

Draft Developer Contributions SPD – Schedule of Response, September 2021

Response No.	Name/Company	Type of Consultee	Comments	MBC Response
1	Cllr D Pritchett	Councillor	<p>Bottesford Infrastructure List</p> <ul style="list-style-type: none"> • Suggest the word ‘Sustrans’ should be replaced by the words ‘Highways England’ • There are no new homes proposed that would require a bridge to make planning acceptable and Section 106 contributions • Remove the A52 link altogether from the list 	The reference to the bridge has been removed
2	Burton Lazars Resident	Resident	<p>Burton and Dalby Infrastructure List</p> <ul style="list-style-type: none"> • Burton lazars village hall is high class, don’t need any more funding. • Burton lazars needs more open space where children can play • The have a new bus shelter so should be lower priority 	Comments have been discussed with the Ward Councillor and amendments have been made to the list. The Burton Lazars village hall has been removed from the list. It should be noted that the list applies to the Parish as a whole and therefore the infrastructure on list may be relevant to various villages within then Parish.
3	LLR CCG	Infrastructure Provider	<p>3.3.1 - pressures and demand upon healthcare across LLR but also within Melton should healthcare be given a higher priority. Document later states primary care is high priority isn’t reflected in 2b should state medium priority.</p> <p>3.7.1 - the negotiation of trigger points should also be discussed with the requester, especially as CCGs rely on s106 contributions at the front end to successful deliver projects in time.</p> <p>3.8 – the fees in regards to ‘preparing of legal agreement will be borne by the applicant or developer’ should only be paid by the developer as they would be required to stipulate the clauses/requirements and the application would be required to ensure that the clauses/requirements were reasonable.</p>	<p>The wording of the later text will be changed to reflect the placement of healthcare within Table 1.</p> <p>Wording will be added to reflect this comment.</p> <p>The cost of the legal fees is the applicant, it is not however the applicant that pays the contributions therefore the wording has been changed to reflect this.</p>

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			4.3.1 & 4.3.3 - Needs to refer to the LLR CCGs and not East CCG	Replacement of East Leicestershire CCG will be made
4	Lincolnshire CCG	Infrastructure provider	<p>Policy Context - Noted, we would like to see more specific reference to the wider determinants of health and well-being including accessible services, employment, housing and digital connectivity, recognising the way that care and working practices have changed over the past few years especially during the pandemic. As well as access to green spaces is the need to ensure that there is a sense of community developed, either links to existing community infrastructure or new where there are larger developments.</p> <p>Procedure - Primary Care is a 2b priority and that is welcomed and the way that contributions will be agreed on a site-by-site basis.</p> <p>Specific Guidance - welcome the specific references to how the two local CCGs will support new developments and we can confirm this reflects the conversations that have taken place.</p>	<p>Noted comments are welcome, however this relates to the overall design of the development and to ensure the delivery of healthy sustainable communities, rather than the detail of developer contributions please see the Design of Development SPD</p> <p>Comments welcome</p> <p>Comments welcome</p>
5	Natural England	Statutory Body	<p>Whilst we welcome this opportunity to give our views, the topic of the Supplementary Planning Document does not appear to relate to our interests to any significant extent. We therefore do not wish to comment.</p>	Comments welcome
6	Harborough District Council (HDC)	Local Authority	<p>2.2.5 – welcome link to corporate strategy, useful to have a list of related functions and contributions which MBC are responsible for securing, collecting, and administering</p> <p>2.3.1 – 2.3.5 – enhanced with a brief list of LCC contributions/functions</p>	<p>Content added to reflect this comment.</p> <p>Content added to reflect this comment.</p>

