

Item 8 Appendix 1. Schedule of Responses

Reference number	Name	Organisation	Section commenting on	Summary of representation	Response
01	Glen Baker-Adams	N/A	Introduction	Stress the importance of getting Affordable housing contributions right as soon as possible. Stress that the LPA will insist on the required levels of housing due to the urgent need for this. Paying too much for land is not a valid excuse as seen in appeal decisions – need to make this clear early on.	Amends will be made to the introduction to emphasise the importance of an SPD providing guidance on AH provision and that policy levels need to be met as a minimum unless viability evidence supports a deviation from policy.
01	Glen Baker-Adams	N/A	Affordable Housing Need	Would be useful if there could be some general idea of what level of affordable housing is needed, even a minimum would be good to show developers some clarity.	Make reference to figure 6 – affordable housing value areas – but include this in section 2 on AH need in the SPD.
02	Cllr Higgins	MBC	Affordable Housing Need	Not strong enough or supportive of the needs and wants of the Somerby Ward. As we are concentrating affordable housing in only some villages those without such Allocated Land will then suffer from having no affordable housing provision meaning they die off.	Emphasis will be made in 4.1.1 that the tenure of affordable housing will be dealt with on a site by site basis. Also insert text re: 10% affordable home ownership that is set out in para. 64 of the 2018 NPPF.
02	Cllr Higgins	MBC	Planning and Negotiation	If we insist on Affordable Rent in such a high concentration then it will mean schemes become unviable and delaying housing, need to offer more incentives.	Amends will be made to 3.1.4 to make clear that the Council may consider less affordable housing if the housing mix is policy compliant or vice versa, where viability is an issue.
02	Cllr Higgins	MBC	Planning and Negotiation	The SPD should make clear connections with policy SS3 especially with applications which have less than 11 units. Policy SS3 would apply in these cases if a site had a mix of market housing and affordable housing which was supported by evidenced proven local need. Policy SS3 differs to local plan policy C5 for rural exception sites, in that the market housing which can be permitted is only to a	Amends to be made to para. 3.6.6 to reference policy SS3 and provide some detail on this for clarity.

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				level to cross subsidise the affordable housing.	
02	Cllr Higgins	MBC	Planning and Negotiation	The SPD needs to be clearer in explaining that the Council may consider less affordable housing if the housing mix is policy compliant or vice versa.	Amends will be made to emphasise this in 3.1.4
03	Louise Ward	Persimmon Homes North Midlands	Introduction	The introduction is clear and easily legible	Comments welcomed
03	Louise Ward	Persimmon Homes North Midlands	Affordable Housing Need	This section is once again clear and it is good to see the evidence base from which the Council assess affordable housing need	Comments welcomed
03	Louise Ward	Persimmon Homes North Midlands	Planning & Negotiation	The approach to negotiation is subdivided clearly and is highly informative.	Comments welcomed
04	Don Pritchett	N/A	Affordable Housing Need	High Amount	
05	Helen Dale	Country Land & Business Association	Introduction	Would like to highlight their recent Sustainable Village Report which highlighted some key issues with developments in rural areas.	Noted
05	Helen Dale	Country Land & Business Association	Affordable Housing Need	Pleased that the Melton Local Plan considers rural broadband as one of the essential criteria when considering prioritisation in rural areas.	Noted
05	Helen Dale	Country Land & Business Association	Planning & Negotiation	Concerned that the tone of the SPD is not as positive as the MLP. May discourage landowners from putting forward land in rural areas for housing. Support the policy on rural exception sites (RES) and welcome the local authority's awareness of the need to ensure	An email was sent to Helen on 12.03.2019 for clarity on this rep but no response was received.

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				our villages remain sustainable. Development must include an element of open market housing on RES, to be able to cross subsidising from the open market housing to the affordable.	
06	James Chatterton	William Davis Limited	Affordable Housing Need	<p>Formally object to the inclusion of paragraph 1.6.3. requiring applications to produce evidence to state why a major development site cannot provide more than the minimum affordable housing requirement is totally unreasonable.</p> <p>Although expressed as a 'minimum' requirement it is clear that the Inspector regarded these percentages as relevant 'target' figures. She also noted that "Paragraph 5.8.3 of the Plan states that viability assessment may be requested in <u>exceptional circumstances</u> where an applicant considers that the level of affordable housing provision being sought would be unviable." Unless paragraph 1.6.3 of the SPD is deleted, it could be that requests for viability assessment would be become the norm rather than the exception. This would cause financial burdens on development which NPPG states SPD's shouldn't do. Producing evidence against MLP Policy seems to mean the SPD has new policy which is beyond legal scope and would slow deliverability.</p>	<p>The Inspector did not regard the 'minimum' requirements as targets otherwise she would have requested a modification to be made to the wording.</p> <p>Sites which are regular shaped sites, those with no abnormal costs and those which are greenfield are likely to cost less to develop and so less likely to impact on viability. Appreciate that there are other factors which can impact on viability though. Amends will be made to 1.6.3 to read as "examples would be some regular shaped sites, some greenfield sites and sites with no abnormal costs".</p>
06	James Chatterton	William Davis Limited	Delivery	4.1.3 Layout and Clustering - The proposed SPD reduced numbers of clusters of no more than 6	Amends to 4.1.3.1 to state approximately 6 units rather than no more than 6 units.

