

Meeting	LOCAL PLAN ADVISORY COMMITTEE
Time/Day/Date	6.30 pm on Tuesday, 21 February 2017
Location	Council Chamber, Council Offices, Coalville
Officer to contact	Democratic Services (01530 454512)

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

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

AGENDA

Item	Pages
1. APOLOGIES FOR ABSENCE	
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 PREVIOUS MEETING	
To approve the minutes of the meeting held on 6 October 2016.	3 - 6
4. COMMITTEE TERMS OF REFERENCE	
Terms of Reference attached.	7 - 8
5. LOCAL PLAN PROGRESS UPDATE: EXAMINATION, HEDNA AND NEXT STEPS	
Report of the Director of Services.	9 - 16



6. GYPSY AND TRAVELLER SITE ALLOCATION DPD: UPDATE

Report of the Director of Services.

17 - 30

Circulation:

Councillor R D Bayliss
Councillor J Bridges (Chairman)
Councillor J Cotterill
Councillor R Johnson
Councillor J Legrys (Deputy Chairman)
Councillor V Richichi
Councillor M Specht

MINUTES of a meeting of the LOCAL PLAN ADVISORY COMMITTEE held in the Board Room, Council Offices, Coalville on THURSDAY, 6 OCTOBER 2016

Present: Councillor J Bridges (Chairman)

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

In Attendance: Councillors T J Pendleton

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

8. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R D Bayliss and R Johnson.

9. DECLARATION OF INTERESTS

There were no interests declared.

10. MINUTES OF PREVIOUS MEETING

Consideration was given to the minutes of the meeting held on 27 July 2016.

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

RESOLVED THAT:

The minutes of the meeting held on 27 July 2016 be approved and signed by the Chairman as a correct record.

11. COMMITTEE TERMS OF REFERENCE

Noted.

12. GYPSY AND TRAVELLER SITE ALLOCATION DPD: SITE OPTIONS CONSULTATION

The Head of Planning and Regeneration presented the report to members. He explained that following the last meeting of the Advisory Committee in July, officers had since finalised the list of potential sites and had written to ward members to notify them and set out the arrangements for viewing the details of sites. He advised that officers had begun to contact land owners to establish the availability and suitability of the land, and any responses would be taken on board in a report to Council. It was intended that Council would be asked to endorse the allocations document for formal consultation on 8 November.

In response to questions from Councillor R Adams, the Head of Planning and Regeneration advised that when the chosen sites were announced, this would be considered by Council rather than Planning Committee as this formed part of the development plan. He highlighted that the process in respect of identification of potential sites differed from a planning application.

Councillor G Jones sought clarification on the criteria used to determine whether there were sufficient suitable sites. The Head of Planning and Regeneration advised that an independently prepared study had been undertaken in 2013 across North West Leicestershire and the other district councils in Leicestershire which was used to work out the requirements. He explained that an update to that study was currently in progress and

North West Leicestershire District Council was a member of the consortium of councils who were working to update the shared evidence base. He added that until the new figure was available, it was necessary for the Council to plan to meet the need on the best available evidence.

Councillor J Legrys expressed concern that Hinckley and Bosworth Borough Council had excluded themselves from this methodology and sought clarification on the reasons for this. The Planning Policy Team Manager advised that this was essentially because they were undertaking an existing piece of work for their own local plan. He added that they were using the same consultants as employed by the consortium, which should ensure some consistency.

Councillor J Legrys welcomed the report and supported the recommendations. He expressed concerns about the issue of releasing the list of proposed sites into the public domain and felt this required careful handling. He asked that the Portfolio Holder study the report to Council and the press releases prior to their publication.

In response to questions from Councillor V Richichi, the Head of Planning and Regeneration advised that land owners had now been contacted in respect of potential sites, however no responses had been received to date.

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

RESOLVED THAT:

- a) The progress being made to identify possible sites and broad locations to meet the accommodation needs of gypsies, travellers and travelling showpeople be noted;
- b) The broad format and content of the Gypsy and Traveller Site Allocation DPD: Site Options Consultation Document be noted;
- c) The need to undertake a sustainability appraisal and habitats regulations assessment be noted; and
- d) The consultation arrangements for the Site Options Document be noted.

13. INFRASTRUCTURE DELIVERY PLAN

The Head of Planning and Regeneration presented the report to members. He advised that the Council had prepared an Infrastructure Delivery Plan in order to deliver the developments in the Local Plan. He added that the Infrastructure Delivery Plan had been submitted along with the Local Plan to the Secretary of State in order to give the inspector some confidence that the Council can deliver what is being planned for. He outlined the arrangements in respect of establishing a partnership to manage infrastructure provision and the agencies responsible for the delivery of infrastructure. He also drew members' attention to the infrastructure set out in Appendix A which was critical to the delivery of the Local Plan. He advised that there was currently a funding gap and the Council would need to continue to secure as much funding as possible via Section 106 Agreements and other sources to ensure that infrastructure was delivered.

Councillor J Legrys expressed disappointment that members had not had the opportunity to add to this list prior to the meeting. He also stated that he was bitterly disappointed that the Hugglescote Crossroads continued to be put in the wish list as Leicestershire County Council as the Highways Authority had made it clear that there was no money and no need to undertake this project. He expressed his vehement objection to this.

Councillor J Legrys made reference to the critical water supply problem in respect of the Grange Road development in Hugglescote. He sought assurances that there would be sufficient water supply to serve the sustainable urban extension. The Head of Planning and Regeneration advised that the purpose of forming the infrastructure partnership was to actively manage such issues and bring them to the attention of the water authority to ensure that developments were not coming forward with insufficient water supply.

