

Please ask for: Jim Newton  
Telephone: 01530 454782  
Our ref: JN/PCA  
Date: 4<sup>TH</sup> October 2016

Dear Sir

### **North West Leicestershire Local Plan Submission**

I am pleased to enclose the Submission Local Plan for North West Leicestershire, along with the accompanying evidence base and other documents.

I would like to take this opportunity to introduce you to the key features of the Plan, and to provide some background information to assist the Examination.

#### The five central themes of our local plan

Our local plan seeks to capitalise on our success in attracting new growth. Our five priorities are

- Jobs and Growth, to meet the needs of residents and businesses for the next 15 years. This will be achieved by the delivery of sustainable urban extensions to Coalville and Ashby, as well as a range and choice of new homes across the sustainable parts of the District. We are open for business, and will continue to respond positively to employment generating opportunities;
- Maintaining our local identity, by protecting the strategic gap between Coalville and Whitwick. This was identified as Green Wedge in the old local plan, and is now an Area of Separation, to retain the local distinctiveness and identity of the settlements of Coalville and Whitwick. This sense of place and identity is held dear, both by local people and elected Members of the Council, and is to be retained;
- Delivering the South East Coalville Sustainable Urban Extension, comprising as it will more than 3,000 new homes and significant investment in infrastructure. This is the centrepiece of the plan, has been germinating for more than twenty years, and now benefits from planning permission. Parts of the wider site are already seeing activity, as developers are keen to progress with this important site;
- Regenerating Coalville town centre, implementing the Prince's Foundation regeneration strategy, known as the 'four squares and

streets' plan. The Council has already invested more than £250,000 in shopfront improvements along the premier shopping street, and has committed more than £1m more to public realm and other physical regeneration works. It is intended that the SUE will support the long term viability of town centre improvements, including the proposed new sports and leisure centre on a town centre site that is in Council ownership; and

- Securing more than £21m of infrastructure funding for highway works along the A511 corridor alone, to ensure that the growth of Coalville will be well connected and sustainable development in every sense.

The local plan represents an ambitious, cogent, integrated strategy, that has been prepared on the basis of robust evidence. It has clear priorities, and practical solutions to the issues that are identified. It protects what is treasured, such as the local identities of individual settlements, while providing sufficient deliverable sites to meet the District's needs throughout the plan period.

### The Draft Local Plan

The Council published the Draft Local Plan on 29<sup>th</sup> September 2015, and this document proposed a housing requirement of 535 dwellings (or homes) per annum, substantially in excess of the OAN figure of 350 per annum as set out in the 2014 SHMA and accompanying MoU. The basis for this decision to uplift was two-fold: first, annual housing completions have risen from 234 during 2011/12 to 834 during 2015/16; and secondly, in anticipation of the Secretary of State giving approval to the Strategic Rail Freight Interchange (SRFI, or Roxhill) proposals in the north of the District, we estimated an additional housing demand would increase our requirement to 535 per annum.

The decision to opt for the 535 p.a. figure, rather than the 350 p.a. as set out in the SHMA, had been subject to public scrutiny through the Council's own Local Plan Advisory Committee (LPAC), which is cross-party and meets to consider important issues concerning the Local Plan. The LPAC, following its consideration of the housing requirement, agreed to support the 535 p.a. figure. The Council duly resolved likewise on 28<sup>th</sup> June 2016 and the plan was published.

### The Greenhill Road appeal

On 5<sup>th</sup> January 2016, senior Inspector Mr Harold Stephens allowed an appeal, following an Inquiry, relating to land south of Greenhill Road, Coalville. His Decision Letter included substantial consideration of the OAN, and concluded that the 350 p.a. figure of the 2014 SHMA was not the OAN, and therefore as we did not have robust evidence to set its OAN, we were unable to demonstrate it had a five year supply, so the appeal was allowed. We were advised to prepare new evidence to identify and substantiate the OAN (and requirement) as a matter of urgency. We duly commissioned JGC to do just that.

The Greenhill Road appeal left the Council without a five year supply, and exposed to similar appeals. We brought this to the attention of our Housing

Market Area (HMA) partners, and initiated Judicial Review proceedings. That legal challenge did not progress.

