

Agenda

Meeting name	Special Meeting of the Cabinet
Date	Tuesday, 21 September 2021
Start time	4.00 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire. LE13 1GH
Other information	This meeting is open to the public

Members of the Cabinet are summoned to the above meeting to consider the following items of business.

Edd de Coverly
Chief Executive

Membership

Councillors	J. Orson (Chair)	L. Higgins (Vice-Chair)
	R. Browne	R. de Burle
	A. Freer	M. Graham MBE

Quorum: 3 Councillors

Meeting enquiries	Democratic Services
Email	democracy@melton.gov.uk
Agenda despatched	Monday, 13 September 2021

No.	Item	Page No.
	<p>YOU TUBE Public Access: The meeting will be available to view here</p>	
1.	APOLOGIES FOR ABSENCE	
2.	<p>DECLARATIONS OF INTEREST Members to declare any interest as appropriate in respect of items to be considered at this meeting.</p>	1 - 2
3.	<p>DEVELOPER CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT (SPD) The Leader to submit a report seeking Cabinet to recommend approval of the Developer Contributions Supplementary Planning Document (SPD) to Council on the 23 September 2021</p>	3 - 84

Advice on Members' Interests

PERSONAL AND NON-PECUNIARY INTERESTS

If the issue being discussed affects you, your family or a close associate more than other people in the area, you have a personal and non-pecuniary interest. You also have a personal interest if the issue relates to an interest you must register under paragraph 9 of the Members' Code of Conduct.

You must state that you have a personal and non-pecuniary interest and the nature of your interest. You may stay, take part and vote in the meeting.

PERSONAL AND PECUNIARY INTERESTS

If a member of the public, who knows all the relevant facts, would view your personal interest in the issue being discussed to be so great that it is likely to prejudice your judgement of the public interest and it affects your or the other person or bodies' financial position or relates to any approval, consent, licence, permission or registration then **you must state that you have a pecuniary interest, the nature of the interest and you must leave the room***. You must not seek improperly to influence a decision on that matter unless you have previously obtained a dispensation from the Authority's Audit and Standards Committee.

DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

If you are present at any meeting of the Council and you have a disclosable pecuniary interest in any matter to be considered or being considered at the meeting, if the interest is not already registered, you must disclose the interest to the meeting. You must not participate in the discussion or the vote and you must leave the room.

You may not attend a meeting or stay in the room as either an Observer Councillor or *Ward Councillor or as a member of the public if you have a pecuniary or disclosable pecuniary interest*.

BIAS

If you have been involved in an issue in such a manner or to such an extent that the public are likely to perceive you to be biased in your judgement of the public interest (bias) then you should not take part in the decision-making process; you should leave the room. **You should state that your position in this matter prohibits you from taking part.** You may request permission of the Chair to address the meeting prior to leaving the room. The Chair will need to assess whether you have a useful contribution to make or whether complying with this request would prejudice the proceedings. A personal, pecuniary or disclosable pecuniary interest will take precedence over bias.

In each case above, you should make your declaration at the beginning of the meeting or as soon as you are aware of the issue being discussed.*

*There are some exceptions – please refer to paragraphs 3.12(2) and 3.12(3) of the Code of Conduct

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Helping people | Shaping places



Cabinet

21 September 2021

Report of: Councillor Joe Orson - Leader of the Council

Developer Contributions Supplementary Planning Document

Corporate Priority:	Priority 3: Delivering sustainable and inclusive growth in Melton
Relevant Ward Member(s):	All
Date of consultation with Ward Member(s):	1 September 2021
Exempt Information:	No
Key Decision:	Yes c) Has significant impact on two or more wards in the Borough and on communities living or working in those areas
Subject to call-in:	Yes

1 Summary

- 1.1 Following the decision taken by Cabinet in July 2021, the draft Developer Contributions Supplementary Planning Document (SPD) has been subject to a period of statutory public consultation. This report provides a summary of the consultation responses received and amendments to the draft proposed as a consequence. Cabinet is asked to endorse the finalised SPD and recommend its approval to Council on the 23rd September 2021.
- 1.2 The SPD provides detail and clarification on the approach the Council will take to Developer Contributions when required under Policy IN3 of the adopted Local Plan. It sets out the Council’s expectation that developers will meet all relevant infrastructure requirements in full, however where viability issues are demonstrated and the development remains desirable, a tiered approach to prioritising infrastructure requests in line with Policy IN3 is proposed helping to provide clarity and reduce the complexity and timescales involved in negotiating section 106 agreements.

2 Recommendations

That Cabinet:

- 2.1 **Notes the comments received during the consultation period and accepts the proposed amendments to the draft Developer Contributions Supplementary Planning Document (SPD).**
- 2.2 **Recommends to Council that the final version of the Developer Contributions SPD, shown at Appendix A, is adopted on the 23rd September 2021.**

3 Reason for Recommendations

- 3.1 The content of the SPD has been formulated in collaboration with Members and the County Council and the infrastructure prioritisation approach illustrated within this report and the SPD, was set out within the Cabinet report considered in July 2021. The starting point for the Council will be that all developers should meet all relevant infrastructure requirements in full. However the approach regarding infrastructure priorities established in Policy IN3 and detailed within the SPD provides clarity to all parties if it becomes necessary and justified to negotiate the content of a section 106 agreement due to issues surrounding viability. Each planning application will continue to be assessed on a case-by-case basis according to the merits of the development and the CIL regulations.
- 3.2 Further to the completion of the six week public consultation from 26th July 2021 to 6th September 2021, 20 responses were submitted. These are summarised at paragraph 5.2 below and are reported in greater detail in Appendix B to this report, along with the changes made to the draft SPD responding to the responses received.
- 3.3 It is considered that the finalised SPD is a suitable mechanism for achieving the shared strategic aim of delivering sustainable growth and associated key infrastructure in Melton. This includes the three parts of the Melton Mowbray Distributor Road (MMDR) and education facilities.
- 3.4 Additionally the SPD demonstrates the Council's commitment to fully supporting Leicestershire County Council in meeting the financial requirements for the significant infrastructure investment planned for Melton.

4 Background

- 4.1 The current developer contributions procedures can cause issues and delays during the negotiation stage of the process if concerns are raised regarding viability. Section 106 agreements can take many months to formulate and be agreed upon by all parties. Consequently, this can cause delays in the delivery of housing and infrastructure within the Borough. A significant issue surrounds the lack of clarity regarding what infrastructure should be prioritised where the development is desirable but viability has been raised as a concern.
- 4.2 The Developer Contributions SPD supports the delivery of Local Plan Policies, in particular Policy IN3, and provides greater clarity regarding the Council's developer contributions processes and its infrastructure priorities as set out by this policy. It will provide clarity and transparency and be used by planning officers, developers and the Planning Committee to help them with their decision making.
- 4.3 The SPD demonstrates a continuing commitment towards meeting the corporate priority of delivering sustainable and inclusive growth, ensuring that significant strategic infrastructure is prioritised and funded. The Borough Council has an excellent track record

in securing developer contributions and since 2015, has secured more than £32m for Leicestershire County Council services, and a further £3m for others (Primary Care, Police, Parish Councils etc.).

- 4.4 The SPD directly contributes to the Council's corporate priority of supporting the County Council to deliver the Melton Mowbray Distributor Road (MMDR). The Council acknowledges the significant investment that the County Council will make within the Borough by forward funding this infrastructure. By prioritising contributions as set out within the SPD, the Borough Council is making an unambiguous commitment to ensure that the County Council are fully supported with their contribution requests, helping to mitigate the risk of forward funding, and to enable them to be in a position to accept the Housing Infrastructure Fund (HIF). In parallel, other mechanisms to support delivery of the MMDR are being explored with the County Council. These will be dealt with in separate reports. The County Council has advised that it is satisfied with the content of the SPD and their Cabinet is due to receive an update on the MMDR southern section and the Housing Infrastructure Fund grant on 17th September 2021.

5 Main Considerations

- 5.1 Following the Cabinet decision on 21st July, a period of statutory public consultation commenced on 26th July 2021 and ran for six weeks until 6th September 2021. The consultation was publicised through the Council's website, social media, and through the Melton Times. Stakeholders and planning policy consultees were also contacted directly. Remote meeting drop in events were held across the period for public, developers, and members to ask questions about the draft SPD. The responses received have been taken into account to form the final SPD.
- 5.2 In total 20 responses were received. A schedule of responses to the public consultation can be found in Appendix B. These are summarised below:
- Key partner agencies welcome the approach and the explanation of linkages to existing policy and key strategic strategies and priorities. Officers at Leicestershire County Council have confirmed they are content with the draft SPD.
 - A reminder that SPDs do not form part of the development plan and as such they cannot introduce new planning policies that would add unnecessary financial burdens on developments.
 - Specific wording and references within the SPD require update to reflect the most up-to-date regulations, legislation and policy.
 - The need to acknowledge engagement with neighbouring authorities on cross-boundary developments.
 - Some developers queried the local Infrastructure lists in that they are audits of existing infrastructure needs and not a costed, viable assessment of what planned development might need to contribute towards as mitigation of the effects of proposed development.
 - Some developers queried how the priorities in Table 1 are relevant to both Melton Mowbray and then other areas within the Borough, who do not require the same infrastructure. A distinction needs to be made.
 - There needs to be greater clarity provided on how the SPD and specifically the priorities link with Policy IN3.

- The council needs to be able to prove how they decided their monitoring fees to ensure it meets Part 10A of the CIL regulations.
- Opinions expressed with regards to the content of some of the local infrastructure lists from some developers and residents,
- There are some minor typographical errors to be addressed

5.3 A series of other comments related to the calculation of contributions referenced, their costing and operational procedures relating to formulating agreements such as use of templates, standard clauses and response periods. However, the SPD is intended to explain the approach to formulating the composition of agreements, rather than the value of contributions that may be sought in any particular circumstance. In all cases, any contribution sought will be subject to assessment under the tests of the Community Infrastructure Levy Regulations (and associated planning policy) regarding necessity, relationship to the development, fairness and reasonableness.

5.4 In response to the comments received, the following changes to the draft SPD have been made:

- Clarification within the explanatory text of the priority of primary health contributions in 'Table1';
- Detailing of projects and functions that reflect the corporate priorities of both the Council and those of Leicestershire County Council;
- Updating references to current legislation and policy, including viability and the potential impact of the recent introduction of 'First Homes' policy;
- Additional content to address cross boundary situations
- Linkages to the forthcoming Open Space and Playing Pitch Strategy, and to replacement of lost facilities;
- Greater clarification of the derivation and need for the SPD and relationship with Local Plan policies, Policy IN3 in particular;
- Wording to reflect that developer contributions can also be the subject of Unilateral Undertakings and Deeds of Variation (as well as Agreements);
- Repositioning of monitoring contributions within the priority hierarchy
- Minor typographical errors within the document

6 Summary of Final Developer Contributions SPD

6.1 Policy IN3 makes clear that additional dwellings or employment premises will be expected to help deliver sustainable communities through making developer contributions to local infrastructure in proportion to the scale of its impacts. The SPD develops the principles of the priority order set out in that policy and provides further clarity. Incorporating the proposed amendments, the finalised Developer Contributions SPD is set out in appendix A. It adopts a Borough-wide perspective, whilst also providing a local dimension, with the aim of providing clarity and transparency to officers, members, developers and wider stakeholders.

6.2 The key elements of the final SPD are summarised as follows:

Borough-Wide Infrastructure Priorities

- 6.3 Without exception, all developments will be required to incorporate essential infrastructure necessary to ensure adequate provision of essential utilities, facilities, water management and safe access (Part I: Essential Infrastructure, Policy IN3) within their design proposals. These have not been incorporated in the prioritised table below as they would be integral to any development design and therefore a contribution would not be required.
- 6.4 The specific priorities within Policy IN3 relating to “Part II: Essential Infrastructure” and “Part III: Desirable Infrastructure” are set out in more detail within the SPD and summarised in Table 1 below. The guidance within the SPD will not cover every possible circumstance and/or obligation that may need to be taken into account, but it will provide a clear indication of how the Council will meet the necessary CIL regulations from new development in respect of the provision of infrastructure, community facilities and services. It is necessary to have a consistent and transparent approach so that applicants and planning officers can be aware early on in the development process what the Council's expectations are.
- 6.5 Whilst the infrastructure identified in Table 1 is prioritised as a hierarchy, the Council’s starting point for discussions will be that developers contribute to the full range of necessary infrastructure to support the establishment of sustainable communities. However, this will always be assessed on a case-by-case basis according to the merits of the case and the CIL regulations.

Table 1. *Explanation of Prioritisation of Infrastructure within Policy IN3*

Policy IN3 Category	Priority Sub-Category	Required Contributions (where applicable)
Part II : Essential Infrastructure: (including the Melton Mowbray Transport Strategy and its key component, the Melton Mowbray Distributor Road) as identified in the Infrastructure Delivery Plan or any made Neighbourhood Plan including contributions from residential development towards affordable housing to meet the requirement set out in Policy C4.	Priority 1	<ul style="list-style-type: none"> • Strategic Highways Infrastructure (MMTS and MMDR) • Education (including early years, SEND, primary, secondary and post-16)
	Priority 2a	<ul style="list-style-type: none"> • Affordable Housing • Local Highways Infrastructure (such as traffic calming etc.)
	Priority 2b	<ul style="list-style-type: none"> • Primary Care • Open Spaces • Strategic Community & Leisure Facilities
	Priority 2c	<ul style="list-style-type: none"> • Police & Community Safety • Civic Amenities • Sustainable Travel – i.e. Public Transport, Travel Packs, Bus Passes, Travel Plans etc.)
Part III. Desirable infrastructure as identified in the Infrastructure Delivery Plan or any made Neighbourhood Plan.	Priority 3	<ul style="list-style-type: none"> • Libraries • Other Swimming Pools, Sports Halls and Playing pitches and other outdoor sport (other than when integral to site specific policy requirements such as SS4

		<p>and SS5)</p> <ul style="list-style-type: none"> • Other Natural open space, informal open space (other than when integral to site specific requirements) • Local Community Infrastructure Priority Lists (See Appendices) • All other Leicestershire County Council planning obligations which may be requested ¹ • Monitoring (LCC & MBC)
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6.6 Priority 1 requirements in the above table are regarded as essential to facilitate sustainable development, and as such it is not envisaged that they can be compromised in any readily foreseeable circumstance.

6.7 Occasionally development proposals may come forward which are highly desirable in their content but which cannot achieve all of the contributions required to mitigate their impact upon infrastructure and facilities. Where it is considered that the benefits of a proposal are sufficiently strong so as to justify a shortfall in the mitigation of its impacts, prioritisation has to take place. There may be a proportioning of the contributions across priorities 2a, b and c with weighting in favour of 'a', then 'b', then 'c'. Priority 3 will only be relevant where Priorities 1-2 have been satisfied.

6.8 Table 1 is provided for use by developers and planning officers throughout the planning application process. The SPD's guidance will add an element of flexibility in order to reflect the nature, scale and location of development. Therefore, some developments in some locations may not produce a need for infrastructure despite their inclusion within the higher priority categories, in these cases the lower priority contributions would be a starting point.