Councillor J Bridges expressed concerns in respect of statutory consultees raising no objections to planning applications and subsequently requiring infrastructure improvements.

Councillor J Legrys supported these comments and stated that he was pleased the Council had made a bid for monies to expand the fire service. He felt that the Police should be included in the list at Appendix A. The Head of Planning and Regeneration advised that the Police had been involved in this particular piece of work and had other funding sources available.

Councillor J Legrys commented that if he were to purchase a new property, he would expect broadband access and a decent mobile phone signal. He felt this should be prioritised.

In response to questions from Councillor M Specht, the Planning Policy Team Manager advised that there was no formal policy in respect of self build properties in the Local Plan and there was no specific requirement to do so. However the Council maintained a register in accordance with the requirements.

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

RESOLVED THAT:

- a) The findings of the Infrastructure Delivery Plan be noted and;
- b) The proposal to establish an infrastructure partnership be noted.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 7.19 pm

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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 will be constituted in accordance with the proportionality provisions contained within The Local Government and Housing Act 1989.
- 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 Services 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.

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LOCAL PLAN ADVISORY COMMITTEE – TUESDAY, 21 FEBRUARY 2017

Title of report	LOCAL PLAN PROGRESS UPDATE: EXAMINATION, HEDNA AND NEXT STEPS
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>Head of Planning & Regeneration 01530 454782 jim.newton@nwleicestershire.gov.uk</p> <p>Planning Policy Team Manager 01530 454677 ian.nelson@nwleicestershire.gov.uk</p>
Purpose of report	<p>To update members on :</p> <ul style="list-style-type: none"> i) the outcomes of the Local Plan Examination Hearing sessions undertaken so far; ii) the latest position with the Housing and Economic Development Needs Assessment (HEDNA) and its implications for the Local Plan; iii) the Examination Inspector’s proposed next steps and revised timetable.
Council priorities	<p>Value for Money Business and Jobs Homes and Communities Green Footprints Challenge</p>
<p>Implications:</p> <p>Financial/Staff</p> <p>Link to relevant CAT</p> <p>Risk Management</p>	<p>None</p> <p>None</p> <p>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.</p>

Equalities Impact Screening	An Equalities Impact Assessment of the Local Plan has been undertaken
Human Rights	None discernible
Transformational Government	Not applicable
Comments of Deputy Chief Executive	The report is satisfactory.
Comments of Deputy Section 151 Officer	The report is satisfactory.
Comments of Deputy Monitoring Officer	The report is satisfactory.
Consultees	None
Background papers	Local Plan Examination website: http://www.nwleics.gov.uk/pages/local_plan_examination Housing and Economic Development Needs Assessment (HEDNA): http://www.nwleics.gov.uk/pages/housing_and_economic_development_need_assessment_hedna
Recommendations	THAT THE ADVISORY COMMITTEE: (i) NOTES THE MAIN ISSUES ARISING OUT OF THE LOCAL PLAN EXAMINATION HEARING SESSIONS HELD SO FAR (ii) NOTES THE MAIN FINDINGS OF THE HEDNA AND THE RESULTING IMPLICATIONS FOR THE LOCAL PLAN (iii) NOTES THE INSPECTOR'S PROPOSED NEXT STEPS AND REVISED TIMETABLE

1.0 BACKGROUND

1.1 The North West Leicestershire Local Plan was submitted for examination on 6th October 2016. Inspector Brian Sims was appointed to oversee the Examination, and the Hearing sessions were programmed to be held between 5th January and 16th January 2017 at the Heartwood conference centre in Coalville.

2.0 EXAMINATION HEARING SESSIONS

2.1 Hearing sessions were held on each of the following issues:

- Legal Compliance and Future Plan Review
- Vision, Objectives and Spatial Strategy
- Housing Land Requirement
- Affordable Housing and Viability
- Housing Land Supply
- Employment
- Countryside and Open Space
- Environmental and Heritage

2.2 In addition, the Inspector determined that issues regarding retail and implementation & monitoring could be dealt with through written representations and no Hearing session was required.

2.3 A wide variety of participants attended, and gave evidence at, the Hearing sessions, including Council officers, developers and their agents, neighbouring local authorities, local residents, district, town and parish councillors and local interest groups.

2.4 During the Hearing sessions, there were a number of issues that the Inspector sought either further clarification, or more detail, on, or where he requested that the Council put forward a modification to the Plan. The Inspector's list of issues can be found here:

http://www.nwleics.gov.uk/files/documents/in08/IN08_Further%20Guidance%20from%20the%20inspector%20Jan2017%20FINAL.pdf

2.5 In particular, the Inspector requested that the Council put forward main modifications to the Plan in relation to the following:

- a. proposed Main Modifications (MM) to the wording of Policy S1 (and others as appropriate) to establish clear criteria for review of the Plan and the submission of any review for examination within specified timescales in response to changed circumstances and in particular altered housing and employment development needs demonstrated by the new HEDNA.
- b. Proposed MM to Policies S2 and S3 to provide flexibility for proposals for the sustainable redevelopment of suitable brownfield or other sites situated outside defined settlement limits.
- c. Proposed MM to include a policy encouraging sustainable transport with respect to climate change.
- d. Proposed MM to Policy Ec2 (and others as appropriate) to introduce flexibility for proposals for sustainable housing or employment or other development within the M42 corridor.
- e. Consideration of how a MM might be made to Policy H4 to enable the affordable housing thresholds or percentages to be adjusted for brownfield sites in preference to individual viability assessment and negotiation.
- f. Proposed MM to require a comprehensive master plan (or development framework) for the strategic mixed allocation at Money Hill, Ashby de la Zouch.