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				<p>dwellings, regardless of type and tenure specifics, would impact on the viability of proposals, as Registered Providers prefer larger groupings of affordable homes for ease of management.</p>	
07	Jacqui Salt	Natural England	General	Natural England has no comments to make on the SEA statement for Housing Mix and Affordable Housing SPD	Noted
08	Alex Child	McCarthy & Stone Retirement Lifestyles Ltd	Planning & Negotiation	<p>Para 3.1.6. Point 6 The NPPG expects any review requirement to be set out as policy. The SPD is not a Plan and Local Plan policy does not include this provision. Such a requirement has not been viability tested itself. As the SPD is not a Plan and cannot make policy, this reference should be withdrawn.</p> <p>Para 3.3.2.2 Point 1 refers to any EVA being proportionate to the deviation from policy requirements, they suggested that extent of deviation has limited impact on what is required to be submitted given the generally generic nature of the inputs that are provided. The same extent of information is likely to be required whatever the extent of deviation</p> <p>Para 3.3.2.2 Point 5 refers to information being submitted on an open book basis. It is questioned what is really meant by this</p>	<p>Amend the sentence before the bullet points in this para. to read as “these will vary depending on site specific circumstances and constraints but <u>could</u> include”:</p> <p>The information required is not the same regardless of deviation e.g. for a smaller deviation, we would only expect overall costs and values. However, for a larger deviation, we would expect a lot more detail.</p> <p>Amend to read “provide information and data on a transparent basis”.</p>

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				<p>term. It may be being used to suggest that an Applicant should truly “open its books” It may be that, what the Council is after is a transparent and open process. If that is the case, it is recommended that “an open book” be replaced by “a transparent basis”.</p> <p>Paragraph 3.3.2.5 point 3 and Para 3.3.3.2 suggests that where viability is marginal, then planning permission may not be granted. If this were to be an appropriate approach, then this should be a matter for a Local Plan therefore this reference should be withdrawn as a matter of procedure.</p> <p>The generality of viability assessments at a plan making level make it even more important that subsequent affordable housing policies are applied flexibly to ensure that the residential development needed to meet the needs of all the community comes forward. This approach would prevent specialist accommodation for older people coming</p> <p>Para 3.3.6.1 Accepted however feels the Consultant instructed should be agreed between the Council and Applicant and the instruction should be agreed and made jointly.</p> <p>Para 3.4.1 prescribes forms of older persons housing and which Use Class they should fall in, this paragraph should be withdrawn</p>	<p>Para. will be amended to alter the wording so that the 3rd bullet point of 3.3.2.5 reads as “Where an EVA demonstrates that viability will greatly reduce or there will be zero affordable housing provision, applications may not be supported on the grounds of...”</p> <p>Para. 3.3.3.2 will be amended to read as “Some viability evidence can indicate that a proposal has marginal viability, even without making a satisfactory contribution to affordable housing. Such proposals may not be supported where the Council considers the objectives of sustainable development and the Local Plan are not being met; and/or that the proposal is not deliverable”.</p> <p>Insert wording after the second sentence to state “the Consultant instructed should be agreed and made jointly between the Council and Applicant”.</p>

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08	Alex Child	McCarthy & Stone Retirement Lifestyles Ltd	Delivery	<p>Para 4.4.4.2 Issue is not taken with the facilities that constitute extra care but its statement that EC falls within Class C3 and the suggestion that those facilities identified are indicative of a C3 use is misguided and erroneous.</p> <p>Para 4.4.5.1 adds to potential confusion in stating that such schemes will be supported “provided that it falls within the appropriate Use Class”.</p> <p>It is not at all clear what is meant to be achieved by reference to “appropriate use class” recommended paragraph 4.4.4.2 should be withdrawn and Paragraph 4.4.5.1 amended by deletion of “<i>provided that if falls within the appropriate use class</i>”</p> <p>Para 4.4.5.2 is somewhat difficult to follow, and it is unclear what is intended. (a) Is it saying that supported housing may take the place of affordable housing? (b) Is it suggesting that it must include additional communal spaces or lifetime homes/ wheelchair accessibility? It is recommended that the paragraph be reviewed and re-consulted upon</p> <p>Para 4.4.5.3. Whilst the acknowledgment of higher costs is supported, it should be made clear that affordable housing will be sought only in appropriate circumstances. Leicestershire ASCS support should not be a</p>	<p>The respondent has misunderstood the paragraph. To provide clarity though, the wording of this para. has been amended slightly.</p> <p>Remove “provided that it falls within the appropriate use class”.</p> <p>Amend para. to read “where justified by need, the Council may seek an element of affordable housing provision in the form of supported housing (where dwellings may be provided together with additional communal space and facilities) or homes provided to lifetime homes or full wheelchair accessibility standards”.</p> <p>Amend to read “in the case of affordable housing, the views of LCC ...”</p>

