

Meeting	LOCAL PLAN ADVISORY COMMITTEE
Time/Day/Date	6.30 pm on Tuesday, 9 September 2014
Location	Council Chamber, Council Offices, Coalville
Officer to contact	Democratic Services (01530 454512)

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	To receive and note any 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 OF THE PREVIOUS MEETING	To approve the minutes of the meeting held on 3 June 2014	3 - 10
4. COMMITTEE TERMS OF REFERENCE	Terms of Reference attached.	11 - 12
5. UPDATE IN RESPECT OF THE STRATEGIC HOUSING MARKET ASSESSMENT	Report of the Director of Services	13 - 16



6.	LOCAL PLAN - RISK MANAGEMENT	
	Report of the Director of Services	17 - 24
7.	PLAN PERIOD UPDATE	
	Report of the Director of Services	25 - 28
8.	LIMITS TO DEVELOPMENT	
	Report of the Director of Services	29 - 38

Circulation:

Councillor R D Bayliss
Councillor J Bridges (Chairman)
Councillor D De Lacy
Councillor C Large
Councillor J Legrys
Councillor V Richichi
Councillor S Sheahan

MINUTES of a meeting of the LOCAL PLAN ADVISORY COMMITTEE held in the Council Chamber, Council Offices Coalville on TUESDAY, 3 JUNE 2014

Present: Councillor J Bridges (Chairman)

Councillors R D Bayliss, A Bridges (Substitute for Councillor C Large), J Legrys, S Sheahan and R Woodward (Substitute for Councillor D De Lacy)

In Attendance: Councillors T J Pendleton

Officers: Mr M Sharp (Consultant), Mr S Bambrick, Mr D Gill, Mrs M Meredith and Mr I Nelson

15. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D De Lacy and C Large.

16. DECLARATION OF INTERESTS

There were no interests declared.

17. MINUTES OF PREVIOUS MEETING

Consideration was given to the minutes of the meeting held on 29 April 2014.

Councillor J Legrys referred to the proposed amendment to the minutes which had been circulated at the meeting. He moved that the minutes be amended as set out in the paper. This was seconded by Councillor R Woodward.

Councillor J Legrys pointed out that there were page numbers at the top and bottom of the minutes. The Legal Advisor clarified the purpose of these.

Councillor R D Bayliss stated that he had no problem with the amendment, however he felt that the subsequent explanation should also be included. It was agreed that the Democratic Services Officer and the Chairman would agree a suitable form of wording to reflect this.

18. COMMITTEE TERMS OF REFERENCE

The Director of Services referred to the Terms of Reference and clarified that other Members were able to participate in meetings in a non-voting capacity. An amended seating plan and the requirement to give notice had been agreed with the Chairman. A seating area would be set aside at each meeting for Members wishing to participate. Members would be asked to notify Democratic Services 24 hours in advance of the meeting if they wished to participate, specifying which item(s) their request relates to. All requests to participate will be subject to the approval of the Chairman.

Councillor R Woodward stated that he felt strongly that democracy was slipping away when Members had to give notice of their intention to speak. He stated that he had been interrogated when he had asked to participate in this meeting. He added that he could not know what he wanted to say until he had heard the debate. He stated that it was appalling that such arrangements had to be made. He felt that he should be able to come along and ask a question or make a statement as and when he wished to do so.

Councillor J Bridges stated that he had initially requested that comments and questions be directed via Members of the Advisory Committee to ensure that the debate was meaningful. He added that it was not possible to have every Member at the table, however he would do his best to accommodate requests.

During the debate on item 6 – Local Plan Timetable, Councillor R Woodward stated that he wished to amend the terms of reference of the Advisory Committee as the quorum could be made up of Members of one party. He felt that there needed to be at least one Member from each party present and requested that the terms of reference be amended accordingly.

Councillor J Bridges advised that the terms of reference had been agreed by Council and would therefore have to be amended by Council.

Councillor R Woodward requested that this issue be addressed.

19. STRATEGIC HOUSING MARKET ASSESSMENT

The Director of Services presented the report to Members. He referred to the previous report the Advisory Committee had received relating to the Strategic Housing Land Availability Assessment (SHLAA) and the work that was currently being done on building the evidence base to enable decisions to be made on the Local Plan. He stated that it was imperative to understand the level of need in the district and the level of house building that would need to be accommodated. He explained that the Strategic Housing Market Assessment (SHMA) was not specific to North West Leicestershire and covered the whole of the Leicestershire Housing Market Area (HMA), setting out the housing need for that area. He added that the SHMA was a requirement to inform the evidence base for the Local Plan. He advised that the SHMA had now been updated, but there was still work to be done. He reported that the Council was now in receipt of the final report from the consultant. He referred to the projected levels of need for the two different plan periods as set out in the report, and advised that these levels were broadly equivalent to the levels which were previously being planned for. He referred to the duty to co-operate and the need to be satisfied that each authority in the HMA had the land available to accommodate the housing need. He explained that if one or more authorities were unable to accommodate their level of need, it would be a matter for the remaining local authorities to agree a redistribution that could be accommodated, which could in turn affect the projected level of need in our area. He advised that the next meeting of the Members Advisory Group (MAG) would take place on 26 June and progress on the discussions around the duty to co-operate would be considered. He explained that the MAG was not a decision making group and issues were referred back to the local authority in question for agreement.

Councillor J Bridges asked the Consultant to advise how sound he considered the figures to be and if the Council would have a strong case to resist against the figures increasing.

The Consultant advised that he could not give a definite answer, however he was well aware of the consultants who had compiled the report and they were nationally reputed. He assured Members that the report would have been compiled in accordance with best practice and he would expect an Inspector to have confidence in the figures coming forward.

Councillor J Legrys stated that he accepted the figures for the Leicestershire HMA. However he expressed deep concerns that the study did not take into account neighbouring authorities in other areas, particularly South Derbyshire. He referred to the Regional Spatial Strategy (RSS) which required an assessment for the whole of the East Midlands, and at that time, there had been criticisms that the West Midlands had not been given due consideration. He referred to Lichfield and Tamworth and the Northern Parishes which were influenced by Nottinghamshire. He stated that Planning Committee Members were aware that places like Appleby were coming under a lot of pressure from the West Midlands. He stated that he would have preferred to see an appendix on the HMA for North West Leicestershire. He felt that the 5 year housing land supply issue and

the duty to co-operate were not duly highlighted in the report. He expressed considerable concern that the whole picture was not being taken into account, and referred to the fact that for Leicestershire, this authority was placed at the bottom in terms of demand. He stated that Members were being given contradictory information in that developers were indicating there was not enough land available, however the SHLAA had identified sites with enough land available for 25,000 homes. He expressed concern that the Local Plan could be found unsound if it did not take into account housing markets outside of Leicestershire.