- g. Proposed MM to Policy H3c for the allocation of one or both of the alternative sites in Measham with respect to the potential effects of HS2, specifying a total overall capacity.

2.6 Officers have now provided responses to all of the points made in the Inspector's note. These include the proposed main modifications requested. In accordance with the resolution of Council of 28 June 2016 the wording of such possible modifications is delegated to the Director of Services who has consulted with the Portfolio Holder for Planning and Regeneration. The responses can be found here:

http://www.nwleics.gov.uk/files/documents/nwldc_response_to_in08/NWLDC%20Response%20to%20IN08.pdf

2.7 One of the key issues raised at the Hearing sessions was in relation to the (then) impending publication of the Housing and Economic Development Needs Assessment (HEDNA – see section 3.0 below), and how that would have direct relevance to what should be included in the Local Plan in terms of the amount of land allocated for housing and employment use. Anticipating that the HEDNA was likely to be published part-way through the Examination period, Council officers wrote to the Inspector in December 2016 to advise him of this. The Inspector determined that he was content to undertake the Hearing sessions as programmed, whilst acknowledging that, once published, the HEDNA would become a material consideration and further consultation/Hearing session(s) may be necessary when its content was known.

2.8 Once it was confirmed that the HEDNA would indeed be published during the Examination period, the Inspector determined that a further Hearing session would be needed, to take place on 21st March 2017 (with an additional reserve day set aside on 23rd March).

3.0 HOUSING AND ECONOMIC DEVELOPMENT NEEDS ASSESSMENT (HEDNA)

3.1 The Leicester and Leicestershire authorities and the Local Enterprise Partnership (LEP) have commissioned a Housing and Economic Development Needs Assessment (HEDNA) to assess future housing needs, the scale of future economic growth and the quantity of land and floorspace required for economic development uses between 2011 and 2031/36.

3.2 The HEDNA replaces both the Strategic Housing Market Needs Assessment (SHMA) undertaken jointly with all of the other Leicester and Leicestershire authorities in 2014, and the JGC study undertaken by the district council in 2015, which itself was undertaken to update the housing requirement figures contained in the SHMA to take into account the approved Strategic Rail Freight Interchange (SRFI) at Roxhill. It also replaces the Leicester and Leicestershire Employment Land study completed in 2013.

3.3 The HEDNA was formally received by all the Leicester and Leicestershire authorities at the Member's Advisory Group meeting on 26th January, and was then made public on 27th January 2017.

3.4 The HEDNA (and an executive summary) can be found here:

http://www.nwleics.gov.uk/pages/housing_and_economic_development_need_assessment_hedna

3.5 The main outputs of the HEDNA that are relevant to North West Leicestershire and the Local Plan are:

- An objectively assessed housing need (OAN) for the district of 481 dwellings per annum to 2031. This figure includes an upward adjustment to take into account economic driven need.
- This OAN is less than the 520 dwellings allowed for in Policy S1 of the submitted Local Plan but is higher than the OAN identified in the 2014 SHMA (350 dwellings). Over the whole plan period the OAN reduces from 10,400 dwellings to 9,620 dwellings, a difference of 780 dwellings.
- A plan period requirement for the district for additional employment land, split as follows:

2011-2031 (Ha)			TOTAL
B1a/b	B1c/B2	Small B8	
45-46	3	17	65-66

- Small B8 is defined as floorspace of less than 9,000sq metres. For floorspace of more than 9,000sq metres (strategic B8) the HEDNA repeats the finding of the Strategic Distribution Study (EC/02) which identifies a need for 361 Ha up to 2031 for the HMA as a whole but there is no distribution below HMA level.
- The requirement for B1a/b (45-46ha) in the HEDNA is significantly higher than that identified in the PACEC study (7.98ha) whilst the requirement for B1c/B2 and small B8 (17ha) is significantly less in HEDNA than PACEC (35.5ha). The overall requirement for B1a/b and B1c/B2 and small B8 (65-66ha) is also significantly more in HEDNA than that identified in PACEC (43.5ha) by about 20ha.

4.0 KEY IMPLICATIONS OF HEDNA ON LOCAL PLAN AND EXAMINATION

Housing

4.1 Whilst the level of provision proposed in the submission Local Plan (requirement) is greater than the OAN it is appropriate for the local plan to retain this level of provision because:

- Having an over provision is consistent with the National Planning Policy Frameworks aim of 'boosting significantly the supply of housing land';
- Such an over provision will provide a degree of flexibility which will ensure that the OAN will be met as a minimum and will also deal with any unforeseen circumstances (for example if a site does not come forward at the rate predicted or if new household forecasts are published);
- In the event that there were a need to redistribute some development from elsewhere within the LLHMA, and if as a consequence it were agreed that some of the redistribution should go to North West Leicestershire, then the over provision provides headroom which may mean that an early review of the plan is not required.

