

Meeting	LOCAL PLAN COMMITTEE
Time/Day/Date	6.30 pm on Wednesday, 12 September 2018
Location	Council Chamber, Council Offices, Coalville
Officer to contact	Democratic Services 01530 454512

All persons present are reminded that the meeting may be recorded and by attending this meeting you are giving your consent to being filmed and your image being used. You are kindly requested to make it known to the Chairman if you intend to film or record this meeting.

The Monitoring Officer would like to remind members that when they are considering whether the following items are exempt information under the relevant paragraph under part 1 of Schedule 12A of the Local Government Act 1972 they must have regard to the public interest test. This means that members must consider, for each item, whether the public interest in maintaining the exemption from disclosure outweighs the public interest in making the item available to the public.

AGENDA

Item	Pages
1 APOLOGIES FOR ABSENCE	
2 DECLARATION OF INTERESTS	
Under the Code of Conduct members are reminded that in declaring disclosable interests you should make clear the nature of that interest and whether it is pecuniary or non-pecuniary.	
3 MINUTES	
To confirm the minutes of the meeting held on 20 June 2018.	3 - 8
4 FINAL REVISED NATIONAL PLANNING POLICY FRAMEWORK - IMPLICATIONS FOR LOCAL PLAN REVIEW	
Report of the Strategic Director of Place	9 - 20
5 SELF-BUILD AND CUSTOM HOUSEBUILDING	
Report of the Strategic Director of Place	21 - 28

6	ELLISTOWN AND BATTLEFLAT NEIGHBOURHOOD PLAN - PROPOSED RESPONSE TO SUBMISSION DRAFT	
	Report of the Strategic Director of Place	29 - 50
7	PROPOSED SUPPLEMENTARY PLANNING DOCUMENTS - ASHBY DE LA ZOUCH AND COALVILLE CYCLING STRATEGIES	
	Report of the Strategic Director of Place	51 - 62

Circulation:

R Adams
R Ashman
J Bridges (Chairman)
J G Coxon
D Harrison
R Johnson
J Legrys
V Richichi
A C Saffell
N Smith
M Specht (Deputy Chairman)

MINUTES of a meeting of the LOCAL PLAN COMMITTEE held in the Council Chamber, Council Offices, Coalville on WEDNESDAY, 20 JUNE 2018

Present: Councillor J Bridges (Chairman)

Councillors R Adams, R Ashman, J G Coxon, D Everitt (Substitute for Councillor J Legrys), D Harrison, R Johnson, V Richichi, A C Saffell, N Smith and M Specht

In Attendance: Councillors T J Pendleton

Officers: I Jordan, Mrs M Meredith, Mr I Nelson, Mr L Sebastian and Mr J White

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor J Legrys.

2 DECLARATION OF INTERESTS

There were no interests declared.

3 MINUTES OF THE LOCAL PLAN ADVISORY COMMITTEE

Consideration was given to the minutes of the meeting of the Local Plan Advisory Committee held on 14 March 2018.

It was moved by Councillor M Specht, seconded by Councillor R Johnson and

RESOLVED THAT:

The minutes of the meeting of the Local Plan Advisory Committee held on 14 March 2018 be approved and signed by the Chairman as a correct record.

4 DRAFT LIST OF LOCAL HERITAGE ASSETS

The Senior Conservation Officer presented the report to members and gave a presentation outlining the 10 themes in total, four of which were being brought forward for consultation, and highlighting the assets included on the draft list for public consultation.

In response to a question from Councillor J Bridges, the Senior Conservation Officer advised that through the public consultation it was hoped to identify any buildings that had been overlooked which fit the themes set out in the draft list, and to identify assets for the other themes to be incorporated at a later stage.

In response to a question from Councillor R Ashman, the Senior Conservation Officer referred members to page 80 of the agenda which set out which Anglican clergy houses had already been added to the statutory list. In respect of suburban and small country houses, the Senior Conservation Officer acknowledged that there was a large list of houses to consider and it was likely that some had been overlooked. He added that the public consultation was the correct forum to highlight those which had been omitted.

In response to comments made by Councillor R Johnson, the Senior Conservation Officer advised that in respect of places of worship, any built before 1751 were listed buildings and as such were protected. He added that St Mary's Church at Hugglescote and Donington le Heath Manor House were listed buildings. He explained that the aim of the document was to identify those assets which were currently unlisted.

Councillor R Adams commended the document and thanked the Senior Conservation Officer for his work.

In response to questions from Councillor N Smith, the Senior Conservation Officer advised that officers had not been able to identify a date for the rectories at Packington, Ravenstone and Stretton and he hoped further information would be brought to light during the public consultation. Pinfolds and lock ups would come under one of the themes to be included at a later date.

In response to questions from Councillor M Specht, the Senior Conservation Officer referred members to the table of cemeteries set out on page 15. He advised that the London Road cemetery was not of the same quality as the Ashby cemetery which was of a similar date; there were no cemetery buildings at the site and the boundary wall had been demolished. He added that he was aware of the war grave at the cemetery which was afforded protection. He explained that the public consultation was the correct forum to bring this forward for further consideration.

Councillor M Specht referred to the communal bake house on in Coleorton dating to 1883. He advised that an attempt had been made to have this listed which had not been successful. He explained that this asset was in great danger as it was in a garden, and if the property changed hands it could be demolished. He advise that the current occupant was in full agreement to sign the asset over to the Parish Council and he would like to see it protected. The Senior Conservation Officer hoped to bring this forward in a future theme.

In response to a question from Councillor V Richichi, the Senior Conservation Officer explained that inclusion of an asset on the list did not remove permitted development rights, however if a planning permission was submitted for a property on a local list it would be a material planning consideration. He added that having a list in place was preferable to identifying assets on an ad hoc basis. In the future, members could also seek to provide greater protection to heritage assets through the use of Article 4 directions whereby permitted development rights were removed.

Councillor J Bridges welcomed this approach as he felt that the automatic removal of permitted development rights could cause greater issues.

In response to a comment from Councillor J G Coxon, the Senior Conservation Officer advised that the aim of the draft list was to identify the war memorials erected in the immediate aftermath of World War I, and as such modern war memorials had not been identified. He agreed that this context could be made clearer in the report.

In response to a question from Councillor J Bridges regarding the protection afforded to war memorials, the Senior Conservation Officer advised that a database of memorials was maintained by Leicestershire County Council, however war memorials were not protected unless they were listed. He added that he felt war memorials in North West Leicestershire were underrepresented.

In response to questions from Councillors D Harrison and R Adams, it was clarified that details of listed buildings were available on the Council's website and was listed by parish.

Councillor J Bridges suggested that members also contact their parish councils who may have further information.

In response to comments from Councillor A C Saffell, the Senior Conservation Officer felt that there was merit in considering the assets at Donington Park as a group.

In response to a question from Councillor N Smith, the Senior Conservation Officer advised that pumps would come under the theme of gardens, parks and urban spaces which would be considered as part of a future exercise.

In response to comments from Councillor N Smith, the Senior Conservation Officer advised that whilst it was not in the scope of this particular exercise, consideration was being given to a review of conservation areas and the removal of permitted development rights where appropriate.

In response to a question from Councillor R Johnson, the Senior Conservation Officer advised that turnpikes would come under the theme of parks and urban spaces infrastructure.

In response to a question from Councillor D Everitt, the Senior Conservation Officer advised that areas such as the old plateway could be brought forward as part of a list of transport buildings.

Councillor A C Saffell made reference to the Castle Donington village appraisal of around 100 buildings that were not listed. He asked about their status.

The Senior Conservation Officer advised that this list could be brought forward as part of a future theme on pre-Victorian dwellings. He added that a review of the Castle Donington conservation area was planned in the coming year.

It was moved by Councillor J G Coxon, seconded by Councillor R Adams and

RESOLVED THAT:

The public consultation regarding the draft list of local heritage assets be noted and supported.

5 OUTCOMES OF THE LOCAL PLAN ISSUES CONSULTATION

The Planning Policy Team Leader presented the report to members, drawing their attention to the review of the Local Plan which was required to commence within 3 months of adoption. He advised that an issues consultation had taken place in February, to which 72 responses had been received. He referred members to section 3.1 of the report which summarised the responses. He advised that many of the issues raised during the consultation were already being addressed, however a number of representations had suggested that the scope of the review should be wider than officers had intended due to the revisions to the NPPF. He added that taking into account some of the decisions made which were contrary to the Local Plan since its adoption suggested that there were some issues of the Local Plan which concerned members. He advised that there was now an opportunity for members to comment on which policies should be reviewed in more detail, and all members would be consulted on this shortly. He advised however that there would be implications for the timetable if a wider review was undertaken than originally anticipated. He added that if the Local Plan was not submitted within 2 years of the commencement of the review, the Local Plan would be deemed to be out of date and as such there were consequences of extending the review. He drew members' attention to the appendix to the report which summarised the representations made and the officer responses.

Councillor J Bridges welcomed the review and commented that some areas had specific needs which should be captured.

Councillor A C Saffell stated that a better relationship between job creation and the housing types being built was required. He referred to the disparity in his area between

the distribution jobs that were available which paid less than £25k, and the houses being built which were unaffordable at £150k. He added that the majority of people working in those distribution jobs did not live in the immediate area and the people living in the area were travelling out. He stated that consequently the roads were congested and this also affected local businesses who could not receive deliveries. He felt that a more strategic view ought to be taken in terms of relating employment and housing more closely.

Councillor V Richichi asked whether the completion date of this review would be affected by the memorandum of understanding. The Planning Policy Team Manager advised that this could have a knock on effect in terms of the content and timing of the review. He added that unfortunately this issue was not in the Council's control however the situation would be kept under review.

Councillor J Bridges expressed his view that the Local Plan should be submitted regardless of delays in progress with the memorandum of understanding. The Planning Policy Team Manager advised that members may also need to consider building in additional flexibility in this case.

Councillor R Johnson commented on the lack of open spaces in his village, which were important for health, and the lack of infrastructure in terms of roads and services. He felt this needed to be looked at.

Members made comments relating to schemes for building affordable housing for key workers. The Planning Policy Team Manager advised that the issue of affordable housing did need to be reconsidered in a general sense, and this could include schemes for key workers.

Councillor M Specht expressed concerns regarding the issue of organic growth in villages, particularly in respect of Coleorton. He also expressed concerns about the lack of a self-build policy. He commented that his understanding was that the Local Plan Committee was to be a decision making body and he felt these issues should be brought forward as agenda items.

The Planning Policy Team Manager advised that the Local Plan review was not yet at the stage where such decisions could be made. He added that he was aware of members' concerns relating to the organic growth of villages and advised that officers hoped to understand the concerns through the questionnaire referred to previously and address them in the review. He added that the matter of self builds and discounted housing needed to be considered as part of the affordable housing issue.

Councillor N Smith felt that clarify was needed on the issue of self-build as he felt this was being utilised as a tool for developers.

Councillor R Johnson felt that a policy was needed to address the issue of bungalows.

It was moved by Councillor D Harrison, seconded by Councillor V Richichi and

RESOLVED THAT:

The comments received on the recent Local Plan issues consultation, and officers' responses to these comments be noted.

6 STATEMENT OF COMMUNITY INVOLVEMENT

The Planning Policy Team Manager presented the report to members, drawing their attention to the existing statement of community involvement at Appendix A and the proposed changes to the document.

It was moved by Councillor J G Coxon, seconded by Councillor V Richichi and

RESOLVED THAT:

- a) The need to revise the existing Statement of Community Involvement (SCI) for the reasons set out in the report be noted; and
- b) The suggested revisions to the SCI as set out at Appendix A be supported for consultation purposes.

7 LOCAL GREEN SPACES

The Planning Policy Team Manager presented the report to members, outlining the scope of the proposed consultation to identify local green spaces. He advised that the consultation would be aimed primarily at parish and town councils to bring forward sites, however he was conscious that some areas were not covered by parish council and there may be some local groups in those areas that could assist with the consultation. He added that the consultation would be open to the public subsequent to the direct consultation with parish councils. Following the initial consultation, the list of sites would be assessed via an agreed methodology and the list of sites would be brought back to the Local Plan Committee at a later date.

In response to a question from Councillor R Adams, the Planning Policy Team Manager advised that designating a piece of land as a local green space would ensure no new development on the land without a very good reason.

In response to a question from Councillor M Specht, the Planning Policy Team Manager advised that it was intended to commence the call for sites next week and the consultation would continue for 8 weeks. He added however that the designation would have no status until the Local Plan was agreed.

