



Scan the code above or visit [www.nwleics.gov.uk/meetings](http://www.nwleics.gov.uk/meetings) for a full copy of the agenda.

Meeting **LOCAL PLAN COMMITTEE**  
 Time/Day/Date **6.00 pm** on Wednesday, 29 July 2020  
 Location Council Chamber, Council Offices, Coalville  
 Officer to contact Democratic Services 01530 454529

### AGENDA

| Item   | Pages          |
|--|----------------|
| <b>1 APOLOGIES FOR ABSENCE</b>   |                |
| <b>2 DECLARATION OF INTERESTS</b>  |                |
| 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. |                |
| <b>3 PUBLIC QUESTION AND ANSWER SESSION</b>  |                |
| To receive questions from members of the public under rule no.10 of the Council Procedure Rules.   |                |
| <b>4 MINUTES</b>   |                |
| To confirm and sign the minutes of the meeting held on 27 May 2020   | <b>3 - 8</b>   |
| <b>5 LOCAL PLAN REVIEW - UPDATE</b>  |                |
| Report of the Head of Planning and Infrastructure  | <b>9 - 12</b>  |
| <b>6 LOCAL PLAN REVIEW - DRAFT OBJECTIVES</b>  |                |
| Report of the Head of Planning and Infrastructure  | <b>13 - 30</b> |
| <b>7 STATEMENT OF COMMUNITY INVOLVEMENT FOR PLANNING PURPOSES - ADDENDUM</b>   |                |
| Report of the Head of Planning and Infrastructure  | <b>31 - 90</b> |

Report of the Head of Planning and Infrastructure

Circulation:

Councillor J Bridges (Chairman)  
Councillor D Harrison (Deputy Chairman)  
Councillor D Bigby  
Councillor R Boam  
Councillor J Houtt  
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 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.

**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

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,

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



|  |   |                           |
|--|---|---------------------------|
| <b>Title of Report</b>                     | <b>LOCAL PLAN REVIEW – UPDATE</b>   |                           |
| <b>Presented by</b>                        | Ian Nelson<br>Planning Policy Team Manager  |                           |
| <b>Background Papers</b>                   | None  | <b>Public Report:</b> Yes |
| <b>Financial Implications</b>              | The cost of the review is met from existing budgets.  |                           |
|  | <b>Signed off by the Section 151 Officer:</b> Yes   |                           |
| <b>Legal Implications</b>                  | Legal implications considered in the preparation of this report   |                           |
|  | <b>Signed off by the Deputy Monitoring Officer:</b> Yes   |                           |
| <b>Staffing and Corporate Implications</b> | None identified   |                           |
|  | <b>Signed off by the Deputy Head of Paid Service:</b> Yes   |                           |
| <b>Purpose of Report</b>                   | To provide an update for Members in respect of the Local Plan review.   |                           |
| <b>Recommendations</b>                     | <b>THAT LOCAL PLAN COMMITTEE:</b><br><br><b>(I) NOTES THE CURRENT POSITION IN RESPECT OF THE PARTIAL REVIEW;</b><br><b>(II) NOTES THE CURENT POSTION IN RESPECT OF THE DEVELOPMENT OF THE EVIDENCE BASE</b> |                           |

## 1.0 BACKGROUND

- 1.1 This report sets out for members an update in respect of both the Partial and Substantive Reviews of the adopted Local Plan

## 2.0 THE PARTIAL REVIEW

- 2.1 As reported to the May meeting of this Committee, as a result of the Covid-19 pandemic the Examination scheduled for May had been postponed. Officers have been in contact with the Planning Inspector, via the Programme Officer, to discuss the possibility of holding the Examination virtually. These discussions are ongoing and a verbal update will be provided at the meeting.

## 3.0 THE SUBSTANTIVE REVIEW

- 3.1 Work on the substantive review continues. This section outlines recent work on the evidence base.

### Housing

- 3.2 The 2018-based household projections were published on 29 June 2020. Taking the principal projection published by ONS and applying these to the government's (current) standard method, produces a local housing need of 910 dwellings per annum. For a plan period of 2020 to 2039, this would equate to a total requirement of 17,290. This is nearly twice the current housing requirement in the adopted Local Plan (480 dwellings per annum). It should be noted that this is the worst case scenario using the projections and the current standard method. However, the government has made it clear that it is reviewing the standard method, but there is as yet no date for when this will be finalised. Any change could have further implications for the Local Housing Need.