- 4.2 Based on the HEDNA, the Local Plan exceeds the full OAN and thus complies with National Policy in this regard.
- 4.3 This will remain the position unless/until there all of the following are satisfied:
- a declaration of an unmet need elsewhere within the HMA and
 - the Strategic Growth Plan which the HMA Authorities together with the Leicester and Leicestershire Enterprise Partnership have agreed jointly to prepare, or a Memorandum of Understanding agreed by the HMA Authorities identifies a requirement for all or part of the declared unmet need to be accommodated within North West Leicestershire and
 - there is insufficient flexibility provided for within the Local Plan, in which case the Local Plan will be reviewed in accordance with Policy S1.
- 4.4 Only when all of the above have been satisfied would it be necessary to undertake a review of the Local Plan.
- 4.5 Further detail on the implications of the HEDNA on the Local Plan housing policies can be found in the Council's response to the Examination Inspector:
http://www.nwleics.gov.uk/files/documents/hedna_implications_for_the_local_plan_housing/EX69_ImplicationsofHEDNAhousing.pdf

Employment

- 4.6 The Local Plan provision for B1 (a, b or c)/B2 and small B8 (37ha) is significantly less than the HEDNA requirement of 65-66ha by about 29ha (66ha – 37ha). The proposed allocation of 16ha of land at Money Hill (assuming it fell in to these classifications) would go some way to meeting the shortfall but there would still be a deficit in the order of about 13ha.
- 4.7 However is necessary to consider whether there are any other factors which need to be considered before concluding what the overall shortfall is.
- 4.8 The HEDNA includes an allowance for what are referred to as 'margins'. This is intended to provide for some flexibility to allow for factors such as churn within the market, error margins in forecasting and potential delays in bringing forward developments. However, it does not allow for loss of employment land to other uses.
- 4.9 The submitted local plan includes an allowance for the potential loss of employment land which was calculated at 45ha. This was based on a statistical calculation having regard to losses which have occurred dating back to 1991. This allowance was across all employment uses (B1.2 and 8) and so included strategic B8 as well. A review has been undertaken which concludes that a more reasonable allowance would be 10ha.
- 4.10 Adding this to the shortfall of 13ha compared to the HEDNA would result in a residual requirement of 23ha.
- 4.11 The Council response also makes the point that the level of provision contained in the Local Plan (152 ha excluding the East Midlands Gateway) is very significant. It accounts for 19% of all the employment land requirements for the HMA identified in the HEDNA (423ha), plus the need for strategic B8 (361 ha) (total of 784ha). The inclusion of the

139ha at the East Midlands Gateway increases this provision in NWL to 291ha or 37% of all the employment land provision across the HMA.

- 4.12 Having regard to this significant level of provision and contribution to the HMA wide needs, it is considered that there is no immediate urgency to address a perceived shortfall, particularly as there is approximately 30ha of employment land which currently has consent and a further 16ha proposed to be allocated at Money Hill.
- 4.13 Further detail on the implications of the HEDNA on the Local Plan employment policies can be found in the Council's response to the Examination Inspector:
http://www.nwleics.gov.uk/files/documents/hedna_implications_for_the_local_plan_employment/EX70_ImplicationsofHEDNAEMPLOYMENT.pdf

5.0 NEXT STEPS

- 5.1 The Council has now submitted to the Inspector all of the further information/clarification requested by him. Representors also had until 13th February 2017 to submit to the Inspector any further comments they may have had on the HEDNA or its implications for the Local Plan. All of this information is available on the Examination website:
http://www.nwleics.gov.uk/pages/local_plan_examination
- 5.2 Officers therefore now need to consider all of the additional representations made, and prepare for the additional Hearing session on 21st March (and potentially 23rd March).
- 5.3 Following the 21st March Hearing session, it is hoped that the Inspector will invite the Council to consult on all the main modifications it is proposed to make to the publication version plan. This assumes that there are no outstanding issues that the Inspector believes prevent him from considering all of the issues raised at the Examination and preparing his report (e.g. if he believes any of the issues raised by the new HEDNA are yet to be resolved, he could potentially consider to suspend the Examination until these are resolved).
- 5.4 If the Inspector is happy to proceed on this basis, then the earliest that we could expect his final report would be May 2017 – although later in the summer may be a more realistic estimate. Assuming that the Inspector finds the Local Plan sound, then we would be aiming to adopt it in September 2017.

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**LOCAL PLAN ADVISORY COMMITTEE – TUESDAY, 21 FEBRUARY 2017**

Title of report	GYPSY AND TRAVELLER SITE ALLOCATION DPD: 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>Head of Planning & Regeneration 01530 454782 jim.newton@nwleicestershire.gov.uk</p> <p>Planning Policy Team Manager 01530 454677 ian.nelson@nwleicestershire.gov.uk</p>
Purpose of report	To provide an update on the preparation of the Gypsy and Traveller Site Allocations Development Plan Document.
Council priorities	<p>Value for Money Business and Jobs Homes and Communities Green Footprints Challenge</p>
Implications:	
Financial/Staff	None
Link to relevant CAT	None
Risk Management	<p>In previous reports, reference has been made to an on-going risk that the North West Leicestershire Local Plan may not be found sound due to the way in which it addresses the accommodation needs of travellers. This followed the interim findings of the Inspector examining the Maldon District Local Development Plan who concluded that it was not sound because the Plan's policy for the provision of travellers' accommodation does not identify accurately the need for pitches and does not identify specific sites to meet the requirement. Subsequently, the Secretary of State advised Maldon District Council that he agreed that the policy for the provision for Travellers was not consistent with national policy. However, he concluded that it was not proportionate for the</p>

