

Meeting	LOCAL PLAN ADVISORY COMMITTEE
Time/Day/Date	6.30 pm on Wednesday, 14 March 2018
Location	Council Chamber, Council Offices, Coalville
Officer to contact	Democratic Services (01530 454512)

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

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

AGENDA

Item	Pages
1. APOLOGIES FOR ABSENCE	
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 31 January 2018.	3 - 6
4. COMMITTEE TERMS OF REFERENCE	
Terms of Reference attached.	7 - 8
5. GYPSY AND TRAVELLER SITE ALLOCATION DEVELOPMENT PLAN DOCUMENT	
Report of the Strategic Director of Place	9 - 34

**6. PUBLICATION OF STRATEGIC HOUSING AND ECONOMIC LAND
AVAILABILITY ASSESSMENT (SHELAA)**

Report of the Strategic Director of Place

35 - 40

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 Council Chamber, Council Offices, Coalville on WEDNESDAY, 31 JANUARY 2018

Present: Councillor J Bridges (Chairman)

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

Officers: Mr I Nelson, Mr J Newton and Mrs R Wallace

15. APOLOGIES FOR ABSENCE

There were no apologies for absence.

16. DECLARATION OF INTERESTS

There were no interests declared.

17. MINUTES OF PREVIOUS MEETING

Consideration was given to the minutes of the meeting held on 18 October 2017.

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

RESOLVED THAT:

The minutes of the meeting held on 18 October 2017 be approved and signed by the Chairman as a correct record.

18. COMMITTEE TERMS OF REFERENCE

Noted.

19. REVIEW OF LOCAL PLAN

The Planning Policy Team Manager presented the report to Members. Following the adoption of the Local Plan in November 2017, Policy S1 required an immediate review and the report outlined the proposed approach. It was considered that the local plan review should cover the period 2011 to 2036 rather than 2031 to ensure a longer period of time between adoption and the end of the plan period to minimise the likely need for a further review before the statutory requirement that plans be reviewed within five years of adoption. He clarified for Members that it would be a partial review, as the need for an immediate review was to address the matters identified through the local plan examination only. It was proposed that the initial consultation be undertaken in February/March 2018 for a six week period, the proposed timetable was detailed within the report.

In response to a question from Councillor M Specht, the Planning Policy Team Manager confirmed that Parish Council's would be consultees as well as individuals, groups and organisations on the Council's database that had been engaged in the past.

Councillor J Legrys understood that there was no option but to undertake the review. He also accepted that the review would be limited but asked if any suggestions such as the alteration to the limits to development would be considered if put forward as part of the consultation. He also asked if the previously discussed lack of infrastructure would be addressed. The Planning Policy Team Manager stated that the limits to development would need to be updated to reflect the current position but he felt they would not need to be reviewed as it had only just been adopted as part of the plan. However, the initial

consultation was to consider any suggestions put forward. He confirmed that infrastructure would also be looked at.

Councillor J Legrys informed Members that he had attended a briefing on the Draft Strategic Growth Plan earlier in the evening and the document did hint at the housing need in relation to the Leicester City redistribution of new housing. It was clear that Leicester City would not be able to meet their housing need within their boundaries. With development focused on other districts and the building of the A46 express highway, he believed that the changes in the Local plan needed to be taken into context with the Draft Strategic Growth Plan, the Midlands Engine and what was happening in other authority's areas. He went on to say that by speaking to his constituents, it was apparent that people were confused about all the different plans as nothing was being properly put together or communicated and neighbouring authorities were not being clear. He expressed concerns that there would not be enough housing in the Midlands gateway.

The Chairman believed that the best option for the District Council was to build in enough flexibility as everyone was aware that the requirement for higher numbers was coming from neighbouring authorities.

The Head of Planning and Regeneration agreed that the number of different plans regarding the housing requirements was fragmented, and along with the uncertainty of Leicester City, made the situation difficult. However, the review had to start. He added that one of the benefits of the Strategic Growth Plan was to pull the various strategies together into a coherent whole. He also agreed with the Chairman that flexibility was the key and the approach so far had enabled officers to defend appeals successfully. The Planning Policy Team Manager added that flexibility was now required regarding employment figures too.

The Chairman concurred that having the flexibility made appeals much easier to defend and as the approach had been successful, he felt it was important to continue to make tweaks to keep control.

Councillor J Legrys did not disagree that the review needed to begin but he wanted to see Members being encouraged to understand the context of it all. He felt information needed to be broadened so all could understand.

Regarding the public health implications of developments as detailed at paragraph 4.10 of the report, Councillor R Johnson asked for exposure to pollution levels to be included as it had a big impact on health. The Planning Policy Team Manager agreed that the issue of pollution was important and would need to be looked at.

In terms of the anticipated memorandum of understanding regarding the distribution of new housing, Councillor M Specht asked who was engaging with Leicester City to gain information on progress and timescales for their housing figures. The Head of Planning and Regeneration reported that officers, as members of the various working groups, and Councillor T J Pendleton, as portfolio holder and Chair of the Leicester & Leicestershire Members' Advisory Group, were all working with Leicester City on the matter. The progress of the City's local plan was within its own control, and not the District Council or anyone else's, so he was not able to offer any guarantee of when an agreement could be concluded.

Councillor V Richichi asked for an update on affordable homes figures, as was discussed at the previous meeting. The Planning Policy Team Manager explained that it was a piece of work that needed to be undertaken but had not yet begun. Councillor V Richichi queried if the figures were not known how the developers knew what percentage of affordable homes to provide. The Planning Policy Team Manager commented that it was

set out as part of the Section 106 Agreements so developers were aware, however at this time, it was unclear what was required for the future.

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

RESOLVED THAT:

- a) The proposals to commence a review of the Local Plan be noted.
- b) The proposed approach to the review as outlined within the report be noted.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 7.05 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 – WEDNESDAY, 14 MARCH 2018**

Title of report	GYPSY AND TRAVELLER SITE ALLOCATION DEVELOPMENT PLAN DOCUMENT
Contacts	<p>Councillor Trevor Pendleton 01509 569746 trevor.pendleton@nwleicestershire.gov.uk</p> <p>Strategic Director of Place 01530 454555 james.arnold@nwleicestershire.gov.uk</p> <p>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 present to the Advisory Committee the proposed publication version of the Gypsy and Traveller Site Allocations Development Plan Document prior to consideration by Council.
Council Priorities	Business and Jobs Homes and Communities
Implications:	
Financial/Staff	The cost of preparing the Gypsy and Traveller Site Allocations Development Plan Document to date is approximately £40,000 and is met from within existing budgets. The provision of a transit site will have further resource issues which will be addressed in future reports to the Council's Cabinet.
Link to relevant CAT	None
Risk Management	A risk assessment of the project has been undertaken. As far as possible control measures have been put in place to minimise these risks, including monthly Project Board meetings where risk is reviewed.
Equalities Impact Screening	A full equality impact assessment has been prepared.

