

# **NORTH WEST LEICESTERSHIRE LOCAL PLAN**

## **LOCAL DEVELOPMENT SCHEME**

**2019– 2022**

November 2019





## 1. INTRODUCTION

### **The North West Leicestershire Local Plan**

- 1.1 North West Leicestershire District Council as Local Planning Authority is required to produce a Local Plan.
- 1.2 The purpose of the Local Plan is to guide future decisions in respect of future development.
- 1.3 The National Planning Policy Framework (NPPF) notes that “*The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings*”.
- 1.4 The current Local Plan was adopted on 21<sup>st</sup> November 2017 and replaced the previous Local Plan that was adopted in August 2002.

### **The Local Development Scheme**

- 1.5 A Local Development Scheme (LDS) is required to be prepared by the Council (under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011)).
- 1.6 The LDS must specify (among other matters) the documents which, when prepared, will comprise the Development Plan for the area. It must be made available publically and kept up-to-date. It is important that local communities and interested parties can keep track of progress.
- 1.7 This covers the three year period up to 2022 and supersedes the Council's previous LDS published in February 2018.

### **The Development Plan**

- 1.8 Planning applications are to be determined in accordance with the provisions of the Development Plan unless there are good planning reasons for doing otherwise. The Development Plan represents the cornerstone of the planning system as it sets out the local planning authorities planning strategy and policies to guide the future development of the district.
- 1.9 At the present time the Development Plan for North West Leicestershire consists of the following documents:
  - The adopted North West Leicestershire Local Plan 2017;
  - Leicestershire Minerals and Waste Local Plan (2019);
  - Ashby de la Zouch Neighbourhood Plan (November 2018); and
  - Ellistown and Battelflat Neighbourhood Plan (July 2019)
- 1.10 The Minerals and Waste Plans are the responsibility of Leicestershire County Council. A new Minerals and Waste Local Plan is in the process of being prepared.

- 1.11 Neighbourhood Plans are community-led documents by a Parish/Town Council or Neighbourhood Forum and ultimately adopted by the District Council as part of the development plan.
- 1.12 All development plans have to be consistent with national policies, as set out in the NPPF.
- 1.13 Each Development Plan Document (DPD) must also be accompanied by a Strategic Environmental Assessment (SEA) and Sustainability Appraisal; or in the case of a Neighbourhood Plan be supported by a Screening Opinion as to whether an SEA is required.
- 1.14 Strategic Environmental Assessment (SEA) is a process intended to ensure that significant environmental effects arising from Local Plan proposals are identified, assessed, mitigated, communicated to decision-makers and monitored. The role of SEA is to:
- Support sustainable development;
  - Improve the evidence base for decision-making; and
  - Facilitate and respond to consultation with stakeholders.
- 1.15 The Planning Act requires local planning authorities to undertake a Sustainability Appraisal (SA) (incorporating SEA) to ensure that, in addition to considering the environmental impacts of policies and proposals, an assessment is also made of their economic and social impacts.
- 1.16 The SA outputs will be consulted upon during the development plan process.
- 1.17 The River Mease which passes through part of the district is designated as a Special Area of Conservation (SAC) at EU level. The council is required to undertake a Habitats Regulations Assessment of any development plan whose policies or proposals could have a significant adverse effect upon the integrity of the SAC.
- 1.18 The outcome of any such assessments will be consulted up on alongside the parent development plan.

### **Neighbourhood Plans**

- 1.19 Under the Localism Act Neighbourhood Plans can be prepared by local communities. These can be used to establish general planning policies for an area. A Neighbourhood Plan must be in general conformity with the strategic policies in the Development Plan, as well as having regard to national planning policy and must be compatible with EU obligations and human rights requirements.
- 1.20 Before a Neighbourhood Plan can be adopted it must gain the approval of a majority of voters of the neighbourhood.
- 1.21 If adopted a Neighbourhood Plan will be part of the Development Plan for that area – it will be a material consideration in determining planning applications.
- 1.22 The LDS does not set out what Neighbourhood Plans will be produced as this will be a matter for local communities to decide when such plans will be

produced. However, the District Council will provide support to local communities wanting to produce a Neighbourhood Plan.

- 1.23 At the present time Neighbourhood Plan areas have been designated for:
- Blackfordby
  - Hugglescote and Donington-le-Heath; and
  - Swannington

(These designations in addition to those areas where a Neighbourhood Plans have been 'made')

### **Statement of Community Involvement**

- 1.24 A Statement of Community Involvement (SCI) sets out how a Council intends to consult and involve the community in the preparation and review of local development documents and in development management decisions. The North West Leicestershire SCI was published in February 2019.
- 1.25 Regulations require that the SCI is reviewed every 5 years. Therefore, it is not proposed at this time to review the SCI during the lifetime of this LDS, but this matter will be kept under review.

