

Response to Examiners Questions

Melton Borough Council

05//12/2017

Question 1

The Local Plan is clear that the overall housing provision is a minimum (n.b. 'at least' 6125 dwellings) which is then apportioned to the Melton Mowbray (approx. 65%) and the villages (approx. 35%). Thus the concept of minimum targets is carried through this approach. The application of limits without proper justification is, in the view of the LPA, inconsistent with the aims of the NPPF.

It has always been the view of the LPA that the numbers with housing allocations represent an estimate to the capacity of sites and it is through the development management process that schemes will be fully drawn out and realised. It is submitted it can only ever be an estimate – albeit an informed estimate based on experiences elsewhere and the constraints of individual sites – until detailed designs of sites are developed. It may well be that in some instances, more or less dwellings can be delivered on a site in an and these should not be prejudiced by policy restraints based on a lesser level of information. This approach is important as previously unforeseen circumstances discovered through the more detailed analysis necessary to attain submit applications permission, may mean less dwellings can be delivered than anticipated by the Local Plan.

Question 2

The position has developed and the application is now the subject of an 'Article 31' Direction from the Secretary of State prohibiting the granting of permission unless authorised to do so by the Sec of State. The Committee's resolution has been enacted to the extent of the production of a s106 agreement, agreed by all relevant parties, and the A31 Direction is the only outstanding matter preventing permission from being issued. The Council is satisfied with the resolution to grant permission, on the basis of consideration of the Committee report and contributions made by other parties during the Committee meeting.

Question 3

No specific comments.

Question 4

The LPA would like to refer to its evidence on this subject, which for ease can be accessed at the following location -

https://docs.wixstatic.com/ugd/d246bd_cdf9e8d652ff43739f984caf9b79529d.pdf

The Water Lane Site is in the process of being resubmitted with amended red line plan, to avoid the need to complete a sequential test.

Question 5

It is the view of the LPA that the Affordable Housing level should be set to 40%, unless the QB or other party has more localised evidence on the matter. It is also suggested that the policy can be amended to add flexibility, by adding the criterion that new up to date evidence on affordable housing provision can be considered. For example a new up to date viability report is published or to reflect changes in the Local Plan.

Question 6

The definition should reflect the national definition of affordable housing. It is the view of the LPA that policy wording can be made flexible to ensure any changed of definition of affordable housing can be included in the plan without the need for review.

Question 7

The Council has no objection to the prioritisation of local needs. However the housing proposed (both market and affordable) are not derivative of needs identified from Frisby to satisfy its needs in isolation, but as a contribution to overall need and in pursuit of the strategy devised in the Local Plan to satisfy the overall requirements

Question 8

The change to Policy SS3 was made to allow greater flexibility over the period and an acceptance that there was no evidence to suggest 10/5/3 dwellings were appropriate thresholds. There was concern that the numbers in this policy could be viewed as arbitrary. The new policy empowers the Council to accept proposals wherein it is appropriate against the rigorous criteria within SS3, regardless of size. The Council would state that the threshold for development to come through this policy is set very high, and proposals should demonstrate how the development would improve the sustainability of the settlement as a whole. It should also be noted that with the proposed limits to development, it is unlikely proposals of 5+ dwellings would be possible, regardless of any windfall policy.

Question 9

The LPA believes it is appropriate that allocations are within the Limits to Development.

Question 10

No Specific comments.

Question 11

No new comments to make.