

Planning Policy Newsletter

Issue 2 - July 2010

Welcome

Welcome to the second Planning Policy Newsletter. The newsletters are intended to inform you of progress with our Local Development Framework, and to provide an update on any national or regional planning issues that may impact on North West Leicestershire and surrounding areas.

What's in this Issue?



The following topics are addressed in this issue:

- The River Mease Special Area of Conservation
- Flooding Advice & Guidance
- Core Strategy Update
- Abolition of Regional Spatial Strategies
- 'Garden Grabbing'
- Development Control Issues
- National Planning Policy
- Saved Policies
- Annual Monitoring Report 2009
- Ourplace© Design Initiative
- Feedback and Further Information

The River Mease

Part of the River Mease falls within the administrative district of North West Leicestershire. The River Mease is a designated Special Area of Conservation (SAC) and, as such, is a strictly protected site designated under the EC Habitats Directive. The designation includes the River Mease and its tributaries. The River Mease SAC is also a Site of Special Scientific Interest (SSSI).

The River Mease SAC is classified on the basis of:

- floating formations of water crowfoot (*Ranunculus*) of plain and sub-mountainous rivers;
- populations of bullhead (*Cottus gobio*);
- populations of spined loach (*Cobitis taenia*);
- populations of white-clawed crayfish (*Austropotamobius pallipes*), and
- populations of otter (*Lutra lutra*) in the river and adjoining land habitat

Development in the river's catchment area will produce additional foul and sewage discharge. This could further increase the levels of phosphates in the River, which could potentially harm the protected species detailed above.

The District Council has been and is involved in extensive discussions with the Environment Agency, Natural England and Severn Trent Water to determine solutions to this issue.



However, in terms of planning applications, the onus is being put on applicants/agents to demonstrate their schemes will not have a significant impact on the integrity of the River Mease SAC. Important information affecting developments within the catchment area of the River Mease, including the Council's legal advice, can be found on the Council's website, or by clicking [here](#).

Further information on the background to the SAC designation can be found on the Joint Nature Conservation Committee website by clicking [here](#).

Further information on the background to the SSSI designation can be found on the Natural England website by clicking [here](#).

Flooding Advice & Guidance

To help reduce the risk of flooding and the damage it can cause, the Council has published guidance to help householders, landowners and prospective developers.

The guidance is intended to serve as a source of general information and provides a range of advice, on the causes of flooding, the roles and responsibilities of different agencies and individuals, how to make sure that people are aware of the risk of flood occurring, as well as measures that can be taken to manage and reduce the risk of flooding.

This advice is available on the Council's website, or by clicking [here](#).

Core Strategy Update

The Council is continuing to develop its Core Strategy, particularly in respect of the evidence base. However, issues relating to the River Mease Special Area of Conservation are having an impact upon the timing of the next phase of the Core Strategy. At the moment, we do not know when the full Council will be asked to agree the contents of the Core Strategy, but we will keep you informed.



Evidence Base

Since the publication of the previous newsletter, the following documents have been completed or are nearing completion.

Affordable Housing Viability Study

The Affordable Housing Viability Study was published in September 2009 and is available to view on the Council's website or by clicking [here](#).

Water Cycle Study

The Water Cycle Study is complete and is available on the Council's website or by clicking [here](#).

The Study is concerned with identifying any issues in respect of the supply of water and the disposal of foul water (i.e. sewage) to serve new developments.

Landscape Character Assessment

The Council has commissioned consultants to undertake a Landscape Character Assessment. The Assessment is due to be completed Autumn 2010.

Employment Land Study

We have asked the consultants who produced our initial study in 2005 to update their conclusions in respect of employment sites across the district. This should be available on the Council's website shortly.

Strategic Distribution

In respect of Strategic Distribution, the East Midlands Development Agency has had a sub-regional study completed to identify the most suitable sites for such uses. This study is available by clicking [here](#).

Strategic Housing Land Availability Assessment

Strategic Housing Land Availability Assessments (SHLAAs) are a key component of the evidence base, which support the provision of sufficient land for housing to meet the community's need for more homes. SHLAAs are required by national planning policy set out in PPS3: *Housing*.

