

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LOCAL PLAN ADVISORY COMMITTEE – 18 MARCH 2014

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| Title of report | POSSIBLE SCOPE OF THE LOCAL PLAN |
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| Purpose of report | To outline for members what the Local Plan may consider. |
| Council Priorities | <p>These are taken from the Council Delivery Plan:</p> <p>Value for Money Business and Jobs Homes and Communities Green Footprints Challenge</p> |
| <p>Implications:</p> <p>Financial/Staff</p> <p>Link to relevant CAT</p> <p>Risk Management</p> <p>Equalities Impact Assessment</p> | <p>The Local Plan will require the gathering of additional evidence which will have financial implications. The exact requirements are not clear at this stage and will need to be kept under review. The Council makes budget provision each year in anticipation of these costs.</p> <p>None</p> <p>A risk assessment of the project has been undertaken. As far as possible control measures have been put in place to minimise these risks, including monthly Project Board meetings where risk is reviewed.</p> <p>As part of the process of preparing the Local Plan an assessment of the potential impact of the policies and proposals of the Local Plan from an equalities perspective will need to be undertaken.</p> |

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| Human Rights | None |
| Transformational Government | Not applicable |
| Comments of Head of Paid Service | The report is Satisfactory |
| Comments of Section 151 Officer | The report is Satisfactory |
| Comments of Monitoring Officer | The report is Satisfactory |
| Consultees | None |
| Background papers | <p>National Planning Policy Framework which can be found at www.gov.uk/government/publications?topics%5B%5D=planning-and-building</p> <p>National Planning Practice Guidance which can be found at http://planningguidance.planningportal.gov.uk/blog/guidance/local-plans/</p> <p>The Town and Country Planning (Local Planning)(England) Regulations 2012 which can found at http://www.legislation.gov.uk/uksi/2012/767/pdfs/uksi_20120767_en.pdf</p> <p>Report to Council 29 October 2013 'North West Leicestershire Local Plan – Core Strategy' at www.nwleics.gov.uk</p> |
| Recommendations | <p>(A) THE ADVISORY COMMITTEE RECOMMEND TO COUNCIL THAT :</p> <p>(I) A NEW LOCAL PLAN BE PRODUCED INCORPORATING STRATEGIC POLICIES, ALLOCATIONS AND SOME DETAILED POLICIES; AND</p> <p>(II) THAT THE PLAN PERIOD COVER THE PERIOD 2011-2036.</p> <p>(B) THE ADVISORY COMMITTEE COMMENT ON THE SUGGESTED INITIAL DRAFT STRUCTURE FOR THE LOCAL PLAN AS SET OUT IN APPENDIX A.</p> |

1.0 BACKGROUND

- 1.1 The Council commenced work on preparing a Core Strategy as part of the Local Development Framework (LDF) in 2005. The Core Strategy was intended to provide the

strategic framework within which subsequent detailed policies and proposals would then operate.

- 1.2 Whilst initially part of the LDF the Government has now reverted back to referring to Local Plans in the National Planning Policy Framework and other documents. The terms Local Development Framework and Local Plan refer, in effect, to the same thing and so the Core Strategy can be seen as the first part of a new Local Plan in the same way that it was the first part of the LDF.
- 1.3 A report to Council on 29 October 2013 considered a recommendation from a Planning Inspector that the Council should withdraw the Core Strategy in view of concerns that he had identified.
- 1.4 The report to Council noted that instead of continuing with the Core Strategy that an option was to commence work on the preparation of a new Local Plan instead and that this could incorporate as much of the work previously undertaken on the Core Strategy as possible. In this context it was envisaged that the Core Strategy would remain as a purely strategic document whilst a Local Plan would be comprehensive in its coverage of policies and issues.
- 1.5 At that time it was envisaged that preparation of Local Plan would take significantly longer than a Core Strategy and so would result in a policy vacuum for a longer period of time and so leave the Council vulnerable when making planning decisions.
- 1.6 As a result of these considerations it was recommended and agreed by Council to withdraw the Core Strategy at its meeting of 29 October 2013. In agreeing to withdraw the Core Strategy it was also agreed "*That work continues on the Core Strategy with a view to re-submitting as soon as is practicable*".
- 1.7 Notwithstanding the above, this report considers whether this is still the most appropriate course of action to pursue.