Councillor R Adams asked that Councillor J Geary be notified of the consultation as Chairman of the Coalville Special Expenses Working Party.

Councillor A C Saffell referred to a piece of land in his area that the community wanted to protect which had current planning permission. He asked if there was an opportunity to protect this considering that the planning permission was due to expire. The Planning Policy Team Manger explained that it would be difficult to protect a piece of land with planning permission and suggested that this may need to be brought forward in a future review,

In response to a question from Councillor J G Coxon, the Planning Policy Team Manager explained that it would be a massive undertaking for officers to identify sites and the assessment of the sites brought forward would take some time. He felt that the identification of sites should come from the communities.

It was moved by Councillor J G Coxon, seconded by Councillor R Johnson and

RESOLVED THAT:

The Local Plan Committee supports the proposals that:

- a) Consideration be given to including local green space as part of the Local Plan review;
- b) a call for sites for the identification of potential local green spaces be undertaken as outlined at paragraphs 3.2 and 3.3 of this report; and
- c) the call for sites be open for an 8 week period to allow evidence to be gathered.

8 GYPSY AND TRAVELLER SITE ALLOCATION DPD:UPDATE

The Planning Policy Team Manager presented the report to members, drawing their attention to the previous draft document that was considered at the last meeting of the Local Plan Advisory Committee. He explained that the draft document was due to be considered by Council but was withdrawn because officers were made aware of the possibility of other available sites in the district which needed to be investigated. He outlined the proposals set out in the previous report. He explained that since the withdrawal of the draft document, officers had been looking at a potential range of sources of additional sites, and in order to maximise the chances of identifying alternative sites, it was recommended that a further call for sites be undertaken which would concentrate on provision for a transit site and for travelling showpeople. He added that there was no guarantee that any further sites would be put forward through the call for sites.

In response to questions from Councillor J G Coxon, the Planning Policy Team Manager explained that the time period of the call for sites would be consistent with the previous exercise. The call for sites would concentrate on any sites that had previously been omitted rather than revisiting sites, and also any sites where there had been a change such as refusal of a planning application.

Councillor A C Saffell commented that provision for travelling showpeople should only be made for those who were members of the showmen's guild.

The Planning Policy Team Manager advised that provision could not be restricted in such a way. Councillor A C Saffell agreed to provide contact details for the showmen's guild to the Planning Policy Team Manager.

In response to concerns raised by Councillor M Specht regarding the site at Sinope, the Planning Policy Team Manager advised that there was an extant planning permission in place and there was no action to be taken as long as the activity on the site was in accordance with the planning permission. In relation to the appeal on the Aylesbury Garden site at Swepstone, the owner of the Sinope site had made it clear that the site was available for the travelling community.

Councillor R Ashman commented that wherever the transit site was located would be contentious. He also hoped that the ward councillor would be involved at an early stage. He added that the manner in which this was dealt with would make a big difference.

It was moved by Councillor M Specht, seconded by Councillor R Adams and

RESOLVED THAT:

- a) The update in respect of the Gypsy and Traveller Site Allocation DPD be noted;
- b) The proposal to issue a further call for sites be agreed.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 8.15 pm

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LOCAL PLAN COMMITTEE – WEDNESDAY, 12 SEPTEMBER 2018

Title of report	FINAL REVISED NATIONAL PLANNING POLICY FRAMEWORK – IMPLICATIONS FOR LOCAL PLAN REVIEW
Contacts	<p>Councillor Trevor Pendleton 01509 569746 trevor.pendleton@nwleicestershire.gov.uk</p> <p>Strategic Director of Place 01530 454555 james.arnold@nwleicestershire.gov.uk</p> <p>Planning Policy Team Manager 01530 454677 ian.nelson@nwleicestershire.gov.uk</p>
Purpose of report	To outline for members the provisions of the new National Planning Policy Framework (NPPF) and to highlight potential implications for the Local Plan review.
Council priorities	<p>Value for Money Business and Jobs Homes and Communities Green Footprints Challenge</p>
Implications:	
Financial/Staff	None
Link to relevant CAT	None
Risk Management	The timing of the publication of the NPPF, and the fact that the Local Plan review is in its relatively early stages, means that any implications arising from the NPPF can be taken in to account and so reduce the risk of the Local Plan not being consistent with the requirement to be consistent with national policies.
Equalities Impact Screening	An Equalities Impact Assessment of the Local Plan review will be undertaken.
Human Rights	None discernible
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 Deputy Monitoring Officer	The Report is Satisfactory
Consultees	Local Plan Project Board
Background papers	<p>National Planning Policy Framework which can be found at https://www.gov.uk/government/publications/national-planning-policy-framework--2</p> <p>National Planning Policy Framework 2012 http://webarchive.nationalarchives.gov.uk/20180608095821/https://www.gov.uk/government/publications/national-planning-policy-framework--2</p> <p>Planning Practice Guidance https://www.gov.uk/government/collections/planning-practice-guidance</p>
Recommendations	<p>THAT THE LOCAL PLAN COMMITTEE NOTE:</p> <p>(I) THAT A NEW NATIONAL PLANNING POLICY FRAMEWORK IS IN PLACE;</p> <p>(II) THE POTENTIAL IMPLICATIONS FOR THE LOCAL PLAN REVIEW AS OUTLINED IN THIS REPORT</p>

1.0 BACKGROUND

- 1.1 Members will be aware that Local Plans are required to be consistent with national policies. These are set out in the National Planning Policy Framework (NPPF). The original version of the NPPF was published in March 2012. A revised draft was published in March 2018 and the final version was published on 24 July 2018. Some changes have also been made to the Planning Practice Guidance (which provides further guidance beyond that set out in the NPPF) and further changes are anticipated over the coming months.
- 1.2 The revised NPPF is part of a wider recent government programme of reforms designed to increase the supply of new housing to reach 300,000 additional homes each year. The NPPF has sought to take account of changes since 2012 including Ministerial Statements (for example in terms of the approach to renewable energy) and the effect of case law on the interpretation of the former NPPF.

- 1.3 From a policy point of view the new NPPF largely carries forward the provisions from the 2012 version. In some cases the policies have been strengthened, for example in terms of design a new paragraph has been included where it states that “*The creation of high quality buildings and places is fundamental to what the planning and development process should achieve*”.
- 1.4 The Annex sets out the transition arrangements which will apply whereby only those Local Plans submitted for examination prior to 24 January 2019 will be assessed against the 2012 NPPF. Therefore, the Local Plan review will be assessed against the new NPPF.
- 1.5 The NPPF makes clear that “*existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework...*”. In view of the fact that the Local Plan was adopted relatively recently and was judged to be consistent with the 2012 NPPF means that the impact of the new NPPF will be relatively limited.
- 1.6 This report highlights a number of key changes where the impact is upon the principle of the particular matter, rather than simply being amended wording for say clarity and their implications for the Local Plan review. It is not a summary of all of its provisions. The report follows the structure and headings of the NPPF.

2.0 ACHIEVING SUSTAINABLE DEVELOPMENT (CHAPTER 2)

- 2.1 The presumption in favour of sustainable development has been retained but amended. In terms of Local Plans it previously stated “*Local Plans should meet objectively assessed needs [for housing and other types of development]*”. It now states “*strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs which cannot be met within neighbouring areas*” unless particular policies in the NPPF provide “*a strong reason for restricting the overall scale*” of development

Comment

- 2.2 The specific reference to meeting unmet needs from elsewhere formalises in effect what has been happening as a result of the Duty to Cooperate, but it is now an explicit requirement.
- 2.3 Members will be aware that this council has previously signed a Memorandum of Understanding (MOU) in respect of housing distribution with all of the other authorities in the Leicester and Leicestershire Housing Market Area (LLHMA). Leicester City has previously declared an unmet need, although not the quantum. This will require a new MOU or similar and will be an important element of the evidence base to inform the Local Plan review.

3.0 PLAN MAKING (CHAPTER 3)

The plan making framework, strategic and non-strategic policies

- 3.1 The new NPPF requires that Local Plans include strategic policies which are to address an authority's priorities for development and that these should be explicitly identified. It states that:

“Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:

a) housing (including affordable housing), employment, retail, leisure and other commercial development;

b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);

c) community facilities (such as health, education and cultural infrastructure); and

d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.”

- 3.2 Strategic policies should look ahead over a minimum of 15 years from adoption.
- 3.3 A Local Plan can also include non-strategic policies to address other matters. The NPPF requires that strategic policies should not deal with detailed matters which can be dealt with through neighbourhood plans or non-strategic policies.

Comment

- 3.4 It has previously been proposed that the Local Plan review should cover the period to 2036. This will ensure that the plan satisfies the requirement to look at least 15 years ahead.
- 3.5 Strategic policies in a Local Plan are those with which a neighbourhood plan is required to be in general conformity. The adopted Local Plan specifically notes that all of the policies in the Local Plan are strategic policies. The review will need to consider whether this remains the case.
- 3.6 The need to draw a clear distinction between strategic and non-strategic policies may have implications for the structure of the Local Plan document and so it may look significantly different to the adopted Local Plan which to some extent conflicts with the fact that it is a review, not a new Local Plan.

Maintaining effective cooperation

- 3.7 The NPPF reiterates the need for effective cooperation between local planning authorities and county council (in two tier areas) in respect of strategic matters that cross administrative boundaries. To demonstrate this is the case authorities are required to prepare and maintain one or more statement of common ground.

Comment

- 3.8 As noted above an MOU is already in place in respect of housing but this is in the process of being replaced. It is likely that this will take the form of a statement of common ground. Based on information published as part of the 'Planning for the right homes in the right places' consultation in September 2017 the statement of common ground is likely to be wider ranging than just housing and it will need to be refreshed as plan making proceeds across the HMA.

Preparing and reviewing plans

- 3.9 Policies should be reviewed to assess whether they need updating at least once every five years from the adoption of a plan and then be updated as necessary.

Comment

- 3.10 An amendment to the Town and Country Planning (Local Planning) (England) Regulations already requires that reviews are undertaken at least every five years. The NPPF merely reflects this requirement.

Examining plans

- 3.11 Members will be aware that a local plan has to be found 'sound' (i.e. accord with legal and procedural requirements) through an examination. For a plan to be found sound it must be; positively prepared, justified, effective and consistent with national policy.
- 3.12 In terms of the 'justified' test the former NPPF required that the "*plan should be the most appropriate strategy*". The revised NPPF now requires that it be "*an appropriate strategy*".
- 3.13 The 'positively prepared' test refers to having a strategy "*which, as a minimum, seeks to meet the areas objectively assessed needs*" rather than the previous "*seeks to meet objectively assessed development and infrastructure requirements*".
- 3.14 There are some rewording of the other tests to ensure consistency with other changes (for example, to include reference to statements of common ground).

Comment

- 3.15 The amendment to the 'justified' test is considered to be a positive change as it is a more proportionate test and should, if an authority can show it is meeting development requirements, result in less time being spent at examinations trying to demonstrate that it is the most appropriate strategy.
- 3.16 In terms of the change to the 'positively prepared' test this reinforces the government's drive to ensure that sufficient housing is available to meet its target of 300,000 homes a year. Whilst the test has changed slightly, the previous NPPF required that plans meet "*the full, objectively assessed needs for market and affordable housing..*". Therefore, in reality the change is not considered to be that significant.

4.0 DELIVERING A SUFFICIENT SUPPLY OF HOMES (CHAPTER 5)

4.1 In view of the importance attached by the government to this issue it is perhaps not surprising that this is the longest chapter in the new NPPF.

Identifying housing need

4.2 The most significant change in terms of housing as in relates to Local plans (and arguably in the NPPF as a whole) is the introduction of a standard methodology to assess housing needs. Based on the 'Planning for the right homes in the right places' consultation from 2017 the standard methodology uses a combination of household growth projections (published every two years by the Ministry of Housing, Communities and Local Government) and information regarding affordability of housing (referred to as the median workplace based affordability ratios) to identify the level of future need for each authority.

4.3 The purpose of the standard methodology is to have an approach which is relatively "*simpler, quicker to update and more transparent*" than is currently the case (Planning for the right homes in the right places). By having such a methodology less time should be required at examinations debating what the appropriate level of housing which a plan should provide for is.

4.4 The NPPF states that:

"To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for."

Comment

4.5 There are some important points to note from paragraph 4.4 above:

- Any need figure is the minimum required;
- There may be 'exceptional circumstances' in which a different approach can be used; and
- Any need figure has to take account of unmet needs elsewhere in neighbouring areas.

4.6 The first and last bullet points reflect the change to the 'positively prepared' test outlined above (paragraph 3.13) and the change outlined above at paragraph 2.3 respectively.

