

REPRESENTOR 48

48/1/ED3/0



**LOCAL PLAN**

Ref:
(For official use only)

**Publication Stage Representation Form**

**North West Leicestershire Local Plan Proposed Submission**

Please return this form to North West Leicestershire District Council either by post:

Planning Policy, North West Leicestershire District Council, Council Offices, Whitwick Road, Coalville LE67 3FJ or email [planning.policy@nwleicestershire.gov.uk](mailto:planning.policy@nwleicestershire.gov.uk) no later than 5pm on 15 August 2016.

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Part A – Personal Details

Part B – Your Representation(s). Please fill in a separate sheet for each representation you wish to make.

**Part A**

**1. Personal Details**

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*\*If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details for the agent in 2.*

Title	Mr	
First Name	A	
Last Name	Thomas	
Job Title <i>(Where relevant)</i>		
Organisation <i>(Where relevant)</i>		Thomas Taylor Planning
Address Line 1		
Line 2		
Line 3		
Line 4		
Post Code		
Telephone Number		
Email Address <i>(Where relevant)</i>		

**Part B - Please use a separate sheet for each representation**

**Name or Organisation:**

3. To which part of the Local Plan does this representation relate?

Paragraph(s)  Policy  Policies Map

4. Do you Consider the Local Plan is:  
*(Please tick as appropriate)*

- |  |     |                          |    |                                     |
|--|-----|--------------------------|----|-------------------------------------|
| i) Legally Compliant                         | Yes | <input type="checkbox"/> | No | <input type="checkbox"/>            |
| ii) Sound                                    | Yes | <input type="checkbox"/> | No | <input type="checkbox" value="No"/> |
| iii) Complies with the<br>Duty to co-operate | Yes | <input type="checkbox"/> | No | <input type="checkbox"/>            |

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## **North West Leicestershire Local Plan**

### **Policy Ec13 – Tourism Development**

As presently worded Policy Ec13 is not in accordance with the NPPF insofar as it fails to place significant weight on the need to support economic growth through tourism by providing adequately for the development of tourist-related development. The District contains large areas of countryside and only a limited range of settlements have Limits to Development boundaries drawn around them and there is no evidence that these have been drawn with any regard for accommodating the needs of tourism. Policy Ec13 will not effectively deliver tourism development throughout the District as a whole over the plan period.

Paragraph (2) of Policy Ec13 should be amended to explicitly state that outside of the Limits to Development (ie in the countryside), whilst there is a preference for tourism and tourism related development to re-use of land and buildings the Council will also grant planning permission for tourist attractions and accommodation outside Limits to Development where an initiative requires a countryside location or setting or is directly related to a specific tourist destination or to establish an initiative directly related to a site's particular features.

Policy Ec13 can cross-reference to other policies in the plan which seek to secure high quality design and protect the countryside from insensitive development out of scale with its surroundings.

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48/2/EC3/0



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## **North West Leicestershire Local Plan**

### **Policy Ec3 – Existing Employment Areas**

As presently worded Policy Ec3 is not in accordance with the NPPF insofar as it fails to place significant weight on the need to support economic growth through the planning system by providing adequately for the expansion needs of existing businesses such that Policy Ec3 might act as an impediment to sustainable growth and will not effectively deliver employment development needs throughout the District as a whole over the plan period.

Whilst the Plan allocates land for new businesses and employment there are many businesses that have become established on existing sites and for a variety of reasons, either need to expand in situ (for example due to site specific advantages) or else are unable to find appropriate alternative sites to move to. For example, haulage, transport and road-related employment often needs large areas of land for vehicle parking and storage and such activity tends to be unviable on allocated employment sites.

It is important to ensure that existing employers are not unduly restricted when contemplating expansion or relocation from constrained or inappropriate sites. Saved Policy J14 in the adopted North West Leicestershire Local Plan (2002) provides a framework for the consideration of such proposals and Policy Ec3 should provide a similar policy framework. Policy Ec3 should be amended to specifically support expansion of existing firms onto adjacent land which is outside Limits to Development, identified on the Proposals Map in exceptional cases where this would not result in an unacceptable change to the scale and appearance of these premises or its impact on the countryside.