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				<p>factor in determining viability or the planning application as this may prevent alternative forms of EC provision from coming forward.</p> <p>Para 4.4.5.4. this approach is erroneous as some forms of EC provision may be appropriate for AH provision and some may not. The separation of “Extra Care Housing” from “supported Housing” is at odds with 4.4.5.1.</p> <p>Para 4.4.5.5. As identified by the SHMA the majority need for housing for older people is market housing for sale and not AH. The starting point for assessment should therefore be the need for AH against the need for market housing as acknowledged in part later by reference to the SHMA.</p> <p>Para 4.4.5. The reference to HAPPI standards is not relevant to the assessment of affordable housing need and should therefore be withdrawn.</p> <p>Overall this section is unclear and would benefit from wholesale review. Recommended that this may be approached by dealing with categories of older persons housing separately and without reference to “supported housing”. AH viability considerations and development expectations (such as wheelchair housing) should also be dealt with separately</p>	<p>Amend wording to the second sentence of para.4.4.5.4 to read “in the case of some applications, the affordable housing provision may be more appropriately sought...”</p> <p>No amends will be made as the para. relates to affordable not market housing.</p> <p>The reference to HAPPI standards is not in relation to just AH and the para. does not state that it is to assess AH need and so the wording will not be changed.</p>

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09	Kevin Foreman	Affordable Home Options (and representing Greenlight Developments)	Introduction	<p>1.6.3 - We question the likelihood of the Council being able to deliver more than the minimum target affordable housing on individual sites.</p> <p>1.6.4 - The ability of a development of 10 dwellings to comply with Para 61 (NPPF 2018) is likely to be very constrained in economic terms. Typically the flexibility to meet these requirements improves with larger scale developments.</p> <p>From our wider experience we would suggest that the threshold should be higher at a minimum of 21 dwellings for application of LPP C2 housing mix.</p> <p>In addition we question why Extra Care housing should be included within the remit of the housing mix policy.</p> <p>1.6.6 – Reword to illustrate that HEDNA indicates that around 20% of affordable housing provision should be of an intermediate tenure (e.g. shared ownership) and the remainder being social or affordable rented housing, which will be adjusted on a site by site basis to take account of other local evidence.</p>	<p>Sites which are regular shaped sites, those with no abnormal costs and those which are greenfield are likely to cost less to develop and so less likely to impact on viability. Appreciate that there are other factors which can impact on viability though. Amends will be made to 1.6.3 to read as “examples would be some regular shaped sites, some greenfield sites and sites with no abnormal costs”.</p> <p>Amend para. 1.6.4 to read “residential proposals for developments for 10 or more dwellings should seek to provide an appropriate mix and size of dwellings, <u>which could include</u> extra care and accessible housing.</p> <p>Amend para. 1.6.6 to include reference to site by site and other evidence.</p>
09	Kevin Foreman	Affordable Home Options (and representing	Affordable Housing Need	2.1.2 - In practical terms that an Applicant will voluntarily offer to provide more affordable housing than the minimum target for the	Amends will be made to the para. 1.6.3 to read “some <u>easier</u> to develop greenfield sites”. Sentence to be inserted at the end of the para. to

