

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LOCAL PLAN ADVISORY COMMITTEE – 29 JULY 2015

Title of report	LOCAL PLAN – UPDATE
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Purpose of report	To present to the Advisory Committee the draft Local Plan and to provide an opportunity to comment prior to consideration of the draft Local Plan by Council.
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>None</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. These risks include some which are external to the Council (e.g. a change in Government policy, decisions by Planning Inspectors elsewhere which could impact upon the Local Plan) and so are not within the Council's control. The Project Board includes external representatives with a view to minimising such risks as far as possible.</p>

Equalities Impact Screening	The Local Plan will need to be subject to an Equalities Impact Screening before the final plan is agreed in 2016
Human Rights	None
Transformational Government	Not applicable
Comments of Head of Paid Service	The report is satisfactory
Comments of Deputy Section 151 Officer	The report is satisfactory
Comments of Deputy Monitoring Officer	The report is satisfactory
Consultees	Local Plan Project Board
Background papers	<p>Reports to Local Plan Advisory Committee which can be viewed at http://minutes-1.nwleics.gov.uk/ieListMeetings.aspx?CId=251&Year=0</p> <p>National Planning Policy Framework which can be found at www.gov.uk/government/publications?topics%5B%5D=planning-and-building</p>
Recommendations	THAT THE ADVISORY COMMITTEE NOTES AND COMMENTS ON THE DRAFT LOCAL PLAN

1.0 BACKGROUND

- 1.1 Members will recall that as part of an update report considered at the meeting of the Local Plan Advisory Committee on 10 June 2015 it was proposed that the draft Local Plan be considered by full Council at its meeting on 15 September 2015.
- 1.2 It was also proposed that before the draft Local Plan is considered by Council that the Advisory Committee should be provided with an opportunity to comment on the draft Local Plan.
- 1.3 The preparation of the draft Local Plan has been informed by advice in the National Planning Policy Framework and national Planning Policy Guidance – including in particular the need “to plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of [the] Framework”, as well as a range of other evidence.

- 1.4 The draft Local Plan has been subject to the following independent assessments:
- Sustainability Appraisal/Strategic Environmental Assessment;
 - Viability study and;
 - Habitats Regulations Assessment (in respect of the river Mease Special Area of Conservation)

1.5 These studies will be published alongside the draft Local Plan for consultation.

1.6 The Local Plan also includes a Policies Map which identifies on an ordnance survey base where the various policy areas apply. Copies of this can be viewed in the Planning Policy office (Room 102) before the meeting or at the meeting itself.

2.0 THE DRAFT LOCAL PLAN

2.1 The draft Local Plan is attached at Appendix A to this report and is set out in 10 chapters largely based on themes. These are outlined below.

Introduction

2.2 This chapter provides background information in respect of the purpose and process for preparing Local Plans, including outlining the importance of the Duty to Cooperate and how this has been complied with.

Profile of North West Leicestershire

2.3 This section summarises the key findings from the Sustainability Appraisal in terms of the characteristics of the district on a range of issues including population, housing, economy and environmental matters.

Issues and Objectives

2.4 The findings from the district profile are then used to identify the key issues which the Local Plan (and planning in general) can help to address.

2.5 These issues are then used to identify the overall objectives which the Local Plan seeks to address and which provides a framework for the Local Plan policies.

Strategy

2.6 This chapter identifies the overall development requirements which the Local Plan needs to make provision for and sets out a settlement hierarchy to guide where development should go. It also includes a policy in respect of a presumption in favour of sustainable development. It is a requirement of the Planning Inspectorate that such a policy be included and the wording is based on a standard model which has been used elsewhere.