Policy Ec3 should be amended to support proposals for the expansion of the Primary Employment Areas located in the Principal Town, Key and Local Service Centres, and Sustainable Villages where they would comply with other policies in the Plan. This would be consistent with Policy S3 – Countryside where paragraph 2(i) supports the expansion of all types of business and enterprise in rural areas.



48/3/H4/0



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## North West Leicestershire Local Plan

### Policy H4 – Affordable Housing

As presently worded Policy H4 is not in accordance with the NPPF and will not effectively deliver development needs throughout the District as a whole over the plan period.

The Council's Viability Study ("Proposed Publication Version Local Plan, Viability Review", Cushman & Wakefield, 17 June 2016) (VS) focussed on the viability of affordable housing provision on larger greenfield sites (1ha and 5ha) in relation to the named settlements (Key and Local Service Centres and the Main Town).

The VS found 30% affordable housing provision on most brownfield sites of these sizes tested to be unviable with a few marginally viable (even assuming market price growth). Outside the named settlements and within the rural areas, policies generally seek to restrict housing to conversions and the redevelopment of previously developed land rather than greenfield sites. These locations appear to fall within the "All Other Settlements" category in Policy H4. Although many of these sites are likely to be small-scale and below the 10-dwelling threshold, nonetheless, there will be instances where some breach the threshold but on the basis of the Council's own evidence, it seems unlikely that such schemes will be able to deliver a 30% affordable housing provision as required.

The VS comments that the performance of the brownfield site archetypes is both more challenging, and the pattern, more complex. It also accepts that the modelling, in both market scenarios, suggests that the generally higher threshold land values that landowners of brownfield land may require, combined with the generally higher development costs compared to greenfield sites, will require the provision for such additional costs to be offset against possible affordable housing contributions.

We suggest that Policy H4 should be amended to delete the requirements for 30% affordable housing at "All Other Locations" because realistically, this is unlikely to be viable or achieved on brownfield sites likely to come forward in other locations. Alternatively, more robust sensitivity and viability testing of those scenarios and site typologies should be undertaken to identify a more realistic contributions and/or threshold trigger points.

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48/4/D1/0



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## North West Leicestershire Local Plan

### Policy D1 – Design of New Development

Whilst supporting the aim to secure high quality design in development, the detailed wording of Policy D1 imposes an unnecessarily prescriptive approach to the assessment of development and is not in accordance with the provisions of paragraph 59 of the NPPF which advises against such prescription. Such an approach could hinder the effective delivery of development needs throughout the District as a whole over the plan period.

The Building for Life 12 initiative (and Place Making Principles) may not be appropriate in some instances (eg outline planning applications or small-scale developments). Furthermore, these initiatives might change or else be withdrawn over the life-time of the Local Plan and could render an important aspect of the Plan out of date at short notice. We suggest that Policy D1 should be amended to delete references to Building for Life and Place Making Principles and to move references to them to the supporting text. Policy D1 could then be amended as follows:

*New development which would have an effect on the appearance or character of the surrounding area should be of a high quality of design and should contribute to local character by creating a sense of place appropriate to its location. The Council will consider applications using a variety of design assessment tools proportionate to the scale and sensitivity of the proposed development and will expect all proposals to demonstrate an understanding of the applications site's opportunities and constraints as well as its relationship to its immediate surroundings and wider context.*



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## North West Leicestershire Local Plan

### Policy S3 - Countryside

Policy S2 does not identify Limits to Development around all settlements with Small Villages and Hamlets being washed over by countryside policy designation. This means that the built-up parts of some settlements are considered the same as open countryside and the rural landscape in Policy S3 terms.

Some development appropriate to the scale and character of each settlement and its place in the hierarchy is necessary in order to enhance or maintain the vitality of the rural communities throughout the District in accordance with the main thrust of the NPPF. As presently worded Policy S3 is not in accordance with the NPPF and will not effectively deliver development needs throughout the District as a whole over the plan period.

Paragraph (1) of Policy S3 should be amended to recognise that Limits to Development have not been drawn around all settlements and that not all land designated as countryside in the Local Plan possesses intrinsic character or beauty, represents diverse landscape or has any heritage, wildlife or natural resource value worthy of protection. Alternatively, paragraph 1 should be deleted as its main objective (protection of the countryside) is provided for in development management terms by paragraph (3) of Policy S3.