Human Rights	European Convention on Human Rights art.8 imposes a positive obligation on the State to facilitate the Gypsy and Traveller way of life.
Transformational Government	Not applicable
Comments of Head of Paid Service	The Report is Satisfactory
Comments of Section 151 Officer	The Report is Satisfactory
Comments of Monitoring Officer	The Report is Satisfactory
Consultees	Local Plan Project Board
Background papers	<p>Minutes and reports of meetings of the Local Plan Advisory Committee dated 16 December 2015, 27 July 2016, 6 October 2016, 21 February 2017 and 18 October 2017. http://minutes-1.nwleics.gov.uk/ieListMeetings.aspx?CId=251&Year=0</p> <p>Gypsy and Traveller Site Allocations Development Plan Document: Consultation Draft 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 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf</p> <p>2017 Leicestershire, Leicester and Rutland Gypsy and Traveller Needs Assessment http://www.harborough.gov.uk/download/downloads/id/3220/2017_06_01_leicestershire_gtaa_final_reportpdf.pdf</p> <p>Adopted North West Leicestershire Local Plan https://www.nwleics.gov.uk/files/documents/adopted_local_plan_2011_20312/Adopted%20Written%20Statement.pdf</p> <p>Equalities impact assessment of the Gypsy and Traveller Site Allocation DPD</p>

Recommendations	<p>THAT:</p> <p>(I) THE ADVISORY COMMITTEE NOTES AND COMMENTS ON THE PROPOSED GYPSY AND TRAVELLER SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT; AND</p> <p>(II) THAT THE COMMENTS OF THE ADVISORY COMMITTEE ARE FORWARDED ON TO COUNCIL FOR ITS CONSIDERATION WHEN IT CONSIDERS THE PROPOSED GYPSY AND TRAVELLER SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT</p>
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1.0 BACKGROUND

- 1.1 As members will be aware, Policy H7 of the adopted Local Plan sets out the Council's strategic approach to meeting the accommodation needs of Gypsies and travellers and travelling showpeople. It 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.
- 1.2 Members will recall that a report was considered at the 18 October 2017 meeting of this committee in respect of a) the findings of the Leicester and Leicestershire Gypsy, Traveller and Travelling Showpeople Accommodation Assessment, 2017 (2017 GTAA) and b) an update in respect of progress in preparing a Gypsy and Traveller Site Allocations DPD. The meeting resolved that:
- a) The findings of the 2017 GTAA be noted;
 - b) Progress on the preparation of the DPD be noted;
 - c) The definitive support of the Local Plan Advisory Committee for providing a transit site within the district be noted.
- 1.3 The purpose of this report is to set out the proposed the publication version of the DPD (attached at Appendix A) prior to its consideration by Council on 20 March 2018.

2.0 NATIONAL PLANNING POLICY FOR TRAVELLER SITES

- 2.1 The Government's planning policies and requirements for Gypsy and traveller sites is set out in the 2015 document 'Planning policy for traveller sites' (PPTS), which must be taken into consideration in preparing Development Plan Documents and taking planning decisions. It encourages local authorities to formulate their own evidence base for Gypsy and traveller needs and to provide their own targets relating to pitches required. If planning authorities are unable to demonstrate a five-year supply of deliverable traveller sites, this in turn may make it more difficult for them to justify reasons for refusing planning applications for temporary pitches at appeal.
- 2.2 'The PPTS also includes changes to the definition of "traveller" for planning related purposes so that it excludes those who have permanently ceased from travelling.

3.0 WHAT IS THE LEVEL OF NEED?

- 3.1 As noted above, the 18 October 2017 meeting of this Committee considered a report in respect of the findings from the 2017 GTAA. The 2017 GTAA covers the period 2016 to 2036. However, this has been broken down by 5 year bands which allows the DPD to plan to 2031- the same period as the North West Leicestershire Local Plan. Taking account of the need that may arise from households where an interview was not completed, the additional needs for permanent pitches and plots are set out below:

	2016-2031	2016-2036
Gypsies and Travellers	6 pitches	7 pitches
Travelling Showpeople	20 plots	22 plots

- 3.2 A pitch/plot is an area of land on a site that is generally home to one household. A pitch/plot can vary in size and have varying caravan numbers. Pitches refer to Gypsy and Traveller sites and plots to Travelling Showpeople yards.
- 3.3 The needs of Gypsies and Travellers who either travel all year round or for large parts of the year can be met by transit sites which only provide temporary accommodation. The 2017 GTAA identifies a need for a minimum of 12 caravan spaces (or managed equivalent) in Leicester City, and a minimum of 36 caravan spaces (or managed equivalent) spread over 2-3 sites elsewhere in Leicestershire. The 2017 GTAA states '*The data suggests that the need is greatest in the North West of the county and the City and that transit provision should be prioritised in these locations.*', although it does not make any specific recommendations as to where transit provision should be made.
- 3.4 The 2017 GTAA notes that it has been suggested that there will be a need to increase transit provision across the country as a result of the revised definition of Gypsies and Travellers introduced by the 2015 PPTS. This may be the case, but it will take some time for any robust evidence to be available to substantiate these claims. The study suggests that each local authority should review the evidence base relating to unauthorised encampments when there is a more robust evidence base which takes account of the changes introduced by the 2015 PPTS. It also notes that "*the provision of public transit sites needs to be balanced off against the use of managed approaches to dealing with unauthorised encampments as opposed to infrastructure provision*".

4.0 SITE IDENTIFICATION

- 4.1 The first step in seeking to identify suitable sites was undertaken in February 2016 with the publication of the Gypsy and Traveller Site Allocations DPD: Consultation Draft. This 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 suggest sites that may be suitable for allocation. However, this 'call for sites' exercise failed to identify any new sites.
- 4.2 As a consequence, to identify as wide a range as possible of site options, other types of sites and relevant sources of data have been looked at. Over 500 sites have been assessed

against national and local policies and designations to identify those that had a reasonable potential for development.

- 4.3 As noted at paragraph 2.1, the PPTS requires authorities to be able to demonstrate a five year supply of deliverable sites. The Council is unable to do this in respect of the need for travelling showpeople and nor is any transit provision available within the district. Therefore, in assessing sites it is not only necessary to consider the suitability of a site in planning terms, but also to have regard to the likelihood of deliverability. If a site is judged suitable in planning terms but there is no evidence that it is likely to be delivered then this represents a significant risk to the DPD moving forward; a Planning Inspector is more likely to find the DPD not 'sound' at the Examination stage. The assessment and identification of potential sites has, therefore, had due regard to the issue of deliverability.
- 4.4 The initial pool of over 500 potential sites was, through a sieving process, reduced to 19 sites which were considered to be the most suitable. These sites were then assessed using more detailed site surveys prior to consultation with the Highway Authority, Environment Agency and others. To assess the availability and likely deliverability of sites, landowners have been contacted to determine whether there is an intention to develop or sell the site for Gypsies and travellers pitches or travelling showpeople plots.
- 4.5 A detailed explanation of the steps taken to identify suitable sites, together with a list of all sites considered, is included as part of the Sustainability Appraisal which is to be published alongside the proposed DPD (and which is available alongside this report).

5.0 WHAT IS PROPOSED IN THE DPD?

- 5.1 A copy of the proposed DPD is attached at Appendix A of this report. The following summarises what is proposed to meet the needs identified in the 2017 GTAA.

Permanent Traveller Accommodation

- 5.1 The need for a permanent site for Gypsies and travellers is satisfied by an extant planning permission on land at Ashby Road, Sinope. No further provision is considered necessary.

Permanent Travelling Showpeople Accommodation

- 5.2 If needs cannot be met by the intensification or extension of existing travelling showpeople sites, a site at the former Measham Mine, Swepstone Road, Measham has been identified. The site is capable of meeting all the identified needs for travelling showpeople plots. The landowner is willing to make the site available. Third party land may be required in order to achieve the visibility splays necessary for a safe access to the site. If appropriate, the Council may have to use compulsory purchase powers to secure the land that is needed.
- 5.3 The site has been the subject of a detailed highway appraisal by consultants acting on behalf of the Council and has concluded that an appropriate means of access can be achieved.