### **Community Infrastructure Levy**

- 1.26 The Community Infrastructure Levy (CIL) is a charge payable by developers which contributes towards the cost of providing new infrastructure as part of new development.
- 1.27 The Council has undertaken some work with the other Leicestershire Local Planning Authorities to establish the potential for a CIL charge and what such a charge would be.
- 1.28 The CIL does not form part of the LDS but any future updates to the LDS will set out the latest situation on the CIL.

## 2. **THE LOCAL DEVELOPMENT SCHEME FOR NORTH WEST LEICESTERSHIRE**

### **Purpose and Content of Local Development Scheme**

2.1 The Local Development Scheme has the following main purposes:

- To inform the public of the documents that the District Council proposes to prepare which will make up the new planning policy framework for North West Leicestershire;
- To set out the timescales envisaged for the preparation of these documents;
- To establish and reflect District Council priorities;
- To enable work programmes to be set and resources to be allocated for the preparation of these documents;
- To set a timetable for the review of these documents once they have been prepared.

### **Development Plan Documents**

2.2 As noted the Local Plan was adopted by the District Council in November 2017. The Local Plan includes a commitment to an early review of the plan. The LDS sets out the programme for this review.

2.3 The review will comprise of two elements:

- A Partial review which will address Policy S1 of the adopted Local Plan only; and
- A Substantive Review which will address future development needs and policies.

2.4 The District Council will review the need for and timing of any development plans as part of the annual monitoring cycle involved in the preparation of the Annual Monitoring Report.

2.5 The Policies Map will be amended to reflect changes to the development plan. It will be updated to show the geographic extent of site specific policies or other matters referred to in adopted development plans.

2.6 Each development plan will be subject to statutory procedures, including consideration at an independent examination, and an Inspector's report which the Council will need to consider before adopting the relevant development plan.

2.7 Section 4 sets out individual profiles for each document to be prepared by the Council. This provides a brief description of each document, information on its status and the timing of the main stages or 'milestones' towards its adoption.

### 3. **SUPPORTING STATEMENT**

#### **Introduction**

- 3.1 This supporting statement sets out the context for the preparation of the Local Plan. It identifies the resources that will be available for the preparation of the various documents and provides an assessment of the various risks which the District Council is likely to face in the production of the Local Plan.

#### **District Profile**

- 3.2 North West Leicestershire is a mainly rural district, covering 27,900 hectares. The principal town is Coalville and the other main settlements are Ashby de la Zouch, Castle Donington, Ibstock, Kegworth and Measham.
- 3.3 The population of the district was estimated as being 102,100 in 2018.
- 3.4 Little trace of the former deep mining industry now remains as a result of the redevelopment and restoration of sites to a variety of uses, including woodland planting as part of the National Forest. Major employment areas have been provided at strategic locations as part of the area's regeneration strategy.
- 3.5 The District is crossed by the A42, with the M1 passing on the eastern side. East Midlands Airport is situated in the northern part of the District and provides a major source of local employment. There is no passenger rail service within the District, but the Leicester-Burton railway (the 'National Forest Line') remains open for freight traffic.
- 3.6 North West Leicestershire is at the heart of the National Forest and has areas of very attractive countryside, including Staunton Harold and the Charnwood Forest. There are nationally recognised conservation areas in Ashby-de-la-Zouch Town Centre and at Castle Donington.

#### **Joint Working**

- 3.7 The Council has worked with all of the other local planning authorities in Leicester and Leicestershire on a Strategic Growth Plan to guide future development across the sub-region up to 2050. It is the authorities collective 'offer' to government and other partners for how (collectively) we can deliver the new homes, jobs and ancillary uses which the county requires. The Strategic Growth Plan was approved by all Councils at a series of meetings held during November and December 2018
- 3.8 The Strategic Growth Plan is a positive response to the Duty to Cooperate requirement introduced by the Localism Act 2011. The broader strategy and jobs and homes figures contained in the Strategic Growth Plan and its timetable for production will directly influence development of future Local Plans across Leicestershire.
- 3.9 None of the documents identified for preparation in this LDS will be prepared as joint documents with other authorities. However, the potential for the production of any joint documents will be kept under review as part of future iterations of the LDS. In addition, the Council will continue to engage with the

other Leicester and Leicestershire authorities in respect of strategic matters during the period covered by this LDS, including progressing a Statement of Common Ground, which is currently being prepared.

### **Resources**

3.10 Production of local development documents is led by the Planning Policy Team in the Planning and Infrastructure Service. A more detailed explanation of resource requirements is set out within the individual document profiles in Section 4.