We discussed the potential implications for us, and for the HMA, at numerous meetings, as we sought to find a way forward that all of the HMA authorities were content with, from January 2016 right up to Submission. These are detailed in the Duty to Cooperate Statement.

### The HMA

The HMA expressed concern at our intention to continue to progress our local plan, and asked us to stop and wait for the Housing and Economic Development Needs Assessment (HEDNA) which the HMA authorities had commissioned to provide new evidence in respect of future housing requirements and an accompanying Memorandum of Understanding (MoU). We took independent advice about our options.

We met with a senior official of DCLG, and were reminded of the Government's priority to have local plans in place without delay, and that a failure to do so could risk future New Homes Bonus (NHB), and Government intervention. Subsequently, the Council's Leader and Chief Executive met with the Minister, and exchanged letters to confirm our shared understanding of the position.

The HMA was already working with Keith Holland, a former Senior Inspector, and we approached him for an independent expert view. We were advised that the Duty to Cooperate does not require agreement to be reached (and in fact the HMA confirms that it is content that we have discharged the Duty to its satisfaction), and that we were right to be concerned about the potential loss of NHB and intervention by the Government in the event that we missed the 'early 2017' deadline. We were advised to press on.

We approached Counsel, and were advised that the risks to NHB, control over the local plan, and to the reputation of the Council, outweighed the risk to the local plan if objections to it were received from one or more HMA authority. It was also put to us that, since the SRFI had been given the green light by the Secretary of State on 12<sup>th</sup> January 2016, it was now to be treated as policy-off for the purposes of setting the housing requirement figure.

Advice that was commonly offered to us was that it was not tenable for us to rely on the 350 p.a. figure from the SHMA, that it is not realistic to expect the HEDNA and MoU to reach a conclusion in time for us to Submit our local plan by April 2017, and that we should continue to progress our local plan.

### The new evidence

The JGC report set out an Economic-led OAN figure of 520p.a. for North West Leicestershire during the period to 2031. We therefore set our annual target to be 520 new dwellings in the Submission Local Plan. Before the Council meeting of 28<sup>th</sup> June 2016, which endorsed the Submission Local Plan, we presented the JGC report to the HMA, and held a workshop at which Justin Gardner (the report's author) was present to answer questions.

## The Duty to Cooperate

We have held talks with the HMA throughout preparation of the local plan, and these have focussed on the housing requirement and the principle of proceeding with a local plan ahead of the HEDNA and MoU. We, as an HMA, have been working together to prepare shared evidence to ultimately inform a Strategic Growth Plan. This shared evidence includes the HEDNA, which at the time of writing remains unfinished. It also includes agreed triggers for review of local plans, to respond to the HEDNA and the Strategic Growth Plan. These triggers were prepared by the 'Aligning Local Plans Working Group', comprising HMA authority representatives, and endorsed by the Members' Advisory Group (MAG), which contains Portfolio Holders of each of the HMA authorities, on 9<sup>th</sup> June 2016. Local Plan Policy S1 has specifically been drafted to respond to, and be consistent with, with these triggers.

It is fair to say that, of the four representations that were received from the HMA, three are variations on a theme, and seek comfort about the review trigger (which is set out in Policy S1 of the plan) and indicating that they are content for the local plan to proceed on the understanding that the HEDNA and MoU remain unresolved and the local plan may need to be reviewed to deal with that. The other representation, which is from Charnwood Borough Council (CBC), is fundamentally opposed to the progression of our local plan before the HEDNA and MoU have been finalised, and CBC has not been willing to agree any statement with us. This is despite us having offered drafts on numerous occasions throughout the process. We are pleased to report that all of the other HMA authorities have engaged constructively, seeking to reach mutually acceptable conclusions.

For our part, we have sought to be constructive and practical about this throughout, and remain committed to shared working, with the ultimate aim of creating a Combined Authority. For the reasons set out in this letter, we do need to put an up to date local plan in place until such time as the new arrangements are in place.