The Planning Policy and Business Focus Team Manager clarified that the question of defining the HMA could be debated, and this was recognised when drawing up to specification for the consultant. He explained that Members had not had sight of the full report, however it did address the issue of whether the Leicestershire HMA was appropriate. He advised that national guidance was available and the consultant had paid close attention to that in the methodology they adopted. He added that issue of considering matters outside of the HMA had been raised, however the advice was to define a HMA and consider that area. He added that a region was not being considered in the same way as under the RSS. In respect of the 5 year housing land supply issue, he advised that this was being constantly monitored, and if the projected figures were accepted, this would have a significant impact upon the housing land supply.

Councillor R Woodward expressed concern that the SHLAA had identified sufficient land to build 25,000 homes, however the need had been identified as 10,000 homes. He felt there was an implication that we would be looking to increase that figure when considering any redistribution across the HMA. He felt strongly that the figures should be reduced, not increased, particularly while the Whitwick green wedge was still included in the SHLAA.

Councillor J Bridges reminded Members that the duty to co-operate was relevant nationally.

Councillor R Woodward reiterated that he felt it was implicit that the Council would be seeking to increase the allocation if any redistribution was necessary.

The Director of Services clarified that it was not intended to give that impression, as he was reporting a factual position in respect of the figures. He explained that as each local authority published their SHLAAs, they may well be in a similar position to us and therefore there was no implication that we would need to take on more growth. He stated that each local authority would need to assess whether they could accommodate their own needs and only in the event that this was not the case would it be necessary to enter into discussions about redistributing the shortfall. He added that ultimately this would be a matter for Council to agree.

The Consultant added that assuming some redistribution was necessary, developments would nevertheless need to be located somewhere that was deliverable and that made sense, and there were many matters that would have to be considered first. He explained that the working assumption at present was that the figures relating to projected need should be accepted and that local authorities should try to accommodate the projected need within their area. He added that it would be difficult to make a case to reduce the figures given that it had already been demonstrated that twice the projected growth figures could be accommodated.

Councillor S Sheahan referred to paragraph 3.4 of the report and asked how this was being dealt with locally.

The Planning Policy and Business Focus Team Manager advised that work was currently taking place on updating the SHLAA to clarify what could be accommodated in North West Leicestershire. He added that the broader constraints would be discussed jointly

across the HMA over the next few months and more detailed work would be undertaken by the Housing Planning and Infrastructure Group (HPIG).

Councillor S Sheahan sought clarification that each local authority would be working to a standard protocol if this work was being done across the HMA.

The Planning Policy and Business Focus Team Manager clarified that this would be necessary to ensure that the figures were robust.

Councillor S Sheahan asked if Members of the Advisory Committee could have any oversight of the process.

The Director of Services stated that he would be more than happy to bring evidence of the work to a future meeting as and when appropriate.

Councillor S Sheahan felt that there needed to be some transparency to ensure that Members were clear on the process. He asked if Members would be able to challenge the decisions if necessary.

The Director of Services stated that he could not provide an answer at the present time as the process was not yet clear. He advised that a final position on the SHMA and the SHLAA was intended to be reached by the end of the year; however he could not agree to the request until it was clear whether the timescales would allow for this.

Councillor S Sheahan reiterated that there should be some opportunity for Members to challenge decisions and he would like some confidence about the process.

The Consultant advised that under the national policy, local authorities would be expected to be able to meet the identified need. He added that any high level issues that would prevent the need being met would need to be discussed across the HMA.

Councillor S Sheahan sought some assurance that an effort would be made to bring the information before Members to allow them an opportunity to comment.

The Director of Services agreed completely about the need for transparency once the process was clearer. He felt it was imperative to understand that, having completed this exercise, each local authority in the HMA may well be able to accommodate their own needs. In this case, the figures would remain the same, and the issue of any high level factors would only arise when considering any redistribution.

Councillor S Sheahan asked how discussions on any potential redistribution might take place.

The Director of Services advised that this would be discussed by the HPIG, which would provide the MAG with technical information. He envisaged that this would take the form of a number of options presented to Members. He explained that sustainability and other issues would be taken into consideration. He added that the MAG would debate the issues and potentially arrive at an agreed position, and thereafter it was a matter for each constituent authority to seek agreement on this.

Councillor S Sheahan pleaded for transparency on any negotiations. He referred to the Consultant's earlier statement in respect of additional sites being located where it made sense. He asked if that could mean that housing could be built where there was demand. He referred in particular to the south west of the County where the commuter routes were located.

The Consultant clarified that he was referring to the placement of the allocated need. He added that under the SHLAA there was a lot of choice due to the sites which had been included. He explained that in respect of any unmet need, consideration would have to be given to how this could best be met.

The Planning Policy and Business Focus Team Manager added that it would make no sense to place developments where the housing market could not accommodate them due to issues of insufficient demand and/or viability.

Councillor J Legrys stated that no one would have any influence on the MAG meeting on 26 June because of how this was run. He moved that the Advisory Committee ask the leadership to ensure that the process of redistribution was open and transparent. He added that the issue was that no ordinary Councillor or member of the public was allowed to attend and no one would have any influence of understanding of the negotiation in the district.

Councillor J Bridges stated that he could see no reason why the process could not be transparent and he would have thought this was already in place.

Councillor J Legrys stated that he wanted assurances and referred to the members of public present at tonight's meeting. He accepted the explanations from the Director of Services and the Consultant, however the figures were now in the public domain. He stated that there were lots of caveats in the report yet the public could not even get themselves involved. He referred to the duty to co-operate and felt that there was a democratic void as the process was being run by the Leicester and Leicestershire Enterprise Partnership (LLEP). He added that one of the criticisms of the RSS was that there had been no due diligence. He felt that people should be strongly aware that the process was open.

Councillor R Woodward seconded the motion.

Councillor J Bridges reminded Members that the decision would be taken by Council as a whole.

The Legal Advisor sought to clarify the wording of the motion.

Councillor J Legrys advised that he intended to move the remaining recommendations as set out in the report and the intention of his motion was to include a statement in the minutes and from the Advisory Committee to ensure the process was open and transparent.

It was moved by Councillor J Legrys, seconded by Councillor R Woodward and

RESOLVED THAT:

- a) The findings of the SHMA be noted.
- b) The next steps for agreeing the amount and distribution of housing across the HMA be noted.
- c) The Advisory Committee notes that the process of any redistribution needed to be open and transparent.