The primary role of the SHLAA is to:

- identify sites with potential for housing;
- assess their housing potential, and
- assess when they are likely to be developed.

The SHLAA is an important evidence source to inform plan-making, but does not in itself determine whether a site should be allocated or granted permission for housing development. Decisions on site suitability will be made through the Local Development Framework process and/or through the processing of planning applications.

The SHLAA is not a one-off report and is reviewed as part of the Annual Monitoring Report process.

The first SHLAA for North West Leicestershire District was published in March 2009. The SHLAA is currently being updated and a number of the sites were published on the website in December 2009. A full assessment of all the additional sites is expected to be available on the Council's website in Autumn 2010.

The current SHLAA for North West Leicestershire can be accessed [here](#).

Secretary of State Letter re: The Abolition of Regional Spatial Strategies

On the 6th July 2010, the Rt Hon Eric Pickles MP issued a statement formally revoking Regional Strategies. The Government intends to return decision-making powers on planning and housing to local councils.

The statement details that "the revocation of Regional Spatial Strategies will make local spatial plans, drawn up in conformity with national policy, the basis for local planning decisions. The new planning system will be clear, efficient and will put greater power in the hands of local people, rather than regional bodies".

Thus, Regional Strategies no longer form part of the Development Plan.

New ways for Local Authorities to address strategic planning and infrastructure issues based on cooperation will be introduced through the Government's Localism Bill. Further information can be found on the CLG website or by clicking [here](#).

'Garden Grabbing'

On 9th June 2010 the Government announced a change to PPS3: Housing to prevent overdevelopment of neighbourhoods and 'garden grabbing'.

The key changes are:

- ***private residential gardens are now excluded from the definition of previously developed land in Annex B***
- ***the national indicative minimum density of 30 dwellings per hectare is deleted from paragraph 47***

Local Planning Authorities are expected to have regard to this new policy position in preparing development plans and, where relevant, to take it into account as a material consideration when determining planning applications

In relation to North West Leicestershire, we have collated the number of planning permissions (as at April 2010) to show the effects of the change in policy. The number of permitted dwellings classified as being on PDL has decreased, reflecting the fact that residential gardens are no longer classified as Greenfield. These figures are gross:

PPS3 Pre-June 2010

Greenfield	507 (dwellings)	63.61%
PDL	290 (dwellings)	36.39%

PPS3 Post-June 2010

Greenfield	633 (dwellings)	79.42%
PDL	164 (dwellings)	20.58%

PDL – Previously Developed Land

Development Control Issues

Customer Feedback Forms

The Council wants to deliver services in the best possible way it can. It might be obvious but we think the best people to tell us how we're doing are our customers – you.

From the 5th July 2010, we have been sending customer feedback questionnaires with all decisions on planning applications so that you can tell us what we're doing well and how you think we can improve.

In other words, wherever possible we'll use the feedback you give us to improve our services for our customers' benefit. We also appreciate that no two people are the same and so it's important, if you are responding as an individual rather than on behalf of a group or organisation, that we ask a few personal questions. This will help us build flexible and responsive services. This helps us to ensure that we're delivering to everyone and not focussing on any particular group of people. That said, you don't have to answer these questions if you'd rather not – your feedback will still be valuable to us.

Please rest assured that any information you provide will be treated in complete confidence in line with the Data Protection Act 1988. We hope that customers will take the time to complete the questionnaire and return it, as this form will be an important tool for obtaining feedback from you. Your reply will help us improve our services. We also welcome any additional written comments that you would like to make.

Major and Strategic Scheme Pre-Application Advice Procedures

The Council is able to provide advice and information if you are considering submitting a development proposal. We welcome and encourage discussions before you submit your application and understand that early discussions of your proposal can prove advantageous for all parties involved. We will be able to provide advice to developers and their agents on key issues prior to formal submission where the function is to speed up the development process and avoid delays or refusals due to unacceptable proposals.

