

MINUTES of a meeting of the LOCAL PLAN ADVISORY COMMITTEE held in the Council Chamber, Council Offices, Coalville on WEDNESDAY, 10 JUNE 2015

Present: Councillor

Councillors R D Bayliss, J Bridges, J Cotterill, R Johnson, J Legrys, V Richichi and M Specht

In Attendance: Councillors S McKendrick and A C Saffell

Officers: Mrs M Meredith, Mr I Nelson, Mr J Newton and Mr S Stanion

1. ELECTION OF CHAIRMAN

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

RESOLVED THAT:

Councillor J Bridges be elected as Chairman for the forthcoming municipal year.

Councillor J Bridges took the chair.

2. ELECTION OF DEPUTY CHAIRMAN

It was moved by Councillor J Bridges, seconded by Councillor V Richichi and

RESOLVED THAT:

Councillor J Legrys be elected as Deputy Chairman for the forthcoming municipal year.

3. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

4. DECLARATION OF INTERESTS

Councillor J Legrys declared a non-pecuniary interest in item 7 – Local Plan – Update, in respect of the Coalville town centre boundaries, as a volunteer at Hermitage FM.

Councillor V Richichi sought advice on declaring interests relating to his land ownership. The Legal Advisor explained that his current interest would remain until the Local Plan was adopted and the limits to development were defined.

Councillor V Richichi declared a non-pecuniary interest in item 7 – Local Plan – Update, as an owner of land in Packington which could be affected by possible changes to the limits to development.

5. MINUTES OF PREVIOUS MEETING

Consideration was given to the minutes of the meeting held on 4 March 2015.

RESOLVED THAT:

The minutes of the meeting held on 4 March 2015 be approved and signed by the Chairman as a correct record.

6. COMMITTEE TERMS OF REFERENCE

Chairman's initials

The Head of Planning and Regeneration advised that the Terms of Reference would require an amendment at the next Council meeting to reflect the changes to the political balance of the Council.

RESOLVED THAT:

The Terms of Reference be noted.

7. LOCAL PLAN – UPDATE

The Planning Policy Team Manager presented the report to members. He explained that the Council had signed a Memorandum of Understanding with other Leicestershire authorities and had agreed to the provision of 7,000 dwellings up to 2031. He advised that employment need in particular had been looked at and it was considered that this was a reasonable and robust piece of work. However he advised that the forecast figures had not necessarily taken into account the Roxhill proposals and there may be a need to allocate an additional 1500 dwellings. He explained that the assessment of employment need was a theoretical exercise.

In response to questions from the Chairman, the Head of Planning and Regeneration advised that the National Planning Policy Framework required the Council to take account of the projected economic growth in setting the figure in respect of housing need. He advised that ONS figures were utilised as a baseline.

Councillor J Legrys commented that the Memorandum of Understanding only focussed on Leicestershire and there had been a lack of consultation. He stated that people travelling to work in Castle Donington may not live within North West Leicestershire. He added that he was deeply critical of this methodology. He felt that to assume a large number of additional dwellings would be required to accommodate the Roxhill, DHL and Aldi developments, which may not take place, was fanciful and farcical, and many of the employees would live in Long Eaton, which was outside of Leicestershire. He stated that this would encourage the market to grow in other neighbouring authorities outside of Leicestershire, and nothing had been done to engage with those local authorities. He expressed criticism of the direction of travel and the Memorandum of Understanding as the demographics of neighbouring authorities outside of the East Midlands was being completely ignored.

The Head of Planning and Regeneration advised that Housing Market Areas were a best fit. He added that he had been meeting his counterparts for those districts with a view to finding a way forward and to ensure that all were content with the plans. He stated that the direction of travel was quite clear, and that it was necessary to increase the amount of growth the district was planning to accommodate.

Councillor J Legrys made reference to the previous housing figures allocated under the Regional Spatial Strategy and commented that he was now inclined to say that those figures were in fact the true figures. He expressed concerns that the Council was being blinkered by the strategy for Leicestershire, and stated that if this work was done on a regional basis, he was convinced that the figures would be completely different.