Transit site

- 5.4 As noted above, the 2017 GTAA recognises that the provision of public transit sites should be balanced against the use of managed approaches to dealing with unauthorised encampments. For example, this could include the use of tolerated stopping or the

introduction of Negotiated Stopping Agreements for short-term encampments. Negotiated Stopping describes a situation where some agreement has been reached between the Local Authority and Gypsies/Travellers which allows them to stay temporarily on a particular piece of land which is not an official site, as an alternative to repeated evictions. In return, the Gypsies/Travellers agree to certain conditions on behaviour, tidiness of the site and length of stay. It is understood that the Leicestershire Multi Agency Traveller Unit (MATU) already uses similar approaches in Leicestershire as a means of managing unauthorised encampments.

- 5.5 The preferred approach set out in the proposed DPD is to use managed approaches to dealing with unauthorised encampments ahead of the provision of a public transit site in North West Leicestershire consistent with the advice in the 2017 GTAA. However, it is recognised that this may not be sufficient and that it may be necessary to make formal public provision of transit site. Therefore, the proposed DPD sets out that where a persistent unmet need remains, it is recommended that a transit site be provided. The DPD defines persistent unmet need as being where by the end of 2020 the *"number of unauthorised sites in North West Leicestershire recorded by the twice-yearly count of Traveller caravans should, when compared with the 2016 survey, show no signs of decline"*.
- 5.6 The provision of a transit site by a public authority would enable the police to direct those on unauthorised sites to move to the transit site, so reducing the impact on the settled community and reducing costs to the Council associated with dealing with unauthorised sites. However, provision of a transit site would also bring with it additional costs to the Council (e.g. purchase of land, laying out a site and ongoing running costs).
- 5.7 The proposed DPD identifies a potential transit site on Nottingham Road, Ashby de la Zouch. This site is owned by Homes England who have expressed a willingness to sell the land to the Council. The site has been the subject of a detailed highway appraisal by consultants acting on behalf of the Council and has concluded that an appropriate means of access can be achieved. The site is well located for access to the strategic road network (the A42) such that there will be limited impact upon existing settlements as a result of vehicles using the site.

6.0 IMPLICATIONS OF NOT AGREEING A GYPSY AND TRAVELLER SITE ALLOCATIONS DPD

- 6.1 The failure to allocate sufficient land to meet the need for new pitches and plots has several impacts including:
- Continuing the current problem of unauthorised development and encampments, as well as tensions with the settled community;
 - Unauthorised developments and encampments have resource implications for the Council in terms of taking enforcement action and the cost of any clean-up of unauthorised sites once they have been vacated (whether voluntarily or enforced);
 - Increasing the Council's vulnerability to unwanted, adhoc planning applications (and potentially appeals), which due to the lack of provision of suitable sites would be difficult to resist;

- Restricting the ability to enforce against unauthorised development as the ability to enforce is related to how proactive we are in meeting the need for sites; and
- Increasing the difficulty of ensuring that the Gypsy and Traveller community has access to all the support and services they need.

- 6.2 The issue of unauthorised encampments has been, and continues to be, an ongoing concern. The 2017 GTAA noted that between 1997 and 2016 a total of 1,711 unauthorised encampments were recorded across Leicestershire and Leicester City, with a general trend showing an increase from 2008 onwards. When broken down by individual local authorities over the same time period it can be seen that the highest number of unauthorised encampments were recorded in North West Leicestershire (453), Leicester City (453), Charnwood (183), Melton (180) and Hinckley and Bosworth (172).
- 6.3 Looking at more recent data for the period 2011-2016 again shows that the highest number of unauthorised encampments were recorded in Leicester City (248) and North West Leicestershire (184).
- 6.4 If the Council does not identify sufficient sites then it is likely that this historical high level of unauthorised encampments, together with its resource implications, will continue to be an issue. This will leave the Council without sufficient control or measures to tackle the problem. The provision of sites as recommended in the DPD will not necessarily eradicate unauthorised encampments, but the Council will be in a much stronger position to resist and deal with them.
- 6.5 An additional risk to the Council of failing to progress the DPD could be the potential risk to the Local Plan itself. The Local Plan Inspector was persuaded of the efficacy of progressing the Local Plan in parallel to a standalone document to allocate sites for Gypsies and Travellers. The central argument was that the Local Plan needed to progress quickly, and robust steps were in place to make good progress to meet all housing needs. If the DPD were to be further delayed, with the Local Plan review already having been published, there is a risk that a local plan Inspector could conjoin the two. Local Plan Policy S1 states that
- “...the (Local) Plan Review will be submitted for examination within two years from the commencement of the review. In the event that the reviewed plan is not submitted within two years then this Local Plan will be deemed to be out of date.”

This means that, if the Local Plan review is not submitted for examination by 20th February 2020, it will be out of date, and the risk of unwanted greenfield housing proposals being granted at appeal would return (because we would have to rely on the National Planning Policy Framework (NPPF), which sets out that in the absence of an up to date local plan and a five year supply, there is a presumption in favour of new housing development). It follows that, if sufficient progress is not made towards the DPD, we may be forced to slow down or even to re-start the Local Plan review to address the issue of Gypsy & Traveller sites, and this in turn would increase the risk of relying on the NPPF.

7.0 NEXT STEPS

- 7.1 The proposed DPD is to be considered by Council at its meeting on 20 March 2018. Council will be asked to approve the DPD for publication under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012). The publication stage DPD represents the document that the Council considers ready for examination.
- 7.2 Subject to the agreement of Council the DPD will then be published for a 6 week period of consultation. It is likely that this will be for the period 9 April to 20 May 2018.
- 7.3 In addition to the DPD, the following independent assessments will be published alongside the DPD as required by Regulations:
- Sustainability Appraisal/Strategic Environmental Assessment;
 - Habitats Regulations Assessment (in respect of the river Mease Special Area of Conservation)
- 7.4 Subject to any representations received not raising significant issues which could be viewed as raising doubts as to the soundness of the DPD, then Council will submit the DPD and any proposed changes it considers appropriate along with supporting documents to the Planning Inspectorate for examination on behalf of the Secretary of State. It is currently anticipated that submission will be in July 2018.
- 7.5 Once the DPD is submitted an independent Planning Inspector will be appointed by the Planning Inspectorate to consider whether the DPD is 'sound'. At this point the Council will no longer be in control of the timetable as this will initially be determined by the Planning Inspectorate and then by the Planning Inspector appointed to hold the examination. Based on experience elsewhere it is likely that examination hearings would take place in early autumn 2018.

1. Introduction

Background

- 1.1 The North West Leicestershire Local Plan was adopted by North West Leicestershire District Council on 21 November 2017. The Local Plan provides a planning policy framework for guiding development in the District up to 2031. It comprises a vision, strategic objectives, site allocations and development management policies. With regard to housing, the Local Plan aims to meet the housing needs of the community. The Local Plan states that the accommodation needs of Gypsies and Travellers and Travelling Showpeople are to be met through the production of a Gypsy and Traveller Site Allocations Development Plan Document (DPD).

Why should we prepare a Gypsy and Traveller Site Allocations Development Plan Document?

