



# Outcomes of the Melton Local Plan five-year review

September 2023

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# 1. Introduction

## 1.1. Decision to review

1.1.1. Section 17 of the Planning and Compulsory Purchase Act 2004 and Regulation 10A of the Local Planning Regulations require that councils carry out a review of their local plan within five years of the plan's adoption. Such a review is focused on deciding whether the policies of the adopted local plan remain relevant and effective in addressing local needs. Where policies are considered to be no longer effective or relevant the plan should be revised in whole or part.

1.1.2. The Melton Local Plan was adopted in October 2018, just under 5 years ago. The Local Plan was examined against the 2012 National Planning Policy Framework (NPPF). This report contains assessments of its policies as required by the regulations and NPPF. The outcome of these reviews will guide the scope of the forthcoming Melton Local Plan update.

1.1.3. Considering the above, a Full Council meeting was held on the 26<sup>th</sup> of April 2022 which agreed to formally commence the review. Anticipating that at least some of the local plan policies would require updating, a timetable for updating the local plan was agreed in December 2022, culminating in adoption forecast during 2026.

1.1.4. A detailed review of the existing policies has been undertaken. This review considered the following elements:

- Conformity with the National Planning Policy Framework
- Alignment with the Planning Practice Guidance
- Alignment with the Council's Corporate Strategy
- Performance based on the Authority Monitoring Reports
- Performance based on Development Management's feedback, and appeals performance.
- Consideration of an independent gap analysis of the evidence base
- Changes to local circumstances (e.g., Local Housing Needs)
- Housing Delivery Test performance, and having more than 5 years' worth of housing land supply
- Deliverability of key site allocations
- Changes to higher tier plans
- Cross-boundary issues (e.g., unmet housing and employment needs)
- Significant economic changes that may impact on viability
- New social, economic or environmental priorities may have arisen.

## 1.2. Objective of this paper

- 1.2.1. Considering all the above, this paper attempts to provide some high-level commentary on the review and sets out the outcomes of this work. The potential outcomes are divided in two categories:
- **Update needed;** or
  - **Update not needed,** but likely to be required in the medium term.
- 1.2.2. These outcomes are expected to inform any update(s) of the Melton Local Plan and they are summarised in [Appendix 1](#). Further analysis of the issues affecting those policies categorised as ‘update needed’ is expected to be undertaken as part of the most immediate regulation 18 consultation. Therefore, this paper is primarily focused on the justifications behind those policies where an ‘update is not needed at this stage.
- 1.2.3. It needs to be noted that it is not the objective of this paper to establish what updates are needed to any policies, but instead to assess whether further work to update the policies is merited, taking account of the factors set out above.
- 1.2.4. For those cases where the outcome indicates that an update is not needed at this stage, we commit ourselves to keep them under review to ensure that they remain effective.
- 1.2.5. Finally, it needs to be noted that this paper does not seek to address the need for additional policies. The work on the local plan update may conclude that existing policies are no longer needed in their entirety and/or that new policies are required.

## 2. Review outcomes (conclusions)

### 2.1. Policy SS1. Presumption in favour of Sustainable Development

- 2.1.1. This policy would benefit from a light touch update to align with the National Planning Policy Framework and to amend some typographical errors. The principles behind this policy remain unaltered and no evidence is required to update the policy, therefore the update, simple in its implementation, should focus on minor alterations.

#### 2.1.2. Outcome: update needed

## 2.2. Policy SS2. Development Strategy

2.2.1. Policy SS2 provides the adopted local plan with an overarching development strategy, designed to deliver the plan’s vision and strategic objectives. In summary, it contains:

- Development targets of 6,125 dwellings and 51 hectares of employment land covering the period 2011 – 2036;
- A stepped housing trajectory which increases from 170 dwellings per annum through 245 to 320, averaging 245 overall;
- A broad spatial strategy which distributes housing growth approximately 65% to the Melton Mowbray Main Urban Area and the remaining 35% to the Service Centres and Rural Hubs;
- Guidance for development allocations and windfalls in accordance with the strategy; and
- Support for Neighbourhood Plans.

2.2.2. The current housing need remains broadly consistent with calculations embedded in the local plan. The latest Standard Method result (2023) is 185 dwellings per annum, a reasonably close match to the Objectively Assessed Need of 170 referred to in the local plan, and in any case, leaving considerable margin below the SS2 trajectory. The Standard Method continues to be central to government advice on local plans. The Council intends to commission further work on housing need.

2.2.3. The targets in SS2 incorporate the issue of unmet need from other local planning authorities, and more specifically Leicester City. Recent evidence provides broad support for the plan’s housing target; the 2022 Leicester and Leicestershire Housing & Economic Needs Assessment indicates a need of 300 dwellings per annum through to 2036 to include an element of Leicester’s unmet housing need. This is reflected in the Statement of Common Ground between the Leicestershire authorities from the same year.

2.2.4. The delivery of homes between 2011 - 2023 was 186 dwellings above trajectory. This small excess hides a more significant recent trend, with delivery since 2018 exceeding the trajectory by 599, indicating an acceleration of housing development since the plan was adopted. The forecast housing provision for the plan period is 1,750 dwellings more than the local plan target, which represents a significant headroom. Further, the local plan contains reserve housing sites with additional potential capacity of over 500 dwellings if required. This indicates significant flexibility

inherent in the existing local plan should there be a dramatic and unexpected increase in housing need before 2036.

- 2.2.5. Overall, therefore, the targets contained within policy SS2 continue to be appropriate without the need to update, and the housing allocations in the local plan appear to be on track to meet these targets.
- 2.2.6. However, it is acknowledged that the policy provides guidance through to 2036 only, and therefore is currently silent about growth rates to be delivered beyond that date. As of 2023, the time of the statutory local plan review, the policy looks 13 years ahead, which is below the 15 years recommended in the NPPF. Allowing for the time required to take a local plan update through to adoption, the time remaining before 2036 could be down to 10 years.
- 2.2.7. Clearly it would be theoretically possible to undertake an individual assessment of housing need for Melton Borough, whether using the Standard Method or another appropriate calculation, and then to use this to roll forward the end date of the plan's target. From this, the need for additional housing allocations could be assessed, and appropriate provision made through the plan's update. However, this would only deal with housing need in the Borough in isolation. The situation is more complex than that and the issue of unmet needs from Leicester City, referred to above, will continue to require consideration beyond 2036, the limit of the current agreement between the Leicestershire authorities, to which Melton Borough Council is a signatory. It is Melton Borough's view that this can only be effectively undertaken through further joint work with Leicester and the other Leicestershire authorities leading to a formal agreement across the County and a further Statement of Common Ground. Until this is completed, providing certainty, it would be inappropriate to undertake further work on housing targets post 2036. Rather, a full update of the local plan can be undertaken when the strategic position becomes clear through agreement.
- 2.2.8. There is nothing to indicate that the 65% to 35% split of housing provision in favour of the Main Urban Area is now an inappropriate response to the spatial geography of Melton Borough, with its single main urban area and network of much smaller and less well served villages of varying scales.
- 2.2.9. Delivery has, so far, not conformed with the strategy, being weighted more strongly towards the rural areas. However, this is an inevitable reflection of the reliance on large urban extensions (Sustainable Neighbourhoods) to deliver Melton Mowbray's housing and significant infrastructure benefits. Large, complex sites take time to get up to speed. Development on the Sustainable Neighbourhoods has commenced, and the forecast split over

the plan period is 61% to 39% in favour of the Main Urban Area so the strategy appears to be on track.