4.7 In terms of exceptional circumstances this is caveated by the fact that any alternative approach must reflect "*current and future demographic trends and market signals*". Whilst the stated aim of having the standard methodology is reduce time spent at examinations, it is considered that the wording used is likely to provide an opportunity for those seeking alternative figures (higher or lower) to put forward alternative figures and so engender a debate. Furthermore, the draft NPPF had referred to housing requirements being "*based upon a local housing needs assessment*", whereas it now states to "*be informed by a local*

housing need assessment". The revised wording is much looser and provides a further opportunity for challenge and so potentially undermines the justification for having a standard methodology.

- 4.8 Notwithstanding the government's commitment to having a standard methodology there is some uncertainty regarding what the methodology will be. Alongside the NPPF the government has issued a statement which notes that based on the latest population projections published in May 2018 (and which inform the household projections) that:

"The government is aware that lower than previously forecast population projections have an impact on the outputs associated with the method. Specifically it is noted that the revised projections are likely to result in the minimum need numbers generated by the method being subject to a significant reduction, once the relevant household projection figures are released in September 2018.

In the housing white paper the government was clear that reforms set out (which included the introduction of a standard method for assessing housing need) should lead to more homes being built. In order to ensure that the outputs associated with the method are consistent with this, we will consider adjusting the method after the household projections are released in September 2018. We will consult on the specific details of any change at that time.

It should be noted that the intention is to consider adjusting the method to ensure that the starting point in the plan-making process is consistent in aggregate with the proposals in Planning for the right homes in the right places consultation and continues to be consistent with ensuring that 300,000 homes are built per year by the mid 2020s."

- 4.9 Until the latest household projections are published and the government has consulted and determined exactly what the standard methodology should be there is no certainty as to what the likely housing figure will be for the review. Based on the latest affordability information published earlier this year and the last projections on household growth (from 2016 and based on 2014 data) the figure for the period up to 2036 would be 368 dwellings per annum. This is significantly less than the adopted Local Plan (481 dwellings per annum) and the Housing and Economic Development Needs Assessment for the period to 2036 (448 dwellings).
- 4.10 The outcome from the ongoing discussions regarding a new MOU to address the unmet need in Leicester City will also clearly have implications for any housing need figure to be used in the Local Plan review. Coupled with the uncertainty associated with the standard methodology there are potential implications for the programme for the Local Plan review. A further report will be brought to this committee is due course to address this.

Type of housing need

- 4.11 As per the previous NPPF there is a need to identify the type, size and tenure of housing required. However, the new NPPF specifically requires that *"Where major development [defined as 10 or more dwellings] involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable*

housing needs of specific groups". It lists exemptions where this will not apply, including where the development is specialist accommodation to meet specific need, is all affordable housing, the properties are to be for build to rent or is proposed for by people building or commission their own home.

- 4.12 The NPPF reaffirms that affordable housing should not be sought on sites which are not major developments, other than in 'designated rural areas' where a lower threshold of 5 dwellings may be applied.
- 4.13 There is a new requirement for the strategic policies to set out a housing requirement for designated neighbourhood areas "*which reflects the overall strategy for the pattern and scale of development*".

Comment

- 4.14 A footnote to the NPPF states that the reference to seeking 10% of homes to be 'affordable home ownership' is "*as part of the overall affordable housing contribution from the site*". This means that on a site of say 100 dwellings that 10 dwellings would have to be for some form of 'affordable home ownership'. These would then form part of the overall affordable home provision on the site; they would not be over above the normal policy requirements. For example, based on the current adopted Local Plan policy, a greenfield site of 100 dwellings in Ashby de la Zouch would require 30 dwellings to be affordable. Of these 10 would have to be for affordable home ownership with the remaining 20 being some other form of affordable dwellings (although this could include more affordable home ownership properties).
- 4.15 As such, therefore, this limits the flexibility in the approach which the council takes and is also likely to have implications from a viability point of view. These matters will need to be addressed as part of the Local Plan review.
- 4.16 The reference to 'designated rural areas' is defined in the glossary as being National Parks, Areas of Outstanding Natural Beauty (of which there are none in this district) "*and areas designated as 'rural' under Section 157 of the Housing Act 1985*". Following further investigation it has been confirmed by the Ministry for Housing, Communities and Local Government that there are not any parts of the district which are designated as rural areas. Therefore, it will not be possible to seek to include a lower threshold for requiring affordable housing.
- 4.17 In terms of housing requirements for designated neighbourhood plan areas, at the current time there are 4 designated areas (Ashby de la Zouch, Ellistown and Battleflat, Hugglescote & Donington le Heath and Blackfordby). Of these Ashby de la Zouch and Ellistown & Battleflat are at an advanced stage. Whilst the NPPF only refers to identifying housing requirements for designated neighbourhood plan areas it may be appropriate to consider doing it for all parish areas anyway so this information is available in the event of a neighbourhood plans coming forward elsewhere.

Identifying land for homes

- 4.18 Previous consultations and statements from government have indicated that they are keen to get a wider range of house builders involved in the market. The new NPPF requires that

10% of an authority's housing requirement should be met on sites of no more than 1 hectare (unless there are strong reasons why this cannot be achieved).

- 4.19 Support should be given for the development of entry level exception sites, suitable for first time buyers. They should include one or more types of affordable housing (e.g. for rent, starter homes, discounted open market sales housing) be adjacent to an existing settlement and of a proportionate size.
- 4.20 The NPPF recognises that large scale developments, such as new settlements or significant extensions to towns and villages, can make an important contribution to the supply of new homes "*provided they are well located and designed, and supported by the necessary infrastructure and facilities*". The expected quality of such development should be set out, possibly utilising the Garden City principles. There should be realistic expectations as to the level of self-containment which can be realised.

Comment

- 4.21 In terms of small sites the draft had suggested a figure of 20% of all provision should be on sites of less than 0.5Ha. A number of commentators had raised concerns regarding the potential for this to slow down plan preparation. Historically such sites have played a significant role in the provision of housing in North West Leicestershire. It is not clear whether it is envisaged that it will be necessary to formally allocate all such sites or whether it will be sufficient to demonstrate that they form part of the overall supply. Officers will need to undertake further work on understanding this
- 4.22 The concept of entry level housing was not included in the draft NPPF but appears to have evolved from the concept of Starter Homes policy of the previous administration. It reflects the historic approach to rural exceptions sites for affordable housing (which is retained elsewhere in the NPPF). The definition of an entry-level home is that it "*must be suitable for first time buyers (or equivalent, for those looking to rent)*". Presumably this will need to take account of factors such as cost and income levels, as well as any physical characteristics of such properties. Further work will need to be undertaken on this.
- 4.23 The new NPPF goes further than the previous version in terms of its support for new settlements and other large scale developments. Such developments have the potential for meeting needs over a long period (possibly beyond a single plan period), but the need for infrastructure to support such development is, as recognised in the NPPF, a fundamental consideration. Members will be aware that such large scale developments are planned across the district (South-east Coalville, Money at Ashby de la Zouch and north and south of Park Lane Castle Donington). The need for further such large scale developments, possibly involving new settlements, is a matter which will have to be considered as part of the Local Plan review when there is greater clarity regarding future housing requirements.

Maintaining supply and delivery

- 4.24 The 'Planning for the right homes in the right places' consultation in September 2017 trailed the idea of introducing a Housing Delivery Test. The NPPF confirms that the Delivery Test will be introduced from November 2018. The test will measure the number of homes created against local housing need and penalise councils that under deliver against

various thresholds over a three-year period. This includes applying the presumption in favour of sustainable development (as outlined in paragraph 2.1 above) where delivery is below 25% of the housing requirement in 2018, increasing to 45% in 2019 and 75% in 2020.

- 4.25 The definition of what is considered to be a deliverable housing site has been amended so that Sites with outline planning permission, allocations or identified on brownfield registers should only be considered deliverable "*where there is clear evidence that housing completions will begin on site within five years*".

Comment

- 4.26 The Housing Delivery Test does not impact upon the Local Plan directly, other than it reinforcing the need to ensure that sites are deliverable. It is in addition to needing to demonstrate a 5-year supply of housing land which has been maintained. However, the need to have a 20% buffer will only apply where the outcome from the Housing Delivery Test shows that delivery was below 85% of the housing requirement over the previous 3 years.
- 4.27 The change in the definition of deliverability does potentially have implications for the housing trajectory that will form part of the Local Plan review as it will be necessary to ensure that there is robust evidence in place to support the trajectory.

5.0 BUILDING A STRONG, COMPETITIVE ECONOMY (CHAPTER 6)

- 5.1 Limited changes have been included in respect of these matters. One change is that there is now a requirement to recognise and address the specific locational requirements of different sectors, including storage and distribution operations "*at a variety of scales and in suitably accessible locations*".

Comment

- 5.2 Members will be aware that the storage and distribution sector has a significant presence in the district. Based on the Strategic Distribution study undertaken for Leicester & Leicestershire and evidence in the Housing and Economic Development Needs Assessment (HEDNA) it would not appear that there is a need for any further allocations for such uses, but the matter will need to be kept under review and consideration will have to be given as to how to address the NPPF requirement.

6.0 ENSURING THE VITALITY OF TOWN CENTRES (CHAPTER 7)

- 6.1 Once again the changes are limited in terms of policy direction. The NPPF has retained the need to define primary shopping areas and town centre boundaries, but now requires that in terms of looking to meet future needs policies should look at least ten years ahead.

Comment

- 6.2 It is generally recognised that seeking to predict future shopping needs is inherently uncertain and so only needing to look ten years ahead is to be welcomed. A Retail Capacity Study has been commissioned which will address this matter.

6.3 The adopted Local Plan boundaries for the town centres and primary shopping areas will need to be reviewed in the light of new evidence.

7.0 PROMOTING SUSTAINABLE TRANSPORT (CHAPTER 9)

7.1 Parking standards should only be set at a maximum “*where there is clear and compelling justification that they are necessary for managing the local road network or for optimising the density of development and city and town centres and other locations that are well, served by public transport*”.

7.2 A specific requirement is included whereby planning policies “*should recognise the importance of providing adequate overnight lorry parking facilities...*”.

Comment

7.3 The parking policy in the adopted Local Plan links to the parking standards of the County Highway Authority. For non-residential developments these are expressed as ‘maximum’ standards. The implications of what the NPPF says will need to be discussed with the Highway Authority.

7.4 The issue of needing to provide lorry parking facilities is one that was raised by the County Highway Authority in response to the consultation undertaken earlier this year on the Local Plan review. One option might be seek to ensure that any new employment developments include specific provision for overnight parking or alternatively to identify standalone sites. Either way there will be a need to understand any commercial implications.

8.0 MAKING EFFECTIVE USE OF LAND (CHAPTER 11)

8.1 This is a new chapter but it largely repeats messages that were made throughout the previous NPPF rather than being in one section. For example, it reaffirms the need to maximise the use of previously developed land and to not protect land allocated for a specific purpose (e.g. employment) if there is no realistic proposition of development coming forward for that use.

8.2 A new section on density is included which reaffirms the need to ensure that new development makes efficient use of land. In areas where there is an existing or anticipated shortage of land for housing policies should avoid homes being built at low densities. Where this is the case then policies may be required “*to optimise the use of land*” and “*the use of minimum density standards should also be considered*”.

Comment

8.3 The adopted Local Plan does not include a standalone policy in respect of density. Instead the Council’s approach to achieving good design as part of new developments requires developments to be based on detailed assessments of both a site and its context recognising that a ‘one size fits all’ approach will not be appropriate.

8.4 As worded the NPPF only requires specific policies on density where there is a shortage of land for housing. This is not the case in this district and so it should not be necessary for the council to change its approach on this matter.

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**LOCAL PLAN COMMITTEE – WEDNESDAY 12 SEPTEMBER 2018**

Title of report	SELF-BUILD AND CUSTOM HOUSEBUILDING
Contacts	<p>Councillor Trevor Pendleton 01509 569746 trevor.pendleton@nwleicestershire.gov.uk</p> <p>Strategic Director of Place 01530 454555 james.arnold@nwleicestershire.gov.uk</p> <p>Planning Policy Team Manager 01530 454677 ian.nelson@nwleicestershire.gov.uk</p>
Purpose of report	<p>To advise members of the Council's responsibilities with respect to self-build and custom housebuilding.</p> <p>For Members to note the potential policy approach which could be included as part of the Local Plan Review to address the issue of self-build and custom housebuilding.</p>
Council Priorities	<p>These are taken from the Council Delivery Plan:</p> <p>Value for Money Business and Jobs Homes and Communities</p>
Implications:	
Financial/Staff	The cost of undertaking a Local Plan Review will be met from existing budgets.
Link to relevant CAT	None
Risk Management	A failure to meet the Council's duties with respect to self-build and custom housebuilding could leave the Council vulnerable to challenge.
Equalities Impact Assessment	The Local Plan Review needs to be subject to an equalities impact assessment prior to its formal adoption.
Human Rights	None discernible.