6.9 In addition, not all the contributions from Table 1 will be requested on every planning application, each request will be assessed for CIL compliance on a case-by-case basis reflective of its circumstances, and those parties requesting contributions will be expected to submit evidence to support their requests in accordance with the CIL regulations.

Local Infrastructure Priorities

6.10 In order for the SPD to provide a local context and capture Ward Members' and local communities' infrastructure aspirations (Corporate Priority 6), local infrastructure priority lists are contained within Priority 3. These lists represent the outcome of collaborative engagement between Borough Council Members, officers and Parish Councils. A short list of infrastructure priorities were devised by Members in conjunction with Parish Councils in their areas to illustrate the specific infrastructure priorities for that parish/area. This may include infrastructure such as village hall improvements, local play area enhancements etc.

6.11 The lists should be used by developers to understand what requests may be received from Parish Councils and other interested parties. Although these lists are within the SPD, requests for funding will still need to be made in response to planning applications.

¹ Such as Adult Social Care and Health, Public Health, Community Safety, Sport and Recreation facilities as specified in the Planning Obligations Policy - <https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2019/8/16/Planning-Obligations-Policy.pdf>

Requests will be required to be supported by evidence illustrating the need generated by the development concerned and the quantity of the contribution sought, as required by the CIL regulations.

6.12 In conjunction with the SPD, other documents and policies should be referred to when dealing with developer contributions. These include

- [MBC Housing Mix and Affordable Housing SPD](#)
- [MBC Open Space Strategy and Action Plan](#)
- [LCC Planning Obligations Policy](#)

7 Options Considered

7.1 The preferred option, that is laid out within this report is to recommend to Council that the final Developer Contributions SPD is adopted. This is considered necessary to both support Local Plan Policy IN3 and also the Borough Council's strategic priority of supporting the County Council to deliver the MMDR and help mitigate the financial risk it faces. It will also provide clarity to the complex process of securing contributions and is therefore considered that the adoption of the SPD is the necessary next step for this project.

7.2 Another option is for Cabinet to consider an alternative hierarchy to the infrastructure priorities list. Given the existing approach established within Policy IN3, the Council's strategic corporate priority to support delivery of sustainable and inclusive growth and specifically to support the County Council deliver the MMDR, the current priorities can be justified and this option is therefore not considered desirable.

7.3 A final alternative would be to not recommend the SPD for adoption. This option is not recommended as it does not provide clarity to the Council's planning officers and Planning Committee, developers, and the public as to how the Council's will approach securing developer contributions. As a result, the Council would be in a weaker position when negotiating section 106 contributions. In addition, this SPD is part of a suite of documents that will support the Council's commitment to work with the County Council in delivering key infrastructure within the Borough.

8 Consultation

8.1 A series of consultations have been undertaken to reach the current stage of the project. These are detailed below;

- a) Scoping Report Consultation – In August 2019 the Council held a consultation on a scoping report that illustrated our plans for the SPD. This was published on the www.meltonplan.co.uk website, alongside a press release which was posted on the Melton Borough Council Website. In addition to this the Council consulted statutory bodies, infrastructure partners and all the contacts on the Planning Policy consultee database via email. The results of this consultation have informed the content of the draft SPD that is presented in this report.
- b) Ward Member Engagement – In March 2020 Member engagement commenced. Members were asked to collaborate with their respective Parish Councils to produce a Local Infrastructure Priority list for each Parish/Ward. These lists are placed in the appendices of the Draft SPD and will provide focus to the Council's efforts when securing developer contributions for local infrastructure. Due to Covid the consultation

was postponed between March and July 2020, where a zoom meeting was held and feedback gathered by email.

- c) In February and March 2021 the County Council were consulted on the content of the Draft SPD, and amendments were made taking into consideration their comments. The revised Draft was again shared with them in late June 2021, and they have confirmed that they are satisfied with the content of the document.
- d) Following the Cabinet decision in July 2021, a period of statutory consultation on the draft SPD commenced. The summary of responses received and Council's response from to the consultation, held for 6 weeks from 26th July to 6th September 2021, is set out within the main body of the report and detailed in Appendix B.

9 Next Steps – Implementation and Communication

- 9.1 Subject to consideration by Cabinet, the SPD will be referred to Council to consider for adoption on the 23rd September 2021. Subject to Council approval of the SPD, an adoption statement will be published to comply with the Town and Country Planning (Local Planning) (England) Regulations 2012, part 5, 14.
- 9.2 Once adopted, the SPD will be published on the [Melton Local Plan webpage](#), and the decision will be communicated (via email) to all relevant stakeholders, including developers and planning agents; Councillors; Parish Councils; the County Council; Leicestershire Councils; neighbouring Councils and relevant internal members of staff for immediate implementation in assessment of planning applications and pre-application discussions. A press release will accompany the publication of the adopted SPD.

10 Financial Implications

- 10.1 The SPD will not have any adverse financial impacts on the Council. Once fully adopted the SPD will illustrate the Council's approach to securing monitoring fees from planning applications that require a section 106 agreement. By creating a clear approach that the Council will start to see an income stream for the use of monitoring developer contributions. The monitoring contributions will be based on a flat rate that will correlate to the level of officer time on monitoring each contribution.
- 10.2 In addition to the monitoring contributions, there may be an increase in developer contributions secured for Council projects such as open space, leisure and community facilities etc. Again, this will be dependent on the specific development and any viability negotiations. However, the infrastructure priority list will outline where the Council's priorities lie when negotiating section 106 agreements. Funds will be allocated to specific projects and budgets within the Council or passed to external infrastructure providers as appropriate, ensure they are ringfenced solely to the purpose(s) for which they were sought.

Financial Implications reviewed by: Director for Corporate Services

11 Legal and Governance Implications

- 11.1 The Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Development) (England) Regulations 2021 provide the statutory Framework governing the preparation and adoption of DPD's. The SPD follows the guidelines set out in the Regulations and frameworks.
- 11.2 The [National Planning Policy Framework \(2021\)](#), states that supplementary planning documents should; "add further detail to the policies in the development plan. They can be

used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.”

- 11.3 The legislation relating to Supplementary Planning Documents is found in the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) specifically in Part 5 of the regulations. In addition the regulations state:
- 11.4 8 - (1) A local plan or a supplementary planning document must—
- (a) contain the date on which the document is adopted; and
 - (b) indicate whether the document is a local plan or a supplementary planning document.
- (2) A local plan or a supplementary planning document must contain a reasoned justification of the policies contained in it.
- (3) Any policies contained in a supplementary planning document must not conflict with the adopted development plan.
- (4) Subject to paragraph (5), the policies contained in a local plan must be consistent with the adopted development plan.
- (5) Where a local plan contains a policy that is intended to supersede another policy in the adopted development plan, it must state that fact and identify the superseded policy
- 11.5 Developer contributions may only be requested if they meet the 3 statutory tests as set out in the [Community Infrastructure Levy \(CIL\) Regulations 2010 \(as amended\)](#) and in the NPPF, they are:
- a) necessary to make the development acceptable in planning terms,
 - b) directly related to the development, and
 - c) fairly and reasonably related in scale and kind.
- 11.6 Additionally the updated [The Community Infrastructure Levy \(Amendment\) \(England\) \(No. 2\) Regulations 2019](#), that provided guidance on pooling contributions, charging monitoring fees, and infrastructure funding statements have been used to inform sections of the SPD.
- 11.7 Looking specifically at the decision-making implication of the SPD; the [NPPG](#) (para 008, ref: 61-008-20190315) states: SPD’s should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development. The SPD should contain a reasoned justification of the policies within in and for it not to conflict with adopted development plan policies. This SPD provides further guidance in relation to the implementation of Policy IN3 of the Melton Local Plan. It has been drafted to ensure that there is fairness and transparency with regard to financial burdens arising from Developer Contributions. The SPD sets out the justification of the policies within in it in relation to both the local and national policy context at Section 2.
- 11.8 The SPD does not remove the need for the necessity of contributions to be justified upon submission in relation to individual planning applications and for these to be examined by the Planning Committee for compliance under the CIL Regulations. The starting point will be that all necessary contributions should be paid and the prioritisation in the SPD relates only to circumstances where development proposals come forward which are highly

desirable but which cannot achieve all of the contributions required to mitigate their impact. The SPD reflects and assists the better interpretation and application of Policy IN3 of Local Plan and will assist the achievement of Corporate Strategy priorities.

Legal Implications reviewed by: Monitoring Officer 16.09.21

12 Equality and Safeguarding Implications

12.1 The Developer Contributions SPD is simply adding guidance to policies contained within the Melton Local Plan, therefore does not need an EIA as there are no equality and safeguarding implications.

13 Community Safety Implications

13.1 Although the SPD does not have direct implications on community safety, section 4.4 details how Leicestershire Police will be consulted upon and request contributions if the need arises. This ensures that people understand how new developments contribute to making the community a safer environment.

14 Environmental and Climate Change Implications

14.1 Developer Contributions are legal obligations to mitigate the impacts of development proposals, as set out in the NPPF. Therefore, the SPD supports positive implications on the environment by illustrating how the Council will use developer contributions as a means to compensate for any negative impacts on the environment.

14.2 In addition to this, large-scale strategic infrastructure such as the MMDR will create betterment opportunities specifically linking to air pollution and climate change.

14.3 Therefore, although the SPD does not directly implement infrastructure, it does provide guidance on how the Council will work will developers and infrastructure providers to create opportunities for positive environmental implications.

15 Other Implications (where significant)

15.1 Health and Wellbeing Implications: The SPD does not have direct implications on health and wellbeing, however it does contain a section detailing how healthcare contributions will be requested by CCGs to assist with improvements to primary care in the Borough.

15.2 Human Resource Implications: None identified.

15.3 Procurement Implications: None identified.

16 Risk & Mitigation

Risk No	Risk Description	Likelihood	Impact	Risk
1	The County Council, do not accept the HIF grant requiring revision of priorities of the SPD	Significant	Critical	Medium Risk
2	The Council vote to not adopt the SPD	Very Low	Critical	Medium Risk
3	The SPD is subject to a legal challenge	Low	Critical	Medium Risk
4	Lower priority infrastructure is not funded sufficiently or at all	Low	Marginal	Low Risk

		Impact / Consequences			
		Negligible	Marginal	Critical	Catastrophic
Likelihood	Score/ definition	1	2	3	4
	6 Very High				
	5 High				
	4 Significant			1	
	3 Low		4	3	
	2 Very Low			2	
	1 Almost impossible				

Risk No	Mitigation
1	The SPD forms part so of a suite of documents showing the Council's commitment to the County Council in supporting them fund strategic infrastructure. The County Council is due to provide an update regarding the Housing Infrastructure Fund grant at their meeting on 17 th September and the Borough Council is working with them to deliver the related workstreams including new and updated Masterplans and the s106 agreement by the end of 2021.
2	Council Officers have proactively worked with Members to produce the SPD and therefore the final version is based on the previously agreed draft version and has incorporated views provided by Members.
3	The necessary procedures have been followed when producing the SPD including a comprehensive consultation, reducing the risk of a legal challenge. Comprehensive legal advice has been provided throughout and is summarised in section 11.
4	The starting point for every planning application is that all the required contributions should be paid, and the Council have the ability refuse applications if they consider the lack of funding would make the development unsustainable.

17 Background Papers

17.1 None

18 Appendices

18.1 A: Developer Contributions Supplementary Planning Document September 2021

18.2 B: Schedule of Consultation Responses

Report Author:	Alex Coy , Planning Officer
Report Author Contact Details:	01664 502566 / ACoy@melton.gov.uk
Chief Officer Responsible:	Jim Worley , Assistant Director for Planning and Delivery
Chief Officer Contact Details:	01664 502359 / jworley@melton.gov.uk

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Version Control

Version No	Date	Comments
1.0	November 2020	Initial Draft
2.0	January 2021	Updated version following informal discussion with Cabinet
2.1	February 2021	Further updates added prior to wider stakeholder engagement
2.2	July 2021	Amendments made following consultation with LCC
3.0	September 2021	Amendments made following public consultation

Acronyms Table

SPD = Supplementary Planning Document	CCG = Clinical Commissioning Group
NPPF = National Planning Policy Framework	NPPG = National Planning Practice Guidance
MMDR – Melton Mowbray Distributor Road	S106 = Section 106 Agreement, Unilateral Undertaking or ‘Deed of Variation’
CIL = Community Infrastructure Levy	

1. Introduction

1.1 Purpose of the Document

1.1.1 This Supplementary Planning Document (SPD) sits alongside the Melton Local Plan 2011-2036 which was adopted in October 2018. The purpose of this Developer Contributions Supplementary Planning Document (SPD) is to set out Melton Borough Council's approach to seeking Section 106 planning obligations in the absence of a Community Infrastructure Levy (CIL) Charging Schedule within the Borough. It provides guidance to Policy IN3 of the Melton Local Plan and works towards achieving the Council's corporate priority of delivering sustainable and inclusive growth in Melton (Priority 3).

1.1.2 Policy IN3 of the Local Plan explains that developer contributions towards local infrastructure are expected in proportion to the scale of its impacts, following an order of priority. With the exception of the Melton Mowbray Distributor Road the infrastructure is not defined and the purpose of this SPD is to offer clarification of the infrastructure needs within the priority order referred to in IN3.

1.1.3 Specifically, this SPD will support delivery of the key infrastructure associated with sustainable growth and to assist Leicestershire County Council to facilitate the Melton Mowbray Distributor Road (MMDR) and related which is central to this objective. Recognising the considerable level of investment and forward funding being made by Leicestershire County Council, primarily in respect of highways infrastructure, the SPD will prioritise contributions to support recovery of highways and education costs and explain that these items should be fully recovered first and foremost within the priority order introduced by Policy IN3.

1.1.4 As explained in Policy IN 3, Melton Borough Council will expect developers to provide developer contributions towards infrastructure in proportion to the scale of its impacts, and this SPD sets out a hierarchy such that strategic needs can be met. These include commitments to support the delivery of affordable housing and improvements in local primary health care and leisure facilities amongst others.

1.1.5 This guidance does not cover every possible circumstance and/or obligation that may need to be taken into account, but it provides a clear indication of how the Council will meet the necessary CIL regulations from new development in respect of the provision of infrastructure, community facilities and services. It will enable developers to understand the Council's expectations and priorities for planning obligation requirements from an early stage in the development process. Allowing them to make appropriate provision when formulating costs and undertaking financial appraisals.

1.1.6 The SPD cannot provide methods of how developer contributions will be calculated, as this is site and development specific in accordance with the CIL regulations. In many cases, calculations are provided by the requestor based on an assessment of their evidence of the impact of the development. Contributions will only

be requested where it is considered that they meet the necessary tests as set out in the NPPF (2021) paragraph 57.

1.1.7 As well as providing clarity on priorities, the SPD ensures greater clarity of local community infrastructure needs, with the aim of guiding and simplifying negotiations with developers and the consideration of applications by the Planning Committee.

1.1.8 This guidance will ensure that the process used by Melton Borough Council is clear and transparent to all stakeholders involved in the planning obligation process, whether this is developers, the public, the Planning Committee, or our partners.