Councillor R D Bayliss stated that he was not going to be critical as this was informed guesswork, and ultimately the market would decide.

Councillor J Bridges expressed concerns about how flexible the Council could be to react to any changes. He commented that there were developments in the district that would never be completed.

The Planning Policy Team Manager advised that officers had considered the ongoing developments, and had come to the conclusion that all of them would not be completed within the plan period. He stated that flexibility therefore needed to be built in by adding more land into the Local Plan. He added that identifying development sites would allow the Council to take control.

In response to a question from Councillor R Johnson, the Planning Policy Team Manager advised that the figure of 10,700 homes was the generic need, therefore inclusive of private and social housing.

Councillor R Johnson requested an update on the Roxhill proposals. The Planning Policy Team Manager advised that it was his understanding that there would be a decision by the end of January next year, and therefore by the time the Council considered the final Local Plan, the application should be determined.

In response to a question from the Chairman, the Planning Policy Team Manager advised that agreeing to a housing need figure of 10,700 would give the Council more control of the land, and would give the plan a much better chance at the examination stage. He added that without a Local Plan, there would be no control.

Councillor V Richichi asked whether there could be a timescale imposed within which developers must start work on approved applications.

The Chairman stated that he had noticed certain developers were reducing their timescales and he supported this.

The Planning Policy Team Manager commented that the build rate in the previous year was significantly higher than previous years and he could not recall a recent application for an extension of time due to a lapsed permission.

The Head of Planning and Regeneration added that this was more actively managed than it used to be in order to maintain a robust position in respect of the five year housing land supply.

The Legal Advisor commented the failure rate for local plans at examination pre-election was particularly high with many plans foundering or at the very least examinations being suspended (e.g. in relation to Charnwood) on an insufficient supply of housing land, and the failure of Councils to comply with the duty to co-operate. He added whether the Government could continue to tolerate such a failure rate going forward given the focus on 'delivery' of development through the plan process, was debatable, and the possibility of inspectors being 'reined in' could not be discounted.

Councillor J Legrys commented that he had noticed a sea change since the Council had secured a five year housing land supply. He asked how the figure of 10,700 dwellings would affect the housing land supply.

The Planning Policy Team Manager advised that this was currently being assessed.

Councillor M Specht commented that there were certain areas in the district were not progressing with plans for sites allocated for housing. He asked how this could be addressed.

The Head of Planning and Regeneration advised that the Local Plan was tested at the point of publication, and the public could object. He added that the Council needed to demonstrate that there was a reasonable chance that sites could be developed. He advised that both landowners and developers put forward sites for inclusion in the Local Plan, but no one could guarantee deliverability.

Chairman's initials

The Planning Policy Team Manager referred to section 3 of the report in respect of affordable housing. He advised that the possible options had to be tested, and sought the view of the Advisory Committee on which of the options they would support, should they all be viable.

Councillor J Legrys stated that the Labour Group did not support any of the options outlined. He argued that 40% affordable housing was needed in Coalville, and at this stage, none of these options were acceptable.

The Chairman sought clarification on how flexible the affordable housing percentage was, and asked hypothetically what the position would be should a site come forward which members considered required 40% affordable housing.

The Head of Planning and Regeneration advised that if it could be demonstrated to be viable, then it could be passed through the examination process. He suggested that the Planning authority would need to make a decision to compromise.

The Chairman sought clarification on what the position would be if there was a site with higher infrastructure costs and a lower affordable housing percentage. He asked whether monies could be taken from the Section 106 Agreement in such cases and be allocated to another site that was viable.

The Head of Planning and Regeneration advised that this could be done by way of a commuted sum.

The Chairman invited Councillor A C Saffell to speak.

Councillor A C Saffell stated that the previous Core Strategy had an affordable housing requirement of 30% in Castle Donington, and some permissions had already been granted with as little as 8%.

Councillor J Legrys felt that a policy which determined the affordable housing requirement on a site by site or ward by ward basis would be a better approach.

The Chairman added that he would be happy with a guide on the figures, as long as this was purely a guide and the percentage could be altered depending on the circumstances.