- 1.2 The Government requires local planning authorities to assess the accommodation needs of Gypsies and Travellers and Travelling Showpeople and to meet those needs through the identification of land for suitable sites.
- 1.3 As in many other areas of the country, there has been a shortage of authorised Gypsy and Traveller sites in North West Leicestershire to meet identified need. This leads to unauthorised developments and encampments and results in uncertainty for both the settled population and the Gypsy and Traveller community. It is also recognised that Gypsies and Travellers are amongst the most socially excluded groups in society and research has consistently confirmed the link between the lack of good quality sites and poor health and education outcomes. The provision of sites can therefore be the key to tackling a host of issues.
- 1.4 The failure to allocate sufficient land to meet the need for new pitches has several impacts including:
- Continuing the current problem of unauthorised development and encampments, as well as tensions with the settled community;
 - Restricting the Council's ability to enforce against unauthorised development as our ability to enforce is related to how proactive we are in meeting the need for sites; and
 - Increasing the difficulty of ensuring that the Gypsy and Traveller community has access to all the support and services they need.
- 1.5 This Development Plan Document addresses these issues by identifying sites to meet the accommodation needs of Gypsies and Travellers and Travelling Showpeople in North West Leicestershire to 2031. This includes the needs of Gypsies (including English, Scottish, Welsh and Romany Gypsies), Irish Travellers, New (Age) Travellers, and Travelling Showpeople.

What is the process for preparing a Development Plan Document?

- 1.6 A Consultation Draft document published in February 2016 under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 provided an opportunity for individuals, organisations 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. Responses received were used to inform the preparation of this publication DPD.
- 1.7 This publication Gypsy and Traveller Site Allocations Development Plan Document has been prepared under Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012. After this stage the plan (together with any comments received) will be submitted to the Secretary of State (Regulation 22) who will appoint a Planning Inspector to assess the plan through a Public Examination to establish whether it is 'sound' or not.
- 1.8 Only when the plan has been through these various stages and a Planning Inspector considers the plan to be 'sound' is the Council able to adopt the Development Plan Document.
- 1.9 Once adopted, this DPD together with the North West Leicestershire Local Plan and the Minerals and Waste Local Plan prepared by Leicestershire County Council will be the Development Plan for North West Leicestershire. The Development Plan provides the basis for determining planning applications.

What other matters must we have regard to in preparing the DPD?

- 1.10 The Gypsy and Traveller Site Allocations Development Plan Document is not prepared in isolation. In particular, the DPD must be consistent with national planning requirements and the policies of the North West Leicestershire Local Plan. We also have to comply with various European regulations.

National Policy

- 1.11 The Government's planning policy for Traveller sites was published in August 2015. The Government's overarching aim is to ensure fair and equal treatment for Travellers, in a way that facilitates the traditional and nomadic way of life of Travellers while respecting the interests of the settled community.
- 1.12 The Government's 'Planning Policy for Traveller Sites' includes the following definition of Gypsies and Travellers:

1. For the purposes of this planning policy "Gypsies and Travellers" means:

Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of Travelling Showpeople or circus people travelling together as such.

2. In determining whether persons are "Gypsies and Travellers" for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:

- a) whether they previously led a nomadic habit of life
- b) the reasons for ceasing their nomadic habit of life
- c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.

3. For the purposes of this planning policy, “Travelling Showpeople” means:

Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family’s or dependants’ more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above.

Local Policy

- 1.13 The North West Leicestershire Local Plan and Policy H7 specifically, provide the context and local policy framework for this Gypsy and Traveller Site Allocations Development Plan Document.
- 1.14 Policy H7 of the Local Plan on Provision of Sites for Gypsies and Travellers states:
 - (1) Provision will be made to meet the accommodation needs of Gypsies and Travellers and Travelling Showpeople between 2012- 2031 for a minimum of:
 - 2012 - 2017: 27 pitches plus 20 transit pitches
 - 2017 - 2022: 11 pitches plus 3 plots for showpeople
 - 2022- 2027: 14 pitches plus 3 plots for showpeople
 - 2027- 2031: 16 pitches plus 3 plots for showpeople
 - (2) The required provision will be identified through the production of a Gypsy and Traveller Site Allocations Development Plan Document, taking into account the most-up-to-date Gypsy and Traveller Accommodations Needs Assessment.
 - (3) A five year supply of deliverable sites will be identified as well as a supply of developable sites or broad locations for the following years. The following criteria will be used to guide the site allocation process, and for the purposes of considering planning applications for such sites.
 - (4) Proposals for new sites or extensions to existing sites should meet the following requirements:
 - (a) Be located with reasonable access to a range of services, such as shops, schools, welfare facilities or public transport
 - (b) Be proportionate to the scale of the nearest settlement, its local services and infrastructure
 - (c) Have suitable highway access, and is not detrimental to public highway safety
 - (d) Provides for adequate on-site parking and turning of vehicles as well as appropriate facilities for servicing and storage
 - (e) Be capable of being provided with adequate services including water supply, power, drainage, sewage disposal, and waste disposal facilities
 - (f) Be compatible with landscape, environment, heritage and biodiversity as well as the physical and visual character of the area,
 - (g) Be compatible with the amenities of neighbouring properties and land uses.

- (5) Authorised, existing and new, sites will be safeguarded for Gypsy and Travellers and Travelling Showpeople groups unless they are no longer required to meet an identified need.
 - (6) Any development provided for within this policy which discharges wastewater into the Mease catchment will be subject to the provisions of policy En2. Any such development which does not meet these provisions will not be permitted.
- 1.15 A pitch/plot is an area of land on a site that is generally home to one household. A pitch/plot can vary in size and have varying caravan numbers. Pitches refer to Gypsy and Traveller sites and plots to Travelling Showpeople yards.
- 1.16 The policies and proposals of this DPD need to be read alongside the policies of the North West Leicestershire Local Plan. When considering development proposals, all the relevant policies of both plans will apply.

European Regulations

- 1.17 A Strategic Environmental Assessment (SEA) of the plan is required to assess its environmental impacts. The requirement for a SEA has been taken further by the Government which requires that a Sustainability Appraisal (SA) be carried out to assess not only the environmental effect of the plan, but also the economic and social effects.
- 1.18 A Habitats Regulations Assessment (HRA) is also needed to consider the impact of the policies and proposals of the DPD on sites of European significance designated for species and habitats (Special Areas of Conservation (SAC)) or birds (Special Protected Areas (SPA)). That part of the river Mease and its tributaries which lie within North West Leicestershire is designated as a Special Area of Conservation.
- 1.19 This publication Gypsy and Traveller Site Allocations Development Plan Document is accompanied by a Sustainability Appraisal/ Strategic Environmental Assessment and a Habitats Regulations Assessment.

Duty to Cooperate

- 1.20 The Localism Act 2011 introduced a requirement on local planning authorities to co-operate with neighbouring local authorities and other bodies with a regulatory or strategic interest in Local Plan issues. This is referred to as the “Duty to Cooperate” and includes the need to consider the impact of the plan as a whole and its proposals for major development on other places close to North West Leicestershire.
- 1.21 North West Leicestershire lies within the county of Leicestershire which, together with Leicester City, has been identified as a Housing Marker Area (HMA) and the Leicester and Leicestershire Enterprise Partnership area (LLEP). The District Council has a close working relationship with the authorities across the HMA/LLEP through a variety of different groups. In particular, and relevant to the preparation of this DPD, we have been working with the other local planning authorities (excluding Hinckley and Bosworth Borough Council) in the HMA, to prepare pitch targets for Gypsies and Travellers and the plot targets for Travelling Showpeople.

- 1.22 The Leicester and Leicestershire Multi Agency Travellers Unit (MATU) has also been involved in the preparation of this Gypsy and Traveller Site Allocations Development Plan Document. MATU is a county-wide Gypsy and Traveller management and enforcement partnership which comprises all Leicester and Leicestershire Local Authorities, Leicestershire Police and the NHS Travelling Families Team. The unit is hosted by Leicestershire County Council and acts on behalf of (but in liaison with) these other bodies and organisations. MATU's work covers a range of functions including traveller welfare, reducing friction between travellers and the settled community, dealing with unauthorised encampments, and providing advice on the development and implementation of traveller related policies.