20. LOCAL PLAN TIMETABLE

The Director of Services presented the report to Members, drawing their attention to the indicative timetable for the preparation of the Local Plan and the influencing factors

thereon as set out in the report. He referred to the debate on the previous item, which in itself was a significant influencing factor, as it would be difficult to conclude the assessment without agreeing the figures. He highlighted the timetable set out at Appendix A, which indicated potential adoption in December 2016.

Councillor J Legrys referred to page 4 of the minutes and felt that the Council should be conscious of the timing of the consultation, as the first part took place in July and August, when many Parish Councils and community groups would be closed for the summer holidays. He accepted the need to commence the consultation however he felt that the timing was unfortunate and the Council would be castigated for trying to consult in July and August. He welcomed advice on how this problem could be overcome as the manner in which the consultation would take place had not yet been agreed.

Councillor J Bridges reiterated the need for the consultation to commence as soon as possible.

The Planning Policy and Business Focus Team Manager explained that one of the reasons for starting the consultation sooner was the number of events taking place over the next few weeks, such as Picnic in the Park. He explained that these events had been seen as an opportunity to engage with people and raise the profile of the consultation. He added that the consultation period was not statutory and could be extended, however this could have a knock-on effect.

Councillor J Bridges stated that he had taken on board Councillor J Legrys' comments and recommended that the first period of consultation be extended. He reiterated the need for caution in respect of the timescales.

Councillor J Legrys stated that he thoroughly supported promotion at large events and asked that all Members be made aware so that they could assist. In respect of the Statement of Community Involvement, he felt that agreement needed to be reached on how this was going to be done and there should be significantly more involvement of Councillors in this process. He expressed concerns regarding the timing of the consultation in January to March, and added that officers needed to be aware of work that would be taking place during purdah.

Councillor R D Bayliss stated that the usual business of the Council had to continue and added that this was a broadly non-political issue.

Councillor S Sheahan stated that it was originally indicated that this process would be concluded much more quickly. He sought clarification on the reasons for this.

The Director of Services advised that the original intention had been to resubmit the Core Strategy at the earliest opportunity, which would have been a different timescale. He explained that the advice from the Consultant had led the Advisory Committee to consider preparing a Local Plan rather than resubmitting the Core Strategy. He clarified that the preparation of a Local Plan required this timescale in order to be robust.

The Consultant added that the proposed timescale was quite usual and this would need to be followed in order to produce a robust plan that would be found sound. He added that the purdah period would have to be factored in and he would not advise that the process be expedited.

Councillor R Woodward agreed that work needed to commence. He referred to the lack of a five year housing land supply which allowed developers to submit speculative applications. He felt the process needed to conclude faster.

The Director of Services agreed that speed was needed, however it would not be a good use of time to rush unnecessarily and find that work needed to be repeated. He stressed the importance of getting the Local Plan right first time. He added that in the meantime, once the SHMA figures were accepted and agreed, this would have an impact on the five year housing land supply, as would any subsequent decisions at Planning Committee. He stated that the position in respect of the five year housing land supply would be closely monitored. He explained that an Inspector would take into account the fact that a timescale was in place, and any other protection currently afforded to sites such as the green wedge would remain under the existing Local Plan. He envisaged that the Council would continue to protect those types of sites. He referred to the previous appeal in respect of the green wedge and added that a similar approach would be taken should that situation arise in future.

It was moved by Councillor R D Bayliss, seconded by Councillor R Woodward and

RESOLVED THAT:

- a) The suggested timetable for producing the Local Plan be noted.
- b) The dates for future meetings of the Local Plan Advisory Committee be noted.

Councillor T Neilson left the meeting at 7.30pm at the close of the discussion on item 5 – Strategic Housing Market Assessment.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 7.50 pm

This page is intentionally left blank

LOCAL PLAN ADVISORY COMMITTEE TERMS OF REFERENCE

Purpose of the Local Plan Advisory Committee

To enable cross-party discussion, guidance and support for the development of the North West Leicestershire Local Plan.

Role of the Local Plan Advisory Committee

- To consider and comment on documents that relate to the North West Leicestershire Local Plan including (but not restricted to) policy options, draft policies and evidence prepared to support the Plan.
- To make recommendations as required to Council in respect of the North West Leicestershire Local Plan.
- To monitor progress on the preparation of the North West Leicestershire Local Plan.
- To provide updates to other Members who do not sit on the Local Plan Advisory Committee.
- To consider and comment on responses to plans being prepared by other local planning authorities as part of the Duty to Cooperate.

Membership of the Local Plan Advisory Committee

- The Advisory Committee comprises four Members of the ruling group and three Members from the opposition group.
- The Council's Substitution Scheme will apply.
- The Advisory Committee will select a Chair at its first meeting of each civic year.
- Other members may be invited to attend and participate in meetings of the Advisory Committee in a non-voting capacity at the discretion of the Chair.
- The Advisory Committee meetings must have at least 3 members to be quorate.

Operation of the Local Plan Advisory Committee

- Council Procedure Rule 4 will apply to the Local Plan Advisory Committee
- The Advisory Committee will meet at least once every two months, but will meet more frequently where necessary to enable continued progress on the North West Leicestershire Local Plan.
- The Advisory Committee will have no direct decision-making powers but will consider documents and information relating to the Local Plan and make recommendations to Council. Any such report will include specific comments and issues raised by the minority group.
- The Advisory Committee will be supported by the Director of Service and officers in the Planning Policy Team.
- Meetings will be organised, administered and minuted by Democratic Services with agendas and minutes being made available on the Council's website.
- The Portfolio Holder may attend as an observer.

This page is intentionally left blank

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LOCAL PLAN ADVISORY COMMITTEE – 9 SEPTEMBER 2014

Title of report	UPDATE IN RESPECT OF THE STRATEGIC HOUSING MARKET ASSESSMENT
Contacts	<p>Councillor Trevor Pendleton 01509 569746 trevor.pendleton@nwleicestershire.gov.uk</p> <p>Director of Services 01530 454555 steve.bambrick@nwleicestershire.gov.uk</p> <p>Planning Policy and Business Focus Team Manager 01530 454677 ian.nelson@nwleicestershire.gov.uk</p>
Purpose of report	To provide the Advisory Committee with an update in respect of the Strategic Housing Market Assessment
Council Priorities	<p>These are taken from the Council Delivery Plan:</p> <p>Value for Money Business and Jobs Homes and Communities Green Footprints Challenge</p>
Implications:	
Financial/Staff	The Council has contributed towards the preparation of the Strategic Housing Market Assessment along with all other authorities in the Housing Market Area. The cost of this has been met from within existing budgets.
Link to relevant CAT	None
Risk Management	The preparation of the Strategic Housing Market Assessment (SHMA) is a key piece of evidence to demonstrate that the Council is making adequate provision for housing as part of the local plan. Failure to have an up-to-date SHMA would represent a significant risk that the local plan would be found unsound. For the reasons outlined in the report the preparation of an alternative SHMA represents an additional risk to the Local Plan.
Equalities Impact Screening	None