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 Deputy Monitoring Officer	The Report is Satisfactory
Consultees	None
Background papers	<p>National Planning Policy Framework which can be found at https://www.gov.uk/government/publications/national-planning-policy-framework--2</p> <p>Housing and Planning Act 2016 http://www.legislation.gov.uk/ukpga/2016/22/contents/enacted</p> <p>Self-build and Custom Housebuilding Regulations 2016 http://www.legislation.gov.uk/uksi/2016/950/contents/made</p> <p>Planning Practice Guidance – Self-build and custom housebuilding https://www.gov.uk/guidance/self-build-and-custom-housebuilding</p>
Recommendations	<p>THAT THE LOCAL PLAN COMMITTEE:</p> <p>(I) NOTES THE OBLIGATIONS PLACED ON THE COUNCIL IN RESPECT OF SELF AND CUSTOM BUILD;</p> <p>(II) NOTES AND COMMENTS ON THE VARIOUS OPTIONS OUTLINED IN THE REPORT; AND</p> <p>(III) SUPPORTS THE PROPOSAL THAT CONSIDERATION BE GIVEN TO INCLUDING A POLICY IN RESPECT OF SELF-BUILD AND CUSTOM HOUSEBUILDING AS PART OF THE LOCAL PLAN REVIEW</p>

1.0 BACKGROUND

1.1 Self-build and custom housebuilding is a key element of the government's agenda to increase the supply of housing. Legislation has been introduced in recent years that places duties on Local Planning Authorities (LPA) that are concerned with increasing the availability of land for self-building and custom housebuilding.

1.2 This report:

- Summarises the various legal requirements as they relate to this Council;
- Provides information regarding the current level of demand for self and custom build plots; and
- Outlines some possible approaches to how this issue could be addressed as part of the Local Plan review.

2.0 WHAT IS SELF AND CUSTOM HOUSEBUILDING?

- 2.1 The Housing and Planning Act 2016 amended the Self-build and Custom Housebuilding Act 2015 to include that self-build and custom housebuilding means the building or completion by:
- “(a) individuals,
 - (b) associations of individuals, or
 - (c) persons working with or for individuals or associations of individuals,
- of houses to be occupied as homes by those individuals.”
- 2.2 It specifically does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person (e.g. a volume house builder).
- 2.3 The National Custom and Self Build Association summarises a self-build as being *“projects where someone directly organises the design and construction of their new home”* and custom build as *“those where you work with a specialist developer to help deliver your own home”*. The former involves an individual taking on a greater level of responsibility than the latter.
- 2.4 Having regard to the definition, this can cover a wide range of projects, from a traditional 'DIY self-build' home, where the self-builder selects the design they want and then does much of the actual construction work themselves, to projects where the self-builder arranges for an architect/contractor to build their home for them; and those projects that are delivered by kit home companies (where the self-builder still has to find the plot, arrange for the slab to be installed and then has to organise the kit home company to build the property for them). It would not however include the building of a house on plot acquired from a person who builds the house “wholly or mainly to plans or specifications decided or offered by that person.”
- 2.5 This definition underlines the importance of the role that the future occupiers takes and the National Planning Practice Guidance (NPPG) seeks to clarify this definition in that authorities must be satisfied that the initial owner of the home will have primary input into its final design and layout. Therefore where a developer delivers speculative units for profit, this is considered to be outside the definition.
- 2.6 The National Planning Policy Framework 2018 also identifies that self and custom-build properties can provide market or affordable housing. It is also worth noting that the NPPF also recognises the contribution that smaller sites can make to housing delivery whilst also showing support for councils to work with developers to sub-divide larger plots. Both these approaches would provide opportunities for self-build and custom build.

3.0 THE SELF-BUILD AND CUSTOM HOUSEBUILDING REGISTER

3.1 The Self-Build and Custom Housebuilding Regulations 2016 places a duty on local councils in England to keep and have regard to a register of individuals and associations of individuals who are seeking to acquire serviced plots of land in the authority's area for their own self-builds and custom housebuilding. This register will help inform the council of the level of demand and future need for self-build and custom housebuilding plots in the North West Leicestershire area.

3.2 As required by legislation, the Council hold a webpage (www.nwleics.gov.uk/self_build) dedicated to self-build and custom housebuilding setting out the purpose of the register and how to apply for entry onto the register. The NPPG suggests consideration should also be given to the inclusion of data on the demand for self-build and custom housebuilding and details on any recent activities taken by the council to promote self-build and custom housebuilding.

4.0 DUTY TO GRANT PERMISSION

4.1 Having compiled and maintained a register the Local Planning Authority is under a duty to have regard to the register when carrying out their planning function. The NPPG sets out that, in terms of plan-making, LPAs should use their register as evidence of demand for self and custom build when developing their Local Plans and the register may be a material consideration in decision-taking.

4.2 The Housing and Planning Act 2016 places a further duty upon LPAs to grant suitable development permission to enough suitable serviced plots to meet the demand on their self-build and custom housebuilding register. The level of demand is established by the number of entries added to the authority's register during a base period which runs from 31 October to 30 October each year. Local authorities then have 3 years from the end of each base period in which to permit an equivalent number of plots.

- By October 2016, we had received 9 entries on the Register – so by October 2019 we are required to permit 9 plots.
- Between October 2016 and October 2017, we received an additional 17 entries – so by October 2020 we will need to provide a cumulative total of 26 plot permissions.

Since October 2017 we have received an additional 14 entries, so (assuming that no more are submitted by October this year) by October 2021 we will need to provide a cumulative total of 40 plot permissions.

4.3 It should be noted that there is currently no provision within legislation or regulations for any form of penalty for not meeting the current level of demand.

5.0 HOW CAN THE DEMAND FOR SELF AND CUSTOM BUILD BE MET?

5.1 The NPPG makes the following suggestions of ways in which councils can seek to meet the demand for self-build and custom housebuilding:-

- Develop policies in their Local Plans for self-build and custom housebuilding;

- Use Council own land if available and suitable for self-build and custom housebuilding and marketing it to those on the register;
- Engaging with landowners who own sites that are suitable for housing and encouraging them to consider self-build and custom housebuilding and facilitating access to those on their register where the landowner is interested; and
- Working with custom build developers to maximise opportunities for self-build and custom housebuilding.

5.2 As part of the Local Plan review there are a number of approaches that could be taken to addressing the issue of self and custom build. Possible options range from those which are generic to those that are more specific. Possible options are outlined below.

Housing Mix

5.3 Encourage or require self-build and custom housebuilding alongside other housing based on the level of local demand using housing mix policies. An example of this approach can be found in the Cornwall Local Plan. As part of its Housing Mix Policy (Policy H6), proposals should seek to address need and demand for affordable, market housing and starter homes including self-build and custom-build housing.

5.4 This approach is straightforward, but it does not provide any specific guidance or requirement and so the likelihood that it would help to meet requirements is limited.

Percentage Approach

5.5 Have a policy which requires proportion (expressed as a percentage) of allocated or windfall sites over a certain size to make provision for self and custom housebuilding, usually in the form of serviced plots.

Examples of these approaches used within Local Plans include:-

Harrogate District Local Plan Publication Draft 2018: Draft Policy HS3 seeks the provision of 5% of dwelling plots for sale to self-builders on strategic sites of 500 or more dwellings. In addition communities preparing Neighbourhood Plans will be encouraged to consider the identification of sites specifically for self and custom-build projects within their neighbourhood plan area.

Stroud District Local Plan 2015: *Delivery Policy HC3 – Strategic Self-Build Housing Provision*

At strategic sites allocated within this Local Plan a minimum of 2% of the dwellings shall be to meet the Government aspirations to increase self build developments, subject to appropriate demand being identified. In determining the nature and scale of any provision, the Council will have regard to viability considerations and site-specific circumstances: These schemes will:

- 1. Be individually designed, employing innovative approaches through that cater for changing lifetime needs*
- 2. Provide for appropriate linkages to infrastructure and day to day facilities*

3. Include a design framework to inform detailed design of the individual units, where more than one self build unit is proposed.

Teignbridge Local Plan 2014: Policy WE7 - Custom Build Dwellings

To support prospective custom builders on sites of more than 20 dwellings

developers will supply at least 5% of dwelling plots for sale to custom builders, which will be controlled by the following means:

a) the Council may seek developments of more than 10 custom build dwellings in a single site location to be developed in accordance with an agreed design code;

b) planning permissions should include conditions requiring custom build developments to be completed within 3 years of a custom builder purchasing a plot; and

c) where plots have been made available and marketed appropriately for at least 12 months and have not sold, the plot(s) may either remain on the open market as custom build or be offered to the Council or a Housing Association before being built out by the developer.

- 5.6 The advantage of this approach is that there is clear guidance regarding what is required and so is more likely to help address the identified needs. However, it would be necessary to justify a) the percentage to be applied and b) the scale of development to which it is to be applied. . It would also be necessary to have regard to the potential implications for site viability. There may also be implications in terms of delivery rates on particular sites which need to be considered.

Land Allocation

- 5.7 Land specifically for self-build and custom housebuilders could be allocated in the local plan, for example through the identification of Council-owned sites which are suitable for self-build and custom build housing and promoting these to people on the register and developers. These would more often be delivered in partnership between councils and housing association.
- 5.8 This approach is underway at Graven Hill, Bicester at a large scale level with the development intended to deliver around 1,900 self and custom build homes. In this instance, Cherwell District Council has acquired disused Ministry of Defence Land and then created the plots, the layouts, the school, nurseries and cycleways. Buyers are then able to buy a plot and design their home.
- 5.9 This is an approach that will be challenging for some councils if they do not have large land-holdings. In addition, there are significant challenges in a council bringing forward land specifically for self and custom build where it does not own the land. This would need to be resourced, and the council would have to be willing to take on financial liabilities, in order to enable the acquisition of land for such approaches to work.

- 5.10 A further option would be to require as part of any allocated general market site that a certain amount (either percentage or a specific number of dwellings) be provided as self and custom build. Again this has issues in terms how to justify a) the percentage to be applied and b) the scale of development to which it is to be applied. . It will also be necessary to have regard to the potential implications for site viability. There may also be implications in terms of delivery rates on particular sites which need to be considered.

Single Plot Exception Site Policy

- 5.11 A further approach being taken in Shropshire is to enable qualifying people to build their own affordable home on single plot exception sites. Planning permission is granted as an exception to normal planning policies in order to meet a local need for affordable housing. In its broadest sense, this includes the provision of affordable housing for people who have a strong local connection to a specific area (e.g. a parish or group of parishes) who are unable to afford or secure open market housing in that area, and who may also not be a priority for the more mainstream (and publicly funded) affordable tenures developed by registered providers.
- 5.12 When the first occupier no longer has need for the dwelling, they will transfer it at the appropriate affordable value to another local person in need with minimum intervention from the Council. Thus, the 'community benefit' of providing the affordable dwelling in the first place is itself recycled. The future resale value of the affordable home is fixed in perpetuity below open market value (normally 60% of market value) to ensure that it remains affordable for subsequent occupiers.
- 5.13 This appears to be an approach which could result in development in virtually any location. It is not clear how this approach would fit with the concept of environmental sustainability or satisfy the National Planning Policy Framework in terms of avoiding "*isolated homes in the countryside*" and directing development to the most sustainable locations so as to reduce the need to travel. It would be in conflict with the settlement strategy approach established in the adopted Local Plan.

6.0 NEXT STEPS

- 6.1 It is suggested that, having taken on board any comments raised by Members in terms of views on a potential preferred approach, officers continue to investigate how a Self-Build policy could best be included in the Local Plan review, with a view to including a potential approach/approaches in the emerging options consultation later in the year.
- 6.2 In addition, in order to assist in the fulfilment of the Council's duty in relation to Self and Custom Build it is also suggested that officers investigate opportunities for Council owned land to be made available for self-build and custom housebuilding plots.
- 6.3 If a policy were to be included as part of the Local Plan then following adoption a Supplementary Planning Document (SPD) could be prepared to offer further guidance. Such an approach has been taken by Teignbridge District Council. A link to their SPD is available [here](#).

