



**LOCAL PLAN – PARTIAL REVIEW  
REG 19 CONSULTATION  
SCHEDULE OF COMMENTS AND RESPONSE OF DISTRICT COUNCIL**

**FEBRUARY 2020**

Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0001  <b>Mr A Mumby</b></p> <p>Representation relates to:  <b>Sustainability Appraisal</b></p>	<p>It is unclear what is being asked. However would suggest that the Local Plan should have a stronger emphasis on encouraging walking and cycling. Opportunities to improve links to and from new developments have been missed.</p> <p>New policy makes no reference to improving such links.</p>	<p>The Partial Review is not intended to address such issues and these will be addressed as part of the Substantive Review of the Local Plan.</p>

Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0002  <b>Willesley Environment Protection Association (WEPA)</b></p> <p>Representation relates to:  <b>Partial Review (Policy S1 and supporting text)</b></p> <p>Consider that the Plan is :            Legally Compliant <b>Yes</b>            Sound <b>Yes</b>            Complies with duty to cooperate <b>Yes</b></p>	<p>No comments made</p>	<p>No response required.</p>

Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0003  <b>Castle Donington Parish Council</b></p> <p>Representation relates to:  <b>Partial Review (Policy S1 and supporting text)</b></p> <p>Consider that the Plan is :  Legally Compliant <b>Yes</b>  Sound <b>No</b>  Complies with duty to cooperate <b>Yes</b></p>	<p>Modification of Paragraph 5.8 of the supporting text identifying a shortfall of about 29ha compared to the HEDNA requirement for B1, B2 and small scale B8 does not go far enough as this relates to the shortfall at the time of the Local Plan Examination. If you include permissions and resolutions since then the actual shortfall is now only 2ha.</p>	<p>The residual requirement for employment land is a continually moving figure as it changes every time a site is granted permission or an existing permission expires. We have therefore used the position at the time of the Examination as this is consistent with what is included in the adopted Plan and is still factually correct.</p> <p>This does not prevent us from using the latest available data at any given time when determining planning applications.</p>

Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0004  <b>Persimmon Homes North Midlands</b></p> <p>Representation relates to:  <b>Partial Review (Policy S1 and supporting text)</b></p> <p>Consider that the Plan is :            Legally Compliant <b>Yes</b>            Sound <b>Yes</b>            Complies with duty to cooperate <b>Yes</b></p>	<p>No comments made</p>	<p>No response required.</p>

<b>Respondent details</b>	<b>Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound</b>	<b>Officer Response</b>
Respondent 0005 <b>Derbyshire County Council</b>	Derbyshire County Council considers that the Partial Review does not raise any significant cross boundary strategic planning policy or infrastructure delivery issues or concerns for the County Council and the authority therefore makes no further comments on the Partial Review.	Response noted.

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<p>Respondent 0006  <b>Kegworth Parish Council</b></p> <p>Representation relates to:  <b>Partial Review (Policy S1 and supporting text)</b></p> <p>Consider that the Plan is :  Legally Compliant <b>Yes</b>  Sound <b>No</b>  Complies with duty to cooperate <b>Yes</b></p>	<p>Modification of Paragraph 5.8 of the supporting text identifying a shortfall of about 29ha compared to the HEDNA requirement for B1, B2 and small scale B8 does not go far enough as this relates to the shortfall at the time of the Local Plan Examination. If you include permissions and resolutions since then the actual shortfall is now only 2ha.</p>	<p>The residual requirement for employment land is a continually moving figure as it changes every time a site is granted permission or an existing permission expires. We have therefore used the position at the time of the Examination as this is consistent with what is included in the adopted Plan and is still factually correct.</p> <p>This does not prevent us from using the latest available data at any given time when determining planning applications.</p>

Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0007  <b>St Modwen Developments Ltd</b></p> <p>Representation relates to:  <b>Partial Review (Policy S1 and supporting text)</b></p> <p>Consider that the Plan is :  <b>Sound No</b></p>	<p>St Modwen Developments Ltd (SMD) have land and development interests in North West Leicestershire (NWL). In particular, they have current proposals for large scale employment development with the Council for determination which is explicitly not provided for within the local plan or plan review.</p> <p>Whilst understand the reasons for the route proposed by the Council (i.e. a Partial Review in the immediate term dealing solely with Policy S1, and a longer term Substantive Review) there are concerns, in particular that it does not grapple with the issues that adopted Policy S1 was intended to address including, inter alia, securing the provision of the required amount of the right type of employment land; rather, it defers this for another day.</p> <p>Whilst acknowledging the intention of the Council to identify a pragmatic solution to advancing the review of the Local Plan, St Modwen Developments are concerned in terms of whether the Partial Review as now proposed will be regarded as “Positively Prepared”, i.e. “providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs” (NPPF para. 35a)), and hence “Sound”.</p> <p>The intention of Policy S1 as framed in the adopted Local Plan is clear is to ensure that the Plan meets the future</p>	<p>The Council does not agree that the Partial Review is not “positively prepared”. As set out in the Publication Document, the Council commenced the Partial Review in February 2018 in accordance with the provisions of Policy S1 of the adopted Local Plan. Further consultations were undertaken in 2018 and the early part of 2019. These consultations all represent “positive” intent on the part of the Council.</p> <p>Notwithstanding this positive intent, as result of matters largely beyond the Council’s control, as outlined in the Publication Document, this has not been possible.</p> <p>For these reasons, the decision was made to restrict the Partial Review to amending Policy S1 as set out in the consultation. The Council is of the view that the proposed approach does represent “positive planning” as it seeks to ensure certainty is retained for the immediate future by taking proactive action. Nobody benefits from allowing the plan to become out-of-date – not the local planning authority, developers,</p>



	<p>housing and economic development needs of NWL and does so as soon as possible.</p> <p>The Local Plan had shortcomings against the Housing and Economic Development Needs Assessment (HEDNA) requirements and the need for more strategic B8 uses (over 9,000 sq m).</p> <p>The “soundness” of the adopted Local Plan rested in part on ensuring that there would be a commitment to an early review of the type embodied in Policy S1 to address these shortcomings.</p> <p>The current review does not do this and simply seeks to avoid the jeopardy inherent in failing to meet the deadline. This raises questions in terms of the extent to which the Partial Review would arrive at a Plan which can be regarded as “Positively Prepared”.</p> <p>It is considered that the Plan was out of date at the point of adoption – since it relied upon an outdated evidence base. The partial review does not grapple with this substantive out of datedness and is no more than a device to avoid an obvious consequence. It is strongly at odds with the recommendation of the previous Inspector.</p> <p>The obvious course of action should be to pause the partial review and advance the substantive review in the manner anticipated by the Local Plan inspector; it is perhaps regrettable that this course of action was not pursued with more expedition.</p>	<p>landowners or communities. Allowing the plan to become knowingly out-of-date is not something that the District Council can countenance.</p> <p>The Council continues to work in parallel on the wider review (now referred to as the Substantive Review). For example, the Local Plan Committee has agreed a ‘working’ housing requirement figure of 480 dwellings per annum, some 26%</p>
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		<p>more than that arising from the standard methodology (2014-based household projections) and that the plan should include a flexibility allowance equivalent to 15% of the requirements. These demonstrate that the Council takes its responsibility seriously and that it is “planning positively” for the future development of the district.</p>
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<p>Respondent 0008  <b>Breedon on the Hill Parish Council</b></p> <p>Representation relates to:  <b>Partial Review (Policy S1 and supporting text)</b></p> <p>Consider that the Plan is :  Legally Compliant <b>Yes</b>  Sound <b>No</b>  Complies with duty to cooperate <b>Yes</b></p>	<p>Modification of Paragraph 5.8 of the supporting text identifying a shortfall of about 29ha compared to the HEDNA requirement for B1, B2 and small scale B8 does not go far enough as this relates to the shortfall at the time of the Local Plan Examination. If you include permissions and resolutions since then the actual shortfall is now only 2ha.</p>	<p>The residual requirement for employment land is a continually moving figure as it changes every time a site is granted permission or an existing permission expires. We have therefore used the position at the time of the Examination as this is consistent with what is included in the adopted Plan and is still factually correct.</p> <p>This does not prevent us from using the latest available data at any given time when determining planning applications.</p>

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<p>Respondent 0009  <b>Long Whatton And Diseworth Parish Council</b></p> <p>Representation relates to:  <b>Partial Review (Policy S1 and supporting text)</b></p> <p>Consider that the Plan is :  Legally Compliant <b>Yes</b>  Sound <b>No</b>  Complies with duty to cooperate <b>Yes</b></p>	<p>Modification of Paragraph 5.8 of the supporting text identifying a shortfall of about 29ha compared to the HEDNA requirement for B1, B2 and small scale B8 does not go far enough as this relates to the shortfall at the time of the Local Plan Examination. If you include permissions and resolutions since then the actual shortfall is now only 2ha.</p>	<p>The residual requirement for employment land is a continually moving figure as it changes every time a site is granted permission or an existing permission expires. We have therefore used the position at the time of the Examination as this is consistent with what is included in the adopted Plan and is still factually correct.</p> <p>This does not prevent us from using the latest available data at any given time when determining planning applications.</p>

Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0010 <b>Highways England</b></p> <p>Representation relates to: <b>Partial Review (Policy S1 and supporting text)</b></p>	<p>Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN).</p> <p>Our role to maintain the safe and efficient operation of the Strategic Road Network (SRN) whilst acting as a delivery partner to national economic growth. Our principal interest in North West Leicestershire is safeguarding the operation of the M1, A42 and sections of the M42, A50 and A453.</p> <p>It is our understanding that the extent of housing needs that Leicester City cannot meet within its own boundaries is currently still unclear. North West Leicestershire District Council would need to ensure there is sufficient infrastructure capacity to accommodate the growth, resulting from any redistribution of unmet need. This includes adequate capacity on the SRN to ensure the safe and efficient operation of the network. Any potential impacts on the SRN would need to be mitigated.</p>	<p>These issues will be addressed as part of the Substantive Review of the Local Plan.</p>

Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0011  <b>National Grid</b></p> <p>Representation relates to:  <b>Partial Review (Policy S1 and supporting text)</b></p>	<p>We have reviewed the above document and can confirm that National Grid has no comments to make in response to this consultation.</p> <p>National Grid also provided an overview of their functions and that they can provide further advice and guidance on their networks.</p>	<p>No response required. The overview is noted</p>

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<p>Respondent 0012  <b>Severn Trent Water Ltd</b></p> <p>Representation relates to:  <b>Partial Review (Policy S1 and supporting text)</b></p>	<p>No specific comments to make regarding the amended wording of Policy S1, but look forward to working with you regarding the proposed substantive local Plan review.</p>	<p>No response required.</p>

Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0013  <b>Whitwick Parish Council</b></p> <p>Representation relates to:  <b>Partial Review (Policy S1 and supporting text)</b></p> <p>Consider that the Plan is :  Complies with duty to cooperate <b>Yes</b></p>	<p>The Parish Council does not have sufficient knowledge at this stage to judge whether the Local Plan Partial Review is legally compliant or sound.</p>	<p>Comments noted.</p>



Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0014  <b>Home Builders Federation (HBF)</b></p> <p>Representation relates to:  <b>Partial Review (Policy S1 and supporting text)</b></p> <p>Consider that the Plan is :  <b>Sound No</b></p>	<p>If North West Leicestershire District Council is to fully meet the legal requirements of the Duty to Co-operate, the Council should engage on a constructive, active and on-going basis with other L&amp;LHMA authorities to maximise the effectiveness of plan making</p> <p>Although there is a history of on-going co-operation between the Council and other L&amp;LHMA authorities, there continues to be no satisfactory outcome from this process to meet housing needs in full across the HMA between 2011 – 2036. This is an unsound basis for plan-making.</p> <p>As set out in the 2019 National Planning Policy Framework (NPPF) (paras 24, 26 &amp; 27) and the National Planning Practice Guidance (NPPG) , the Council should provide a signed Statement of Common Ground (SoCG) between itself and other L&amp;LHMA authorities. The Partial and Substantive LPRs should be based on effective joint working on cross boundary strategic matters that have been dealt with rather than deferred as evidenced by a SoCG (para 35c).</p> <p>The SoCG published to accompany the pre-submission Partial LPR consultation is incomplete, undated and unsigned. The HBF also consider this SoCG is incorrect by virtue of out of date information as Leicester City has identified and quantified an unmet housing of 7,813</p>	<p>It is noted that the HBF recognises that there is a history of on-going co-operation between the council and the other Leicester and Leicestershire Housing Market Area authorities.</p> <p>The Council is frustrated that to date it has not been possible to conclude an agreement regarding housing distribution. However, this is largely due to the fact that Leicester City who had declared an unmet need in January 2017, had not at the time of publication, despite assurance to the contrary, been able to confirm the amount of unmet need. This is not something within the Council’s control. It cannot be a failure of the Duty to Cooperate by the Council.</p> <p>The SoCG was agreed by officers prior to publication. Due to the tight timescales involved to ensure that the adopted local plan does not become out-of-date it was not possible for the SoCG to be taken through each authority’s sign off</p>

	<p>dwellings by 2036 and will be consulting on its Draft Local Plan in January / February 2020.</p> <p>The SoCG should be updated to represent this latest information.</p> <p>The proposed amendment to Policy S1 is ambiguous because:</p> <ul style="list-style-type: none"> <li>the meaning of 'agreed' is not clear contrary to the NPPF 2019 (para 16d).</li> <li>The Council's commitment to the substantive review is also dependent upon a SoCG for which there is no timetable. It is possible that the SoCG will never be agreed so the trigger for submission of a replacement Local Plan will never be initiated consequently this policy commitment is not positively prepared because it is totally ineffective.</li> </ul> <p>In the absence of an agreed SoCG, there should be a fallback position.</p> <p>The most appropriate way of dealing with the matter of unmet housing need from Leicester City is the Substantive Local Plan Review, which the Council should undertake as expeditiously as possible.</p>	<p>processes before publication. This process has now been completed and each authority has formally signed the agreement.</p> <p>The SoCG for the Partial Review states that the redistribution of unmet need from Leicester City will be <i>"agreed through the established joint working mechanism outlined at Section 5 above"</i>. Paragraph 5.3 of the SoCG outlines that such redistribution will be <i>"subject to ratification at individual authority level"</i>.</p> <p>The SoCG includes a stated commitment to agreeing a further SoCG which will deal with the issue of unmet need from Leicester City. This SoCG will be required for the Leicester City Local Plan to progress. This should ensure that it is agreed as speedily as possible.</p> <p>The Council agrees and continues to work in parallel on the wider review (now referred to as the Substantive Review).</p>
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	<p>It should not be assuming that the difference of 102 dwellings per annum between the adopted housing requirement of 481 dwellings per annum and the Local Housing Need (LHN) of 379 dwellings per annum) is sufficient to meet the District's housing needs.</p>	<p>This issue will need to be addressed as part of the substantive review. The Local Plan Committee has agreed a 'working' housing requirement figure of 480 dwellings per annum, some 26% more than that arising from the standard methodology (2014-based household projections) and that the plan should include a flexibility allowance equivalent to 15% of the requirements. These will be kept under review as new information becomes available, including the outcome from the HMA wide SoCG, and adjustments will be made accordingly.</p>
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<b>Respondent details</b>	<b>Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound</b>	<b>Officer Response</b>
Respondent 0015 <b>The Coal Authority</b>	Confirm that the Coal Authority has no specific comments to make.	No response required.

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<p>Respondent 0016  <b>Sport England</b></p> <p>Representation relates to:  <b>Partial Review (Policy S1 and supporting text)</b></p>	<p>Thank you for consulting Sport England on the above. I can confirm that Sport England does not wish to make any representations on the partial review. Please see our comments made on the emerging options which should form part of the full review [email sent 3/12/2018]</p> <p>With particular reference to;</p> <ol style="list-style-type: none"> <li>1. Keeping the evidence base up to date - The 2018 Playing Pitch Strategy (is/should the PPS included as part of the evidence base?) in line with para 97 NPPF this strategy needs to be robust and up to date.</li> <li>2. The launch of our playing pitch demand calculator - for new development – we would be happy to discuss this calculator</li> <li>3. Active Design  <a href="http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/active-design/">http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/active-design/</a></li> <li>4. The need for a full built Sport Facilities Strategy – NPPF Para 96</li> </ol>	<p>Comments noted.</p>

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<p>Respondent 0017  <b>Brackley Property Developments</b></p> <p>Representation relates to:  <b>Partial Review (Policy S1 and supporting text)</b></p> <p>Consider that the Plan is :            Legally Compliant <b>Yes</b>            Sound <b>Yes</b>            Complies with duty to cooperate <b>Yes</b></p>	<p>Consider content of Policy S1 and its supporting text to be fundamentally sound, legally compliant and in accordance with the Duty to Co-operate (subject to two minor amendments set out below).</p> <p>Welcome the acknowledgement that further employment land needs to be identified and allocated to meet the ongoing needs of NWL and surrounding area, and support the need for ongoing liaison and collaboration between the Council and other Authorities within the Leicester and Leicestershire Housing Market Area in order to establish the scale and distribution of any additional provision that may be necessary.</p> <p>Although the Strategic Growth Plan is not a statutory plan, it is clear that this document sets out an agreed, overarching strategy for Leicestershire, in respect of the key areas for growth and the long term requirements for the area.</p> <p>Imperative that the maximum amount of flexibility is 'built into' the emerging Planning Policies in respect of employment and housing land provision as there is a strong likelihood that a level of unmet need from neighbouring authorities will need to be addressed within the district. Figure of 66ha should be de minimis so it is not utilised to limit economic development.</p> <p>Bullet point 2 of Policy S1 should be amended as follows:</p>	<p>No comment required</p> <p>No comment required.</p> <p>No comment required.</p> <p>The level of unmet need for housing and employment will be addressed through the Substantive review. The policy relates to the need identified in the HEDNA, and not unquantified potential future need arising elsewhere. Flexibility is already built in to the adopted Local Plan as a result of policy Ec2(2) which refers to both 'need' or 'demand'.</p>