1.2 What are Developer Contributions?

1.2.1 New development can make a positive addition to an area, for example, providing new homes and jobs. It can also have an impact on the local community, placing additional pressures on the local infrastructure and facilities such as the local schools and other essential services. It may also have an impact on the highway network. Effective use of obligations and contributions can play a vital role in ensuring that necessary infrastructure provision keeps pace with new development and is sustainable. At the heart of the NPPF is the presumption in favour of sustainable development (para 11). It seeks to ensure that the overarching economic, social and environmental objectives are pursued in mutually supportive ways to ensure that developments meet the needs of the present without compromising the ability of future generations to meet their needs (paragraphs 7-10).

1.2.2 Developer contributions ensure that an acceptable development mitigates its impacts sufficiently. Specifically, developer contributions can mitigate impacts that cannot be controlled by the imposition of planning conditions. Developer contributions ensure that a developer delivers or contributes to infrastructure, and can relate to physical provisions (i.e. the transfer of land for education purposes), and/or financial contributions. The impact of new development will vary between development sites and individual proposals, and any planning obligation should reflect the specific requirements of the scheme and the locality.

1.2.3 Planning obligations can be contained within Section 106 agreements, which are legal agreements between the Council, landowners/developers and/or infrastructure providers to make a development acceptable in planning terms, that binds parties to providing or contributing funding towards the delivery of infrastructure. They can also be secured through the use of unilateral undertakings which can be entered into by a person with an interest in the land voluntarily and without the agreement of the Local Planning Authority. The content of s106 documents can be amended at a later date by means of a 'deed of variation' by agreement between the parties that are signatories to the original.

1.2.4 Another type of planning obligation is the Community Infrastructure Levy (CIL) which is a planning charge introduced by the Planning Act 2008 as a tool to help deliver infrastructure to support the development of the local area. Local authorities can

choose to introduce a CIL which is calculated on a £ per square metre basis on new developments.

1.2.5 As stated within the NPPG [paragraph 23](#), planning obligations should not be sought from any development consisting only of the construction of a residential annex or extension to an existing home. In addition, Planning obligations for affordable housing should only be sought for residential developments that are major developments (10 or more units or site has an area of 0.5 hectares or more).

1.2.6 In July 2019, Melton Borough Council's Cabinet considered a paper updating Members on the progress and issues around implementing the CIL. It was agreed that progress on the CIL be suspended at that time, and that instead the Council progress with the development of a Developer Contributions SPD. This would involve working with Leicestershire County Council and other public sector infrastructure providers to develop strategic, justifiable and transparent approaches to securing developer contributions. This decision was taken to avoid abortive work where a positive cost / benefit analysis could not be predicted, and to ensure fair and appropriate contributions could be sought. It also ensured that the Council could prioritise infrastructure requests if it becomes apparent that all requests cannot be met.

1.2.7 Developer contributions may only be requested if they meet the 3 statutory tests as set out in the [Community Infrastructure Levy \(CIL\) Regulations 2010](#) (as amended) and in paragraph 57 of the NPPF, they are:

- necessary to make the development acceptable in planning terms,
- directly related to the development, and
- fairly and reasonably related in scale and kind.

1.2.8 The implementation of infrastructure following receipt of developer contributions is carried out by Melton Borough Council, Leicestershire County Council and infrastructure providers such as Leicestershire Constabulary, NHS Clinical Commissioning Groups (CCG), and Parish Councils etc.

2. Policy Context

2.1 National Policy

2.1.1 At the national level, the [National Planning Policy Framework \(NPPF\)](#) sets out the planning policies for England. NPPF paragraphs 55 to 58 cover the use of planning conditions and S106 agreements. These paragraphs reiterate the tests for use of S106 agreements set out in the CIL Regulations.

2.1.2 On 1st September 2019, government made amendments to the 2010 regulations affecting both CIL and section 106 agreements, as well as relating to the processes of securing developer contributions as part of the planning application process. Please see [The Community Infrastructure Levy \(Amendment\) \(England\) \(No. 2\) Regulations 2019](#).

The new amendments included;

- The removal of the section 106 pooling restrictions to allow charging authorities to use both CIL and/or section 106 planning obligations to fund the same item of infrastructure
- Amended the regulations to ensure local authorities can seek a monitoring fee which is fairly and reasonably related in scale and kind to the development
- Added the requirement for local authorities to annually publish an infrastructure funding statement that will set out what developer contributions, whether monetary or not has been secured in the past year, alongside stating how much has been spent, and what it is spent on.

2.1.3 These amendments aim to provide greater flexibility to local authorities when funding infrastructure, while increasing the transparency of the process.

2.1.4 In addition, the Ministry of Housing, Communities and Local Government (MHCLG) have detailed [National Planning Practice Guidance](#) that supports the NPPF and regulations. The key sections relevant to this SPD and the procedures of planning obligations are as follows:

- [Community Infrastructure Levy](#)
- [Determining a planning application](#)
- [Planning obligations](#)
- [Viability](#)

2.1.5 There are other national planning documents such as the national design guide however the focus of this SPD is on securing developer contributions and those documents do not directly affect this SPD.

2.2 Local Policy

2.2.1 The Melton Local Plan was adopted in October 2018 and is the Development Plan that this document provides further guidance to. It sets out the Council's policies for the use and development of land across the whole of the Borough. [Policy IN3 \(Infrastructure Contributions and Community Infrastructure Levy\)](#) is the primary basis for this SPD. This policy details how developers will be expected to help to deliver sustainable communities by contributing to infrastructure. Policy IN3 sets out a priority order which this SPD builds upon as follows;

I. Essential infrastructure necessary to ensure adequate provision of essential utilities, facilities, water management and safe access, as identified in the Infrastructure Delivery Plan or Neighbourhood Plan.

II. Essential infrastructure (including the Melton Mowbray Transport Strategy and its key component, the Melton Mowbray Distributor Road) as identified in the Infrastructure Delivery Plan or any made Neighbourhood Plan including contributions from residential development towards affordable housing to meet the requirement set out in Policy C4.

III. Desirable infrastructure as identified in the Infrastructure Delivery Plan or any made Neighbourhood Plan.

2.2.2 Additionally, the SPD supplements the following Local Plan policies;

[Policy SS4](#) South Melton Mowbray Sustainable Neighbourhood (Strategic Development Location)

[Policy SS5](#) Melton Mowbray North Sustainable Neighbourhood

[Policy IN1](#) Melton Mowbray Transport Strategy (MMTS)

[Policy IN2](#) Transport, Accessibility and Parking

[Policy C2](#) Housing Mix

[Policy C4](#) Affordable Housing Provision

[Policy C5](#) Affordable Housing through Rural Exception Sites

[Policy C8](#) Self-Build and Custom Build Housing

[Policy C9](#) Healthy Communities

[Policy EN3](#) The Melton Green Infrastructure Network

[Policy EN7](#) Open Space, Sport and Recreation

2.2.3 Infrastructure requirements evolve over time and since the Local Plan was adopted, for example, the requirement for a new secondary school in Melton Mowbray has emerged. The Council is preparing two masterplans for the North and South Sustainable Neighbourhoods, both of which will be viability assessed, in order to address this requirement.

2.2.4 Melton Borough is also part of the [Strategic Growth Plan \(SGP\) for Leicester and Leicestershire](#). The SGP was developed by a partnership of Leicester City, Leicestershire County Council, the seven local borough and district authorities and the Leicester and Leicestershire Local Enterprise Partnership. It puts forward proposals for future development, including housing provision that will be needed to support population change, meet housing needs and support economic growth to 2050. The document was formally approved in December 2018.

2.2.5 The SGP identifies Melton Mowbray as a key centre for regeneration and growth. It references the MMDR providing the catalyst for change, noting that it will remove congestion in the town centre and open up land for development to the north, east and south of the town.

2.2.6 [Melton Borough Council's Corporate Strategy 2020-2024](#) sets out the focus for the Council, established through six priorities. Priority 3 states specifically that the Council will support the delivery of sustainable and inclusive growth in Melton, reasserting the Council's support of the MMDR specifically. It also highlights aspirations to support the continued delivery of affordable housing, a second GP surgery in the town and establishing a sustainable future for the Council's leisure facilities.

2.2.7 Melton Borough Council are responsible for securing, collecting, transferring and administering contributions including;

- Affordable Housing
- Community and Sports Facilities;
- Open Space and Recreation;

- Primary healthcare
- Police
- Strategic Community & Leisure Facilities
- Local Infrastructure to be implemented by other bodies

2.3 Leicestershire County Council

2.3.1 Melton Borough Council works closely with Leicestershire County Council to support the delivery of appropriate infrastructure including but not limited to educational facilities, highways, and waste (recycling) facilities which are the responsibility of the County Council. Both the County Council and Melton Borough Council are key parties involved in Section 106 agreements, particularly when the agreement relates to the provision of County Council services and facilities. In some situations, it will be necessary for Leicestershire County Council to request developer contributions that recover the forward funding they have made towards infrastructure.

2.3.2 In July 2019 the County Council adopted a revised [Planning Obligations Policy](#). The document aims to provide guidance about the obligations which may be sought by the County Council. The Policy is a material planning consideration when determining planning applications and is a useful indicator of what may be requested by the County Council to support sustainable development. In order for the policy to reflect changing circumstances, infrastructure priorities, constructions costs and inflation, the County Council will update the policy when appropriate.

2.3.3 Leicestershire County Council are responsible for securing, collecting, and administering contributions such as;

- Adult Social Care and Public Health;
- Waste Management (civic amenity);
- Education;
- Economic Development;
- Highways and Transportation
- Sustainable travel incentives;
- Library Services;
- Sports & Recreation

2.3.4 This SPD will not set out the County Council's Planning Obligations Policy. Therefore, we advise applicants to refer to that document alongside this SPD.

2.3.5 Melton Borough Council will continue to work with the County Council to support significant infrastructure investment in Melton Mowbray related to government funding sources, and the specific requirements of accepting the Housing Infrastructure Fund from Homes England.

2.3.6 Melton Borough Council will work collaboratively with Leicestershire County Council when devising and negotiating section 106 agreements to ensure that infrastructure needs are met across all parts of the Borough.

2.4 Housing Mix and Affordable Housing Supplementary Planning Document

2.4.1 Affordable Housing can account for monetary and non-monetary planning obligations. [Policy C4](#) Affordable Housing Provision details Melton Borough Council's procedure for delivering affordable homes in the Borough. This policy is partnered with [Policy C2](#) detailing how the Council will seek to manage the delivery of a mix of house types and sizes.

2.4.2 To support the implementation of these policies, the Borough Council adopted a [Housing Mix and Affordable Housing Supplementary Planning Document](#) on 9th July 2019. The purpose of the SPD is to give further guidance to developers to assist them when developing new housing which provides an appropriate mix of good quality housing types, tenures and sizes.

2.4.3 This SPD will not set out specific details on housing mix and affordable housing obligations. Therefore, you should refer to the Housing Mix and Affordable Housing SPD alongside this SPD.

2.4.4 The SPD will be updated in time to reflect changes to any legislation or regulations to housing mix and affordable housing, for example, First Homes.

2.5 Open Spaces Strategy and Action Plan

2.5.1 The [Open Spaces Strategy](#), adopted in November 2020, is an evidence-based report produced to support [Policy EN7](#) of the Melton Local Plan and requires the provision of open space to meet identified deficiencies and to sustain quantity standards as the population grows. The document is focused solely on Melton Mowbray rather than the whole Borough.

2.5.2 The strategy also includes updated recommendations on the collection of developer contributions, noting that these provide a key funding source to meet the needs of the growing population expected from new developments. The strategy does state that developer contributions should not only apply to new open space provision, but also to secure resources to enhance current open spaces as an alternative in circumstances where it would be more effective.

2.5.3 This SPD will not repeat the Council's Open Space requirements. Therefore, applicants and stakeholders should refer to the [Open Spaces Strategy](#) alongside this SPD, specifically for Melton Mowbray developments.

2.6 Emerging Government Policy

2.6.1 The NPPF and the Planning practice guidance currently details how Biodiversity Net Gain (BNG) should be encouraged within developments. However, the draft of Environment Bill looks to create a legal framework for ensuring that developments in England secure a BNG of at least 10%. This will benefit the government environmental targets set in the 25-Year Environment plan. However, it may have a significant impact on viability of developments. The specific details of how BNG will work in practice are yet to be made in secondary legislation. Specifically, it is currently uncertain how off-

site contributions towards BNG will be made, however if this is to be through section 106 agreements then this SPD will be reviewed in order to reflect any new regulations.

3. The Council's Developer Contributions Procedure

3.1 General Approach

3.1.1 This section sets out guidance relating to how Melton Borough Council proposes to manage the developer contribution process - from making policy, considering applications for planning permission, making and amending S106 obligations as needed, and monitoring the delivery of planning obligations.

3.1.2 Once adopted, this Developer Contributions SPD will comprise the Council's approach to seeking developer contributions from qualifying new developments in the Borough.

3.2 Developer Contributions Requirement

3.2.1 Where appropriate the Local Plan [Policy IN3](#) states that developers will be required to provide the necessary infrastructure or contribute to its provision through Section 106 contributions and/or the Community Infrastructure Levy (CIL) should the Council introduce it.

3.2.2 For contributions secured within the body of developments, as integral parts of proposals, provision is ensured through the use of conditions. The conditions must pass the tests of being:

- necessary;
- relevant to planning and to the development to be permitted;
- enforceable;
- precise; and,
- reasonable in all other respects.

3.2.3 Conditions will relate to on-site infrastructure provided by the developer. However, for contributions towards off-site affordable housing or other infrastructure, contributions that are made financially, and in complex cases, a Section 106 agreement will normally be required.

3.2.4 Section 106 agreements must meet the three statutory tests that are set out in the [Community Infrastructure Levy Regulations 2010](#) and the [National Planning Policy Framework](#) (para.57). Planning obligations, including financial contributions, must be:

- necessary to make the development acceptable in planning terms,
- directly related to the development, and
- fairly and reasonably related in scale and kind to the development

3.2.5 As a result of the above Regulations, the Council is only permitted to secure contributions where a genuine need arising from the proposed development is generated.

3.2.6 Although the Council usually has requests from statutory consultees, the Council will assess all valid requests from organisations that can provide evidence that meet the CIL Regulations and the three statutory tests outlined in 3.2.4.

3.3 Priority Setting

3.3.1 Infrastructure contributions may sometimes not be affordable (see Section 3.5: Viability). Where sufficient developer contributions cannot be made to mitigate the impact of a development and the contributions are considered necessary in order to make the scheme acceptable in planning terms, the Council may refuse the application in line with the direction of Policy IN3, i.e, as a failure to satisfy the requirements of the development plan. In these cases viability will not be relevant.

3.3.2 Some developments may not be able to make contributions towards all of the infrastructure that is required but may remain desirable for other reasons. Where such viability constraints exist contributions may be prioritised as demonstrated in Table 1 below. The requirement to make contributions must also comply with the CIL Regulations. Therefore, as established within Policy IN3, it is important to set out the Council’s priorities.

3.3.3 Policy IN3 makes clear that additional dwellings or employment premises will be expected to help deliver sustainable communities through making developer contributions to local infrastructure in proportion to the scale of its impacts. This SPD develops the principles of the priority order set out in that policy and provides further clarity as set out below.

