

MINUTES of a meeting of the LOCAL PLAN COMMITTEE held in the Council Chamber, Council Offices, Coalville on WEDNESDAY, 2 OCTOBER 2019

Present: Councillor D Harrison (Deputy Chairman in the Chair)

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

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

9 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R Boam, J Bridges, J Hoult and M B Wyatt.

10 DECLARATION OF INTERESTS

There were no declarations of interest.

11 MINUTES

Consideration was given to the minutes of the meeting held on 26 June 2019.

In reference to the Strategic Growth Plan, Councillor A C Saffell expressed his surprise that it was not a regular item on the agenda and asked the Chairman if it was possible to have a short discussion on the topic. All members agreed for a short discussion at the end of the meeting.

Councillor D Bigby referred to the terms of reference of the committee in that it should meet at least every two months, and pointed out that it had been three months since the last meeting. He expressed the importance of meeting regularly and stated that he would also be happy to meet during the summer break in August. The comments were noted by the Chairman.

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

RESOLVED THAT:

The minutes of the meeting held on 26 June 2019 be approved and signed by the Chairman as a correct record.

12 LOCAL PLAN PARTIAL REVIEW

The Planning Policy Team Manager presented the report to Members. He advised that the proposed approach to the review of the local plan was approved by Cabinet in July and was detailed within appendix b of the report. He expressed the importance of continuing the substantive review alongside the partial review.

In response to the request for an update from Councillor Johnson, the Planning Policy Team Manager reported that a potential gypsy and traveller's site had been identified in March 2018 but was not supported. . Work on this would continue through the substantive review and progress reports would be brought to committee in due course.

In response to a question from Councillor V Richichi, the Planning Policy Team Manager confirmed that there was currently a 5-year housing land supply. The assessment had been prepared following discussion with individual developers/landowners. In response to a further query from Councillor V Richichi he advised that it did include some sites which had outline permission, but these were either subject to a reserved matters application of

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pre-application discussions with a view to a reserved matters application. The sites that were not at either of these two stages were not included in the calculations. Councillor V Richichi asked why it was necessary to assist the City Council with their land supply when we already had more than required. The Planning Policy Team Manager explained that national policies required that the Leicestershire authorities collectively accommodate the area's needs; therefore, we would need to provide assistance. He added that any unmet need from the City redirected to North West Leicestershire may not be high but at this stage, it was impossible to say.

In response to a further question regarding the authority's assistance with the City Council's land supply from Councillor N Smith, the Planning Policy Team Manager explained that the City Council would be required to demonstrate that they could not meet the need; therefore, officers would be examining the evidence carefully moving forward.

In response to a question from Councillor N Smith regarding gypsy and traveller sites, the Planning and Policy Team Manager stated that officers liaised with the County Council officer with responsibility for gypsies and travellers and that he communicated with the gypsy and traveller community

Councillor J Legrys felt that all the different organisations and authorities involved in strategic growth planning throughout the region were having discussions in isolation; therefore, the committee was not seeing the full picture. He also reported that residents were complaining about planning policies being ignored when considering large planning applications and questioned why policies were drawn up in the first place.

The Chairman agreed that it would be good to receive updates of what was happening regionally with strategic growth and asked for a regular item on the agenda. The Planning Policy Team Manager explained that it might not be possible for information at every meeting but agreed to provide regular updates.

Councillor D Bigby asked officers if they were confident that the Planning Inspector would accept the partial review as it seemed very risky. The Planning Policy Team Manager confirmed that it was less risky than not doing it at all. Councillor D Bigby expressed concerns that the proposed timeline for completion meant that policies were being delayed for three years and this could lead to the beautiful corridors of countryside throughout the district being developed as employment land; he therefore moved the following amendment to recommendations one and four of the report:

- i) Approves the publication Local Plan Partial Review as set out at appendix b of this report **but also including revision or deletion of Local Plan Policies Ec2 (2) and S3 (s) in order to avoid a further erosion of countryside.**
- iv) Agrees that the substantive review should cover the period to 2039 **and should take full account of the Council's Climate Emergency Policy.**

The amendment was seconded by Councillor J Legrys. Regarding employment land, he disputed the calculations used, as he believed there was enough granted already, he was finding it difficult to justify decisions to the public. Regarding climate emergency, he felt that a policy was needed so that there was something in writing to refer to when he was on residents' doorsteps. The Planning Policy Team Manager confirmed that the HEDNA identified the employment land requirement.

The Planning Policy Team Manager strongly advised against the amendment of recommendation one, as it would delay the consultation and ultimately, the submission of the review. He added that it would also widen out the review considerably and he had no doubts that there would be significant objections. He advised that this approach would make the review more risky than it already was. As a result it increased the risk of the plan

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being out-of-date, the very situation that the partial review was designed to avoid. He had no concerns regarding the amendment to recommendation four as the Council was required to address Climate Change as part of the local plan.

Councillor N Smith stated that he could not support the amendment as proposed.

Councillor V Richichi was not happy that the amendment had been submitted at short notice and therefore he did not have time to look into the full impact it would have.

Councillor R Johnson explained that the amendment was intended to protect the further erosion of the countryside and although it had been submitted at short notice, it was important.

Councillor D Bigby apologised for not giving prior notice of the amendment. As he mentioned earlier in the meeting, he believed that this supported his argument that the committee did not meet regularly enough as decisions were being rushed due to the lack of time. He felt that if the committee had met earlier, then the discussion could have been held sooner and a delay could have been avoided. He added that the original inclusion of policies Ec2 (2) and S3 (s) was due to an identified deficit in employment land, however, figures showed that an additional 10 hectares of employment land was being gained every six months. He was proposing the removal of these policies to give more time for revision.

