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Meeting	LOCAL PLAN COMMITTEE
Time/Day/Date	5.00 pm on Wednesday, 27 May 2020
Location	Virtual Meeting - Arrangements to follow
Officer to contact	Democratic Services 01530 454512

AGENDA

Item		Pages
1	APOLOGIES FOR ABSENCE	
2	DECLARATION OF INTERESTS	
	Under the Code of Conduct members are reminded that in declaring disclosable interests you should made clear the nature of that interest and whether it is pecuniary or non-pecuniary.	
3	PUBLIC QUESTION AND ANSWER SESSION	
	To receive questions from members of the public under rule no.10 of the Council Procedure Rules.	
4	MINUTES	
	To confirm and sign the minutes of the meeting held on 15 January 2020	3 - 8
5	LOCAL PLAN REVIEW - SELF BUILD POLICY	
	Report of the Head of Planning and Infrastructure	9 - 16
6	LOCAL PLAN REVIEW - UPDATE	
	Report of the Head of Planning and Infrastructure	17 - 20

Circulation:

Councillor J Bridges (Chairman)
Councillor D Harrison (Deputy Chairman)
Councillor D Bigby
Councillor R Boam
Councillor J Houlton
Councillor R Johnson
Councillor J Legrys
Councillor V Richichi
Councillor A C Saffell
Councillor N Smith
Councillor M B Wyatt

MINUTES of a meeting of the LOCAL PLAN COMMITTEE held in the Council Chamber, Council Offices, Coalville on WEDNESDAY, 15 JANUARY 2020

Present: Councillor J Bridges (Chairman)

Councillors D Harrison, D Bigby, J Hoult, R Johnson, J Legrys, V Richichi, A C Saffell, N Smith and M B Wyatt

In Attendance: Councillors D Everitt and R Ashman

Officers: Mr L Sebastian, Mr I Nelson, Mr C Elston, I Jordan and Mrs R Wallace

20 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor R Boam.

21 DECLARATION OF INTERESTS

Following advice from the Legal advisor Cllr Johnson declared a non-pecuniary interest in item 6 – Hugglescote and Donington-le-Heath Neighbourhood Plan as a Member of the Parish Council.

Councillor D Bigby declared a non-pecuniary interest in item 4 – Local Green Spaces as he had taken part in the consultation both as a member of the public and a member of Ashby de-la-Zouch Town Council.

Councillors D Bigby, J Bridges and J Legrys declared that they had been lobbied without influence in respect of item 4 – Local Green Spaces, and item 6 – Hugglescote and Donington-le-Heath Neighbourhood Plan.

22 MINUTES

Consideration was given to the minutes of the meeting held on 13 November 2019.

It was moved by Councillor J Legrys, seconded by Councillor D Harrison and

RESOLVED THAT:

The minutes of the meeting held on 13 November 2019 be approved and signed by the Chairman as a correct record.

23 LOCAL GREEN SPACES

The Planning Policy Team Manager presented the report, highlighting the additional document as circulated at the meeting.

Councillor D Bigby commented on the importance of protecting local green spaces and was concerned that not including the designation of these areas in the Local Plan would leave many of them unprotected, especially as there was a reluctance in many parishes for a Neighbourhood Plan. He understood the resource implication for the Planning Policy Team but did not feel that it was a reason to not include the designation in the Local Plan.

The Planning Policy Team Manager explained that open spaces such as parks and playing fields would still be protected under other policies within the Local Plan. In response to a question from Councillor M B Wyatt, the Planning Policy Team Manager

commented that unparished areas could form a Neighbourhood Forum to produce a Neighbourhood Plan. He added that Neighbourhood plans did not need to be complicated and this was the message going out to parishes.

Councillor N Smith felt that parishes should be designating local green spaces as they were in the best position to identify sites due to their local knowledge. He was in support of Neighbourhood plans for Parishes.