3.3.4 Without exception, all developments will be required to incorporate essential infrastructure necessary to ensure adequate provision of essential utilities, facilities, water management and safe access (Part I: Essential Infrastructure, Policy IN3) within their design proposals. These elements are required as part of the infrastructure of any development and do not depend upon s106 developer contributions to which the Council is party, and therefore do are not included within the approach to prioritisation.

3.3.5 The specific priorities within Policy IN3 relating to “Part II: Essential Infrastructure” and “Part III: Desirable Infrastructure” are set out in table 1 below:

Table 1. Explanation of Prioritisation of Infrastructure within Policy IN3

Policy IN3 Category	Priority Sub-Category	Required Contributions (where applicable)
Part II : Essential Infrastructure: (including the Melton Mowbray Transport Strategy and its key component, the Melton Mowbray Distributor Road) as identified in the Infrastructure Delivery Plan or any made Neighbourhood Plan including contributions from	Priority 1	<ul style="list-style-type: none"> Strategic Highways Infrastructure (MMTS and MMDR) Education (including early years, SEND, primary, secondary and post-16)
	Priority 2a	<ul style="list-style-type: none"> Affordable Housing Local Highways Infrastructure (such as traffic calming etc.)
	Priority 2b	<ul style="list-style-type: none"> Primary Care Open Spaces

residential development towards affordable housing to meet the requirement set out in Policy C4.		<ul style="list-style-type: none"> • Strategic Community & Leisure Facilities
	Priority 2c	<ul style="list-style-type: none"> • Police & Community Safety • Civic Amenities • Sustainable Travel – i.e. Public Transport, Travel Packs, Bus Passes, Travel Plans etc.)
Part III. Desirable infrastructure as identified in the Infrastructure Delivery Plan or any made Neighbourhood Plan.	Priority 3	<ul style="list-style-type: none"> • Libraries • Other Swimming Pools, Sports Halls and Playing pitches and other outdoor sport (other than when integral to site specific policy requirements such as SS4 and SS5) • Other Natural open space, informal open space (other than when integral to site specific requirements) • Local Community Infrastructure Priority Lists (See Appendices) • All other Leicestershire County Council planning obligations which may be requested ¹ • Monitoring (LCC & MBC)

3.3.6 Those items marked as Priority 1 (within Part 2: Essential Infrastructure) in the above table are regarded as essential to facilitate development and as such it is not envisaged that they can be compromised in any readily foreseeable circumstance (see Section 3.5 Viability). It should be noted that priority 1 infrastructure may not be relevant for all developments especially in rural areas. The prioritisation approach will be on a case-by-case basis as it would be dependent on the requested contributions submitted and the specific circumstance of the development proposed and the site's location and characteristics.

3.3.7 Occasionally development proposals come forward which are highly desirable in their content, but which cannot achieve all of the contributions required to mitigate their impact upon infrastructure and facilities. Where it is considered that the benefits of a proposal are sufficiently strong so as to justify a shortfall in the mitigation of its impacts, prioritisation has to take place. There may be a proportioning of the contributions

¹ Such as, Adult Social Care and Health, Public Health, Community Safety, Sport and Recreation facilities as specified in the Planning Obligations Policy - <https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2019/8/16/Planning-Obligations-Policy.pdf>

across priorities 2a, b and c with weighting in favour of 'a', then 'b', then 'c'. The proportioning may see the reduction of all priority 2 requests by a certain percentage to ensure the development remains viable. However the method would be specific to the individual application. Those items marked as Priority 3 (Policy IN 3 Part III: Desirable Infrastructure) will only be relevant, in these unusual circumstances, where Priorities 1-2 have been satisfied.

3.3.7 Not all the contributions from Table 1 (including priority 1) will be requested on every planning application. Each request will be assessed for CIL compliance on a case-by-case basis reflective of its circumstances. For example, developments within villages will not usually be required to contribute towards the MMDR.

3.3.8 Discussions regarding contributions and their prioritisation will take place as early as possible in the planning process, including at the pre-application stage, and where relevant will involve infrastructure providers such as Leicestershire County Council in its role as Highways Authority and its duty to ensure appropriate school places and other educational provision. Once any negotiations have occurred and an agreement has been reached, the discussions regarding the detailed terms of the S016 including the trigger points will ensue. With regard to financial contributions for education, the use of an appropriate per dwelling "roof tariff" is envisaged for some areas in the Borough (see 4.1).

3.4 Pre-Application Stage

3.4.1 As set out in the Council's adopted [Statement of Community Involvement](#) (SCI, November 2019), potential applicants are encouraged to discuss applications with the Council at an early stage and certainly prior to submission.

3.4.2 At the pre-application stage discussions will take place between those submitting proposals for development and planning officers in order to ascertain the potential impacts on infrastructure and the range of potential developer contributions which may be necessary in order to make the development acceptable. Officers of the Council will decide, based on the nature of the proposal, whether specific infrastructure providers should be invited to provide input and advice at the pre-application stage.

3.4.3 The Council also encourages potential applicants for all major residential, employment and mixed-use schemes to carry out pre-application consultation and, as part of this, to contact local organisations to identify local infrastructure needs. We recommend that applicants, agents and developers contact the Council to assist with parish and stakeholder contacts.

3.4.4 Where an application site lies immediately adjacent to or partially within a neighbouring Local Authority area, the Council will seek to co-ordinate proportionate responses in relation to planning obligations as far as possible.

3.4.5 In addition to the borough-wide infrastructure priority list (Table 1), the local infrastructure lists (Appendices A to T) contained within this SPD should be acknowledged at the pre-application stage. These lists will illustrate what infrastructure

requests are likely to arise in the various locations in the Borough and have been formed by the Ward Councillors and Parish Councils in those areas.

3.5 Viability

3.5.1 Following the consultation of the planning application, the Planning officer will assess each request for compliance with the CIL regulations tests (1.2.7). They will then collate the requests and forward them to the developer/applicant for their consideration.

3.5.2 If an applicant considers that the requirement for making a developer contributions for the provision of infrastructure will impact negatively upon the viability of the development proposal, then as stated within the [NPPF](#) (para 58);

“it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage”

3.5.3 Applicants who consider their proposal will be unviable with the required planning contributions must be able to support their case with detailed evidence of development viability in the form of a financial viability assessment. The National Planning Practice Guidance (NPPG) details the standard inputs for a viability assessment (see [para 10-19](#)). The viability assessment will be scrutinised by external experts appointed by the Council. The Council will expect the developer to fund the reasonable costs incurred through the employment of its external experts.

3.5.4 Where a viability assessment is submitted to accompany a planning application, the NPPG ([para 8](#)) clearly states that this should be based upon and refer back to the viability assessment that informed the Local Plan, and the applicant needs to provide evidence of what has changed since then. Therefore, if there are any site-specific factors that mean the viability of a particular site differs significantly from that modelled in the whole plan viability testing, applicants can submit a viability appraisal setting out the reasons that require a site specific viability assessment.

3.5.5 To maintain the transparency and accountability of its decisions, the Council will publish all viability assessments submitted as part of planning applications alongside other planning documents on its website and will do likewise with its independent scrutiny. If the applicant considers that there are circumstances for a withdrawal of any information within the viability assessment from a public disclosure, they have to make their case within the terms of GDPR to allow for suitable redaction of the published documents etc. Where an exemption from publication is sought, the Council must be satisfied that the information to be excluded is commercially sensitive. Any sensitive personal information will not be made public as part of the viability assessments.

3.5.6 As stated in both the NPPF and NPPG the weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case (para 58). Therefore, the Council will assess the merits and circumstances of an application alongside the viability assessment on a case-by-case basis to enable a fair and proportionate decision (see also para 3.3.4 above). All viability information will be published where permissible as outlined in 3.5.3.

3.5.7 It is recognised that for schemes with specific site abnormalities the impact of the required level of developer contributions may compromise development viability. In such instances, the Borough Council may enter into negotiations with developers to consider whether there is a justifiable case for a reduction in the scale of contributions based on the benefit(s) of development. The process for this is set out below in section 3.6 below.

3.6 Negotiations

3.6.1 Negotiations about the level of specific developer contributions may be necessary depending on the individual circumstances of the development. In addition, negotiations in regard to the trigger points (see section 3.7) of the developer contributions should occur simultaneously.

3.6.2 Negotiations will be led by Borough Council officers, and where appropriate will involve consultation with other partner organisations relating to their infrastructure responsibilities. The County Council will always be invited to discussions where viability has the potential to lead to reduced funding for request made by them.. To manage timescales of negotiations, Table 1 should be used as a basis.

3.6.3 Whilst the guidance provided in this Developer Contributions SPD aims to be as clear as possible, developers will benefit from seeking early guidance with planning officers to understand the developer contributions requirements prior to submitting planning applications.

3.6.4 Once an agreement is reached the draft will be drawn up by the legal teams that will then be signed by the developer / landowner, Melton Borough Council and (where County Council infrastructure forms part of the agreement) Leicestershire County Council. Only when a suitable Section 106 agreement has been signed by all parties will a planning decision notice be produced (where required).

3.6.5 If circumstances arise that the developer or landowner wishes to vary a signed Section 106 agreement, a deed of variation will be required. Planning obligations may not be modified or discharged unless agreement has been reached with the local planning authority. An agreement to modify or discharge a planning obligation can be made at any time (and can only be entered into by deed, by virtue of s106A(2) of the 1990 Act). The Borough Council will, where appropriate, consult with partner organisations prior to agreeing to vary any Section 106 agreement due to the impacts that varying the agreement could have on infrastructure provision to support sustainable communities and the Council's strategic priorities.

3.7 Trigger Points and Phased Contributions

3.7.1 'Trigger points' are stages within a development at which payment of a contribution or provision of infrastructure becomes necessary; examples include: 'prior to commencement of development', 'prior to the occupation of the **th dwelling', 'on the transfer of'. During the negotiation process outlined above, trigger points for each planning obligation will be discussed between the developer, the Council, County

Council and infrastructure providers which will be included within the Section 106 agreement.

3.7.2 In most cases, the Council, County Council, and the developer will be able to agree an appropriate approach, but an independent viability assessment may be needed if the scale of the obligations or the impact of the proposed phasing of the contributions required by the Council is considered to threaten the deliverability of the proposals. The independent viability assessment will be funded by the developer and be made publicly available unless there is GDPR issues (see 3.5.3).

3.7.3 Infrastructure providers should suggest trigger points when submitting their requests for contributions which will aid the Council when drafting the section 106 agreement. Trigger Points should be both clear and reasonable, with the aim of securing the full delivery of both the development and the necessary infrastructure when and where it is needed to mitigate any harmful impacts that would otherwise arise. The Council will also aim to ensure trigger points are viable to the specific stage in the delivery of the development.

3.7.4 The Council will consider the use of different or multiple trigger points, such as occupation levels, to help enable development to proceed, whilst securing the timely provision of the necessary obligations.

3.7.5 A worked example of this is below;

The total contribution is £33,064, the trigger points split this over 4 payments:

- 25% of the contribution prior to occupation of 1st dwelling = £8,266.00
- 25% of the contribution prior to occupation of 100th dwelling = £8,266.00
- 25% of the contribution prior to occupation of 200th dwelling = £8,266.00
- 25% of the contribution prior to occupation of 300th dwelling = £8,266.00

3.7.6 The Council and County Council will require developers to serve a notice upon them in writing, to their respective Council officer, within 10 working days of the trigger point being reached.

3.8 Fees

3.8.1 The Council's and County Council's reasonable costs for preparing legal agreements will be borne by the applicant. These costs will be based on an hourly rate and will depend upon the complexity of the agreement and the length of time taken to settle the draft and proceed to completion. The Council will therefore require the applicant to provide a 'cost undertaking' to pay for the Council's reasonable and proper fees, even in the event that the agreement is not completed.

3.8.2 Standard Unilateral Undertakings and Deeds of Variation will be subject to an administration charge covering the Council's reasonable and proper legal costs and if necessary, the transfer of money to third parties.

3.9 Indexation

3.9.1 Financial contributions are based upon the costs of infrastructure. Financial contributions will therefore be indexed (i.e. index-linked to inflation) to ensure that they retain their original 'real value'. The base date (date agreement was signed), the final date (latest month preceding the date of payment) and appropriate index to be applied will be set out in the legal agreement.

3.9.2 In accordance with the CIL Regulations, financial contributions will normally be linked to the national All in Tender Price Index of Construction Costs published and reviewed regularly by the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors. This will reflect the inflation costs between the completion of a Section 106 agreement and the relevant payment date. In the event that the BCIS index ceases to be published, a reasonable equivalent index will be specified by the Council in the section 106 agreement.

3.10 Monitoring

3.10.1 Whether a contribution requires a developer to undertake some works on site or make a financial contribution to off-site infrastructure, it is important that there is confidence that the contribution is delivered. Therefore, Melton Borough Council will continue to monitor trigger points, the receipt of contributions and the expenditure of contributions received through Melton Borough Council. In parallel to this the County Council will monitor and invoice for the contributions under their ownership.

3.10.2 The Borough Council will monitor development sites twice a year, once in late March to coincide with the housing trajectory monitoring, and again in October of that year. This will allow the Council to keep track of the development trigger points throughout the year. If the Council has not received notice from the developer upon monitoring the site, an email will be sent from section106@melton.gov.uk asking to confirm the trigger point has been met.

3.10.3 The amended CIL Regulations introduced from 1st September 2019 require that from December 2020 each Local Authority publishes information on developer contributions received and spent by the Borough Council in a given year. This takes the form of an annual Infrastructure Funding Statement. This method of reporting will ensure transparency and accountability when implementing infrastructure in the Borough. The council will publish the Infrastructure Funding Statement at the end of each on their website.

3.10.4 In addition to this, local planning authorities are required to keep a copy of any Section 106 agreement along with details of any modification or deed of variation and make these publicly available on their planning register, which can be found here; <https://pa.melton.gov.uk/online-applications/>

3.10.5 Due to the level of monitoring detailed above and the amendment to the CIL regulations, the Borough Council will seek a monitoring fee which is fairly and

reasonably related to the specific contributions signed within the S106. Further details can be found at 4.6.

4. Detailed & Specific Guidance

4.0.1 This section gives specific advice relating to various types of infrastructure commonly required by Melton Borough Council to support new development. In addition, it also includes detailed and specific guidance relating to the infrastructure requested by partners that Melton Borough Council are responsible for collecting on their behalf (such as the Police, and the NHS).

4.0.2 The contributions that Leicestershire County Council request are specific to their services and we recommend that applicant/developer should contact the County Council directly to discuss any potential requests from them and view their [Planning Obligations Policy](#). However, the County Council has agreed a strategy for education contributions in Melton Mowbray and selected ward within the Borough. Detail regarding this can be found in 4.1

4.0.3 As stated previously, this document does not cover every circumstance and / or planning obligation that may be needed to make a new development acceptable in planning terms. In all cases the Council will ensure that the infrastructure sought complies with the three statutory tests as contained within CIL Regulations.

4.1 Education (including early years, SEND, primary, secondary and post-16)

4.1.1 In Melton Mowbray and selected wards in the Borough, as shown in figure ** The County Council have implemented a roof tariff per dwelling for the provision of education. Wards within the Town (shown in orange) are subject to a different roof tariff per residential unit to those Wards outside of the Town which are shown in blue. These are directly related to the catchment areas of primary and secondary schools, which differ from one another.