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			<p>2.4.1-2.4.3 – were expanded with explanatory text about the general main requirements MBC would be seeking as developer contributions for AH either as financial or on-site physical units together with the percentage of AH required where appropriate.</p> <p>2.4.1-2.4.3 – important to note and refer to the implications of the Government’s First Homes Policy in the Developer Contributions SPD and the Housing Mix and Affordable Housing SPD.</p> <p>3.2.6 – agree with the approach, improved by reference to <u>all requests</u> for developer contributions require to be assessed and be compliant with the CIL Regulations and the 3 tests</p> <p>3.4 – HDC would welcome reference being made to engagement with neighbouring authorities on cross-boundary developments, suggest the following <i>“where an application site lies immediately adjacent to or partially within a neighbouring local authority area, MBC would seek to co-ordinate proportionate responses in relation to planning obligations as far as possible.”</i></p> <p>3.5 – check that this section meets the Government guidance on viability was updated September 2019</p> <p>4.1.1 – were expanded with explanatory text about the general main requirements MBC would be seeking as developer contributions for AH either as financial or on-site physical units together with the percentage of AH required where appropriate.</p> <p>4.1.1 – important to note and refer to the implications of the Government’s First Homes Policy in the Developer</p>	<p>Content added to 4.1 to reflect this comment.</p> <p>Content added to reflect this comment.</p> <p>Content added to reflect this comment.</p> <p>Agree that the suggested wording is appropriate and has been added to the SPD.</p> <p>Comments noted and section now reflects lasts guidance.</p> <p>Content added to reflect this comment.</p> <p>Content added to 2.4 to reflect this comment.</p>
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			<p>Contributions SPD and the Housing Mix and Affordable Housing SPD.</p> <p>Local infrastructure lists – Appendices M, P, R these parishes have administrative boundaries with HDC</p> <p>HDC would welcome reference being made to engagement with neighbouring authorities where development might have cross boundary impacts.</p> <p>Biodiversity Net Gain (BNG) – There is no reference to BNG in the SPD. This should be made looking at the PPG, NPPF, National Infrastructure Commission's Design Principles, National Policy Statements and the National design guide, demonstrating it is an important area of emerging government policy.</p>	<p>The following has been added to 4.8.5 to account for this 'Please note that some Parishes have administrative boundaries that are in neighbouring district councils. Therefore, we will need to work with that authority to co-ordinate a proportionate response in relation to planning obligations.'</p> <p>Welcome and noted the comments. BNG has been referenced within the policy context content, to demonstrate the Council are aware of its implications.</p>
7	Bottesford Resident	Resident	<p>There is complex jargon, contents, acronyms, policies not helpful for an honest effective process.</p> <p>There are significant highways and car parking issues in Bottesford and Easthorpe, leading to a build-up of traffic.</p> <p>Concerned about the risk of flooding from new developments surface run-off.</p>	<p>An acronym table has been placed towards the start of the document to assist understanding.</p> <p>The Highway Authority is consulted on every major planning application and assess the site's impact on the highway. We are working proactively with the Parish Council and Ward Members on a strategy and evidence base relating to highways in Bottesford and Easthorpe. Note also content within 'local list'</p> <p>Flooding measures are addressed through the planning system, and the Lead Local Flooding Authority is consulted on major applications. Run off is usually managed through Sustainable Drainage techniques including attenuation to prevent increased surface run off. Flood risk is</p>

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			<p>Planning system fails to allow for a fair consultation process.</p>	<p>also assessed when allocating sites, alongside comments from the Environment Agency.</p> <p>The Council has to follow the statutory guidelines for consultation on all planning applications whether this be through neighbour letters, site notices, or using our online services. All comments are considered.</p>
8	Bottesford Resident	Resident	<p>Appendix C Bottesford. Extension of the Walford Rd car park. I strongly object to this. Surely MBC members have seen that this is designated in Bottesford Neighbourhood Plan as an LGS. Congestion on the High St should be no surprise. This was pointed on many occasions by residents during the MLP process</p>	<p>The comments have been passed on to the Ward Councillors but no request to adjust the local infrastructure list.</p>