Councillor J Legrys expressed his concerns that setting up a Neighbourhood Plan took a considerable amount of time and in the interim, areas would not be protected if the designation of local green spaces were not included in the Local Plan. He thanked the officers in Planning and the Community Focus Team for the work undertaken in promoting Neighbourhood Plans and encouraging Parishes to get involved. He expressed his disappointment that some of the larger parishes were refusing to have a Neighbourhood Plan. In relation to the additional papers, he appreciated the critical response from the Officers as he agreed that the concerns from the Willesley Environment Protection Association were received very late.

In response to a question from Councillor V Richichi in relation to the lack of evidence put forward from some Parish Councils, the Planning Policy Team Manager stated that detailed information was sent to all Parish Councils including the evidence required to justify a designation. He referred members to paragraph 4.5 of the report, which detailed the evidence required.

In response to further concerns regarding the protection from development for Parishes without a Neighbourhood Plan, the Planning Policy Team Manager explained that the usual planning considerations applied to green spaces under the Local Plan, it was not reliant on a designation.

In response to a question from Councillor M B Wyatt, the Planning Policy Team Manager stated that a Neighbourhood Plan produced by a Neighbourhood Forum held the same status as those produced by Parish Councils. He agreed to provide further information regarding Neighbourhood Forums to Councillor M B Wyatt outside of the meeting.

In response to a question from Councillor V Richichi, the Planning Policy Team Manager explained that there was an opportunity for anyone to object to a designation and there were processes to follow to resolve any issues.

Councillor D Bigby moved the following motion:

Local green spaces be identified as part of the substantive Local Plan review.

It was seconded by Councillor J Legrys.

The motion was put to the vote and declared a tie. The Chairman exercised his casting vote and the motion was declared LOST.

The officers recommendation was moved by Councillor D Harrison, seconded by Councillor V Richichi and

RESOLVED THAT:

Local green spaces not be identified as part of the substantive Local Plan Review.

24 LOCAL PLAN REVIEW – UPDATE

The Planning Policy Team Manager presented the report to Members.

Councillor J Legrys welcomed the report but expressed concerns that feedback from the HMA authority's discussions was not being received. He appreciated that this was an update report but felt that Members needed to be involved in the discussions about where the sites would be and the mechanism for distribution outside of the city.

The Planning Policy Team Manager reported that the mechanism for redistributing the unmet need from Leicester City was currently being considered and he was hopeful that a methodology/assessment would be available later in the year. He believed that the decisions would eventually be the responsibility of each authority to make and further reports would be presented in the future.

With permission of the Chairman, the Portfolio Holder for Planning and Infrastructure addressed the Committee. He reported that advice on the matter had been sought from the Planning Advisory Service to make sure that the distribution process was fair. The Committee would be kept updated.

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

RESOLVED THAT:

- (I) The Statement of Common Ground for the partial review be signed by the District Council.
- (II) The level of unmet need declared by Leicester City be noted.

25 HUGGLESCOTE AND DONINGTON-LE-HEATH NEIGHBOURHOOD PLAN

The Planning Policy Team Leader presented the report to Members.

Councillor R Johnson expressed how prudent the Neighbourhood Plan was for the village and was pleased with how the neighbourhood had engaged. He added that it had taken a lot of hard work but the result was a very good plan. He questioned some of the comments by officers, especially in relation to the community facilities and amenities, as there was more than one shop in the village.

Councillor J Legrys congratulated the Parish on the work undertaken on the Neighbourhood Plan. He concurred with Councillor R Johnson's comments in that the officer's report has understated some of the points, such as shops in the Parish.

In relation to the officer comments within the report on the aspirations for universal vehicle charging points, Councillor D Bigby acknowledged that there was no national requirement for universal vehicle charging points but did not want this to be the reason it was removed. He felt it was something that was moving forward and an area where the Council's Local Plan was falling behind. The Planning Policy Team Manager fully supported the aspirations of the Parish but reported that there were some technical issues at the present time which was why the comments were included as a note of caution.