2. Leicester and Leicestershire Gypsy and Traveller's Accommodation Needs Assessment

The Leicestershire and Leicester Gypsy and Traveller's Accommodation Needs Assessment 2017

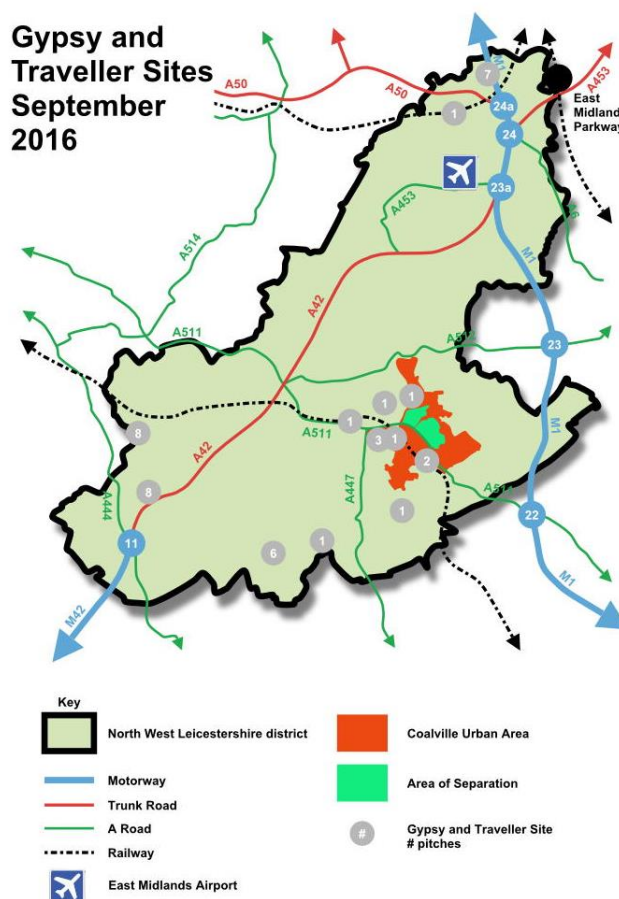
- 2.1 Working with the other local planning authorities (excluding Hinckley and Bosworth Borough Council¹) in the Leicester and Leicestershire Housing Market Area, North West Leicestershire District Council has updated the pitch targets for Gypsies and Travellers and the plot targets for Travelling Showpeople. The 2017 Gypsy and Traveller Accommodation Needs Assessment (GTAA) takes account of the latest definition of "traveller" (which now excludes those who have permanently ceased from travelling) set out in the Government's 2015 planning policy document for travellers and changes in the supply of pitches and plots since the previous 2013 Assessment.
- 2.2 The GTAA is based on a combination of desk-based research, stakeholder interviews and engagement with members of the travelling community living on all known sites. In North West Leicestershire, 16 interviews were completed with Gypsies and Travellers and 25 interviews were completed with Travelling Showpeople.
- 2.3 The GTAA provides a robust and up to date evidence of need that replaces the pitch and plot requirements set out in Local Plan Policy H7. The Assessment covers the period 2016 to 2036. However, this has been broken down by 5 year bands which enables us plan to 2031- the same period as the North West Leicestershire Local Plan.
- 2.4 The additional pitch needs for Gypsies and Travellers are set out in the following sections. Additional needs are set out for those households that meet the planning definition of a Gypsy or Traveller together with an allowance for those unknown households where an interview was not able to be completed who may meet the planning definition. These needs are to be addressed through the identification of sites.
- 2.5 There is no requirement for this DPD to meet the needs of those households that do not meet the planning definition of a Gypsy or Traveller.

¹ Hinckley and Bosworth commissioned its own assessment using the same methodology.

3. Gypsies and Travellers and Travelling Showpeople site Allocations

Gypsies and Travellers: Permanent Sites

- 3.1 At September 2016, there were 13 Gypsy and Traveller in North West Leicestershire providing 34 pitches. As part of the 2017 Leicestershire and Leicester Gypsy and Traveller's Accommodation Needs Assessment, a total of 16 interviews were completed with Gypsies and Travellers living on these sites.
- 3.2 The Accommodation Needs Assessment identified four Gypsy or Traveller households in North West Leicestershire District that meet the planning definition, and 12 households that did not meet the planning definition. There were 13 households where an interview was unable to be completed.
- 3.3 For North West Leicestershire, the Accommodation Needs Assessment identifies a need for five additional pitches for households that meet the planning definition for the period to 2031. We have also allowed for one additional pitch to provide for the need that may arise from households where an interview was unable to be completed. The Gypsies and Travellers provision on permanent sites is therefore six pitches.
- 3.4 In 2011, planning permission was granted on appeal for a six-pitch residential Gypsy caravan site at Old Ashby Road, Sinope. The owner commenced development to implement the planning permission within the specified time period but has not been in a position to complete the development. Discussions with the owner have confirmed that the site is available for a Permanent Gypsy and Traveller Site.



Policy GT1: Permanent Gypsy and Traveller Site Allocation at Old Ashby Road, Sinope

Land to the north of Old Ashby Road, Sinope will be protected for the development at least six permanent Gypsy and Traveller pitches.

Gypsies and Travellers: Transit Sites

- 3.5 While the majority of Gypsies and Travellers have permanent bases either on Gypsy and Traveller sites or in bricks and mortar, other members of the community either travel all year round or for large parts of the year. Their needs can be met by transit sites which can operate all year round but only provide temporary accommodation. Transit sites are not intended for use as a permanent base and have more basic facilities (e.g. communal washing/utility facilities).
- 3.6 Between 1997 and 2016 a total of 1,711 unauthorised encampments were recorded across Leicester and Leicestershire, with a general trend showing an increase from 2008 onwards. The highest number of unauthorised encampments was recorded in North West Leicestershire (453).
- 3.7 Based on a combination of a review of the outcomes of the previous 2013 GTAA, Traveller Caravan Count Data and intelligence from MATU and other stakeholders, there is a current need for a minimum of 12 caravan spaces (or managed equivalent) in Leicester City, and a minimum of 36 caravan spaces (or managed equivalent) spread over 2-3 sites elsewhere in Leicestershire. The need is greatest in the North West of the county.
- 3.8 It has been suggested that there will be a need to increase transit provision across the country as a result of the revised definition of Gypsies and Travellers introduced by the Government's 2015 'Planning Policy for Traveller Sites'. This may be the case, but it will take some time for any robust evidence to be available to substantiate these claims. Therefore, we will need to consider a review of the evidence base relating to unauthorised encampments once the impact of the revised definition of Gypsies and Travellers becomes clear.
- 3.9 Our preferred approach is, in conjunction with MATU, to use managed approaches to dealing with unauthorised encampments ahead of the provision of a public transit site in North West Leicestershire. These approaches could include the continued use of tolerated stopping or the introduction of Negotiated Stopping Agreements for short-term encampments.
- 3.10 If this managed approach does not properly address needs, a transit site has been identified on Nottingham Road, Ashby de la Zouch which has good access to the wider road network and is suitable, available and achievable.

Policy GT2: Gypsy and Traveller Transit Site

The need for Gypsies and Travellers transit accommodation in North West Leicestershire will be reviewed by 31 December 2020.

In the interim, in meeting the need for transit accommodation for Travellers, priority will be given to managed approaches.