3.11 The following staff resource is available for preparing the Local Plan:

- Head of Planning & Infrastructure 10%
- Planning Policy Team Manager 55%
- Planning Policy Team Leader 85%
- Senior Planner x 3 (2 PT) 80%<sup>1</sup>

3.12 Consultants have been engaged as necessary to carry out a number of studies for the District Council. The need for further input of such expertise will be kept under review.

3.13 Every effort will also be made to take advantage of the skills and experience available in other sections of the District Council.

### **Programme Management Responsibilities**

3.14 The preparation of the Local Plan for North West Leicestershire will be the responsibility of the Head of Planning & Infrastructure, with day-to-day project management and programming being dealt with by the Planning Policy Team Manager.

### **Governance Procedures**

3.15 The Local Plan Committee is responsible for overseeing the preparation of the Local Plan. A Council resolution will be required for the adoption stages of any DPD prepared by the Council.

3.16 At officer level a Project Board, led by the Strategic Director of Place, oversees the work undertaken by officers and directs the development of the plan.

### **Risk Assessment**

3.17 An assessment has been undertaken of the main areas of risk facing the District Council in the preparation of the Local Plan, together with measures to address such risks. The risks identified include:

- Staff turnover and possible delays in filling vacant posts.

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<sup>1</sup> Across the three posts

Mitigation measures: continual professional development through appraisals; flexible use of other planning expertise elsewhere within the Planning service as required; take steps to seek to fill vacancy immediately.

- Financial constraints hinder ability to develop and deliver documents.

Mitigation measures: Local Plan a key corporate priority; ensure that budgetary provision included as part of Council's annual budget setting process.

- Nature and extent of public response is such that existing resource will be stretched to maintain programme of work.

Mitigation measures: The SCI for North West Leicestershire is now in place and provides a clear basis for community engagement. Consider the employment of temporary staff to help assist with assessment of responses to consultations if required particularly to free up experienced planning officers.

- New Government guidance which affects approach being taken thus requiring additional work and hence delays.

Mitigation measures: closely monitor potential changes and ensure that all Planning Policy staff are aware of any emerging issues and guidance and assess potential impact upon Local Plan immediately.

- Duty to Cooperate issues delays progress or adoption.

Mitigation measures: ensure that all the Leicester and Leicestershire authorities are consulted and kept up-to-date throughout the plan preparation process; Strategic Planning Group and the Planning Officers Forum provide forums for sharing information and emerging issues.

- Political issues.

Mitigation measures: Local Plan Committee in place which provides opportunity to engage with members; ensure that Portfolio Holder is provided with regular updates.

#### **4 OVERVIEW OF LOCAL DEVELOPMENT DOCUMENTS TO BE PRODUCED**

- 4.1 This section describes the purpose of each Development Plan Document and the timetable for its preparation. The chart at Appendix 1 provides a summary guide to the timetabling of each document
- 4.2 The North West Leicestershire Local Plan was adopted on 21 November 2017. It sets out as strategy for delivering the homes, jobs and infrastructure needed in the district between 2011 and 2031.
- 4.3 Policy S1 of the plan provides a commitment from the Council to undertake a review of the plan commencing within 3 months of adoption. There are two main reasons why an immediate review was required:
- A shortage of employment land up to 2031 compared to what is needed (as identified in our Housing and Economic Development Needs Assessment, or HEDNA)
  - The possible need to accommodate additional housing arising from unmet needs in Leicester city.
- 4.4 Work on the review commenced in February 2018 with an initial consultation. A further round of consultation was undertaken in late 2018/early 2019.
- 4.5 The principal focus over the period of this LDS will, therefore, be to review the Local Plan.

#### **Partial Review of Local Plan**

- 4.6 In view of the fact that the Local Plan was adopted recently it had been the intention that the review would be a partial review which would only address the housing and employment issues referred to in paragraph 4.3 above, with submission by February 2020. However, there remains a lack of certainty regarding the amount of unmet need from Leicester City which will need to be accommodated elsewhere. In addition, the granting of a number of planning permission means that the employment land shortfall has almost been addressed.
- 4.7 Therefore, the Council has decided that the Partial Review will address the provisions of Policy S1 which required submission by February 2020.

<b>OVERVIEW</b>	
Coverage	District-wide
Status	Development Plan Document
Conformity	National Planning Policy Framework

<b>TIMETABLE</b>	
<b>Stage</b>	<b>Dates</b>
Publication of Local Plan	November 2019- January 2020
Submission	February 2020
Examination	May 2020
Adoption	October 2020

<b>ARRANGEMENTS FOR PRODUCTION</b>	
Organisational Lead	Head of Planning & Infrastructure
Political Management	Local Plan Committee Cabinet Council
Internal Resources	Planning Policy Team Manager and Planning Policy Team
External Resources	Legal advice
Community & Stakeholder Involvement	As set out in Statement of Community Involvement
Monitoring	Addressed in the Annual Monitoring Review

### **Substantive Review**

- 4.8 The Substantive Review will address the future development needs of the district, most likely up to 2039, including site allocations as well as specific policies and criteria against which planning applications for development can be assessed. It will need to have regard to the outcome from the Strategic Growth Plan as well as the NPPF and other national policy requirements, including new household projections.
- 4.9 The work already undertaken will feed in to the review.