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LOCAL PLAN COMMITTEE – WEDNESDAY 12 SEPTEMBER 2018

Title of report	ELLISTOWN AND BATTLEFLAT NEIGHBOURHOOD PLAN – PROPOSED RESPONSE TO SUBMISSION DRAFT
Contacts	<p>Councillor Trevor Pendleton 01509 569746 trevor.pendleton@nwleicestershire.gov.uk</p> <p>Strategic Director of Place 01530 454555 james.arnold@nwleicestershire.gov.uk</p> <p>Planning Policy Team Manager 01530 454677 ian.nelson@nwleicestershire.gov.uk</p>
Purpose of report	To determine the District Council's response to the submission draft of the for Ellistown and Battleflat Neighbourhood Plan
Council Priorities	<p>Businesses and Jobs</p> <p>Homes and Communities</p> <p>Green Footprint Challenge</p>
Implications:	The Ellistown and Battleflat Neighbourhood Plan will incur direct costs to the District Council to support an independent examination of the plan and, should the examination be successful, a local referendum. Grant funding from central government (£30,000 per neighbourhood plan) is payable to the authority to support this agenda, but is unlikely to meet the costs in full. Once the Ellistown and Battleflat Neighbourhood Plan is made it will form part of the Development Plan for North West Leicestershire. Should the document be subject to legal challenge, the District Council will be responsible for meeting such costs. Any such costs would need to be met from the contingency budget held by the Planning Service.
Financial/Staff	
Link to relevant CAT	None
Risk Management	The ultimate decision on how to proceed in respect of the Neighbourhood Plan rests with Ellistown and Battleflat Parish Council. As currently set out there are some issues with the Submission version Neighbourhood Plan which represent a risk to the success of the Neighbourhood Plan. It is appropriate for the District Council to work with Ellistown and Battleflat Parish Council to seek to minimise risks to the Neighbourhood Plan.

Equalities Impact Screening	Not applicable
Human Rights	No discernible impact
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 Deputy Monitoring Officer	The Report is Satisfactory
Consultees	None
Background papers	<p>Ellistown and Battleflat Submission Neighbourhood Plan https://www.ellistown.org.uk/uploads/eb-np-submission-version.pdf</p> <p>National Planning Policy Framework 2012 http://webarchive.nationalarchives.gov.uk/20180608095821/https://www.gov.uk/government/publications/national-planning-policy-framework--2</p>
Recommendations	<ol style="list-style-type: none"> 1. THAT THE COMMITTEE ENDORSES THE SUGGESTED RESPONSE TO ELLISTOWN AND BATTLEFLAT PARISH COUNCIL AT APPENDIX B; 2. THAT THE COMMITTEE NOTES THAT THE STRATEGIC DIRECTOR OF PLACE, IN CONSULTATION WITH THE PORTFOLIO HOLDER FOR PLANNING & REGENERATION WILL: <ol style="list-style-type: none"> A) PUBLISH THE PLAN FOR A SIX WEEK PERIOD AND INVITE REPRESENTATIONS; B) NOTIFY CONSULTATION BODIES; AND C) APPOINT AN INDEPENDENT EXAMINER TO CONDUCT THE EXAMINATION OF THE NEIGHBOURHOOD PLAN 3. THAT THE COMMITTEE NOTES THAT FOLLOWING RECEIPT OF THE INDEPENDENT EXAMINER'S REPORT, THE STRATEGIC DIRECTOR OF PLACE IN CONSULTATION WITH THE PORTFOLIO HOLDER FOR PLANNING & REGENERATION WILL DETERMINE WHETHER THE

	CONDITIONS HAVE BEEN MET FOR THE NEIGHBOURHOOD PLAN TO PROCEED TO REFERENDUM
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1.0 INTRODUCTION

- 1.1 Ellistown and Battleflat Parish Council has published a submission draft (Regulation 16) of its Neighbourhood Plan. The purpose of this report is to agree the Council's response to the Plan which will then be forwarded to the Examiner appointed to examine the plan.

2.0 BACKGROUND

- 2.1 Neighbourhood planning was introduced under the Localism Act 2011 to give local communities a more hands on role in the planning of their neighbourhoods. It introduced new rights and powers to allow local communities to shape new development in their local area.
- 2.2 Neighbourhood Plans can be prepared by a Parish or Town Council (or neighbourhood forums in areas not covered by a Parish or Town Council) once they have been designated as a neighbourhood area by the District Council.
- 2.3 Neighbourhood Plans should consider local and not strategic issues and must be in line with higher level planning policy. A Neighbourhood Plan can be detailed or general, depending on what local people want but they must be in line with European Union obligations and human rights requirements; they must have regard to national planning policy and must be in general conformity with strategic policies in the adopted development plan in force for the local area.
- 2.4 The District Council as Local Planning Authority has an important role to play in the neighbourhood plan process even though the council is not responsible for its preparation. The key stages in producing a neighbourhood plan as governed by The Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (General) (Amendment) Regulations 2015 together with the District Council's role are summarised in the Table at Appendix A of this report.

3.0 ELLISTOWN AND BATTLEFLAT NEIGHBOURHOOD PLAN

- 3.1 The Ellistown and Battleflat Neighbourhood Plan Area covers the whole of the Parish and was designated in April 2014.
- 3.2 The Parish Council published a pre-submission Neighbourhood Plan (Regulation 14) for consultation between 7 August and 20 September 2017. In accordance with the Council's constitution officer comments were submitted to the Parish Council in response to this consultation.
- 3.3 The majority of issues about the Neighbourhood Plan, which have previously been raised by the District Council, have now been addressed. Remaining concerns have been listed in Appendix B attached:

- 3.4 Members will be aware that the National Planning Policy Framework (NPPF) has recently been revised (July 2018). This includes a six month transitional arrangement, until 24 January 2019, whereby plans submitted to a local planning authority before the end of the transitional period will be examined against the previous 2012 NPPF. The comments made at Appendix B, therefore, are in the context of the 2012 NPPF rather than the new version.
- 3.5 It should be noted that this does introduce an element of risk for the Neighbourhood Plan in that if there are any aspects not consistent with the new NPPF, then this would reduce the weight given to these aspects of the Neighbourhood Plan once it has been made.

4.0 NEXT STEPS

- 4.1 As set out at Appendix A the District Council's role at this stage is to be a consultee but to also arrange for a further round of consultation, subject to the plan meeting the various legal requirements. In this respect officers have sought some additional information from the Parish Council regarding the previous consultation and is also awaiting details of who was consulted as the District Council is required to re-consult those previously consulted. Once this information is received then a further 6 week consultation will be undertaken.
- 4.2 The District Council is then required to appoint an independent examiner (with the agreement of the Parish Council) who will examine the plan. Given the technical / procedural nature of these various tasks, it is recommended that they be delegated to the Strategic Director of Place, in consultation with the Portfolio Holder for Planning & Regeneration.
- 4.3 Following receipt of the independent examiner's report, the District Council must formally decide whether to send the plan to referendum (with or without modifications proposed by the examiner or NWLDC). Reg 17A(5) of the 2016 Regs gives the District Council 5 weeks from receipt of the Examiners report to decide whether to proceed with the referendum or not. Given the short timescale, the Strategic Director of Place, in consultation with the Portfolio Holder for Planning & Regeneration will exercise the executive power of making this decision as delegated to them in the Constitution (paragraph 5.2.1 of the Scheme of Delegation).
- 4.4 Should the plan be sent to referendum, and the referendum declares in favour of the Neighbourhood Plan, then the District Council is required to make (i.e. adopt) the plan within 8 weeks of the referendum (Reg 18A(1) of the 2016 Regs). While the decision to adopt is an executive decision, it is anticipated that a specific report will be brought to a future meeting of this committee at the appropriate time to allow this committee to advise the executive prior to the decision being taken.

APPENDIX A

Regulation	Stage of neighbourhood plan process	District Council role
Reg 6A	Designating a neighbourhood area	To agree to the designation of a neighbourhood area
	Preparing a draft neighbourhood plan (the current stage)	To provide advice and assistance
Reg 14	Pre-submission publicity & consultation	To be a consultee
Reg 15	Submission of a neighbourhood plan to the local planning authority	<p>Ensure that the submitted draft neighbourhood plan is accompanied by the following</p> <p>(a) a map or statement which identifies the area to which the proposed neighbourhood development plan relates;</p> <p>(b) a consultation statement;</p> <p>(c) the proposed neighbourhood development plan; and</p> <p>(d) a statement explaining how the proposed neighbourhood development plan meets the “basic conditions” (requirements of paragraph 8 of Schedule 4B to the 1990 Act). Basic conditions are:</p> <p>(a) That it has regard to national policies and advice;</p> <p>(b) That it contributes to the achievement of sustainable development;</p> <p>(c) That it is in general conformity with the strategic policies in the local Development Plan;</p> <p>(d) That it is compatible with EU obligations; and</p> <p>(e) That it is not likely to have a significant effect on a European site or a European offshore marine site</p>
Reg 16	Publicising a plan proposal	Organise and undertake consultation on the draft neighbourhood plan for a 6 week period
Reg 17	Submit the draft plan for independent examination	Arrange for an independent examination including the appointment of an examiner in consultation with the Parish or Town Council.

		The examination will normally take the form of written representations rather than formal hearings, although the examiner can undertake hearings if considered necessary.
Reg 18	Publication of examiner's report and plan proposal decisions	<p>To receive the examiner's report and decide to:</p> <ul style="list-style-type: none"> (a) Decline to consider a plan proposal (b) To refuse a plan proposal (c) What action to take in response to the recommendations of an examiner regarding a NP (d) What modifications if any they are to make to the draft plan (e) Whether to extend the area to which a referendum is to take place (f) That they are not satisfied with the plan proposal <p>As soon as possible after making a decision referred to above, the District Council must publish on their website and elsewhere as appropriate</p> <ul style="list-style-type: none"> (a) The decision and the reasons (the decision statement) (b) Details of where and when the decision statement may be inspected (c) The report made by the examiner
Para 12, Sch 4B TCPA 1990	Referendum	<p>If the District Council is satisfied that the draft plan meets the basic conditions, a referendum on the plan must be held where this reflects the advice of the Examiner.</p> <p>The District Council is responsible for arranging and paying for the cost of the referendum.</p>
Reg 19	Decision on a plan proposal	<p>As soon as possible after deciding to make a neighbourhood development plan (or refusing to make a plan), the District Council must:</p> <ul style="list-style-type: none"> (a) Publish on their website or elsewhere as appropriate <ul style="list-style-type: none"> (i) a statement setting out the decision and their reasons (the decision statement)

		<ul style="list-style-type: none"> (ii) details of where and when the decision statement may be inspected (b) Send a copy of the decision statement to <ul style="list-style-type: none"> (i) The qualifying body (ii) any person who asked to be notified of the decision
Reg 20	Publicising a neighbourhood development plan	<p>As soon as possible after making a neighbourhood development plan, the District Council must:</p> <ul style="list-style-type: none"> (a) Publish on their website and elsewhere as appropriate <ul style="list-style-type: none"> (i) the neighbourhood development plan (ii) details of where and when the neighbourhood development plan may be inspected (b) Notify any persons who asked to be notified of the making of the neighbourhood development plan that it has been made and where and when it may be inspected.

