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Submission to the North West Leicestershire Local Plan Examination

On Behalf of Ravensbourn Container Systems Ltd (46)

Land North of Occupation Lane, Swadlincote

Matter 1

1. Legal Compliance and Future Plan Review

a.

Is the Plan legally compliant with respect to:

- i. the Local Development Scheme (LDS)[LP/15]**
- ii. the Statement of Community Involvement (SCI) [LP/16]**
- iii. Sustainability Appraisal (SA) [LP/04-06]**
- iv. the Habitats Regulations and any requirement for appropriate assessment [LP/11]**
- v. the provisions of the 2004 Act and Local Plan Regulations 2012 (as amended) for the preparation of the Plan [LP/19, EX/09B, EX/10]**
- vi. national policy (subject also to consideration under the further matters below)?**

b. Is the Plan and its preparation compliant with the statutory Duty to Co-operate (DTC) with prescribed bodies regarding cross-boundary strategic matters, including housing requirements in particular? (subject also to consideration under further matters below) [LP/14, EX/04, HO/4, CR/01, CR/04, CR/08]

1

LP 18 is the agreed document between SDDC and NWLDC, this simply says that they are in agreement about housing on the basis that both authorities are taking care of their own housing needs within their own boundaries. There is nothing at all to suggest that any attention has been paid to the sustainable nature of land at Swadlincote /Woodville where the boundary between the Districts is convoluted and where South Derbyshire are proposing significant employment and regenerative development which includes new road infrastructure. The duty to co-operate statement gives no confidence that the two authorities have paid this any attention in the production of the local plan and land use planning. The document simply states that the following area of “ Woodville/Swadlincote/Albert village “ have been or will be the subject of discussion between the authorities”

As a statement of co-operation this tells the reader nothing about what co-operation has taken place or will take place and it is absolutely inadequate. It is quite impossible to tell from this document that the duty as set out in paragraph 178 to 181 of the framework is discharged and we consider that it is not.

**c. Does Policy S1 of the Plan, with the MM proposed by the Council, make appropriate, justified and effective provision in current circumstances for early review of the Plan to take into account the conclusions, yet to be published, of the joint Housing and Employment Needs Assessment (HEDNA) and/or other research? (subject also to consideration under further matters below)
[LP/14,LP/20,BP/01,EX/05-08]**

1

Main modification I retains the existing housing and employment figures but proposes that the Council are working with other authorities including the Leicestershire Authorities to assess the long term level of growth required through the HEDNA document and that any review required as a result of the findings will be started within 12 months. Quite clearly the findings of this review are fundamental to this local plan and whether it includes sufficient flexibility to deal with any increases in growth that may be required. In our view the requirements of the HEDNA review may alter the spatial requirements for growth and this Plan should at least set out what the implications of that may be and if there will be requirements that necessitate joint working with other planning authorities, or other options to accommodate longer term growth.

2

There is no mention in the Statement of the way in which homes in South Derbyshire for workers at EMGRFI will be accommodated despite the SHMA update document estimating that this could require around 246 additional homes.

3

This emerging document is all the more reason why the duty to co-operate should be more detailed and specific about cross boundary working, the location of future development, as there is no evidence in the document with South Derbyshire that this is even considered or what any future response will be.

4

The MM does not at the moment set out a clear timescale from the adoption of this local plan within which a review will be undertaken. In reality the preparation of this Local Plan is taking place on an unsound basis as the most up to date position will only be available when the HEDNA report becomes available.

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