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

RESOLVED THAT:

- (I) The suggested Pre-Submission (Regulation 14) Response to Hugglescote and Donington-le-Heath Parish Council as set out in appendix B be endorsed.
- (II) Endorsement of any further response by officers at Submission (Regulation 16) Stage be delegated to the Strategic Director of Place, in consultation with the Portfolio Holder for Planning and Infrastructure.
- (III) It be noted that once the Neighbourhood Plan has been submitted, the Strategic Director of Place in Consultation with the Portfolio Holder for Planning and Infrastructure would:
 - a) publish the plan for a six week period and invite representations;
 - b) notify consultation bodies; and
 - c) appoint an independent examiner to conduct the examination of the Neighbourhood Plan.
- (IV) It be noted that following receipt of the independent examiners report, the Strategic Director of Place in consultation with the Portfolio Holder for Planning and Infrastructure would determine whether conditions had been met for the Neighbourhood Plan to proceed to referendum.
- (V) If the majority of those who voted in the referendum were in favour of the Hugglescote and Donington-le-Heath Neighbourhood Plan and the District Council does not consider the making of the Neighbourhood Plan to be incompatible with any EU or Human Rights obligations, and that there was no available meeting of the Cabinet within eight weeks of the referendum, then the decision whether to make the Plan be delegated to the Strategic Director of Place in consultation with the Portfolio Holder for Planning and Infrastructure.

26 DRAFT CHARNWOOD LOCAL PLAN - CONSULTATION

The Planning Policy Team Manager presented the report to Members.

Councillor J Legrys raised concerns that the development at Shepshed could become a catalyst for development in the surrounding areas, and asked what the Council was doing to protect the boundary on the A512 corridors. The Planning Policy Team Manager reported that Charnwood Borough Council could build up to the boundary but not across it and the area was protected as it was designated. He added that there was also an agreed position with Charnwood Borough Council on the Charnwood Forest.

It was moved by Councillor J Legrys, seconded by Councillor J Hault and

RESOLVED THAT:

- (I) Charnwood Borough Council be thanked for consulting this Council on its emerging Local Plan.
- (II) The recommendations detailed at paragraphs 2.3, 2.10 – 2.11, 2.16 – 2.17. 2.26 – 2.28 and 2.31 of the report be agreed as the District Council's response to the Draft Charnwood Local Plan.

27 AUTHORITY MONITORING REPORT 2018/19

The Planning Policy Team Leader presented the report to Members.

Councillors R Johnson and J Legrys wanted to see a breakdown in relation to developer contributions so Members could see what was going in, what was being spent and if anything was being returned to developers. The Planning Policy Team Manager assured Members that officers were managing Section 106 monies better and agreed to provide further information outside of the meeting.

Councillor D Bigby raised concerns regarding the housing mix figures as he felt there were not enough two bedroom properties being provided. The Planning Policy Team Manager explained that it was very difficult to refuse an application on the grounds of lack of mixed use. However, he did understand the concerns and this data could be used to put pressure on developers if required.

It was moved by Councillor J Hault, seconded by Councillor N Smith and

RESOLVED THAT:

The content of the recently published Authority Monitoring Report 2018/19 be noted.

Following the conclusion of the items on the agenda, the Chairman agreed to hold a discussion regarding the ongoing government consultation regarding Future Homes Standards and energy efficiencies. The Planning Policy Team Manager informed Members that a link to the consultation would be circulated to Members for information and asked for any comments to be submitted as soon as possible so they could be included in the Council's response.

Councillor J Legrys thanked the Chairman for the recently held meeting with officers on the matter and for opening up the consultation to the Committee.

Councillor D Bigby commented on the importance of these types of government consultations and that they ought to be brought to Committee automatically without being raised by Members. The Planning Policy Team Manager assured Members that a response would have been supplied to the consultation but it would have been completed by the Building Control Team. He was pleased that it had been raised, as it was also relevant to Planning.