2.0 WHAT SHOULD REPLACE THE SUBMITTED CORE STRATEGY?

- 2.1 As noted in the report to the 29 October 2013 Council a new Strategic Housing Market Assessment (SHMA) has been commissioned jointly with the other local planning authorities across the Leicester and Leicestershire housing Market Area. This will be a key piece of evidence to support any new document which the Council submits as it will help to establish the housing requirements for the district.
- 2.2 The technical aspects of the SHMA are progressing. However, once this is completed it will be necessary, under the Duty to Cooperate requirements enshrined in the Localism Act, for agreement to be reached across the HMA as to how much housing is to be provided across the HMA and how this is to be distributed amongst the different local planning authorities.
- 2.3 It will be important to ensure that this process is completed before key decisions are made by the Council in terms of what should go into the replacement for the submitted Core Strategy.

- 2.4 This process of agreement will take some time to complete such that it raises the question of whether a revised Core Strategy, as agreed by Council, is still the most appropriate option to pursue.
- 2.5 The report to 29 October 2013 Council concluded that a Local Plan would take longer to produce than a revised Core Strategy. This was partly because of the need to go back to the beginning of the process as well as the time taken to bring together the necessary evidence and associated work. However, in view of the comments above regarding the SHMA and agreement thereafter, it is considered that a comprehensive Local Plan would not take any longer to produce than a Core Strategy. Based on the assumption that agreement across the HMA can be reached in September 2014 then it is estimated that a Local Plan could be adopted by the end of 2016 compared to mid-2016 for the Core Strategy.
- 2.6 The Core Strategy Inspector noted that it is essential that the new document include the allocation of sites, particularly housing, for development. This would be a significant change from the old document requiring some more detailed work and appropriate consultation which also would make the new timescale similar to a more comprehensive document.
- 2.7 Paragraph 153 of the NPPF states that *“Each local planning authority should produce a local plan for its area. This can be reviewed in whole or in part to respond flexibly to changing circumstances. Any additional development plan documents should only be used where clearly justified”*. The recently published National Planning Practice Guidance (PPG) adds *“The Local Plan should make clear what is intended to happen in the area over the life of the plan, where and when this will occur and how it will be delivered”*. This suggests that the Government favours a single document Local Plan approach where possible.
- 2.8 Preparation of a comprehensive Local Plan would, in addition, result in complete policy coverage much quicker than producing a Core Strategy followed by other documents (e.g. a development management policies document).
- 2.9 Therefore, it is now recommended that it would be appropriate to prepare a comprehensive Local Plan rather than just the Core Strategy.

3.0 WHAT PERIOD SHOULD THE PLAN COVER?

- 3.1 The Core Strategy plan period was 2006-2031. The NPPF states that local plans should *“be drawn up over an appropriate timescale, preferably a 15-year time horizon.”* Based on experience elsewhere it would be reasonable to assume that this 15-year time horizon would be from adoption. Assuming, therefore, that the Local Plan was adopted by late 2016 a plan period to 2031 would only just meet this need.
- 3.2 The new SHMA will set out housing requirements from 2011 to both 2031 and 2036.
- 3.3 In order to ensure a degree of flexibility in terms of adoption of the Local Plan it is suggested that a 2036 end date be adopted.
- 3.4 It would be appropriate to have a 2011 start date to coincide with the SHMA, but it should be noted that it will be necessary when looking at matters such as housing and employment requirements to take account of any shortfall in provision that occurred

between 2006 and 2011 as this will be expected by Planning Inspector's as part of the examination process.