## Anticipated duration of the EiP

Given that the plan includes only three new housing site allocations, there is agreement that the Duty to Cooperate has been discharged, and the clear strategy that is articulated within the plan, we do not anticipate an overly long programme of Hearings. We have been asked to suggest a likely duration for this, and are of the view that no more than nine sitting days of Hearings will be required. This is in light of other recent EiP schedules:

1. Legal compliance (Duty to Cooperate, SA/SEA, SCI etc)
2. Housing requirement
3. Housing Sites and Delivery

4. Housing Allocations
5. Area of Separation / Countryside Policy
6. Employment and Retail (including allocations)
7. Environment
8. Alternative/Omission sites
9. Monitoring & Implementation / Modifications

We are keen to start the EiP Hearings as soon as possible, and suggest that the week commencing Monday 5<sup>th</sup> December would be a good time to start. This would allow enough time for the preparation of Statements, while still concluding the Hearings before Christmas, which would be preferable for all participants.

We have a venue arranged, which is  
**Heartwood Conference Centre**  
**Rothley House, Coalville Business Park**  
**Jackson Street**  
**Coalville, Leicestershire**  
**LE67 3NR**

We have appointed a Programme Officer, who is

**Mrs Carmel Edwards**  
**15a Bolehill Road**  
**Bolehill**  
**Matlock**  
**DE4 4GQ**  
**Email [contact@carmeledwards.com](mailto:contact@carmeledwards.com)**  
**Phone 07969 631930**

I look forward to hearing from you, at your earliest convenience, with confirmation of the appointment of an Inspector, and of course an indicative timetable for the EiP. For your information, I append a list of Evidence Base and other documents, to this letter, for ease of reference.

Yours faithfully



Jim Newton  
**Head of Planning & Regeneration and Chief Planner**



**Evidence Base Documents**

<b>Reference</b>	<b>Local Plan Core Evidence</b>	<b>Publication Date</b>	<b>Date submitted to Inspector</b>
LP/01	North West Leicestershire Local Plan – Publication Version	Jul 2016	4 October 2016
LP/02	North West Leicestershire Local Plan Policies Map	Jul 2016	4 October 2016
LP/03	Schedule of Minor Changes to the Publication Local Plan	September 2016	4 October 2016
LP/13	North West Leicestershire Local Plan Policies Map (insets)	Jul 2016	4 October 2016
	<b><i>Sustainability Appraisal</i></b>		
LP/04	SA of publication Local Plan Non-Technical Summary	Jun 2016	4 October 2016
LP/05	SA of publication Local Plan	Jun 2016	4 October 2016
LP/06	SA Scoping Report	Feb 2015	4 October 2016
LP/08	SA of Draft Local Plan	Jul 2015	4 October 2016
	<b><i>Viability</i></b>		
LP/09	Viability Assessment	Jun 2016	4 October 2016
LP/10	Viability Assessment of draft Local Plan	Jul 2015	4 October 2016
	<b><i>Habitats Regulations Assessment</i></b>		
LP/11	Habitats Regulation Assessment of proposed publication Local Plan	Jun 2016	4 October 2016
LP/12	Habitats Regulation Assessment of draft Local Plan	Jun 2015	4 October 2016
	<b><i>Supporting Documents</i></b>		
LP/14	Duty to Cooperate Statement update	September 2016	4 October 2016
LP/15	Local Development Scheme	Jun 2016	4 October 2016
LP/16	Statement of Community Involvement 2015	Jan 2015	4 October 2016
LP/17	Equality Impact Assessment	Jun 2016	4 October 2016
LP/18	Statement of Common Ground between North West Leicestershire District Council and South Derbyshire District Council	September 2016	4 October 2016
LP/19	Statement of Consultation	September 2016	4 October 2016
	<b>BACKGROUND PAPERS</b>		
BP/01	Background Paper 1 – Policy S1	Jul 2016	4 October