<b>OVERVIEW</b>	
Coverage	District-wide
Status	Development Plan Document
Conformity	National Planning Policy Framework

<b>TIMETABLE</b>	
<b>Stage</b>	<b>Dates</b>
Emerging options/draft Plan (Regulation 18)	Summer 2020
Publication of Local Plan (Regulation 19)	Spring 2021
Submission	Autumn 2021
Examination	Winter 2021/22
Adoption	Autumn 2022

<b>ARRANGEMENTS FOR PRODUCTION</b>	
Organisational Lead	Head of Planning & Infrastructure
Political Management	Local Plan Committee Cabinet Council
Internal Resources	Planning Policy Team Manager and Planning Policy Team
External Resources	Resources from a range of external stakeholders including various public agencies (for example highway authorities, utility providers) will be required to inform the production of the document. Consultants have been used to provide input into evidence base.
Community &	As set out in Statement of Community Involvement

Stakeholder Involvement	
Monitoring	Addressed in the Annual Monitoring Review

## **Policies Map**

### Purpose

- 4.10 The Policies Map illustrates, on an Ordnance Survey base map, all the policies and proposals set out in Development Plan Documents (DPDs). Inset maps illustrate policies and proposals for specific parts of the District or specific settlements. The Policies Map (and any relevant Inset Maps) will be revised as new DPDs are adopted, policies are deleted or policies cease to be part of the development plan.

<b>OVERVIEW</b>	
Coverage	District-wide
Status	Development Plan Document
Conformity	National Planning Policy Framework

### Timetable

- 4.11 The timetable for revisions will be the same as that for the relevant documents which requires changes to the Policies Map.

### Arrangements for production

<b>ARRANGEMENTS FOR PRODUCTION</b>	
Organisational Lead	Head of Planning & Infrastructure
Political Management	Local Plan Committee Cabinet Council
Internal Resources	Planning Policy Team Manager and Planning Policy Team
External Resources	Possible external resource required to facilitate electronic version of proposals map which is web based. In addition, external printing resource may be required for paper copies of Policies Map.

## **5. MONITORING**

- 5.1 The District Council will monitor annually how effective its policies and proposals are. The Annual Monitoring Report (AMR) will be published by the end of December of each year.
- 5.2 As part of the AMR the District Council will assess:
- Its progress against targets set out in the various Local Plan documents produced;
  - The impact its policies are having on other targets set at national, regional or local level;
  - The need for policies to be changed or replaced;
  - What action is necessary if this is the case.
- 5.3 The District Council will consider, in the light of monitoring, what changes, if any, are needed as part of the annual review of the Local Development Scheme.

## **6 SUPPLEMENTARY PLANNING DOCUMENTS**

- 6.1 Supplementary Planning Documents (SPD) are documents which add further detail to specific policies in the Local plan. Although they are not DPDs and hence accorded the same weight as a DPD, they are capable of being a material consideration in the determination of planning applications.
- 6.2 The previous Local Plan was supported by a number of SPDs. Following adoption of the current Local Plan in November 2017 a review of these SPDs was undertaken. The Council's Cabinet of January 2018 agreed to withdraw all of the SPDs with the exception of a Good Design SPD.
- 6.3 Cabinet also agreed that consideration be given to the preparation of revised SPD in respect of both Play Area Design and Affordable Housing. A programme for the preparation of these SPDs will be included in any subsequent iterations of the Local Development Scheme.
- 6.4 Since the Local Plan was adopted the following new SPDs have been approved:
- Cycling Strategy Coalville
  - Cycling Strategy Ashby de la Zouch;
  - Shop Front and Advertisements



**APPENDIX 1**

DEVELOPMENT PLAN DOCUMENTS	November 2019	December 2019	January 2020	February 20	March 20	April 20	May 20	June 20	July 20	August 20	September 20	October 20	November 20	December 20	January 2021	February 2021	March 2021	April 2021	May 2021	June 2021	July 2021	August 2021	September 2021	October 2021	November 2021	December 2021	January 2022	February 2022	March 2022	April 2022	May 2022	June 2022	July 2022	August 2022	September 2022	October 2022	November 2022	December 2022								
<b>DPD 2: LOCAL PLAN PARTIAL REVIEW</b>																																														
Publication consultation (Reg 19)																																														
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