	<p>inspector to find the whole plan unsound because he had not examined the whole plan.</p> <p>While this case is specific to Maldon, it is considered that the risk to the North West Leicestershire Local Plan in relation to this matter is reduced. Further, during the early North West Leicestershire Local Plan examination hearing sessions there has been no suggestion that the Local Plan may be found unsound in relation to this matter.</p>
<p>Equalities Impact Screening</p> <p>Human Rights</p> <p>Transformational Government</p>	<p>A full equality impact assessment has been prepared.</p> <p>European Convention on Human Rights art.8 imposes a positive obligation on the State to facilitate the Gypsy and Traveller way of life.</p> <p>Not applicable</p>
Comments of Deputy Chief Executive	The Report is Satisfactory
Comments of Deputy Section 151 Officer	The Report is Satisfactory
Comments of Deputy Monitoring Officer	The Report is Satisfactory
Consultees	Local Plan Project Board
Background papers	<p>Minutes and reports of meetings of the Local Plan Advisory Committee dated 16 December 2015, 27 July 2016 and 6 October 2016</p> <p>http://minutes-1.nwleics.gov.uk/ieListMeetings.aspx?CId=251&Year=0</p> <p>Gypsy and Traveller Site Allocations Development Plan Document: Consultation Draft</p> <p>http://www.nwleics.gov.uk/files/documents/gypsy_and_traveller_site_allocation_consultation_document/Gypsy%20and%20Traveller%20Site%20Allocation%20DPD%20Draft%20for%20Consultation%20-%20hard%20copy.pdf</p> <p>National Planning Policy for Traveller Sites</p> <p>https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf</p> <p>Leicestershire, Leicester and Rutland Gypsy and Traveller Needs Assessment Refresh (2013)</p> <p>https://www.nwleics.gov.uk/files/documents/leicester_leicestershire_and_rutland_gtaa_refresh_may_2013/Leicester%2C%20Leiceste</p>

	rshire%20and%20Rutland%20GTAA%20Refresh%20-%20May%202013.pdf North West Leicestershire Local Plan: Publication http://www.nwleics.gov.uk/files/documents/proposed_publication_local_plan_2016/LocalPlanDocJune2016.pdf Equalities impact assessment of the Gypsy and Traveller Site Allocation DPD: Draft for Consultation
Recommendations	THAT THE GYPSY AND TRAVELLER SITE ALLOCATION DPD UPDATE BE NOTED.

1.0 BACKGROUND

- 1.1 The North West Leicestershire Local Plan submitted on 4 October 2016 sets out the Council's strategic approach to meeting the accommodation needs of Gypsies and travellers and travelling showpeople at Policy H7. Policy H7 sets out the minimum accommodation need that is required to be met in North West Leicestershire and criteria for the identification of sites and seeks to safeguard existing sites. Policy H7 also sets out the intention to prepare a Gypsy and Traveller Site Allocations Development Plan Document (DPD) as a means of identifying a range of sites to meet the identified need.

2.0 NORTH WEST LEICESTERSHIRE LOCAL PLAN

- 2.1 The examination of the North West Leicestershire Local Plan has begun and the hearing sessions started on 5 January 2017. Matters relating to Gypsies and travellers were due to be heard on day 4 of the hearing sessions on 10 January 2017 but, with no participants other than the Council, there was no discussion of the issues. The hearing sessions closed on 16 January 2017, but are due to re-convene on 21 March 2017 to enable matters relating to the Leicester and Leicestershire Housing and Economic Development Needs Assessment to be considered.

3.0 GYPSY AND TRAVELLER ACCOMMODATION NEEDS

- 3.1 The Council is working with the other local planning authorities (excluding Hinckley and Bosworth Borough Council) in the Leicester and Leicestershire Housing Market Area (LLHMA) to update the pitch targets for Gypsies and travellers and the plot targets for travelling showpeople. The updated Gypsy and Traveller Accommodation Needs Assessment will take account of the revised definition of "traveller" (which now excludes those who have permanently ceased from travelling) set out in the Department for Communities and Local Government's 2015 planning policy document for travellers and changes in the supply of pitches and plots since the previous 2013 Assessment. The update is nearing completion and is to be reported to the Member Advisory Group (MAG) of the LLHMA for publication.
- 3.2 The updated Assessment will help maintain and provide a robust and up to date evidence of need. The publication of new pitch and plot requirements may give rise to revisions to Local Plan Policy H7 if the Local Plan examination timetable allows. Notwithstanding, the updated pitch targets for Gypsies and travellers and plot targets for travelling showpeople will be used to inform the emerging Gypsy and Traveller Site Allocations DPD.

4.0 GYPSY AND TRAVELLER SITE ALLOCATIONS DPD

- 4.1 The Gypsy and Traveller Site Allocations Development Plan Document: Consultation Draft published in February 2016 provided an opportunity for individuals, organisations (including parish councils) and stakeholders who may have an interest in provision for Gypsies, Travellers and Travelling Showpeople to make initial comments and suggest sites that may be suitable for allocation. Representations made using the Council's Consultation Hub- Citizen Space- were reported to the Local Plan Advisory Committee at its meeting of 27 July 2016. However, it has come to officers' attention that some additional representations were made by email and these were not included in the July 2016 report. These representations are set out at Appendix A to ensure that all the comments received are properly considered. All representations will be taken into account when the next version of the DPD is prepared. It remains the case, that the 'call for sites' exercise has failed to identify any new sites in North West Leicestershire.