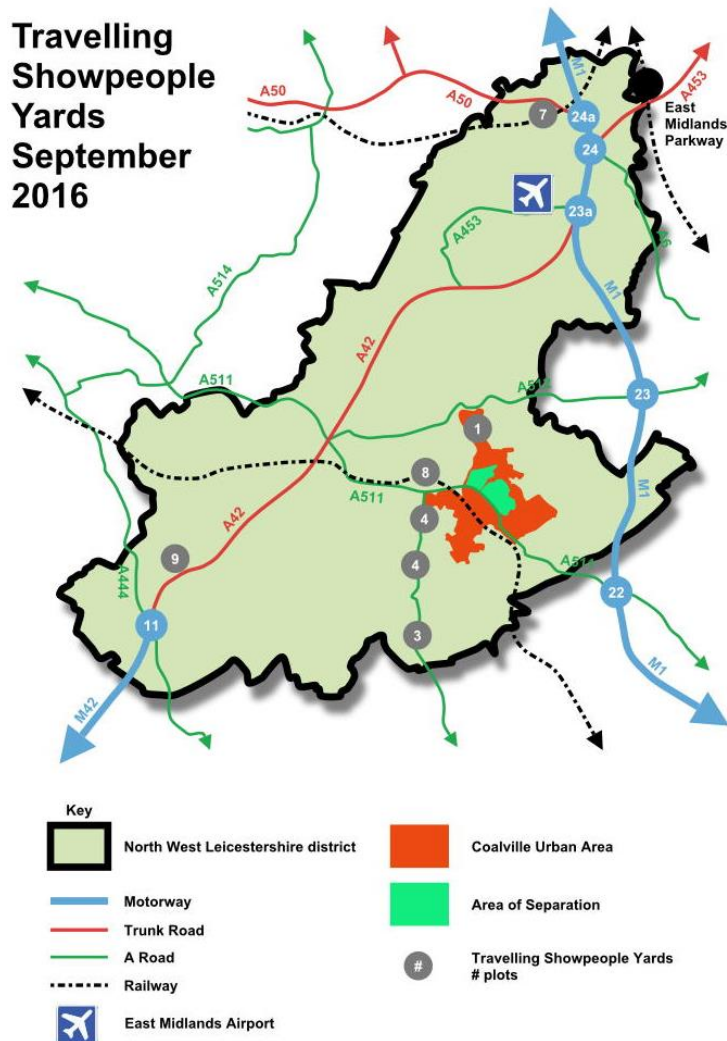
Thereafter, if there is a persistent unmet need for transit accommodation in North West Leicestershire, land to east of Nottingham Road, Ashby de la Zouch is allocated as a Gypsy and Traveller transit site for around 12 pitches subject to the following provisions:

- A. Access to the site shall be off Nottingham Road;
- B. The incorporation of noise mitigation measures to shield site from A42 noise;
- C. That the placement of any pitches would not create a new Air Quality Management Area;
- D. That the risks associated with made ground are assessed and mitigated;
- E. A landscaping scheme should be implemented to provide for an improvement in biodiversity and include the retention of trees and the enhancement of boundary planting; and
- F. The maximum permitted length of stay on the site is 28days.

For there to be a persistent unmet need, the number of unauthorised sites in North West Leicestershire recorded by the twice-yearly count of Traveller caravans should, when compared with the 2016 survey, show no signs of decline.

Travelling Showpeople Sites

- 3.11 Showpeople travel the country, often with their families, holding fairs. Many of these families have been taking part in this lifestyle for generations. Although their work is of a mobile nature, showpeople nevertheless require secure, permanent bases for the storage of their equipment and more particularly for residential purposes. These bases are mainly occupied during the winter, when many showpeople will return there with their caravans, vehicles and fairground equipment. For this reason, these sites traditionally have been referred to as “winter quarters”, with individual pitches generally referred to by showpeople as plots.



- 3.12 At September 2016, there were seven Travelling Showpeople’s Yards in North West Leicestershire providing 36 plots. As part of the 2017 Leicestershire and Leicester Gypsy and Traveller’s Accommodation Needs Assessment, 25 interviews were completed with Travelling Showpeople living on these sites.
- 3.13 A total of 14 Travelling Showpeople households based in North West Leicestershire that were interviewed as part of the 2017 GTAA met the planning definition of travelling. The overall level of need for those households who meet the planning definition of a Travelling Showperson is for 18 additional plots over the period to 2031.
- 3.14 It was not possible to determine the travelling status of 11 households as they either refused to be interviewed, or were not on site at the time of the fieldwork. However, some of these households may be Travelling Showpeople that meet the planning definition. We have allowed for an additional two plots to provide for this potential need to 2031. The overall Travelling Showpeople provision to 2031 is therefore 20 plots.

- 3.15 Some of this need could be met through the extension of existing Travelling Showpeople sites in the district. The remaining need will be met by the allocation of the former Measham Mine at Swebstone Road, south-east of Measham.

Policy GT3: Travelling Showpeople Site Allocations

The need for twenty Travelling Showpeople plots will be met by:

1. The intensification of existing, suitable Travelling Showpeople sites or the extension of such sites onto adjoining, suitable, available land; and
2. 3.73 Hectares of land at the former Measham Mine, Swebstone Road, near Measham to provide up to 20 plots, subject to the following provisions:
 - A. Access to the site shall be off Swebstone Road;
 - B. That the risks associated with the former use of the site as a mine are assessed and mitigated; and
 - C. A landscaping scheme should be implemented to provide for an improvement in biodiversity and include the enhancement of boundary planting.

4. Detailed Planning Considerations

- 4.1 The Government's 2008 Good Practice guide on Designing Gypsy and Traveller Sites was cancelled in August 2015. Nonetheless, it is important that there is certainty and clarity for applicants, the Gypsy, Traveller and Travelling Showpeople communities and the settled community about what is expected from development and the future use of land. The inclusion of a detailed planning considerations policy seeks to provide this assurance to all concerned.

Policy GT4: Detailed Planning Considerations

Proposals for Gypsy, Traveller and Travelling Showpeople development will be expected to:

- A. Incorporate appropriate vehicular access and turning space;
- B. Minimise conflict between pedestrians / cyclists and vehicles on site;
- C. Include appropriate landscaping proposals and demonstrate that key elements of landscape character have been identified, retained and incorporated into the design. The presence of high close-board fencing will generally be considered inappropriate as a means of screening the site or pitch separation;
- D. Be well designed and laid out, ensuring that proposed amenity buildings or day rooms are sensitively sited and use sympathetic materials;
- E. Promote community safety and social cohesion through measures such as natural surveillance on site;
- F. Ensure that children are able to play safely on site;
- G. Include details of foul sewerage disposal and surface water drainage, and where appropriate, look for opportunities to implement Sustainable Drainage Systems; and
- H. Where feasible, reduce exposure to severe weather and climatic risks, utilising for example, natural shade and shelter. To reduce fuel poverty, consideration should also be given to the use of renewable energy systems such as wind or solar energy together with more energy-efficient buildings, especially amenity blocks;
- I. Schemes should make clear what commercial activity, if any, would be carried out on site and where;
- J. Ensure that the site is occupied only by Gypsies, Travellers and Travelling Showpeople as defined by the Government's Planning Policy for Traveller Sites; and
- K. Any discharge of wastewater into the river Mease catchment shall be in accordance with the provisions of Local Plan Policy En2. Development which does not meet these provisions will not be permitted.