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		Greenlight Developments)		<p>location in question. Assuming that is the case the onus will then be on the Council to prove otherwise, so in effect turning the normal approach to planning viability on its head. We believe this text adds a layer of confusion which is unnecessary.</p> <p>2.1.4 - This text is poorly worded as it assumes an adversarial position between LPA and Applicant which can only be resolved by the submission of a viability case. In short the approach referenced seems too restrictive.</p>	<p>read “further guidance can be found in tables 6.1 – 6.6 of MBC/WP5 Revised Local Plan and Community Infrastructure Levy viability Study” (or subsequent revisions to the whole plan viability assessment) and the SHLAA evidence for the Local Plan (or any subsequent revisions)”.</p> <p>State in para. 2.1.4 that the level of detail expected in an EVA will be proportionate to the deviation from policy (as in 3.3.2.2) and that consideration will be given to the alteration of schemes etc (as in 3.1.6).</p>
09	Kevin Foreman	Affordable Home Options (and representing Greenlight Developments)	Planning & Negotiation	<p>3.1.5 - Planning viability submissions generally seek to demonstrate that due to unviability a site/development scheme cannot support the delivery of the full range of planning policy requirements. The viability may for example illustrate that both affordable housing and S106 financial contributions need to be reduced. Within this process sensitivity modelling can demonstrate the impact of varying levels of affordable housing/financial contributions.</p> <p>3.1.6 - Whilst periodic review of viability may be appropriate in certain cases we believe that the Council should be clear that this would generally apply to large scale (100 units plus) multi-phase housing delivery schemes.</p> <p>3.2.2 - The comments made at the Workshop suggest that engagement with Council officers</p>	<p>Noted</p> <p>Amends to para. 3.1.5 to read “the applicant needs to make clear which of all the planning requirements (not just affordable housing) can be met and which cannot and the scale of any shortfall. Further discussions will need to take place with the Local Planning Authority and the County Council if this is the case”.</p> <p>No amends will be made to 3.1.6 as the wording states “will vary depending on site specific circumstances...”</p>

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				<p>is likely to take place before meaningful contact with RP's.</p> <p>3.2.3 - Evidence of detailed RP offers is usually available nearer to construction stage and after the S106 Agreement has been completed.</p> <p>3.3.1.1 - Unviability is not simply focused on affordable housing but the wider S106 requirements and this should be reflected in the text.</p> <p>3.3.3.2 - The final sentence of the text does not appear to add any clarity to the guidance. We find it both unhelpful and confusing. We suggest that it is omitted.</p> <p>3.3.4.1 - Our wider experience confirms that a significant proportion of planning viability cases are based on outline planning applications. The due diligence on design, layout, technical evidence and costs are generally known at this stage and can therefore form the core inputs for viability testing.</p> <p>3.4.1 - We disagree with the final bullet point which states that extra care developments are required to contribute to affordable housing. The important point is whether the proposed developments should be treated as falling within Class C2 or C3 of the UCO</p>	<p>Engagement needs to be made with the Council Officers and a Registered Provider around the same time.</p> <p>This has historically occurred but to avoid schemes needing to be altered after the s.106 agreement has been completed, we are advising engagement with RPs to avoid new PP needing to be sought and s.106s to be varied.</p> <p>Alter the wording to para. 3.3.1.1 so that it instead reads as "In circumstances where an applicant considers the scheme unviable and the affordable housing requirements cannot be met..."</p> <p>The final sentence of para. 3.3.3.2 will be omitted.</p> <p>Noted but no amends to make.</p> <p>Amend wording to para. 3.4.1 state that any <u>open market</u> sheltered or extra care developments are required to make an AH contribution.</p>

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09	Kevin Foreman	Affordable Home Options (and representing Greenlight Developments)	Delivery	<p>4.1.1.1 - We would encourage the Council to add to this text by stating that the 80/20 mix is the base position but that each site will be considered on its own merits having regard to local needs evidenced from a range of sources not just the 2017 report.</p> <p>4.1.3.1 - Bullet point one specifies a maximum of 6 dwelling affordable clusters. In our experience this is a low number, particularly on larger scale developments.</p> <p>4.4.5.2 & 4.4.5.4 - In the context of our comments above (3.4.1) we do not agree that affordable housing should apply to extra care developments where minimum weekly care packages are an entry requirement.</p>	<p>These amends are going to be made. Will also be adding in wording re: para 64 of the 2018 NPPF (10% of all units to be AHO and wording re: footnote to this).</p> <p>Amending wording to state approximately 6 dwellings.</p> <p>As in response to rep in 3.4.1, extra care is sometimes open market housing and so would have a AH requirement.</p>
09	Kevin Foreman	Affordable Home Options (and representing Greenlight Developments)	SPD Monitoring and Review	<p>As general observations:</p> <p>We would comment on the lack of reference to the application of vacant building credit in determining the quantum of AH delivery as specified in Paragraph 63 of the NPPF 2018.</p> <p>We would also expect reference to Paragraph 64 of the NPPF 2018. It is interesting to note the conflict between the stated 80/20 tenure mix and the requirement for 10% affordable home ownership.</p>	<p>Insertion will be made re: VBC at para. 3.10.</p> <p>Insertion will be made regarding this at para. 4.1.1.2 and 4.1.1.3.</p>
10	Matthew Dawber	Savills (on behalf of Barwood)	Introduction	<p>Barwood welcomes additional guidance however Reference to the NPPF 2019 should be clarified</p>	<p>The paragraphing numbering is the same between the 2018 and 2019 iterations of the NPPF for all of the relevant paragraphs in this</p>

