

Representation 53

53/11/51/0



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 no later than **5pm on 15 August 2016**.

This form has two parts-

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

2. Agent Details

**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	<input type="text"/>	Mr
First Name	<input type="text"/>	Gary
Last Name	<input type="text"/>	Stephens
Job Title <i>(Where relevant)</i>	<input type="text"/>	Planning Director
Organisation <i>(Where relevant)</i>	Bloor Homes Limited	Marrons Planning
Address Line 1	<input type="text"/>	
Line 2	<input type="text"/>	
Line 3	<input type="text"/>	
Line 4	<input type="text"/>	
Post Code	<input type="text"/>	
Telephone Number	<input type="text"/>	
Email Address <i>(Where relevant)</i>	<input type="text"/>	

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 checked="" type="checkbox"/>
iii) Complies with the Duty to co-operate	Yes <input type="checkbox"/>	No <input type="checkbox"/>

5. Please give details of why you consider the Local Plan not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Bloor Homes Limited (BHL) note the Policy only intends to plan to meet the housing requirement for the period up to 2031.

Paragraph 157 of the Framework confirms the need to 'preferably plan for a 15 year time horizon, and take account of longer term requirements'. On its adoption, the Plan will have a less than a 15 year time horizon, and therefore is 'unsound' on the grounds of not being positively prepared or consistent with national policy. No sound reason has been given by the Council why it is not possible to plan for a 15 year time horizon. This is particularly relevant given the housing needs beyond 2031 have already been assessed as part of the Council's evidence base, and are being re-assessed as part of the ongoing HEDNA work which will report in September 2016.

Each local planning authority within the Leicester and Leicestershire Housing Market Area has indicated its ability to meet housing requirements to 2028 (Leicester and Leicestershire HMA Memorandum of Understanding relating to Objectively Assessed Housing Need – July 2014), although this is the subject of some debate. There is no certainty at this stage that there will not be unmet needs within the Housing Market Area beyond 2028, and within the plan period to 2031 or 2036. Failure to meet the housing need in full to 2031 therefore renders the Plan 'unsound' on the grounds of not being positively prepared.

BHL note the Policy intends to make provision for a minimum of 10,400 dwellings over the plan period. In the absence of the publication of the HEDNA identifying the housing requirement, it is not possible to comment on the soundness of this aspect of the Policy.

The intention within the Policy for an early review is noted, however, more detail is required in relation to the mechanism for a review and when it will be triggered, for example what happens if the Council's do not agree the distribution of unmet needs.

(Continue on a separate sheet/expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy S1 should plan to meet the future needs to 2036 taking into account the evidence of the HEDNA, with greater detail included as to what will happen if unmet need from other authorities is required to be met within the District.

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No, I do not wish to participate at the oral examination.

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9. Signature:



Date:

15/08/16

Representation 53

53/2/52/0



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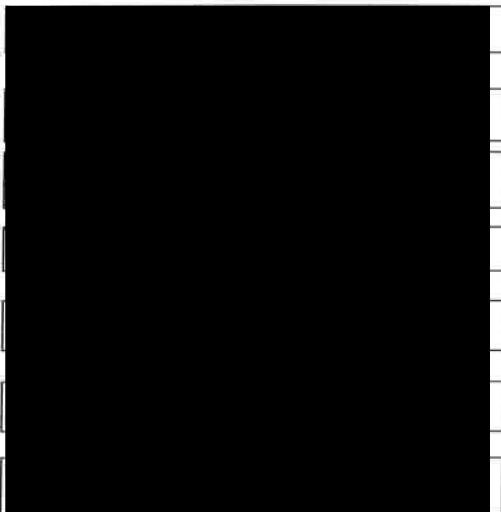
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Part B - Please use a separate sheet for each representation

Name or Organisation:

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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 checked="" type="checkbox"/> |
| iii) Complies with the
Duty to co-operate | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |

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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Bloor Homes Limited (BHL) does not consider the settlement hierarchy in respect of its approach to the level of housing distributed to the 'Sustainable Villages' is sound.

This tier of the hierarchy includes a large number of sustainable villages of various sizes, with very different levels of services and facilities, from a minimum of 3 key facilities such as at Albert Village, to a maximum of 8 key facilities such as at Appleby Magna. Some of these sustainable villages are therefore more suitable and able to accommodate development than others.

The Council will be aware that some of the larger sustainable villages have key facilities which are vulnerable to becoming unviable and closing during the lifetime of

this plan, such as primary schools and village shops. This can often be a consequence of changing age profiles of the population within those settlements, e.g. fewer young families and a reduction in primary school age pupils.