	<ul style="list-style-type: none"> <li>• provision will be made for <b>at least</b> 66 hectares of land for employment purposes (B1, B2 and B8 of less than 9,000sq metres)</li> </ul> <p>The supporting text to Policy S1 should be amended as follows:  The Council is committed to working with the other HMA authorities to agree how and where this unmet need will be accommodated, <b>in accordance with the strategy contained within the Leicester and Leicestershire Strategic Growth Plan to 2050 (December 2018).</b></p>	<p>The redistribution of unmet employment need will be addressed as part of the further SoCG and will inform the substantive review.</p> <p>The redistribution of unmet need will need to consider reasonable alternatives rather than necessarily following slavishly the Strategic Growth Plan. Therefore, specific reference to the Strategic Growth Plan is not necessary. , but it would not be</p>
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<p>Respondent 0018  <b>Canal and River Trust</b></p> <p>Representation relates to:  <b>Partial Review (Policy S1 and supporting text)</b>  <b>Sustainability Appraisal</b>  <b>Habitats Regulations Assessment</b></p> <p>Consider that the Plan is :  Legally Compliant <b>Yes</b>  Sound <b>Yes</b>  Complies with duty to cooperate <b>Yes</b></p>	<p>No comments made</p>	<p>No response required.</p>



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Respondent 0019 <b>Leicester City Council</b>	Given that the Government introduced standard methodology last year we would suggest deleting reference to HEDNA. In addition, suggest additional wording to make clear that the trigger in respect of the SOCG is when it has been agreed <u>and</u> signed by all authorities.	<p>The policy would not be effective without reference to the Leicester and Leicestershire Housing and Economic Development Needs Assessment or similar.</p> <p>The SoCG for the Partial Review states that the redistribution of unmet need from Leicester City will be <i>“agreed through the established joint working mechanism outlined at Section 5 above”</i>. Paragraph 5.3 of the SoCG outlines that such redistribution will be <i>“subject to ratification at individual authority level”</i>.</p>

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Respondent 0020 <b>Historic England</b>	Historic England have no comments to make at this stage. Early informal consultation regarding potential housing and employment site allocations would be strongly welcomed.	Comments noted

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<p>Respondent 0021 <b>Barwood Homes</b></p>	<p>Fisher German act on behalf of Barwood Homes who are promoting land at Breedon on the Hill for residential development.</p> <p>Do not agree with the partial review approach, particularly as Leicester City has now published its expected unmet needs. A full review should be immediately commenced.</p> <p>The Inspector found the adopted plan sound, provided the Council committed to an early review and that the plan would be considered out of date if the Review was not submitted within two years of it commencing. To meet this deadline the review of the LP needs to be submitted by February 2020. The Inspectors Report was clear that the adopted Local Plan was acceptable only in the context of being fully reviewed quickly (paragraph 168 of the Inspector's report). The Partial Review does not do this.</p> <p>The partial review would see the current deadline for a review replaced by a new deadline relating to the publication of an agreed SoCG between the HMA authorities. Whilst Leicester City have now published their expected unmet needs up to 2036, as 7,813 dwellings, currently there is no HMA agreement on where this can be accommodated nor an indication of when an agreed Statement of Common Ground (SoCG) will be published. It has taken significant time for the</p>	<p>Work on the substantive review is taking place in parallel with the Partial Review.</p> <p>There have been changes in circumstances since the Inspector's Report in October 2017, as outlined in the consultation document, which means that it has not been possible to undertake a full review to date as originally anticipated. This work is taking place in parallel to the Partial Review</p> <p>Leicester City only published its unmet need figure after the District Council agreed its approach to the Partial Review.</p>

	<p>level of unmet need to be published and agreeing its distribution could also take some time. It could therefore be considerable time before an agreed SOCG is published.</p> <p>The wording of the new Policy S1 ties the Council only to an agreed SoCG as the trigger of the 18-month timeline by which the substantive Local Plan Review must be submitted.</p> <p>Charnwood have already declared that it does not consider that it needs to meet any unmet needs from Leicester City, as it considers this was agreed in the Leicestershire Strategic Growth Plan (SGP). Unclear as to whether this has been formally agreed with the HMA since the publication of the SGP, this could further increase housing needs across the HMA.</p> <p>The SGP, contrary to recent assertions from Charnwood, suggests that Charnwood and NWL are locations where growth is directed, through the International Gateway. Up to 2050 the SGP predicts as many as 11,000 dwellings could be delivered at the International Gateway, which will go beyond meeting local needs and include some of the unmet needs from the City.</p> <p>The SGP is not a SoCG, nor has it been formally examined and is not a Development Plan Document. SGP is a broad framework which informally outlines how growth may be delivered. The SGP only shows the OAN for each authority, not how unmet needs will be distributed and not actual housing requirements. Each Local Plan will still have to be found and be supported by</p>	<p>The District Council has responded to the consultation on the draft Charnwood Local Plan querying this assertion.</p> <p>The Substantive Review will address the issue of how much development is needed and to where it should be directed. In doing so, regard will be had to the Strategic Growth Plan which was prepared to inform the preparation of local plans.</p>
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	<p>a formal agreed SoCG outlining where unmet needs will be delivered.</p> <p>It is noted that NWLDC refer to current uncertainty in how the standard methodology is to be calculated in the future. There is always uncertainty in housing requirements and Local Authorities must deal with this during plan making.</p> <p>A substantive review should commence now and could show Local Housing Need as a range, ( i.e. the lower range being 379 dwellings (2014 projections) and the upper being 529 (2016 projections)), as has been done elsewhere. Alternatively reserve sites could be utilised and brought forward if housing need was established to be in excess of that covered by allocations.</p> <p>Fundamentally disagree with the removal of the clause which renders the Local Plan out of date if timescales aren't met. This clause was fundamental in the Local Plan being found sound. It is essential that the threat of the Plan being declared out of date is maintained to ensure a quick submission of a new up to date local plan. The SoCG published in support of the consultation is unsigned and says relatively little. A full SoCG is needed as a matter of urgency.</p>	<p>There are significant differences between the results using the standard method based on the 2014 household projections and 2016 projections, 379 dwellings for the former and 529 for the latter. The government has made it clear that the 2016 projections should not be used, even though it is the most up-to-date evidence. However, recent build rates raise questions as to the reliability of the 2014-based figure. The government itself clearly has issues with the standard method.</p> <p>The Council does not agree that it is necessary for there to be a clause which renders all of the plan out-of-date. National policy already allows for policies to be considered out-of-date and sets out (paragraph 11 of the NPPF) what this might mean for determining planning applications. However, it only refers to <i>"the policies which are most important for determining the application are out-of-date"</i>. A blanket approach whereby all of the plan would be out-of-date is not consistent with this. More recently approved Local plans, for example the Harborough Local Plan have not included</p>
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	<p>The Council's approach does not comply with the Duty to Cooperate, is unsound, and is neither positively prepared, justified, consistent with national policy or effective.</p>	<p>such provisions. Indeed , the Inspector commented that  <i>“More severe requirements stipulating that the plan (or aspects of it) will go out of date in certain circumstances are not justified in Harborough District given the Council’s clear commitment to adequate housing delivery. “</i>  The District council has demonstrated a similar commitment to housing delivery as witnessed by the fact that completions above the housing requirement for the last 5 years and overalls for the plan period to date.</p> <p>The Council does not agree that the Partial Review is not “positively prepared”. As set out in the Publication Document, the Council commenced the Partial Review in February 2018 in accordance with the provisions of Policy S1 of the adopted Local Plan. Further consultations were undertaken in 2018 and the early part of 2019. These consultations all represent “positive” intent on the part of the Council. The Council is of the view that the proposed approach does represent “positive planning” as it seeks to ensure certainty is retained for the immediate future by taking proactive action. Nobody benefits from allowing the plan to become out-of-date – not the local</p>
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	<p>In the event the Council wish to proceed with the partial review, it is considered that the proposed amendments to Policy S1 should incorporate a 'real' deadline, i.e. to be submitted within 3 years of the commencement of the Review (February 2021) or the Plan will be deemed out of date.</p>	<p>planning authority, developers, landowners or communities. Allowing the plan to become knowingly out-of-date is not something that the District Council can countenance.</p> <p>The issue of being out of-date is considered above.</p>
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Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0022 <b>Mr R Botham</b></p>	<p>Fisher German act on behalf of Mr R Botham who is promoting land at Moira Road Ashby de la Zouch for residential development.</p> <p>Do not agree with the partial review approach, particularly as Leicester City has now published its expected unmet needs. A full review should be immediately commenced.</p> <p>The Inspector found the adopted plan sound, provided the Council committed to an early review and that the plan would be considered out of date if the Review was not submitted within two years of it commencing. To meet this deadline the review of the LP needs to be submitted by February 2020. The Inspectors Report was clear that the adopted Local Plan was acceptable only in the context of being fully reviewed quickly (paragraph 168 of the Inspector's report). The Partial Review does not do this.</p> <p>The partial review would see the current deadline for a review replaced by a new deadline relating to the publication of an agreed SoCG between the HMA authorities. Whilst Leicester City have now published their expected unmet needs up to 2036, as 7,813 dwellings, currently there is no HMA agreement on where this can be accommodated nor an indication of when an agreed Statement of Common Ground (SoCG) will be published. It has taken significant time for the</p>	<p>Work on the substantive review is taking place in parallel with the Partial Review.</p> <p>There have been changes in circumstances since the Inspector's Report in October 2017, as outlined in the consultation document, which means that it has not been possible to undertake a full review to date as originally anticipated. This work is taking place in parallel to the Partial Review</p> <p>Leicester City only published its unmet need figure after the District Council agreed its approach to the Partial Review.</p>