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					SPD but reference to the 2018 version will be changed to read '2019'.
10	Matthew Dawber	Savills (on behalf of Barwood)	Affordable Housing Need	<p>The recognition of the viability challenges facing the sustainable neighbourhoods, is welcomed.</p> <p>It is considered reasonable for the Council to request deviation from the required percentage of affordable housing to be justified by an Economic Viability Assessment (EVA).</p> <p>Considered reasonable that the cost for review of detailed EVAs is met by the applicant, However, this cost should be reasonable and agreed at the outset of the planning application process, or potentially through a PPA agreement.</p>	<p>Noted</p> <p>Amend text to reflect this.</p>
10	Matthew Dawber	Savills (on behalf of Barwood)	Planning & Negotiation	<p>Housing Needs Survey was completed prior to the publication of the latest iteration of the NPPF which broadens the definition of affordable housing. As such it is not clear as to whether the need for Starter Homes, discounted market sales housing and other affordable routes to home ownership have been considered as options for inclusion within the tenure split of the SPD.</p> <p>Para 3.2.3 states that the Council will need evidence of detailed offers from RPs for the units they are intending to take and have a</p>	<p>Amends to be made to 4.1.1 to reflect NPPF para.64 and the new definitions.</p> <p>Amend wording to para. 3.2.3 to state "the Council require evidence of detailed offers..."</p>

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				<p>copy of the contract with the chosen RP. However, it is not made clear at that point this is required. The Council's intention behind 3.2.3 and how it will be implemented requires additional detail.</p> <p>Paragraph 3.2.3.1 stated that the EVA checklist is at Appendix 3, but within the consultation documents available online this is actually Appendix 2.</p> <p>Paragraph 3.3.3.2 the paragraph should be made clear that the Council look more favourably at proposals that are providing infrastructure that is specifically required as part of the Local Plan but fail to provide the full quantum of affordable housing required.</p> <p>Viability Reviews (clawback) and deferred payments as detailed at 3.3.5 are welcomed. However, the requirement for a full EVA to be produced seems excessive and it should be made clear that the requirement for this should be ascertained on a site by site basis.</p> <p>Paragraph 3.9.1 relates to S106 agreements and how they relate to affordable housing. The paragraph is unclear as to whether the mix of market housing will be required as part of a S106 as well as the affordable.</p>	<p>The stage at which we require detailed offers is not set but is likely to be once a s.106 agreement is completed. Amend to state that we require this before any construction commences.</p> <p>Appendix 2 is correct – amend this.</p> <p>3.3.5.2 – amend wording to read ..."an additional viability appraisal may be needed..."</p> <p>Amend para. 3.9.1 to make it clearer that this does apply to the housing mix of open market housing as well and that we do want this to be secured by the s.106.</p>
10	Matthew Dawber	Savills (on behalf of Barwood)	Delivery	Leicester and Leicestershire Housing and Economic Needs Assessment (LLHENA) dated	Amend to make reference to the new AH definitions set out in appendix 1.

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				<p>January 2017 does not refer to discounted market sales housing and other affordable routes to home ownership, needs to be clear as to how the needs for the aforementioned tenures have been considered.</p> <p>Paragraph 4.1.3.1 acknowledges that there should be flexibility in terms of clustering of affordable housing within a development site. This is welcomed. However, the second bullet point of the paragraph suggesting a maximum of 6 is not.</p>	Amends will be made to approximate of 6 rather than “no more than 6”.
10	Matthew Dawber	Savills (on behalf of Barwood)	SPD Monitoring and Review	Ensuring that the SPD remains up to date and relevant is right and welcomed. However, in relation to the 3 measures listed at paragraph 5.2 it is considered that a measure of what would be classified as a “significant” change is quantified. It is proposed that a review based on time elapsed is also incorporated with the Council reviewing all 3 indicators every 2 years.	Amend 5.2 last sentence before the bullet points to read “The following 3 key indicators relating to viability will be reviewed if there is a significant change (evidenced through, for example, viability assessments)”: Delete 5.3
11	Laurence Homes	Avison Young (on behalf of Richborough Estates)	Introduction	<p>Welcome the minimum affordable housing requirement for sites will vary according to different value areas across the Borough.</p> <p>Paragraph 1.6.2 the Revised Local Plan and CIL Viability Study 2017 should be kept up-to-date for decision-taking purposes.</p> <p>Para 1.6.3 guidance does not accord with the Viability PPG as it implies that contributions exceeding a policy-compliant level may be</p>	Amends will be made to 1.6.3 to the final sentence to read as “further guidance can be found in tables 6.1 – 6.6 of MBC/WP5Revised

