

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – 18 NOVEMBER 2014

Title of report	LOCAL PLAN - REPRESENTATIONS MADE IN RESPONSE TO REGULATION 18 CONSULTATION
Key Decision	a) Financial No b) Community No
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Purpose of report	To update members on the representations in response to the Regulation 18 public consultation.
Reason for Decision	To ensure that the Cabinet is aware of the outcome of the Regulation 18 Consultation.
Council Priorities	Not applicable
Implications: Financial/Staff Link to relevant CAT Risk Management Equalities Impact Screening Human Rights	None Not applicable The need to undertake consultation as part of the preparation of the Local Plan is required under Regulations pursuant to The Town and Country Planning (Local Planning) (England) Regulations 2012 The consultation undertaken sought to bring the preparation of the Local Plan to as wide an audience as possible to ensure that those with an interest in the Local Plan have an opportunity to comment and so minimise the risk of challenge later on in the process of preparing the Local Plan. None No discernible impact

Transformational Government	Not applicable
Comments of Head of Paid Service	The Report is Satisfactory
Comments of Section 151 Officer	The Report is Satisfactory
Comments of Deputy Monitoring Officer	The Report is Satisfactory
Consultees	A 12 week consultation period has taken place with local residents, businesses, developers, landowners and statutory consultees.
Background papers	National Planning Policy Framework (NPPF): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/60777/2116950.pdf Town and Country Planning (Local Planning) (England) Regulations 2012: http://www.legislation.gov.uk/uksi/2012/767/made
Recommendation	THAT CABINET: 1 NOTES THE REPRESENTATIONS MADE IN RESPONSE TO THE LOCAL PLAN REGULATION 18 CONSULTATION AND THE COUNCIL RESPONSE SET OUT WITHIN APPENDIX B, AS ATTACHED

1.0 BACKGROUND

1.1 The District Council is keen to make sure the new Local Plan reflects the wishes of the wider community, as well as those policy requirements contained within the National Planning Policy Framework (NPPF). To help ensure that the Local Plan is representative of the views of all of North West Leicestershire's residents and businesses and to meet the statutory requirements necessary in the preparation of a Local Plan, a Regulation 18 consultation was undertaken between the 20 June and the 19 September 2014.

1.2 The Regulation 18 consultation is the first stage of the statutory process in preparing the Local Plan and provides a scoping phase to the process. The Town and Country Planning (local planning) Regulations 2012 states that:-

18. (1) *A local planning authority must—*

(a) notify each of the bodies or persons specified in paragraph (2) of the subject of a local plan which the local planning authority propose to prepare, and

(b) invite each of them to make representations to the local planning authority about what a local plan with that subject ought to contain.

(2) The bodies or persons referred to in paragraph (1) are—

(a) such of the specific consultation bodies as the local planning authority consider may have an interest in the subject of the proposed local plan;

(b) such of the general consultation bodies as the local planning authority consider appropriate; and

(c) such residents or other persons carrying on business in the local planning authority's area from which the local planning authority consider it appropriate to invite representations.

(3) In preparing the local plan, the local planning authority must take into account any representation made to them in response to invitations under paragraph (1).

1.3 In accordance with the legislation, the District Council has notified the key stakeholders of its intention to prepare the North West Leicestershire Local Plan, and invited them to consider what the new Local Plan ought to contain. These stakeholders include the members of the public and businesses on the authority's consultation database; developers and landowners; neighbouring and or housing market area authorities and parish and town councils; a range of agencies with an interest in the Local Plan such as the Environment Agency, Natural England and English Heritage.

1.4 The consultation was also promoted as widely as possible via the Council's website, social media and through the distribution of leaflets and posters via the Community Focus Team.

1.5 Officers also attended the following three events to promote the local plan

- Heart of the Forest Festival (Measham- Leisure Centre grounds) 21 June 2014
- Picnic in the Park (Coalville- Coalville Park) 29 June 2014
- Music in the Park (Castle Donington- Spital Park) Sunday 6 July 2014

1.6 Through these methods of engagement the District Council has sought representations from a wide range of stakeholders, to ensure that as far as possible the contents of the Local Plan reflect the needs priorities and aspirations of residents, businesses and wider stakeholders. Appendix A sets out the consultation document and draft local plan structure that was approved by the Local Plan Advisory Committee (LPAC) on the 18 March 2014 to gain stakeholders views, on what topics ought to be included in the new Local Plan.

2.0 REGULATION 18 REPRESENTATIONS

2.1 In response to the Regulation 18 consultation there were 77 representations received from members of the public, parish councils, developers and landowners, and statutory

bodies. A summary of the representations received is set out in Appendix B. The following list identifies topics that consultees would like to see included within the local plan.

- Renewable Energy and Low Carbon Technologies
- Heritage
- Telecommunications
- Tourism
- Health and well-being of the community to include access to sports and recreational facilities
- Social and Community facilities
- Economic policies to include East Midlands Airport
- Housing mix- to include the provision for the elderly
- The delivery of affordable housing
- Infrastructure delivery
- Environment policies to include landscape character, geodiversity and the protection of air, water and soil resources.

2.2 The two most significant omissions highlighted in the consultation relate to renewable energy and heritage issues.

2.3 In relation to renewable energy and low carbon technologies the NPPF states at :

Paragraph 94: Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change,¹ taking full account of flood risk, coastal change and water supply and demand considerations.

and at

Paragraph 97: To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. They should:

- *Have a positive strategy to promote energy from renewable or low carbon sources;*
- *Design their policies to maximise renewable and low carbon energy development whilst ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts;*
- *Consider identifying suitable areas for renewable and low carbon energy sources, and supporting suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources;*
- *Support community-led initiatives for renewable and low carbon energy, including development outside such areas being taken forward through neighbourhood planning; and*
- *Identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.*

2.4 In order for the local plan to be in accordance with national policy, it is therefore proposed that the local plan should include renewable and low carbon technology policies. This will also potentially reduce the risk of objection at examination.

2.5 A number of responses including English Heritage have requested that a section on heritage should be included in the new local plan. Paragraph 126 of the NPPF states:

Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise the heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:

- *The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*
- *The desirability of new development making a positive contribution to local character and distinctiveness; and*
- *Opportunities to draw on the contribution made by the historic environment to the character of a place.*

2.6 It is therefore proposed that the District Council works closely with English Heritage to reach agreement as to the level of detail that will be included within the Local Plan without duplicating the policies that are included within the NPPF. The local plan will need to make reference to heritage in order to be in accordance with national policy and to reduce the risk of objection at examination.

¹ In line with the objectives and provisions of the Climate Change Act 2008