4.0 WHAT SHOULD BE INCLUDED IN THE LOCAL PLAN?

- 4.1 The NPPF makes it clear that "*The purpose of planning is to help achieve sustainable development*" and that "*Local Plans must be prepared with the objective of contributing to the achievement of sustainable development*".
- 4.2 A key consideration when examining Local Plans is that they are consistent with national policy as set out in the NPPF, However, the PPG suggests that "*there should be no need to reiterate policies that are already set out in the National Planning Policy Framework*" i.e. the NPPF provides advice on a wide range of issues and in many cases provides sufficient planning policy guidance such that a local policy is not required.
- 4.3 At a national level the extent of policy guidance has been reduced drastically. Following this example the government considers that Local Plans should be as succinct as possible and only include specific policies and proposals that are required to deliver the Council's planning strategy and guide development. Government guidance is that there should be as few development plan and supplementary plan documents as possible although there is considerable flexibility as to how a local planning authority sets out its policies and proposals. It should be noted that individual policies can be included or updated at a later date, although they would, of course, have to comply with all necessary procedures. In appropriate circumstances detail can also be left to neighbourhood plans to deal with.
- 4.4 Attached at Appendix 1 to this report is a first draft of a suggested structure, in terms of policies, for the new Local Plan. Work is on-going to firm this structure up at the earliest opportunity and the initial views of the Advisory Committee at this stage will be helpful towards this end. A further report on this matter will be brought to a future meeting of the Advisory Committee.
- 4.5 It should be noted that this is an initial draft structure and that changes may be necessary as part of the process of preparing the Local Plan. This process will involve various consultations at different times. Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires that representations be invited "*about what a local plan [with that subject] ought to contain*".
- 4.6 Members will note that it is the intention to include a policy regarding the provision of sites for the gypsy and traveller community. However, it is suggested that any such allocations be dealt with as part of a separate gypsy and traveller site allocations document which will be prepared. It is considered that this is an appropriate approach to take in view of experience elsewhere which suggests that this will be a contentious issue which could generate a lot of responses. Dealing with such a volume of responses would result in delay to the progress and ultimate adoption of the plan to detriment of other key policy areas which require a clear policy steer.

5.0 NEXT STEPS

- 5.1 Subject to the views of the Advisory Committee in terms of what the Council should produce it will be necessary to prepare a detailed programme for preparation of the

replacement plan. This will need to be the subject of a separate report to a further meeting of the Advisory Committee.

- 5.2 However, it is envisaged that an initial consultation will be undertaken in 2014 which will invite representations as to what the Local Plan should include in accordance with the Regulations referred to in paragraph 4.6. This will also need to be the subject of a separate report to a further meeting of the Advisory Committee.

APPENDIX A

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| STRATEGY POLICIES | |
| Presumption in favour of sustainable development | General policy favoured by Planning Inspectorate |
| Development Strategy | Establish settlement hierarchy Amount of housing and employment for district Distribution of new housing and employment development Approach to development in the countryside including rural diversification |
| Infrastructure and delivery | General approach to seeking developer contributions via S106 Approach to Community Infrastructure Levy How the Council will assist with bringing forward appropriate development Viability issues |
| HOUSING POLICIES | |
| Housing allocations | List of sites allocated for housing development |
| Housing mix on new developments | May depend upon outcome of SHMA |
| Affordable housing | Thresholds/targets/Off site V on site |
| Rural exceptions sites | |
| Provision for gypsies, travellers and travelling showpeople | Amount of provision required Criteria to assess possible sites (allocations left to separate document) |
| Rural workers dwellings | To include existing dwellings where proposals to remove conditions restricting occupancy |
| ECONOMIC POLICIES | |
| Approach to development in employment areas | What uses will be suitable |
| Employment allocations | List of sites allocated for employment development |
| Protection of services and facilities | Link to assets of community value |
| Town centres | |
| ENVIRONMENT POLICIES | |
| Biodiversity | |
| Green Infrastructure including open space | |
| National Forest | |
| Charnwood Forest | |
| TRANSPORT | |
| Safeguarding potential transport routes | National Forest line and Ashby Canal, HS2 |
| EAST MIDLANDS AIRPORT | |
| General approach | |
| Public Safety Zone | |
| Airport safeguarding | |
| DESIGN AND DEVELOPMENT | |
| Achieving high quality design | To include reference to density considerations |
| Achieving a high standard of amenity | To include reference to pollution type issues |

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| Landscaping as part of new development | |
| PLACE BASED POLICIES | Suggested that could have 3 planning areas; Coalville (including Ibstock), Ashby (including Measham and Moira) and Castle Donington (including Kegworth) |
| COALVILLE AREA | |
| Housing allocations and requirements | |
| Employment allocations and requirements | |
| Town Centre policies (Including Ibstock and other settlements as appropriate) | Primary and secondary frontages Regeneration initiatives Retail allocations as required |
| Green Wedge/Area of Separation | |
| ASHBY AREA | |
| Housing allocations and requirements | |
| Employment allocations and requirements | |
| Town Centre policies (including Measham and other settlements as appropriate) | Primary and secondary frontages Takeaways Retail allocations as required |
| River Mease | |
| CASTLE DONINGTON AREA | |
| Housing allocations and requirements | |
| Employment allocations and requirements | |
| Town Centre policies (including Kegworth and other settlements as appropriate) | Primary and secondary frontages Takeaways Retail allocations as required |