The Chairman confirmed that these types of consultations were directed to the Building Control Team and he was pleased that officers were now looking at opening them up to more teams and Members.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 8.15 pm

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Title of Report	LOCAL PLAN REVIEW – SELF BUILD POLICY	
Presented by	Chris Elston Head of Planning and Infrastructure	
Background Papers	<u>National Planning Policy Framework</u> <u>Housing and Planning Act 2016</u> <u>Self-build and Custom Housebuilding Regulations 2016</u> <u>Planning Practice Guidance – Self-build and custom housebuilding</u>	Public Report: Yes
		Key Decision: No
Financial Implications	None identified	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	Taken in to account in preparing the report	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	None identified	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	This report outlines to Members the possible approaches to a Self and Custom Build Policy as part of the Substantive Local Plan Review.	
Recommendations	THAT THE LOCAL PLAN COMMITTEE (I) AGREES THE SUGGESTED POLICY ON SELF AND CUSTOM BUILD SET OUT AT PARAGRAPH 4.4 OF THIS REPORT AND; (II) THAT IT BE CONSULTED UPON IN THE NEXT ROUND OF CONSULTATION ON THE EMERGING LOCAL PLAN LATER IN 2020.	

1. BACKGROUND

- 1.1 Self build and custom housebuilding is a key element of the government's agenda to increase the supply of housing, both market and affordable. Its purpose is also to give more people the opportunity to build their own homes. Consequently, legislation has been introduced in recent year that places duties on Local Planning Authorities (LPAs) that are concerned with increasing the availability of land for self-building and custom housebuilding.
- 1.2 Members will recall that a report on self and custom build was considered by this committee on 12 September 2018. The issue of self and custom build was also included as part of the consultation undertaken in November 2018 on a number of matters of relevance to the Local Plan review.
- 1.3 The 12 September 2018 report set out the legislative background and the requirements placed on the Council. In summary:

- The Self Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) (“the Act”) provides a definition of self and custom housebuilding.
- There is a duty on Local Planning Authorities to maintain a register of individuals and associations of individuals who are seeking to acquire serviced plots of land in the authority’s area for their own self-builds and custom housebuilding.
- The Local Planning Authority then has a duty to have regard to the register when carrying out their planning function and in terms of plan-making
- The Act places a further duty upon LPAs to grant suitable development permission to enough suitable plots of land to meet the demand for self-build and custom housebuilding in their area as at the end of October for each year.

1.4 For clarification:

- Self and custom build is defined as the building or completion by individuals, an association of individuals or persons working with or for individuals, of houses to be occupied as homes by those individuals.
- A ‘serviced plot of land’ is defined as a plot of land that has access to the public highway and connections to utilities (electricity, water and wastewater), or a plot of land that these circumstances can be provided within a specific period of time.

1.5 The National Planning Policy Framework (NPPF) also provides advice and identifies that self and custom build properties can provide market or affordable housing. This guidance also recognises the contribution that smaller sites can make to housing delivery whilst also showing support for Councils to work with developers to sub-divide larger plots. Both these approaches would provide opportunities for self-build and custom build.

1.6 It is important to note that there is nothing set out in legislation or guidance that proposals for self and custom build applications should be treated any differently to applications for housing in general. It is therefore suggested that proposals for self and custom build properties will also be expected to comply with general housing policies in the Local Plan, for example, settlement hierarchy and the expectation that new housing development is to be located within the defined Limits to Development. It is on this basis that policy options have been identified and assessed. Other more recent adopted Local Plans have also been reviewed in terms of their Self and Custom Build policies, to assist in identifying the potential Local Plan policy approach.

2 CURRENT POLICY POSITION

2.1 The adopted North West Leicestershire Local Plan (Adopted 2017) does not include a policy addressing Self and Custom Build. However, as noted this issue was raised as part of the Local Plan Review: Emerging Options Consultation undertaken during November 2018 to January 2019.

2.2 A report to the meeting of this committee on 26 June 2019 considered all of the responses to that consultation. In terms of self and custom build, the responses received displayed broad support for the inclusion of a specific policy addressing the issues of self and custom build. However, there was the suggestion by some that a policy is not necessary as the Local Plan should be inherently acceptable to self and custom build developments through its general housing policies and application of the spatial hierarchy.