	<p>level of unmet need to be published and agreeing its distribution could also take some time. It could therefore be considerable time before an agreed SOCG is published.</p> <p>The wording of the new Policy S1 ties the Council only to an agreed SoCG as the trigger of the 18-month timeline by which the substantive Local Plan Review must be submitted.</p> <p>Charnwood have already declared that it does not consider that it needs to meet any unmet needs from Leicester City, as it considers this was agreed in the Leicestershire Strategic Growth Plan (SGP). Unclear as to whether this has been formally agreed with the HMA since the publication of the SGP, this could further increase housing needs across the HMA.</p> <p>The SGP, contrary to recent assertions from Charnwood, suggests that Charnwood and NWL are locations where growth is directed, through the International Gateway. Up to 2050 the SGP predicts as many as 11,000 dwellings could be delivered at the International Gateway, which will go beyond meeting local needs and include some of the unmet needs from the City.</p> <p>The SGP is not a SoCG, nor has it been formally examined and is not a Development Plan Document. SGP is a broad framework which informally outlines how growth may be delivered. The SGP only shows the OAN for each authority, not how unmet needs will be distributed and not actual housing requirements. Each Local Plan will still have to be found and be supported by</p>	<p>The District Council has responded to the consultation on the draft Charnwood Local Plan querying this assertion.</p> <p>The Substantive Review will address the issue of how much development is needed and to where it should be directed. In doing so, regard will be had to the Strategic Growth Plan which was prepared to inform the preparation of local plans.</p>
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	<p>a formal agreed SoCG outlining where unmet needs will be delivered.</p> <p>It is noted that NWLDC refer to current uncertainty in how the standard methodology is to be calculated in the future. There is always uncertainty in housing requirements and Local Authorities must deal with this during plan making.</p> <p>A substantive review should commence now and could show Local Housing Need as a range, ( i.e. the lower range being 379 dwellings (2014 projections) and the upper being 529 (2016 projections)), as has been done elsewhere. Alternatively reserve sites could be utilised and brought forward if housing need was established to be in excess of that covered by allocations.</p> <p>Fundamentally disagree with the removal of the clause which renders the Local Plan out of date if timescales aren't met. This clause was fundamental in the Local Plan being found sound. It is essential that the threat of the Plan being declared out of date is maintained to ensure a quick submission of a new up to date local plan. The SoCG published in support of the consultation is unsigned and says relatively little. A full SoCG is needed as a matter of urgency.</p>	<p>There are significant differences between the results using the standard method based on the 2014 household projections and 2016 projections, 379 dwellings for the former and 529 for the latter. The government has made it clear that the 2016 projections should not be used, even though it is the most up-to-date evidence. However, recent build rates raise questions as to the reliability of the 2014-based figure. The government itself clearly has issues with the standard method.</p> <p>The Council does not agree that it is necessary for there to be a clause which renders all of the plan out-of-date. National policy already allows for policies to be considered out-of-date and sets out (paragraph 11 of the NPPF) what this might mean for determining planning applications. However, it only refers to <i>"the policies which are most important for determining the application are out-of-date"</i>. A blanket approach whereby all of the plan would be out-of-date is not consistent with this. More recently approved Local plans, for example the Harborough Local Plan have not included</p>
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	<p>The Council’s approach does not comply with the Duty to Cooperate, is unsound, and is neither positively prepared, justified, consistent with national policy or effective.</p>	<p>such provisions. Indeed , the Inspector commented that  <i>“More severe requirements stipulating that the plan (or aspects of it) will go out of date in certain circumstances are not justified in Harborough District given the Council’s clear commitment to adequate housing delivery. “</i>  The District council has demonstrated a similar commitment to housing delivery as witnessed by the fact that completions above the housing requirement for the last 5 years and overalls for the plan period to date.</p> <p>The Council does not agree that the Partial Review is not “positively prepared”. As set out in the Publication Document, the Council commenced the Partial Review in February 2018 in accordance with the provisions of Policy S1 of the adopted Local Plan. Further consultations were undertaken in 2018 and the early part of 2019. These consultations all represent “positive” intent on the part of the Council. The Council is of the view that the proposed approach does represent “positive planning” as it seeks to ensure certainty is retained for the immediate future by taking proactive action. Nobody benefits from allowing the plan to become out-of-date – not the local</p>
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	<p>In the event the Council wish to proceed with the partial review, it is considered that the proposed amendments to Policy S1 should incorporate a 'real' deadline, i.e. to be submitted within 3 years of the commencement of the Review (February 2021) or the Plan will be deemed out of date.</p>	<p>planning authority, developers, landowners or communities. Allowing the plan to become knowingly out-of-date is not something that the District Council can countenance.</p> <p>The issue of being out of-date is considered above.</p>
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Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0023 <b>Richborough Estates</b></p>	<p>Fisher German act on behalf of Richborough Estates who are promoting land at Ashby de la Zouch and Appleby Magna for residential development.</p> <p>Do not agree with the partial review approach, particularly as Leicester City has now published its expected unmet needs. A full review should be immediately commenced.</p> <p>The Inspector found the adopted plan sound, provided the Council committed to an early review and that the plan would be considered out of date if the Review was not submitted within two years of it commencing. To meet this deadline the review of the LP needs to be submitted by February 2020. The Inspectors Report was clear that the adopted Local Plan was acceptable only in the context of being fully reviewed quickly (paragraph 168 of the Inspector’s report). The Partial Review does not do this.</p> <p>The partial review would see the current deadline for a review replaced by a new deadline relating to the publication of an agreed SoCG between the HMA authorities. Whilst Leicester City have now published their expected unmet needs up to 2036, as 7,813 dwellings, currently there is no HMA agreement on where this can be accommodated nor an indication of when an agreed Statement of Common Ground (SoCG) will be published. It has taken significant time for the</p>	<p>Work on the substantive review is taking place in parallel with the Partial Review.</p> <p>There have been changes in circumstances since the Inspector’s Report in October 2017, as outlined in the consultation document, which means that it has not been possible to undertake a full review to date as originally anticipated. This work is taking place in parallel to the Partial Review</p> <p>Leicester City only published its unmet need figure after the District Council agreed its approach to the Partial Review.</p>

	<p>level of unmet need to be published and agreeing its distribution could also take some time. It could therefore be considerable time before an agreed SOCG is published.</p> <p>The wording of the new Policy S1 ties the Council only to an agreed SoCG as the trigger of the 18-month timeline by which the substantive Local Plan Review must be submitted.</p> <p>Charnwood have already declared that it does not consider that it needs to meet any unmet needs from Leicester City, as it considers this was agreed in the Leicestershire Strategic Growth Plan (SGP). Unclear as to whether this has been formally agreed with the HMA since the publication of the SGP, this could further increase housing needs across the HMA.</p> <p>The SGP, contrary to recent assertions from Charnwood, suggests that Charnwood and NWL are locations where growth is directed, through the International Gateway. Up to 2050 the SGP predicts as many as 11,000 dwellings could be delivered at the International Gateway, which will go beyond meeting local needs and include some of the unmet needs from the City.</p> <p>The SGP is not a SoCG, nor has it been formally examined and is not a Development Plan Document. SGP is a broad framework which informally outlines how growth may be delivered. The SGP only shows the OAN for each authority, not how unmet needs will be distributed and not actual housing requirements. Each Local Plan will still have to be found and be supported by</p>	<p>The District Council has responded to the consultation on the draft Charnwood Local Plan querying this assertion.</p> <p>The Substantive Review will address the issue of how much development is needed and to where it should be directed. In doing so, regard will be had to the Strategic Growth Plan which was prepared to inform the preparation of local plans.</p>
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	<p>a formal agreed SoCG outlining where unmet needs will be delivered.</p> <p>It is noted that NWLDC refer to current uncertainty in how the standard methodology is to be calculated in the future. There is always uncertainty in housing requirements and Local Authorities must deal with this during plan making.</p> <p>A substantive review should commence now and could show Local Housing Need as a range, ( i.e. the lower range being 379 dwellings (2014 projections) and the upper being 529 (2016 projections)), as has been done elsewhere. Alternatively reserve sites could be utilised and brought forward if housing need was established to be in excess of that covered by allocations.</p> <p>Fundamentally disagree with the removal of the clause which renders the Local Plan out of date if timescales aren't met. This clause was fundamental in the Local Plan being found sound. It is essential that the threat of the Plan being declared out of date is maintained to ensure a quick submission of a new up to date local plan. The SoCG published in support of the consultation is unsigned and says relatively little. A full SoCG is needed as a matter of urgency.</p>	<p>There are significant differences between the results using the standard method based on the 2014 household projections and 2016 projections, 379 dwellings for the former and 529 for the latter. The government has made it clear that the 2016 projections should not be used, even though it is the most up-to-date evidence. However, recent build rates raise questions as to the reliability of the 2014-based figure. The government itself clearly has issues with the standard method.</p> <p>The Council does not agree that it is necessary for there to be a clause which renders all of the plan out-of-date. National policy already allows for policies to be considered out-of-date and sets out (paragraph 11 of the NPPF) what this might mean for determining planning applications. However, it only refers to <i>"the policies which are most important for determining the application are out-of-date"</i>. A blanket approach whereby all of the plan would be out-of-date is not consistent with this. More recently approved Local plans, for example the Harborough Local Plan have not included</p>
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	<p>The Council's approach does not comply with the Duty to Cooperate, is unsound, and is neither positively prepared, justified, consistent with national policy or effective.</p>	<p>such provisions. Indeed , the Inspector commented that  <i>"More severe requirements stipulating that the plan (or aspects of it) will go out of date in certain circumstances are not justified in Harborough District given the Council's clear commitment to adequate housing delivery. "</i>  The District council has demonstrated a similar commitment to housing delivery as witnessed by the fact that completions above the housing requirement for the last 5 years and overalls for the plan period to date.</p> <p>The Council does not agree that the Partial Review is not "positively prepared". As set out in the Publication Document, the Council commenced the Partial Review in February 2018 in accordance with the provisions of Policy S1 of the adopted Local Plan. Further consultations were undertaken in 2018 and the early part of 2019. These consultations all represent "positive" intent on the part of the Council. The Council is of the view that the proposed approach does represent "positive planning" as it seeks to ensure certainty is retained for the immediate future by taking proactive action. Nobody benefits from allowing the plan to become out-of-date – not the local</p>
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	<p>In the event the Council wish to proceed with the partial review, it is considered that the proposed amendments to Policy S1 should incorporate a 'real' deadline, i.e. to be submitted within 3 years of the commencement of the Review (February 2021) or the Plan will be deemed out of date.</p>	<p>planning authority, developers, landowners or communities. Allowing the plan to become knowingly out-of-date is not something that the District Council can countenance.</p> <p>The issue of being out of-date is considered above.</p>
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<p>Respondent 0024 <b>Natural England</b></p>	<p>Natural England does not have any comments on the revised wording of Policy S1 – Future housing and economic development needs. Our main concern for future housing and economic growth scenarios is that the policy approach would ensure no adverse impact on any designated nature conservation sites or protected landscapes. We would also highlight the importance of Biodiversity Net Gain and suggest that this should be given full consideration within the Substantive Review.</p> <p>We agree with the conclusion of the accompanying Habitat Regulations Assessment that the Partial Review would not affect any European Sites. We have no comments on the Sustainability Appraisal Report.</p>	<p>The Partial Review is not intended to address such issues and these will be addressed as part of the Substantive Review of the Local Plan.</p> <p>Comments noted.</p>

Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0025 <b>Gladman</b></p>	<p>Policy S1 commits the Council to an early review of the Local Plan. This was inserted into the Local Plan by the examining Inspector to ensure the soundness of the Local Plan in meeting and responding to housing and employment needs.</p> <p>It is disappointing that the review timescales as set out in Policy S1 have not been achieved by the Council, but it is acknowledged by Gladman that the reasons for this delay are primarily due to issues beyond the Council's control.</p> <p>However:</p> <ul style="list-style-type: none"> <li>• This acceptance does not overcome the need for a wider more substantive review of the wider Local Plan to be progressed;</li>   <li>• The link made within the policy for a plan review and to the county wide SoCG is supported;</li> </ul>	<p>The Council agrees that there is a need to ensure that the substantive review is progressed and work continues on this in parallel to the wider review. For example, the Local Plan Committee has agreed a 'working' housing requirement figure of 480 dwellings per annum, some 26% more than that arising from the standard methodology (2014-based household projections) and that the plan should include a flexibility allowance equivalent to 15% of the requirements.</p> <p>Noted</p>

	<ul style="list-style-type: none"> <li>• The timescales for the submission of the wider substantive review of the Local Plan in response to the agreed SoCG is also supported;</li> <li>• The mechanism for the review of the Local Plan however cannot be tied only to progression made in relation to the SoCG, given uncertainty over whether this will be completed and over what timescale this will be achieved;</li> <li>• A further mechanism for the Local Plan review should therefore be inserted into the policy relating to progress made in relation to the Leicester Local Plan – Gladman consider that the approach adopted within the Harborough Local Plan provides a suitable basis for this additional mechanism;</li> <li>• This mechanism should similarly be tied to a fixed timescale of 18 months as applied within proposed amendments in response to the SoCG; and</li> <li>• The deletion of the implication of an out-of-date Local Plan should outlined timescales not be achieved from Policy S1 is not supported. Gladman consider this should be retained but revised to relate only to relevant policies of the current Local Plan.</li> </ul>	<p>Noted</p> <p>The SoCG which will deal with the redistribution of unmet housing need from Leicester City will be required for the Leicester City Local Plan to progress. This should ensure that it is agreed as speedily as possible. This should ensure that it is agreed as speedily as possible.</p> <p>The Council does not agree that it is necessary for there to be a clause which renders all of the plan out-of-date. National policy already allows for policies to be considered out-of-date and sets out (paragraph 11 of the NPPF) what this might mean for determining planning applications. However, it only refers to <i>“the policies which are most important for determining the application are out-of-date”</i>. A blanket approach whereby all of the plan would be out-of-date is not consistent with this. More recently approved Local plans, for example the</p>
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		<p>Harborough Local Plan have not included such provisions. Indeed , the Inspector commented that</p> <p><i>“More severe requirements stipulating that the plan (or aspects of it) will go out of date in certain circumstances are not justified in Harborough District given the Council’s clear commitment to adequate housing delivery. “</i></p> <p>The District council has demonstrated a similar commitment to housing delivery as witnessed by the fact that completions above the housing requirement for the last xx years and overalls for the plan period to date.</p>
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Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0026 <b>Cadwallader Family</b></p>	<p>On behalf of the Cadwallader Family, we are seeking to work with North West Leicestershire District Council in promoting the Land at Grimesgate, Diseworth for formal allocation for residential development. It is considered that the site represents an appropriate, available, achievable and viable source of housing land that can deliver residential development in the short-term and assist in achieving growth in the Leicestershire International Gateway as referred to in the Strategic Growth Plan.</p> <p>It is accepted that there is a significant amount of uncertainty relating to the future development requirements of the District as a result of the standard methodology and the fact that Leicester City Council have still not declared the extent of any unmet housing need that cannot be met within their administrative boundaries.</p> <p>The proposed amendment to Policy S1 does not appropriately reflect the range of circumstances which may result in a change to the development requirements of the District and, therefore, may necessitate an early review of the Local Pla. Examples are included from of Local Plan policies included within recently adopted Local Plans elsewhere in the HMA, which more appropriately reflect the circumstances which may necessitate an early review.</p>	<p>Noted</p> <p>Noted</p>

	<p>Revised wording for Policy S1 is suggested to reflect such circumstances.</p> <p>“A full or partial update of the Local Plan will be submitted for Examination within 18 months of the following:</p> <p>(a) The adoption by the Council of a Memorandum of Understanding (MoU) or Statement of Common Ground (SoCG) which proposes a quantity of housing or employment development to 2031 that is significantly greater than the housing requirement or employment need identified in this Local Plan; or</p> <p>(b) In the absence of an adopted MoU or SoCG, 12 months from the date of publication of a Local Plan for Leicester City (defined as publication of an invitation to make representations in accordance with Regulation 19 of the Town and County (Local Planning)(England) Regulations 2012) that includes satisfactory evidence of an unmet local housing need; or</p> <p>(c) Changes occur to the objectively assessed need for development within North West Leicestershire resulting from updates to the Government’s standard method.”</p>	<p>This is unnecessary as the Council is already committed to a substantive review which will roll forward the Local Plan. The substantive review will take account of the most up-to-date evidence regarding housing need.</p> <p>The SoCG which will deal with the redistribution of unmet housing need from Leicester City will be required for the Leicester City Local Plan to progress. This should ensure that it is agreed as speedily as possible.</p> <p>For the reasons set out in respect of part (a) this is unnecessary. The substantive review will need to consider whether there is a need for a trigger mechanism such as this.</p>
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Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0027  <b>Hinckley and Bosworth Borough Council</b></p>	<p>Thank you for consulting Hinckley and Bosworth Borough Council on the North West Leicestershire Local Plan Partial Review – Publication Consultation Document. The purpose of the partial review is to respond to a policy (Policy S1) in the existing local plan which commits the authority to review that plan by February 2020. The review will effectively remove this requirement from the plan and replace it with a new requirement to submit a replacement local plan within 18 months of the date a statement of common ground, dealing with the redistribution of any unmet need from Leicester City, is agreed by all the local authorities within the Leicester and Leicestershire Housing Market Area. The consultation documents explain why it is no longer feasible to review the plan by February 2020, and gives strong justification for the reasons why policy S1 should be amended. Hinckley and Bosworth Borough Council support the approach being taken by North West Leicestershire District Council, and support the proposed changes to the plan set out in the Local Plan Partial Review Publication Consultation Document.</p> <p>We look forward to continue working with North West Leicestershire District Council in the development of our respective local plans and on wider cross boundary planning issues.</p>	<p>No response required.</p>



Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0028  <b>Rosconn Strategic Land</b></p> <p>Representation relates to:  <b>Partial Review (Policy S1 and supporting text)</b></p> <p>Consider that the Plan is :            Legally Compliant <b>Yes</b>            Sound <b>No</b>            Complies with duty to cooperate <b>No</b></p>	<p>A delay to a full review of the adopted Local Plan is justified, according to the District Council, due to changing circumstances since the extant Local Plan was adopted towards the end of 2017. However, the essence of the NPPF (for example, in respect of the presumption in favour of sustainable development, “boosting the supply of homes”, requiring strategic plan making authorities to establish a housing requirement figure for their whole area which shows the extent to which their identified housing need, and any needs that cannot be met in neighbouring areas, can be met over the plan period) and the Duty to Cooperate has not changed.</p> <p>The NPPF is very clear that the standard methodology should be used to determine the minimum number of homes needed. A prospective change in the specifics of the methodology and on-going review of the projections on which the assessment is based cannot be a reason for delaying the review or Local Plan Reviews would never be progressed.</p> <p>The issue of unmet need in Leicestr City is not new, it was raised during the Examination of the adopted Local Plan which led directly to the modification of Policy S1 post the Local Plan Examination, and the scale of the issue to be addressed has always been clear. It has always been the stated intention of the HMA Authorities to agree a Memorandum of Understanding (MOU) to address the unmet needs, yet 3 years since the</p>	<p>It is recognised that the matters listed have not changed significantly since the Local Plan was adopted in late 2017.</p> <p>The circumstances in North West Leicestershire are different to most parts of the country. There are significant differences between the results using the standard method based on the 2014 household projections and 2016 projections, 379 dwellings for the former and 529 for the latter. The government has made it clear that the 2016 projections should not be used, even though it is the most up-to-date evidence. However, recent build rates raise questions as to the reliability of the 2014-based figure. The government itself clearly has issues with the standard method. It is important to recognise that</p>

	<p>publication of the HEDNA and when the unmet need issues were first highlighted by the City Council that has still not been achieved. It is clear therefore, that there has not been a positive outcome to the engagement the District Council has undertaken with its HMA partners that will ensure that (both market and affordable) housing needs in the HMA will be properly identified and then effectively provided for in accordance with the NPPF.</p> <p>More recently, Leicester City Council has again formally declared the unmet need arising in the City. The report to the City Council’s Overview Select Committee (28th November 2019) identified a, a shortfall of 7,813 dwellings which “will be distributed through agreement with district councils.” It is understood that the City Council will be consulting on its draft Local Plan on that basis imminently.</p> <p>This need is arising now and needs to be addressed now as a matter of urgency in a Review of the Local Plan as part of the District Council’s obligations under the Duty to Cooperate.</p> <p>There is, therefore, no justification for a delay to the full review of the Local Plan.</p> <p>The revised Policy S1 refers to the submission of a replacement Local Plan within 18 months of a Statement of Common Ground (SoCG) being agreed by all of the HMA Authorities. Given the District Council’s proposed</p>	<p>it is not just the uncertainty associated with the standard method, but also the fact that that Leicester City who had declared an unmet need in January 2017 , had not at the time of publication, despite assurance to the contrary, been able to confirm the amount of unmet need. This is a crucial part of identifying the future housing requirement and clarity has only been forthcoming since the publication of the Partial Review.</p> <p>The Leicester City Local Plan runs to 2036. It is not yet clear on the basis of available evidence as to when the unmet need will arise, but the Council is committed to progressing the substantive review which will address any unmet needs which it is agreed should be redistributed to North West Leicestershire through a HMA wide SoCG.</p> <p>The SoCG was agreed by officers prior to publication. Due to the tight timescales involved to ensure that the adopted local plan does not become out-of-date it was</p>
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	<p>timetable for the substantive review of the Local Plan (submission in Autumn 2021), it is presumably expected that the SoCG will be finalised imminently. However, the draft SoCG that accompanies the presubmission Partial Local Plan Review is inaccurate, undated and incomplete. Fundamentally, it still fails to address the critical issue as to how the unmet need arising in Leicester will be addressed within the HMA.</p> <p>Presumably, a further SoCG that relates to the substantive review of the Local Plan will address this? Given the record to date there can be no confidence that a MoU or SoCG will ever be agreed by all of the HMA Authorities, or at least it will be substantially delayed until all of their interests are aligned.</p> <p>In the meantime, the District Council would not be under any pressure to progress its Local Plan Review, there would be no effective consequences for it failing to do so and the unmet needs arising in Leicester will continue to be ignored exacerbating the serious socio-economic issues outlined above.</p> <p>The proposed approach is not positively prepared, unjustified, ineffective and does not comply with the NPPF. It is, therefore, fundamentally unsound.</p>	<p>not possible for the SoCG to be taken through each authority's sign off processes before publication. This process has now been completed and each authority has formally signed the agreement.</p> <p>The SoCG which will deal with the redistribution of unmet housing need from Leicester City will be required for the Leicester City Local Plan to progress. This should ensure that it is agreed as speedily as possible.</p> <p>The Council does not agree that the Partial Review is not "positively prepared". As set out in the Publication Document, the Council commenced the Partial Review in February 2018 in accordance with the provisions of Policy S1 of the adopted Local Plan. Further consultations were undertaken in 2018 and the early part of 2019.. These</p>
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	<p>The partial review should be abandoned and as a matter of urgency a full review of the Local Plan as anticipated by the extant Local Plan should be undertaken.</p>	<p>consultations all represent “positive” intent on the part of the Council. The Council is of the view that the proposed approach does represent “positive planning” as it seeks to ensure certainty is retained for the immediate future by taking proactive action. Nobody benefits from allowing the plan to become out-of-date – not the local planning authority, developers, landowners or communities. Allowing the plan to become knowingly out-of-date is not something that the District Council can countenance.</p> <p>Abandoning the Partial Review would potentially mean that the Local Plan would be deemed to be out-of-date. This is not something the Council could countenance.</p> <p>Work on the substantive review is taking place in parallel with the Partial Review. For example, the Local Plan Committee has agreed a ‘working’ housing requirement figure of 480 dwellings per annum, some 26% more than that arising from the standard methodology (2014-based household projections) and that the plan should include a flexibility allowance equivalent to 15% of the requirements. These demonstrate that the Council takes its responsibility seriously and that it is “planning</p>
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		positively” for the future development of the district.
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Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0029 <b>Gazeley UK Limited</b></p> <p>Representation relates to: <b>Partial Review (Policy S1 and supporting text)</b></p> <p>Consider that the Plan is : Legally Compliant <b>Yes</b> Sound <b>No</b> Complies with duty to cooperate <b>Yes</b></p>	<p>Critical that flexible policies in adopted Local Plan inserted by Inspector remain in force whilst assessments of employment need are undertaken to ensure that sites can be brought forward as soon as possible to satisfy market demand. Therefore agree that Policy S1 should be revised to allow it to undertake a ‘Substantive Review’ when wider unmet housing and employment needs have been confirmed and agreed. Important that the adopted Local Plan is not rendered ‘out-of-date’ whilst this review is on-going, particularly as the unmet needs have yet to be confirmed.</p> <p>Second paragraph of policy should be rewritten to explicitly refer to the commitment to undertake a ‘Substantive Review’ of the Local Plan.</p> <p>Fully support the need for an up to date evidence base on strategic logistics needs and this should inform the ‘Substantive Review’ - suggest that this is explicitly referred to in the revised policy wording.</p>	<p>No comment required</p> <p>Disagree. The policy, as proposed to be amended, already refers to “the submission of a replacement Local Plan” which is the same thing as the Substantive Review.</p> <p>The new Warehousing and Logistics study, which has been commissioned jointly with the other Leicester and Leicestershire authorities, will assess need for new strategic B8 warehousing across the whole HMA. Making specific reference to this study in this context is therefore considered unnecessary.</p>

	<p>Submitting Local Plan within 18 months of SOCG being agreed does not provide a firm commitment to undertake the 'Substantive Review' against a clear programme - SOCG may never be agreed. Essential that Policy S1 provides clear programme with specific deadlines for the 'Substantive Review' – this is a specific requirement of the NPPF.</p> <p>Unclear why District Council will require 18 months from adoption of the SOCG to submit the 'Substantive Review' for examination - should be achievable within 12 months.</p> <p>Include reference to the Statement of Common Ground being agreed during 2020.</p>	<p>The SoCG which will deal with the redistribution of unmet housing and employment need from Leicester City will be required for the Leicester City Local Plan to progress. This should ensure that it is agreed as speedily as possible.</p> <p>18 months is a realistic time frame given potential external factors (change to Government policy, new household projections, etc) which could impact on the production of the substantive review.</p> <p>Agreement by all Leicester and Leicestershire authorities on the Statement of Common Ground is outside the control of this Council. Stating that it will be signed in 2020 is therefore not something that we can ensure, but as outlined above the SoCG will be required for the Leicester City Local Plan to progress and so should ensure it is agreed as speedily as possible</p>
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Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0030 <b>DJ &amp; SC Smith</b></p> <p>Representation relates to: <b>Partial Review (Policy S1 and supporting text)</b></p> <p>Consider that the Plan is : <b>Sound No</b></p>	<p>Lambert Smith Hampton [LSH] is instructed by DJ&amp;SC Smith promoting land at Home Farm, Castle Donington on behalf of the owner DJ&amp;SC Smith for a major residential led, mixed use development in the emerging NWLLP.</p> <p>The Site is included in the Strategic Growth Plan (SGP) as part of a broad area, identified as the 'Leicestershire International Gateway' [LIG], an area having the capacity to deliver 10,000 new homes.</p> <p>The Council adopted the NWLLP in November 2017 and work commenced on the NWLLP Review in April 2018. LSH has responded to consultations on both the Local Plan and the SGP.</p> <p>It is understood that a Substantive Review will commence in summer 2020 which will address the longer term development needs of the district beyond 2031.</p> <p>Broad support is given to the two staged approach to reviewing the NWLLP.</p> <p>Notwithstanding, it is important that that the Council adheres to the timetable for the preparation of the Substantive Review and that work does not slip to ensure that the issues regarding the unmet housing and employment need do not worsen overtime.</p>	<p>Work on the substantive review is taking place in parallel with the Partial Review.</p> <p>Noted</p>