9	Sports England	Statutory Body	<p>Policy Context - References the Open Spaces Strategy but not the Playing Pitch Strategy and Built Sports Facilities Strategy. The OSS refers to using the PPS for pitch sports.</p> <p>The SPD will be used to meet the demand requirements from new development, should there be a note to say that mitigation for impact on or loss of facilities would be considered separately? For example, development on or impacting a playing field and mitigation for the loss of that playing field.</p> <p>4.2 Open space is covered but playing Fields/sports pitches and built sports facilities are not. We are aware that that the PPS is about to be reviewed, the Sport England playing pitch demand Calculator is available for use with an up to date and robust playing pitch strategy.</p>	<p>As these two strategies form part of the evidence base for the local plan and they will shortly be reviewed. We consider making a reference to the strategies in 4.2 of the SPD.</p> <p>Noted and wording added to reflect this comment.</p> <p>Reference to both the PPS and Built Facilities Strategy has now been made within section the open space section and the leisure facilities.</p>

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			<p>Appendix C – Bottesford 3G Artificial Grass Pitch – supported - Have the PPS and built facilities strategies priorities and the Local Football Facilities Plan evidenced the facilities listed for improvement/enhancement or are they taken from Neighbourhood plans?</p> <p>Appendix M – Improvements to and/or replacement/relocation of Melton Sports Village is not referenced.</p>	<p>This list has been created by a collaboration of Ward Members and the Parish council and is part of their priorities. Evidence of need will need to be submitted on a case by case basis.</p> <p>Priority 2B includes Strategic Community & Leisure Facilities.</p>
10	Severn Trent	Statutory Body	Water supply and Sewerage infrastructure have a separate funding mechanism with developers regulated through our negotiations with OFWAT, we are therefore unable to accept a developer contribution as such we feel it would be inappropriate for us to comment on the Developer contributions SPD.	Comments Welcome
11	National Highways	Statutory Body	The SPD states that the Borough Council will work in partnership with Leicestershire County Council, as the Local Highways Authority (LHA) who will consider on a case-by-case basis the requirements for, and identifying the measures required, to mitigate against the impact of development. We support this approach and would encourage the authorities to include National Highways in the consultation process where a proposed development could have the potential to impact on the SRN.	Comments Welcome
12	Coal Authority	Statutory Body	Can confirm that the Coal Authority has no specific comments to make on the draft Developer Contributions SPD.	Comments Welcome
13	Savills Response on Behalf of Barwood Land,	Developer	We request a change to the title of the Draft SPD to Planning Obligations Supplementary Planning Document and that the content of the SPD refers to planning	Changing the name at this stage in the project could cause significant confusion amongst stakeholders.

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	<p>Taylor Wimpey and William Davis</p>		<p>obligations instead of developer obligations as it is not an accurate description of the mechanism.</p> <p>We consider it is appropriate to now refer to relevant changes to the NPPF and in the National Planning Practice Guidance (NPPG). For example, paragraph 1.1.5 in the Draft SPD refers to paragraph 56 in the NPPF, but this has now become paragraph 57.</p> <p>Unable to find an up-to-date Local Development Scheme (LDS) for the Borough required under section 15 of the Planning and Compulsory Purchase Act 2004. Our request is for publication of an easily accessible up to date LDS for Melton Borough</p> <p>The Local Plan and Policy IN3 does not make reference to an SPD for planning obligations. Whilst we have no objection in principle to the preparation of a Developers Contribution SPD, it is important that the Draft SPD does not introduce additional and unnecessary requirements that could undermine the deliverability of this important strategic site.</p> <p>Paragraph 1.2.3 - This fails to include unilateral undertakings. A person(s) with interest in land in the area of a local planning authority may, by agreement or otherwise, enter into an obligation enforceable to the extent laid out in S.106 of the Town and Country Planning Act 1990. Request a change to the draft wording to mention that both agreements and unilateral undertakings are permissible as planning obligations</p>	<p>The SPD has been updated to reflect the new 2021 version of the NPPF.</p> <p>This comment is noted, and the Council will be publishing an up-to-date LDS by the end of the year.</p> <p>Although Local Plan does not specifically state that an SPD will be created. It was however, decided at a Cabinet meeting on the 9th July 2020, that as we would not be going forward with CIL, it was our intention to provide more guidance on our procedure for planning obligations. Therefore, the decision was made that an SPD would be the most appropriate way to do this.</p> <p>Section 1.2.3 has been amended to reflect these comments.</p>