2.7 In terms of development requirements, policy S2 identifies the following requirements to 2031:

- Housing – 10,700 dwellings
- Employment – 96 hectares
- Shopping – 7,300 sq metres (for comparison shopping only)

- 2.8 The issue of housing numbers was considered in the report to the Advisory Committee on 10 June 2015.
- 2.9 In respect of employment, the evidence for this is based on the findings of work undertaken on behalf of the Leicester and Leicestershire Enterprise Partnership in 2013 by the Public and Corporate Economic Consultants (PACCEC) on this matter. This identified that up to 2031 there would be 5,600 employment jobs created (that is those uses which fall within the B Use Class of the Use Classes Order 2015). This then translates in to a need for about 96 hectares of land for employment.
- 2.10 In respect of future shopping needs a Retail Capacity Study was undertaken in late 2014 which assessed the need for additional shopping provision (both convenience (food) and comparison (non-food) goods). This identified a need for 7,300 sqm of additional comparison retail floorspace in the District for the period to 2031, with the need not arising until after 2016. No additional need for convenience retail floorspace was identified.
- 2.11 Finally in the strategy chapter is a policy of Design, in view of the fact that the Council has in recent years sought, and continues to seek, improved design as part of new development.

Housing

- 2.12 Policies H1 to H3 set out how the plan's housing requirement will be met. Those sites included in policy H1 already have the benefit of planning permission as at 1 April 2015, whilst those sites in policy H2 were the subject of a resolution to grant planning permission.
- 2.13 Policy H3 identifies the sites which it is proposed to allocate to address the residual requirement. It is proposed to allocate land north of Ashy de la Zouch (Policy H3a) for up to 1,750 dwellings. This site comprises of that area known as Money Hill and the site of the former Arla dairy off Smisby Road.
- 2.14 Members will also be aware that the current preferred route for HS2 passes to the west of Measham. This route goes through a site where the council has resolved to grant planning permission for up to 450 dwellings (Measham Waterside). There is uncertainty as to whether this site will be deliverable in the event that the final route for HS2 follows the same route as currently proposed. Therefore, it is proposed to identify a reserve site between Ashby Road and Leicester Road Measham which will only be allowed to be developed in the event that the Measham Waterside site is not deliverable. It is likely that by the time the Council considers the responses to the draft Local Plan in spring 2016 that a decision on the final route for HS2 will have been made. It is possible therefore by that time that matters will be a lot clearer and that there will not be a need for the reserve site.
- 2.15 Policies H4 and H5 are concerned with the issue of affordable housing.
- 2.16 Policy H4 is concerned with the issue of the amount of affordable housing to be secured as part of new development. The report considered by the Advisory Committee at its meeting on 10 June 2015 advised that a number of options had been identified and that these were the subject of a viability assessment. That work has now been concluded.

2.17 The Viability study tested two market scenarios: current and growth scenario with net price growth of 4% over plan period and concluded the following:

Current market scenario

- 60% not viable anywhere;
- 25% and 30% viable in Ashby and Castle Donington (except smaller sites in the latter) and Greenfield larger sites in Kegworth and Measham;
- 20% viable in Ashby, Castle Donington , Kegworth (Greenfield), Measham (Greenfield) and Coalville (large Greenfield);
- 0% viable everywhere other than Coalville brownfield.

Growth scenario

- 60% not viable anywhere;
- 25% and 30% viable in Ashby and Castle Donington (except small brownfield sites in the latter) and Greenfield sites in Kegworth and Measham (although smaller Greenfield sites marginal);
- 20% viable in Ashby, Castle Donington , Kegworth (Greenfield), Measham (Greenfield) and Coalville (large Greenfield);
- 0% viable everywhere other than Coalville brownfield.

2.18 On the basis of these findings the study recommends that the following rates would be appropriate under the two different scenarios.

Settlement	% Affordable Housing – current market	% Affordable Housing – growth market
Ashby de la Zouch	30%	30%
Castle Donington	30%	25%
Coalville Urban Area	20%	20%
Kegworth and Measham	30%	25%
All other settlements	30%	30%

2.19 The study notes that growth scenario carries less weight than the current market scenario and so officers consider that the current market scenario should be used for the affordable housing policy in the Local Plan.