- 3.3 This very significant difference is illustrated by the fact that between 2020 and 2030 (the ten-year period used as per the standard method) shows that the number of households in North West Leicestershire is projected to increase by 17%, compared to 6.8% for England, 8.3% for the East Midlands and 12% for Leicestershire. Indeed, it is the highest percentage growth for any local authority in England. The next nearest is 16.6% in South Derbyshire and then 16.4% in Corby.
- 3.4 Officers are in the process of doing additional work to understand the projections and the potential implications for the review timetable. A report will be brought to a future meeting of this committee that considers these issues in more detail.

### **Employment**

- 3.5 A number of workstreams, which are underway, will inform the economy-related policies in the Substantive Local Plan Review.

### **Employment Needs Study**

- 3.6 This study will assess the future requirements for new offices, industrial and non-strategic distribution uses (i.e. units of up to 9,000sqm). The adopted Local Plan is based on the findings of the Housing and Economic Development Needs Assessment 2017 (HEDNA) which was commissioned jointly by the Leicestershire authorities. The HEDNA provides figures for the period to 2031 (the end date of the adopted Local Plan) and also to 2036.
- 3.7 Expert consultants have been appointed to provide an updated assessment of employment land requirements for North West Leicestershire. The assessment will a) be based on the latest economic forecasts; b) factor in the extended plan period to 2039; and c) take account of the requirements in the 2019 NPPF.
- 3.8 This work was commissioned prior to the Covid-19 outbreak. The economic impacts of Covid-19 will be significant and to progress evidence with pre-Covid forecasts may misrepresent the nature and scale of economic growth which can be expected. The intention now is to pause this study temporarily pending the release of a first set of post-Covid economic forecasts which is expected in July.

### **Strategic Distribution Study**

- 3.9 An update study on future strategic distribution requirements, that is units of 9,000sqm and above, has been commissioned by the Leicester and the Leicestershire authorities.
- 3.10 The previous study dates from 2017 and identified county-wide land requirement figures for strategic distribution for the periods to 2031 (361ha) and to 2036 (472ha). These were expressed as minimum figures. The strength of market demand has been such that sufficient permissions have been granted to meet the minimum requirement up to both 2031 and 2036 already, signalling that needs have accelerated above the levels that were anticipated as recently as 3 years ago.
- 3.11 The study will consider the factors which are likely to impact on the growth of this sector including the continued expansion of e-retailing, the drive for more carbon friendly operations including transference to more rail-borne freight and the uncertain impacts of both Brexit and Covid-19. The updated study will look forward to 2041.

### **Local employment opportunities**

- 3.12 A matter for consideration is whether, and to what extent, the Local Plan Review should address the need for training and/or local recruitment in connection with new development.

- 3.13 There are current examples of good practice in this area. An Employment Scheme is in place for East Midlands Gateway which sets out expectations of how Segro will encourage occupiers to recruit locally. A requirement for an Employment Scheme (construction phase) was also secured as part of the consent for Mercia Park (Jaguar Land Rover) at a M42 J11.
- 3.14 Any planning policy approach will need to be justified by evidence. Whilst the district has key economic strengths, it can be argued that action is needed to sustain its position. Further, there is the prospect of Covid-19 linked recession and associated increase in local unemployment. More generally, increased local recruitment could also help to bear down on commuting distances, important in a district where 92% of journeys to work are by car (the national average is 78%). In the broadest sense, local employment initiatives can also help ensure that local people benefit from new development and, equally, show that businesses are invested in the wellbeing of their communities.
- 3.15 It is proposed that some potential policy options be included in the next consultation stage for the Local Plan Review to test them with a wider audience.

#### Start-up premises

- 3.16 A further issue to explore is whether the Local Plan Review should make provision for business start-up units. The council's Economic Growth Plan includes the objective to "ensure there is sufficient workspace and support for new enterprise and for business start-ups". Local experience is that these types of flexible workspace are not generally provided by the market. The recent scheme at Vulcan Way on the Hermitage Lane Industrial Estate was a LEP Growth Deal funded project delivering 17 units ranging from 93-423sqm.
- 3.17 To provide an evidential foundation for the Local Plan Review, officers intend to commission a specific piece of research which would identify the potential role of such start up space in the local economy, understand the scale of demand and the types of premises which would match the demand identified.