5.0 NEXT STEPS

- 5.1 The preparation of the next version of the Gypsy and Traveller Site Allocations DPD will follow the publication of the updated Gypsy and Traveller Accommodation Needs Assessment. With Leicestershire County Council elections in May 2017, it is likely that the DPD preparation programme will be affected by restrictions on communications activity during the pre-election period.
- 5.2 In the meantime, officers will continue the process of identifying potentially suitable, deliverable and available sites for Gypsies, travellers and travelling showpeople.

**APPENDIX A: GYPSY AND TRAVELLER SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT: CONSULTATION DRAFT-
ADDITIONAL REPRESENTATIONS**

Representor	Representation	Response
General		
Mr Haywood	Used to live adjacent to a traveller site and experience a number of adverse impacts. Suggest that the best location for new sites would be away from the district.	The local authority has a duty to provide for the housing needs of gypsies and travellers and travelling showpeople, including when they have stopped travelling temporarily.
Mr Knowles	Do not support the Council's approach to identify and allocate sites. Also do not know of any potential sites.	Noted
Mr Palmer	Before a plan could be formulated it would be relevant to know how many pitches NWL needs.	The District Council is working collaboratively with other local planning authorities in the Leicester and Leicestershire Housing Market Area to update the pitch targets for gypsies and travellers and the plot targets for travelling showpeople.
Health and Safety Executive	Where possible the Health and Safety Executive (HSE) will make representations to ensure that compatible development within the consultation zones of major hazard establishments and major accident hazards pipelines (MAHPs) is achieved. No representations at this stage due to the limited level of detail that has been provided on the location and use class of sites. In the absence of information the HSE is unable to provide advice. Would like to be consulted on further local plan documents where detailed land allocation and use class proposals are made i.e. site specific allocation of land in development plan documents.	Noted. The impact of potential sites on major hazard establishments and major accident hazards pipelines will be an important consideration.
Nottinghamshire County Council	No comments to make	Noted
Historic England	North West Leicestershire contains a wealth of heritage assets which plan an important part in the local character and identity of the district. Important that this resource, including both designated and non-designated assets, is recognised, protected and where possible, enhanced within the new DPD.	Noted. The impact of potential sites on heritage assets will be an important consideration.

Representor	Representation	Response
	<p>At this early stage, Historic England have no specific comments to make but would welcome the opportunity for early involvement relating to site allocations and draft policies. Advise of Historic England document relating to site allocations which may be of use.</p>	
Natural England	<p>Our duties relate to the protection and enhancement of the natural environment, and concerns will relate primarily to safeguarding protected sites, species and landscapes and ensuring adequate green infrastructure provision.</p> <p>No particular comments to make except to advise that development sites should be located so as to avoid any adverse impacts on nationally and internationally designated nature conservation sites. Key environmental consideration would include the following, but not exhaustive, list;</p> <ul style="list-style-type: none"> • Special Protection Areas, Special Areas of Conservation, SSSIs, National Nature Reserves; • Locally and regionally designated sites for geodiversity and biodiversity; • UK BAP habitats • Ancient Woodland • Landscape character 	Noted. The impact of potential sites on the natural environment will be an important consideration.
Mr Donald	<p>No further sites should be allocated in the district. There are sites at Bagworth and Sinope that would have plenty of places available if they were managed correctly. These sites have been misused by the residents of them and are inadequately policed.</p> <p>Will there be financial charges for those who live on the site i.e. rent, Council tax</p> <p>Sites should be located adjacent to the residences of the elected councillors and district council staff.</p>	Noted. There is a current shortage of sites. The lack of accommodation leads to unauthorised developments and can lead to significant cost to the Council incurred through the enforcement process and other possible actions such as site clearance. The allocation of land to meet the identified need will help deliver sites in the most suitable locations. Bagworth lies outside North West Leicestershire district.
Sweepstone Parish Council	The DPD allocation strategy should ensure that appropriate financial contributions are sought from developers to mitigate for particular impacts that would arise from a development (eg added pressure placed on local health	The National Planning Policy Framework says that plans should be deliverable and that the sites and scale of development identified in the plan should not be subject to such a scale of

Representor	Representation	Response
	<p>and education services and impact on sensitive ecological interests).</p> <p>In rural areas where there might be several smaller sites, each individually below the thresholds adopted for payment of S106 contributions, their cumulative effect should be taken into account as part of the DPD allocation policy. A site threshold of 5 pitches or more should be adopted (subject to viability testing).</p> <p>The DPD should include a policy which provides for appropriate weight to be given to the social, environmental and economic dimensions of sustainable development and adopts a sequential approach to the identification and release of sites preferring sustainable locations in the first instance and in accordance with PPST (2015) very strictly limiting new Traveller site development in open countryside.</p>	<p>obligations and policy burdens that their ability to be developed viably is threatened. It will be necessary, therefore, for the plan to strike a balance between these matters.</p>
Hinckley and Bosworth Borough Council	No comments	Noted
Highways England	<p>Highways England welcomes the opportunity to comment on the Gypsy Traveller Site Allocations Development Plan Document (DPD) and Call for Sites which has been produced by North West Leicestershire District Council. It is acknowledged that the DPD will identify new sites for Gypsies, Travellers and Travelling Showpeople in a sustainable way which balances meeting the accommodation needs of these groups and the protection of the built and natural environment. It is the role of Highways England to maintain the safe and efficient operation of the strategic road network whilst acting as a delivery partner to national economic growth. In this respect Highways England's principal interest is safeguarding the operation of the M1, A42 and further afield, sections of the A50 and A453.</p> <p>The District Council is currently inviting the submission of</p>	<p>Noted. The impact of potential sites on the strategic road network will be an important consideration.</p>