Safeguarding

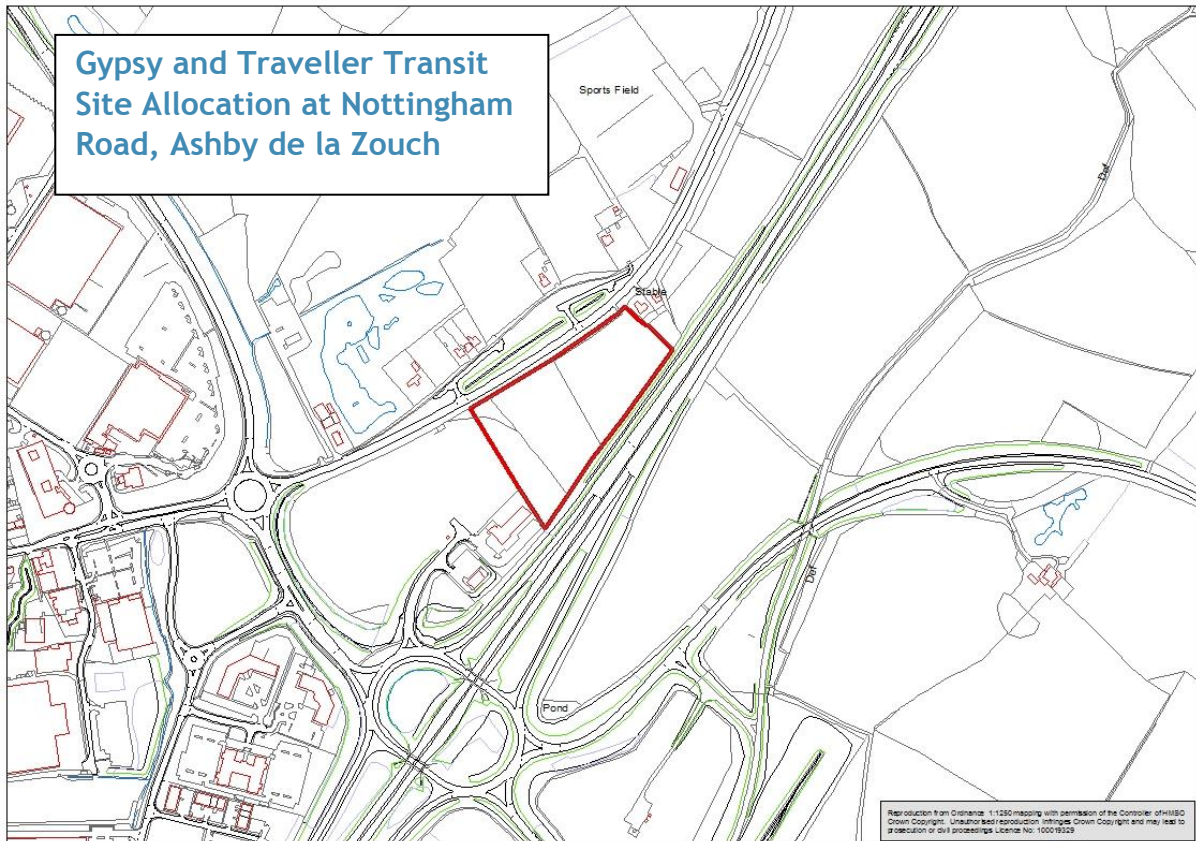
- 4.2 To ensure that the levels of Gypsy, Traveller and Travelling Showpeople accommodation are maintained, all current authorised sites and future sites allocated through the Plan or via the successful outcome of a planning application will be safeguarded for Traveller use in accordance with Local Plan Policy H7.

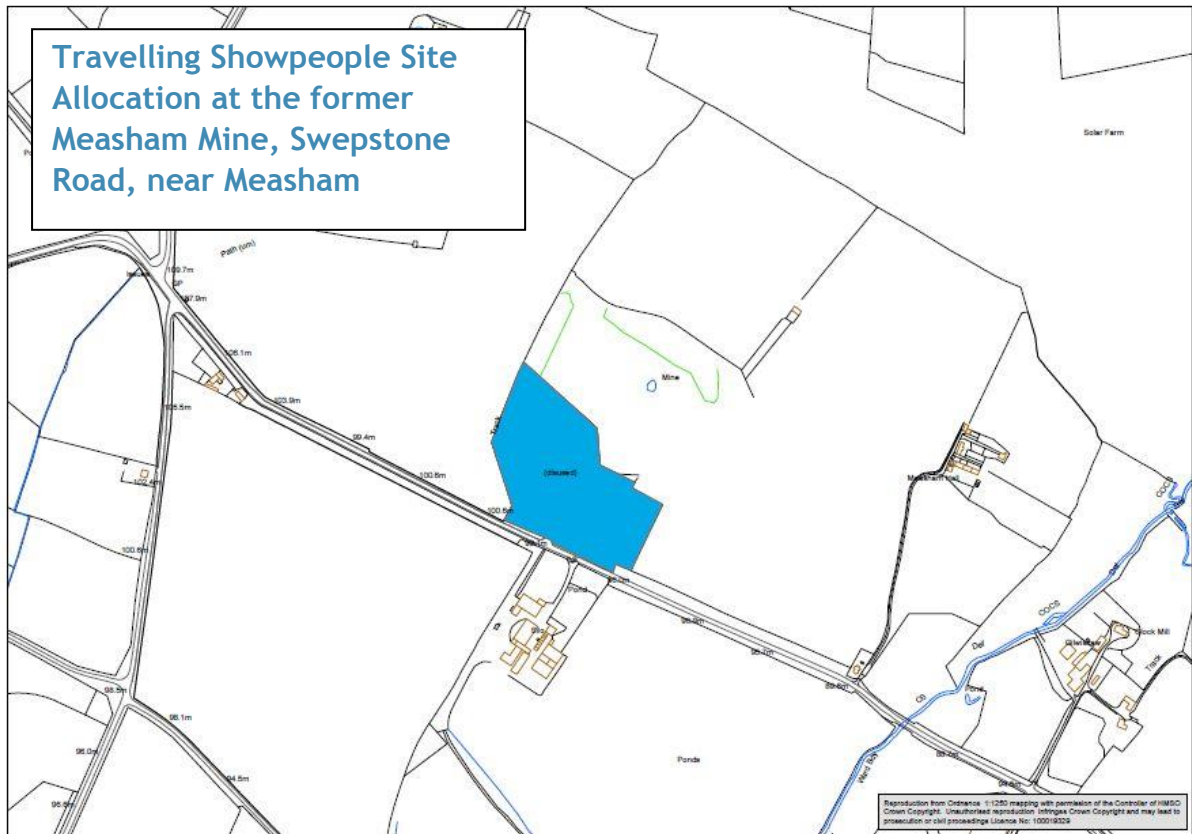
Appendix 1: Policies Map

The Policies Map shows all the areas in North West Leicestershire where different policies of the North West Leicestershire Local Plan apply. The Policies Map will be revised and updated as each Development Plan Document is adopted. In the case of the Gypsy and Traveller Site Allocations Development Plan Document, the Policies Map will be updated to show the following allocated sites.

Permanent Gypsy and Traveller Site Allocation at Old Ashby Road, Sinope

The map illustrates the proposed site allocation, outlined in red. The site is located adjacent to Ashby Road (A511) and The Moorlands Mobile Home Park. Key features include Spinney Park, Finneys Park, and The Spinney. The map also shows existing buildings, roads, and a guide post.