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			<p>The reference to the Open Spaces Strategy is welcome but it must be borne in mind that it only covers the town of Melton Mowbray and not the entire Borough, which would otherwise have to fall back on remaining elements of the 2015 Open Space Strategy.</p> <p>Request further clarity as to where the Council considers it appropriate to apply planning conditions and where it considers it is appropriate to apply planning obligations as stated in para 55 of the NPPF.</p> <p>Table 1 Priorities lack a consistency with policy IN3 of the local plan, concerned that new hierarchy is seeking to set new policy which is not appropriate for an SPD.</p> <p>Question the status of the Local Infrastructure Lists, are these lists informed by costings of the schemes and have they been subject to testing for development viability? How is it possible to know where development is planned for at the settlements capable of contributing to the listed infrastructure priorities?</p> <p>We consider it appropriate for the Council to undertake a review of the infrastructure delivery plan (IDP) and publish this for consultation ahead of preparation of a wish-list on existing infrastructure needs across various settlements.</p>	<p>Reference has been made within 4.3.5 that until an updated version of the Borough Wide Open space strategy is published the 2015 version should be used to the 2015 Strategy.</p> <p>The principal determining factor is the legislation regarding use of conditions and s106 respectively, i.e. where off site works or contributions are required, and/or if the obligation concerned is financial. Part 3.1 has been adjusted to add clarification.</p> <p>Table 1 and Section 3.3 have been amended to better reflect Policy IN3, the SPD now specifically addresses the hierarchy formed by parts (i), (ii) and (iii) of Policy IN3.</p> <p>The Local lists are intended to allow stakeholders including developers to be aware of the possible requests that will be made by third parties such as Parish Councils. Each request will be assessed for its CIL compliance. Viability considerations will be addressed on a case-by-case basis (indeed it is impossible to undertake such tests until a detailed scheme is submitted and requests received).</p> <p>The IDP will be updated as part of the Local Plan review, however this SPD does not introduce new infrastructure and only sets out the priorities taken for planning obligations.</p>
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			<p>The Draft SPD does not include figures for planning obligations or worked examples. We consider that it should include both. This also helps with assessing the viability of the scheme as it is being designed. There should also be regular reviews of the SPD and the calculations therein to ensure that they are reflective of changes in the market. Calculations included should also be index linked where appropriate.</p> <p>3.5 Viability - Currently, the latest advice is from 2019 and hence it would be useful for the Draft SPD to state that this has been followed. NPPG states that the role for viability assessment is primarily at the plan making stage. This is not a matter that should be delegated to an SPD, as it should only provide guidance not additional policy.</p> <p>3.6 Negotiations - We would ask that the Council is flexible in its approach such that the first draft a planning obligation can be commenced ahead of reaching agreement through negotiations. We would ask for confirmation that variations to planning obligations can be a delegated matter not requiring the approval of planning committee or such like?</p> <p>3.7 Trigger points and phased contributions - would be useful to see a worked example(s) of use of suggested trigger points and phasing associated with the Draft SPD.</p>	<p>The purpose of the SPD is not to identify the content or value of potential obligations, which in any event vary depending on the application proposed, its location and vary over time. The SPD is intended to explain the approach to formulating the content of contributions in circumstances where prioritisation may arise. All contributions sought will be subject to the CIL Tests.</p> <p>The SPD has been amended to reflect the latest NPPG guidance. The SPD explains the procedure the Council will follow where prioritisation is required, usually as a result of viability considerations. It provides guidance to be followed in these circumstances.</p> <p>The SPD is not intended to address operational arrangements. The Council will consider production of procedural practice and advice as a separate document which is not required to carry Development Plan or SPD 'status' as it does not provide policy or guidance on policy. Authority for determination of planning matters is established within the Constitution</p> <p>A worked example of prioritisation has been added to the SPD.</p>