	<p>In the context of the tests of soundness, it is considered that as worded Policy S1 fails to meet the following tests:</p> <ul style="list-style-type: none"> <li>• Effective – No timescales are provided for the preparation of the SOCG. This consequently impacts on the timescales for the preparation of the replacement Local Plan, and makes the requirement to submit a replacement Local Plan within 18 months of agreement arbitrary.</li> <li>• Positively Prepared – Neither Policy S1 or its reasoned justification makes reference to the other factors that are influencing the housing requirement. The Publication Consultation Document is clear that until such time that clarity is provided on the housing requirement, the 481dpa figure should be treated indicatively.</li> <li>• The Client has concerns that the housing requirement remains too conservative and does not necessarily allow for the significant economic development that has been earmarked for Leicester and Leicestershire through the SGP. The housing requirement does not necessarily reflect the levels of recorded housing completions that have been continually delivered across North West Leicestershire since 2013.</li> </ul>	<p>The SoCG which will deal with the redistribution of unmet housing need from Leicester City will be required for the Leicester City Local Plan to progress. This should ensure that it is agreed as speedily as possible.</p> <p>The figure of 481 dwellings is a ‘working’ housing requirement figure of 480 dwellings per annum agreed by the Local Plan Committee. It is some 26% more than that arising from the standard methodology (2014-based household projections). A more definitive figure will be determined as part of the substantive review. It is not necessary for the Partial Review to identify what factors might influence a future figure.</p> <p>This is a matter that would be addressed through the substantive review.</p>
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Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0031  <b>Heather Parish Council</b></p> <p>Representation relates to:  <b>Partial Review (Policy S1 and supporting text)</b></p> <p>Consider that the Plan is :            Legally Compliant <b>Yes</b>            Sound <b>Yes</b>            Complies with duty to cooperate <b>Yes</b></p>	<p>Although we are not raising concerns over its legality and soundness, are concerned about the sections on transport and accessibility. For example, notwithstanding the provision of cycle tracks, it is unlikely that some parts of the population would actually use this facility. The car will still be used. Circumstances are also different depending on it being a village with no public transport to a larger settlement and city with public transport provision. (Section Table A3:4 Transport &amp; Accessibility P27-31).</p>	<p>It would appear that comments are being made on the Sustainability Appraisal including the review of the 'Plans, Policies and Programmes'. This report is undertaken as evidence gathering and to inform the preparation of the Sustainability Appraisal Scoping Report.</p> <p>The Partial Review is not intended to address such issues and these will be addressed as part of the Substantive Review of the Local Plan.</p>

Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0032 <b>Ravensbourn Ltd.</b></p> <p>Representation relates to: <b>Partial Review (Policy S1 and supporting text) Sustainability Appraisal</b></p> <p>Consider that the Plan is : Legally Compliant <b>No</b> Sound <b>No</b> Complies with duty to cooperate <b>No</b></p>	<p>The proposal to vary Policy S1 is objected to. The changes to Policy S1 will simply lead to an unknown delay in the production of the new development plan and a long period of uncertainty.</p> <p>The 18 month timescale referenced in Policy S1 is not a clear timescale for the submission of the review as there is no time limit on how long it will take for a SOCG to be agreed and this could therefore go on for years. Any change to the Policy as drafted should give a clear and precise timetable about the production of an agreement and then the submission timetable thereafter. There has been plenty of time since the adoption of the current Local Plan for an agreement between the authorities based on the best evidence available.</p> <p>The wording of S1 as adopted was precise at to the time limit for the production of a new Plan and any proposal to change this should also be precise.</p> <p>We also object to the proposed approach contained within the consultation paper regarding the Substantive review of the Plan.</p> <p>We object to the assumption that the strategy in the Leicestershire Growth Plan will underpin a new local plan, this is an untested plan, which does not form part of any statutory framework. It means that a new Plan</p>	<p>The SoCG which will deal with the redistribution of unmet housing need from Leicester City will be required for the Leicester City Local Plan to progress. This should ensure that it is agreed as speedily as possible.</p> <p>The substantive review will need to consider reasonable alternatives. This includes having regard to the Strategic Growth Plan was prepared to inform the</p>

	<p>review will proceed from the start based on this strategy as a given. For North West Leicestershire this will mean that there is an inbuilt presumption that large strategic growth locations will take up much of the need and avoid the release of smaller areas of land throughout the settlement hierarchy and adjoin nearby large urban areas and sustainable locations. This approach is contrary to the District finding and testing sustainable ways of accommodating the growth that will be required and comparing various strategies at a district wide level in a sustainability appraisal.</p>	<p>preparation of local plans, but the development strategy to be pursued will be dependent upon a range of factors, including the amount of development that needs to be provided for and issues related to deliverability.</p>
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Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0033  <b>Cameron Homes Ltd</b></p> <p>Representation relates to:  <b>Partial Review (Policy S1 and supporting text)</b>  <b>Sustainability Appraisal</b></p> <p>Consider that the Plan is :  Legally Compliant <b>No</b>  Sound <b>No</b>  Complies with duty to cooperate <b>No</b></p>	<p>The proposal to vary Policy S1 is objected to. The changes to Policy S1 will simply lead to an unknown delay in the production of the new development plan and a long period of uncertainty.</p> <p>The 18 month timescale referenced in Policy S1 is not a clear timescale for the submission of the review as there is no time limit on how long it will take for a SOCG to be agreed and this could therefore go on for years. Any change to the Policy as drafted should give a clear and precise timetable about the production of an agreement and then the submission timetable thereafter. There has been plenty of time since the adoption of the current Local Plan for an agreement between the authorities based on the best evidence available.</p> <p>The wording of S1 as adopted was precise at to the time limit for the production of a new Plan and any proposal to change this should also be precise.</p> <p>We also object to the proposed approach contained within the consultation paper regarding the Substantive review of the Plan.</p> <p>We object to the assumption that the strategy in the Leicestershire Growth Plan will underpin a new local plan, this is an untested plan, which does not form part of any statutory framework. It means that a new Plan</p>	<p>The SoCG which will deal with the redistribution of unmet housing need from Leicester City will be required for the Leicester City Local Plan to progress. This should ensure that it is agreed as speedily as possible.</p> <p>The substantive review will need to consider reasonable alternatives. This includes having regard to the Strategic Growth Plan was prepared to inform the</p>

	<p>review will proceed from the start based on this strategy as a given. For North West Leicestershire this will mean that there is an inbuilt presumption that large strategic growth locations will take up much of the need and avoid the release of smaller areas of land throughout the settlement hierarchy and adjoin nearby large urban areas and sustainable locations. This approach is contrary to the District finding and testing sustainable ways of accommodating the growth that will be required and comparing various strategies at a district wide level in a sustainability appraisal.</p>	<p>preparation of local plans, but the development strategy to be pursued will be dependent upon a range of factors, including the amount of development that needs to be provided for and issues related to deliverability.</p>
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Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0034  <b>Hallam Land Management, Harworth Group, Jelson, Redrow and William Davis</b></p> <p>Representation relates to:  <b>Partial Review (Policy S1 and supporting text)</b></p> <p>Consider that the Plan is :  Legally Compliant <b>Yes</b>  Sound <b>No</b>  Complies with duty to cooperate <b>No</b></p>	<p>The Council is commended in seeking to address its housing needs and potentially some of Leicester City's needs in a positive and proactive way. However, objections to this proposed Partial Review are unavoidable due to the failings of Leicester City in bringing forward its new Local Plan and being able to ascertain what the unmet housing need requiring redistribution actually is. The Partial Review Plan as submitted thus fails the Duty to Cooperate and the positively prepared, effective and consistent with national policy tests of soundness.</p> <p>Whilst NWL has a long history of collaborating with partner authorities and the Leicester &amp; Leicestershire Economic Partnership (LLEP) within the HMA to date no SoCG has included an agreement on how the housing needs of the HMA are actually going to be met.</p> <p>Proposed wording of Policy S1, would be to water-down the effectiveness of the Plan. The proposed wording does not contain sufficient commitment as it does not require the (HMA) SoCG to be signed.</p> <p>The absence of a meaningful SoCG as part of the submission Partial Review is considered to fail the Duty to Cooperate and the effective, positively prepared and consistent with national policy soundness tests.</p>	<p>Noted</p> <p>North West Leicestershire District Council cannot be held to account for the fact that Leicester City has not identified the quantum of unmet need or progressed its Local Plan in a manner which would have enabled the review to proceed as originally envisaged. It cannot be a failure of the Duty to Cooperate by the Council.</p> <p>The proposed wording requires that the SoCG be 'agreed' by all of the local authorities. The point at which the SoCG is formally agreed will be when it is signed by all parties. The policy does not need to say 'signed' as well.</p> <p>The SoCG clearly identifies where there is agreement amongst the local authorities. This includes a clear commitment to meet <i>"the areas housing and economic needs within its boundaries"</i> and that "A</p>