#### Climate change

- 3.18 As part of the substantive review of the local plan we need to consider the implications of climate change and how the local plan can respond to provide adequate mitigation and adaptation measures to help reduce the impacts of climate change in NWLDC.
- 3.19 In June 2019 NWLDC declared a climate emergency and appointed specialist environmental consultants (Etude) to help develop the council's response to the need to reduce the council's and the district's carbon emissions.
- 3.20 The outcome from the consultant's work was the publication of a Zero Carbon Roadmap in November 2019. The Zero Carbon Roadmap and accompanying Action Plan were adopted by the council on 31 March 2020.
- 3.21 The Action Plan focuses on carbon emissions, their sources and how to reduce them and identifies a number of recommended actions which the Council needs to take to achieve Net Zero Carbon. The actions are wide ranging covering diverse sectors and so it has been split up into two sections:
1. Recommended action plan to achieve a Net Zero Carbon Council by 2030
  2. Recommended action plan to achieve a Net Zero Carbon District by 2050
- 3.22 The first part refers to actions the Council must take to achieve net zero Green House Gas (GHG) emissions by 2030. The second action plan provides a broader set of actions that must be taken if the Council wishes to put NWLD onto a pathway toward net zero GHG emissions by 2050.
- 3.23 The second action plan specifically addresses the role of planning in helping to achieve zero carbon by 2050 and it identifies a number of actions. These actions include setting

targets for both solar and wind capacity within the district, along with a number of other measures that could be considered as part of the substantive review of the Local Plan.

3.24 Discussions with Etude have highlighted concerns that the targets for solar and wind energy generation included in the Roadmap are not based on an assessment of actual potential, but rather assume that NWL will continue to meet a similar proportion of all national need as it has done previously. This will not be robust enough for the Local Plan.

3.25 Therefore, additional technical evidence is being commissioned that will reassess the findings contained in the Roadmap as well as address a number of other recommendations detailed in the Action Plan, such as the potential establishment of a Carbon Offsetting fund. This will provide a more robust evidence base for the Local Plan.

| <b>Policies and other considerations, as appropriate</b> |   |
|--|---|
| Council Priorities:                                      | Our communities are safe, healthy and connected<br><br>Local people live in high quality, affordable homes<br><br>Supporting businesses and helping people into local jobs<br>Developing a clean and green district |
| 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 at this stage  |
| Environment and Climate Change:                          | No issues identified at this stage  |
| Consultation/Community Engagement:                       | None  |
| Risks:   | A risk assessment of the review has been undertaken and is reviewed at the officer Project Board meetings.  |
| Officer Contact  | Ian Nelson<br>Planning Policy Team Manager<br>01530 454677<br><a href="mailto:ian.nelson@nwleicestershire.gov.uk">ian.nelson@nwleicestershire.gov.uk</a>  |

|  |   |                           |
|--|---|---------------------------|
| <b>Title of Report</b>                     | <b>LOCAL PLAN REVIEW – DRAFT OBJECTIVES</b>   |                           |
| <b>Presented by</b>                        | Ian Nelson<br>Planning Policy Team Manager  |                           |
| <b>Background Papers</b>                   | <a href="#">National Planning Policy Framework</a><br><br><a href="#">Sustainability Appraisal Scoping Report 2020</a><br><br><a href="#">Council Delivery Plan</a><br><br><a href="#">Leicester and Leicestershire Strategic Growth Plan</a>   | <b>Public Report:</b> Yes |
| <b>Financial Implications</b>              | The cost of the substantive Local Plan Review is met through existing budgets.  |                           |
|  | <b>Signed off by the Section 151 Officer:</b> Yes   |                           |
| <b>Legal Implications</b>                  | The agreed draft objectives will be included in the next consultation stage for the Substantive Local Plan Review. This consultation must be undertaken in a way that accords with the council's agreed Statement of Community Involvement.   |                           |
|  | <b>Signed off by the Deputy Monitoring Officer:</b> Yes   |                           |
| <b>Staffing and Corporate Implications</b> | No staffing implications associated with the specific content of this report. Links with the Council's Priorities are set out in the report itself.   |                           |
|  | <b>Signed off by the Deputy Head of Paid Service:</b> Yes   |                           |
| <b>Purpose of Report</b>                   | This report provides the Committee with a set of potential Local Plan Objectives. These draft Objectives are due to be considered by Cabinet at its meeting on 23 <sup>rd</sup> July and the outcome of that consideration will be reported verbally to the Committee at its meeting. |                           |
| <b>Recommendations</b>                     | <b>THAT LOCAL PLAN COMMITTEE NOTES THE DECISION OF CABINET WITH RESPECT TO THE DRAFT LOCAL PLAN OBJECTIVES</b>  |                           |

## 1. BACKGROUND

- 1.1 The Substantive Local Plan Review will need to contain a set of objectives. These overarching objectives will describe, in overall terms, what the Local Plan aims to achieve and will provide a guiding framework for the plan's policies and proposals. Each Local Plan policy should help achieve one or more of the objectives.
- 1.2 A draft set of objectives are due to be considered by Cabinet at its meeting on 23<sup>rd</sup> July. The Cabinet report and its associated appendix are both included as Appendix 1 to this report. The Cabinet report sets out the 11 draft objectives and provides an overview of the factors which have influenced them. The appendix to the Cabinet report provides more detail about how the objectives have been derived.