Notwithstanding the need to delete/amend Paragraph 1 of policy S3 mentioned above, paragraph (2) of Policy S3 also needs to be amended. In particular,

- Paragraph 2(d): We object to the present wording of paragraph (d) which should be amended to delete reference to the Settlement Hierarchy (presumably the reference should be to Policy S2 not S3?). This is because Policy S3 concerns development in the countryside, which, in accordance with paragraph (1) relates to land outside identified limits to development and therefore sites outside settlements identified within the Settlement Hierarchy in Policy S2. The requirement to comply with the Settlement Hierarchy also appears to conflict with the provisions of paragraph 2(i) which supports the expansion of all types of businesses and enterprises in rural areas without reference to the Settlement Hierarchy. Also, many redundant farm buildings are located outside settlements identified in the Settlement Hierarchy and the conversion and re-use of these buildings should also be supported for both business and housing use in accordance with the advice at paragraph 55 of the National Planning Policy Framework (which does not restrict suitability for re-use to those buildings within settlements).
- Paragraph 2(e): Whilst we support the encouragement given to the redevelopment of previously developed land within the Small Villages we object to this paragraph as it is too restrictive and does not support other types of small-scale development which might enhance or maintain the vitality of rural communities within the Small Villages. We suggest that Limits to Development boundaries should be identified on the proposals map around Small Villages to provide a degree of certainty and consistency in determining applications for development in those settlements. The range of acceptable forms of development should be widened to include small scale development proposals including housing on infill plots (of no more than 1 – 2 new dwellings) between existing properties and within the identified Limits to Development. This will support small-scale development which might not fit the strict criteria currently identified elsewhere in Policy S3, but which, nonetheless, would not harm the objectives of the plan as a whole and the purposes of Policy S3.
- Paragraph 2(i): We support the general intent behind paragraph 2(i) although it does not go far enough and should be widened to include support for the change of use of

land associated with the expansion of businesses located in the areas designated as countryside by virtue of Policies S2 and S3.

- Paragraphs 2(l) and 2(k) should be combined to support the expansion of existing businesses as well as the development of new small-scale employment generating development or farm diversification.



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## **North West Leicestershire Local Plan Submission Plan (June 2016)**

### **Policy S2 – Settlement Hierarchy**

We agree with the identification of a Settlement Hierarchy for the purposes of allocating the majority of proposed development throughout plan period. The majority of planned growth and formal allocations for development should be targeted in this way although some development appropriate to the scale and character of each settlement and its place in the hierarchy is necessary in order to enhance or maintain the vitality of the rural communities throughout the District in accordance with the main thrust of the NPPF. As presently worded Policy S2 is not in accordance with the NPPF and will not effectively deliver development needs throughout the District as a whole over the plan period.