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				<p>sought, thus requiring developers to demonstrate viability irrespective of submitting a policy compliant proposal.</p> <p>The assumption that viability is less constrained for development on greenfield sites is not necessarily the case. Developers of such sites are often required to fund significant upfront infrastructure works</p> <p>Again, the viability of such sites needs to be appropriately evidenced at the plan-making stage, with clear policy requirements set accordingly. A flexible approach must be maintained when negotiating contribution triggers through the S106 process.</p> <p>Reference is made at paragraph 1.6.4 of the consultation document with regard to the provision of extra care accommodation as part of the dwelling mix for affordable housing requirements and this flexibility is welcomed, where it may be more appropriate to provide such accommodation in lieu of housing for social rent and shared ownership.</p>	<p>Local Plan and Community Infrastructure Levy viability Study” (or subsequent revisions to the whole plan viability assessment) and the SHLAA evidence for the Local Plan (or any subsequent revisions)”.</p> <p>Amends will be made to para. 1.6.3 to read as “examples would be some regular shaped sites, some greenfield sites and sites with no abnormal costs”.</p> <p>Noted</p> <p>Amend para 1.6.4 to change “including...” to “could include...”</p>
11	Laurence Homes	Avison Young (on behalf of Richborough Estates)	Affordable Housing Need	<p>Para 2.1.2 - The implied assumption that viability is less constrained for development on greenfield sites is not necessarily the case.</p> <p>Para 2.1.3 - MBC must ensure that any evidence determining affordable housing requirements for plan-making purposes should</p>	<p>See comments to 1.6.3</p> <p>Add wording after para. 2.1.3 to state that “this evidence will be updated regularly, as required, to keep it relevant”.</p>

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				be kept up-to-date. This includes evidence determining dwelling mix and the SPD should recognise that requirements will change over time	
11	Laurence Homes	Avison Young (on behalf of Richborough Estates)	Planning & Negotiation	<p>Welcomes MBC's admission that it will adopt a flexible approach to negotiating AH provision, in order to facilitate sustainable development whilst ensuring reasonable returns for developers (para 3.1.1).</p> <p>Pertinent to the above, para 3.3.1.1 recognises the need to strike a balance between maximising planning gain and adhering to the objectives of the Local Plan, whilst not rendering developments unviable and preventing housing delivery.</p> <p>However, the SPD appears to contradict this statement at paragraph 3.3.3.2, where MBC cite that proposals demonstrating that a non-policy compliant level of AH can be delivered may not be supported where their viability is deemed to be marginal. MBC should not refuse developments where applicants can demonstrate that it is deliverable, albeit with non-policy compliant contributions to AH where this is appropriately evidenced.</p> <p>Suitable sites must not be held back in perpetuity and planning applications must be determined on their own merits. It is</p>	<p>Para. 3.3.3.2 will be amended to read as "Some viability evidence can indicate that a proposal has marginal viability, even without making a satisfactory contribution to affordable housing. Such proposals may not be supported where the Council considers the objectives of sustainable development and the Local Plan are not being met; and/or that the proposal is not deliverable".</p>

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				<p>recommended that the statement set out at paragraph 3.3.3.1 is omitted from the SPD.</p> <p>Reference to the phasing of on-site affordable housing or financial contributions set out at para 3.3.5.1 needs to be clarified. A flexible approach must be maintained when negotiating contribution triggers through the S106 process.</p>	<p>Reviewed and 3.3.3.1 will not be omitted as this is an important statement.</p> <p>Triggers may be dealt with flexibly where there is an evidenced viability issue. Para. will be amended.</p>
11	Laurence Homes	Avison Young (on behalf of Richborough Estates)	Delivery	<p>Paragraphs 4.4.5.1 to 4.4.5.5 AH requirements to be levied on proposals for extra care and sheltered accommodation. Such development falls within the definition of Class C2 and should therefore be exempt from the requirement to provide AH, either on or off-site.</p> <p>MBC must ensure that any evidence should be kept up-to-date.</p> <p>May not be appropriate, to rigidly adhere to the information set out by the HEDNA 2017 or the 2016 MBC Housing Needs Study (HNS) for the entire duration of the plan period.</p> <p>Para 4.1.1.1 The SPD needs to reflect the requirements of Para. 64 of the NPPF (February 2019) which is clear that for major housing development planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership</p>	<p>Legal advice sought on this and their view is that extra care and sheltered accommodation could fall within either C2 or C3 use class (dependent upon the specifics of the scheme). No amends will be made.</p> <p>The evidence to be used for housing need may include various pieces of up to date evidence and will not necessarily be the latest information.</p> <p>Amends will be made to include reference to para.64 of the NPPF.</p>