2.2.10. The policy includes an employment land target of 51 hectares over the period 2011 – 2036. Completions through to 2021 total 6.5 hectares, leaving 44.5 hectares to deliver. The 2022 Housing and Economic Needs Assessment indicated a need for 40.1 hectares between 2021 – 2036 in the Borough, a similar level to the remaining local plan requirement. Accordingly, the evidence indicates that the local plan target remains appropriate and there is no need to update this element of the policy.

## Conclusions

2.2.11. Latest evidence on housing and employment need supports the view that the local plan targets continue to be broadly appropriate. The strategy in relation to the distribution of development is similarly appropriate, and development of the Sustainable Neighbourhoods will start to bring delivery in line with the strategy over the remainder of the plan.

2.2.12. It would not be sensible to seek to extend the policy beyond 2036 at this time, as the joint work on the Strategic Growth Plan for Leicester and Leicestershire is not yet complete and therefore there remain unresolved issues relating to Leicester City's unmet housing needs across the Housing Market Area.

2.2.13. It is therefore considered that the policy continues to provide a sound basis for the local plan strategy and the delivery of new development. It is therefore concluded that the policy remains up to date and should not be further considered in the local plan update.

2.2.14. **Outcome: update not needed**

## 2.3. Policy SS3. Sustainable Communities (unallocated sites).

2.3.1. The policy still accords with the NPPF. However, in practice it has not provided a clear and consistent framework for applicants, the local community, or decision-makers in how to define the policy's criteria, in particular how to justify 'housing which meets a proven local housing need,' or what 'sustainable infrastructure' is required to satisfy the policy.

2.3.2. A review of planning and appeal performance suggests that it is proving difficult to apply the policy as written, it is considered that the policy needs to be updated as a consequence, to provide a clear criteria-based framework for consistent decision making.



- 2.3.3. The rural settlements for which SS3 is largely applied typically lack basic services and facilities to meet everyday needs, are therefore more car dependent and viewed as less sustainable places for new housing. There is misalignment within the current policy with community perceptions of what 'sustainable development' is because the policy is failing to adequately consider wider social, economic and environmental sustainability, including tackling climate change.
- 2.3.4. There is opportunity for the policy to be realigned to ensure that such housing development is as sustainable as possible and contributes to making settlements more sustainable places in the widest sense for not just the applicant but for generations to come, by considering sustainability criteria from low carbon homes to adding more local housing choice, to better meet the needs of our ageing population over the long term.
- 2.3.5. SS3 is only expected to provide a very small amount of 'windfall' development in line with the overall spatial pattern set out in the local plan, any modifications to SS3 would need to ensure that they do not overly disrupt this. The update of this policy also provides an opportunity to take into consideration feedback from growth in local Neighbourhood Planning since the adoption of the local plan, to aid them to help to improve the sustainability of rural communities in a way that aligns with what local communities want.
- 2.3.6. Outcome: update needed**

## **2.4. Policy SS4. South Melton Mowbray Sustainable Neighbourhoods**

- 2.4.1. The Melton South Sustainable Neighbourhood (Strategic Development Location) is a site-specific policy, but contains references to other policies within it, and is the policy for the delivery of housing, employment land, community facilities, transport improvements (including a strategic road link) and environmental protection and enhancement.
- 2.4.2. Planning permission was granted on a large site which forms part of the South Melton Mowbray Sustainable Neighbourhood prior to the adoption of the Local Plan. The site is situated between Kirby Lane and Leicester Road, and following an additional consent, now has permission for 555 dwellings that are currently under construction.
- 2.4.3. Following the adoption of the Melton Local Plan, the Local Education Authority (LEA) advised that there was not sufficient education provision in Melton Mowbray and the wider Borough to support the delivery of the Plan as a whole, rendering sub-policy c1 of SS4 out of date. To date, the LEA

have advised within statutory consultation responses that housing development in the wider Borough (including the town) will require the provision of a new secondary school (in addition to extending an existing secondary school). We were advised that this must be provided within the South Melton Mowbray Sustainable Neighbourhood. In addition, rather than the provision of one new primary school (2.5ha) in the South Sustainable Neighbourhood, the development would need to provide for three forms of entry (FE), requiring a total land take of 3ha across two sites in the Neighbourhood for primary schools (1x1FE and 1x2FE).

2.4.4. Working with the Local Highway Authority, Melton Borough Council supported Leicestershire County Council to submit a bid for Housing Infrastructure Funding (HIF) from Homes England to bring forward the delivery of the Melton Mowbray Distributor Road South (MMDR South). The MMDR South would provide the strategic link road between the A607 Leicester Road and the A606 Burton Road to support the delivery of the Sustainable Neighbourhood in accordance with policy SS4 and the 2018 approved Strategic Growth Plan. This is in addition to the Melton Mowbray Distributor Road North and East (MMDR N&E) which is currently under construction. The bid was submitted in 2019 and was successful in securing £15m forward funding to deliver the road, subsequently uplifted to £18.5m.

2.4.5. In order to ensure the Homes England Funding was forthcoming and the County Council could sign the Grant Determination Agreement, various alterations were considered and made within an approved Masterplan (late 2021) for the South Sustainable Neighbourhood, principally to ensure:

- The housing delivery projections and numbers were consistent with the original grant funding application;
- The required education infrastructure (see paragraph 2.4.3 above) could be accommodated;
- A deliverable route for the MMDR South could be achieved (taking into consideration more detailed constraints including land ownership, flood risk etc.);
- A deliverable Masterplan with public sector, developer, and landowner buy-in could be achieved.

2.4.6. To facilitate the above requirements, additional land was identified as a potential supply for future housing development and employment provision. An update of the policy is required to reflect this position, alongside the provision of additional education facilities as required by the Local Education Authority. We consider it appropriate to adjust the extent

of the South Sustainable Neighbourhood to reflect an updated deliverable position in general alignment with the latest approved Masterplan.

2.4.7. It can be concluded that the policy needs to be updated, to reflect deliverability evidence now available – it is not expected that further site-specific evidence will be needed, but this will be kept under review.

2.4.8. **Outcome: update needed**

## 2.5. Policy SS5. Melton Mowbray North Sustainable Neighbourhood

2.5.1. The Melton North Sustainable Neighbourhood (Strategic Development Location) is a site-specific policy, but contains references to other policies within it, and is the policy for the delivery of housing, small scale employment land, community facilities, transport improvements (including a strategic road link) and environmental protection and enhancement.