2.3 Of those who supported specific provision, most of the support was for it to be made through the following approaches;

- The allocation of specific land for self and custom housebuilding, particularly in the form of small-scale sites.
- The identification of sites through the Neighbourhood Plan process.

- The allocation of Council owned land for self and custom housebuilding.
 - The provision of sites through windfall development.
- 2.4 There was however significant objection to requiring the provision of self and custom build through the application of a Housing Mix Policy or as part of a Housing Site Allocation, where a specific number or percentage of self and custom build serviced plots would be sought. Specific concerns raised over these approaches, included the following;
- Plots could be left undeveloped and/or slow the rate of housing delivery.
 - There would be no increase in housing supply and this approach would lead to a change in the form of housing delivered.
 - The phasing and timescales for self/custom build development may not match those for the remainder of the site.
 - Health and safety implications.
- 2.5 The Local Plan Committee agreed not to require the provision of self and custom build plots as part of general market developments and that further consideration be given as to the most appropriate form of policy to be included as part of the Local Plan review.

3 POSSIBLE POLICY OPTIONS

- 3.1 National Planning Practice Guidance suggests how local authorities can best support self-build and custom housebuilding and the approaches include;
- Including policies in Local Plans for self and custom housebuilding.
 - Make Council land available for self and custom housebuilding and marketing available land to those on the register.
 - Engage with landowners with sites suitable for housing and encourage them to consider their development to be in the form of self and custom build.
- 3.2 As noted in paragraph 1.6 there is nothing set out in legislation or guidance that says that self and custom build applications should be treated any differently to applications for housing in general. It is on this basis that policy options have been identified and assessed.
- 3.3 Other more recent adopted Local Plans have also been reviewed in terms of their Self and Custom Build policies, to assist in identifying the potential Local Plan policy approach.
- 3.4 Four possible options are set out below.

Not have a policy

- 3.5 As noted in paragraphs 3.2 to 3.5 the inclusion of a possible policy in respect of Self and Custom Build has been consulted upon and the Local Plan Committee agreed to give consideration to the most appropriate form for such a policy. Therefore, not including a policy is not considered to be appropriate at this stage.

General Policy

- 3.6 A general policy could be used that states the Council's support for self and custom housebuilding and confirm its commitment to the maintenance of a self-build register.
- 3.7 This would demonstrate the Council's commitment to this issue but is not considered to add any value to the guidance contained in National Policy and also lacks a mechanism to deliver self and custom housebuilding plots.
- 3.8 This policy could be expanded to include a 'list of criteria' to identify the matters a self and custom development proposal should satisfy, for example, design, amenity and highway safety. However, these issues are not unique to this form of development and are

applicable to all new dwellings and housing development in the district. The current adopted Local Plan (2017) includes an 'Amenity' Policy that requires all new development to minimise their impact on amenity, and a 'Design' Policy that supports well-designed new developments taking into account their impact on the locality. It is advised that similar overarching policies would also be included within any future adopted Local Plan. Therefore, it would not be necessary for the inclusion of criteria within a specific 'Self and Custom Build' Policy.

- 3.9 These approaches have been used by the Blaby Local Plan (Adopted 2019) and Rushcliffe Local Plan Part 2: Land and Planning Policies (Adopted October 2019). Details of these policies are provided in Appendix A.

