

MINUTES of a meeting of the LOCAL PLAN ADVISORY COMMITTEE held in the Council Chamber, Council Offices, Coalville on WEDNESDAY, 29 JULY 2015

Present: Councillor J Legrys (in the Chair)

Councillors R Adams (Substitute for Councillor R Johnson), J Cotterill, J Hault (Substitute for Councillor R D Bayliss), G Jones (Substitute for Councillor J Bridges), V Richichi and M Specht

In Attendance: Councillors R Johnson, S McKendrick and A C Saffell

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

8. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J Bridges and R Johnson.

9. DECLARATION OF INTERESTS

Councillor J Legrys declared a non pecuniary interest in any discussion relating to Coalville, as a volunteer at Hermitage FM.

10. MINUTES OF PREVIOUS MEETING

It was moved by Councillor M Specht, seconded by Councillor J Cotterill and

RESOLVED THAT:

The minutes of the meeting held on 10 June 2015 be approved and signed by the Chairman as a correct record.

11. COMMITTEE TERMS OF REFERENCE

RESOLVED THAT:

The Terms of Reference be noted.

12. LOCAL PLAN – UPDATE

The Director of Services presented the report to members, outlining the progress to date on the Local Plan and discussions at the Advisory Committee which had led to further work and engagement with Parish and Town Councils, particularly in respect of the town centre boundaries. He added that the draft Local Plan was underpinned by evidence which was available for members to view. He stated that the work to date had been leading to this point, where a draft Local Plan was available which contained all the policies that were proposed to be included in the Local Plan.

The Director of Services invited members to discuss the proposals and make any comments on the draft Local Plan, which would be reported to the Council meeting on 15 September. He added that it would be a matter for Council to determine the content of the final Local Plan. He explained that thereafter, the agreed Local Plan would go through a formal process of public consultation and examination by an independent Planning inspector who would be appointed by the Secretary of State. The inspector would then make a series of recommendations to the Council, and hopefully adoption of the Local Plan would follow. He advised that the Local Plan would carry full weight in the planning process at that point.

Chairman's initials

The Director of Services referred members to the draft Local Plan before them and highlighted the figures identified by policy S2 in the Strategy section. He advised that these figures represented the overall level of development proposed in the plan period up to 2031. He made reference to the previous discussions which had taken place in respect of the plan period, and advised that due to the work being done on the Housing Market Area it had been agreed to restrict the plan period to 2031. He added that the policies within the Local Plan gave substance to those figures.

In respect of employment, the Director of Services highlighted the overall requirement for 96 hectares, and pointed out that there was an existing commitment for 126 hectares, which exceeded this figure. He advised that taking into account the fact that there would be some employment land lost over the plan period, there was an overall shortfall of 13 hectares. Therefore it would be necessary to allocate at least 13 hectares of additional employment land to meet the allocated requirement. He added that there were sites already across the district with planning permission which would contribute to that requirement.

The Director of Services made reference to the previous discussion at the Advisory Committee in terms of the need for flexibility in respect of the housing requirement figure, allowing for an increase in employment, particularly taking into consideration the proposal for a major strategic distribution site in the north of the district. He advised that, taking into account the existing number of dwellings already with planning permission, it was proposed to allocate one additional strategic site at Money Hill which would meet the shortfall in the overall housing and employment requirement.

In respect of affordable housing, the Director of Services referred to the options previously identified and the viability testing which had now been undertaken. He advised that following the viability testing, the proposal in the draft Local Plan was that the current market conditions be used for the affordable housing policy. This meant that for sites with 15 or more dwellings, 20% affordable housing would be required in Coalville and Ibstock, with a 30% requirement in Ashby de la Zouch and Castle Donington. He added that elsewhere in the district, the threshold would be 11 dwellings with a 30% affordable housing requirement. He stated that this sought to meet the affordable housing needs in the district whilst remaining at a level which was still viable. He added that if the levels were set higher, this could have a detrimental impact upon growth within the district.