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11	Laurence Homes	Avison Young (on behalf of Richborough Estates)	General	SPPD does not refer to the ability to apply the Vacant Building Credit (VBC) where a vacant building is brought back into a residential use, or is demolished to be replaced by residential development. Reference to VBC would ensure consistency with national planning guidance.	Guidance re: VBC will be inserted.
12	Amy Smith	Pegasus Group (on behalf of Davidsons Developments and Bellway Homes Limited)	Introduction	<p>Para 1.6.3 remove the reference to regular shaped sites and greenfield sites from this paragraph.</p> <p>Para 1.6.4 should be amended to refer to developments of more than 11 dwellings in accordance with the adopted Local Plan Policy and the reference to 10 dwellings should be removed.</p>	<p>Amends will be made to para. 1.6.3 to read as “examples would be some regular shaped sites, some greenfield sites and sites with no abnormal costs”.</p> <p>Amend to 1.6.4 to read 11 not 10/11 – this was an error before printing.</p>
12	Amy Smith	Pegasus Group (on behalf of Davidsons Developments and Bellway Homes Limited)	Affordable Housing Need	<p>The affordable housing need for the Borough of Melton is derived from the HEDNA, published in January 2017.</p> <p>The SPD states that the need varies across the Borough at para 2.1.2, with the greatest need being in the urban area of Melton Mowbray. We agree with site by site basis approach.</p>	Comments welcomed.
12	Amy Smith	Pegasus Group (on behalf of Davidsons Developments and Bellway Homes Limited)	Planning & Negotiation	Paragraph 3.12 states the Council will seek a tenure target of 80% for rent and 20% affordable home ownership. The SPD is unclear about what categories of affordable housing will be sought as part of the 20% element further clarification on this point is needed.	Amends will be made to this para. to clarify.

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				<p>The reference to 20% affordable home ownership in the SPD is also not in accordance with the revised NPPF paragraph 64.</p> <p>The NPPF states affordable routes to home ownership include shared ownership, relevant equity loans, other low-cost homes for sale and rent to buy. There is no reference to this in the SPD. The SPD needs to comply with Para 64. Of NPPF (10% of overall homes affordable)</p> <p>Further to this, Paragraphs 3.2.1-3.2.3 of the SPD suggests that applicants should engage with Registered Providers (RPs) at pre-application stage.</p> <p>A copy of a contract with the chosen RP (para 3.2.3) would be effectively unfeasible to obtain at this stage as the terms could not be agreed until planning permission is obtained. Paragraphs 3.2.1 – 3.2.3 should therefore be removed from the SPD.</p> <p>Paragraphs 3.1.3 and 3.1.4 advise that the Council is mindful of economic conditions and the impact that affordable housing requirements can have on development viability, and that the Council will adopt a positive approach to negotiation this is welcomed.</p>	<p>Amends will be made to this para. to reflect para.64 of 2018 NPPF.</p> <p>These paragraphs do not state that but instead 3.2.2 states “Developers are also urged to meet with a Registered Provider (RP) at the earliest possible opportunity”. This might not be until eg. outline application stage.</p> <p>3.2.3 does not state that the Council is expecting a contract at pre-app stage.</p> <p>Noted – omit wording re: negative viability.</p> <p>Para. will be amended to alter the wording so that the 3rd bullet point of 3.3.2.5 reads as “Where an EVA demonstrates that viability will greatly reduce or there will be zero affordable housing provision, applications may not be supported on the grounds of...”</p>

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				<p>Section 3.3.2 outlines guidance on Economic Viability Assessments. Where an EVA demonstrates that a site is not viable other than with a reduced affordable housing provision, the Council should take proper account of the fact that such sites will still deliver housing and help to boost supply emphasised in the NPPF.</p> <p>Section 3.4 the SPD and Policy C4 differ on schemes with 10/11 dwellings.</p>	Amends will be made to read as 11 not 10.
12	Amy Smith	Pegasus Group (on behalf of Davidsons Developments and Bellway Homes Limited)	Delivery	Paragraph 4.1.3.1 states that affordable homes should be in small groupings of no more than 6 dwellings. Should revised to allow for the provision of clusters of up to 10 affordable dwellings in line with other Leicestershire authorities.	Amends will be made to read as “approximate 6 dwellings” not “no more than 6 dwellings”.
13	James Hollyman	Harris Lamb Limited (on behalf of Tata Steel (UK) Limited)	Planning & Negotiation	Para 3.1.2 draft states “tenure target of 80% of affordable housing for rent and 20% affordable home ownership” This does not comply with Para.64 of the NPPF. The Council should adopt the approach to tenure mix set out in The Framework as it postdates The Leicester and Leicestershire Housing and Economic Needs Assessment.	Amends will be made to this para. to reflect para.64 of NPPF 2019.
14	Shirley Jones	Leicestershire County Council	Introduction	Is clear and positive inclusion of extra care and accessible housing	Comments welcomed
14	Shirley Jones	Leicestershire County Council	Affordable Housing Need	Is it possible to have various Lettings Policy or alternatives ie direct lets where Supported Housing is being provided	LCC supported accommodation is allocated by LCC. I have asked the rep to expand on comment but I have not received a response.