The provision of advice on development schemes is time-consuming and the current statutory planning fees do not cover the cost of these discussions. In view of this, and taking into account the increased number of requests for advice, we have formalised the procedures for handling this area of work and introduced a fee for the most complex applications. This will help us to sustain and improve the quality of service provided.

Development proposals that are subject to the chargeable pre-application advice scheme are set out below, or where a development forms part of a scheme falls within these thresholds:

	Residential	Commercial	Pre-application advice fee (inc. VAT)
Strategic Proposal	50 Dwellings or more	10,000 + sq m floor space	£3,400.00
Major Proposal	10-50 Dwellings	1,000 – 9,999 sq m floor space	£1,800.00

As mentioned above, we welcome pre-application discussions for all types of development proposal and believe they are of value to all parties. The first pre-application advice meeting will be provided free of charge to all applicants to enable them to make an informed choice about whether to pay for the major and strategic pre-application advice service.

If a development proposal falls within the categories above, it will remain the applicant's decision as to whether they choose to pay for enhanced pre-application advice or just to submit their application.

This major and strategic pre-application advice service was introduced on 1st July 2010, further information is available on the website by clicking [here](#).

National Planning Policy Statements (PPSs)

New Planning Policy Statement 4: Planning for Sustainable Economic Growth

PPS4 was published in December 2009 and replaces PPG4, PPG5 and PPS6, all of which are superseded and irrelevant in determining Planning Applications.

The main Town Centre uses are defined in paragraph 7 of PPS4, and these include:

- Retail development (including warehouse clubs and factory outlet centres);
- Leisure, entertainment facilities, and the more intense sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres and bingo halls);
- Offices, and
- Arts, cultural and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities)

A full copy of PPS4 can be viewed [here](#).

New Planning Policy Statement 5: Planning for the Historic Environment

PPS5, published 23rd March 2010, sets out the Government's planning policies on the conservation of the historic environment. PPS5 replaces *Planning Policy Guidance 15: Planning and the Historic Environment*, published in 1994, and *Planning Policy Guidance 16: Archaeology and Planning*, published in 1990.

A full copy of PPS5 can be viewed [here](#).

Climate Change, the Natural Environment and Coastal Change

The Government has launched consultations for new PPSs on climate change, the natural environment and a new policy on coastal change. The titles of the documents are as follows:

- Consultation on a Planning Policy Statement: Planning for a Low Carbon Future in a Changing Climate
- Consultation on a new Planning Policy Statement: Planning for a Natural and Healthy Environment
- Planning Policy Statement 25 Supplement: Development and Coastal Change

More information on Planning Policy Statements is available on the Communities and Local Government website or by clicking [here](#).

Saved Policies

Under the provisions of the Planning and Compulsory Purchase Act 2004, policies in Local Plans are saved until 27th September 2007. The Council's Executive Board considered a report on the 19th December 2006 in respect of which policies the Council should ask the Secretary of State to save. Following this, the District Council made a request to the Secretary of State to save the agreed policies.

The Council was formally notified of which policies are saved. A schedule of the saved policies can be viewed [here](#).

The 'saved' policies will be used to determine the merits of planning applications until such time as they are superseded by policies in Local Development Documents as part of the LDF.



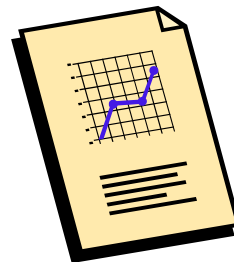
Annual Monitoring Report

The Planning and Compulsory Purchase Act 2004 requires local planning authorities to produce, and submit to the Secretary of State by the end of December each year, an Annual Monitoring Report (AMR).

The AMR covers the period from 1st April in the year preceding submission to the Secretary of State to 31st March in the year of submission.

In simple terms, monitoring involves collecting and analysing a range of information and assessing whether policies are being implemented in the way intended. Monitoring provides an opportunity to identify where policies may need to be changed and is part of an ongoing process of policy-making.

The 2009 AMR is available on the Council's website or can be accessed by clicking [here](#).