2.5.2. Planning permission has been granted on various parts of the North Sustainable Neighbourhood, including 200 dwellings on Melton Spinney Road and a total of 690 dwellings between Nottingham Road and Scalford Road (of which 159 are currently under construction). Planning applications are currently under consideration for a further 1,230 dwellings on land between Scalford Road and Melton Spinney Road which would conclude the delivery of the Sustainable Neighbourhood in terms of housing, community facilities, environment and transport.

2.5.3. The Melton Mowbray Distributor Road North & East (MMDR N&E) is currently under construction following a successful bid to the Department for Transport through the Local Large Majors Fund for £49.5m and is principally forward funded by Leicestershire County Council. The total costs are estimated to be in the region of £125m, and some costs are being re-couped from developers via S106 agreements.

2.5.4. As noted above at paragraph 2.4.3, following the adoption of the Melton Local Plan, the Local Education Authority advised that there was not sufficient education provision in Melton Mowbray and the wider Borough to support the delivery of the Plan as a whole, rendering sub-policy c1 of policy SS5 out of date. The LEA have advised within statutory consultation responses that housing development in the wider Borough (including the town) will require the provision of a new secondary school (in addition to extending an existing secondary school). The new secondary school would be provided for in the South Sustainable Neighbourhood. The extended secondary school would be John Ferneley which borders the North Sustainable Neighbourhood, and land should be set aside for this within a Masterplan (in addition to financial contributions). In addition,

rather than the provision of 1 new primary school (2.5ha) in the North Sustainable Neighbourhood, the development would need to provide for 3 forms of entry (FE), requiring a total land take of 3ha across two sites in the Neighbourhood for primary schools (1x1FE and 1x2FE).

2.5.5. A Masterplan was approved for the North Sustainable Neighbourhood which was created in consultation with the developers of the various sites in the Neighbourhood, taking into consideration the amendments required by the Local Education Authority. The Masterplan was approved in late 2021, however an update of the policy is required to reflect this situation.

2.5.6. It can be concluded that the policy needs to be updated, to reflect deliverability evidence now available – it is not expected that further site-specific evidence will be needed but this will be kept under review.

2.5.7. **Outcome: update needed**

## 2.6. Policy SS6. Alternative Development Strategies and Local Plan Review

2.6.1. The reviewing mechanisms in this policy require updating in order to address updated positions in areas such as Leicester City's unmet needs (and the associated Statement of Common Ground).

2.6.2. The update of this policy does not require new evidence and should be relatively simple to undertake.

2.6.3. **Outcome: update needed**

## 2.7. Policy C1 (A). Housing Allocations

2.7.1. Housing allocations are the primary element to provide enough supply of housing to meet the housing requirement. In the adopted Local Plan, allocations represent approximately 73% of the housing supply. Completions, permissions (unallocated) and the windfall allowance are the other elements.

2.7.2. In accordance with policy SS2, provision for 6,125 homes will be made for the period covering 2011 to 2036 in the borough of Melton. 5,325 homes were allocated as part of policy C1(A) with 3,200 from the Sustainable Neighbourhoods. This position remains unaltered based on the conclusions for policy SS2 contained in this paper.

2.7.3. Using data from April 2023, there are 2,065 dwellings expected to be built from housing allocations with planning permission and there are 2,331

dwellings expected to be built from allocations without planning permission yet. The total supply, including allocations (with and without permission) completions (2,376), non-allocated sites with permission (825) and windfall allowance (278) is 7,875 dwellings compared with the target of 6,125.

2.7.4. There is no evidence that the suitability/sustainability conclusions which led to the allocations within C1(A) has changed significantly, and therefore this review concludes that the sites continue to provide suitable locations for housing delivery. However, it is also relevant to consider whether the site allocations continue to provide a deliverable/developable supply of housing land sufficient to meet SS2 targets. The NPPF indicates that for a site to be considered developable, it needs to be suitable, available, and viable. Since the adoption of the Local Plan, there are no signals to indicate that the suitability and viability of the allocations has changed. This evidence includes the 2019 SHELAA.

2.7.5. In terms of availability, and based on the latest detailed trajectory, a summary for those allocations without planning permission is given below:

- Sites with application submitted: BOT1, BOT3, HOS2 (part), LONG2, NSN, SSN (part), WYM3
- Sites with active engagement/progress recorded: MEL4, MEL9, MEL10, SSN (part), THOR1, THOR2 and WYM2
- No response in the last questionnaire and no progress recorded: CROX2, CROX3, MEL6, SCAL1, SOM2.

2.7.6. The lack of response and/or progress for those sites in the last category does not necessarily indicate that these sites will not be delivered. For example, promoters for some of these sites have suggested that they will provide further information in due course. Sites in the last category, in any case, have a total capacity of just 122 dwellings, approximately 1.6% of the total supply (7,875 dwellings).

2.7.7. This review has considered a number of factors including the robust site-selection and allocation process as undertaken in the adopted Local Plan, the limited impact of these sites to the overall housing trajectory, and the existing control mechanisms such as the 5% buffer or the lapse rate as applied to the 5-year's housing land supply calculations. Considering all the above, we conclude that the policy is performing well.

2.7.8. Additionally, other elements such as reserve sites (policy C1(B)) and new housing allocations and reserve sites as part of neighbourhood planning designation, provide further flexibility to the inherent link between C1(A) and SS2.

2.7.9. Understanding the importance of the policy, we commit ourselves to keep this position under review with the publication of an annual 5-year's housing land supply report and a detailed trajectory.

2.7.10. **Outcome: update not needed**

## 2.8. Policy C1 (B). Reserve Sites

2.8.1. The policy remains in line with the NPPF and policy guidance. In fact, the evidence underpinning this policy and the assessment undertaken during the review of the policy follows the same principles applied to C1(A).

2.8.2. For the policy to be actioned, some criteria need to be met. So far, this criterion, as specified in points a) to c) in the policy, has not been met and consequently no reserve sites have been actioned.

2.8.3. The flexibility given by policy C1(B) remains relevant and helps to ensure resilience in the Local Plan and the delivery of housing without influencing indicators such as the 5-year housing land supply. It also needs to be noted that some 'made' neighbourhood plans have identified some additional reserve sites to those identified in the 2018 Local Plan, adding additional headroom (approximately 23 dwellings) to policy C1(B) and indirectly to policy C1(A).

2.8.4. The policy was considered as part of an appeal for an application submitted for part of the reserve site STAT3. As explored in the appeal, the policy could benefit from further clarity in relation to the development of smaller parcels of land: 'I find that the proposal goes against the objectives of Policy C1(B), albeit that the positive wording of the policy does not explicitly indicate that permission should be refused for the development of part of a reserve allocated site (Appeal Ref: APP/Y2430/W/20/3256174).

2.8.5. This same appeal provides the additional clarity that is needed for the interpretation of this policy. This clarification alongside the reasonable mix of size of the sites and their use by the local community through neighbourhood planning seem to indicate that the policy does not need an immediate update; however, as indicated for policy C1(A), we will keep this position under review, and more specifically, we will reassess this position if policy C1(A) needs updating.