The Director of Services outlined the requirement to provide for the needs of the gypsy and traveller community. He added that the needs assessment showed that additional sites needed to be provided. He advised that in conjunction with other Leicestershire authorities, a revised needs assessment was being commissioned, and once this was updated, it would supplement the Local Plan. He highlighted that at this stage, the Council was not in a position to identify where those sites would be located, however it was worth noting that this work was to follow. He added that failing to commit to providing these sites could affect the viability of the whole Local Plan.

The Director of Services referred to the key issues and the natural environment section on page 18 of the agenda. He reiterated that when preparing the previous Core Strategy, members were keen to stress the importance of the area of separation between Coalville and Whitwick. He advised that it was still proposed to have a policy in the Local Plan to protect this land as an area of separation.

The Director of Services highlighted the timetable set out on page 19 of the agenda, which was based on the assumption that Council would agree the Local Plan in September. He pointed out that some of the stages in the timetable would depend upon others, and in particular this would be subject to the inspector's agreement, but the Council would be endeavouring to adopt the Local plan by 2017.

The Planning Policy Team Manager drew members' attention to the draft Local Plan which was accompanied by a policies map, setting out the key policies which applied across the district. He advised that there was one additional change proposed to the town centre boundary in Castle Donington.

Councillor A C Saffell was invited to speak at this point, as his concerns related particularly to the town centre boundary in Castle Donington.

Councillor A C Saffell advised that the Planning Policy Team Manager had met with Councillor Sowter, the Chairman of the Planning Committee at the Parish Council, and with the Clerk and had walked around the town centre, discussing the current and potential future location of shops. He advised that under the current proposal, some of the shops were outside of the town centre. He added that the main street which the Parish Council would like to see included within the town centre was Clapgun Street, as there were a number of business premises there already, and most of the houses could be easily converted for business use. He added that with the shops already full to capacity and the population in Castle Donington due to increase by 50% over the plan period, the Parish Council wanted an area to which new businesses could be directed. He stated that control would be lost under the current proposals. He felt that the simplest solution would be to revert back to the current plan which had been in place for a number of years, and included the business centre of Donington Manor. He stated that if this wasn't done, business opportunities would be strangled and this was against Government policy. He added that there should be room for growth, and there wasn't any at the moment. He asked for the officers' co-operation to achieve a sensible village boundary.

The Planning Policy Team Manager circulated a plan showing the existing boundary and the revised proposal following his meeting with the Parish Council. He stated that this was an issue the Advisory Committee had discussed on a number of occasions. He added that the aim was to get the balance right by having an area to accommodate potential future growth that wasn't too large at the same time. He advised that in most cases, a smaller town centre boundary was recommended given the changes in retail requirements. He stated that it was clear from walking around Clapgun Street that this was very much a residential area at the present time. He referred to the guidance which recommended that town centre boundaries should be drawn up taking into account existing uses. He added that it must be recognised that the plan period was up to 2031 and there would be an element of churn. He felt it was reasonable to assume that some additional retail uses would be possible as a result of this natural churn. He explained that in accordance with the policy, the town centre boundary was where business uses would be directed to initially, however this did not prohibit such uses elsewhere, as a sequential approach would be taken and consideration given to whether there were any other premises within the town centre area that would be suitable. He concluded that the proposed reduced town centre boundary would still allow some flexibility in the future. He added that a retail capacity study had been undertaken, and no major issues had been identified in Castle Donington. He felt the proposal struck an appropriate balance.

Councillor A C Saffell reiterated that there were no empty properties at all in the main town centre area, whereas there were empty properties in Clapgun Street. He added that with the forthcoming increase in population, he did not want to restrict jobs. He stated that he appreciated the sequential approach could be utilised, but this could result in shops on Bondgate. He suggested that this discussion be continued, and the Parish Council put forward its own proposal. He added that the Parish Council wanted to support the local businesses if possible.