An issue and objective within the Draft Local Plan is to reduce the need to travel and maintain access to services and facilities, including jobs, shops, and education by means other than the private car. In order to achieve this objective, it will be vitally important that key village services therefore remain viable and open.

However, BHL note from the Housing Trajectory at Appendix Two that no new housing is proposed to be built in the Sustainable Villages for ten years of the plan period between 2020/21 and 2030/2031 (save for limited infill plots).

This approach to housing distribution is likely to have a significant adverse impact on the viability of those key services and facilities within the Sustainable Villages, will undermine the achievement of the Council's objective, and will not contribute towards the social dimension of sustainable development as set out in the Framework.

By way of example, Appleby Magna has 8 of the key facilities and is of a scale which can accommodate modest growth. There is also land available and suitable for residential development adjoining the village as set out in the SHLAA (2014), which includes Ap6 (Rear of Didcott Way) which is under the control of BHL. As well as local employment and community owned uses, the village facilities include a local primary school, post office, and shop. However, the Council will be aware that the village has an ageing population profile (paragraph 3.1), and that such a profile will not maintain levels of young families and primary age children to support the viability of the primary school and local shop in the future.

The imposition therefore of a moratorium on new development after 2020 can only serve to increase the risk of the primary school and shop becoming unviable during the lifetime of the Plan, and thereby result in the Plan failing to achieve its objectives in relation to maintaining access to services for residents of Appleby Magna.

Policy S2 and H3 will therefore not contribute towards the achievement of sustainable development and is therefore not consistent with national policy.

(Continue on a separate sheet/expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy S2 and H3 should be amended to include allocations of new development at the larger Sustainable Villages.

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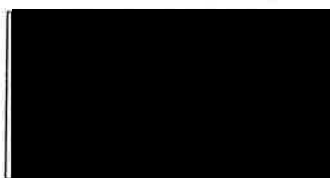
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Date:

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Representation 53
53/3/ch7/H3/0



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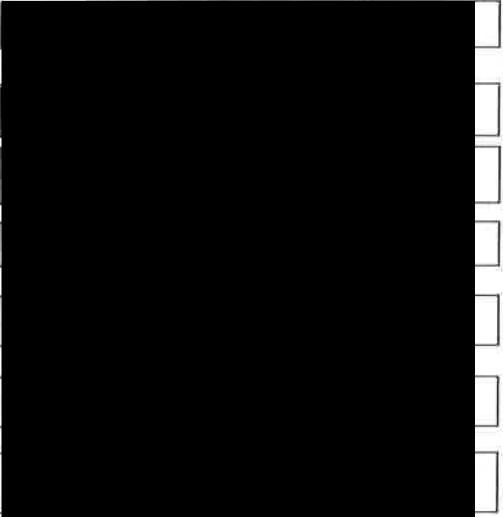
Part B – Your Representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details

2. Agent Details

**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	<input type="text"/>	<input type="text" value="Mr"/>
First Name	<input type="text"/>	<input type="text" value="Gary"/>
Last Name	<input type="text"/>	<input type="text" value="Stephens"/>
Job Title <i>(Where relevant)</i>	<input type="text"/>	<input type="text" value="Planning Director"/>
Organisation <i>(Where relevant)</i>	<input type="text" value="Bloor Homes Limited"/>	<input type="text" value="Marrons Planning"/>
Address Line 1	<input type="text"/>	
Line 2	<input type="text"/>	
Line 3	<input type="text"/>	
Line 4	<input type="text"/>	
Post Code	<input type="text"/>	
Telephone Number	<input type="text"/>	
Email Address <i>(Where relevant)</i>	<input type="text"/>	

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="text"/>	No	<input type="text"/>
ii) Sound	Yes	<input type="text"/>	No	<input checked="" type="text" value="X"/>
iii) Complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

5. Please give details of why you consider the Local Plan not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

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The Housing Policies of the Local Plan allocate insufficient land to ensure there is flexibility to deal with circumstances where any sites allocated or committed are not delivered during the plan period in accordance with paragraph 14 of the Framework. The Plan only makes provision for an additional 369 dwellings over the proposed requirement (10,400) which is less than 3% and the Council should allocate additional land as a contingency to satisfactorily address this matter.

(Continue on a separate sheet/expand box if necessary)

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Policy H3 should be amended to include additional allocations to ensure there is flexibility within the Plan.

