

MINUTES of a meeting of the LOCAL PLAN COMMITTEE held in the Virtual Meeting - Arrangements to follow on WEDNESDAY, 27 MAY 2020

Present: Councillor J Bridges (Chairman)

Councillors D Harrison, D Bigby, R Boam, J Houlton, R Johnson, J Legrys, V Richichi and A C Saffell

In Attendance: Councillors R Ashman and S Sheahan

Officers: Mr I Nelson, Mr C Elston, Mrs C Hammond, Miss S Odedra and Mr T Delaney

28 APOLOGIES FOR ABSENCE

Apologies were received from Councillors N Smith and M B Wyatt.

29 DECLARATION OF INTERESTS

In accordance with the Code of Conduct, Members declared the following interests:

Councillor D Bigby declared a non-pecuniary interest in item 3 – Public Question and Answer Session, as he had been quoted in the question as submitting a response during the 2018 consultation. He advised that it was in an independent manner before being elected and that he had come to the meeting with an open mind.

30 PUBLIC QUESTION AND ANSWER SESSION

The Chairman welcomed Mr Bedford, Chairman of the Willesley Environment Protection Association (WEPA) to the meeting and asked him to put his question forward to officers.

Mr Bedford addressed the Committee.

'The Local Plan Review Emerging Options Consultation document of November 2018, sought views on various issues which included on page 20:

How can the Local Plan help to address issues relating to health and wellbeing?

Health in Planning

It is recognised that there is a close relationship between planning and health and that planning can contribute to positive health outcomes in a variety of ways, for example, provision and access to green spaces and community facilities, public realm and social interaction, good quality housing, sustainable travel, protection of amenity and safe and accessible environments.

The National Planning Policy Framework (NPPF) identifies that the social role of planning is 'to support strong, vibrant and healthy communities' and specifically states that policies should aim to achieve the creation of healthy, inclusive and safe places.

The document stated that the Council is currently working with partners to develop a Health and Wellbeing Strategy and the final strategy will be finalised shortly.

It was suggested that the Local Plan could include a strategic policy to be read alongside other policies that address the wider determinants of health. This policy could form part of the strategy section of the Local Plan and given its status as a strategic policy it would apply to all development proposals.

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Question 24 asked - *Should we include a policy (or policies) to address health and wellbeing issues as part of new development?*

WEPA's response was Yes. This positive response was also made by Packington Nook Residents Association, Natural England, Measham Parish Council, David Bigby, Ruth Mulvany, Canal and River Trust, National Forest Company, Packington Parish Council, Ashby Civic Society, DJ and SC Smith, and Lesley Birtwistle,

Question 25 asked - *Should we have a strategic policy which would support the health and wellbeing of North West Leicestershire's residents?*

WEPA's response was Yes. This positive response was also made by Packington Nook Residents Association, Natural England, Measham Parish Council, David Bigby, Canal and River Trust, National Forest Company, Packington Parish Council, Ashby Civic Society, and Lesley Birtwistle.

Will the Local Plan Committee support the inclusion of these policies in the reviewed Local Plan?

Thank you.'

The Planning Policy Team Manager provided the following response:

'The responses received in respect of the Local Plan Consultation undertaken between November 2018 and January 2019, were considered at a meeting of the Local Plan Committee of 26 June 2019.

A copy of the report and the appendices can be viewed from this [link](#).

Officers are continuing to work to address health issues as part of the Local Plan review.

The Chairman asked Mr Bedford if he wished to ask a supplemental question.

Mr Bedford asked:

'In the Local Plan Review Responses to Consultation Update report to this Committee of 26th June 2019, the officer's response states that "the inclusion of some form of overarching approach would be appropriate."

I would therefore ask whether there has been any further progress in developing specific policy revisions under the Substantive Local Plan Review which address Health and Well Being? If so, what are they, and, if not, when such draft policies may be presented to this Committee for consideration? Especially considering that the Council's Health and Well Being Strategy was adopted by Cabinet in Feb 2019 and one of its stated objectives is to "Ensure health and wellbeing is at the forefront of strategy development when considering the Local Plan".

Also, has there has been any progress on producing the Open Spaces Needs Assessment and Strategy which is a key objective of the adopted Health and Well Being Strategy?