			2016
<b>BP/02</b>	Background Paper 2 – Policy S2	Jul 2016	4 October 2016
<b>BP/03</b>	Background Paper 3 – Policy S3	Jul 2016	4 October 2016
<b>BP/04</b>	Background Paper 4 – Policies H1, H2, H3 + H4	Jul 2016	4 October 2016
<b>BP/05</b>	Background Paper 5 – Policy H7	Jul 2016	4 October 2016
<b>BP/06</b>	Background Paper 6 – Policies Ec1, Ec2 + Ec3	Jul 2016	4 October 2016
<b>BP/07</b>	Background Paper 7 – Policies - Ec4, Ec5 + Ec6	Jul 2016	4 October 2016
<b>BP/08</b>	Background Paper 8 – Policy Ec7	Jul 2016	4 October 2016
<b>BP/09</b>	Background Paper 9 – Policies Ec8-Ec12	Jul 2016	4 October 2016
<b>BP/10</b>	Background Paper 10 – Policy En1	Jul 2016	4 October 2016
<b>BP/11</b>	Background Paper 11 – Policy En2	Jul 2016	4 October 2016
<b>BP/12</b>	Background Paper 12 – Policy En5	Jul 2016	4 October 2016
<b>CABINET AND FULL COUNCIL REPORTS</b>			
<b><i>Cabinet</i></b>			
<b>CR/01</b>	3rd May 2016 – Housing Requirements Update	May 2016	4 October 2016
<b>CR/02</b>	12th January 2016 – Gypsy and Travellers Development Plan Document: Draft for consultation	Jan 2016	4 October 2016
<b>CR/03</b>	18th November 2014 – Local Plan Representations made in Response to Regulation 18 Consultation	Nov 2014	4 October 2016
<b>CR/04</b>	21st October 2014 – Memorandum of Understanding relating to the Objectively Assessed Need for Housing	Oct 2014	4 October 2016
<b>CR/05</b>	14th January 2014 – Charnwood Local Plan Core Strategy Memorandum of Understanding	Jan 2014	4 October 2016
<b><i>Full Council</i></b>			
<b>CR/06</b>	28th June 2016 – North West Leicestershire Local Plan	Jun 2016	4 October 2016
<b>CR/07</b>	24 <sup>th</sup> March 2015 – Minutes of LPAC (9 Sept 2014, 21 Nov 2014, 17 Feb 2015 + 15 Oct 2015)	Mar 2015	4 October 2016
<b>CR/08</b>	11 <sup>th</sup> November 2014 – Memorandum of Understanding relating to Objectively Assessed Need for Housing	Nov 2014	4 October 2016
<b>DESIGN</b>			
<b>DES/01</b>	Design Overview		4 October 2016
<b>ECONOMIC</b>			
<b>EC/01</b>	North West Leicestershire Local Growth Plan 2014 -2018	Feb 2015	4 October 2016
<b>EC/02</b>	Leicester and Leicestershire Strategic Distribution Study	Nov 2014	4 October



	2014		2016
<b>EC/03</b>	Leicester and Leicestershire Economic Partnership Economic Growth Plan 2014-2020	Mar 2014	4 October 2016
<b>EC/04</b>	Leicester and Leicestershire HMA Employment Land Study (PACEC) 2013	Jan 2013	4 October 2016
<b>EC/05</b>	Assessment of Employment Sites – August 2010	Aug 2010	4 October 2016
<b>EC/06</b>	Regeneration Strategy Coalville, The Prince's Foundation for the Built Environment		4 October 2016
	<b>Retail</b>		
<b>EC/07</b>	Ashby de la Zouch and Coalville Town centres Assessment of Retail operator Demand	May 2016	4 October 2016
<b>EC/08</b>	North West Leicestershire Retail Study - 2015 Update	Feb 2015	4 October 2016
<b>EC/09</b>	North West Leicestershire Retail Study – 2012 Update	Mar 2013	4 October 2016
	<b>Tourism</b>		
<b>EC/10</b>	Tourism Strategy Leicester and Leicestershire 2011-2016	2011	4 October 2016
	<b>ENVIRONMENT</b>		
	<b>River Mease</b>		
<b>ENV/01</b>	Developer Contributions Scheme 2 (DCS2)	Jun 2016	4 October 2016
<b>ENV/02</b>	River Mease DCS2 (Appendix 1)	Jun 2016	4 October 2016
<b>ENV/03</b>	Developer Contribution Scheme 1(DCS1)	Oct 2012	4 October 2016
<b>ENV/04</b>	River Mease DCS1 (Appendix 1)	Oct 2012	4 October 2016
<b>ENV/05</b>	River Mease SSSI/SAC Restoration Plan	May 2012	4 October 2016
<b>ENV/06</b>	River Mease SAC Water Quality (Phosphate) Management Plans	Jun 2011	4 October 2016
	<b>Charnwood Forest</b>		
<b>ENV/07</b>	Charnwood Forest Regional Park – Topic Paper 1 – Origins and Objectives	Oct 10	4 October 2016
<b>ENV/08</b>	Charnwood Forest Regional Park – Topic Paper 2: The Planning Process	Oct 10	4 October 2016
<b>ENV/09</b>	Revised Vision Statement for a Charnwood Forest Regional Park	Jun 2009	4 October 2016
<b>ENV/10</b>	Charnwood Forest Landscape - Character Assessment	Oct 2008	4 October 2016
	<b>The National Forest</b>		
<b>ENV/11</b>	The National Forest Strategy 2014-2024	2014	4 October 2016
<b>ENV/12</b>	National Forest Guide for Planners and Developers	Nov 2012	4 October 2016
	<b>Ecology</b>		
<b>ENV/16</b>	Ecological networks	May 2015	4 October