4.1.2 Where land is transferred to the education authority for the educational purposes, discounts to the tariffs will be given to reflect the value of the land.

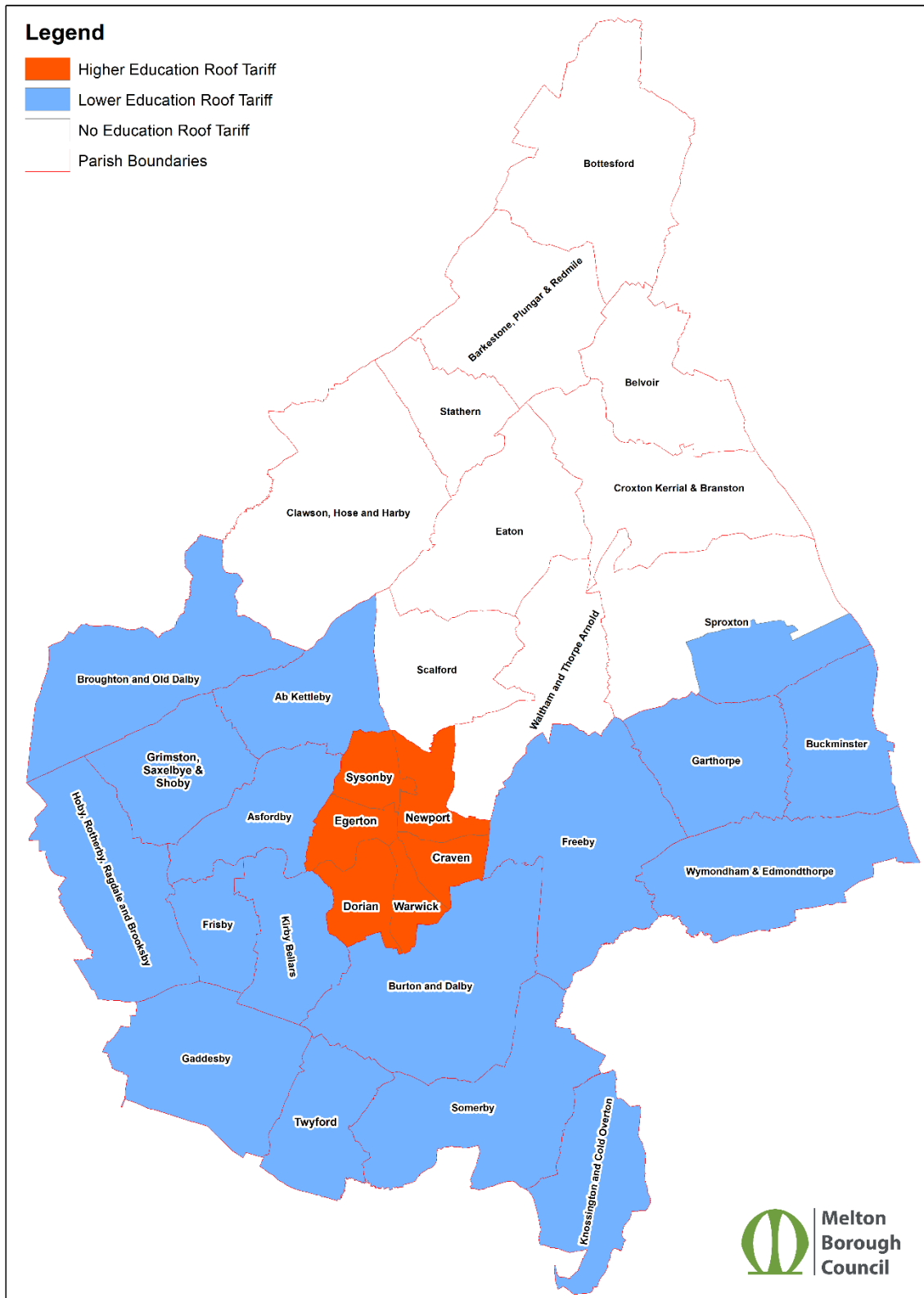


Figure ** Map illustrating the differing education roof tariffs within the Borough

4.2 Affordable Housing

4.2.1 We recommend that when dealing with affordable housing and the mix of housing within a development reference should be made to the Council's adopted [Housing Mix and Affordable Housing SPD](#).

4.2.2 However, the main broad principles laid out within the Housing Mix and Affordable Housing SPD are as follows;

Housing Mix

- Residential proposals for developments for 10 or more dwellings should seek to provide an appropriate mix and size of dwellings
- The optimum housing size mix for both market and affordable housing is set out in Table 8 of the Local Plan
- We also seek to manage a mix of types of housing, and so residential developments which include bungalows, will be particularly supported

Affordable Housing

- Affordable housing is required within housing developments on all sites of 11 or more units and/or where the floor space exceeds 1000m²
- Primarily on site provision
- A tenure target of 80% affordable housing for rent and 20% affordable home ownership eg. Discounted Market Sale; Starter Homes; Rent to Buy or Shared Ownership taken across the lifetime of the Local Plan for the whole Borough
- Essential that applicants clearly demonstrate early in the pre-application process, how affordable housing will be integrated into a scheme. Developers should engage in early discussions with the Council's Planning Officers and Housing Policy Officer before a planning application is submitted.
- Occupancy conditions will apply to affordable housing in the rural areas of the Borough and each scheme in a rural area will have individual local connection criteria
- Affordable housing must be built to a high standard of design which, on mixed tenure sites, is indistinguishable to the open market housing

4.3 Open Space & Recreation Areas

4.3.1 The provision of open space across the Borough whether provided on-site or off-site is crucial to support the needs of the Melton's future population and enhance the environment. The NPPF policies are relevant to the provision of open space, notably Parts 8 "Promoting Healthy and Safe Communities" and 15 "Conserving and Enhancing the Natural Environment".

4.3.2 In some instances the most effective means of meeting the need generated by a development will be through providing an area of open space or recreation, on-site within a development scheme. Equally, in some instances the most effective means of meeting the need generated will be by the provision or improvement of existing open space facilities within the surrounding area.

4.3.3 Where a development does not provide any open space on-site, a financial contribution will be sought towards off-site provision. Equally, where a development

does provide open space on-site, subject to the nature and value of this provision, it may be that a proportionate financial contribution towards off-site provision will be required in addition. These financial contributions will be secured via developer contributions at an appropriate scale for the development. All measured on a case-by-case basis.

4.3.4 In the first instance Melton Borough Council expects developers to meet the open space standards set out in [Policy EN7](#) of the Melton Local Plan. Alternatively at early discussions with the planning officer and ward members there may an option to provide a financial contribution towards the enhancement of current open spaces within the local community. This may better suit the development and the needs of the community. The local infrastructure priority lists should be considered when looking at the provision of open spaces in rural areas, as these may be a priority of the Parish Council and Ward member (see 4.8).

4.3.5 Understandably the need for open space and recreational areas vary significantly across the Borough, especially as Melton is very rural in nature. When Each Parish and Village has a unique mix of spaces. Therefore, each application will be assessed on a case-by-case basis as to what the most appropriate type of open space or recreation area is. This may need the collaboration of the Parish Council and/or Ward Member when discussing the planning application. These discussions should occur early on in the application process.

4.3.6 In addition to open spaces, playing pitches provide an opportunity for the Borough's residents to take part in sport activities. The demand for playing pitches will increase relative to the growth. Once reviewed in 2022 the Playing Pitch Strategy and the Sport England playing pitch demand calculator can be used to assess the demand for playing pitches within the Borough. This may result in contributions been requested to accommodate the demand. This will be especially relevant for development on or impacting a playing field and mitigation for the loss of that playing field.

Melton Mowbray Open Spaces

4.3.6 The town setting provides an interesting set of challenges; open space becomes more necessary due to the size and density of Melton Mowbray in comparison to the rural villages. [The Open Spaces Strategy & Action Plan](#) adopted in November 2020 supports [Policy EN7](#) of the Melton Local Plan and requires the provision of open space to meet identified deficiencies and to sustain quantity standards as the population grows. The document is focused solely on Melton Mowbray. Page 58 onwards of the Strategy details the capital and revenue contributions that will be sought for Open Spaces.

4.4 Primary Healthcare

4.4.1 The long-term growth of the Borough set out within the Melton Local Plan will inevitably increase patient numbers across all of the Borough's General Practices. The distribution of this increase is challenging to predict. Therefore, Melton Borough Council will continue to work collaboratively with both the Leicester, Leicestershire and Rutland CCG (and any Integrated Care Systems created to replace these bodies) to support the use of developer contributions to implement primary healthcare infrastructure. This may include the expansion of GP practices, creation of new GP practices, investment in new equipment etc. Strategically, Melton Borough Council seeks to provide a new GP surgery for the town, and we are working actively with the CCG to investigate shared provision of this alongside leisure facilities.

4.4.2 Looking to the Borough-wide infrastructure priorities in Table 1, primary care provision is a priority of the Councils. To provide clarity to this process the Council has produced a map illustrating how requests for contributions will be formulated (see figure 1). Figure 1 has been produced in consultation with both CCG's.

4.4.3 If the development occurs within the northern half of the Borough requests will be made by Lincolnshire CCG, if the development is in the southern half, the request will be made by Leicester, Leicestershire and Rutland CCG. When a development occurs near the boundary shown in figure 1 it has been agreed that both CCG's will be consulted, and they will make a collective decision as to where the need is greater.

4.4.4 Both CCG's have a formulaic method to creating developer contributions requests based on the number and type of housing units within a development which relates back to the demand upon facilities that they generate. The formulas allow for standardisation to occur across all developments within the CCG's area. These formulas will be used on a case-by-case basis when requesting the contributions, and then assessed against the CIL regulation tests as outlined in 1.2.7

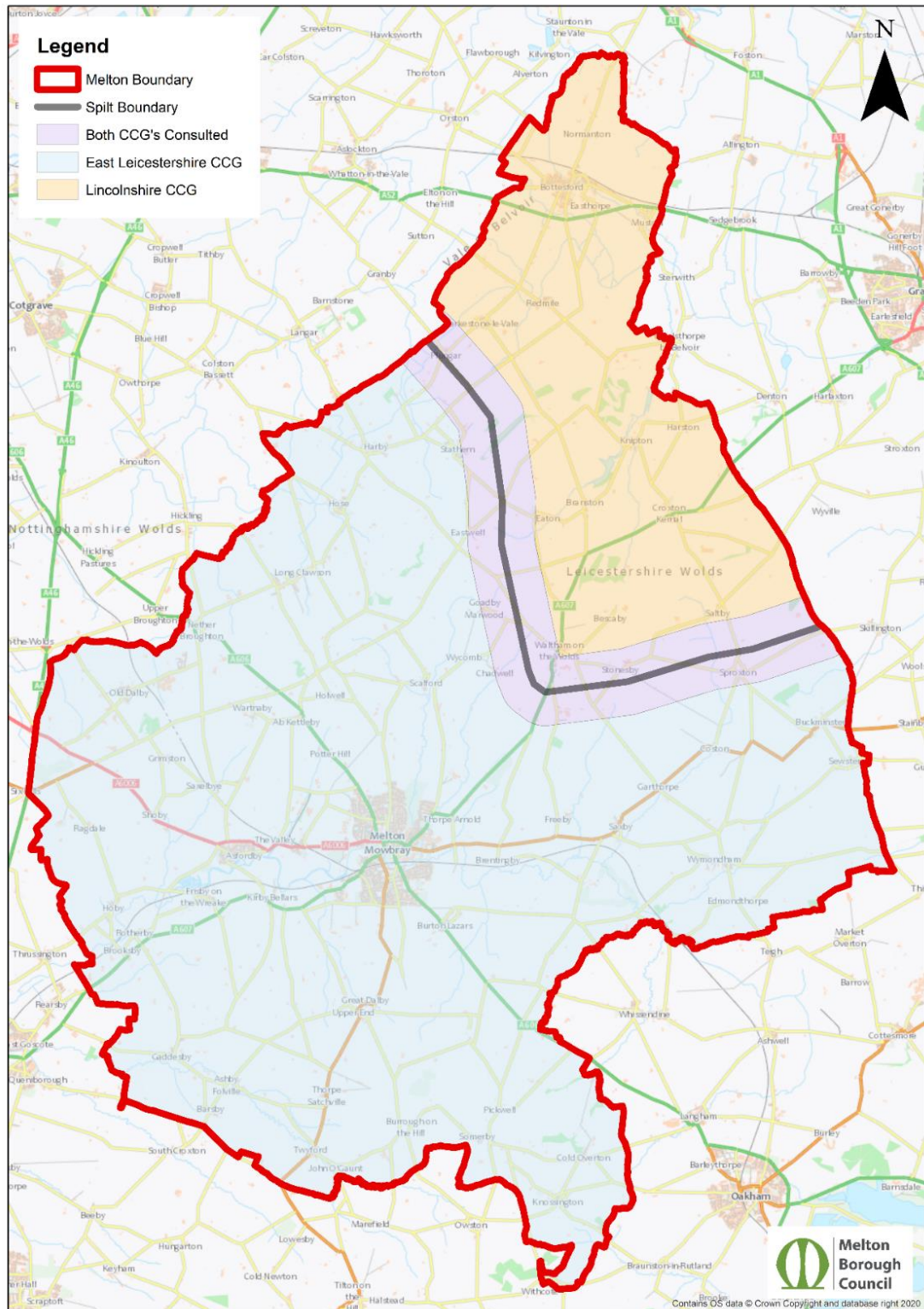


Figure 1. Map showing CCG's consultation process

4.5 Police

4.5.1 Creating a safe environment is a primary goal of any new development. Paragraph 92(b) of NPPF 2021 specifically provides that

“Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...”

Hence the inclusion of a police contribution to Leicestershire Police in Priority 2c.

4.5.2 Policing is a 24/7 service, resourced to respond and deploy on an "on demand" and "equal access" basis and is wholly dependent on a range of facilities for staff to deliver this. A primary issue for Leicestershire Police is to ensure that new large-scale developments make adequate provision for the future policing needs that will be generated.

4.5.3 At present Melton Mowbray has a divisional headquarters where much of the policing activity for the Borough is based. However, where additional development is proposed Leicestershire Police may seek to deploy additional staffing and additional infrastructure to ensure quality community-based policing. Without additional support, unacceptable pressure will be put on existing staff and capital infrastructure. The ability of the police to maintain the current level of service could be undermined.

4.5.4 Therefore the Borough Council will work with Leicestershire Police by consulting them on large-scale applications, firstly to gain their perspective relating to the design of the development, and secondly to understand whether the associated growth would generate a need for additional policing infrastructure. Leicestershire Police will assess each application on an individual basis, by looking at the current level and location of available infrastructure and then assessing the demand associated with that development. A request for developer contributions along with evidence of the demand may then be submitted to go towards the additional capital infrastructure needed to maintain a sustainable level of policing within the Borough. The requests will then be assessed against the CIL regulation tests as outlined in 1.2.7.