	<p>The draft SoCG on the Council’s website fails to accord with the PPG (paragrph 020) as it does not include details of how it will ensure the housing needs of the HMA will be met. Whilst it is clearly unable at present to include the actual housing numbers, it should at the very least include the provisions it envisages, save for the actual housing numbers. This is what is expected from the proposed changes to Policy S1 in the Partial Review, and by the PPG.</p> <p>In terms of housing numbers given the likelihood for the standard methodology to change, any future SoCG on housing requirements across the HMA should include provisions for it to be reviewed promptly, if signed based on the present methodology or to respond to any changes in Leicester’s unmet need, currently advised by the City Council as being 7,813 dwellings to 2036, although based on the City council’s SHELAA of 2017 this number could increase.</p> <p>The redistribution of unmet needs will need to to compare through a Sustainability Appraisal the preferred distribution against reasonable alternatives to accord with the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004.</p> <p>It is not considered that any substantive changes are required to the Policy S1 text, but that the SoCG, needs to be updated to represent the one envisaged by the proposed changes to Policy S1 in the Partial Review and to include a joint commitment for each LPA to:</p>	<p><i>redistribution of unmet housing needs from Leicester City (or any other authority declaring and quantifying an unmet need) will be agreed through the established joint working mechanism...”</i> .</p> <p>This is consistent with the PPG as it identifies “<i>the outstanding matters which need to be addressed</i>” – in this case unmet need from Leicester City – and “<i>the process for reaching agreement</i>” – set out in section 5 of the SoCG.</p> <p>This is matter for a HMA wide SoCG dealing with the issue of unmet need from Leicester City. This will inform the substantive review of this Local Plan.</p> <p>This is matter for a HMA wide SoCG dealing with the issue of unmet need from Leicester City. This will inform the substantive review of this Local Plan.</p> <p>Noted</p>
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	<ul style="list-style-type: none"> <li>• Meet its own housing needs and a defined amount of Leicester’s unmet need (with the exception of Leicester City);</li> <li>• Agree that the cumulative figure represents the housing requirement figure for the LPA;</li> <li>• Acknowledge that an additional amount may be required for flexibility and to ensure deliverability; and</li> <li>• Agree that should the housing requirement figure and/or the quantum of unmet need materially change, then a revised SoCG will be agreed within 6 months. The SoCG should be subject to a Sustainability Appraisal, including consideration against the reasonable alternatives, prior to being agreed.</li> </ul>	<p>This is matter for a HMA wide SoCG dealing with the issue of unmet need from Leicester City. This will inform the substantive review of this Local Plan.</p>
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Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0035  <b>Davidsons Developments Ltd</b></p> <p>Representation relates to:  <b>Partial Review (Policy S1 and supporting text)</b></p> <p>Consider that the Plan is :            Legally Compliant <b>No</b>            Sound <b>No</b>            Complies with duty to cooperate <b>No</b></p>	<p>Bidwells are representing client's who are promoting Land north of Leicester Road, Ibstock for development. Submission have been made to previous consultations on the Local Plan.</p> <p>Client is concerned that the Regulation 19 Partial Review consultation document fails to address the requirements of a Local Plan Review as set out in Policy S1 and does not revise the Objectively Assessed Need (OAN) and Housing Requirement for the district, which was established over two years ago.</p> <p>At present, the Plan review does not fulfil the requirement that there is certainty through formal agreements that an effective strategy is in place to deal with strategic matters. This is because it fails to demonstrate that effective joint working on cross boundary strategic matters has been achieved and instead defers the issues to a later date, contrary to the NPPG.</p> <p>The Partial Review does not meet the Inspectors requirements for a full review of the Local Plan as set out in Policy S1.</p> <p>There is no agreed timetable or backstop date should it not be possible to submit within 18 months of a SoCG being agreed.</p>	<p>The reasons for Partial Review being different from that originally envisaged are set out in the Reg 19 consultation document.</p> <p>The Council has, and continues to work with all of the Leicester and Leicestershire HMA authorities to ensure that the future development needs of the whole HMA are met. North West Leicestershire District Council cannot be held to account for the fact that Leicester City has not identified the quantum of unmet need or progressed its Local Plan in a manner which would have enabled the review to proceed as originally envisaged.</p> <p>The SoCG which will deal with the redistribution of unmet housing need from Leicester City will be required for the Leicester City Local Plan to progress.</p>

	<p>The timetable is arbitrary which is at risk of being delayed if the Leicestershire Authorities cannot agree on how the unmet need from Leicester City should be distributed. This brings into question whether the review has been positively prepared and subsequently its soundness.</p> <p>As drafted, the Plan does not hold the LPA to a set date for submitting a full review and is simply an attempt to prevent their current Local Plan from being deemed out of date in February 2020.</p> <p>The SoCG published to accompany the pre-submission Partial Local Plan Review is incomplete, undated and unsigned and therefore holds no weight. Furthermore, it is outdated as Leicester City Council has identified an unmet need figure of 7,813 dwellings</p> <p>NWLDC have failed to work cooperatively and effectively with LCC to ensure this figure is considered within the Local Plan Partial Review.</p> <p>Policy S1 as proposed should be amended to provide certainty to the proposed timeframe for the submission of the replacement Local Plan.</p>	<p>This should ensure that it is agreed as speedily as possible.</p> <p>Nobody benefits from allowing the plan to become out-of-date – not the local planning authority, developers, landowners or communities. Allowing the plan to become knowingly out-of-date is not something that the District Council can countenance.</p> <p>The SoCG was agreed by officers prior to publication. Due to the tight timescales involved to ensure that the adopted local plan does not become out-of-date, it was not possible for the SoCG to be taken through each authority's sign off processes before publication. This process has now been completed and each authority has formally signed the agreement.</p> <p>Leicester City only published its unmet need figure after the District Council agreed its approach to the Partial Review.</p>
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	<p>Disagree that the adopted Local Plan requirement figure “appears sufficient” to meet the need arising in North West Leicestershire and elsewhere in the HMA, without amendment.</p> <p>Paragraph 33 of the NPPF notes that the early review of a Plan is required if “local housing need is expected to change significantly in the near future”. With no amendment of the OAN, it brings into question whether this review has been positively prepared and whether it fails to sufficiently provide a strategy which will meet the areas OAN and the unmet need from neighbouring areas.</p> <p>Given that no SoCG have been completed or agreed, the split between the different local authorities is still unknown. In these uncertain circumstances, using the higher 2016 housing projection with the standard methodology would be more robust and justified to ensure that both NWLDC’s housing need and LCC’s unmet need, are appropriately planned for.</p>	<p>The Council does not agree that the Partial Review is not “positively prepared”. The Council is of the view that the proposed approach does represent “positive planning” as it seeks to ensure certainty is retained for the immediate future by taking proactive action. Nobody benefits from allowing the plan to become out-of-date – not the local planning authority, developers, landowners or communities. Allowing the plan to become knowingly out-of-date is not something that the District Council can countenance.</p> <p>The PPG (Housing and economic needs assessment) is clear that the 2014-based household projections are to be used with the standard method (paragraph 005). Furthermore it goes on to state that <i>“Any method which relies on using the 2016-based household projections will not be considered to be following the standard method..”</i> (paragraph 015).</p>
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	<p>The Partial Review does not update Appendix 2 of the adopted Plan which sets out the housing trajectory at 1 October 2016 and the projected completions up to 2031. This means there is no up-to-date record of the expected rate of housing delivery over the plan period which is contrary to Paragraph 73 of the NPPF (2019).</p> <p>Concerned about reference to the Strategic Growth Plan (SGP), a non-statutory document which has been subject to limited public consultation and has not been subject to Examination in Public and which proposes a strategy which has not been justified and is not consistent with the NPPF.</p>	<p>The council has published an updated Housing Trajectory as at April 2019. It can be viewed from this <a href="#">link</a>. It demonstrates that about 12,000 dwellings will be built by 2031, compared to a requirement of 9,620 dwellings and representing some 25% more than required.</p> <p>The substantive review will need to consider reasonable alternatives. This includes having regard to the Strategic Growth Plan was prepared to inform the preparation of local plans, but the development strategy to be pursued will be dependent upon a range of factors, including the amount of development that needs to be provided for and issues related to deliverability.</p>
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Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0036  <b>Erewash Borough Council</b>   (REPRESENTATION RECEIVED AFTER DEADLINE)</p>	<p>Thank you for consulting Erewash Borough Council Planning Policy team on your Local Plan partial review, and apologies it is a day late. We have no specific comments to make on the proposed changes.</p>	<p>No response required.</p>

Respondent details	Why the Local Plan is not legally compliant or unsound or fails to comply with the duty-to-co-operate and modifications considered necessary to make plan legally compliant and sound	Officer Response
<p>Respondent 0037  <b>Environment Agency</b>            (REPRESENTATION RECEIVED AFTER DEADLINE)</p>	<p>Thank you for giving the Environment Agency the opportunity to comment on the proposed wording to policy S1, the Sustainability Report and Habitats Regulations Assessment as part of your Authority's Local Plan Partial Review.</p> <p>The Environment Agency has reviewed the submitted information and we have no adverse comments to make on the submitted information.</p>	