Councillor R Johnson commented that developers were there to make money, and affordable housing was needed. He felt that there should be a process in place to control developers.

The Chairman requested that the concerns raised by members about flexibility be noted and asked that it be made clearer in the report.

Councillor R D Bayliss agreed with the comments made by Councillor J Legrys and felt that a figure of 20% in Coalville and 30% in Castle Donington was the wrong way round.

The Chairman encouraged local members to come forward with proposals for their own areas and provide input.

The Planning Policy Team Manager referred to the concerns raised at the previous meeting, and highlighted the proposed changes to the boundaries in Ashby de la Zouch and Castle Donington.

Councillor J Legrys stated that he remained concerned about a small group of shops between James Street and Vaughan Street that had not been included within the town

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centre envelope. He added that he would like to lobby hard for them to be included. He stated that there were quite a lot of well used profitable shops that would not be protected and he would like to see the boundary moved.

The Planning Policy Team Manager advised that officers had considered this matter, and whilst there were some town centre uses in that area, it was predominantly residential.

Councillor J Legrys requested that it be minuted that he would like that part of the boundary moving to Vaughan Street.

The Chairman invited Councillor A C Saffell to speak on the issues relating to Castle Donington.

Councillor A C Saffell outlined his concerns that Castle Donington was growing quickly and there was not a single empty shop unit. He felt that more flexibility was needed to encourage natural growth and he wanted to be able to encourage people to set up business in Castle Donington. He stated that it would be useful for officers to walk around Castle Donington and see the issues for themselves.

The Planning Policy Team Manager advised that this had already been discussed with the Parish Council and this would be arranged.

Councillor M Specht requested an explanation on why the town centre boundaries appeared to be shrinking.

The Planning Policy Team Manager advised that the boundaries were originally drawn up 20 years ago and there was more guidance available now. He added that previously, there was more flexibility in terms of the national approach. He stated that the main reason that most town centres were shrinking was due to the growth in out of town shopping. He added that widening the town centre boundary would dilute the town centre and it would be better to manage this and retain the town centre uses. He explained that just because a unit was excluded from the town centre, this did not mean that an application would be refused, as the sequential approach would be taken. He gave the example of the supermarket in Castle Donington, which had been permitted although it was well outside of the town centre boundary.

Councillor M Specht asked if there were any shops on Clapgun Street.

The Planning Policy Team Manager advised that this area was predominantly residential.

Councillor A C Saffell stated that there was a guest house and some housing, however this was an area where he would expect more units to revert to shops.

The Planning Policy Team Manager referred to the Limits to Development and the decisions made on the applications at the previous evenings Planning Committee. He highlighted the amended map which had been circulated to take account of the decisions made at the meeting.

The Chairman felt that discussing this matter was premature. He felt that this should be duly noted but not incorporated at this stage.

The Legal Advisor stated that this was an evolving process, and the draft Local Plan would be considered in September. He added that if this site had permission at the stage of adopting the Local Plan, members may want to include it.

The Planning Policy Team Manager highlighted the next steps and suggested an additional meeting be arranged on 29 July to allow the Advisory Committee to feed in their comments on the full draft Local Plan.

Councillor J Legrys concurred with this suggestion and stated that he was happy with recommendations 1 – 6. He stated that he believed there should be local member input when officers were out in the district giving presentations. He asked that members be informed of the dates.

The Planning Policy Team Manager advised that the dates could be communicated in the members' bulletin.

In response to a question from Councillor R Johnson, the Head of Planning and Regeneration advise that HPIG were a strategic planning group comprised of directors of the Leicestershire planning authorities and was chaired by our Chief Executive.

The Chairman requested that members be provided with further information on who the group was, and where the minutes could be found.

It was then

RESOLVED THAT:

- a) The Advisory Committee agrees to an additional meeting on 29 July 2015 to consider the draft Local Plan.

The Advisory Committee agrees to cancel the meetings scheduled for 16 September 2015 and 18 November 2015.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 8.10 pm

Chairman's initials