2.8.6. **Outcome: update not needed**

## 2.9. Policy C2. Housing Mix

- 2.9.1. The main aim of the policy is to achieve an overall balanced mix of different size and types of properties to meet the diverse needs of the Borough's population. Since the adoption of the Local Plan, the housing mix of the delivery of new housing has continued to be balanced more towards a larger supply of 4+ bedroom open market properties than the ideal housing mix, as shown in Local Plan table 8. There also continues to be an undersupply of accessible and adaptable dwellings and wheelchair user dwellings.
- 2.9.2. The HENA 2022 has provided a new housing mix, which aligns with the new identified overall housing requirement of 300 dwellings per annum, rather than 245 dwellings per annum, which was required when the Local Plan was adopted, based on the HEDNA 2017.
- 2.9.3. A discussion took place about consideration needing to be given to how we deal with applications which try to demonstrate meeting the policy requirements for smaller properties by including an office/study or hobby room, rather than stating these as a bedroom. For example, stating a 3-bedroom property is a 2-bedroom property with an office.
- 2.9.4. We consider that an update is required in order to add clarity to the wording, by for example, exploring the idea to reduce the number of exception clauses, including the housing mix table as part of the policy or adding clarity to the supporting text.
- 2.9.5. **Outcome: update needed**

## 2.10. Policy C3. National Space Standard and Smaller Dwellings

- 2.10.1. The main aim of the policy is to achieve housing stock which is of a sufficient internal space size to have adequate circulation, storage and living space. It is not possible to achieve this via the NPPF and regulations.
- 2.10.2. The policy currently supports only the open market housing to deliver housing to the National Described Space Standards (NDSS) where there are dwellings with up to and including 3 bedrooms.
- 2.10.3. Homes England expects homes funded through their Affordable Homes Programme to meet the Nationally Described Space Standards wherever possible.
- 2.10.4. An update is recommended to change the policy for the affordable housing from using Housing Quality indicators to using the NDSS. This is

also a good opportunity to give additional clarity to the policy in relation to conversions and extensions.

#### 2.10.5. **Outcome: update needed**

### 2.11. Policy C4. Affordable Housing Provision

2.11.1. Affordable housing provision is a priority for the Council. Changes have been made to both, the NPPF and policy guidance regarding affordable housing and it would be beneficial to update the policy to reflect these changes to make it clearer.

2.11.2. Since the Local Plan was adopted, 383 new affordable dwellings have been delivered, mainly through planning gain and the enabling of affordable housing in partnership with affordable housing registered providers. The total number of affordable dwellings delivered includes 10 acquisitions and 1 conversion by the Council. Over 5 financial years (2018-2023), this equates to 76.6 dwellings per annum, which is above the planned average of 52 dwellings per annum. It is also above the overall identified need for affordable housing of 70 dwellings per annum.

2.11.3. Based on the target delivery of affordable housing, identified by the Leicester and Leicestershire Housing and Economic Development Needs Assessment (HEDNA, 2017) for the Melton Borough, the target split of 80% affordable housing for rent and 20% affordable home ownership has been met: affordable housing for rent target amount between 2018-2023 was 170 dwellings and 197 dwellings delivered. The affordable home ownership target amount between 2018-2023 was 42 dwellings and 172 dwellings delivered.

2.11.4. The 2022 HENA identifies a need of 149 affordable homes per annum. The evidence base gap analysis has concluded that bespoke evidence is required for Melton Borough to ascertain the level of affordable housing need and the applicable housing mix (tenure, type and size). In light of this, a Local Housing Needs Assessment is being commissioned and the affordable housing trajectory is being updated.

2.11.5. An update to the policy is needed in order to align it with the changes in the NPPF and policy guidance. New evidence will help understand in what form affordable housing is required, and the conclusions of the Local Housing Needs Assessment will help us refine the affordable housing needs of the Borough.

2.11.6. The Local Housing Needs Assessment will show the extent to which entry level housing will be needed across the Borough. This will then



determine whether or not a separate entry level exception site housing policy will be needed (as set out in paragraph 72 of the NPPF).

**2.11.7. Outcome: update needed**

**2.12. Policy C5. Affordable Housing through Rural Exception Sites**

2.12.1. Since the adoption of the Melton Local Plan, affordable housing has been delivered in many of our rural settlements via allocations rather than on 'rural exception sites'.

2.12.2. The reason that rural exception sites have not been developed is not due to an issue with the policy. Instead, it is due to a lack of sites which can be developed and a lack of appetite from partner affordable housing registered providers to deliver small sites. This situation is also experienced in other local authorities across the country.

2.12.3. A two-year contract with a rural affordable housing enabler ran from 1<sup>st</sup> April 2021 until 31<sup>st</sup> March 2023, operating across Leicestershire, for which Melton Borough were a part. The main objective was the sourcing of sites for the development of rural affordable housing. During this time, the number of deliverable sites across Leicestershire was limited and the contract was not renewed.

2.12.4. Work in-house continues to be undertaken with the aim of enabling the development of sites in villages where allocated sites are unlikely to deliver at all or within the next 5 years and/or on appropriate unallocated sites. This work is exploring alternative options for delivery, such as the Council developing/acquiring sites and the use of land owned/controlled by other public bodies for housing delivery.

**2.12.5. Outcome: update not needed**

**2.13. Policy C6. Gypsies and Travellers**

2.13.1. The evidence gap analysis indicated that a new Gypsy and Traveller Accommodation Assessment (GTAA) is undertaken for the Local Plan update.

2.13.2. The current evidence is the Leicester and Leicestershire Gypsy and Traveller Accommodation Assessment from 2017 and it identified that there was no additional need for pitches or plots.

2.13.3. Consequently, even though the outcome of the review is that an update for this policy is not needed, we are committed to update the evidence

base. If the conclusions from an up-to-date GTAA differ from the outcomes in this paper we will update the policy accordingly.

**2.13.4. Outcome: update not needed**

**2.14. Policy C7. Rural Services**

2.14.1. The policy is performing well and aligns with the NPPF and policy guidance. However, as identified by development management officers, the policy could benefit from additional clarity in relation to the evidence that is needed, particularly in relation to marketing evidence and timescales.

2.14.2. Equally, this policy is linked to policy EC7 and the production of an employment land study and a retail study, might involve consequential updates to this policy.

**2.14.3. Outcome: update needed**

**2.15. Policy C8. Self Build and Custom Build Housing**

2.15.1. The policy broadly aligns with the NPPF and policy guidance, however several issues were identified as part of the review. The policy is not effective in the Sustainable Neighbourhoods due to the uncertainty around the development of these type of homes and their implications on viability. Additionally, the policy (5% of plots to be delivered serviced for self and custom builders) is only relevant for large sites (of 100 dwellings or more), but it is silent for smaller rural schemes. The policy would also benefit from further clarity in relation to its link to the Self/Custom Build Register and the housing mix policy.

2.15.2. Using data from October 2022, there are a total of 77 individuals and 3 groups in the register; and the Council has identified a total of 59 serviced plots. Even though the need is currently being met (36 entries in the register by October 2019 against 59 serviced plots in October 2022), it is clear that the demand, as identified by the number of entries in the register, is increasing.

2.15.3. We consider that the policy would benefit from an update in order to enhance its relevance and address specific needs. This update will help the Council to meet the future needs for self-building and custom-building in the Borough.