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First Name	<input type="text"/>	Gary	<input type="text"/>
Last Name	<input type="text"/>	Stephens	<input type="text"/>
Job Title <i>(Where relevant)</i>	<input type="text"/>	Planning Director	<input type="text"/>
Organisation <i>(Where relevant)</i>	Bloor Homes Limited	Marrons Planning	<input type="text"/>
Address Line 1	<input type="text"/>	Bridgeway House	<input type="text"/>
Line 2	<input type="text"/>	Bridgeway	<input type="text"/>
Line 3	<input type="text"/>	Stratford-upon-Avon	<input type="text"/>
Line 4	<input type="text"/>		<input type="text"/>
Post Code	<input type="text"/>	CV37 6YX	<input type="text"/>
Telephone Number	<input type="text"/>	01789 339963	<input type="text"/>
Email Address <i>(Where relevant)</i>	<input type="text"/>	Gary.stephens@marrons-planning.co.uk	<input type="text"/>

Part B - Please use a separate sheet for each representation

Name or Organisation:

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Paragraph(s) Policy Policies Map

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The imposition therefore of a moratorium on new development after 2020 can only serve to increase the risk of the primary school and shop becoming unviable during the lifetime of the Plan, and thereby result in the Plan failing to achieve its objectives in relation to maintaining access to services for residents of Appleby Magna.

Policy S2 and H3 will therefore not contribute towards the achievement of sustainable development and is therefore not consistent with national policy.

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Policy S2 and H3 should be amended to include allocations of new development at the larger Sustainable Villages.

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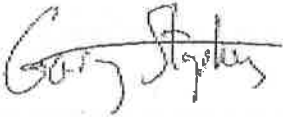
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Date:

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Representation 53

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Bloor Homes Limited (BHL) does not consider the allocation of sites in Policy H3 is sound as it fails to allocate land at Rear of Didcott Way, Appleby Magna (reference Ap6 of the 2014 SHLAA). The land is available and suitable for residential development and would contribute towards addressing the unsoundness of the Plan in respect of its housing delivery.

(Continue on a separate sheet/expand box if necessary)

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helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy H3 should be amended to include allocation of land at rear of Didcott Way, Appleby Magna.

(Continue on a separate sheet/expand box if necessary)

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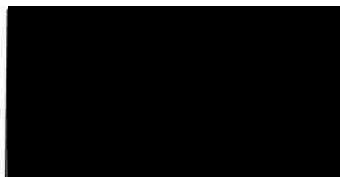
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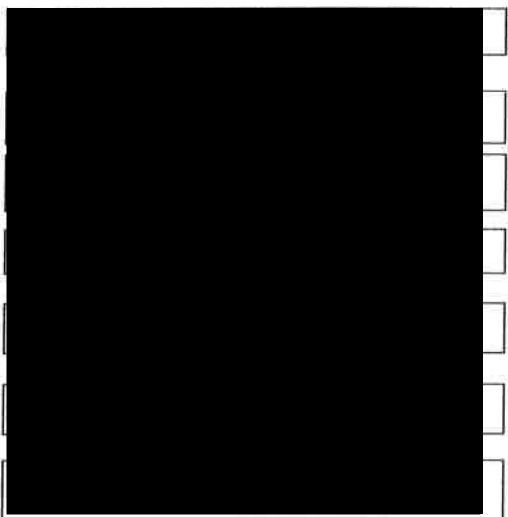
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5. Please give details of why you consider the Local Plan not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Policy S3 seeks to restrict development beyond the confines of established settlement boundaries. It is considered that this policy is not consistent with the Framework. The Three Pots appeal decision in Burbage, Hinckley (Appeal Ref: 2202261) concluded that a blanket countryside protection policy is not in conformity with the NPPF and the weight ascribed to it is accordingly reduced.

The Council are entitled to protect certain / specific valued landscapes and / or areas of separation, however a catch-all countryside protection policy is not appropriate.

The Council will also be aware that this very general policy is a 'counterpart' policy for the supply of housing and in the event that the Council cannot demonstrate a 5-year supply of deliverable housing sites this policy will, by virtue of paragraph 49 of the Framework, be dis-applied (See South Northamptonshire [2014] EWHC 537 and Wenman [2015] EWHC 925 rulings).

(Continue on a separate sheet/expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy S3 sub paragraph 1) should be deleted.

(Continue on a separate sheet/expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

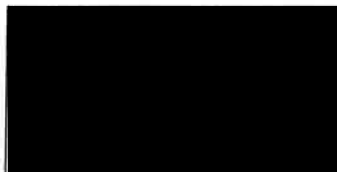
No, I do not wish to participate at the oral examination.

Yes, I wish to participate at the oral examination

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

9. Signature:



Date:

15/08/16