4.6 Strategic Community & Leisure Facilities

4.6.1 The Council is committed to providing new community and leisure facilities to support the health and wellbeing of current and future residents. This is reflected in the [Council's Corporate Strategy](#) priority 3, which seeks to establish an affordable and sustainable future for leisure facilities, which will involve developing proposals for the best use of the Melton Sports Village, and future leisure provision in the Borough.

4.6.2 In order to support policies [EN7](#) and [C9](#), the council will work to create new facilities or enhance existing facilities in order for them to meet the increase in demand from the projected growth. Once updated and reviewed evidence from the latest

Sports Facilities Strategy will be used to understand where demand is for new facilities and improvements to the existing facilities.

4.6.3 New development that generates a need for sport and recreation facilities that cannot be met by existing provision will be expected to contribute towards the provision of new facilities or the improvement/expansion of existing facilities. The Borough Council will request financial contributions towards key projects that they have assessed as being the most appropriate for the area. The contributions will be calculated on a case-by-case basis, using generated need data and building costs for the provision of new facilities or enhancement of existing facilities. Work is underway to bring forward various projects to support these aims.

4.6.4 Projects that the Borough Council will seek funding for include:

- Enhancement of health and leisure facilities
- Enhancement of Melton Country Park and other open spaces for outdoor leisure facilities
- Community centres/facilities for voluntary sector operation and activities
- Protection and enhancement of heritage and tourism

This list is not exhaustive, and the Council will seek to support its Corporate Priorities

4.7 Melton Borough Council Monitoring Fees

4.7.1 As shown in 3.10, the Council monitors all of its own developer contributions (as well as those of non-signatories) and will work with developers to ensure that financial contributions and non-financial obligations are delivered on-time. Once an agreement has been signed, administrative costs are incurred on tasks such as ensuring on-site measures are provided, financial contributions are received, and contributions are spent in accordance with the terms of the obligation. This requires compliance checks, monitoring, project management and implementation by the Council.

4.7.2 Therefore, the Council considers that a reasonable and fair monitoring fee be applied to all legal agreements that incorporate monetary or non-monetary planning obligations to be paid to the Borough Council and non-signatory organisations. This will be based on the estimated time and resources need to properly monitor and administer the contributions within each individual s106 agreement, and will be calculated on a case-by-case basis recognising their diverse nature. The trigger point is intended to be 'prior to the commencement of the development' particularly as monitoring occurs from the date that the Section 106 agreement is signed.

4.7.3 The cost may be higher if the contributions require the Council to communicate with third parties adding to the administrative process required for transferring funds and monitoring implementation.

4.7.4 The Council will use the [Community Infrastructure Levy \(Amendment\) \(England\) \(No. 2\) Regulations 2019](#) Part 10A to inform the costs of the monitoring contribution.

4.8 Local Infrastructure

4.8.1 Contained within Priority 3 of Table 1 are the local infrastructure priority lists. These lists represent the outcome of collaborative engagement between Borough Council Ward Members, Parish Councils and Officers (where appropriate). Through a series of engagements, a short list of infrastructure priorities have been devised to focus the efforts of planning officers when negotiating developer contributions.

4.8.2 The lists which can be found in the appendices of this document (Appendix A to T) provide a brief overview of the parishes and wards, then specific infrastructure priorities for that parish/area as advised by Ward Members and/or Parish Councils.

4.8.3 These lists should be used by developers to enable them to understand what developer contributions requests may be submitted from the local area. Although these lists form part of this document, items will still need to be requested on a case-by-case basis in response to the submission of planning applications. These requests are required to be supported by evidence illustrating they are CIL compliant, transparent and not seek to address existing deficiencies

4.8.4 Infrastructure that is included within the lists includes, but is not limited to: local play areas, village hall improvements, footpath enhancements, open space enhancements, bus shelters etc.

4.8.5 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.

Appendices

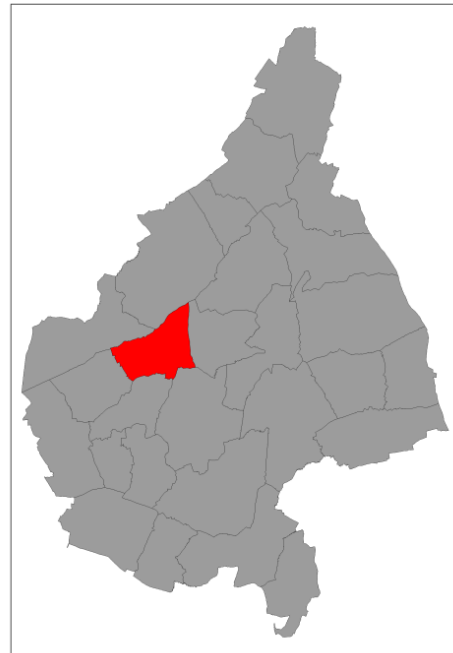
Appendix A – Ab Kettleby Parish

Councillor J Orson

Parish villages comprise Ab Kettleby, Holwell and Wartnaby together with the linear settlement at Potter Hill. The Parish has an estimated total population of 529, dispersed across 1,269 hectares, making it a low-density rural parish.

Ab Kettleby is the largest settlement, having a church, primary school and public house, and has seen a significant number of new build developments since the 1980's.

In November 2019, the [Ab Kettleby Parish Neighbourhood Plan](#) was adopted. It sets out the development policies for the Parish.



Dwellings in parish (2018) – 252 Dwellings

Infrastructure Priorities

1. **Pedestrian refuge** – to ensure that residents are able to use the services within the Parish a refuge near the junction of Wartnaby Road with the A606 to the Sugar Loaf public house would be preferable.
2. **Community Facilities** – Assistance with replacement of community facilities lost as result of current pandemic.
3. **Open Space Enhancements** – Work to renovate and make safe the Village pond and its fencing and re-establish the associated entrance and surface to Well Lane which is currently blocked by vegetation.

Appendix B – Asfordby Parish

Councillor R De Burle & Councillor S Carter

Asfordby Parish contains four communities; Asfordby (in this document referred to as Asfordby Village), Asfordby Valley, Asfordby Hill and Welby Village, all are situated to the north of the River Wreake. Most of the population live in Asfordby Village which has a good range of services and facilities. Asfordby Valley is a small community of about 50 houses to the east of the main village. Asfordby Hill lies on the eastern edge of the parish to the south of the ancient village of Welby.

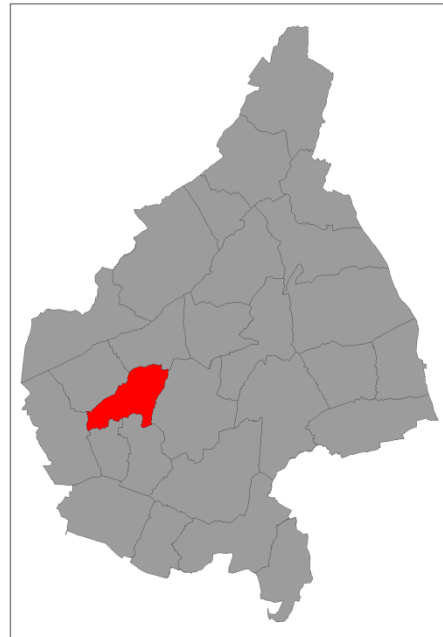
Asfordby is a mainly rural parish and although urban and industrial influences are rarely far away, there remain substantial areas of open, mainly arable, farmland.

Due to the extent of development within the Parish; over recent years, improvements and enhancements of services, facilities and amenities are needed to support the increasing growth in population.

Dwellings in parish (2018) – 1591 Dwellings

Infrastructure Priorities

- 1. Village Hall Improvements** – an extension to the Asfordby Village Hall to provide a cloakroom, toilet facilities and administration to serve present and future population of the Parish.
- 2. Footpath Improvements** – re-Instatement and refurbishment of recreational footpaths around the Asfordby Village providing health benefits to the population.
- 3. Play Area Improvements** – re-furbish and enhancement of the Asfordby Valley Children’s Play Area & Asfordby Hills play area as a secondary.
- 4. Community Building** – a new community building in Asfordby Hill, which could be used by the local Guides / Brownies / Scouts.



Appendix C – Bottesford Parish

Cllr D Pritchett & Cllr P Chandler

Bottesford Parish is located in the northern tip of the Borough of Melton Mowbray. In addition to the village of Bottesford, the Parish includes the village of Muston, and the hamlets of Normanton to the north and Easthorpe.

Bottesford as a service centre has an array of community facilities and services including a high school, primary school, shops and restaurants.

Public transport facilities consist of a railway station with services to Nottingham and beyond or to Grantham and beyond. Buses run to Grantham and Melton.

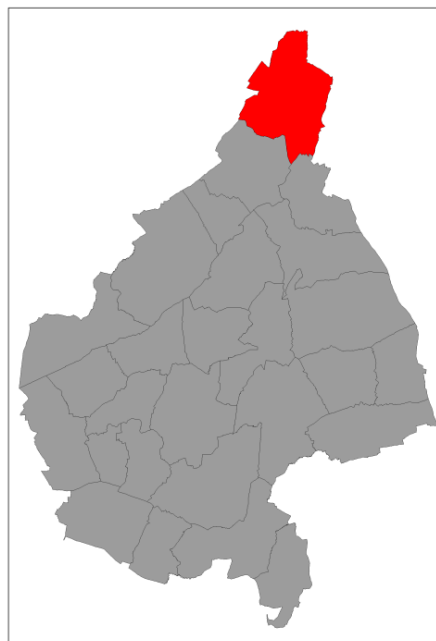
Due to the size and scale of the Village it has been deemed appropriate for the infrastructure list to be extended to seven items.

Bottesford is currently in the process of creating its [Neighbourhood Plan](#) and is at the referendum stage.

Dwellings in parish (2018) – 1662 Dwellings

Infrastructure Priorities

1. **3G Multi-use playing pitch** – in order to support Bottesford Football Club to expand its offerings to meet the needs of the local community, a new playing pitch will bring health and wellbeing benefits to all age groups.
2. **Traffic Calming** – the centre of the Bottesford can be very congested and unsafe at times, therefore traffic calming measures will help reduce the increased issue as the population grows.
3. **Muston & Easthorpe Connection** – the creation of a bridge or tunnel connecting Easthorpe Lane and Muston Lane across the A52 to link Muston and the remainder of the Parish, it is mostly likely this delivered by Sustrans.
4. **Extension of Car Park** – the MBC car park located in the centre of Bottesford is needed to expand on pro rata basis to match the increase in population; this will make the amenities located in Bottesford more accessible.
5. **Enhancements of Bottesford Cricket Club** - in order to meet the demand generated by the growth of Bottesford and the surrounding areas, enhancements to the facilities at the cricket club.
6. **New Play Area** – in order to support families within the area a new play area to the east of Bottesford Village Hall playing field is needed.
7. **Allotment Enhancements** – the Grantham Road Allotments need various enhancements to support the additional demand generated by the growth.



Appendix D – Broughton & Old Dalby Parish Councillor J Orson

The Parish of Broughton and Old Dalby lies on the northern edge of the Leicestershire Wolds. Set in the rural countryside it has a population of c.1,500. Old Dalby has been classified as a service centre along with Nether Broughton and Queensway as rural settlements. The parish incorporates some key employment areas for the whole Borough, including a railway test track as a unique feature. In addition, the parish has substantial arable and pasture land.

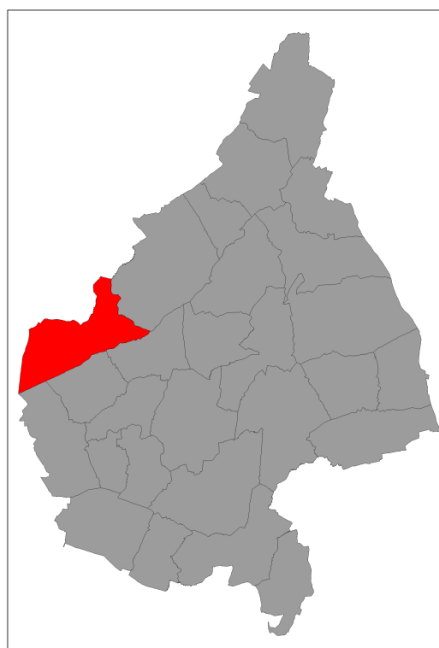
Old Dalby & Nether Broughton provide various community services including a primary school, pre-school, Churches and public houses etc. once the parish population has grown due to the below development demand for these services will increase.

In 2018 the parish adopted the [Broughton and Old Dalby Parish Neighbourhood Plan](#) which sets out the development policies for the area.

Dwellings in parish (2018) – 609 dwellings

Infrastructure Priorities

- 1. Bus shelter Improvements** – the bus shelters around the parish have significantly aged and are in need of replacement.
- 2. Improvements of Village Halls** – major refurbishment projects at both Old Dalby and Nether Broughton Village Halls, changes required on health and safety grounds, provision of IT facilities.
- 3. Play Parks / Playing Fields** – New play equipment and benches needed at parks and playing fields in Old Dalby.

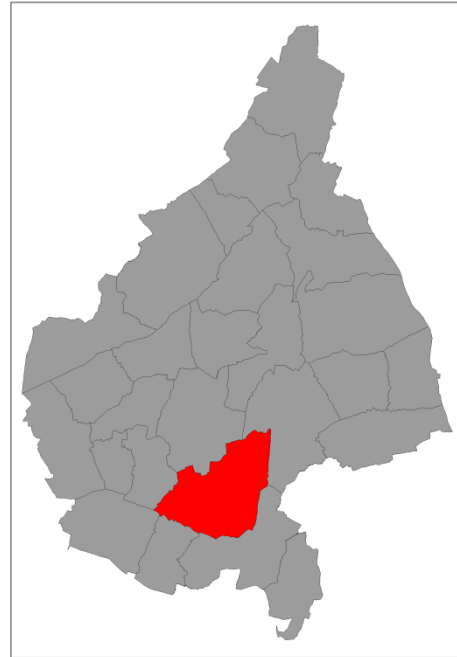


Appendix E – Burton & Dalby Parish

Councillor Robert Child

This Parish consists of Burton Lazars, Great Dalby and Little Dalby. The area is typically rural with limited opportunities for small local employment, other than the farming community. Being a very rural Parish means the inclusion of a small number of green spaces within the conservation area. Moderate growth of this Parish is anticipated.

Dwellings in parish (2018) – 434 Dwellings



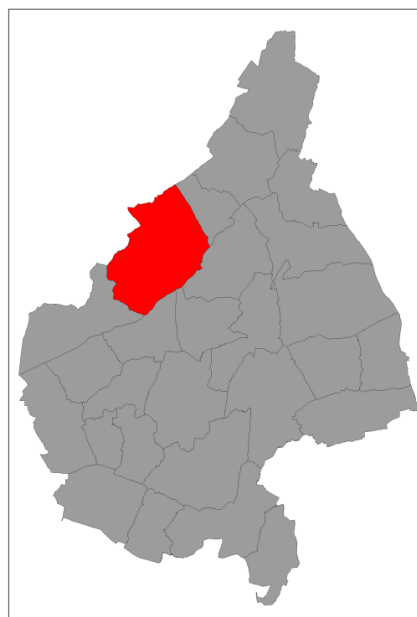
Infrastructure Priorities

1. **Public Transport Provision** – in the form of an efficient bus services that meets the needs of the local community.
2. **Improvement of Great Dalby Village Hall**– improve local recreation and leisure facilities encouraging healthy lifestyles and a more inclusive community.
3. **Bus Shelters** – make sustainable travel a more attractive option for new residents.