The Chairman reiterated that the Local Plan would go out for public consultation after it was debated at Council. He thanked Councillor A C Saffell for his comments which would be reported to Council.

Chairman's initials

The Chairman encouraged everyone present at the meeting to study this document and how it affected the local area, and to get involved in the consultation.

In response to a question from Councillor V Richichi, the Director of Services advised that there would be no form of consultation prior to Council, and therefore the draft Local Plan before members would be considered by Council, and any comments made at this meeting by members would be taken into account in the covering report.

Councillor J Hoult sought clarification in respect of the Bardon Grange proposal as this did not appear to be mentioned in the report. The Director of Services advised that all sites which had received planning permission in the last 18 months were recorded in the draft Local Plan as commitments, and counted toward the housing requirement figures.

Councillor J Hoult asked if the Local Plan would override a neighbourhood plan. The Director of Services advised that a neighbourhood plan would need to conform with the Local Plan strategy. For example, if the Local Plan allocated land at Money Hill for development, the neighbourhood plan could not state that there should be no development at Money Hill. He clarified that there needed to be conformity between the two and if this was not the case, the neighbourhood plan would be tested and would be found unsound.

The Planning Policy Team Manager highlighted the section in respect of neighbourhood plans on page 140 of the agenda, and also appendix 5. He advised that officers had considered all the proposed policies in the draft Local Plan and identified whether they were considered to be strategic, local or both. He clarified that neighbourhood plans had to conform to the strategic aspects of the Local Plan. He added that officers had been in regular contact with the neighbourhood plan group to advise them, and would continue to do so in the hope that the two plans could move forward in parallel.

In response to questions from Councillor G Jones, the Planning Policy Team Manager advised that there was no specific policy in the draft Local Plan for the provision of self build units as this was Government policy in any case. He added that it would be difficult to demonstrate the number of people wishing to undertake a self build, and the considerations that would apply would be the same as for any other planning application. In terms of retirement and care homes, the Planning Policy Team Manager advised that there was no specific policy, however policy H6 set out on page 69 of the agenda was concerned with housing types and mix, ensuring a balance and including provision for all sections of the community, which would include elderly persons. He added that there was no policy partly because there were no issues that the Council was aware of at this stage.

Councillor G Jones stated that he would like to see a policy in the Local Plan in respect of a minimum square footage. He added that he would have liked to see something in the draft Local Plan about self build due to the percentage of people undertaking this.

The Planning Policy Team Manager advised that there was nothing in the draft Local Plan in respect of square footage in order to retain flexibility and to avoid being prescriptive.

Councillor R Adams referred to the comments in respect of the Leicester to Burton line on page 17 of the agenda and noted that a report had been commissioned. He sought clarification on the timescales for the publication of this report.

The Planning Policy Team Manager advised that the report was due this summer; however it was not known whether it would be finalised and publicised prior to the consideration of the Local Plan at the Council meeting in September.

Councillor R Adams sought clarification on the site on Waterworks Road referred to on page 59 of the agenda. The Planning Policy Team Manager advised that it was proposed to continue with the existing allocation for housing.

The Chairman stated that he recalled a petition to the Council from children on the Greenhill estate calling for the land to be kept for recreational use. He thought that the Council had made a commitment subsequent to this petition. He asked that officers look into this matter.

Councillor R Adams referred the commitment by the Government to build affordable housing, and asked how the figures in our policy fit in with the Government proposals.

The Planning Policy Team Manager advised that the Council had to set its own policy, and added that there may well be other means of delivering affordable housing, for example through developments from housing associations. He added that the Government was keen to bring forward more public sector land. He advised the policy was set in order to establish a target figure should any major developments come forward.

Councillor R Adams felt that the affordable housing figure for Coalville was too low given the need in the area.