Ourplace©

Ourplace©: Helping You Find Your Ideal Place To Live

Ourplace© is an innovative new service that seeks to improve the quality of design of new homes and neighbourhoods by providing consumers with an easy-to-understand rating system. We've developed the scheme following a recent survey sent to all North West Leicestershire residents asking them what they thought made an ideal place to live.

Our rating system is based on the Building for Life standard – the national standard for new homes and neighbourhoods. Our philosophy is simple: we believe that if we offer consumers an easy way to identify good design, design standards will be driven up by more discerning purchasers. This will be complemented by the Council's stronger approach to design following the appointment of the Council's first urban designer.

For the first time, purchasers will be able to find out how a particular development performs against the national standard and help them easily compare developments.

North West Leicestershire District Council is the first Council to use ourplace©, with all developments from 21st October 2009 being assessed against the scheme. Other Councils will be rolling out ourplace© from 2010. New residential design guidance will be published for consultation later this year.

An Easy-To-Understand Rating System

Ourplace© uses an easy-to-understand four tier rating system based on the Building for Life standard. Ourplace© involves the local Council's accredited Building for Life assessor independently assessing planning applications against the Building for Life standard.

If a scheme is granted planning consent, a certificate with one of four rating tiers will be issued to the developer to display in their Sales Office. This rating will also be published on a dedicated website that will be launched this summer.

Schemes that achieve 14 or more of the 20 Building for Life criteria meet the national standard and will be awarded either an 'A+' or 'A' rating. Schemes that fall below this standard will be awarded either a 'B' or 'C' rating.

To find out more, visit www.buildingforlife.org or contact Stefan Kruczkowski, Urban Designer on 01530 454 768 or via email: design@nwleicestershire.gov.uk.



Feedback

In order to make subsequent newsletters/e-mails as informative and timely as possible, we are seeking your views on how communication can be most effective

Have you found the Newsletter useful? Do you have any suggestions on how we can improve it?



How to Contact us:

By Post:

Spatial Planning,
North West Leicestershire District Council,
Council Offices, Whitwick Road,
Coalville, Leicestershire, LE67 3FJ

By Email:

planning.policy@nwleicestershire.gov.uk

By Telephone:

01530 454684

How to Get Involved

If you would like to get involved in the preparation of our LDF, your details can be included on the Council's Consultation Database. This will ensure you are notified of progress and consultations regarding the LDF. Please fill out the application form overleaf if you are interested.



Data Protection Act 1998

- Personal data supplied on this form will be used in accordance with North West Leicestershire District Council's notification under the Data Protection Act 1998 and in compliance with the Freedom of Information Act 2000 for the purpose of Advertising, Marketing, Public Relations, General Advice Services .
- The North West Leicestershire District Council will treat all information as confidential and is committed to respecting your privacy.
- You have the right to access your personal data and rectify any inaccuracies.
- For further information on how your information is used, how we maintain the security of your information and your rights to access information that we hold on you, please contact:

Data Protection Officer,
North West Leicestershire District Council,
Council Offices,
Whitwick Road,
Coalville,
Leicestershire,
LE67 3FJ

E-Mail customer.services@nwleicestershire.gov.uk

Feedback and Further Information

You can become involved by :

Telephone:

01530 454676 677, 767, or 684

or by filling out this **Application Contact Form**

TITLE : Mr Mrs Miss Ms

OTHER

FIRST NAME

SURNAME

ADDRESS

POSTCODE

E-MAIL

TELEPHONE

NUMBER

Post To:
Spatial Planning,
North West Leicestershire District Council
Council Offices, Whitwick Road
Coalville, Leicestershire, LE67 3FJ

How would you like to be contacted? Please tick the relevant boxes.

Post E-mail

How often you would like to be contacted by the planning policy department?

Quarterly

When there is something major to report

Are you a?

Local Resident

Landowner

Developer

Local Business

Represent a local organisation

DATE

/ /

•We would like to send you information when there is something major to report. If you do **NOT** wish to receive LDF Information, please tick the box

•Wherever possible, we would like to save resources by giving you information when there is something major to report , by e-mail , instead of by mail. Tick here if you would prefer **NOT** to receive information by e-mail.

If you do not want us to use your information for direct marketing purposes, please tick this box .