Human Rights	None
Transformational Government	Not applicable.
Comments of Head of Paid Service	The report is satisfactory
Comments of Section 151 Officer	The report is satisfactory
Comments of Monitoring Officer	The report is satisfactory
Consultees	None
Background papers	<p>National Planning Policy Framework which can be found at http://www.planningguidance.planningportal.gov.uk/</p> <p>National Planning Practice Guidance which can be found at http://planningguidance.planningportal.gov.uk/blog/guidance/local-plans/</p> <p>Leicester and Leicestershire Strategic Housing Market Assessment – copies of the report are held by the Planning policy Team (Room 102).</p>
Recommendations	<p>THAT THE ADVISORY COMMITTEE NOTES;</p> <p>(I) THE PROPOSAL TO AGREE A MEMORANDUM OF UNDERSTANDING IN RESPECT OF THE AMOUNT AND DISTRIBUTION OF HOUSING;</p> <p>(II) THE FACT THAT AN ALTERNATIVE SHMA HAS BEEN PRODUCED AND ANY FURTHER UPDATE WILL BE PROVIDED AT THE MEETING</p>

1.0 BACKGROUND

- 1.1 Members will recall that at the meeting of the Advisory Committee on 3 June 2014 a report was considered which outlined the findings of the Strategic Housing Market Assessment (SHMA) and the next steps in agreeing the amount and distribution of new housing across the Leicester and Leicestershire Housing Market Area (HMA).
- 1.2 This report provides an update for the Advisory Committee on these matters.

2.0 UPDATE

- 2.1 The SHMA was presented and endorsed at the meeting of the Members Advisory Group (MAG) on July 17 2014.

- 2.2 At a further meeting of MAG on 24 July 2014 it was agreed that a Memorandum of Understanding (MOU) be agreed in respect of the amount and distribution of housing across the HMA. In particular, there is consensus that up until 2031 all the authorities can meet their objectively assessed housing need without the need for any redistribution subject to some modelling by the county Highways Authority around transport.
- 2.3 A report on the MOU will be considered by Cabinet at its meeting in October and by Council in November.
- 2.4 Since the completion of the SHMA, an alternative SHMA has been produced in support of a planning application in Blaby District Council area. This application was submitted directly to the Planning Inspectorate for their determination as a result of Blaby district Council having been placed in special measures.
- 2.5 The 'alternative' SHMA suggested significantly different housing requirements from those in the Leicester and Leicestershire SHMA. Across the HMA it identified a need for 7,082 dwellings per annum compared to between 3,775 and 4,215 dwellings per annum in the Leicester and Leicestershire SHMA. In North West Leicestershire the comparable figures were 828 dwellings per annum and 350 dwellings per annum respectively.
- 2.6 The planning application itself was refused but in determining the application the Inspector considered both SHMAs. He noted that they both used as their starting point the latest CLG household projections from 2011, informed by the 2008 projections to take account of the impact of the recession on trends in household formation and factored in predictions for employment growth from a common source (albeit with slightly different dates); and both state that they have been prepared following the advice of the recently-published Planning Practice Guidance. However, he noted that they produced significantly different results.
- 2.7 The Inspector commented that "*The disparity of their output suggests strongly that certainly one, or conceivably both of the assessments will be significantly in error, but the evidence before me does not allow me to reach a definitive conclusion*".
- 2.8 The Inspector also noted that the very substantial differences between the two SHMAs amply serves to illustrate the statement in the Planning Practice Guidance issued by Government that establishing future need is not an exact science; and that no single approach will provide a definitive answer. It also emphasises how essential it is that evidence such as SHMAs must be rigorously tested in order to establish that it is robust.
- 2.9 As the Inspector noted establishing need is not an exact science. The fact that it is not an exact science means that any results are always open to challenge. Therefore, the findings of the SHMA were always potentially going to be subject to some form of challenge. Although the Inspector, given the information before him, felt unable to support either SHMA, it does not alter the fact that the Leicester and Leicestershire SHMA represents, from the point of the view of the HMA local planning authorities, the appropriate housing requirements.
- 2.10 The fact that the results of the SHMA were always going to be open to challenge represents a risk, not only to this Council's Local Plan but also the Local Plans of all the HMA authorities. It should be appreciated that it is not possible, for the reasons outlined by the Inspector in the Blaby decision, to mitigate such risks completely.

- 2.11 However, this risk can, and has, been mitigated through the employment of reputable independent consultants who have a track record of producing similar studies elsewhere and who follow national guidance in undertaking the study. The authorities across the HMA continue will look to engage GL Hearn at the appropriate time to provide evidence to inspectors where necessary to show the robust nature of the HMA SHMA.
- 2.12 Notwithstanding the above it remains the case that the production of the alternative SHMA, together with any others which may be produced, represents an additional potential risk which will be added to the risk register for the Local Plan.
- 2.13 In terms of risk assessment it is possible to be certain as to the likelihood of challenge. Members may be aware that the Charnwood Core Strategy Examination was suspended earlier on this year. The Examination is scheduled to reconvene later on in 2014 or early 2015 and so this is likely to be where the Leicester and Leicestershire SHMA will be tested.
- 2.14 There is much less certainty as to the likelihood of such a challenge being successful. This matter will need to be kept under review alongside all the other risks which could potentially affect the Local Plan. The issue of risks associated with the Local Plan is considered in the report at Item 2 of this agenda.

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LOCAL PLAN ADVISORY COMMITTEE – 9 SEPTEMBER 2014

Title of report	LOCAL PLAN – RISK MANAGEMENT
Contacts	<p>Councillor Trevor Pendleton 01509 569746 trevor.pendleton@nwleicestershire.gov.uk</p> <p>Director of Services 01530 454555 steve.bambrick@nwleicestershire.gov.uk</p> <p>Planning Policy and Business Focus Team Manager 01530 454677 ian.nelson@nwleicestershire.gov.uk</p>
Purpose of report	To advise members of the approach taken in respect of the management of risk associated with the Local Plan.
Council Priorities	<p>These are taken from the Council Delivery Plan:</p> <p>Value for Money Business and Jobs Homes and Communities Green Footprints Challenge</p>
Implications:	
Financial/Staff	None
Link to relevant CAT	None
Risk Management	A risk assessment of the project has been undertaken. As far as possible control measures have been put in place to minimise these risks, including monthly Project Board meetings where risk is reviewed
Equalities Impact Screening	None
Human Rights	None
Transformational Government	Not applicable.
Comments of Head of Paid Service	The report is satisfactory