The Planning Policy Team Manager commented that the need was not disputed; however the policy was concerned with viability. He reiterated that an assessment had been undertaken which had advised that 20% was the maximum that was affordable at this time.

In response to a comment from Councillor R Adams, the Planning Policy Team Manager highlighted policy H6 on page 69 of the agenda, part 3 of which made reference to the fact that properties for the elderly would be provided, including bungalows.

The Director of Services added that the affordable housing policy set out on page 63 of the agenda also made the point that where bungalow provision was made, the Council would consider a reduction in the overall affordable housing requirement to encourage the provision of bungalows.

In response a question from Councillor M Specht, the Director of Services advised that under the previous process, there was an opportunity for a pre-meeting with the planning inspectorate. That opportunity no longer existed, and therefore the Council had sought advice from Malcolm Sharp, who is a nationally renowned planning advisor, and also Simon Stanion, legal advisor. He stated that both would be providing external assurance to the process and would be advising the Council on the soundness of the Local Plan.

The Legal Advisor explained that the advice to the Council was work in progress at the moment, and That this would address both the issue of soundness and the legal duty to co-operate with neighbouring authorities on strategic cross-boundary issues.

In response to a question from Councillor M Specht, the Planning Policy Team Manager advised that there were instances elsewhere where a neighbourhood plan had been adopted prior to a Local Plan.

Councillor M Specht commented that he was somewhat shocked at the previous Advisory Committee meeting that the housing allocation had increased from 7,000 to 10,700 dwellings; however it appeared that this was a good thing for North West Leicestershire as this was only due to the number of jobs anticipated.

In response to a question from Councillor M Specht, the Planning Policy Team Manager advised that a specific site had been identified on the policies map for Measham as a reserved site for the Measham Waterside proposal.

The Chairman asked the Ashby members to comment on the proposal to double the housing numbers at Money Hill.

Councillor J Hoult commented that the number of dwellings was not a concern; local residents were worried about the Nottingham Road entrance.

Councillor G Jones felt that the general view of the Ashby Town Councillors was that this would be the preferred route for the expansion. He commented that he would like to think there would be a fair bit of imagination used on the Money Hill site and hoped the planners could think outside the box, as something different was wanted. He added that perhaps serious consideration needed to be given to relocating Ivanhoe college, and perhaps using this area for affordable housing for the elderly. He added that this needed a lot of thought. He considered that most people in Ashby de la Zouch were not too much against the development itself, but just the traffic onto Nottingham Road.

The Director of Services referred to policy H3 outlined on page 60 of the agenda and clarified that in respect of the access the policy made it clear that there should be three accesses, the primary being off the A511, the secondary being Smisby Road, and the Nottingham Road being limited vehicular access. This had been included in the policy in response to the concerns raised by members.

Councillor G Jones commented that given the size of the development, he did not consider three accesses to be adequate, especially considering the additional employment uses proposed at the site.

Councillor J Hoult stated that it would be really appreciated if an area could be incorporated into the town where workers could park all day. He added that Ashby de la Zouch currently has no village hall. He asked if this could be included as it was lacking.

The Planning Policy Team Manager highlighted policy H3a which referred to a range of infrastructure provision, including community facilities.

Councillor J Hoult commented that car parking was direly needed.

The Chairman noted that there were some members of public present who were wanting to speak. He invited questions from the floor.

Mr D Bigby, Ashby Town Councillor, referred to the analysis in the document in respect of employment land, which made the assumption that 45 hectares would be lost to other uses during the plan period, mainly for housing. He commented that if this was the case, there would be sufficient land for additional 900 houses. He asked why this was not included in the housing allocation figures.

The Planning Policy Team Manager advised that, when considering employment land, it was realistic to assume that not all of it would remain for employment use. He added that there was no scientific way of assessing what might be lost, so officers had looked back over the last 10-15 years. Conversely, in terms of the housing allocation, this had not been taking into account because there could be no certainty that this would happen, and when the Local Plan reached the inspection stage, the inspector would require certainty.