- 2.20 Policy H5 is concerned with allowing affordable housing sites to be brought forward in rural areas and largely carries forward the principles set out in the existing adopted Local Plan (Policy H12).
- 2.21 Policy H6 is concerned with seeking to ensure that new housing development includes an appropriate mix of house sizes and types.
- 2.22 Policy H7 is concerned with the issue of provision of sites for gypsies and travellers and travelling showpeople. The needs of the travelling community have been identified through a needs assessment carried out jointly with the other Leicestershire authorities (except Hinckley and Bosworth) in 2013. It is not proposed to allocate any sites as part of this Local Plan. It is proposed to do this as part of a standalone allocations plan which would then form part of the Local Plan. Instead Policy H6 establishes the criteria to be used in assessing potential sites.
- 2.23 Members should be aware that a similar approach has been accepted elsewhere, but recently a Local Plan proposing a similar approach in Maldon, Essex was considered by the Inspector to be unsound. The Local plan has subsequently been called in by the Secretary of State for him to consider and issue a decision. Depending upon the outcome of this it should be appreciated that this could require the Council to consider a different approach. This matter will be kept under review.
- 2.24 Irrespective of the outcome of the Maldon Local Plan officers are of the view that it is essential that the Council seeks to start to address this issue. This will be the subject of a future report to the Advisory Committee.

Economic

- 2.25 This chapter deals with two broad areas of key importance to the economy of the district: employment (policies Ec1 to Ec8) and town centres (Ec9 to Ec15).
- 2.26 In respect of employment issues, policy Ec1 deals with sites which currently have the benefit of planning permission whilst under policy Ec2 it is proposed to allocate land (about 16 hectares) for employment use as part of the development of land north of Ashby de la Zouch.
- 2.27 Policy Ec3 seeks to protect key employment sites whilst policy Ec4 is concerned with protecting a number of existing Brickworks and Pipeworks throughout the district for employment use should the current use cease. This policy is similar to that in the adopted Local Plan (policy M2). It should be stressed that it is not envisaged that these uses will cease during the lifetime of the Local Plan, but in view of the fact that these sites are not covered by any restoration conditions it is considered necessary to give an indication as to how the Council would respond to proposals for redevelopment.
- 2.28 Policies Ec5 to Ec7 are concerned with East Midlands Airport, with Ec6 and Ec7 dealing with issues relating to the public safety zones and safeguarding. Policy Ec5 establishes the broad considerations which will apply in respect of proposed developments at the airport and seeks to strike a balance between the economic advantages associated with the operation of the airport and the environmental impact, especially that on local communities.

- 2.29 Policy Ec8 is concerned with Donington Park. As with the airport the policy seeks to strike a balance between the economic benefits of the racetrack and also the environmental impact. The approach is broadly the same as that in the adopted Local plan (policy L20) but it is proposed to extend the policy boundary of Donington Park to the west subject to certain criteria being met. This extension would, it is considered, help to secure the future of the racetrack.
- 2.30 In respect of town centres policy Ec9 sets out the retail hierarchy and identifies Coalville and Ashby as Town Centres at the top in recognition of their current roles. Underneath this are the Local Centres of Castle Donington, Kegworth, Ibstock and Measham. The boundaries of these town centres are also defined under this policy. This is a matter previously considered by the Advisory Committee and the boundaries reflect those contained in the report to 10 June 2015 meeting. It should be noted that officers are continuing to look at Castle Donington in conjunction with representatives of the Parish Council and so the final boundaries may vary from those previously considered.
- 2.31 Notwithstanding the equal status attributed to Coalville and Ashby Town Centres, the policy seeks to direct new development to Coalville Town Centre in the first instance. This is consistent with the advice contained in the Retail Capacity study. In terms of the additional retail comparison requirement identified in the Retail Capacity study the draft Local Plan identifies 5 options for how this might be met. Of those 5 options, option 2 which would involve the identification of land off Wolsey Road/Memorial Square Coalville is the favoured option at this time, but more work will need to be undertaken to establish the feasibility of this option (or other options).
- 2.32 Policy Ec10 establishes the threshold above which proposals for retail, leisure and office development outside of defined town centres will be required to submit an impact assessment. This approach is consistent with the advice in the Retail Capacity Study.
- 2.33 Policies Ec11 to Ec13 set out those policies which will apply in the Town and Local Centres and identify the types of uses which will be considered suitable in the centres and the factors which will be considered when determining proposals which come forward. Policy Ec14 is concerned with the Local Centres and seeks to resist the loss of shops and other town centre uses unless certain criteria can be satisfied.
- 2.34 Policy Ec15 is concerned with realising the districts tourism and cultural opportunities subject to satisfying identified criteria.