			2016
	<b>Hydrology</b>		
ENV/13	Strategic Flood Risk Assessment 2015	Feb 2015	4 October 2016
ENV/14	Detailed Water Cycle Study	July 2012	4 October 2016
ENV/15	Scoping and Outline Water Cycle Study	Mar 2010	4 October 2016
	<b>Climate Change</b>		
ENV/17	Wind Development Suitability Study	Feb 2016	4 October 2016
ENV/18	Wind Development Suitability Study – small scale wind mapping	Feb 2016	4 October 2016
ENV/19	Wind Development Suitability Study – medium and large scale wind mapping	Feb 2016	4 October 2016
	<b>HOUSING</b>		
HO/01	Review of housing requirements 2011-31	Apr 2016	4 October 2016
HO/02	Gypsy and Traveller Site Allocations Development Plan Document – consultation	Feb 2016	4 October 2016
HO/03	Leicester and Leicestershire Strategic Housing Market Assessment	Jun 2014	4 October 2016
HO/04	Leicester and Leicestershire Housing Market Area - A Memorandum of Understanding relating to Objectively Assessed Need for Housing	Jul 2014	4 October 2016
HO/05	Strategic Housing Land Availability – Methodology	2016	4 October 2016
HO/06	Strategic Housing Land Availability Schedule of Sites	2016	4 October 2016
HO/07	Leicester, Leicestershire and Rutland Gypsy and Traveller Assessment Refresh	May 2013	4 October 2016
	<b>INFRASTRUCTURE</b>		
INF/01	Infrastructure Delivery Plan	Jun 2016	4 October 2016
	<b>LOCAL PLAN ADVISORY COMMITTEE REPORTS</b>		
LPAC/01	27 <sup>th</sup> July 2016 – Gypsy and Traveller Site Allocation DPD Progress Report	Jul 2016	4 October 2016
LPAC/02	18 <sup>th</sup> April 2016 – Draft Local Plan Consultation Responses	Apr 2016	4 October 2016
LPAC/03	9 <sup>th</sup> March 2016 – Draft Local Plan Consultation Responses	Mar 2016	4 October 2016
LPAC/04	20 <sup>th</sup> January 2016 – Draft Local Plan Consultation Responses	Jan 2016	4 October 2016
LPAC/05	16 <sup>th</sup> December 2015 – Gypsy and Traveller Site Allocations DPD Draft for Consultation	Dec 2015	4 October 2016
LPAC/06	29 <sup>th</sup> July 2015 – Local Plan Update	Jul 2015	4 October 2016
LPAC/07	10 <sup>th</sup> June 2015 – Local Plan Update	Jun 2015	4 October 2016