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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LOCAL PLAN ADVISORY COMMITTEE – WEDNESDAY, 14 MARCH 2018

Title of report	PUBLICATION OF STRATEGIC HOUSING AND ECONOMIC LAND AVAILABILITY ASSESSMENT (SHELAA)
Contacts	<p>Councillor Trevor Pendleton 01509 569746 trevor.pendleton@nwleicestershire.gov.uk</p> <p>Strategic Director of Place 01530 454555 james.arnold@nwleicestershire.gov.uk</p> <p>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 set out for members the purpose and content of the recently published Strategic Housing and Economic Land Availability Assessment (SHELAA)
Council priorities	Business and Jobs Homes and Communities
Implications:	
Financial/Staff	The cost of producing the SHELAA has been met from within existing budgets.
Link to relevant CAT	None
Risk Management	The SHELAA is a vital component of the evidence base to support the Local Plan review and a failure to produce it would increase the risk that the Local Plan review would be found unsound. A joint methodology has been agreed with the other Leicester and Leicestershire authorities to try and ensure that a consistent approach is taken across the Housing Market Area.
Equalities Impact Screening	None
Human Rights	None discernible

Transformational Government	Not applicable
Comments of Head of Paid Service	The report is satisfactory.
Comments of Section 151 Officer	The report is satisfactory.
Comments of Deputy Monitoring Officer	The report is satisfactory.
Consultees	Landowners, developers and other stakeholders consulted in respect of the identification of potential sites. Leicestershire County Council consulted to provide specialist highways and ecological input in respect of assessment of potential sites. NWL District Council Business Focus Team Manager consulted in respect of potential employment sites.
Background papers	<p>National Planning Policy Framework which can be found at www.gov.uk/government/publications?topics%5B%5D=planning-and-building</p> <p>National Planning Practice Guidance which can be found at https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment</p> <p>Leicester and Leicestershire Joint Methodology which can be found at https://www.nwleics.gov.uk/files/documents/shelaa_joint_methodology_march_2017/SHELAA%20Joint%20Methodology%20-%20March%202017.pdf</p> <p>Previous versions of the SHLAA/ELAA which can be viewed at https://www.nwleics.gov.uk/pages/previous_strategic_housing_land_availability_assessments</p>
Recommendations	THAT THE ADVISORY COMMITTEE NOTES THE CONTENT OF THE SHELAA

1.0 BACKGROUND

- 1.1 Members will recall that there have been a number of Strategic Housing Land Availability Assessments (SHLAA) produced by the Council since 2009. These had the aim of identifying a potential future supply of land which was suitable, available and achievable for housing that could then be used when considering housing allocations in the Local Plan. An Economic Land Availability Assessment (ELAA) was also published in 2013, with a similar aim of identifying a future supply of employment land.

- 1.2 The National Planning Policy Framework identifies the advantages of carrying out land assessments for housing and economic development as part of the same exercise, in order that sites may be allocated for the use which is most appropriate. The production of this [Strategic Housing and Economic Land Availability Assessment \(SHELAA\)](#) is therefore the first time that we have assessed both potential housing and potential employment sites at the same time and in the same assessment.

2.0 WHAT IS THE PURPOSE OF THE SHELAA?

- 2.1 An assessment of land availability identifies a future supply of land which is considered to be suitable, available and achievable for housing and economic development uses over a local plan period. Undertaking a SHELAA at this time allows us to identify a potential future supply of land to meet any housing and economic development needs that have to be allocated through the Local Plan review.
- 2.2 The SHELAA gathers together information on potential sites for housing and economic development and assesses their suitability. The sites assessed as part of the SHELAA range from those with planning permission to those which have been proposed on a speculative basis by land owners, developers or the public for future consideration. The SHELAA also includes potential land which has been identified by officers during the survey work.
- 2.3 It is important to note that the SHELAA is not a policy document; it does not make decisions or recommendations on which sites should be allocated for development or granted planning permission.
- 2.4 In addition, the inclusion of a site in the SHELAA does not provide any indication of the Council's view of its acceptability for future development. Sites considered in the study have been assessed against current local policy constraints some of which would currently prevent their development for new homes/employment but which in the longer term may not represent a constraint. Therefore, such policy constraints are not viewed as a constraint to the inclusion of a site in the SHELAA. For example, land currently identified as countryside or subject to another restrictive designation may not be carried forward in the Local Plan review.

3.0 SHELAA METHODOLOGY

- 3.1 The Local Planning Authorities of Leicester and Leicestershire have agreed a joint approach to the preparation of SHELAA's through the [Methodology Paper 2017](#) which provides detailed guidance in accordance with National Planning Practice Guidance. The authorities have also agreed common working arrangements in line with Duty to Cooperate requirements. This includes locally specific criterion as part of the methodology, and ensures that each authority's individual document will follow the same broad methodology and appear in a similar format (accepting that occasionally local circumstances may justify a change).

- 3.2 The approach set out in the methodology has been informed by the views of house builders, land agents and land owners gathered through consultation and from discussion at developer panel meetings.
- 3.3 In line with the Joint Methodology, only sites capable of delivering five or more dwellings or economic development on sites of 0.25ha (or 500sqm of floorspace) or above are considered for inclusion within the SHELAA.
- 3.4 Both the Joint Methodology and the National Planning Practice Guidance state that the assessment should consider various different types of sites, including existing allocations, unimplemented planning permissions, sites under construction, sites of withdrawn applications, surplus public sector land and vacant and derelict buildings.
- 3.5 Each site has been assessed in terms of suitability, achievability and availability. In line with the Joint Methodology, each site has also been classified based on its ability to come forward and grouped in to 5 year bands for the periods 0-5 years and 6-10 years. The third time period identified in the methodology is 11-15 years. However the Local Plan was only adopted in November 2017 and has an end date of 2031 (13 years from now), and the policy constraints on some of the assessed sites are so great that they are unlikely to be suitable in the current plan period. In addition, the end date of the Plan Review plan period is potentially more than 15 years in to the future. To take account of the sites that are not currently policy compliant and to ensure that the assessment runs at least until the end of the Review period, we have extended the final time period from 11-15 to 11-20 years.
- 3.6 Initial work on this SHELAA began in Summer 2017. A Call for Sites consultation exercise was undertaken between 3 July and 14 August 2017, when landowners, developers and other interested parties were invited to submit sites that they thought were suitable for development. Officers then undertook assessments of all the sites submitted.
- 3.7 In addition, officers also undertook a search of recent planning application records and identified sites submitted through previous SHLAAs/ELAAs. As well as Planning Policy officers from the district council, specialist advice was also sought from Leicestershire County Council Highways and Ecology officers and from the district council's Business Focus Team Manager (relating to the employment sites).

4.0 SHELAA CONTENT

- 4.1 The SHELAA contains an introduction which sets out the background to the work and various issues encountered. It is then split in to two sections – potential housing sites and potential employment sites. Within each section, Members will be able to see plans showing the extent of each site and a completed proforma setting out the details of the assessment. There are also summary tables setting out indicative delivery timescales for each site.
- 4.2 There are a large number of potential sites assessed within the SHELAA - over 200 potential housing sites and over 50 potential employment sites. Members will already be aware of many of these as they have been carried forward from the previous SHLAA/ELAA or have the benefit of planning permission. However there will be a presentation at the LPAC meeting to highlight some of the new sites that have been included for the first time. These new sites have come from a variety of sources including:

- Sites submitted by landowners since the previous SHLAA/ELAA was published
- Sites suggested through the call for sites;
- Sites identified by officers

5.0 NEXT STEPS

5.1 The SHELAA was published on the Council website in February 2018. As stated above, it will form a key part of the evidence base for the Local Plan review as it will provide a potential supply of sites to meet any needs arising for additional housing and/or employment allocations. In line with Government guidance the SHELAA needs to be updated on a yearly basis, although this will not necessarily involve a full re-survey of all sites.

5.2 However it is important to note that any decisions on whether a site will be allocated for future residential or economic development will be taken through the Local Plan review process which will be subject to several stages of production and public consultation.

Link to SHELAA documents on the Council website:

https://www.nwleics.gov.uk/pages/strategic_housing_land_availability_assessment

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