Representor	Representation	Response
	information regarding potential sites to meet the needs of the gypsy, traveller and travelling showpeople community as well as representations about how we might best plan to meet these needs. It is not considered to be Highways England's position to provide information regarding potential sites and in this regard, it has no comments.	
Question 5: Apart from the Needs Assessment Refresh and planned Update is there any other evidence of future need that we should be aware of and that should be taken in to account?		
Swepestone Parish Council	Evidence of future need for Gypsy and Traveller pitches should be based on a robust assessment carried out in accordance with the most up to date PPTS (2015). The GTANA Refresh pre-dates PPTS (2015) and only limited weight (if any) can be attributed to it. As paragraph 2.2 of the consultation DPD points out, the PPTS (2015) amended definition of Travellers and travelling showpeople now excludes those who have permanently ceased travelling and evidence of future need should be re-assessed to exclude need arising from this group. Evidence of future need should also have regard to any changes in the way need is assessed as a result of proposed legislation in the Housing and Planning Bill (2015). Policy H7 in the emerging Local Plan was based on the GTANA Refresh and also needs to be updated accordingly. Criterion 5 of emerging LP Policy H7 seeks to ensure that both existing and new authorised sites are safeguarded for Gypsies and Travellers and travelling showpeople unless they are no longer needed to meet an identified need. The stock of existing authorised permanent sites should be reviewed along with the number of households that currently comply with the revised definition of Travellers and travelling showpeople when making an up to date assessment of need so that existing site/pitch provision can be safeguarded for bona fide Gypsies and Travellers and enforcement against unauthorised occupation can be made more effective.	The Council is working with the other local planning authorities (excluding Hinckley and Bosworth Borough Council) in the Leicester and Leicestershire Housing Market Area (LLHMA) to update the pitch targets for Gypsies and travellers and the plot targets for travelling showpeople. The updated Gypsy and Traveller Accommodation Needs Assessment will take account of the revised definition of "traveller" (which now excludes those who have permanently ceased from travelling) set out in the Department for Communities and Local Government's 2015 planning policy document for travellers and changes in the supply of pitches and plots since the previous 2013 Assessment.

Representor	Representation	Response
	<p>Although dependent upon the planned GTANA Update, it would be helpful if the DPD includes a specific policy to addresses these points which clearly outlines the existing levels of need and provision at it's base date (and based on PPTS (2015) definitions and policies).</p> <p>The DPD should only consider the needs of those who genuinely comply with the definition of Gypsies and Travellers in PPTS (2015). Existing unauthorised sites (and those with temporary planning permissions that might have been approved on the basis of needs assessments carried out on the basis of the "old" PPTS) should not be taken into account in a Needs Assessment Update as they have not been formally allocated on a planned-basis, they might not be in the most suitable or sustainable locations and so far as the latter is concerned, national policy in the PPTS (2015) remains that there is no presumption that a temporary grant of planning permission should be granted permanently.</p>	
<p>Question 6: Should the District Council seek to identify sufficient sites for the period up to 2031, or should sites initially be identified for a shorter period, such as up ten years (i.e. to 2022), to allow a future refresh assessment to inform site provision for years 2023 to 2031?</p>		
Kegworth Parish Council	Ten year period, with a five-year rolling programme	Noted
Sweepstone Parish Council	<p>Subject to the GTANA Update, the Council's DPD should identify and allocate a supply of specific deliverable sites sufficient to provide 5 years' worth of sites (taking into account existing sites where appropriate). The DPD should also identify the broad locations for growth, for years 6 to 10 and for years 11-15. If the DPD identifies a supply of specific, developable sites, for years 6 to 10 then it should also include a robust phasing policy to ensure the release of sites is strictly controlled so as to match need as identified in annually updated supply/needs assessments. Emerging LP Policy H7 seems to address this point already although it would be more appropriate for such a policy to be located within the DPD itself.</p>	Noted

Representor	Representation	Response
National Federation of Gypsy Liaison Groups	Identifying sites beyond a ten year requirement runs the risk that sites will be developed in the early years leaving no opportunity to meet the needs of those who have a need for a site in later years. However there should always be sites available to meet identified need for a minimum of five years.	Noted
Question 7a: Are the above approaches to site provision considered appropriate?		
Kegworth Parish Council	Intensification may reduce the pressure of family members having to move away. If not, expansion might be more efficacious than creating new sites that would require new infrastructure and potentially generate resistance from local communities.	Noted
Sweptstone Parish Council	<p>A mixture of the options suggested will probably be required but will depend on individual site circumstances, the overall level of need identified in the GTANA Update and subsequent annual reviews of need/supply. The DPD should contain a criteria based policy to manage the release and development of sites appropriate to each method of provision. All provision, whether by intensification, expansion or allocation should only be allowed where it would result in development clearly satisfying the environmental, social and economic dimensions of sustainable development. The DPD should include a policy which provides a framework for the allocation of sites as well as for the assessment of planning applications similar to the provisions of emerging LP Policy H7.</p> <p>Occasionally, landowners propose sites on behalf of prospective occupiers. If speculative sites are proposed by landowners who are not the intended occupiers of the site themselves, then the Council should ensure that a S106 Agreement or similar control is put in place which enables the Council to ensure that subsequent occupiers are bona fide Gypsies or Travellers meeting the definition in the PPTS 2015.</p>	Noted