**2.15.4. Outcome: update needed**

## 2.16. Policy C9. Healthy Communities

- 2.16.1. The policy largely conforms to updated national planning policy and guidance. Updates to building regulations are considered to have superseded some content relating to housing standards, including overheating and energy efficient 'warm' homes. The policy was developed at a point in time when local health responsibilities were shifting to new forms of local control. A local public health team is now embedded within Leicestershire County Council and new local area Integrated Care Boards set up. With this there has developed more collective local responsibility for managing resources to improve health and wellbeing and new local strategic health resources to assist the Council to review and update health within the local plan and the evidence base that supports it to meet existing needs and future demands. An update of this policy will ensure that the local plan is delivering outcomes that align well with local health needs, including those set out in the 2022 Public Health Strategy for Leicestershire.
- 2.16.2. The existing policy in practice acts in part as a strategic objective, making reference to outcomes which are important to health and creating healthy places (such as active travel, access to green spaces and overheating) which are dealt with across a wide range of other local plan policies, including those for design, housing standards, green spaces, open spaces, transport, developer contributions and climate change. In particular, the local plan recognises that considering health at the design stage of a development proposal can help to realise significant health benefits, with Active Design and Building for Life (now branded as Building for a Healthy Life) forming a key consideration as part of local plan policy D1 for the design of development. These issues are further supported with guidance within the Design of New Development and Developer Contributions Supplementary Planning Documents that support the local plan.
- 2.16.3. The consequence of this is that policy C9 largely replicates guidance found elsewhere within the local plan, it does not in itself set out specific goals nor add significantly to achieving any local health outcomes. Its function is poorly understood and subsequently it is not widely referenced or used by applicants, the local community and decision makers. There is an opportunity to update the policy, to remove replication and duplication within the local plan and to ensure that criteria which relate to improving health outcomes is placed where it will be most effective across the whole plan. The criteria for health quality impact assessment would also benefit from update, to ensure that this tool is used appropriately, reflects updated best practice in this area and assists in delivering outcomes in accordance with the local Public Health Strategy.

2.16.4. **Outcome: update needed**

**2.17. Policy EC1. Employment Growth in Melton Mowbray**

2.17.1. The use class order has changed since the adoption of the Melton Local Plan with the removal of the B1 category and the creation of the E use class, which incorporates a wider range of business types. Therefore, the specificity of the policy towards B1 is considered redundant as buildings can now change between office, retail, restaurants, medical and other commercial uses without the need of planning permission.

2.17.2. The main evidence base for this policy is the Employment Land Study from 2015 and would benefit from an update to account for the present economic market conditions and to ensure compliance with the policy guidance.

2.17.3. There is evidence that the policy is not performing well, due to the identification of a shortfall (HENA 2022) in the development of employment land by the end of the adopted Local Plan period. The need for an update and production of new evidence also represents an opportunity to reassess existing employment allocations and understand their developability, and the consideration for additional allocations if needed (a call for sites for employment land was launched in June 2023). The aim of the policy appears to be detached from the policy title itself, meaning that an update is also a good opportunity to amend this.

2.17.4. To summarise, the policy should be updated to reflect the changes in the use class order and to add clarity to its purpose. Further updates might be expected depending on the conclusions of a new Employment Land Study including those related to the assessment of the developability of existing allocations.

2.17.5. **Outcome: update needed**

**2.18. Policy EC2. Employment Growth in the Rural Area (Outside Melton Mowbray)**

2.18.1. Since the adoption of this policy in 2018, the NPPF has changed and the revised wording from 2021 places an emphasis on the “sustainable growth and expansion of all types of business in rural areas”.

2.18.2. The current policy stipulates which type of rural employment developments are acceptable, therefore it is considered that there should be a greater alignment with the NPPF. In addition, the Framework also highlights that sites should meet local business needs in rural areas;

therefore, we consider that a new Employment Land Study will enable us to understand what the current local business are.

2.18.3. The outcomes of the Employment Land Study should influence the updated policy. Equally, as identified by development management officers, the policy would benefit from further clarity as to how the policy should be used in decision-making, especially regarding points 7 and 8 of the policy.

2.18.4. **Outcome: update needed**

### 2.19. Policy EC3. Existing Employment Sites

2.19.1. The Use Class Order has changed since the adoption of the Local Plan with the removal of the B1 category and the creation of the E use class, which includes a wide range of commercial and retail uses, therefore the specificity of the policy towards B1 is considered redundant.

2.19.2. The policy has been performing adequately since its adoption, with the change of use within employment sites to other uses being limited, albeit a number of uses within the former D2 use class being permitted to provide supporting uses for the wider site. However, under the new use class order, both uses would have been classified as E use class.

2.19.3. It is considered that the list of employment sites may need a refresh and an assessment carried out to understand the current use class mix. This assessment is proposed to be carried out within a new Employment Land Study.

2.19.4. A reassessment of whether non-B employment uses create a more economic viable employment site is recommended to ensure employment growth is not hampered. A degree of flexibility in relation to the use classes would be preferred to ensure the policy is operative if any future use class changes occur nationally.

2.19.5. Consequently, the policy should be updated to ensure compliance with the new Use Class Order or the inclusion of flexibility within the policy to avoid future issues. The Employment Land Study should assess existing sites and an update will be provided as appropriate. Finally, the wording of the policy would benefit from an update to enable employment sites that provide for a range of employment uses as covered in the revised NPPF.

2.19.6. **Outcome: update needed**

## 2.20. Policy EC4. Other Employment and Mixed-use Proposals

- 2.20.1. A key consideration for updating this policy is providing a definition of mixed-use developments, especially with the growth of working from home and running businesses at home since the COVID-19 pandemic. It is considered important to provide a clear definition of when this policy applies.
- 2.20.2. The policy is deemed to be repeating elements of policy EC2, therefore it is considered that a greater distinction between EC2 and this policy is necessary to enhance their usability.
- 2.20.3. There have been recent changes to the Planning Policy Guidance, over the matter of home working and running a business from the home. The policy would need to align with this guidance.
- 2.20.4. Additionally, the NPPF also acknowledges that not all employment needs can be met within the settlements and has stated that they may be found in locations not well served by public transport, which it is contrary to point 3 of the policy.
- 2.20.5. **Outcome: update needed**

## 2.21. Policy EC5. Melton Mowbray Town Centre

- 2.21.1. The policy is not performing well and requires alignment with the updated NPPF, policy guidance and the new use classes. The Authority Monitoring Reports (AMR) show that retail and business spaces in Melton Mowbray are falling in spatial terms.
- 2.21.2. The main evidence base for this policy is the Melton retail Study, this was produced in 2015 and is considered out of date, especially as there have been socio-economic challenges since the policy was written (e.g., Covid-19, Brexit, Cost of Living Crisis, war in Ukraine), which have had a negative impact in town centres.
- 2.21.3. Consequently, the production of a new retail study in order to understand how the policy can help achieve growth in the town centre through planning is needed.
- 2.21.4. **Outcome: update needed**

## 2.22. Policy EC6. Primary Shopping Frontages

- 2.22.1. Similar to policy EC5, the policy would benefit from an update following the recommendations of a new retail study. This update will aim to address

some of the issues identified during the review such as the policy's alignment with the NPPF and policy guidance.