Infrastructure and Facilities

- 2.35 The policies in this chapter seeks to secure the provision of new infrastructure as part of new development (IF1, IF2, IF3 and IF4) whilst also protecting existing services and facilities (IF2 and IF3).
- 2.36 Policy IF5 sets out the Council's support for the re-opening of the former Leicester-Burton railway for passenger services and to protect the route. A study to investigate the potential for re-opening the Leicester to Burton line, commissioned jointly with the County Council, is currently ongoing and is expected to report later on in the summer. A separate piece of work looking at a rail strategy for Leicestershire is also being undertaken.

- 2.37 Policy IF6 is concerned with protecting the route of the former Ashby Canal so that it can be re-opened.
- 2.38 Policy IF7 sets out the requirements for parking as part of new development.

Natural Environment

- 2.39 This chapter deals with those matters relating to key aspects of the natural environment: Nature Conservation (En3), the river Mease Special Area of Conservation (En2), the National Forest (En3), Charnwood Forest (En4) and land and Air Quality (En6).
- 2.40 Policy En5 identifies that land between Coalville and Whitwick (as identified on the plan attached at Appendix B to this report) be identified as an Area of Separation where the principal aim is to maintain the physical separation between Coalville and Whitwick.

Historic Environment

- 2.41 Policy He1 sets out the considerations which the Council will have regard to when determining proposals which may impact upon aspects of the historic environment, including Listed Buildings and Conservation Areas.

Climate change

- 2.42 The policies in this chapter are concerned with matters which in some way or other can impact upon climate change. Policy Cc1 is concerned with proposals for renewable energy. Members may be aware that the Government has recently announced new guidance in respect of proposals for wind turbines. Whilst policy Cc1 applies to all forms of renewable energy (not just wind) it may be necessary to reconsider this policy when the implications of the new government policy are clearer.
- 2.43 Policies Cc2 to Cc4 are concerned with ensuring that issues which could have an impact upon climate change are adequately addressed as part of new development.

