planning policies and decisions should aim to ensure that developments:
 - *Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion;*
- 4.11 One of the stated objectives of the plan is to improve community safety, reduce crime and the fear of crime (objective 11). Crime and the fear of crime is relatively low in Melton Borough, compared to the national and

regional averages, with Melton Borough ranked 266th out of 376 national districts for the level of crime it experiences.

4.12 Furthermore, the Plan acknowledges that the potential to reduce the risk of crime and anti-social behaviour should be maximised through the design and layout of new development. Opportunities should be taken to create safe and active streets with natural surveillance, with 'hard' measures being the last resort. Crime prevention measures must not be at the expense of overall design quality or social inclusivity to achieve good levels of community cohesion. Gated communities, for example, will not normally be permitted (paragraph 9.4.14).

4.13 Within the Plan are specific policies to design out crime, including lighting, natural surveillance and defensible space. Specifically, policy D1 at point (g) states that development should be designed to reduce crime and the perception of crime. Additionally, policy D1 expects that this will be undertaken in conjunction with strong performance against the Building for Life 12 criteria where it is expected that developments will demonstrate good integration, including accessible connections and facilities and services for all.

4.14 It is therefore concluded that through the policies within the Plan, safe and accessible environments will be created.

4.15 Paragraph 61 of the NPPF states that:

Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

4.16 Paragraphs 9.4.8 - 9.4.18 of the Plan give further detail, meaning and guidance relating to policy D1. Specifically, the plan goes into detail regarding siting and layout, detailing the basic urban principles that are referenced within D1 subsection b). This relates to:

- Connections with the existing urban structure;
- Legible places;
- Permeable streets;
- Active streets
- Mix of uses;
- Scale and massing
- Density
- Design and materials;
- Landscape and streetscape.

4.17 At paragraph 9.4.10 the plan goes on to state that new development must respect the character of the local area and the wider setting, and the qualities that make it distinct from other areas. New development should be sympathetic to the local area in terms of scale, massing, design, materials, landscaping and architectural detailing.

4.18 By ensuring that development proposals meet the requirements of Policy D1 in terms of urban design principles, Building for Life 12 Criteria, and insisting upon high quality design, the Council is confident that environments which are accessible and are designed inclusively will be provided within the Borough in accordance with the Framework.

4.19 Paragraph 69 (of chapter 8, Promoting healthy communities) of the NPPF states that:

The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. To support this, local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions, and should facilitate neighbourhood planning. Planning policies and decisions, in turn, should aim to achieve places which promote:

- *Opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity;*
- *Safe and accessible environments where crime and disorder, and the fear of crime, do not undermine the quality of life of community cohesion; and*
- *Safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.*

4.20 Chapter 5: Melton's Communities – Strong, Healthy and Vibrant, details how this is a crucial aspect of the sustainability of places, and contributes greatly to quality of life and wellbeing. The Plan aims to support and strengthen local communities throughout the Borough, focusing on needs, including accessible services, housing, transport and jobs.

4.21 Policy C2 seeks to manage the delivery of a mix of house types and sizes in accordance with need, including the needs of current and future households in the Borough.

- 4.22 Policy C9 actively promotes health and wellbeing, ensuring that developments include good quality, accessible green spaces, public realm, sport and recreational facilities close to where people live and work. It seeks to encourage greater participation in play, sport, walking and cycling and to maximise opportunities for social interaction.
- 4.23 The policy C9 continues to support safe, convenient and attractive streets, paths and cycle ways integrated with public transport connecting homes, workplaces, shops, schools, healthcare, leisure and other services and facilities to encourage active travel and prevent social isolation. The policy promotes high quality space for growing food, including green roofs, edible landscaping, garden plots, community gardens, allotments and local markets, in order to provide access to fresh, healthy and affordable food.
- 4.24 Policy C9 supports healthy homes (affordable, easy to warm etc.), the avoidance of over concentration of clustering of use types which could detract from peoples ability to adopt a healthy lifestyle (i.e. hot food takeaways) and good local air quality.
- 4.25 Furthermore, for major development proposals, the plan states that the health impacts should be considered early in the planning process through the submission of a Health Impact Assessment (HIA) alongside a planning application.
- 4.26 The Council therefore contends that the Plan addresses the requirements of paragraph 69 of the Framework in facilitating social interaction, creating healthy, inclusive communities.

QUESTION 11.5 In the context of Policy D3 (Agricultural Workers' Dwellings), is paragraph 9.5.5 in effect a policy statement? If so, should it be included in the policy?

- 5.1 Paragraph 9.5.5 states the following:

Applications for agricultural / rural workers' dwellings should be of an appropriate size and scale. Applications for a dwelling with extensive facilities which are deemed to be excessive and beyond the remit of the operation will be refused.

- 5.2 On reflection, the Council agrees that paragraph 9.5.5 is a statement of policy, and as such, should be included within Policy D3. Therefore, the Council suggests the following modification to Policy D3:

Policy D3

J) Applications for agricultural / rural workers' dwellings should be of an appropriate size and scale. Applications for a dwellings with extensive facilities which are deemed to be excessive and beyond the remit of the operation will be refused.

Delete paragraph 9.5.5

END