Plan Section	Council Comments
Section 1 What is a Neighbourhood Plan and why are they important?	
<p>The Submission draft states: <i>The National Planning Policy Framework (NPPF) states that a Neighbourhood Plan gives the community “direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need” (NPPF para 183).</i></p>	<p>The NPPF has just been replaced, however the Neighbourhood Plan will be considered in accordance with the provisions of the previous NPPF (2012) as it was submitted to the local planning authority before January 2019.. It is considered that it would be prudent if it was made clear that the references to the NPPF in the Neighbourhood Plan are referring to the 2012 NPPF.</p>
5. What we want the Neighbourhood Plan to achieve	
<p>The Submission draft refers to the Neighbourhood plan covering the period up to 2031, which is the same period as the Local Plan.</p>	<p>It is noted that the Neighbourhood Plan plan period has changed from 2015-2031 to 2018-2031 neither of which are consistent with the plan period of the adopted Local Plan (2011-2031), but would have the same end dates.</p>
<p>The Consultation draft had a statement that the Neighbourhood Plan would take precedence if there was a conflict with existing non strategic policies in the Local Plan.</p>	<p>On the Consultation draft we commented that Planning Policy Guidance (PPG) advises that the last document to become part of the development plan has precedence.</p> <p>The reference has been removed.</p>

Plan Section	Council Comments
7. Neighbourhood Plan Policies	
1 - Strategy	
1.1 Introduction	
<p>The Consultation draft referred to the emerging Local Plan and that it was due to be adopted in 2017.</p>	<p>On the Consultation draft we commented that this may need to be amended if the Local Plan had been adopted before the submission of the Neighbourhood Plan.</p> <p>The references to the emerging plan have been removed</p>
1.2 Presumption in favour of Sustainable Development	
<p>The Consultation draft included an unnumbered policy on a general policy principle of a presumption in favour of sustainable development.</p>	<p>On the Consultation draft we commented that there was no policy number and that it is not essential to include a policy on the presumption in favour of sustainable development.</p> <p>The suggestion has been addressed by converting the policy to supporting text.</p>
<p>The Consultation draft misquoted Policy S2 of the Local Plan</p>	<p>The supporting text has been changed to reflect the correct wording.</p>
1.3 Directing Development to the most Sustainable Locations	
<p>The Consultation draft referred to significant employment schemes adjacent to the village.</p>	<p>On the Consultation draft we commented that if the text was referring to the Amazon development then the text needed to reflect that it was now complete.</p> <p>The supporting text has been changed to reflect the correct tense.</p>
1.4 Ellistown Limits to Development	

Plan Section	Council Comments
<p>The Consultation draft supporting text included two paragraphs regarding whether updating the Limits to Development was appropriate for the Neighbourhood Plan.</p>	<p>On the Consultation draft we asked if this explanation was necessary and that if it was kept in it would need to be reworded as the Limits to Development had been reviewed and published by the District Council.</p> <p>The suggestion has been addressed by changing the supporting text to a single statement about the status of the Limits to Development.</p>
<p>The supporting text refers to the South East Coalville Development Scheme which has a resolution to grant planning permission in 2014</p>	<p>The section of the development that is within the parish was granted outline permission on 26 September 2016.</p>
<p>Submission draft: <i>POLICY S1: ELLISTOWN LIMITS TO DEVELOPMENT – In order to make a positive contribution to sustainable development and help meet local needs, future development proposals in the Neighbourhood Plan Area shall be focused within the built-up area of Ellistown as defined in Fig 2 by the Limits to Development. Development proposals on sites within the Limits to Development will be supported where they comply with the policies of this Plan.</i></p>	<p>The last sentence has been added to the Policy since the Consultation draft of the Plan. The additional wording seeks to tie the Policy to the other policies in the plan.</p> <p>It is considered that the additional wording is appropriate.</p>
<p>1.5 Development outside the Ellistown Limits to Development</p>	
<p>The Consultation draft discussed the location of development in relation to the countryside,</p>	<p>On the Consultation draft we suggested some reworded to the supporting text to clarify Ellistown’s position as a sustainable village.</p> <p>The supporting text has been amended to reflect the suggestion.</p>

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<p>Submission draft: POLICY S2: LAND OUTSIDE OF ELLISTOWN LIMITS TO DEVELOPMENT – Land outside the Ellistown Limits to Development, as in Figure 2, is identified as countryside, where development will be carefully controlled in line with local and national strategic planning policies</p>	<p>On the Consultation draft we the wording seeking to protect the character, beauty and heritage of the countryside was questioned as no evidence had been provided to justify this approach and so would not be compliant with the NPPF.</p> <p>The Policy has been amended to address this concern.</p>
<p>1.6 South East Coalville Development Scheme</p>	
<p>The Submission draft supporting text refers to the South East Coalville Development Scheme which has a resolution to grant planning permission in 2014 and that around a 1000 dwellings will be in the Parish with 1600 constructed in the Plan period</p>	<p>The section of the development that is within the parish was granted outline permission on 26 September 2016. There would be approximately 1500 dwellings in the Parish with just over 600 constructed in the plan period, according to the Masterplan data.</p>
<p>The Consultation draft referred to the need for the South East Coalville Development to look towards the Parish and not away from it</p>	<p>On the Consultation draft we commented that this needs explaining.</p> <p>The supporting text has been expanded to cover some of the main infrastructure links and developer contributions that have been secured for the Parish which addresses the suggestion.</p>
<p>Submission draft: POLICY S3: SOUTH-EAST COALVILLE DEVELOPMENT SCHEME – In relation</p>	<p>On the Consultation draft we commented that several of these criteria had been</p>

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<p><i>to the part of the South-East Coalville Development Scheme that is within the Plan Area, the Plan requires:</i></p> <p><i>a) That the development is functionally and physically integrated with the wider Parish;</i></p> <p><i>b) Adequate measures are put in place to mitigate the harm caused by any significant increase in traffic through Ellistown village centre, especially along Whitehill Road, including signage to direct traffic away from Ellistown;</i></p> <p><i>c) Important areas of bio-diversity are conserved and opportunities to enhance its bio diversity through for example the creation of new wildlife habitat maximised;</i></p> <p><i>d) High quality design and layout which minimises its impact on the surrounding landscape and maintains and enhances existing woodland, trees and hedgerows;</i></p> <p><i>e) A mix of housing types and sizes, including affordable, to meet the current and future needs of people in the Parish and the wider area;</i></p>	<p>addressed through the South East Coalville Development planning permission including bus routes and affordable housing.</p> <p>This change addresses the previous concerns raised.</p>
<p>2 - Housing</p>	
<p>2.2 New House Building</p>	
<p>The supporting text refers to the South East Coalville Development Scheme which has a resolution to grant planning permission in 2014 and that around a 1000 dwellings will be in the Parish with 1600 constructed in the Plan period</p>	<p>The section of the development that is within the parish was granted outline permission on 26 September 2016. There would be approximately 1500 dwellings in the Parish with just over 600 constructed in the plan period, according to the Masterplan data</p>
<p>The Consultation draft referred to a trend of windfall sites bringing forward dwellings at a rate of 1-2 a year</p>	<p>On the Consultation draft we asked if there was any evidence to support this statement.</p> <p>There has been no change to the text nor any evidence included Submission Plan.</p>
<p>Submission draft: POLICY H1: HOUSING PROVISION – <i>There is no specific housing requirement for Ellistown and Battleflat. Proposals for small scale windfall sites (defined as schemes of five or fewer dwellings) within the Limits of Development for Ellistown village, will be supported where the development proposal can demonstrate that it has considered how it:</i></p>	<p>On the Consultation draft we suggested some minor changes to the wording of the policy.</p>

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<p>a) <i>Respects the local character, having regard to scale, density, massing, height, landscape, layout, materials and access, as appropriate;</i></p> <p>b) <i>Has taken into account and does not adversely impact upon the amenity of the neighbouring occupiers, including daylight/sunlight, privacy, air quality, noise and light pollution; and</i></p> <p>c) <i>Has safe and suitable access to the site for all people, including those with disabilities.</i></p>	<p>The Policy has been amended in line with the suggestions.</p>
<p>2.3 Affordable Housing</p>	
<p>The Consultation draft included text referring to affordable housing targets for the District and stated that the South East Coalville development would provide many hundreds of affordable homes which will meet the local need</p>	<p>On the Consultation draft we commented that as it was written the text implied that the South East Coalville development was providing 30% of all development as affordable units but in accordance with the S106 Agreement the figure was 7.6%.</p> <p>The supporting text has been amended to the correct percentages and areas.</p>
<p>Consultation draft: <i>POLICY H3: AFFORDABLE HOUSING – All affordable housing will be subject to conditions, or a planning obligation will be sought, to ensure that when homes are allocated, priority is given to people with a local connection to Ellistown and Battleflat Parish (i.e. including those living, working or with close family ties in the Parish).</i></p> <p>Submission draft: <i>POLICY H2: AFFORDABLE HOUSING – Development proposals which include affordable housing should provide a mix of housing types and sizes to help meet the identified needs of the Parish. The provision of smaller homes, especially for young families and young people and for older people who wish to downsize, will be supported, as is the provision of affordable housing for people with a local connection.</i></p>	<p>On the Consultation draft we commented that: The council would generally look at housing need from within parishes as a starting point on all applications (particularly small windfall sites) but to base housing need solely on parish need on larger applications (irrespective of which parish) would generally result in lower recorded need – which would undermine delivery across the wider district area Registered Providers have continuously</p>

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	<p>indicated that restricting properties to village/settlement areas impacts on their ability to obtain funding at comparable levels to schemes where no restrictions are attached.</p> <p>If every settlement restricts the affordable housing to local residents it would impact on the Council's ability to match applicants, eg elderly/disabled, special needs, to suitable available housing on health grounds.</p> <p>The policy has been amended by replacing text with that included in the Housing Mix Policy and the policy is now repeats much of the wording of policy H3. As such it is considered that policies H2 and H3 could be combined to avoid this unnecessary repetition.</p>
<p>2.4 New Housing Mix</p>	
<p>The Submission draft supporting text refers to 'some of this need' created by first time buyers in the last paragraph on page 25</p>	<p>The need referred to does not relate to the previous paragraph and as such does not have context. The sentence could be reworded to state "Some of the need for new dwellings will be created...."</p>
<p>Submission draft: <i>POLICY H3: NEW HOUSING MIX - Housing development proposals should provide a mix of housing types, sizes and tenures to help meet the identified needs of the Parish. The provision of smaller</i></p>	<p>On the Consultation draft we commented that there was no issue with developers submitting reports on</p>

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<p><i>homes, especially for young families and young people and for older people who wish to downsize, will be supported.</i></p>	<p>housing mixes , but it was upto the District Council as the Straticg Housing Authority, to agree or negotiate a mix.</p> <p>The wording relating to housing mix reports has been omitted from the policy.</p> <p>As note this policy and policy H2 are repetitive.</p>
<p>3.2 Existing Employment Areas</p>	
<p>Consultation draft: POLICY E1: PROTECTION OF EXISTING EMPLOYMENT SITES AND BUILDINGS – <i>The Plan supports the retention of sites or buildings that provide employment or future potential employment opportunities.</i></p> <p>Submission draft: POLICY E1: SUPPORT FOR EXISTING EMPLOYMENT OPPORTUNITIES - There <i>will be a presumption against the loss of commercial and retail premises or land (A and B-class) which provides employment or future potential employment opportunities. Applications for a change of use to an activity that does not provide employment opportunities will be supported if it can be demonstrated that the commercial premises or land in question has no potential for either reoccupation or redevelopment for employment generating uses and as demonstrated through the results both of a full valuation report and a marketing campaign lasting for a continuous period of at least six months.</i></p>	<p>On the Consultation draft we commented that it was not clear which sites were being supported.</p> <p>The Submission draft has not identified any sites either in a list or on a plan.</p> <p>The Policy has been redrafted, and now includes a reference to retail uses which are not an employment use, as such uses are restricted to those which fall in the B Use Class.</p> <p>The reference requiring the full valuation report is questioned. It is not clear as to the type of valuation report required or how that relates to the marketing. It is normal practice for a 6 month marketing period to be required as evidence.</p>

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<p>3.2 Small Scale Employment Development</p>	
<p>Consultation draft: POLICY E2: SMALL SCALE EMPLOYMENT DEVELOPMENT- <i>Small scale employment development in the Plan area will be encouraged through the appropriate extension of existing employment sites (subject to transport, environmental, amenity and landscape considerations) and through the conversion of buildings to other uses, including vacant and under-used agricultural buildings.</i></p> <p>Submission draft POLICY E2: SUPPORT FOR NEW EMPLOYMENT OPPORTUNITIES – New <i>employment-generating opportunities will be supported where it:</i></p> <ul style="list-style-type: none"> <i>a) Falls within the boundary of the limits of development unless it relates to small scale leisure or tourism activities, or other forms of commercial/employment related development appropriate to a countryside location or there are proven exceptional circumstances; and</i> <i>b) Reuses land or buildings wherever possible; and</i> <i>c) Is of a size and scale not adversely affecting the character, infrastructure and environment of the village itself and the Neighbourhood Plan area, including the countryside; and</i> <i>d) Does not involve the loss of dwellings; and</i> <i>e) Does not increase noise levels to an extent that they would unacceptably disturb occupants of nearby residential property; and</i> <i>f) Does not generate unacceptable levels of traffic movement; and</i> <i>g) Contributes to the character and vitality of the local area; and</i> <i>h) Is well integrated into and complement existing businesses</i> <p><i>The following types of employment development will be supported:</i></p> <ul style="list-style-type: none"> <i>a) The small-scale expansion of existing employment premises across the Parish;</i> <i>b) Small-scale new build development within the Limits to Development.</i> 	<p>On the Consultation draft we commented: The Policy refers to “the conversion of buildings to other uses” does this mean other employment uses rather than any other use? Potential for this policy to go further as per previous draft of Policy E2.</p> <p>The Submission policy has been renamed and redrafted which has led to significant concerns with the policy including: The policy seems to only relate to small scale development, as the 1st point a) refers to small scale development outside the Limits to Development and the 2nd point b) refers to small scale development within the Limits to Development. The term small scale is also not defined. The term “exceptional circumstances” is not defined. Such clarification is required in order to enable an applicant to understand what they would need to do and the likelihood of an application being considered acceptable and similarly a decision maker (normally the local planning authority) requires clarity as to</p>