Appendix F – Clawson, Hose & Harby Parish Cllr Mel Steadman & Cllr Christopher Evans

Long Clawson, Hose and Harby is a rural Parish comprising mostly of farmland with three separate villages nestling in highly attractive, tranquil open countryside. It lies towards the south-western end of the Vale of Belvoir. Remote from urban areas and main roads, the villages are to the north-west of the Leicestershire Wolds escarpment where they can be viewed in their historical, agricultural context.

The landscape has been settled and farmed for more than 2000 years; the remnants of which are still visible in the landscape today. Due to the nature of the three villages we have separated priorities into 3 sections and provided priorities for each village.



The Parish adopted its [Neighbourhood Plan](#) in June 2018, setting out the development policies for the Parish and 3 villages.

Dwellings in parish (2018) – 1141 Dwellings

Long Clawson Village Priorities

- 1. Flood Prevention Schemes** – reduce the likelihood of future flooding at the Sands and at Claxton Rise.
- 2. Ambulance Bay** – layby outside Long Clawson Medical practice to allow parking for ambulances and for setting down and picking up of mobility impaired visitors to the surgery.
- 3. Long Clawson Village Hall Improvements** – car park surfacing at Long Clawson Village Hall to enhance community facilities.

Hose Village Priorities

- 1. Play Area** – replacement of equipment in The Park.
- 2. Bus Shelter & Improvements** – installation of new bus shelter on the village side of Harby Lane at the Dairy Lane stop where the school bus stops.
- 3. Hose Village Hall Improvements** – due to expected increased use of the village hall;
 - a. Improvements of the toilet and changing facilities are needed.
 - b. An outdoor table tennis table on village hall land.
 - c. Proposed patio to the rear of the village hall.
 - d. Road crossing to the village hall.

Harby Village Priorities

- 1. New Village Hall** – a contribution towards the purchase of land for a new village hall /building of a new village hall.

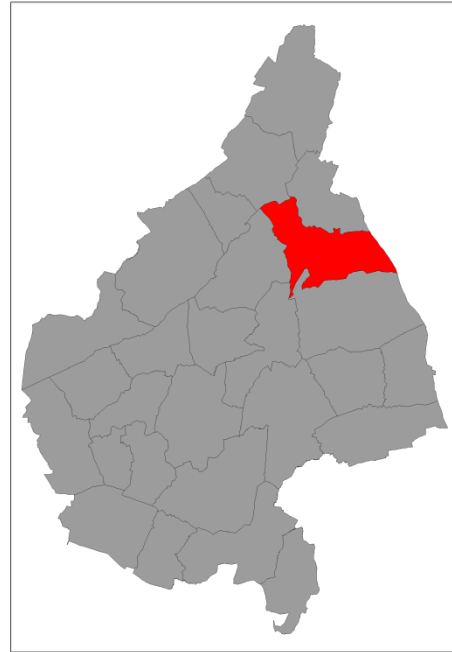
2. **Recycling Facilities** – provision of recycling facilities at The Leys.
3. **Play Area** – continued improvements to the Leys play area and skate park.

Appendix G – Croxton Kerrial Parish

Councillor A Hewson

This area is traditional rural parish with two distinct village communities, Croxton Kerrial and Branston with a total population of 530. Both villages have designated conservation areas due to the rurality and historic nature of the villages. Currently both villages have a Church as well as a Pub. In addition, Croxton Kerrial has a Village Hall, Primary School, Doctor's Surgery and Playing field, including a Children's play area. As of August 2020, the [Neighbourhood Plan](#) was at Regulation 14.

Dwellings in parish (2018) – 251 Dwellings



Infrastructure Priorities

- 1. Play Area Improvement** – to support the growth of families in the Parish, enhancements are needed to the existing children's play equipment in Croxton Kerrial playing field.
- 2. Provision of facilities for older children** – currently the Parish has very little amenities that are suitable for teenagers therefore to support their health and wellbeing there is need to create a space for them.
- 3. Provision of Allotments** – due to the current capacity at the Parish's allotments more are needed to support the allocated growth.

Appendix H – Frisby on the Wreake Parish

Councillor R Browne

The Parish consists of the tradition rural village of Frisby with a small population of around 600 people. The Parish is serviced by a primary school, 2 churches, post office, cricket ground, village hall, pre-school and village pub. All of which will be placed under greater demand once all housing allocations have been built within the Parish.

In August 2018, [The Frisby on the Wreake Neighbourhood Plan](#) was adopted and sets out Parish's development policies.

Dwellings in parish (2018) – 252 Dwellings



Infrastructure Priorities

1. Open Space and Biodiversity Enhancements

- a. Preserve important open spaces within the village, enhanced by the provision of a green buffer zone of trees, planting and community woodlands within the village envelope. Through the inclusion of community orchards.
- b. The River Wreake enhancements by using funds to work with landowners in planting trees, to enhance riverbank sections of the River Wreake green corridor.
- c. Use funding for hedge gap filling around the village, especially where hedges have been damaged; would benefit the overall appearance of the village.

2. Footpath Enhancements

- a. Creation of a new footpath from the land at the South of Frisby Development on Gaddesby Lane to the bus stop on the A607.
- b. Enhance the existing footpaths and bridleways in and around the village, to improve this facility for the benefit of all.
- c. Provision of new footpaths and street lighting, facilitating pedestrian, wheelchair and pram access to the existing village amenities from new developments.
- d. To provide new pavements and street lighting provision up to the A607 being a necessity.

3. **Community Facility Improvements** – building improvement to the existing Frisby, Hobby and Rotherby Cricket Club house, to facilitate the necessary connection to supply running water, roof repairs and interior re-decoration, to continue to maintain required standards, to meet the projected increase in usage.

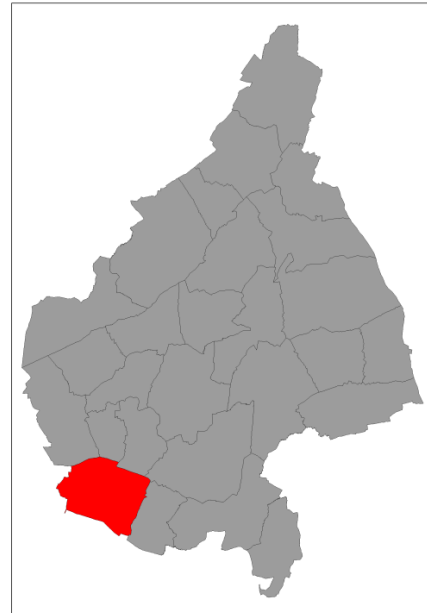
Appendix I – Gaddesby Parish

Councillor Robert Child

The Parish includes the villages of Gaddesby, Ashby Folville and Barsby. The area is typically rural with little local employment other than with the farming community. Being a very rural Parish means the inclusion of numerous green spaces and conservation areas. Therefore, moderate growth of the Parish is expected.

The [Gaddesby Neighbourhood Plan](#) was made on the 23rd June 2021 and sets out Parish's development policies.

Dwellings in parish (2018) – 320 Dwellings



Infrastructure Priorities

- 1. Public Transport Provision** – in the form of an efficient bus services that meets the needs of the local community, especially as no current service.
- 2. Car parking point** – A drop off / pick up car park point on the same side of the road as the school. It would be dangerous for children to have to cross the busy and congested road without parental supervision.
- 3. Village hall extensions** – provide more community space for growth within the Parish at either of Ashby Folville or Gaddesby Village Halls.

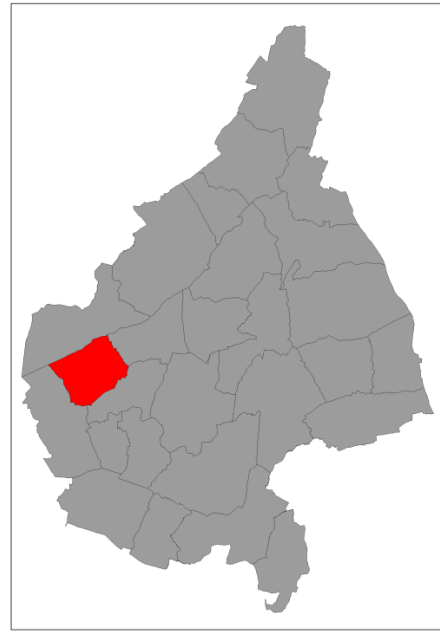
Appendix J – Grimston, Saxelby and Shoby Parish

Councillor R Browne

The parish consists of three small villages; Grimston, Saxelby and Shoby along with outlying farms. Due to the very rural nature of the Parish, farming and agriculture is a large way of life for many residents who live here.

The Parish is very low density with a population of circa 350 covering 3000 acres.

Dwellings in parish (2018) – 119 Dwellings



Infrastructure Priorities

1. **Village Hall Improvements** – to Grimston Village Hall including surfacing of car park to accommodate the increased use of the facilities.
2. **Village Hall Improvements** – to Saxelby Village Hall
3. **Play Area Improvements** – overhaul of Grimston Play area and replacement or tired equipment and extension of play area, allowing more families to use the outdoor space.

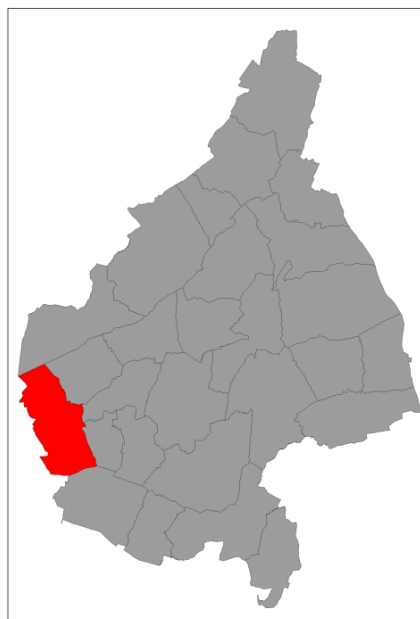
Appendix K – Hoby with Rotherby Parish

Councillor R Browne

The Parish has four historic villages Hoby, Rotherby, Brooksby and Ragdale. These rural communities have each evolved their particular place in predominantly agricultural settings.

The total population of the Parish was 556 according to the 2011 census. The largest age group was age 45-59. The number of younger people in the area is similar to other rural communities, but lower than the national average.

The villages act as “commuter villages”, providing a higher quality of life for residents who commute to urban areas for work such as Melton Mowbray, Loughborough, Nottingham and Leicester.



The Parish’s [neighbourhood plan](#) was made on the 23rd June 2021 and sets out Parish’s development policies.

Dwellings in parish (2018) – 237 Dwellings

Infrastructure Priorities

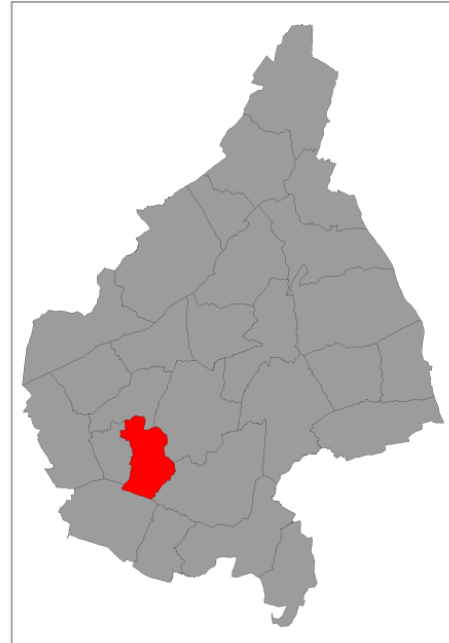
- 1. Flood alleviation projects** – due to the proximity to the River Wreake the Villages of Hoby, Rotherby and Brooksby are at risk of flooding therefore measures need to be put in place to reduce this risk.
- 2. Play Area** – improvements to the current play areas or if the need arises a new play area to ensure families have places to go outdoors.
- 3. Community Facilities** – funds may be needed to ensure the protection of a key community Asset of Hoby Methodist Centre which is used by are large section of the Parish’s population.

Appendix L – Kirby Bellars Parish

Councillor R Browne

This rural low-density Parish is a typical country area with the main settlement being Kirby Bellars where the majority of residents reside. Apart from this there are some outlying farms to the south. The Parish's proximity to Melton Mowbray means many of the residents use the town centre for services.

Dwellings in parish (2018) – 149 Dwellings



Infrastructure Priorities

- 1. New Footpath** – due employment opportunities the creation of a new footpath on the A607 from Kirby Bellars to Samworth Brothers factory on Leicester Road would benefit future employees.
- 2. Village Hall Improvements** – the use of Kirby Bellars Village Hall will be increased due the villages close proximity to Melton Mowbray and its significant growth.
- 3. Biodiversity Net Gains** – the planting of trees and wildflowers around the parish would benefit the environment greatly by reducing CO2 emissions.

Appendix M – Knossington & Cold Overton Parish

Councillor L Higgins

This rural low-density Parish is a typical country area with two distinct villages of Cold Overton and Knossington.

The villages are both historic and rural in nature with Cold Overton listed in the Domesday Book.

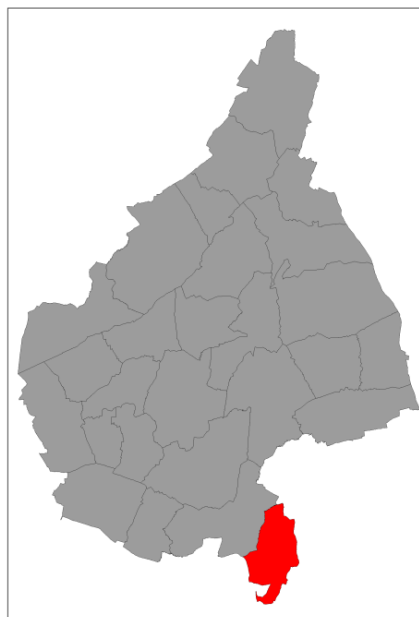
Neither Village has a primary school, however within the Parish a number of community facilities are present including St Peters Church and Village hall in Knossington.

A key asset within the Parish is Gates Garden Centre which provides an array of amenities to Local residents and visitors including a farm shop. In addition, it is also a key source of employment for the Parish residents.

Dwellings in parish (2018) – 140 Dwellings

Infrastructure Priorities

- 1. Recreational improvements** – the village’s current recreational areas are in need of refurbishment to ensure they are able to support future usage.
- 2. Village Halls** - to allow the village hall to be used by more of the community especially young people, improvements are needed.

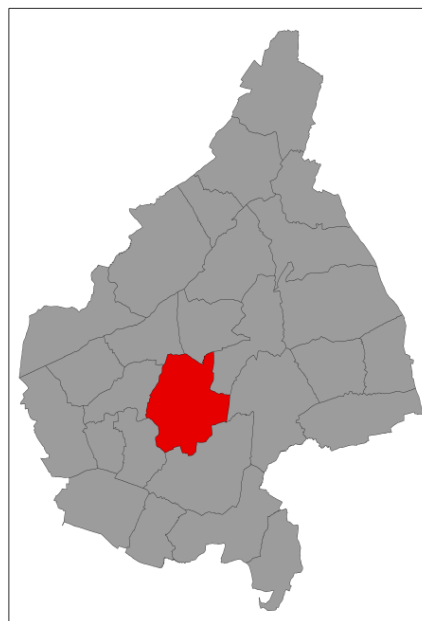


Appendix N – Melton Mowbray

Melton Mowbray is defined as a main town in the Local Plan and is the highest ranked Settlement. The town has a wide range of services and facilities including retail, education, leisure and health services, and extensive employment opportunities.