2.22.2. Equally, the production of this retail study will give us the opportunity to gain further understanding of the current level of vacant units within the town centre, the implications of the change of use class, the lack of footfall compared with pre-pandemic levels and the implications of changes to Permitted Development Rights.

2.22.3. **Outcome: update needed**

### 2.23. Policy EC7. Retail Development in the Borough

2.23.1. This policy would benefit from further clarity in relation to the sequential testing and its alignment with the policy guidance. This update will aim to ensure that the policy is clearer on when an impact assessment is required.

2.23.2. Equally, rewording is needed to add clarity for those applications out of the town centre or service centres and whether they need a retail assessment regardless of the 200sqm threshold as stated in the policy.

2.23.3. A new retail study would provide some insight into retail needs in the town centre and the whole of the Borough. The outcomes of this study will inform the update of this policy.

2.23.4. **Outcome: update needed**

### 2.24. Policy EC8. Sustainable Tourism

2.24.1. As written, the policy aligns with the NPPF and guidance, however, as identified by development management officers, an update is desirable in order to add further clarity for decision-makers and applications as to how the policy operates.

2.24.2. This update also represents an opportunity to define/re-define 'sustainable tourism'.

2.24.3. **Outcome: update needed**

### 2.25. Policy EN1. Landscape

2.25.1. The policy continues to align with the NPPF and Practice Guidance. The Local Plan Inspector considered the wording carefully and introduced a number of changes via a Main Modification.



2.25.2. The original evidence dates from 2006 but has been supplemented by more recent reports such as the 'Areas of Separation, Settlement Fringe Sensitivity and Local Green Space Study' from 2016. The evidence review indicates that an evidence update is "desirable", but not a priority.

2.25.3. The policy has been used frequently since the local plan was adopted and has generally been supported at appeal.

2.25.4. **Outcome: update not needed**

## 2.26. Policy EN2. Biodiversity and Geodiversity

2.26.1. While the policy remains broadly in line with national policy and guidance, there are some areas where alignment could be improved. These areas include:

- Statutory and policy requirements on Biodiversity Net Gain;
- Work on the Local Nature Recovery Network; and
- The mitigation hierarchy.

2.26.2. The evidence is from 2016, but its comprehensive updating is not considered a priority.

2.26.3. There are some practical issues of interpretation and application in development management use where the policy would benefit from redrafting. This may be reflected in its limited use during refusals of planning applications.

2.26.4. **Outcome: update needed**

## 2.27. Policy EN3. The Melton Green Infrastructure Network

2.27.1. The policy remains in line with national policy and guidance. However, the main green infrastructure evidence is from 2011 and would benefit from updating to consider a wider range of green infrastructure assets and the need for greater connectivity between open spaces, reflecting the conclusions of the 2020 Melton Mowbray Open Space Strategy and Action Plan. Equally, further consideration should be given to the extension of the Melton Mowbray Open Space Strategy to the whole of the Borough, but also to discussions with adjoining local planning authorities.

2.27.2. An analysis of refusals and appeals since the local plan adoption, indicates that the policy is not referenced often in refusals. However, this is likely because it is a more positive policy which guides design and layout, rather than one used to determine the principle of development.



2.27.3. The policy is long, and it would be worth considering whether it could become more concise in any update.

2.27.4. **Outcome: update needed**

## 2.28. Policy EN4. Areas of Separation

2.28.1. The policy continues to comply with national policy and guidance, which is supportive of local landscape designations and protection of settlement character.

2.28.2. Two appeals considered this policy, one dismissed and one allowed. The latter, however, for development on an allocated site.

2.28.3. The need to update the evidence has been assessed as optional, and it is open to Neighbourhood Plans to define additional areas of separation if considered appropriate.

2.28.4. Overall, the only concern, usually explored in neighbourhood plans, is the balance between the flexibility given in the policy by the broad areas, shown as “zig-zag lines”, against the benefits of blocked areas. This matter was considered by the Local Plan Inspector who supported the current approach.

2.28.5. **Outcome: update not needed**

## 2.29. Policy EN5. Local Green Spaces

2.29.1. There has been no change to the NPPF or Practice Guidance on Local Green Spaces. However, *Lochailort v Mendip* (2020) found that the meaning of the NPPF was that policies for managing development in Local Green Spaces should be substantially the same as those for Green Belts. At present, the policy does not follow such an approach.

2.29.2. In terms of alterations to or designation of new areas, the evidence review found that updating this evidence was only “optional”. If communities consider additional Local Green Spaces are needed, these can also be designated through a Neighbourhood Plan.

2.29.3. The policy has not been tested at appeal, so can be considered to work effectively; however, an update is required to bring the development management element in line with Green Belt policies.

2.29.4. **Outcome: update needed**

### 2.30. Policy EN6. Settlement Character

- 2.30.1. The policy continues to be in line with national policy and guidance, which is supportive of development with a high quality of design and which protects heritage assets, including non-designated assets, and their settings.
- 2.30.2. The policy is now supported by the Council's Design Guide 2021 and accordingly there is no need for new evidence.
- 2.30.3. It is working well in relation to planning applications and an analysis of appeal decisions since the plan was adopted indicates that its guidance has been given weight by Inspectors.
- 2.30.4. **Outcome: update not needed**

### 2.31. Policy EN7. Open Space, Sport and Recreation

- 2.31.1. The importance of open space continues to be recognised in national planning policy and guidance. The council has published the Melton Mowbray Open Space Strategy and Action Plan which recommends improved open space standards for new development.
- 2.31.2. The Council plans to extend this study to cover the whole of the Borough. The Council is also updating the Playing Pitch and Indoor Sports Facilities Strategies as recommended by Sport England in order to address the outdated playing pitch requirements. Accordingly, the policy needs to be updated where necessary to reflect the new evidence.
- 2.31.3. The policy has not been quoted in any refusals or appeals since the local plan was adopted, and no issues aside from the need to update the evidence were raised in discussion with Development Management officers. However, based on the need for updated evidence, an update is considered appropriate.
- 2.31.4. **Outcome: update needed**

### 2.32. Policy EN8. Climate Change

- 2.32.1. This policy would benefit from a significant review and update to align with the amended Climate Change Act and the national carbon reduction framework, which have realigned national planning policy to reach net zero by 2050. This is especially apparent as there have been advances in our collective knowledge and in the adoption of new technologies since the adoption of the Local Plan.