The Planning Policy Team Manager advised that there was still a shortage of employment land when compared to the requirement in the HEDNA. A discussion was had on the merits of deferring the item to allow further consideration of the impact before making the decision. It was deemed that a deferral would cause too much of a delay for the partial review.

A lengthy discussion was had in relation to the powers of the committee in accordance with the constitution and the procedures to be followed to vote on the proposed amendment. The Legal Advisor confirmed that he had no legal objections to the content of the amendment; however, the Committee would only be able to refer the amended motion back to Cabinet to reconsider.

The Interim Head of Planning and Infrastructure expressed strong concerns that the amendment could delay the submission for the partial review, which would lead to the local plan becoming out of date and in turn, this would affect planning decisions. He felt that this outcome would have the exact opposite effect of what members were trying to achieve with the proposed amendment.

A number of members were disappointed that the committee had not had a chance to look at this report sooner and felt like they could not contribute to the decision due to restrictive timescales.

The Chairman reminded members that the officer advice was clear and urged for the decision to be considered carefully when put to the vote.

Councillor J Legrys stated that it was not the intention to delay the process as they believed that the committee was a decision making body and any decision made would stand alone without going back to Cabinet for further consideration.

After further discussion around the wording of the proposed amendment, the mover and seconder wished to continue with the amendment as submitted, with the intention that it would need to be sent back to Cabinet for further consideration. The Legal Advisor confirmed that he was satisfied with the approach.

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The proposed amendments to recommendations one and four were put to the vote. A recorded vote being requested by Councillor J Legrys, the voting was as follows:

| Motion to amend the recommendations as submitted by Councillor D Bigby | |
|---|---------|
| Councillor Dan Harrison | Against |
| Councillor Dave Bigby | For |
| Councillor Russell Johnson | For |
| Councillor John Legrys | For |
| Councillor Virge Richichi | For |
| Councillor Tony Saffell | For |
| Councillor Nigel Smith | Against |
| Carried | |

The recommendations as amended were moved by Councillor D Harrison, seconded by Councillor J Legrys and

RESOLVED THAT:

- i) The publication of the Local Plan Partial Review as set out at appendix b of this report be approved but also including revision or deletion of Local Plan Policies Ec2 (2) and S3 (s) in order to avoid a further erosion of countryside.
- ii) It be agreed to publish and invite representations upon the Local Plan Partial Review document together with the sustainability appraisal report and habitat regulation assessment for a six week period in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- iii) The authority to publish an updated Local Development Scheme reflecting the new timescales described in the report be delegated to the Strategic Director of Place in consultation with the Portfolio Holder for Planning and Regeneration.
- iv) The substantive review should cover the period to 2039 and should take full account of the Council's Climate Emergency Policy.

13 LOCAL PLAN REVIEW - AREA OF SEPARATION STUDY

The Planning Policy Team Manager presented the report to members, highlighting the study undertaken by The Landscape Partnership, which was attached at appendices B and C. He explained that the study would form part of the Council's evidence base to support the substantive review of the local plan.

Councillor J Legrys fully supported the recommendations but asked how the proposed dualing of Stephenson Way would affect the plan. The Planning Policy Team Manager commented that until details were received it was difficult to say. Councillor J Legrys raised concerns that the Committee were agreeing a plan that could change, and the fact that the new leisure centre was not included. He also expressed his annoyance that the ordnance survey maps still included the railway line that was not in use and formed an important part of the nature reserve.

Councillor D Bigby referred to the three proposed areas of separation as indicated in the Ashby Neighbourhood Plan, which was rejected by the Planning Inspector because it was not supported by sufficient evidence and was outside the plan area. Therefore, he suggested that other areas of separation be considered, particularly those proposed in Ashby. The Planning Policy Team Manager explained how areas of separation were considered and reminded members that that the area between Coalville and Whitwick was unique as it was within an otherwise built up area.

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Councillor R Johnson raised concerns about his village of Hugglescote losing its identity and asked if there were plans to look at possible areas of separation in the near future. The Planning Policy Team Manager responded that officers would look at an area if a suggestion was put forward.

Councillor D Bigby appreciated the comments from the Planning Policy Team Manager but asked if officers could look into Policy S3 to see if it was possible make any changes to protect these areas between towns and villages. The Planning Policy Team Manager advised that the policy already did this.

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

RESOLVED THAT:

- a) The outcome of the area of separation study be noted.
- b) It be noted that the area of separation study form part of the Council's evidence base to support the Local Plan Substantive Review.

As agreed earlier in the meeting, an informal discussion was had regarding the Strategic Growth Plan. Councillor A C Saffell expressed concerns about the sites identified for housing in and around Castle Donington as they were very close to the racetrack and the airport. He also had concerns that the houses being built in the area were too expensive for the people that were working in the area. As a result of these concerns he raised a suggestion for a new town to be created, on a site just outside of Castle Donington which could be made up of more affordable houses created by a company such as Rent Plus. He believed this would be a suitable solution for the growing workforce in the area and asked for an item on a future agenda for a full discussion.

Councillor J Legrys agreed with the proposal for a future item, as he would be happy to debate the principle but stated that it was also important to have discussions with neighbouring authorities. The Chair asked officers to investigate the options available and report to a future meeting.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 8.20 pm