The town has good transport choice including a train station with services to Leicester and Peterborough and regular bus services to Leicester, Nottingham, Loughborough and Grantham.

Melton Mowbray's population currently stands at an estimated 27,000, however as illustrated within the Local Plan this will substantially increase over the course of the plan period due to the addition of 3,980 homes. In addition, up to 31 hectares of additional employment land will be created within Melton Mowbray. In order to support this growth, a significant amount of infrastructure is needed to ensure development is sustainable.



Due to the nature of Melton Mowbray the below infrastructure list has been constructed with Ward Members from each of the Melton Wards. The priorities are relevant across all wards and should be looked at when assessing Melton Mowbray planning applications.

Dwellings in Melton Mowbray (2018) – 12,363

Infrastructure Priorities

1. Open Space Provision and Enhancements –

- a. Enhancing open space areas throughout the town making them more accessible to all residents along with the use of benches will promote exercise and wellbeing.
- b. The creation of wildlife habitats throughout the town, showing a greater consideration for endangered species, such as Hedgehogs. By setting aside land for re-wilding projects and wild meadows.
- c. Melton Country Park Improvements – to accommodate the growth in population and to support their health and wellbeing improvements need to be made such as;
 - i. including a 'path for all' from the Visitors Centre to steppingstones, new footpath in Redwood Ave area of park,
 - ii. Visitors Centre extension to include composting toilets
 - iii. centralised outdoor gym in Redwood Ave area,
 - iv. new Visitors Centre car park with durable surface,

- v. natural scientific play exploration area for younger children utilising wood and other natural materials,
 - vi. wildlife/bird information signs and an additional bird hide
 - d. Biodiversity Measures – to support wildlife and biodiversity net gains within the area measures need to implemented such as;
 - i. Provision planted buffer areas around the Country park plus further wildlife corridors with suitable boundary fences and replanted hedges, wildflowers and trees including maintenance
 - ii. Wildlife Corridors to ensure connectivity with Country park and surrounding land
 - iii. Extensive tree planting to combat Climate Change
 - e. The creation of a new park or woodland area that should be seen as a ‘Southern Country Park’, this will allow residents in the south of Melton Mowbray to have easy access to a well-established open space.
- 2. Community Centres** – the creation of community centres across the Town, which are purpose built for community use, this would benefit the future growth of residents’ ability to interact with one another.
- 3. Footpath Provision and Enhancements** – increasing pedestrian connectivity between the various parts of the Town as well as improvements to existing walkways such as lighting along alleyways. This will contribute to the improvement of resident’s health, wellbeing and safety.

Appendix O – Salford Parish

Councillor E Holmes

The Parish encompasses the settlements of Salford, Chadwell and Wycomb. Historically known having been recorded in the Domesday Book, the Parish contains many graded buildings and traditional layouts of its villages. Land usage is very much steeped in agriculture and farming.

Looking towards the present day the Salford Parish had an estimated population of 608 residents dispersed across 1,333 hectares. Salford is classified as a service centre in the Local Plan as it offers sufficient services such a primary school, public transport, a public house etc.



The Parish's [Neighbourhood Plan](#) was made on the 23rd June 2021 and sets out Parish's development policies.

Dwellings in parish (2018) – 269 dwellings

Infrastructure Priorities

- 1. Village Hall extensions** – to accommodate the future needs of the Parish the village needs to increase in size for the benefit of the residents and the school who use it regularly.
- 2. Play equipment** – the improvement and enhancements of the current play equipment outside the Village hall in Salford.
- 3. Parking Spaces** – the connection between New Street and Queens Close has produced a prominent parking issue for the resident's, measures such as street widening, or off-street car park needs to be provided.

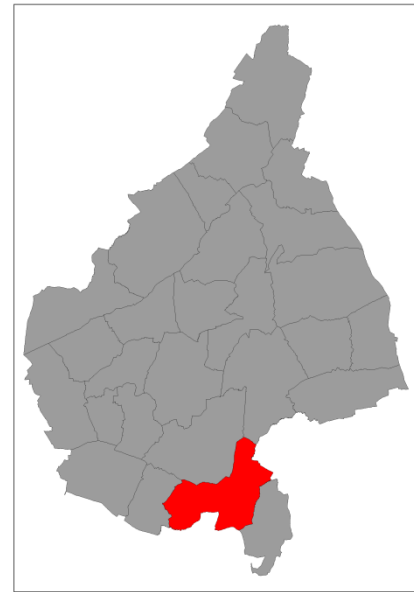
Appendix P – Somerby Parish

Councillor L Higgins

Somerby is an attractive rural parish in the area known as High East Leicestershire. It contains the villages of Somerby (service centre), Pickwell and Burrough on the Hill (rural settlements) and the hamlet of Leesthorpe. All but Leesthorpe have a conservation area.

Burrough Hill Country Park is a scheduled ancient monument, and the Leicestershire Round long-distance walk crosses the parish.

At the 2011 census population was 812. Average age is higher than the UK or Borough, but the percentage of working age (16-64) is higher, as is the percentage who are 'economically active' (74.5%). Self-employment is high at about 17%.



The Parish's [Neighbourhood Plan](#) was made on the 23rd June 2021 and sets out Parish's development policies.

Dwellings in parish (2018) – 400 Dwellings

Infrastructure Priorities

- 1. Village Hall Improvements** – the Somerby Memorial Hall and Pickwell Village Hall are in need of extensions and refurbishment to support the growth in residents from future developments. Alternatively, the creation of a community facilitate in Burrough on the hill could accommodate some of this growth.
- 2. Recreation spaces** –the current play areas and green amenity spaces in all 3 villages are in need of improvement to ensure it is an amenity that is there for future generations.
- 3. Open Spaces maintenance** – the Parish council would like to take on the role of maintaining more of the open spaces within the Parish however funds are needed to support this.

Appendix Q –Stathern Parish

Cllr Mel Steadman & Cllr Christopher Evans

Stathern is a beautiful little village, sat at the foot of the Belvoir Escarpment, in the Vale of Belvoir. A crossing point for the Jubilee Way and Cross Britain National Trail it is popular with all byway users.

Stathern currently has a [primary school](#), a public house ([The Plough](#)), a [coffee shop and village store](#), [garage](#), and a children's playpark.

[The War Memorial Institute](#) provides the setting for local events and activities, and the beautiful 11th Century St. Guthlac's Church provides regular services.

Within the Parish boundary, although about 1.5 miles from the village, is [Dove Cottage Tearooms and Charity Shop](#) raising money to support the Dove Cottage Day Hospice.

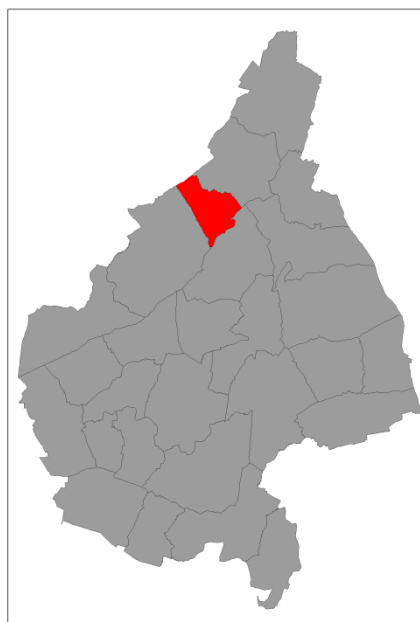
Although the village no longer has a post office, there are currently post-office services available in the Plough Inn during the mornings of Monday, Thursday and Friday.

Stathern Parish Council is currently in the process of creating their [neighbourhood plan](#), which is currently at the examination stage.

Dwellings in parish (2018) – 312 Dwellings

Infrastructure Priorities

- 1. Village Hall Extensions** – the War Memorial Institute in Stathern needs extensions and equipment to accommodate growth in community.
- 2. Play Equipment** – additional play equipment will be needed at the Play Park on Water Lane to meet future growth of the village's younger population.
- 3. Parking Provision** – the growth in population will generate parking demands therefore the creation of new car park spaces is needed.



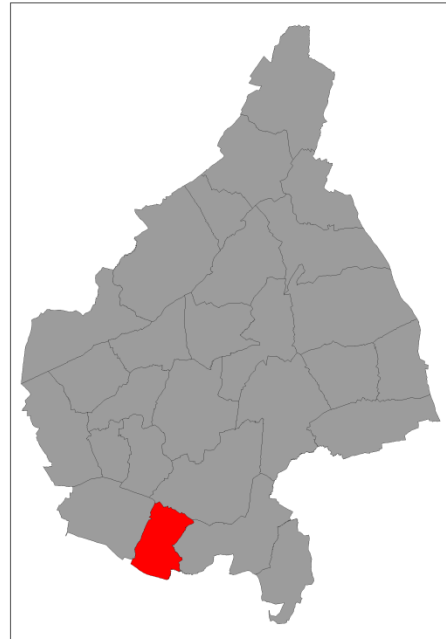
Appendix R – Twyford & Thorpe Satchville Parish

Councillor L Higgins

Twyford and Thorpe comprises of the villages of Twyford and Thorpe Satchville, and the hamlet of John O' Gaunt.

Twyford is in the south of the parish, there are two churches in the village; St Andrew (Church of England), which is a Grade I listed building with some parts dated from the 12th century, and a Methodist church. Other services include a pub, a shop and a village hall.

Thorpe Satchville is situated on a hill north of Twyford and is on the B6047 road. St Michael and All Angels (Church of England) is Grade II listed. John O' Gaunt is east of Twyford, on a minor road, and contains a number of dwellings and large industrial complex.



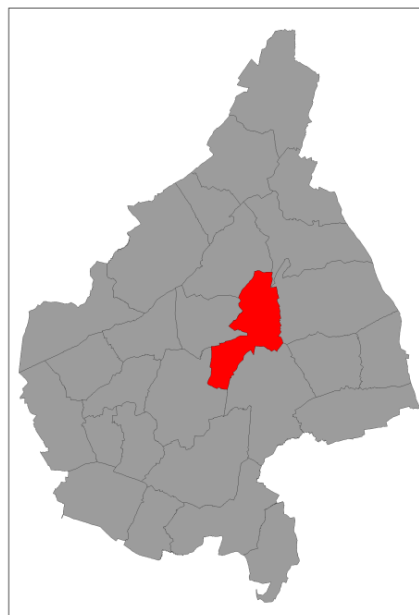
Dwellings in parish (2018) – 268 Dwellings

Infrastructure Priorities

- 1. Community Open Space** – the need for an additional open space for community use that could include play facilities is needed to support parish families.
- 2. Twyford pavilion & Storage** – the community space at Lowesby Lane is in need of a pavilion with storage space that would be open to all members of the community.
- 3. Village hall** – to ensure both Twyford's and Thorpe Satchville's village halls are able to provide services for future generations improvements need to be made specifically around disabled access.

Appendix S – Waltham & Thorpe Arnold Parish Councillor E Holmes

Waltham on the Wolds and Thorpe Arnold have a long history of tradition and heritage, making the Parish a very attractive and popular place to live and work. Concentrating on Waltham there are a range of facilities in the village including a pub, village shop and Post Office, delicatessen, hairdressers, garage, pre-school and primary school, a medical practice and St Mary Magdalene Church. The Village Hall, rebuilt in 2003, offers a superb facility for the community, with an adjacent Youth Wing and Play Fields with sports pitches, pavilion and children's Play Park. It is the enhancement of the area around the Village Hall that the Parish Council are very keen to develop for the local community.



There is a slightly higher than average older population (information from 2011 from the Neighbourhood Plan). However, as can be seen below, there are 131 dwellings under construction or about to be started which will bring a significant increase of residents into the village and a demand for improved amenities.

In January 2018, the Parish adopted their [Neighbourhood Plan](#), which sets out the development policies for the area.

Dwellings in parish (2018) – 456 dwellings

Infrastructure Priorities

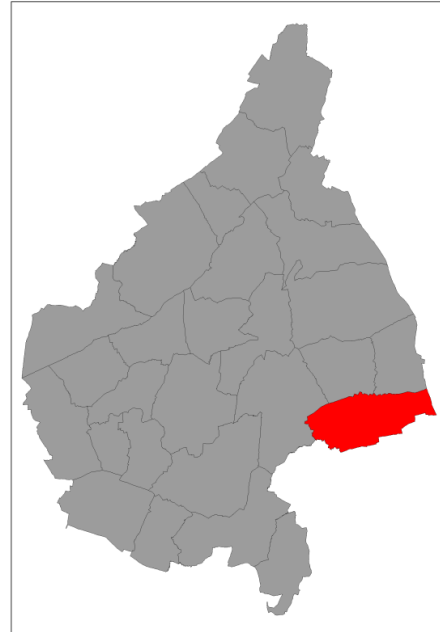
- 1. Improvements to Play Park** – The Play Park at Waltham on the Wolds Village Hall needs extensive refurbishment made to it to be appropriate for further use.
- 2. Multi-Games Area** – this area is needed by the whole community and can be located on the Playfield by Waltham on the Wolds Village Hall. It would serve differing demographics of the Parish and increase health and wellbeing.
- 3. Green Spaces** – the creation of new green spaces or play area to support the increase of families in new developments.

Appendix T – Wymondham & Edmondthorpe Parish

Councillor Malise Graham MBE

The Parish is made up of two rural villages, Wymondham and Edmondthorpe, with a population of approximately 650 and with a higher proportion of people in the older age bands. There is a series of conservation areas and rural open spaces that are spread across the Parish. Within the Parish currently are a primary school, village hall and church to name a few of its facilities. The parish adopted their [neighbourhood plan](#) in November 2017.

Dwellings in parish (2018) – 313 Dwellings



Infrastructure Priorities

- 1. Improvement and provision of footpaths** – to create an accessible network of footpaths around the Parish enhancements need to be made.
- 2. Protection and Improvement of Wymondham Village Hall** – increasing range of multi-use and often IT related services possibly mixed with health and wellbeing related facilities
- 3. Play area equipment** – the improvement and increase of outdoor play equipment to ensure it accommodates the growth in families.

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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>

			4.3.1 & 4.3.3 - Needs to refer to the LLR CCGs and not East CCG	Replacement of East Leicestershire CGG 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	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.	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>

			<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>

			Planning system fails to allow for a fair consultation process.	also assessed when allocating sites, alongside comments from the Environment Agency. 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.
8	Bottesford Resident	Resident	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	The comments have been passed on to the Ward Councillors but no request to adjust the local infrastructure list.
9	Sports England	Statutory Body	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. 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. 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.	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. Noted and wording added to reflect this comment. Reference to both the PPS and Built Facilities Strategy has now been made within section the open space section and the leisure facilities.

			<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 be 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.

	<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 pf 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 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>	Comments noted
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

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