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			<p>We suggest that 5 working days is insufficient for the notice period and request consideration of 10 working day</p> <p>3.9 Indexation - It would be useful for the Draft SPD to include a list of possible obligations and the corresponding indexes</p> <p>4. Detailed and Specific Guidance - SPD to include proposed calculations so that applicants can assess if these are correct. There should also be regular reviews of the SPD and the calculations therein to ensure that they are reflective of changes in the market</p> <p>4.6 Melton Borough Council Monitoring fees – We consider that whilst flat-rate fees for monitoring can give certainty, it is first necessary to assess what resource is needed for monitoring and to tailor monitoring fees accordingly and to undertake an impact assessment. For example, what is the forecasted total amount each year at the proposed level of monitoring fees?</p> <p>The Draft SPD does not appear to include a section 4.7. There is a 4.6 and a 4.8. This might be just a typographical error or else the question would be whether there is a missing part?</p> <p>4.8 Local Infrastructure – It would appear the list is an audit of existing infrastructure needs and not a costed,</p>	<p>Accept that 10 working days is a more reasonable notice period, and this has been amended.</p> <p>The Council will use the All-Tender Price Index as published by the BCIS.</p> <p>The purpose of the SPD is not to identify the content or value of potential obligations, which in any event vary depending on the application proposed, its location and vary over time. The SPD is intended to explain the approach to formulating the content of contributions in circumstances where prioritisation may arise. All contributions sought will be subject to the CIL Tests.</p> <p>The Council has reassessed the approach to monitoring fees and feel that due to the complex and varied nature of individual s106 agreements a monitoring fee will be devised on a case-by-case basis depending on the estimated time and resources needed to properly monitor the agreement concerned. Changes have been made to reflect this.</p> <p>Noted with thanks, and amended</p> <p>Comments noted and amendments made.</p>
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			<p>viable assessment of what planned development might need to contribute towards as mitigation of the effects of proposed development</p> <p>Appendix M Melton Mowbray - We strongly object to the inclusion of the requirement for a 50m buffer under this appendix, which is neither reasonable or proportionate, we request omission of a specific measurement for planted buffer area around the country park and that the wording of Appendix M is re-drafted to be consistent with Policy SS5.</p> <p>Regulation 122 Statements - We request commitment in the SPD by the Council to provide applicants with a statement assessing the compliance of requested planning obligations, under Regulation 122 of the CIL Regulations. These should also be encouraged to be prepared by Leicestershire County Council. Statements should be provided to applicants in good time to enable discussions.</p> <p>We have not seen a commitment in the Draft SPD to provide an infrastructure funding statement therefore, we request commitment to this with publication each year.</p> <p>We have not seen a commitment in the Draft SPD to use and publish standard forms and templates to assist with the process of agreeing planning obligations. We consider it is appropriate to adhere to the national planning practice guidance in this regard.</p> <p>The Draft SPD does not include detail on this. Paragraph: 023 of the NPPG relates to specific circumstances where</p>	<p>Reference to the 50m measurement has been deleted from Appendix M. The SPD is intended to be a procedural document and not specify the content of individual s106's.</p> <p>Content has been added to section 3.5 to illustrate that the planning officer will assess the request for CIL compliance before inviting the response of the applicant</p> <p>The commitment has been illustrated at 3.10.3</p> <p>Please see comments above regarding operational matters</p> <p>The circumstances where planning obligations will not be sought have been outlined in 1.2.5</p>
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			contributions through planning obligations should not be sought. We suggest this is covered within the SPD.	