- 2.32.2. The existing policy acts as a strategic objective, signposting to other local plan policies. It omits to mention any specific and measurable outcomes and is misaligned with local community expectations for the local plan to use local planning powers as effectively as possible to reduce carbon emissions and enable us to be resilient to the impacts of our changing climate.
- 2.32.3. There is a need for additional evidence to refocus and update this policy to ensure the local plan achieve and deliver this.
- 2.32.4. **Outcome: update needed**

### **2.33. Policy EN9. Ensuring Energy Efficiency and Low Carbon Development**

- 2.33.1. This policy would benefit from a significant review and update to align with the amended Climate Change Act and the national carbon reduction framework. Some parts of the policy require update because they have largely been superseded by national changes to building regulations in relation to overheating, electric vehicle charge points and energy efficiency.
- 2.33.2. The impacts of forthcoming additional regulations, including the Future Homes and Future Buildings standards also need to be considered.
- 2.33.3. The classification of the entire Melton borough water scarce in 2021 is a justification to update this part of the policy. An update may allow parts of the policy which relate to transport and design standards to be more effectively positioned within alternative more relevant plan policies.
- 2.33.4. The current wording of the policy has limited impact in practice and elements of the policy may be more effective if considered and added to other policies within the plan.
- 2.33.5. There is a need for additional evidence to refocus and update this policy to ensure the local plan uses its powers effectively to align with local community aspirations.
- 2.33.6. **Outcome: update needed**

### **2.34. Policy EN10. Energy Generation from Renewable and Low Carbon Sources**

- 2.34.1. The policy still largely accords with national planning policy, however the amended Climate Change Act and the national carbon reduction

framework increase the need for this policy to perform well and appropriately encourage renewable energy generation within the Melton borough.

2.34.2. The policy was written with a significant focus on onshore wind turbine energy generation, the dominant type of renewable energy scheme at the time of writing the local plan. Onshore wind turbines have been indirectly restricted due to changes in national policy since the adoption of the local plan, which means the policy has not been tested in this context. Advances in technology and falling costs mean that in practice the policy has largely been used for large solar PV schemes, and although it has been a generally useful framework for considering such applications, it is clear that some of the criteria may benefit from modifications to clarify different considerations required for different types of renewable energy schemes, to ensure it work wells in all contexts and increase community clarity in terms of where schemes are and are not acceptable. An update of the policy would also provide an opportunity to widen its scope to better promote community benefits from such development and support cooperative and local community energy initiatives, inline with emerging government policy in this area.

2.34.3. The evidence base that supports this policy is equally heavily focused on local wind energy, so it would also benefit from updating to ensure that it fully reflects all types of renewable energy generation. This includes local geothermal energy opportunities, which have been identified recently as potential energy sources that should be considered due to the local geology as well historic mining and other groundworks in the area, which was not considered within the original evidence base. The evidence base and policy is written with a focus on large scale energy generation and would benefit from widening to consider the role of smaller scale solar schemes delivered on roof spaces, which accounts for a large overall proportion of local low carbon energy generation and fits well with local community preferences to increase supply. The evidence base and scope of the policy may also benefit from being increased to consider how future energy demands are changing due to the electrification of local energy, for heating buildings and powering vehicles, and the need for responsive energy demand and storage infrastructure alongside local low carbon energy generation.

2.34.4. Overall although not critical this policy would benefit from an update and update to widen its scope and improve its performance.

**2.34.5. Outcome: update needed**

### 2.35. Policy EN11. Minimising the Risk of Flooding

2.35.1. The NPPF policies on flooding were updated in 2018 and 2022 and the Practice Guidance received a “significant refresh” in 2022. In this context, a new Strategic Flood Risk Assessment is a priority for new evidence.

2.35.2. The policy is long and includes fairly detailed technical guidance, which may be considered unnecessary in a local plan policy, and cause problems if and when national policy changes between local plan updates. It has not been used often to refuse an application and there are no relevant appeals to consider.

2.35.3. **Outcome: update needed**

### 2.36. Policy EN12. Sustainable Drainage Systems

2.36.1. While the policy is broadly in line with the NPPF and Practice Guidance, there are certain elements of the Guidance which the policy does not incorporate and which would enhance its effectiveness. These include:

- The need to ensure adoption and maintenance for the lifetime of the development;
- The need to justify the types of Sustainable Drainage Systems (SuDS); and
- Support to multifunctional SuDS design.

2.36.2. There is no specific need for additional evidence, but it is possible that the Strategic Flood Risk Assessment will provide additional locally-based guidance for the policy which could be beneficial.

2.36.3. **Outcome: update needed**

### 2.37. Policy EN13. Heritage Assets

2.37.1. The policy continues to provide guidance to developments affecting heritage assets in accordance with the NPPF and Practice Guidance. No significant changes to national policy and advice have occurred on this subject since the plan was adopted.

2.37.2. Whilst no mention is made in the plan of the “special regard” contained in legislation and national policy this has not hindered the relevance and weight that has been given to the policy.

2.37.3. Its use in considering planning applications since the adoption of the local plan has not thrown up any concerns in relation to its wording or application. Analysis of appeal decisions citing the policy indicates that the policy is quoted and given appropriate weight by Inspectors, backed up by national policy and legislation.

2.37.4. **Outcome: update not needed**

### **2.38. Policy IN1. Melton Mowbray Transport Strategy (MMTS)**

2.38.1. Policy IN1 details how the Council will work with Leicestershire County Council and others to deliver a transport strategy for Melton Mowbray. The Melton Mowbray Distributor Road (MMDR) North and East is a substantial element of the policy, in addition to the MMDR South that together form the first element of the policy. The MMTS is seeking to ensure that there are opportunities for encouraging a shift to more sustainable transport usage to take advantage of the benefits of changes to traffic movements caused by the MMDR.

2.38.2. The wider MMTS has been in progress for some time, and to a degree has been overtaken by the MMDR projects following successful grant funding applications. The MMTS could therefore be considered to primarily relate to part (b) of the policy.

2.38.3. In order to support the Full Business Case for the MMDR North & East, in July 2021 the County Council adopted an Interim MMTS. They state that this provides a framework for determining decisions on transport priorities, ensure the coordination of investment, support the Local Plan and build on joint work taking place.

2.38.4. Delivery of a wider MMTS is dependent upon funding. The County Council acknowledge that there is very little funding available in the most recently approved Highways and Transport Capital Programme to materially contribute towards MMTS delivery, which will rely on 3<sup>rd</sup> party funding (including developers, and other government / public funding through grants).

2.38.5. The policy will need to be updated to reflect the wider status regarding the MMDR (North, East and South), and the ongoing preparation of a wider MMTS. The policy could also be updated to reflect the strategy to continue to support the delivery of MMDR and better reflect the stronger emphasis within the National Planning Policy Framework in respect of sustainable modes of travel.