Reference number	Name	Organisation	Section commenting on	Summary of representation	Response
14	Shirley Jones	Leicestershire County Council	Delivery	<p>4.4.1 positive inclusion of specialist accommodation and for those with learning disabilities</p> <p>4.4.2 – unclear on mixed tenure for older people , is this in addition to the affordable housing</p> <p>4.4.4.1 clear definition however it is unclear what accommodation provision demonstrates access to 24 hour care/support</p> <p>4.4.5 – section is clear and positive inclusion of Adult Social Care</p>	<p>Comments welcomed.</p> <p>This para. relates to housing across all tenures.</p> <p>Comments welcomed.</p>
15	Carl Powell	Somerby Parish Council	Introduction	<p>We welcome the intention of Policies C2, C4 and C5 and want an SPD which reinforces them. We do not want an SPD which allows developers to undermine or circumvent them.</p> <p>1.1.1 – 1.6.6 are fair and useful explanations of the intention of the SPD.</p> <p>1.6.3 – Applicable to the allocated sites in Somerby which are regular shaped and greenfield. This section should not be changed. It supports Somerby achieving the 40% affordable homes intended for Value Area 1.</p>	<p>Comments welcomed.</p> <p>Comments welcomed.</p>
15	Carl Powell	Somerby Parish Council	Affordable Housing Need	<p>2.1.2 – We welcome the statement that the affordable percentages set for Melton Mowbray and the Sustainable Neighbourhoods are MINIMUMS. At between 5 and 15% they are already dismally low (as we argued during consultation and examination).</p>	

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				<p>2.1.4 – This section gives no guidance on when an independent review of an EVA will ‘need to be made’. Developers will say never. All EVAs should be independently reviewed.</p> <p>3.1.4 – We ask for the following change: “...robust and comprehensive viability submissions to evidence prove the need for any deviations from policy.”</p>	<p>Amend para. 2.1.4 to provide clarity on this.</p> <p>Amendment not needed as this would not change the meaning.</p>
15	Carl Powell	Somerby Parish Council	Planning & Negotiation	<p>3.3.1 – We oppose changes to wording which make this approach less requiring of developers. The affordable and housing mix targets in the MLP are not arbitrary, they reflect evidenced need.</p> <p>3.3.1.2 – Last bullet point – remove the words ‘...and preventing housing delivery...’. MBC must leave open the possibility of preventing delivery, otherwise they become powerless in negotiating for Plan levels of affordability and mix.</p> <p>3.3.2.2 – Add one further bullet: EVA must be made available for public inspection (as part of any ongoing or subsequent planning application).</p> <p>3.3.2.4 – This paragraph is quite strongly worded. We oppose expected representations from developers to weaken it. In particular the words ‘ABSOLUTELY NECESSARY’ must be retained.</p>	<p>Amends will not be made as “preventing housing delivery” just clarifies the wording “whilst not rendering developments unviable”.</p> <p>An insertion will be made to state that viability assessments will be published (in accordance with NPPG).</p>

Reference number	Name	Organisation	Section commenting on	Summary of representation	Response
				<p>3.3.2.5 – This paragraph should not be changed, in particular (in relation to our rural parish of Somerby) the last Bullet Point should be retained. We would prefer consideration of an alternative site to loss of affordable percentages or locally-needed mix.</p> <p>3.3.5.1 – The phrase ‘...in exceptional circumstances...’ is apt and should be retained.</p> <p>3.8.2 – This paragraph is important and should not be removed. We expect developers to ask for its removal (as they did the clause protecting against ‘repeated applications’ in the pre-consultation draft of Policy SS3). This paragraph of the SPD should be retained.</p>	
15	Carl Powell	Somerby Parish Council	Delivery	<p>4.2.1.1 – We agree with the presumption (which accords with the NPPF). Somerby Parish does have evidenced high property prices and lack of affordability. We want affordable percentages incurred in our Parish to be built in our Parish. Therefore the First Bullet is important and must be retained .Similarly:</p> <p>4.2.2.1 – Should be modified to mirror and reinforce 4.2.1.1 above ie. First bullet altered to read:</p> <ul style="list-style-type: none"> • Provision of affordable units on an alternative site in the adjacent parish or locality. 	Amends to be made to read “Provision of affordable units on an alternative site, preferably within the same settlement; adjacent parish or locality”.