Mr D Bigby expressed the importance of the developer viability assessments in respect of affordable housing provision. He asked if these would be made public in future so people could work out for themselves whether the affordable housing provision was appropriate. He stated that he would like to see this included in the Local Plan if it was legally possible.

The Head of Planning and Regeneration explained that the developer viability assessments contained commercially sensitive information that would be useful to competitors, so under the principles of Freedom of Information, they would be exempt from the Act. He stated that he expected to continue to keep those reports private; however this is not the same as reporting the key messages.

Mr A Sowter, Castle Donington Parish Councillor, asked how viability testing was carried out and whether the Council had the authority to have the developer audited to demonstrate that they can afford what they proposed.

The Head of Planning and Regeneration advised that some consultancies had started to carry out valuation exercises to verify the assumptions made. The Council asked the District Valuer to give their expert opinion as to whether the values and costs were viable. If not, negotiations would continue with the developer.

Mr C Tandy, Ashby Civic Society, stated that the housing distribution for the district was heavily loaded towards Ashby de la Zouch, which would obviously put a huge strain on the infrastructure of the town in terms of the, road systems, education and the River Mease. He commented that hopefully these issues would be addressed in the sustainability appraisal and asked when this would be available to the public.

The Planning Policy Team Manager stated that he hoped it would be available in the next few days.

Mr C Tandy made reference to the Money Hill applications which were both going to appeal far before the Local Plan was issued. He asked if the Council would be putting those conditions on the road system serving the Money Hill estate.

The Head of Planning and Regeneration explained that this was not part of the planning applications that were appealed.

Ms J Tebutt, Coalville resident, commented that she was conscious the Local Plan would significantly increase the number of houses required per annum. She asked whether the Council perceived this would affect the housing land supply and asked what provisions could be built into the Local Plan to ensure that developers did not try to exploit the 5 year housing land supply.

The Planning Policy Team Manager stated that once the Local Plan was adopted, the housing requirement would be established, and the key issue was to ensure that the sites which were permitted then proceeded to be developed to ensure the Council could continue to demonstrate a 5 year housing land supply.

Ms J Tebutt asked whether it was the case the current SHMA figures could be safely worked to until the ink was dry on the Local Plan.

The Planning Policy Team Manager stated that his advice would be to work on the higher figures, as this was safer.

Mr Yates, Ashby de la Zouch resident, asked why policy EC2 had been disregarded, and what extra implications would the adoption of the Local Plan have on planning applications.

The Director of Services advised that as the Local Plan progressed through the stages it would carry more weight, and at this stage, the draft Local Plan still has limited weight. He added that it was not the case that in September, the Council agreed the Local Plan and then current applications were influenced by this. He explained that there may be

some influence and regard had to the Local Plan, but this would need to be cautiously done throughout the process.

In respect of policy EC2, that site had been identified as land owners and developers had been invited to put forward land, and suggestions were quite limited. Officers felt that this site could be developed particularly as part of a larger mixed use site. He explained that the employment use at the site would be partly dictated by the developer and the current market. He stated there was no evidence to suggest that there was a need for smaller units at this time to meet local need.

The Legal Advisor stated that in terms of the relevance of the draft Local Plan on decision making, it would be wrong for the Council to ignore it altogether as was it a material consideration, and regard needed to be had to it. He added that it was a matter for the Council to determine what level of weight was given to it. Until the Local Plan underwent public consultation and the level objection to it in particular was known, he advised that the Council should not afford much weight to it as it was a preliminary view only.

The Chairman reiterated to the members of public present that they should keep in touch with their local elected member on this matter, or anyone on the Advisory Committee. He thanked those present for attending and asking questions.

The Chairman referred members to the recommendation as set out in the report.

RESOLVED THAT:

The draft Local Plan be noted.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 8.00 pm

Chairman's signature