2.38.6. **Outcome: update needed**

## 2.39. Policy IN2. Transport, Accessibility and Parking

- 2.39.1. Since the adoption of this policy in 2018, significant changes have been made within national policy as the revised NPPF has placed a greater focus on attractive walking and cycling networks and EV charging. Additionally, the publication of the National Design Guide (2019) and Design Code (2021) provides information about the design of streets, highways, cycleways, etc.
- 2.39.2. It is considered that the current policy would benefit from an update to align with the changes in the national policy. In addition, a revised Leicestershire Highways Design Guide has been published, and reference to this document, and/or relevant updates, should be referenced within the policy.
- 2.39.3. Equally, development management officers consider that the policy could benefit from further detail for it to be applicable and relevant to site-specific circumstances. Greater requirements on developers to provide/implement/enhance transport and accessible infrastructure will be explored during the updated.
- 2.39.4. **Outcome: update needed**

## 2.40. Policy IN3. Infrastructure Contributions and Community Infrastructure Levy

- 2.40.1. The policy is considered to be performing well as the Council has consistently requested and collected substantial developer contributions to support the provision of infrastructure in the Borough in line with the infrastructure Priority List. For example, over the last 3 years we have received £594,094.91 in developer contributions based on Infrastructure Funding Statement (IFS) data.
- 2.40.2. There have been no significant changes to the Community Infrastructure Levy (CIL) regulations and the three tests set out in the NPPF.
- 2.40.3. It should be noted that central Government have proposed the removal of the CIL and the majority of section 106 agreements by proposing a new Infrastructure Levy.
- 2.40.4. Considering the proposed timetable to implement this new Infrastructure Levy, and the good performance of the policy, it is considered that the policy should not be updated at this stage. We will

keep this position under review via the annually published IFS and by monitoring the progress of the proposed Infrastructure Levy.

**2.40.5. Outcome: update not needed**

**2.41. Policy IN4. Broadband**

2.41.1. The policy is primarily covered by the NPPF and building control regulations; however, an update may be beneficial in order to address the recent updates with the NPPF in relation to electronic communication, 5G and full fibre.

2.41.2. It is difficult to measure how the policy is performing as only one appeal has referred to it. We are expecting to investigate in further detail the extent of which communication infrastructure is an issue in the Borough and to explore whether the policy could extend beyond building control regulations.

**2.41.3. Outcome: update needed**

**2.42. Policy D1. Raising the Standard of Design**

2.42.1. There has been significant change at a national policy level around design and design policy since the adoption of the local plan, this includes significant changes to the NPPF, a new national design guide and model design code. Raising the standard of design has become a much more prominent policy consideration within planning. These changes alongside new requirements around developing local design codes are sufficient in themselves to warrant an update of the policy, to ensure it is fit for purpose within the revised planning context.

2.42.2. Part J of the policy D1 makes reference to good practice design guidance documents, 'Active Design' and 'Building for (a Healthy) Life', however in practice these guidance document has had limited impact on applications and decision making, this is largely considered due to how the policy is worded, because specific design issues are set out differently within different documents. This is considered to be confusing for applicants and decision makers. In a local context, greater correlation with the Design SPD would be desirable from the update of the policy.

2.42.3. It needs to be noted that policy D1 is the most commonly cited policy within appeal, although it is a wide-ranging policy that covers a many different issues and is just one of several reasons given to refuse planning permission in around half of refusal decisions.



2.42.4. Many of the ways to ensure new development brings with it the best outcomes, including for health and wellbeing and tackle climate change effectively, relate to design. An update of D1, in line with comments made in relation to other plan policies within this document, is considered required to ensure that such opportunities are being taken appropriately and in a cohesive manner.

2.42.5. **Outcome: update needed**

### 2.43. Policy D2. Equestrian Development

2.43.1. The policy continues to conform with national policy and it is considered to provide an useful and appropriate framework for making decisions at a local level which is reported to be working well in relation to planning applications. No appeal decisions have been made in relation to this policy. Additional guidance may be useful to provide additional clarity, including what 'the sustainability credentials' used for decision making are, however this could be provided within additional supplementary or technical guidance to promote good practice equestrian development (including that which does not require planning permission), if deemed necessary, rather than there being a need to update the policy.

2.43.2. **Outcome: update not needed**

### 2.44. Policy D3. Agricultural Workers' Dwellings

2.44.1. The policy continues to conform with national policy, and it is considered to provide an useful and appropriate framework for making decisions at a local level which is reported to be working well in relation to planning applications and appeal decision making.

2.44.2. **Outcome: update not needed**

### 2.45. Site specific policies

2.45.1. Appendix 1 includes a number of site-specific policies which are directly linked to policy C1(A) in the adopted Melton Local Plan.

2.45.2. No significant issues have been identified. Moreover, feedback received from development management officers suggests that this policy helps decision-makers by identifying specific considerations for the allocations to be delivered.

2.45.3. **Outcome: update not needed**

## Appendix 1. Review outcomes (summary)

Policy	Outcome
Policy SS1. Presumption in favour of Sustainable Development	Update needed
Policy SS2. Development Strategy	Update not needed
Policy SS3. Sustainable Communities (unallocated sites)	Update needed
Policy SS4. South Melton Mowbray Sustainable Neighbourhoods	Update needed
Policy SS5. Melton Mowbray North Sustainable Neighbourhood	Update needed
Policy SS6. Alternative Development Strategies and Local Plan Review	Update needed
Policy C1 (A). Housing Allocations	Update not needed
Policy C1 (B). Reserve Sites	Update not needed
Policy C2. Housing Mix	Update needed
Policy C3. National Space Standard and Smaller Dwellings	Update needed
Policy C4. Affordable Housing Provision	Update needed
Policy C5. Affordable Housing through Rural Exception Sites	Update not needed
Policy C6. Gypsies and Travellers	Update not needed
Policy C7. Rural Services	Update needed
Policy C8. Self Build and Custom Build Housing	Update needed
Policy C9. Healthy Communities	Update needed
Policy EC1. Employment Growth in Melton Mowbray	Update needed
Policy EC2. Employment Growth in the Rural Area (Outside Melton Mowbray)	Update needed
Policy EC3. Existing Employment Sites	Update needed
Policy EC4. Other Employment and Mixed-use Proposals	Update needed
Policy EC5. Melton Mowbray Town Centre	Update needed
Policy EC6. Primary Shopping Frontages	Update needed
Policy EC7. Retail Development in the Borough	Update needed
Policy EC8. Sustainable Tourism	Update needed
Policy EN1. Landscape	Update not needed
Policy EN2. Biodiversity and Geodiversity	Update needed

Policy	Outcome
Policy EN3. The Melton Green Infrastructure Network	Update needed
Policy EN4. Areas of Separation	Update not needed
Policy EN5. Local Green Spaces	Update needed
Policy EN6. Settlement Character	Update not needed
Policy EN7. Open Space, Sport and Recreation	Update needed
Policy EN8. Climate Change	Update needed
Policy EN9. Ensuring Energy Efficiency and Low Carbon Development	Update needed
Policy EN10. Energy Generation from Renewable and Low Carbon Sources	Update needed
Policy EN11. Minimising the Risk of Flooding	Update needed
Policy EN12. Sustainable Drainage Systems	Update needed
Policy EN13. Heritage Assets	Update not needed
Policy IN1. Melton Mowbray Transport Strategy (MMTS)	Update needed
Policy IN2. Transport, Accessibility and Parking	Update needed
Policy IN3. Infrastructure Contributions and Community Infrastructure Levy	Update not needed
Policy IN4. Broadband	Update needed
Policy D1. Raising the Standard of Design	Update needed
Policy D2. Equestrian Development	Update not needed
Policy D3. Agricultural Workers' Dwellings	Update not needed
Site specific policies	Update not needed