The Planning Policy Team Manager advised that nothing further had been produced in terms of the Health and Well Being and officers were currently working on the strategy and different aspects that they may wish to include in the plan. He advised that officers were also considering if something could be included in the plan around take-aways and fast food restaurants and health grounds but noted that the proposal was in the very early stages. He informed Mr Bedford that it was intended to include the piece of work in the consultation that was due to be held later in the year noting that it would not be a fully drafted plan but was likely to be rather an iteration of ideas. He added that it would then

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be considered by the committee. In relation to the open spaces strategy he noted officers were currently looking at how to proceed with the work as it had been identified as a gap in the Council's own evidence base.

The Chairman thanked Mr Bedford again for his question and attending the meeting.

31 MINUTES

Consideration was given to the minutes of the meeting held on 15 January 2020.

It was moved by Councillor V Richichi, seconded by Councillor D Harrison and

RESOLVED THAT:

The minutes of the meeting held on the 15 January 2020 be approved and signed by the Chairman as a correct record.

32 LOCAL PLAN REVIEW - SELF BUILD POLICY

The Planning Policy Team Manager presented the report to Members.

Councillor D Bigby stated that he supported the conclusion of not identifying specific sites for self-build. He expressed concerns over the policy as he felt that it was quite complex and cumbersome, and sought a better understanding of the word 'seek', as it could lead to misunderstanding by the planning committee as to what it meant. He noted that there were forty-four names on the self-build register and asked if the register noted what type of plot those that were interested were looking for, adding that he would be surprised that those on the register would be looking at living on housing estates. He felt that the policy should be modelled on the one that had been adopted by Blaby DC.

The Planning Policy Team Manager advised that in terms of the wording issues, the word seek was not a specific requirement and the wording of the policy would always be supported by text, which would be subject to consultation. In terms of the register, he advised Members that the type of plot required was not logged but the possible settlement location was. He informed the committee that in terms of the policy from Blaby it did not add a great deal to what was in the national policy, but that it would be a decision for the Committee following consultation.

Councillor V Richichi stated that it was a pretty good policy but there were some areas that he sought clarification on. He felt that anyone wishing to self-build would want to do so on a small plot of land not a small-scale housing estate. He noted that some sites where people would wish to build were outside Limits to Development even though the site could fall between two existing properties, asking if there would be any leniency on granting that kind of development. In terms of the self-build register, he felt that it would make the process transparent and highlight the number that wanted to build. He sought clarification on whether there would be more flexibility with self-builds in planning terms and where an application met the small scale application with local connection requirements but lay outside the limits would it be permissible.

The Planning Policy Team Manager informed Members that the Limits to Development would be part of review as they had been drawn tightly and the authority may need to introduce an element of flexibility in regards to small-scale growth, which could include self or custom build developments. He cautioned that it would need careful consideration to ensure appropriate balance. In terms of the register, he noted that it was a requirement to keep one but it was not a published document. Officers could advise members of the numbers on there if requested. He advised that in relation to more flexibility with self-build,

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the national policy did not allow it and at examination unless strong evidence was provided to show why North West Leicestershire was different to other areas the inspector would be unlikely to support.

Councillor D Harrison stated that it was an interesting report, which drew out aspects that required proper consideration. He felt that up to fifty properties was a large amount to have on a site and noted that historically on a larger self-build site there were often several plots left undeveloped. In regards to the proposal, he felt it was very wordy and longwinded but noted that it was only a suggestion and not written in stone. He expressed concerns over the consideration of the Limits to Development, as the authority did need some flexibility however it was the tool that also controlled where development took place.

The Planning Policy Team Manager clarified that on a development of 50 houses; only a small number of plots would be made available for custom build. He noted the comments where non-development had occurred in the past and advised that the second part of the policy would help to avoid if possible. In relation to the review of the limits, he acknowledged that it was a tricky balance to be struck but assured Members that there would be an opportunity for all Members and the committee to see the suggested amendments

Councillor J Bridges stated that due to health and safety requirements self or custom build would not be allowed on large housing developments.

Councillor J Legrys advised that he was supportive in ways but mirrored the comments of others in relation to the Limits to Development. He stated that in his personal view he would prefer not to have a policy on the self-build at all as in the area that he lived a number of residents had built in their gardens but the applications did not state that they were self-builds. He expressed concerns over allocating land for self-builds as it would sterilise the land for future development in relation to available land supply. He advised that he would prefer Blaby's policy but did not want to make rod for authority's back.