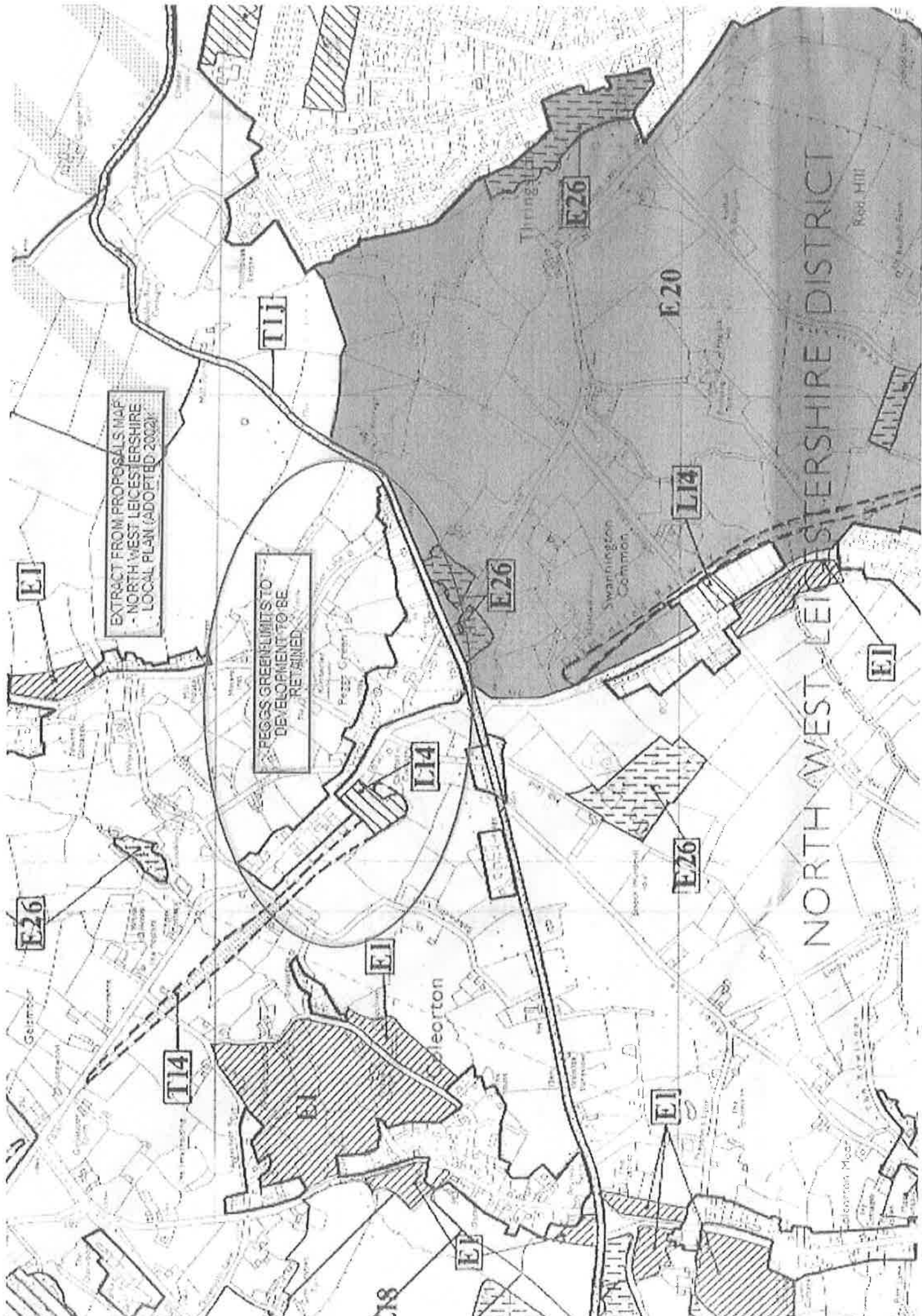
The Publication Plan does not contain a Policy S4 and development in Hamlets should be considered under the terms of Policy S3 – Countryside (but subject to being suitably amended as we have suggested elsewhere).

So far as the Sustainable Villages are concerned, the supporting text states that further development in such these settlements will be restricted to either infilling or physical extensions although the Settlement Classification Table states that limited growth will be confined to within the defined Limits to Development. The Settlement Classification Table should be amended to support the redevelopment of previously developed land for housing outside, but on the edges of Limits to Development in Sustainable Villages which would also reflect the aims of Policy S3 2(e) but in more sustainable settlements, higher-up the Settlement Hierarchy.

There are opportunities for infill and small-scale development within the built-up confines of the identified Small Villages and they should be provided with a Limits to Development Boundary on the Proposals Map to provide a degree of certainty and consistency in determining applications for development within those settlements. This would also enable consistency with a number of planning permissions granted by the Council recently in locations not in accordance with the identified Settlement Hierarchy but which have been considered by the Council and Inspectors at appeal to represent sustainable development (eg Peggs Green, Coleorton, Griffydam, Lount, Newbold and Osgathorpe). For example, the Loughborough Road (A512) Peggs Green settlement should retain the Limits to Development boundaries previously identified in the 2002 Local Plan (extract attached).

Acresford should be identified as a Small Village with a Limits to Development boundary around it as in the 2002 Local Plan (extract attached). There is a pub, a church, meeting hall and children's playground there, with a school and shops nearby and a good rural bus service along the A444 linking to Measham, Donisthorpe and Swadlincote.





EXTRACT FROM PROPOSALS MAP  
- NORTH WEST LEICESTERSHIRE  
LOCAL PLAN (ADOPTED 2002)

PEGGS GREEN LIMITS TO  
DEVELOPMENT TO BE  
RETAINED

NORTH WEST LEICESTERSHIRE DISTRICT