Implementation and Monitoring

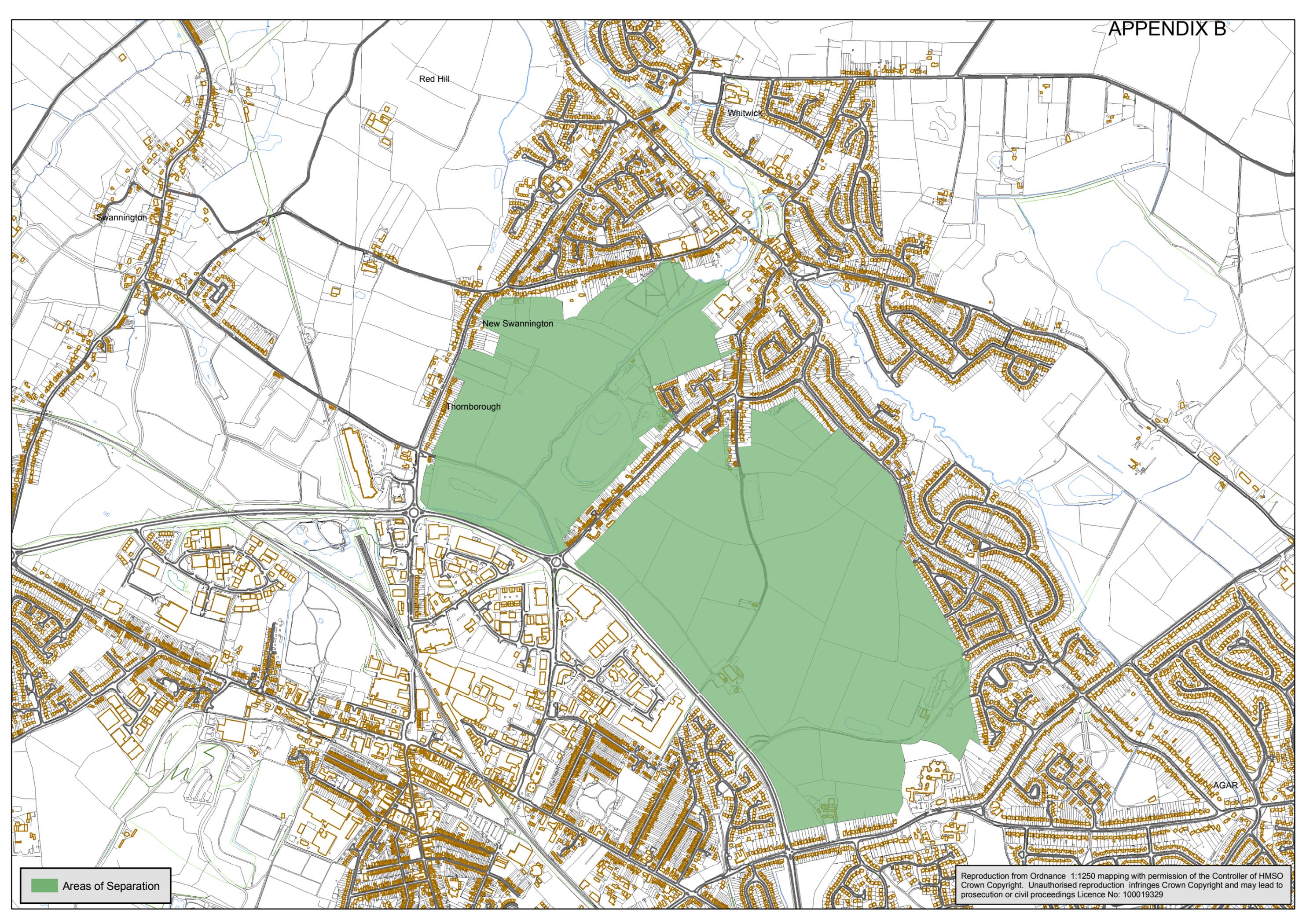
- 2.44 This section outlines how the Council will monitor the implementation of the Local Plan. Policy IM1 identifies how the Council will work with a range of organisations and interests to ensure that the Local Plan is implemented and what steps the Council will take in the event that development rates fall behind what is anticipated.
- 2.45 This section also includes text in relation to Neighbourhood Plans and as a separate Appendix includes a list of the draft Local Plan policies and identifies whether they are considered to be strategic or not, as a Neighbourhood plan has to be in general conformity with the strategic policies in a local plan.

3.0 NEXT STEPS

- 3.1 As noted earlier it is proposed that the draft Local Plan will be considered by Full Council at its meeting on 15 September 2015. The timetable for the Local Plan thereafter is set out in the table below.

Date	Stage
28 September 2015 – 30 November 2015	Consultation
20 January 2016	Local Plan Advisory Committee - Summary of responses
22 March 2016	Council agrees publication version
11 April 2016 – 23 May 2016	Publication consultation
June 2016	Submission
September 2016	Examination starts
June 2017	Receipt of Inspector's Report
September 2017	Adoption

- 3.2 It should be noted that there is still significant uncertainty regarding some aspects of the timetable. For example, the amount of time taken to consider the responses to the consultation will be influenced by the number and complexity of responses received. Whilst there can be some certainty regarding the length of time between Submission and the start of Examination based on experience elsewhere, there is less certainty regarding how long it will take to receive an Inspector's Report. It will be necessary therefore to keep the timetable under review and to provide updates to the Advisory Committee as the plan progresses.
- 3.3 An engagement plan will be developed for the consultation. This will have regard to the Council's approved Statement of Community Involvement and will provide opportunities for individuals and organisations to comment on the draft Local Plan. The engagement plan will be included as part of the report to Council.



 Areas of Separation

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