The Planning Policy Team Manager understood the comments around building in own gardens being classed as self-builds however, the argument did not appear to be accepted by inspectors at appeal that the authority was meeting targets unless the application specifically referred to self and custom build. In terms of the policy, he urged Members to wait until the consultation had taken place and then the Committee would decide what it wished to do.

In response to a question from Councillor R Johnson, the Planning Policy Team Manager advised that thought would have to be given to how the self-build policy would fit together with policy H6 of the adopted Local Plan as policy H6 would need to be reviewed itself.

The officers recommendation was moved by Councillor D Harrison, seconded by Councillor J Legrys and

RESOLVED THAT:

- 1) The suggested policy on self and custom build set out at paragraph 4.4 of the report be agreed

And

- 2) It be consulted upon in the next round of consultation on the emerging Local Plan later in 2020.

The Planning Policy Team Manager presented the report to Members.

Councillor D Harrison stated that it was good news to now know the figures but raised concerns over the possible need for 'Big Sheds' and lorry parks and the effect on the climate. He questioned that if the figures were split equally between the districts and boroughs, where would they go in the district. He urged caution when discussions took place as to what the authority wanted or needed.

The Planning Policy Team Manager understood the concerns raised as other authorities would push that they were unable to take any further development. In relation to 'Big Sheds', he clarified that in terms of the unmet need it included warehouses but not strategic warehousing. He informed Members that the authorities need to work collectively and that the need was in Leicester City, with which NWL did not have any common boundaries.

Councillor J Legrys stated that it was a good report and had great sympathy with officers as they were trying to deal with the situation whilst in lockdown. He noted that it was an update report but added caution as to how the need would be distributed in a democratic way, as there needed to be considerable transparency in the decision-making. He accepted that the city needs to expand beyond its boundaries but some authorities would refuse to take any additional amount required.

The Planning Policy Team Manager advised that the key matter in trying to ensure transparency was the collective work that officers were carrying out to look at reasonable options, which would then be subject to an independent appraisal and engagement with the Planning Advisory Service. He informed the committee that the technical information would be shared with the Member Advisory Group and then to each local authority which would show the reasoning of the re-distribution.

Councillor J Legrys noted that it was not just transparency with elected members but also with the public and asked that the whole process be explained well.

Councillor T Saffell stated that he was of the same opinion as Councillor J Legrys and that until all other possibilities had been exhausted the authority should not take any unmet need off Leicester City.

Councillor D Bigby stated that he felt that good points had been made on the need for transparency during the process and, as part of that, he asked that it was ensured that the committee was kept up to date on what was being discussed behind the scenes rather than the final figures just being put before the committee for agreement. He expressed concerns that the review was behind on the set timescales, which could not be helped, but felt that it would be useful for a revised timetable to be shared. He also felt that the committee was being drip-fed information but seeing a detailed roadmap as to how everything would be dealt with and when would be useful as there were a number big issues, such as the specific energy efficiency measures that we need in new housing to deal with the climate emergency; the allocation of housing and employment land to cover our own local need, irrespective of Leicester's needs, and looking for potential sites for stations on the Ivanhoe line and how that will be dealt with, that needed to be considered.

The Planning Policy Team Manager advised that in relation to the timetable, now that the figures from Leicester were known there was a series of logical steps to go through. He highlighted that the next one would be gaining some idea of the household projections were going to say with the 2018 figures due to be published by the end of June. He did not wish to guess what the household projections would be but it was projected that there would be an increase of 15% in the population figures. Once known the figures would be applied to the Government standard method adding that changes to the method had been

announced but due to the COVID-19 situation it was unknown if the work had been carried out. He noted that irrespective of any changes to the method, with the publication of the household projections the authority would have a much firmer footing to move forward. He stated that officers would wait to see what they said and gauge how much needed to be done, which would then inform the timetable. He understood the comments re drip-feeding and advised that reports on the housing and employment would come to a future meeting once the requirements were known.

Councillor J Bridges advised Members that the Portfolio Holder would keep Members of the committee updated on the discussions that were had by the Member Advisory Group as to the distribution of the unmet need.

The officers recommendation was moved by Councillor R Johnson, seconded by Councillor R Boam and

RESOLVED THAT:

- 1) The current position in respect of the partial review be noted;
 - 2) Leicester City has now declared an unmet unemployment land need be noted;
- And
- 3) The process for agreeing any redistribution of unmet needs be noted.

The meeting commenced at 5.00 pm

The Chairman closed the meeting at 6.28 pm