Comments of Section 151 Officer	The report is satisfactory
Comments of Monitoring Officer	The report is satisfactory
Consultees	None
Background papers	None
Recommendations	THAT THE ADVISORY COMMITTEE NOTES AND COMMENTS ON THE CURRENT RISK ASSESSMENT

1.0 RISK MANAGEMENT

- 1.1 There are a number of potential risks associated with producing the Local Plan. It is important that such risks are managed as far as possible. To help with this a Risk Assessment has been undertaken at the outset of producing the Local Plan and it is reviewed at every monthly officer Project Board meeting.
- 1.2 In accordance with the Council's agreed Risk Management Strategy all potential risks are assessed in terms of both the likelihood of the risk materialising and its potential impact with and without any mitigating controls. Each risk is given a score with those scoring 8 or more (after allowing for mitigation controls) representing the highest risk.
- 1.3 Risks can be categorised in terms of whether they are external or internal to the Council (i.e. is the risk one which the Council can control entirely on its own or is it dependent upon the decisions and actions of external organisations) or are subject to local factors (i.e. something specific to a locality – for example the volume of responses to a consultation).
- 1.4 The current risk assessment is attached at Appendix A to this report.
- 1.5 In summary, the risk assessment identifies 15 specific potential risks at the current time. Of these 6 are external, 5 internal and 4 are subject to local factors. Of the risks identified there are 6 which are considered to be high risk. These are:

- Loss of staff Internal
- Failure to agree amount and distribution of housing across the HMA External
- Members unable to make a decision on what should go into the submission Local Plan Internal
- Deliverability issues on potential allocations delay preparation and adoption of Local Plan. Local Factors
- New household projections to be published by DCLG in May 2015 are significantly different to current projections. External
- Production of alternative SHMA which identifies significantly different assessed needs from the Leicester and Leicestershire SHMA. External

- 1.6 As noted above the risks are reviewed at each officer Project Board meeting where scores are adjusted to reflect the current circumstances. For example, in the event that the Memorandum of Understanding is agreed with the other HMA wide authorities then the score attached to the second risk listed above will probably need to be reviewed downwards.
- 1.7 Throughout the lifetime of the project new risks may emerge and so these will need to be added to the risk register.
- 1.8 It is proposed to provide an update of risk at each meeting of the Advisory Committee.

APPENDIX A

Risk Identified	Likelihood	Impact	Risk rating	Countermeasures	Likelihood	Impact	Risk rating
Loss of staff during preparation of Local Plan thus resulting in lack of resources to deliver to agreed timetable.	3	4	12	In the event of a vacancy it will be vital to ensure that it is filled as soon as possible, although this will conflict with vacancy savings built in to the budget. Taking a flexible approach to how vacancies are filled (for example by the employment of consultants/temporary staff to deal with specific tasks rather than a full time replacement) would also help although this will require careful management and would need to stay within budget.	3	3	9
Failure across the Housing Market Area (HMA) to agree overall housing requirements and distribution of housing in a timely manner following completion of the Strategic Housing Assessment (SHMA) which has been commissioned jointly by the HMA authorities.	3	4	12	Discussion have taken place at HPIG regarding need to ensure that all authorities agree to new housing requirements and distribution. A Member Advisory Group has been established to provide a sounding board on strategic planning matters. It is not yet clear whether this will be sufficient to provide a basis for agreement or whether this can be achieved in a timely manner.	3	4	12
New Government guidance which affects approach being taken thus requiring additional work and hence delays.	3	3	9	Ensure that all Planning Policy team is aware of any emerging issues and guidance and immediately assess potential impact upon Local Plan.	3	2	6

Risk Identified	Likelihood	Impact	Risk rating	Countermeasures	Likelihood	Impact	Risk rating
Volume and nature of responses to consultations results in need for additional work.	3	3	9	Generally the interest and expectations of public, developers and landowners in the Local Plan process is high. Consider the employment of temporary staff or redeployment of resources from elsewhere in the Regeneration and Planning department to assist with any capacity issues arising from consultations, particularly in respect of administrative duties so as to free up experienced planning officers.	3	2	6
Insufficient budgetary resource available to undertake work necessary to support the Local Plan , including background studies and evidence gathering	4	4	16	Local Plan a key corporate priority to which budgetary provision will be attached.	1	1	1
Number of significant planning applications submitted and /or appeals which require input from Planning Policy staff	3	3	9	Need to ensure that Local Plan work is prioritised and that this is communicated to staff in both Planning Policy and Development Management. Consider use of external consultants to provide assistance where appropriate. This will be managed on a case by case basis by the Head of Regeneration and Planning.	3	2	6

Risk Identified	Likelihood	Impact	Risk rating	Countermeasures	Likelihood	Impact	Risk rating
Lack of sufficient capacity available at stakeholders and Planning Inspectorate, particularly in light of recent public sector funding cuts.	2	3	6	<p>Planning Inspectorate to be consulted on proposed programme in LDS. A Service Level Agreement will be signed when programme agreed.</p> <p>Ensure that stakeholders are engaged in process as early as possible. Identify key personnel within stakeholder organisations who have role to play.</p>	2	2	4
Un-prioritised corporate or external requirements impinge upon the resources available within the Planning Policy team	2	3	6	Ensure that appropriate priority attached corporately and politically to Local Plan. Ensure that issues such as progress on HS2 are monitored and any potential implications for work of Planning policy team identified as early as possible. It is currently anticipated that final government decision will be towards the end of 2014 so any impact is likely to be after this date.	1	2	2

Risk Identified	Likelihood	Impact	Risk rating	Countermeasures	Likelihood	Impact	Risk rating
Local politics undermines the Local Plan process and confidence in the outcomes	4	4	16	The final decision as to what goes into the submission Local Plan rests with the Full Council. Previous experience suggests that large numbers of members have not felt fully engaged as they have not been involved in the preparation process. To help overcome this a Local Plan Working party has been established to oversee the preparation of the Local Plan. This will provide an opportunity to engage with more members. It will be necessary for those members on the working party to act as champions for the Local Plan and to discuss issues within their respective groups so as to minimise the potential for lack of support when the Local Plan goes before Full Council.	3	4	12
Deliverability issues on potential allocations delay preparation and adoption of Local Plan.	3	4	12	Work with site promoters to identify issues early on and ensure that evidence base is comprehensive and robust. All allocations to be subject to viability testing.	2	4	8
Challenge by third party that definition of the housing market area is not appropriate.	3	4	12	Ensure that new SHMA addresses issue of appropriateness of the HMA.	2	2	4