Specific Self-Build Housing Allocations

- 3.10 This approach would involve the identification and allocation of land within the Local Plan, to be used solely as self and custom build plots. A range of site sizes could be allocated and the number of sites provided could be calculated having regard to the demand for plots in the district, provided for by the Self Build Register. The advantage of this approach is that it would provide a mechanism for providing sites.
- 3.11 However, for this approach to be successful certainty over their delivery would need to be addressed. Allocations would need to be in locations, which are acceptable in planning terms, and where there is reasonable prospect that these developments would be delivered. This issue could however be addressed if it is identified that the provision of any of these sites would not count towards the district's overall housing provision, reducing concern over their deliverability.
- 3.12 Furthermore, questions are raised over the justification for allocating sites specifically for self and custom build as opposed to general housing, particularly given there are no 'special circumstances' in planning policy terms for self and custom build housing. It is also considered that this approach would not increase housing supply and could replace one form of housing (general) with another form of housing (self-build). This approach would need careful consideration to be given to what the overall housing needs are for the district, and to ensure that it is not provided at the expense of other forms of housing that meets a need.
- 3.13 The Council as a landowner could make land available for self and custom build. However, this Council does not own significant areas of land and so it is questionable as to how many plots could be delivered. Furthermore, the Council could still go down this route as landowner, irrespective of any specific policy provision in the Local Plan.
- 3.14 As an alternative, the Council could seek to bring forward land which it does not own, specifically for self and custom build. This approach could bring with it significant challenges and would need to be resourced with the Council willing to take on financial liabilities and risks in order to enable the acquisition of land for such an approach to work. Bearing in mind the relatively limited demand for these types of properties it is questionable as to whether these challenges and risks are proportionate to the benefits.

Housing Developments to Make Provision for a Percentage of Self Build Plots

- 3.15 This approach would enable the Council to seek a percentage of serviced plots for sale to self and custom builders, on housing developments of a stated size. This Committee has previously agreed not to require the provision of self and custom build plots as part of general market housing. The reasons for this are set out in the report to this Committee on 26 June 2019. However, this was in the context of requiring a specific proportion of all sites over a specified size to be for self and custom build plots.

4 CONCLUSIONS ON THE MOST APPROPRIATE POLICY APPROACH

4.1 Of the approaches outlined in the previous section it is considered that the specific allocation of sites for self and custom build is not appropriate for the reasons outlined in paragraphs 4.11 to 4.14 above.

4.2 Having considered the potential impacts and benefits of the potential policy approaches, it is recommended that the policy should be a hybrid of the potential approaches. The suggested policy is set out below. A similar policy has been supported as part of the Harborough Local Plan and it is considered that it addresses some of the concerns identified by Inspector's at other Examinations.

4.3 The suggested policy has a number of elements:

- Supports proposals for self and custom build housing in locations suitable for housing, including allocations, committed sites and windfall sites. The latter category essentially covers those sites which are not specifically identified for development but, for example, are within the Limits to Development. This Committee has previously agreed to amend the current settlement hierarchy policy to allow for some development in small villages where a local connection test can be satisfied. This could include proposals for Self and Custom Build.
- Seeks the provision of serviced plots for self and custom build housing on larger housing sites/allocations, providing there is evidence of demand.
- Identifies the site threshold for when self and custom build serviced plots are to be sought.
- Allows flexibility to facilitate the development of service plots that remain unsold for a period of time.

4.4 The suggested policy is:

Proposals which meet the definition of self-build and custom build housing will be supported in any location considered to be suitable for housing, in accordance with the policies of this Local Plan, including allocated sites, committed sites and windfall sites. Where there is clear evidence of demand in the district, as evidenced through the Self and Custom Build Register or other evidence submitted as part of any planning application, and where servicing and site arrangements can be made suitable and attractive for such homes, the Council will seek the provision of land for custom and self-build housing on housing sites capable of providing 50 or more dwellings, as part of an appropriate mix of dwellings.

Where self and custom build plots are included as part of a larger scheme which also includes plots or dwellings available on the open market, and where the self and custom build plots have been made available and marketed appropriately for a period of at least 12 months but have not been sold, then the plots may either remain available for purchase on the open market or be built out by the developer for sale on the open market.

4.5 A comprehensive review of the Local Plan is underway and it is anticipated that a public consultation on its contents will be undertaken later in 2020. It is therefore recommended that the suggested policy be consulted upon as part of this stage.

4.6 As part of the Local Plan review there will be a need to look at the Limits to Development. This will give consideration to how opportunities for the possible provision of self and custom build properties could also be accommodated.