<b>LPAC/08</b>	4 <sup>th</sup> March 2015 – Local Plan Designations + Local Plan Community Engagement	Mar 2015	4 October 2016
<b>LPAC/09</b>	17 <sup>th</sup> February 2015 – Limits to Development, Town Centre Boundaries and recent Local Plan Examinations	Feb 2015	4 October 2016
<b>LPAC/11</b>	12 <sup>th</sup> November 2014 – Development Strategy, Affordable Housing + Statement of Community Involvement	Nov 2014	4 October 2016
<b>LPAC/12</b>	15 <sup>th</sup> October 2014 – Town Centres – Review of Boundaries	Oct 2014	4 October 2016
<b>LPAC/13</b>	9 <sup>th</sup> September 2014 – Update on the SHMA, Local Plan Update + Limits to Development	Sept 2014	4 October 2016
<b>LPAC/14</b>	3 <sup>rd</sup> June 2014 – SHMA + Local Plan Timetable	Jun 2014	4 October 2016
<b>LPAC/15</b>	29 <sup>th</sup> April 2014 – Statement of Community Involvement and SHLAA	Apr 2014	4 October 2016
<b>LPAC/16</b>	18 <sup>th</sup> March 2014 – Possible scope of the Local Plan	Mar 2014	4 October 2016
	<b>PREVIOUS CONSULTATIONS</b>		
<b>PC/01</b>	Gypsy and Traveller allocations DPD – Reg 18 consultation	Feb 2016	4 October 2016
<b>PC/02</b>	Consultation draft Local Plan	Sept 2015	4 October 2016
	<b>SETTLEMENT FRINGE ASSESSMENT</b>		
<b>SFA/01</b>	Settlement Fringe Assessment	Aug 2010	4 October 2016
<b>SFA/02</b>	Ashby Fringe Assessments	Aug 2010	4 October 2016
<b>SFA/03</b>	Castle Donington Fringe Assessments	Aug 2010	4 October 2016
<b>SFA/04</b>	Coalville Fringe Assessment	Aug 2010	4 October 2016
<b>SFA/05</b>	Ibstock Fringe Assessment	Aug 2010	4 October 2016
<b>SFA/06</b>	Kegworth Fringe Assessment	Aug 2010	4 October 2016
<b>SFA/07</b>	Measham Fringe Assessment	Aug 2010	4 October 2016
<b>SFA/08</b>	Ashby Sites	Aug 2010	4 October 2016
<b>SFA/09</b>	Castle Donington Sites	Aug 2010	4 October 2016
<b>SFA/10</b>	Coalville Sites	Aug 2010	4 October 2016
<b>SFA/11</b>	Coalville (C) Sites	Aug 2010	4 October 2016
<b>SFA/12</b>	Ibstock Sites	Aug 2010	4 October 2016
<b>SFA/13</b>	Kegworth Sites	Aug 2010	4 October 2016
<b>SFA/14</b>	Measham sites	Aug 2010	4 October

			2016
<b>SFA/15</b>	Appendix A	Aug 2010	4 October 2016
<b>SFA/16</b>	Appendix A map 1 to 5	Aug 2010	4 October 2016
<b>SFA/17</b>	Appendix A Maps 6 to 10	Aug 2010	4 October 2016
<b>SFA/18</b>	Appendix A maps 11 to 15	Aug 2010	4 October 2016
<b>SFA/19</b>	Appendix A Maps 16 to 20	Aug 2010	4 October 2016
	<b>TRANSPORT</b>		
	<i>General</i>		
<b>TR/01</b>	Leicestershire County Council 6 C's Design Guide 2013	2013	4 October 2016
<b>TR/02</b>	Leicestershire Local Transport Plan (LTP3)	Apr 2011	4 October 2016
	<i>Cycling</i>		
<b>TR/03</b>	North West Leicestershire Cycling Strategy Part 1- Coalville Final Draft	Apr 2012	4 October 2016
	<i>Highways</i>		
<b>TR/04</b>	Statement from Highways England regarding draft Local Plan	10 Mar 2016	4 October 2016
<b>TR/05</b>	Statement from Leicestershire County Council regarding draft Local Plan	27 Jan 2016	4 October 2016
<b>TR/06</b>	Core Strategy LLITM report – Appendices	Mar 2013	4 October 2016
<b>TR/07</b>	Core Strategy LLITM report	Mar 2013	4 October 2016
	<i>East Midlands Airport</i>		
<b>TR/08</b>	East Midlands Airport Sustainable Development Plan 2015	2015	4 October 2016
<b>TR/09</b>	Aviation Policy Framework	Mar 2013	4 October 2016
<b>TR/10</b>	UK Aviation Forecasts 2013	Jan 2013	4 October 2016
	<i>Rail</i>		
<b>TR/11</b>	High Speed Rail: Investing in Britain's Future – Phase Two: The Route to Leeds, Manchester and beyond	Jan 2013	4 October 2016
<b>TR/12</b>	Leicester-Burton study	May 2016	4 October 2016