Risk Identified	Likelihood	Impact	Risk rating	Countermeasures	Likelihood	Impact	Risk rating
Delay to production of Local Plan in the event that it is decided to define Limits to Development. This delay will be due to both the work involved in defining limits as well as the likelihood of an increase in representations at consultation stage and the time to deal with these.	3	3	9	Ensure that in the event that Limits to Development are to be defined there is a clearly defined methodology to be followed to define limits.	3	2	6
New household projections to be published by DCLG in May 2015 are significantly different to current projections.	4	3	12	Officers to review projections when published and advise of any implications.	3	3	9
Lack of project management resource which results in officers having to commit more time to project management rather than plan development.	3	3	9	Arrange to get additional resource to provide project management capacity.	2	2	4
Production of alternative SHMA which identifies significantly different assessed needs from the Leicester and Leicestershire SHMA.	4	4	16	Ensure that consultants who prepare SHMA are experienced and reliable and that SHMA is prepared consistent with national guidance. This would help to reduce the potential impact although not the likelihood as this is beyond the council's control.	4	3	12

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**LOCAL PLAN ADVISORY COMMITTEE – 9 SEPTEMBER 2014**

Title of report	PLAN PERIOD UPDATE
Contacts	<p>Councillor Trevor Pendleton 01509 569746 trevor.pendleton@nwleicestershire.gov.uk</p> <p>Director of Services 01530 454555 steve.bambrick@nwleicestershire.gov.uk</p> <p>Planning Policy and Business Focus Team Manager 01530 454677 ian.nelson@nwleicestershire.gov.uk</p>
Purpose of report	To advise members that it is considered appropriate to amend the plan period from that previously agreed by the Advisory Committee.
Council Priorities	<p>These are taken from the Council Delivery Plan:</p> <p>Value for Money Business and Jobs Homes and Communities Green Footprints Challenge</p>
Implications:	
Financial/Staff	None
Link to relevant CAT	None
Risk Management	A risk assessment of the project has been undertaken. As far as possible control measures have been put in place to minimise these risks, including monthly Project Board meetings where risk is reviewed. Whilst there is a risk associated with changing the plan period, it is considered that such a change can be justified and so represents a low risk.
Equalities Impact Screening	None
Human Rights	None
Transformational Government	Not applicable.

Comments of Head of Paid Service	The report is satisfactory
Comments of Section 151 Officer	The report is satisfactory
Comments of Monitoring Officer	The report is satisfactory
Consultees	None
Background papers	<p>Minutes of meeting of the Local Plan Advisory Committee 18 March 2014 which can be viewed at Agenda for Local Plan Advisory Committee on Tuesday, 18th March, 2014, 5.30 pm - North West Leicestershire District Council</p> <p>National Planning Policy Framework which can be found at http://www.planningguidance.planningportal.gov.uk/</p> <p>Report to Cabinet of 29 July 2014 which can be viewed at Agenda for Cabinet on Tuesday, 29th July, 2014, 5.00 pm - North West Leicestershire District Council</p>
Recommendations	THAT THE ADVISORY COMMITTEE RECOMMENDS TO COUNCIL THAT THE LOCAL PLAN PERIOD IS AMENDED TO COVER 2011-2031.

1.0 BACKGROUND

- 1.1 Members will recall that at the meeting of the Advisory Committee on 18 March 2014 it was agreed to recommended to Council that:
- (I) A new Local Plan be produced incorporating strategic policies, allocations and some detailed policies; and
 - (II) The plan period cover the period 2011-2036.
- 1.2 The minutes of the Advisory Committee meeting were reported to Cabinet at its meeting of 29 July 2014. In the report it was noted that due to changes in circumstances since the meeting of the Advisory Committee it was now suggested that the Plan period should be for 2011-2031. Cabinet asked, therefore, that the Advisory Committee re-consider this issue.

2.0 WHY CHANGE THE PLAN PERIOD?

- 2.1 The reason for suggesting a change in the plan period is that since this issue was considered by the Advisory Committee, the Member Advisory Group (MAG), which is a member group representing each of the planning authorities in the Leicester and Leicestershire Housing Market Area, has met and has indicated that in terms of reaching an agreement on the amount and distribution of new housing this should cover the period to 2031. The basis for the MAG reaching this conclusion is due to the fact that the current

transport modelling work for the Housing Market Area currently only looks at the period to 2028 and therefore having plan periods to 2031 minimises the additional modelling work required to have a comprehensive set of plans in place. More importantly however the recommendation to run plans to 2031 is based on the fact that all planning authorities in the Housing Market Area have confirmed that they are able to accommodate their housing needs within their respective areas up to that date thereby avoiding the need for any re-distribution.

2.2 In considering the issue of the appropriate Plan Period it is necessary to consider what the National Planning Policy Framework (NPPF) says.

2.3 Paragraph 159 that states local plans should:

"be drawn up over an appropriate time scale, *preferably* a 15-year time horizon, take account of longer term requirements, and be kept up to date"

However the NPPF also states at para 47 that the local plan should:

"identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, *where possible*, for years 11-15"

2.4 Given the Local Plan will not be adopted at the earliest until the end of 2016, an end date of 2031 would of course be just short of 15 years. The longer date (2036) would, as the Advisory Committee have already been advised be preferable and fits better with NPPF in this regard.

2.5 However there is consensus across the Housing Market Area that up until 2031 all the authorities can meet their objectively assessed housing need without the need for any redistribution subject to some modelling by the County Highways Authority around transport. It is advised that it would likely have to be something of real significance for any constraint including transport to persuade an Inspector that any plan meeting housing would otherwise be found unsound on the '15 year rule'. This seems to be supported by the Inspector for the Charnwood Hearing being content that the submitted plan has an end date of 2028 (14 year time horizon).

2.6 If the Council is to continue with a plan end date of 2036, this poses a considerable risk of not being able to secure co-operation based on a robust evidence base, which is also a requirement of the NPPF and the Localism Act.

2.7 Therefore due to changed circumstances following publication of the SHMA and emerging information concerning SHLAAs, members are advised on balance that a credible argument could be advanced to support an end date of 2031 with a commitment that the authorities will be working together on a longer time horizon as the evidence base is rolled forward.