Policies and other considerations, as appropriate	
Council Priorities:	<ul style="list-style-type: none"> - Supporting Coalville to be a more vibrant, family-friendly town - Support for businesses and helping people into local jobs - Developing a clean and green district - Local people live in high quality, affordable homes - Our communities are safe, healthy and connected
Policy Considerations:	Local Plan Review
Safeguarding:	None discernible
Equalities/Diversity:	The Local Plan Review needs to be subject to an equalities impact assessment prior to its formal adoption.
Customer Impact:	None identified
Economic and Social Impact:	Provision of self and custom build homes will contribute to the districts housing need and mix.
Environment and Climate Change:	None
Consultation/Community Engagement:	The proposed policy wording will be consulted upon as part of the Local Plan Review consultation stages.
Risks:	A failure to meet the Council's duties with respect to self and custom housebuilding could leave the Council vulnerable to challenge.
Officer Contact	Ian Nelson Planning Policy Manager 01530 454677 ian.nelson@nwleicestershire.gov.uk

Blaby Local Plan (Adopted 2019)

DEVELOPMENT MANAGEMENT POLICY 10: Self and Custom Build Housing

Proposals for self and custom build housing will be supported in suitable locations. The Council will maintain a register of prospective self and custom house builders and have regard to the register in its decision making, plan making, housing and regeneration functions.

Rushcliffe Local Plan Part 2: Land and Planning Policies (Adopted October 2019)

POLICY 13 SELF-BUILD AND CUSTOM HOUSING PROVISION

1. Proposals for self-build and custom homes are encouraged and will be approved provided the following criteria are met:

- a) the development is in an appropriate location subject to compliance with all other relevant policy requirements in the Local Plan and national policy, including Green Belt, landscape, historic and environmental designations;
- b) it is of a high standard of design and does not adversely affect the area by reason of its scale, bulk, form, layout or materials;
- c) it would not cause a significant adverse impact on the amenity of nearby residents or occupiers; and
- d) there is no significant adverse impact on highway safety and adequate provision for access and parking is made.

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Title of Report	LOCAL PLAN REVIEW – UPDATE	
Presented by	Chris Elston Head of Planning and Infrastructure	
Background Papers	Partial Review Pre-submission consultation	Public Report: Yes
		Key Decision: Yes
Financial Implications	The cost of the review is met from existing budgets.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	Legal implications considered in the preparation of this report.	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	None identified	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	To provide an update for Members in respect of the Local Plan review.	
Recommendations	THAT LOCAL PLAN COMMITTEE: (I) NOTES THE CURRENT POSITION IN RESPECT OF THE PARTIAL REVIEW; (II) NOTES THAT LEICESTER CITY HAS NOW DECLARED AN UNMET EMPLOYMENT LAND NEED; AND (III) NOTES THE PROCESS FOR AGREEING ANY REDISTRIBUTION OF UNMET NEEDS	

1.0 BACKGROUND

- 1.1 This report sets out for members an update in respect of:
- the Partial Review;
 - and the issue of unmet need in Leicester City

2.0 THE PARTIAL REVIEW

- 2.1 Following approval by the Local Plan Committee of 13 November 2019 the consultation on the Partial Review was undertaken between 20 November and 8 January 2019.
- 2.2 In total 37 responses were received (2 of which were after the consultation closing date).
- 2.3 The responses can be summarised as follows:
- 16 (including the 2 late responses) made no comments or were supportive;
 - 4 (all Parish Councils) raised issues in respect of the employment land position;
 - 2 representations were concerned with employment land related matters;