Plan Section	Council Comments
	<p>what is considered acceptable.</p> <p>The Policy includes reference to leisure and tourism activities which are not employment uses, as such uses are restricted to those which fall in the B Use Class.</p> <p>The 1st point a) is repetitive of Policy E1</p>
<p>5 – Natural Environment</p>	
<p>5.2 Local Green Spaces</p>	
<p>The Submission draft refers to Local and National Planning Policy enabling a Neighbourhood Plan to designate Local Green Spaces</p>	<p>The Policy enabling the designation of Local Green Spaces is only set out in the NPPF</p>
<p>Consultation draft: <i>POLICY NE1: LOCAL GREEN SPACES: Development proposals that adversely affect or result in the loss of an identified important Local Green Space (identified below and in Figure 4) will only be allowed in exceptional circumstances, where in accordance with national and District wide planning policies</i></p> <p>Submission draft: <i>POLICY NE1: LOCAL GREEN SPACES: The following sites (Figure 4) are designated as Local Green Spaces, where development is ruled out other than in very special circumstances.</i></p>	<p>On the Consultation draft we commented: What are the exceptional circumstances? Maybe better to say that development would not be permitted</p> <p>Whilst the policy has been amended it now refers to ‘very special circumstances’ but no clarification is provided as to what these might be. Such clarification is required in order to enable an applicant to understand what they would need to do and the likelihood of an application being considered acceptable and similarly a decision maker (normally the local planning authority) requires clarity as to what is considered acceptable.</p>

Plan Section	Council Comments
<p>The Consultation draft listed 15 open spaces in and around Ellistown as Local Green Spaces within the Policy.</p> <p>The Submission draft lists 2 open spaces in and around Ellistown as Local Green Spaces within the Policy.</p>	<p>On the Consultation draft we commented that there was no methodology or justification as to how these areas had been identified.</p> <p>The Submission draft has reduced the proposed Local Green Spaces to 2 sites, with the scoring of the sites submitted as an additional document. Whilst there is still no methodology published, a weighing exercise has been undertaken to arrive at the chosen Local Green Spaces, therefore there is some justification for the choices.</p>
<p>a. Biodiversity</p>	
<p>Submission draft: <i>POLICY NE 2: BIODIVERSITY - Development proposals which conserve, restore or enhance bio-diversity in and around them will be encouraged. Development proposals will be expected to maintain and, where possible enhance sites (especially Ellistown Tip), networks, hotspots and features (such as water courses, disused railways lines, trees and hedgerows) of bio- diversity importance.</i></p>	<p>On the Consultation draft we commented that the biodiversity sites needed to be identified for clarity.</p> <p>If the biodiversity sites for the Neighbourhood Plan Area are on Figure 5 it could provide clarity if the Policy referred to the plan as well as the supporting text.</p>
<p>b. Trees and hedgerows</p>	
<p><i>POLICY NE 3: TREES AND HEDGEROWS - Opportunities to enhance and promote the coverage of trees and hedgerows, including in partnership with the National Forest Company, will be encouraged. Trees and hedgerows of good arboricultural, biodiversity and amenity value should be protected from loss or damage as a result of development. Wherever possible the planting of trees and hedgerows should be integrated into the design of development proposals.</i></p>	<p>On the Consultation draft we commented that the previous version of the policy included the need for trees and hedgerows to be incorporated in to</p>

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	<p>the design of development</p> <p>This has been resolved by the addition of the last sentence of the Submission draft Policy</p>
<p>6– Heritage Assets</p>	
<p>d. Important Buildings and Structures</p>	
<p>The text in the Consultation draft: <i>Sometimes known as locally listed buildings, they have formal recognition in the planning system. These buildings are shown in Fig 6 and identified through the Neighbourhood Plan as non-designated heritage sites in accordance with national and local planning policies to ensure that all interested parties are aware of their local importance and merit, and the need to protect and enhance this..</i></p> <p>The text in the Submission draft: <i>Sometimes known as locally listed buildings, they have formal recognition in the planning system. These buildings are shown in Fig 6 and identified through the Neighbourhood Plan as non-designated heritage sites in accordance with national and local planning policies to ensure that all interested parties are aware of their local importance and merit, and the need to protect and enhance this. These buildings and structures are described in Appendix 6.</i></p>	<p>On the Consultation draft we commented that the Council was preparing a draft 'list of local heritage assets' which included the Church of St Christopher at Ellistown. In July 2016 the Council invited the Parish Council to nominate sites for inclusion on the 'list of local heritage assets' No reply was received from the Parish Council identifying potential sites. The Council's Conservation Officer identifies that local listing is the responsibility of the local planning authority. The NPPF indicates that this is the case in the Glossary and the National Planning Practice Guidance.</p> <p>The previous comments remain relevant, in that local listing is the responsibility of the Local Planning Authority and is not within the scope of a Neighbourhood Plan. The Council's Conservation Officer also suggests amending the supporting text as follows:</p> <p>Changing the title of the section to 'Key Buildings'; Paragraph 1 should say "Ellistown contains key</p>

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	<p>buildings that are unique and irreplaceable ...". Paragraph 3 should refer to buildings that "contribute to the historic and architectural character of the parish ...". The reference to "special local character" is clumsy</p> <p>The whole of paragraph 4 should be struck out. The sentence "these buildings are shown in figure six" should be appended to paragraph 3.</p>
<p>Consultation draft: POLICY HBE1: BUILDINGS AND STRUCTURES OF LOCAL HERITAGE - <i>The Plan identifies the buildings and structures listed below as „non-designated“ heritage assets. Development proposals will be required to consider the character, context and setting of the local heritage asset including important views towards and from it. The loss of, or substantial harm, to a locally important asset will be resisted, unless exceptional circumstance can be demonstrated.</i> <i>New Ellistown Hotel; The Parish Church of St Christopher; The South Leicestershire Pit Wheel; The War Memorial; and The Wesleyan Chapel</i></p> <p>Submission draft: POLICY HBE1: BUILDINGS AND STRUCTURES OF LOCAL HERITAGE - <i>Development proposals that affect the buildings and structures of local historic or architectural interest listed below, or their setting, will be expected to conserve the historic and architectural interest in those development proposals.</i> <i>New Ellistown Hotel; The Parish Church of St Christopher; The South Leicestershire Pit Wheel; The War Memorial; and The Wesleyan Chapel</i></p>	<p>On the Consultation draft we commented: Policy HBE1 refers to 'exceptional circumstances' – but it was not clear as to what these would be? The policy referred to 'non-designated heritage assets' and also 'locally important asset' – it was not clear whether these were the same things? It was also noted that the policy wording of HBE1 conflicted with the NPPF'.</p> <p>In the Submission draft the wording of the policy has been amended. While the Parish Council may wish to protect 'key buildings' through a neighbourhood plan policy, in doing so they should avoid references to 'heritage assets' which is defined in the NPPF as "assets identified by the local planning authority"</p> <p>It is suggested that it would be more appropriate for Policy HBE1 to say "development proposals that affect the buildings</p>

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	<p>and structures listed below ...”.</p> <p>In September 2017 The Council’s Conservation Officer noted that “there is no indication of the selection criteria used to identify these buildings”; this is still the case. Reference is made to an Appendix 6 but this has not been included in the submission documents. Therefore, it is difficult to tell if there are selection criteria included.</p>
<p>7 – Getting Around</p>	
<p>f. Road safety and congestion</p>	
<p>The Consultation draft cited accident statistics with a start date but no end date for both Ellistown and Battleflat</p>	<p>In the Submission draft the end date of the data for Ellistown has been supplied.</p>
<p>g. Car parking in Ellistown</p>	
<p>Consultation draft: & Submission draft:</p> <p><i>POLICY GA2: CAR PARKING IN ELLISTOWN – Development proposals that result in the loss of, or adversely affect, the existing car parking provision along Whitehill Road and Ibstock Road will not be supported unless they provide for more or at least the same number of existing parking spaces lost, ideally within or adjacent to the curtilage of that development. Where it is not possible to provide car parking on or adjacent to the site a funding requirement will be sought toward providing public facilities or traffic management schemes in Ellistown.</i></p>	<p>On the Consultation draft we commented that it was not clear as to how the last part of the policy can be achieved unless highway safety was an issue</p> <p>The proposed policy is unchanged and our previous comments still apply. To secure funding would require a S106 Agreement to be entered into. It is considered that such a requirement would contravene the Community Infrastructure Levy Regulations whereby any requirement would be necessary to make a development</p>

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	<p>acceptable in planning terms; it is directly related to the development and fairly and reasonably related in scale and kind to the proposed development.</p>
<p>Other minor changes requested to supporting text have generally been made.</p> <p>There are some further minor grammatical changes that may be needed from earlier edits of the document.</p> <p>The referencing of the sections needs to be looked at for clarity and ease of use of the final document.</p>	

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LOCAL PLAN COMMITTEE – WEDNESDAY, 12 SEPTEMBER 2018

Title of report	PROPOSED SUPPLEMENTARY PLANNING DOCUMENTS - ASHBY DE LA ZOUCH AND COALVILLE CYCLING STRATEGIES
Contacts	<p>Councillor Trevor Pendleton 01509 569746 trevor.pendleton@nwleicestershire.gov.uk</p> <p>Strategic Director of Place 01530 454555 james.arnold@nwleicestershire.gov.uk</p> <p>Planning Policy Team Manager 01530 454677 ian.nelson@nwleicestershire.gov.uk</p>
Purpose of report	To consider a recommendation from Cabinet to adopt as Supplementary Planning Documents cycling strategies for both Ashby de la Zouch and Coalville
Council priorities	Building confidence in Coalville Green Footprints
Implications:	
Financial/Staff	Costs are met from existing budget
Link to relevant CAT	Green Footprints
Risk Management	By undertaking consultation the Council has complied with the requirements of The Town and Country Planning (Local planning) (England) Regulations 2012 that any Supplementary Planning Document be subject to consultation
Equalities Impact Screening	The Supplementary Planning Document supplements Policy IF1 of the adopted Local Plan. The Local Plan was subject to an Equalities Impact Assessment which did not identify any likely significant adverse effects.
Human Rights	None discernible

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 Deputy Monitoring Officer	The Report is Satisfactory
Consultees	Local Plan Project Board
Background papers	North West Leicestershire Cycling Strategy: Part 1, Coalville North West Leicestershire Cycling Strategy: Part 2, Ashby de la Zouch Report to 16 January 2018 Cabinet – Review of Supplementary Planning Documents
Recommendations	THAT THE ASHBY DE LA ZOUC CYCLING STRATEGY AND THE COALVILLE CYCLING STRATEGY BE ADOPTED AS SUPPLEMENTARY PLANNING DOCUMENTS SUBJECT TO THE AMENDMENTS OUTLINED IN APPENDIX 1

1.0 BACKGROUND

- 1.1 Members will be aware that Supplementary Planning Documents (SPDs) are local development documents which provide technical detail to expand upon planning policies set out in the Local Plan; SPDs cannot make policy in themselves. SPDs can be thematic or area specific, provide guidance and / or set out requirements, and are material considerations which can be taken into account when making planning decisions.
- 1.2 Following adoption of the Local Plan in November 2017 a report was considered by Cabinet at its meeting on 16 January 2018 when it agreed to the withdrawal of a number of the Council's Supplementary Planning Documents (SPD). This was because the SPDs were old or no longer had a relevant policy in the Local Plan to which they were attached.
- 1.3 Cabinet also agreed to consult on two proposed SPD in respect of cycling strategies for Ashby de la Zouch and Coalville.
- 1.4 Following consultation between 21 February 2018 and 4 April 2018 Cabinet considered a report on the outcome from this consultation at its meeting of 24 July 2018 (Appendix 1 of this report).