2.8 Should circumstances change again, a further report will be brought to the Local Plan Advisory Committee.

This page is intentionally left blank

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LOCAL PLAN ADVISORY COMMITTEE – 9 SEPTEMBER 2014

Title of report	LIMITS TO DEVELOPMENT
Contacts	<p>Councillor Trevor Pendleton 01509 569746 trevor.pendleton@nwleicestershire.gov.uk</p> <p>Director of Services 01530 454555 steve.bambrick@nwleicestershire.gov.uk</p> <p>Planning Policy Team Manager 01530 454677 lan.nelson@nwleicestershire.gov.uk</p>
Purpose of report	To allow members to consider a review of Limits to Development.
Council Priorities	<p>These are taken from the Council Delivery Plan:</p> <p>Value for Money Business and Jobs Homes and Communities Green Footprints Challenge</p>
Implications:	
Financial/Staff	The resource implications of reviewing Limits to Development are set out in the report.
Link to relevant CAT	None
Risk Management	Limits to Development have provided a useful tool in assisting the Planning Authority determine development proposals. However, it is some years since they were prepared and a failure to review this important policy area will place the new Local Plan at risk of not providing a clear, up-to-date framework for decisions on what will or will not be permitted and where.
Equalities Impact Screening	None
Human Rights	None
Transformational Government	Not applicable

Comments of Head of Paid Service	The report is satisfactory
Comments of Section 151 Officer	The report is satisfactory
Comments of Monitoring Officer	The report is satisfactory
Consultees	Local Plan Project Board
Background papers	National Planning Policy Framework which can be found at www.gov.uk/government/publications?topics%5B%5D=planning-and-building North West Leicestershire Local Plan (2002) which can be found at https://www.nwleics.gov.uk/pages/local_plan
Recommendations	THAT THE ADVISORY COMMITTEE: (I) NOTES THE LIMITATIONS OF SETTLEMENT BOUNDARIES, PARTICULARLY WHERE THERE IS NO UP TO DATE PLAN OR THE LACK OF A 5 YEAR SUPPLY OF HOUSING LAND; (II) RECOMMENDS TO COUNCIL THAT BOUNDARIES FOR SUSTAINABLE SETTLEMENTS BE DEFINED AS PART OF THE NEW LOCAL PLAN; (III) AGREES THAT OFFICERS PREPARE DRAFT BOUNDARIES FOR THOSE SETTLEMENTS LISTED IN PARAGRAPH 4.5 OF THIS REPORT AND; (IV) NOTESTHAT WORKSHOP(S) WILL BE ARRANGED TO ALLOW ALL MEMBERS TO BE INVOLVED IN DISCUSSION AND GUIDANCE ON THE PREPARATION OF SETTLEMENT BOUNDARIES.

1. BACKGROUND

- 1.1 Limits to Development are a commonly used tool in Local Plans that provide clear, defensible boundaries around settlements within which development will normally be confined. They have been used as a planning policy tool in North West Leicestershire for a considerable time. Limits to Development are currently defined on the North West Leicestershire Local Plan (2002) proposals map for all the settlements in the district, including in some instances small groups of houses.
- 1.2 Limits to Development distinguish between areas of development and development potential and areas of restraint, such as countryside. In particular, 'saved' Local Plan policies S2 (Limits to Development) and S3 (Countryside) refer to Limits to Development (Appendix A).

2. THE NEED TO REVIEW LIMITS TO DEVELOPMENT

- 2.1 Although Limits to Development are defined in the 2002 adopted Local Plan, their preparation dates back to the 1990s, so they have not been fully reviewed for over 20 years. At the time they allowed for some new development. As these opportunities have been realised so the remaining opportunities for new development have become more constrained.
- 2.2 The National Planning Policy Framework (NPPF) makes it clear that relevant policies for the supply of housing, which include Limits to Development, should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. As a consequence of the Council recently being in a position of not being able to demonstrate a five-year land supply, a significant amount of housing development has been granted beyond Limits to Development.
- 2.3 Therefore it is important for members to note that limits to development, however defined, cannot be an absolute security against development in perpetuity and as circumstances change there may then be opportunities for development to take place outside of those limits. The most common reasons for this occurring are not having an up to date plan and also not being able to demonstrate a 5 year supply of housing land. Both these circumstances have recently impacted on North West Leicestershire and may also occur again.
- 2.4 The case for reviewing Limits to Development as part of the preparation of the new Local Plan is therefore overwhelming.

3. REVIEW OF OPTIONS

- 3.1 Some planning authorities have replaced the Limits to Development concept (sometimes also referred to as Settlement Boundaries, Village Envelopes etc.) with criteria-based policies. In these circumstances no boundary is defined around a settlement, but instead criteria are used to determine whether a proposal is acceptable or not. An example from a recently adopted Core Strategy is attached at Appendix B to this report to illustrate what such a policy might look like.
- 3.2 Whilst a criteria based policy approach does have some advantages, in particular the fact that it is more flexible, it also has significant disadvantages; most notably it will be less clear where development will or will not be permitted. Decisions will be less transparent and there is a likelihood of more planning appeals.
- 3.3 In North West Leicestershire, Limits to Development are a well understood planning tool for managing development. Limits to Development also:
 - a provide certainty: with a boundary shown on a Policies Map, Limits to Development make it clear what will or will not be permitted and where. They provide a transparent and consistent approach to development control decisions;
 - b allow for a more managed approach to housing growth;
 - c help check the unrestricted sprawl of built-up areas;
 - d prevent neighbouring settlements merging into one another;
 - e safeguard the countryside from encroachment;

- f help preserve the setting and special character of historic towns and villages; and
- g assists in urban regeneration, by encouraging the recycling of derelict and other urban land;
- h facilitate the release of land for rural exception site affordable housing schemes and the provision of community facilities.

3.4 However, there are some significant disadvantages associated with Limits to Development:

- a Increased land values within Limits to Development impacts on housing affordability;
- b 'Town Cramming' and 'Garden Grabbing' are encouraged as a result of restricting development outside settlements to the detriment of settlement character and residential amenity;
- c Limits to Development are inflexible and are unable to respond to changing circumstances. They could very quickly become out-of-date again, particularly if the housing land supply fell below the 5 years plus 20% requirement.

3.5 Further, the preparation of new Limits to Development for some 40 settlements in the District will have significant resource implications as a result of:

- i The time taken to survey settlements and research planning histories and constraints (approximately one day for a typical settlement) in order to define Limits to Development; and
- ii The need to manage, administer and examine the anticipated increased volume and complexity of representations made with respect to new boundaries.

3.6 The impact on resources can be mitigated to some extent by reducing the number of settlements for which Limits to Development are considered appropriate will be prepared.

3.7 On balance it is considered that it would be appropriate to define Limits to Development (or equivalent) as part of the new Local Plan for sustainable settlements.

4. SUGGESTED APPROACH

4.1 In accordance with the NPPF, the new Local Plan will be prepared with the objective of contributing to the achievement of sustainable development. Limits to Development will direct development to the most sustainable locations and therefore it is more appropriate for them to be called 'Sustainable Settlement Boundaries'. A new title will also help distinguish the new boundaries from the previous Limits to Development defined in the 2002 Local Plan.