- 1 representation appeared to relate to the Sustainability Appraisal; and
 - 14 made representations which raised issues about the proposed approach from a housing perspective.
- 2.4 The responses in the latter category are largely from the development industry (or their representatives). There was some limited opposition to the overall approach; with suggestions that the review should be addressing wider issues and that the Partial Review is merely delaying this.
- 2.5 However, the majority of concerns are largely about whether the policy as proposed in the Publication version provided sufficient certainty to ensure that the Substantive review does take place. The concerns related to:
- No timetable for the Statement of Common Ground to redistribute unmet need from Leicester City Council;
 - What happens if a Statement of Common Ground is not agreed – the representations suggest that no fall-back position is in place;
 - What happens if the Council does not submit within the specified period.
- 2.6 Full versions of all of the representations can be viewed from this [link](#).
- 2.7 The Partial Review was submitted for Examination to the Planning Inspectorate on 18 February 2020. This means that the adopted Local Plan has not become out-of-date as the submission complies with the requirements of Policy S1 of the adopted Local Plan that the review be submitted for Examination within 2 years of commencement (20 February 2020).
- 2.8 The Examination was scheduled to take place between 12 -15 May 2020. Nationally the Planning Inspectorate has put Examinations on hold due to the current Covid-19 pandemic and so the Examination has now been postponed. We are awaiting a decision from Inspector on next steps.
- 2.9 Notwithstanding the postponement of the Examination, all statements have now been submitted and can be viewed from this [link](#).

3.0 LEICESTER CITY UNMET NEED

- 3.1 As reported to the January meeting, Leicester City Council has now identified that it considers its unmet housing need to be 7,813 dwellings up to 2036.
- 3.2 The City Council has also now identified to the Leicester and Leicestershire authorities that it is unable to accommodate all of its employment needs. The scale of unmet need is estimated to be 23 hectares. More specifically the identified shortfall relates to small (i.e. less than 9,000sq metres) industrial (Use Class B2) and warehousing (Use Class B8).
- 3.3 The Leicester City Plan was due to be the subject of public consultation commencing at the end of March 2020. Due to the Covid-19 pandemic the consultation has been postponed, with no new date yet confirmed. This will have implications on the timetable for the Leicester City Local Plan and the work outlined below.
- 3.4 The fact that Leicester City has been able to provide a figure for their unmet need for both housing and employment is clearly welcomed. However, these are not at this stage anything like confirmed figures; they could change (increase or decrease).
- 3.5 The identification of the unmet need is only the beginning of the process. The Leicester and Leicestershire authorities need to agree how this unmet need is to be accommodated. To do this an officer group under the auspices of the Strategic Planning

Group has been established. The officer group includes a representative from each authority.

- 3.6 It is for those authorities declaring an unmet need to justify such declarations with evidence. Furthermore, there needs to be an opportunity for those authorities that may be required to assist with meeting any unmet need to be able to interrogate the evidence.
- 3.7 To assist with this the authorities have put in place provisions via the Planning Advisory Service for an independent assessment of the evidence provided by Leicester City Council.
- 3.8 Once this has been completed, options for redistributing the unmet needs will be assessed through the Sustainability Appraisal process which will inform options for a final decision about how the unmet will be redistributed. It is also intended to try and build in flexibility through testing different scenarios to reflect the possibility that the unmet need figures may change, for example when the 2018-based household projections are produced later in 2020.
- 3.9 Based on this technical work, the officer group will make recommendations to the Strategic Planning Group and then onto the Member Advisory Group. Once the Member Advisory Group has agreed a preferred redistribution, it will then be necessary for each authority to sign off its agreement (as part of a joint Statement of Common Ground) through its own sign-off process. For this Council this will involve discussion at a future meeting of this committee and a meeting of full Council.
- 3.10 There is no agreed timetable at this time, partly due to the impact of the Covid-19 pandemic but all of the authorities remain committed to completing this work as soon as possible.
- 3.11 From this Council's perspective, this is a very important piece of work as it may have an impact on the future housing and employment requirements that will need to be provided for through the Local Plan Substantive Review.

Policies and other considerations, as appropriate	
Council Priorities:	None
Policy Considerations:	None
Safeguarding:	No issues identified
Equalities/Diversity:	An Equalities Impact Assessment of the Local Plan review will be undertaken as part of the Sustainability Appraisal.
Customer Impact:	No issues identified
Economic and Social Impact:	No issues identified
Environment and Climate Change:	No issues identified
Consultation/Community Engagement:	None
Risks:	Reaching agreement amongst the Leicester and Leicestershire authorities on how any unmet needs are to redistributed will minimise the risk to individual Local Plans.
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