- 1.5 The adoption of new SPDs is a function that is split between local authority executives (i.e. Cabinet) and Full Council. Full Council has delegated its function in respect of adopting SPDs to this committee as a result of recent changes to the Council's constitution. Therefore, Cabinet has recommended to this committee that the SPDs as proposed to be amended be adopted.
- 1.6 This committee, in exercising its delegated decision-making functions, will decide whether to adopt the SPDs or whether they need to be returned to the executive for further development. It is recommended that this committee agree to the adoption of the SPDs.
- 1.7 Subject to the Local Plan Committee's approval, the SPDs will become part of the Council's suite of SPDs. It will then be necessary, in accordance with the Regulations, to prepare and make available an adoption statement. Once this is published any person will then have a period of 3 months in which to apply to the High Court to seek a judicial review.

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 24 JULY 2018

Title of report	PROPOSED SUPPLEMENTARY PLANNING DOCUMENTS - ASHBY DE LA ZOUCH AND COALVILLE CYCLING STRATEGIES
Key Decision	a) Financial No b) Community Yes
Contacts	Councillor Trevor Pendleton 01509 569746 trevor.pendleton@nwleicestershire.gov.uk Strategic Director of Place 01530 454555 james.arnold@nwleicestershire.gov.uk Planning Policy Team Manager 01530 454677 ian.nelson@nwleicestershire.gov.uk
Purpose of report	To consider responses to the recent consultation on new cycling strategies for both Ashby de la Zouch and Coalville and to consider possible changes prior to adoption as Supplementary Planning Documents.
Council Priorities	Building confidence in Coalville Green Footprints
Implications:	
Financial/Staff	Costs are met from existing budget
Link to relevant CAT	Green Footprints
Risk Management	By undertaking consultation the Council has complied with the requirements of The Town and Country Planning (Local planning) (England) Regulations 2012 that any Supplementary Planning Document be subject to consultation.
Equalities Impact Screening	The Supplementary Planning Document supplements Policy IF1 of the adopted Local Plan. The Local Plan was subject to an Equalities Impact Assessment which did not identify any likely significant adverse effects.
Human Rights	None discernible

Transformational Government	Not applicable
Comments of Deputy 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	North West Leicestershire Cycling Strategy: Part 1, Coalville North West Leicestershire Cycling Strategy: Part 2, Ashby de la Zouch Report to 16 January 2018 Cabinet – Review of Supplementary Planning Documents
Recommendations	THAT THE ASHBY DE LA ZOUC CYCLING STRATEGY AND THE COALVILLE CYCLING STRATEGY BE RECOMMENDED TO THE LOCAL PLAN COMMITTEE FOR ADOPTION AS SUPPLEMENTARY PLANNING DOCUMENTS SUBJECT TO THE AMENDMENTS OUTLINED IN APPENDIX A

1.0 BACKGROUND

- 1.1 A report was considered by Cabinet at its meeting on 16 January 2018 when it agreed to the withdrawal of a number of the Council’s Supplementary Planning Documents (SPD) following the adoption of the Local Plan in November 2017. This was because the SPDs were old or no longer had a relevant policy in the Local Plan to which they were attached.
- 1.2 SPDs are local development documents which provide technical detail to expand upon planning policies set out in the Local Plan; SPDs cannot make policy in themselves. SPDs can be thematic or area specific, provide guidance and / or set out requirements, and are material considerations which can be taken into account when making planning decisions.
- 1.3 Paragraph 153 of the NPPF states that “*Supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development.*” The glossary to the NPPF also notes that they [SPD] are “*Documents which add further detail to the policies in the Local Plan*”. SPD and their provisions are something which can be taken in to account when determining planning applications.

- 1.4 Amongst those which Cabinet agreed to withdraw was the Ashby Area Cycling Network Plan. The report to Cabinet noted that “*A new cycling strategy for the Ashby area has recently been produced by Leicestershire County Council which in any event supersedes any proposals contained in the earlier SPD*”. The report recommended, subject to receiving further legal advice in respect of the appropriateness of the content as SPD, that the new cycling strategy be adopted as SPD. The subsequent legal advice confirmed that it was appropriate for the provision of cycling infrastructure to be the subject of a SPD. However, in view of the fact that the Council was to undertake consultation as part of the Local Plan review it was decided that as that it would also be appropriate to undertake consultation on the new Ashby Cycling Strategy at the same time in order to be able to demonstrate that it had been the subject of adequate consultation.
- 1.5 A similar Cycling Strategy had previously been prepared for the Coalville area. It had not been formally adopted by the Council as SPD so it was decided that in order to give it appropriate weight in decision making that it should also be published for consultation.

2.0 THE CYCLING STRATEGIES

- 2.1 The preparation of the Cycling Strategies was commissioned by the Council’s Leisure Services and undertaken by Leicestershire County Council.
- 2.2 The strategies are intended to provide evidence to support submissions for funding bids as funding opportunities become available. They can also provide an evidence base to seek provision as part of new developments.
- 2.3 Policies IF1 and IF4 of the adopted Local Plan seek to ensure that new developments incorporate access via a variety of means, including cycling. The strategies and their provisions can be used to inform discussion to seek provision as part of new developments. Such contributions could be in the form of a commuted sum (for example for offsite improvements/provision) or on-site provision in the form of actual infrastructure. However, to be given appropriate weight in the decision making process they need to be adopted as SPD

3.0 THE CONSULTATION

- 3.1 The consultation on both documents ran for 6 weeks, between 21 February 2018 and 4 April 2018. The consultation was publicised on the Planning Policy pages of the Council website, alongside (and at the same time as) the Issues consultation on the Local Plan review, and a link to the page was emailed to over 500 landowners, developers, local residents, neighbouring authorities, statutory consultees, Parish Councils, local interest groups and other stakeholders.
- 3.2 In total eleven comments were received to the consultation. These, together with officers suggested responses are set out at Appendix A of this report.

4.0 NEXT STEPS

- 4.1 Subject to Cabinet agreeing the proposed amendments set out in Appendix A, the documents will be amended. Adoption of new SPDs is a function that is split between local authority executives (i.e. Cabinet) and Full Council. Full Council has delegated its function in respect of adopting SPDs to the new Local Plan Committee. Cabinet’s agreement to the

proposed amendments will constitute its recommendation to the Local Plan Committee that the amended SPDs are adopted. The Local Plan Committee, exercising its delegated decision-making functions, will decide whether to adopt the SPDs or whether they need to be returned to the executive for further development. Subject to the Local Plan Committee's approval, the SPDs will become part of the Council's suite of SPDs. It will then be necessary, in accordance with the Regulations, to prepare and make available an adoption statement. Once this is published any person will then have a period of 3 months in which to apply to the High Court to seek a judicial review.

APPENDIX A

RESPONDENT	COMMENTS	RESPONSE
Coal Authority	No specific comments to make on the content of the Supplementary Planning Documents. However, in view of the coal mining legacy in the area it is important consideration is given to any coal mining risks noted as being present within the routes proposed, which may impact on surface stability or public safety, any required remedial works and/or mitigation measures, including relocating the routes were necessary.	Noted. Paragraph 4.2 of the Coalville Cycling Strategy and Section 3 of the Ashby Cycling Strategy note that <i>“It is intended that the measures described are not prescriptive and further surveys and design work should be undertaken should a proposal be promoted further”</i> . It is considered that it would be helpful, in view of the comments received, if the documents included a specific reference <i>“taking account of any coal mining risks which might impact upon surface stability or public safety”</i> .
Packington Nook Residents Association	Strongly support the principle of the long overdue implementation of cycling provision in the town. We are concerned as to the nature of "virtual" routes and hope this is more than painting cycle symbols to the side of busy roads. Once the detailed plans are published we would hope to see how this will be implemented with safety the priority.	As noted in response to the previous comment above, the Ashby Cycling Strategy makes it clear that the measures referred to are not, at this stage, definitive. It is likely that a series of different measures will be utilised depending upon the actual route and any local circumstances.
Sport England	Supports both the principle and the intentions of the cycle strategies for Coalville and Ashby de la Zouch which links with the Sport England our active design guidance. In terms of Coalville it is noted that the strategy picks up the existing Hermitage Leisure Centre as key destination, but it is not clear as to whether the proposed routes pick up the location of the proposed replacement leisure centre?	Measures are identified in the Coalville Cycling Strategy in the vicinity of the proposed site for the new leisure centre (plan numbers 1 and 27).
Frank Bedford	Supports the cycling strategy for Ashby de la Zouch as a Supplementary Planning Document. However, it is noted that route 1 from Nottingham Road to Hicks Lodges includes provision of a link from Ridgway Road to Hicks Lodge via the playing fields at the end of Ridgway Road and then through Shellbrook	In principle it is considered that it would be reasonable to add in an additional potential link from Willesley Lane as suggested, as an alternative to that currently proposed (sections 20-22).

	<p>Wood. However, it is suggested that a better route would be to go further along Willesley Lane before crossing fields behind Willesley Gardens (see plan at Appendix B).</p> <p>A request has been made to the County Council for the creation of a new footpath from Willesley Lane which could then be turned in to a bridleway to enable use by cyclists.</p>	
David Bigby	<p>Support the document but it is already very out of date as it does not properly address the new developments proposed for Ashby in the Local Plan, nor does it take account of the potential for routing across the Bath Grounds and Castle Field between Ashby Castle and Station Street made possible by the Town Council's acquisition of the Castle Field and the Friends of the Bath Ground's new path across the Bath Grounds. However it is better to have a flawed strategy incorporated into the local plan than no strategy at all.</p>	<p>In terms of land north of Ashby policy H3a (iii) of the adopted Local Plan requires the provision of cycle (and walking) links from the site to the town centre and adjoining employment uses. The details of any routes will be considered as part of any planning applications. Through time it is likely that new opportunities for routes will appear and their non-inclusion as part of the SPD would not necessarily preclude them being provided.</p>
Ian Retson	<p>Supports the proposed SPDs as it is essential for local people to input to detail which is of immediate relevance to them. Coalville and Ashby documents need to be linked to enable people to commute between the towns safely all year round.</p> <p>Please consider the following:</p> <ol style="list-style-type: none"> 1. When renewing footpaths on main roads consider widening for shared use e.g. when footpath from Hoo Ash to Sinope some time ago it could have been widened. 2. Include links in both plans to join them up 3. Include measures to actively prevent parking on shared use and cycle lanes (Loughborough has dedicated lanes that are often blocked by vehicles) 	<p>Support noted. The matters outlined in numbers 1-5 will need to be considered when the details of schemes are being developed and implemented, rather than a matter for the SPD.</p>

	<p>I appreciate it is not illegal to park on pavements but local measures could help prevent dangerous situations which cause cyclists to swerve into traffic.</p> <p>4. I urge that the link to Hicks Lodge is done as a priority to reduce the need for people to take cars there from Ashby.</p> <p>5. Simply painting cycle symbols on the road does not give any priority or protection and the paint is soon worn.</p>	
Chris Smith	<p>Yes. It's important that a proper framework is in place so that when development occurs appropriate planning measures are taken to ensure that the impact of cycling is catered for.</p>	Noted
John Trinick	<p>If implemented it would provide routes that would encourage cycling, which is remarkably low in Ashby.</p>	Noted
Alison Wright	<p>Is concerned that cycle routes will not be used based on current evidence of existing routes and questions whether it represents a good use of public money.</p> <p>Suggest that more consultation is taken place with potential users before going ahead with routes.</p> <p>Cycle routes are an excellent amenity in large towns and cities, but Coalville is not large enough and residents are too far out of town to make this either a viable or useful project</p>	<p>The purpose of the SPD and the strategies is to highlight opportunities to provide new cycle links, consistent with the aim of encouraging more people to cycle than would be the case without them. It is likely that some of the routes would be funded via Section 106 contributions rather than from public monies.</p>
Karen Edwards o/b/o Ashby Town Council	<p>Ashby de la Zouch Town Council supports the inclusion of the Ashby de la Zouch Cycling Strategy as a Supplementary Planning Document. This will place the strategy on a statutory footing.</p>	Noted

	<p>However the Cycling Strategy needs amending to reflect the preferred cycle route between Willesley Road and Hicks Lodge, rather than between Ridgway Road and Hicks Lodge.</p>	<p>Agreed (see above in response to comments from Frank Bedford).</p>
<p>Adrian Mumby</p>	<p>I don't understand why routes to the north or south of Nottingham Road have not been included</p> <p>Cycle provision in Ashby is poor at the moment and recent developments have not included any improvements</p>	<p>In terms of land north of Nottingham Road policy H3a (iii) of the adopted Local Plan requires the provision of cycle (and walking) links from the site to the town centre and adjoin employment uses. The details of any routes will be considered as part of any planning applications.</p> <p>Noted. Having the strategies and the SPD will provide an opportunity to secure more routes than has been the case so far.</p>