4.2 While a development strategy for North West Leicestershire remains to be agreed, the concentration of growth in the main settlements (Coalville Urban area, Ashby de la Zouch, Castle Donington, Ibstock, Kegworth and Measham) in comparison with other patterns of more dispersed development would accord with the fundamental planning objective to promote sustainable development.

4.3 In rural areas, some housing could be located where it would enhance or maintain the vitality of rural communities. Therefore, Sustainable Settlement Boundaries could allow for

some rural housing development to help retain local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship.

4.4 Although the North West Leicestershire Core Strategy was subsequently withdrawn, its approach to identifying what were considered to be sustainable rural communities received little or no objection. In it, Sustainable Villages were identified as those places which contained at least five of the following eight community services and facilities:

- i A General Store;
- ii A Primary School;
- iii A GP surgery;
- iv A Village hall or similar venue;
- v A recreation or sports ground;
- vi A public house;
- vii A daytime (i.e. 7am to 6pm) bus service, Monday-Saturday with a frequency of at least once an hour, to one or more higher order centres;
- viii Local employment opportunities other than employment associated with the above services.

4.5 Currently and on this basis, Sustainable Settlement Boundaries would need to be defined for the following settlements:

Albert Village, Appleby Magna, Ashby de la Zouch, Belton, Blackfordby, Breedon on the Hill, Castle Donington, Coalville Urban area, Coleorton (the Lower Moor Road area only), Diseworth, Donisthorpe, Ellistown, Heather, Ibstock, Kegworth, Long Whatton, Measham, Moira (including Norris Hill), Oakthorpe, Packington, Ravenstone, Swannington, Worthington.

4.6 There have also been recent appeal decisions that have examined the sustainability of settlements. In particular, an appeal at Tea Kettle Hall, Long Whatton Road, Diseworth (Ref: 13/00120/OUTM) where the Planning Inspector concluded that “*The location of the site is such that the proposal would be inherently unsustainable*”.

4.7 It will be noted that Diseworth was included in the list of Sustainable Villages in the Core Strategy. In view of this appeal decision it may be necessary to re-consider how sustainable rural communities are defined as part of the Local Plan’s development strategy.

4.8 However, at this early stage of plan preparation the longer list is considered to provide a suitable basis on which to move forward.

4.9 The remaining settlements with no or very limited services and facilities are not sustainable locations for development. While there will be no blanket restriction on all housing development in these places, opportunities will be more limited e.g. conversion, local needs housing. As a consequence, there will be no need to identify Sustainable Settlement Boundaries for settlements with no or limited services and facilities. These settlements will effectively be part of the countryside as far as planning policy is concerned and therefore not subject to unrestricted sprawl and inappropriate development.

5. NEXT STEP

- 5.1 As with other planning policies, proposals and designations the Local Plan preparation process will provide opportunity for engagement and collaboration with neighbourhoods, local organisations and businesses on the definition of Sustainable Settlement Boundaries.
- 5.2 Subject to Members agreeing to the preparation of Sustainable Settlement Boundaries as outlined above, it is proposed to hold Informal Members Workshop(s) that allow all District Councillors to be involved in the early stages of preparing draft Sustainable Settlement Boundaries with a view to ensuring that , as far as possible, there is wide support and understanding of the process.
- 5.3 It is therefore proposed that officers prepare draft Sustainable Settlement Boundaries for the settlements identified at paragraph 4.5 above. These will then be used to support discussion at the Member Workshop(s).

NORTH WEST LEICESTERSHIRE LOCAL PLAN (2002)

Policy S2

Development will be permitted on allocated sites and other land within the Limits to Development, identified on the Proposals Map, where it complies with the policies of this Local Plan.

Policy S3

Development will be permitted on land outside the Limits to Development, identified on the Proposals Map as Countryside, only where it:

- (a) Can be shown to be essential for the efficient long-term operation of agriculture and forestry;
- (b) Comprises acceptable farm diversification;
- (c) Is a public service or utility which cannot, for operational reasons, be accommodated within the defined Limits;
- (d) Is for recreation, community facilities, or tourism-related purposes, in accordance with the leisure and tourism policies of this Local Plan;
- (e) Is for Forest-related purposes within the National Forest, in accordance with the National Forest policies of this Local Plan; or
- (f) Involves the re-use, adaptation or conversion of rural buildings, in accordance with Policy E24 of this Local Plan.

EXTRACT FROM FENLAND CORE STRATEGY (POLICY CS12)

New development in villages will be supported where it contributes to the sustainability of that settlement and does not harm the wide open character of the countryside. Any proposal will need to satisfy the applicable policies of this document ... , as well as all the following criteria:

- a. The site is in or adjacent to the existing developed footprint* of the village; and
- b. It would not result in coalescence with any neighbouring village; and
- c. It would not have an adverse impact on the character and appearance of the surrounding countryside and farmland; and
- d. The proposal is of a scale and in a location that is in keeping with the core shape and form of the settlement, and will not adversely harm its character and appearance; and
- e. It would not extend existing linear features of the settlement, or result in ribbon development; and
- f. The site retains and respects natural boundaries such as trees, hedgerows, embankments and drainage ditches; and
- g. The site retains and respects ecological, archaeological and biodiversity features; and
- h. It would not result in the loss of important spaces within the village; and
- i. It would not result in the loss of high grade agricultural land, or if so, comprehensive evidence is provided to justify the loss. This should include an assessment of all alternative reasonable opportunities in the locality to develop on lower grades of agricultural land; and
- j. It would not put people or property in danger from identified risks; and
- k. It can be served by sustainable infrastructure provision, such as surface water and waste water drainage and highways.

If a proposal within or on the edge of a village would, in combination with other development built since April 2011 and committed to be built (i.e. with planning permission),

- a. increase the number of dwellings in the village by ..% or more; or
- b. for non-dwellings, have a floorspace of 1,000sq m or more or have an operational area (including, for example, parking and storage spaces) of 0.5ha or more,

then the proposal should have demonstrable evidence of strong local community support for the scheme (with such support generated via a thorough and proportionate pre-application community consultation exercise or a Neighbourhood Plan exercise).

** The developed footprint of the village is defined as the continuous built form of the settlement and excludes:*

(a) individual buildings and groups of dispersed, or intermittent buildings, that are clearly detached from the continuous built-up area of the settlement;

(b) gardens, paddocks, and other undeveloped land within the curtilage of buildings on the edge of the settlement where the land relates more to the surrounding countryside than to the built-up area of the settlement;

(c) agricultural buildings and associated land on the edge of the settlement;

(d) outdoor sports and recreation facilities and other formal open spaces on the edge of the settlement.

This page is intentionally left blank