14	Gladman	Developer	<p>Gladman broadly agree with the purpose of the SPD as set out in the introductory chapter.</p> <p>Gladman wish to remind the Council however, that it should not use the SPD process as a method of introducing policy requirements via the backdoor outside of the Local Plan preparation process.</p> <p>Gladman do not disagree with the priority list however wish to remind the Council and its partners that any request made for developer contributions must meet the obligations tests as set out in Paragraph 57 of the NPPF (2021).</p> <p>Council should also be aware that specific cases may require the Council to adopt an alternative for the developer contributions where these are related to development of a strategic nature, for example large-scale standalone settlements.</p> <p>Supportive of the Council’s acknowledgement at 3.4 that sets out any requests made for contributions are done so as soon as practicable during the planning application process, in order to aid the efficiency of the determination process and allow for time for negotiation within the statutory timescale if required.</p> <p>Welcome the flexibility set out at section 3.7 which details how contributions will be phased to minimise upfront cost and associated risk.</p>	<p>Comments welcome</p> <p>Comments noted, the SPD does not set out new policy but provides guidance to the existing policy ‘hierarchy’.</p> <p>Comments noted, this is stated within section 3 of the SPD.</p> <p>This noted and the SPD provides flexibility in the Councils approach to securing planning obligations to account for site specific and novel circumstances.</p> <p>Comments welcomed</p> <p>Comments welcomed</p>

15	Davidsons Developments Ltd (DDL)	Developer	<p>1.1.2 DDL notes the intention to prioritise contributions to support the recovery of costs for the MMDR, highway infrastructure and education contributions and supports this in principle as being necessary to deliver the Melton Mowbray Sustainable Neighbourhood.</p> <p>1.1.3 DDL also notes that MBC intends that developers will also contribute to meeting other strategic objectives, including affordable housing, primary health care and so forth.</p> <p>2.1 National Policy: The SPD should also reference the PPG Viability and in particular Viability and Decision Taking.</p> <p>It is essential that the SPD acknowledges that the viability undertaken for the Melton Local Plan, adopted in October 2018, is out of date as the requirement for education contributions and primary health care have changed significantly since the plan was adopted.</p> <p>2.2 LCC - MBC is setting developer contributions for Priority 1 in the form of a roof tax without specifying when and if these contributions will come to an end. The roof tax should be specified as should the position when the roof tax will no longer be required.</p> <p>Table 1 - MBC may wish to consider re-drafting the SPD so that there is a specific section for Melton Mowbray and its immediate area, for example its education catchment</p>	<p>Comments welcomed</p> <p>Comments welcomed</p> <p>The PPG has been specifically referenced in 2.1.4 with the key sections hyperlinked.</p> <p>The need for Masterplans and further viability work is referenced in the SPD</p> <p>A map and some content has been added to the SPD under section 4.1 detailing the geographical extent of the roof tariffs. The SPD is a procedural document and does not seek to influence the detailed content of individual s106's beyond identification of the subject matter likely to arise.</p> <p>Additions have been made to 3.3.2-3.3.4 to clarify the distinction and the approach taken.</p>
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			<p>area, and another section for the villages where strategic transport and education may have a different priority. Priority 1 in Table 1 will not apply to development in parts of the Borough.</p> <p>The SPD should reference the requirement for a new secondary school in Melton Mowbray, something which is not included in the IDP or in the Local Plan policies SS4 and SS5.</p> <p>DDL is concerned that sustainable travel comes so low in the list of priorities.</p> <p>The council needs to make clear how IN3 I, which is prioritised in the local plan policy IN3, fits into Table 1, which prioritises IN3 II.</p> <p>3.3.2 Is this saying that developments which cannot achieve Priority 1 contributions (the sums for which are not specified) will be refused? If this is the intention it goes beyond the local plan policy IN3.</p> <p>The contribution required per plot needs to be set out in the SPD to provide clarity and certainty. Paragraph 3.3.4 does not give the necessary clarity.</p>	<p>Noted and reference has been made in revisions</p> <p>Noted, revisions to the priorities have been applied.</p> <p>Table 1 and Section 3.3 have been amended to better reflect Policy IN3, the SPD now specifically addresses alignment with parts (i), (ii) and (iii) of Policy IN3.</p> <p>Policy IN 3 states “will be expected to help to deliver sustainable communities through the payment of Community Infrastructure Levy, where chargeable, and/or by making developer contributions to local infrastructure in proportion to the scale of its impacts”. Failure to satisfy this policy would be contrary to the development plan and therefore a sound basis for refusal under the core decision-making duties of the planning system. It is considered that the SPD is compatible on this basis.</p> <p>The SPD does not seek to define the content or value of agreements , which in any event vary over time and location, and are particular to</p>