Representor	Representation	Response
National Federation of Gypsy Liaison Groups	All three suggested approaches to site provision should be pursued, together with a recognition that some sites may be secured through planning applications for sites not previously identified (windfall sites).	Noted
Question 8: Are there any alternative ways in which future pitch/plots can be provided		
No comments received		
Question 9: Do you agree that a series of smaller sites would be preferable to a larger site		
Kegworth Parish Council	Not necessarily, if one of the concerns is family members having to move away from the rest of their family/community.	Noted
Sweepstone Parish Council	To some extent, the answer to this question will be dependent upon the outcome of the GTANA Update although there are sometimes practical advantages offered by a larger site in terms of sustainable infrastructure provision, securing a mix of tenures (including affordable provision) and the possibility of public provision/management. Nonetheless, whatever preference the DPD eventually adopts, the allocation of all sites - large or small - should ensure that provision (including the cumulative impacts of a number of smaller sites) does not dominate the nearest settled communities; avoids placing undue pressure on local infrastructure and services; is well related to the surrounding population's size and density and it is located where it is possible to protect the local environment, amenity and any sensitive visual or ecological interests.	Noted
National Federation of Gypsy Liaison Groups	Smaller sites (up to 5 pitches) should be preferred.	Noted

Representor	Representation	Response
Question 10: Do you have any evidence of need for affordable traveller sites? If there is evidence of need should the document include a Rural Exception Site Policy for affordable Gypsy and Traveller Sites? If not what approach should we take?		
Kegworth Parish Council	No No. A rural exception policy is inappropriate in all cases, and granting one for any sector of the community will lead to pressure for accepting others, e.g. affordable housing new-build exception	Noted
Sweepstone Parish Council	No. The DPD has not identified any evidence of a lack of affordable land to meet local traveller needs and in the absence of such evidence, there is no justification for a Rural Exception Site Policy. Any need for affordable provision could be secured through the allocations DPD. For example, site provision/allocation through the DPD could also provide a policy framework to secure an element of affordable provision through a planning obligation at the time planning permission is granted. Where justified, provision of the affordable element could either be made on-site (whether by intensification, expansion or allocation as indicated) or else through a financial contribution towards off-site provision (perhaps to be provided by the local planning authority or other public body or social landlord). In either case, a legal agreement should be secured to ensure that the affordable element remains available for bona fide Gypsies and/or Travellers in accordance with PPTS (2015) in perpetuity.	Noted
Question 11: Can you suggest any sites that you consider suitable for use as transit sites		
Kegworth Parish Council	No	Noted
Sweepstone Parish Council	No. However, the Council should plan for those by ensuring such sites are well-located adjacent to principal transport routes.	Noted

Representor	Representation	Response
Question 12:		
Is there any other evidence of affordable need that we should be aware of		
Kegworth Parish Council	Not aware of any	Noted
Sweptstone Parish Council	No. However, we understand that the GTANA Refresh identified that 50% of the overall identified need is for “affordable” provision. The Council (possibly in collaboration with other Authorities) should consider the level of affordable accommodation needed and seek to secure provision either as part of allocated (or otherwise permitted sites) or else seek financial contributions from developments for off-site contributions towards site(s) to be provided by the Local Authority. Policy H7 in the emerging LP doesn’t provide a framework for securing affordable provision and the DPD should therefore include a policy instead.	Noted
Question 13:		
Is there any other evidence that would indicate that 50% affordable provision is not the appropriate approach?		
Kegworth Parish Council	Not aware of any	Noted
Question 14:		
Of the above approaches to site management which is considered the most appropriate?		
Kegworth Parish Council	Not aware of any	Noted
Sweptstone Parish Council	The Council must be satisfied that an applicant is a bona fide Gypsy or Traveller when considering decisions on planning applications, appeals and enforcement matters as well as when managing and monitoring sites themselves. This is because provision is targeted towards ensuring its availability for a specific group of occupiers. A robust monitoring framework, capable of being legally enforced should be imposed in the case of any site allocations where the development is to be developed and managed by private developers/ Social Providers so the Council can ensure occupation matches identified need for bona fide Gypsies or Travellers and to enable effective enforcement	A Council cannot require a developer to pay fees towards the administration and monitoring of s106 planning obligations.

Representor	Representation	Response
	where necessary. The Council's on-going site management and monitoring costs should be recovered through the planning process and secured via S106 contributions throughout the lifetime of the planning permission relating to the allocation.	
National Federation of Gypsy Liaison Groups	Management arrangements should be flexible; smaller sites will avoid the need for complex management arrangements.	Noted
Question 15:		
Is there any other information or examples of site management that we should be aware of?		
No comments received		
Question 16:		
Can you suggest any sites that you consider suitable for use as Gypsy and traveller sites or a travelling showpeople site?		
Long Whatton and Diseworth and Breedon Parish Council	No land available for such sites.	Noted
Packington Parish Council	After due consideration have concluded that there are no suitable sites.	Noted
Swepstone Parish Council	None	Noted
Michele Walker	Illegal traveller site on Copt Oak Road. It's between the Copt Oak traffic lights and the Flying Horse traffic lights.....from the Copt Oak traffic lights go over the motorway bridge and it's on the left for all to see. This illegal site had been totally renovated and adapted to house a good number of caravans. Although I feel that any illegal buildings should result in demolition and a fine. I do feel this site is suitable for a traveller site.	Noted but this site lies outside North West Leicestershire district