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			<p>3.6.3 MBC should acknowledge that limited resources often lead to significant and unacceptable delays in completing S106 agreements. Developers should be allowed to produce first draft. The council should also commit to using standard clauses where possible to avoid drafting delays.</p> <p>3.7 Trigger Points: The initial negotiations as set out in 3.6 should include the trigger points for each contribution. The timing of contributions can play a significant role in the cashflow and viability of a site.</p> <p>3.9 Indexation: the base dates should be specified in the SPD to provide certainty and transparency.</p> <p>Table 1 Priorities Concerns</p> <p>Priority 1 – A distinction between Melton Mowbray and the rural villages need to be made in a similar way to the affordable housing SPD.</p> <p>Priority 2: It is not clear from this table if this a hierarchical priority or a ‘pick and mix’. Different villages will have different requirements to Melton Mowbray, see comments above.</p> <p>It is somewhat incongruous that MBC prioritises the recovery of monitoring fees over and above other more important strategic objectives of the council.</p> <p>Priority 3: The local community infrastructure priority lists may have greater prominence in some villages than in others. It is essential that the asks for these items also</p>	<p>each applications submitted. It is procedural in terms of how prioritisation will be approached where there is justification to do so.</p> <p>The SPD is not intended to address operational matters regarding drafting of agreements.</p> <p>The approach to negotiation of trigger points has been added to the SPD</p> <p>Content has been added to provide clarity to this section of the SPD.</p> <p>Additions have been made to clarify the distinction and the approach taken.</p> <p>The approach will be an apportioning method over the priority 2 a, b and c infrastructure.</p> <p>Monitoring fees have been reassigned to within the infrastructure priority list.</p> <p>Paragraph 4.8.3 has been developed to make it clear that all requests would need to be CIL compliant and will be assessed accordingly.</p>
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			<p>pass the three tests and do not seek address existing deficiencies and are CIL compliant.</p> <p>4.3.4 The CCG’s formulae should be specified in the SPD to provide certainty. The requests for contributions should be transparent and demonstrate that they are CIL compliant.</p> <p>4.4 Any requests for funding for police should be contributions towards capital infrastructure/expenditure and not for staffing/revenue spend. Such requests should be transparent and CIL compliant.</p> <p>4.6 The monitoring costs specified in 4.6.2 are too high and there is no information as to how these costs are justified.</p> <p>All requests for local contributions and obligations should be CIL compliant, transparent and not seek to address existing deficiencies.</p> <p>DDL notes the requirements in Appendix M – Melton Mowbray and strongly objects to Infrastructure Priorities</p>	<p>The purpose of the SPD is not to identify the content or value of potential obligations, which in any event vary depending on the application proposed, its location and vary over time. The SPD is intended to explain the approach to formulating the content of contributions in circumstances where prioritisation may arise. All contributions sought will be subject to the CIL Tests.</p> <p>Noted and additions have been made to be clear it is capital infrastructure and CIL compliant.</p> <p>The Council have reassessed the approach to monitoring fees, and consider that due to the complex and varied nature of individual s106 agreements a monitoring fee will be devised on a case-by-case basis depending on the estimated time and resources needed to properly monitor the agreement. Changes have been made to reflect this.</p> <p>Content has been added to 4.8.3 to reflect this comment</p> <p>This suggested infrastructure would be located outside the Southern Sustainable</p>
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			<p>1e. Local Plan Policy SS4 does not require the creation of a ‘Southern Country Park’ and there is an approved master plan for the MSSN which does not require this. The master plan makes provision for a linear park through the site.</p> <p>DDL notes number 3 on appendix M public transport provision and draws the Council’s attention to the conflict with Table 1.</p>	<p>Neighbourhood and is separate to the open space required in SS4.</p> <p>Noted with thanks. The Council have noted this conflict and have removed priority 3 from the Melton Mowbray local infrastructure list.</p>
16	Network Rail	Infrastructure Provider	<p>In the event of any significant development being proposed in the vicinity of level crossings, particularly those traversed by a public road, Network Rail would wish to engage in formal dialogue with the prospective Developer(s) prior to submission of the planning application, please, so that our Company can obtain a clear understanding of the scale and implications of the proposed development on one or more level crossings and the Developer in turn is made aware of the risks imported to the aforementioned features and acknowledges the requirement for meeting the cost of appropriate risk mitigation works in relation to the size of the development</p>	<p>Comments noted</p>
17	Gladman and Avant	Developers	<p>Section 1.1.2 – Greenlight and Avant recognise and applaud the considerable level of investment and forward funding being made by Leicestershire County Council</p> <p>Section 2.2.4 - needs to be expanded to include the MMDR southern section, which will open up land for development to the south of the town.</p> <p>Reference is made to the relevant paragraphs in the NPPF, but no reference is made to the relevant sections in the PPG – the relevant sections being ‘Planning Obligations’</p>	<p>Comments welcome</p> <p>Comments have been noted and amendments have been added.</p> <p>The PPG has been specifically referenced in 2.1.4 with the key sections hyperlinked.</p>

			<p>(Paragraph 001 Reference ID: 23b-001-20190315 – Paragraph 038 Reference ID: 23b-038-20190901).</p> <p>The Council is no doubt aware its Infrastructure Delivery Plan, (prepared by Arup), is dated March 2017, and matters since then have moved on quite significantly, (in the case of Melton South), and the infrastructure requirements of this sustainable neighbourhood.</p> <p>Since the adoption of Policy SS4 (Melton South Sustainable Neighbourhood) in October 2018, the infrastructure requirements for Melton South have moved on significantly. Up-dated viability work is essential to understand what infrastructure Melton South can sustain and deliver.</p> <p>Table 1 – Priorities list - it is not clear whether this is a hierarchical list or a ‘pick and mix’.</p> <p>Given the viability sensitivities surrounding the development of Melton South, it seems inevitable that this ‘Infrastructure Priority List’ will come into play; it will not be viable to deliver all the infrastructure requirements listed</p> <p>It is interesting to learn the Council prioritises the recovery of its monitoring fees (under Priority 2a) over primary care (Priority 2b) and sustainable travel (priority 2c) contributions.</p> <p>Section 3.5.2 – the Council should expect the developer to fund the <u>reasonable</u> costs incurred through the employment of its external experts.</p>	<p>This has been referenced at 2.2.3 in the SPD.</p> <p>This has been referenced at 2.2.3 in the SPD, along with the creation of the southern and northern masterplans and that they are being independently viability assessed.</p> <p>The approach will be a proportioning method over the priority 2 a,b and c infrastructure is set out within the SPD.</p> <p>Comments noted, The Council are committed to proactively working with developers when negotiations on infrastructure occur. It is with a view to the possibility of scenarios of this nature that the SPD has been produced.</p> <p>Monitoring fees have been reassigned to ‘priority 3’ of the infrastructure priority list.</p> <p>Comments noted and amendments made.</p>
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			<p>Section 3.5.3 – commercially sensitive and personal information should be treated confidential (as referenced in the PPG under Paragraph 021 Reference ID: 10-021-20190509).</p> <p>Section 3.7.3 – Greenlight and Avant note that trigger points are necessary to deliver both the development and the necessary infrastructure when and where it is needed to mitigate any harmful impacts that would otherwise arise; however, it should also be viable to do so at that stage in the delivery of the development.</p> <p>Section 3.7.5 – 5 working days is a short period of time. 20 working days would seem more reasonable.</p> <p>Section 3.8.1 – this should be the Council’s reasonable and <u>proper</u> fees.</p> <p>Section 3.8.2 – likewise, this should be the Council’s reasonable and <u>proper</u> legal costs.</p> <p>Greenlight and Avant are interested to learn where this ‘Country Park’ is to be located. Given the extensive master planning work that has already taken place, there is no scope for a ‘Country Park’ within Melton South; we would strongly object to any proposals to incorporate a ‘Country Park’ within the current site boundaries.</p>	<p>The comments have been noted and amendments have been made.</p> <p>This comment has been noted and the latter point has been added to paragraph 3.7.3</p> <p>We consider that 10 working days is a more reasonable notice period, and this has been amended.</p> <p>Comment noted and amendments made</p> <p>Comment noted and amendments made</p> <p>This suggested infrastructure would be located outside the Southern Sustainable Neighbourhood and is different to the open space required in SS4.</p>
18	Environment Agency	Statutory Body	Considering the remit of the Environment Agency, we have no comments to make on the document as submitted.	Comments welcome

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19	Historic England	Statutory Body	This email is to confirm that Historic England has no comments to make on the SPD.	Comments welcome
20	Leicestershire County Council	Infrastructure Provider	Officers at LCC confirm that we are content with this draft version of the document and look forward to it being adopted as quickly as possible	Comments welcome