- 1.3 The outcome of Cabinet's decision will be reported verbally to the Committee. The intention thereafter is that the draft Objectives will be included in the next stage of public consultation on the Substantive Local Plan Review. This will expose them to wider scrutiny and the feedback received can be used to inform future iterations of the objectives.

| <b>Policies and other considerations, as appropriate</b> |   |
|--|---|
| Council Priorities:                                      | All the Council Priorities impact on the subject matter of this report: <ul style="list-style-type: none"> <li>- Supporting Coalville to be a more vibrant, family-friendly town</li> <li>- Our communities are safe, healthy and connected</li> <li>- Local people live in high quality, affordable homes</li> <li>- Support for businesses and helping people into local jobs</li> <li>- Developing a clean and green district</li> </ul> |
| Policy Considerations:                                   | Adopted Local Plan<br>National Planning Policy Framework  |
| Safeguarding:  | None specific   |
| Equalities/Diversity:                                    | The Local Plan Review as an entity will be subject to an Equalities Impact Assessment.  |
| Customer Impact:   | None specific   |
| Economic and Social Impact:                              | The decision, of itself, will have no specific impact. The Local Plan Review as a whole will deliver positive economic and social impacts and these will be recorded through the Sustainability Appraisal.  |
| Environment and Climate Change:                          | The decision, of itself, will have no specific impact. The Local Plan Review as a whole will deliver positive environmental and climate change benefits and these will be recorded through the Sustainability Appraisal.  |
| Consultation/Community Engagement:                       | The draft objectives will be subject to public consultation as part of the plan preparation process. The consultation arrangements will be governed by requirements in the Statement of Community Involvement.  |
| Risks:   | A risk assessment for the Local Plan Review has been prepared and is kept up to date. As far as possible control measures have been put in place to minimise risks, including regular Project Board meetings where risk is reviewed.  |
| Officer Contact  | Ian Nelson - Planning Policy Team Manager<br>01530 454677<br><a href="mailto:ian.nelson@nwleicestershire.gov.uk">ian.nelson@nwleicestershire.gov.uk</a>   |



This page is intentionally left blank



|  |   |                           |
|--|---|---------------------------|
| <b>Title of Report</b>                     | <b>LOCAL PLAN REVIEW – DRAFT OBJECTIVES</b>   |                           |
| <b>Presented by</b>                        | Councillor Robert Ashman<br>Planning and Infrastructure Portfolio Holder  |                           |
| <b>Background Papers</b>                   | <a href="#">National Planning Policy Framework</a>  | <b>Public Report:</b> Yes |
|  | <a href="#">Sustainability Appraisal Scoping Report 2020</a><br><a href="#">Council Delivery Plan</a><br><a href="#">Leicester and Leicestershire Strategic Growth Plan</a>   | <b>Key Decision:</b> Key  |
| <b>Financial Implications</b>              | The cost of the substantive Local Plan Review is met through existing budgets.  |                           |
|  | <b>Signed off by the Section 151 Officer:</b> Yes   |                           |
| <b>Legal Implications</b>                  | The agreed draft objectives will be included in the next consultation stage for the Substantive Local Plan Review. This consultation must be undertaken in a way that accords with the council's agreed Statement of Community Involvement. |                           |
|  | <b>Signed off by the Deputy Monitoring Officer:</b> Yes   |                           |
| <b>Staffing and Corporate Implications</b> | No staffing implications associated with the specific content of this report. Links with the Council's Priorities are set out in the report itself.   |                           |
|  | <b>Signed off by the Head of Paid Service:</b> Yes  |                           |
| <b>Purpose of Report</b>                   | To consider a set of potential Local Plan Objectives for inclusion in the next stage of public consultation for the Substantive Local Plan Review.  |                           |
| <b>Reason for Decision</b>                 | The preparation of the Local Plan is a Cabinet function.  |                           |
| <b>Recommendations</b>                     | <b>THAT CABINET REQUEST THE LOCAL PLAN COMMITTEE AGREE THE DRAFT OBJECTIVES AT PARAGRAPH 2.8 FOR INCLUSION IN THE NEXT PUBLIC CONSULTATION STAGE OF THE SUBSTANTIVE LOCAL PLAN REVIEW.</b>  |                           |

## 1. BACKGROUND

- 1.1 The Substantive Local Plan Review will need to contain a set of objectives. These overarching objectives will describe, in overall terms, what the Local Plan aims to achieve and will provide a guiding framework for the plan's policies and proposals. Each Local Plan policy should help achieve one or more of the objectives.

1.2 The purpose of this report is to present a set of draft objectives for Cabinet's consideration and approval. Subject to the consideration of both Cabinet and the Local Plan Committee, it is intended that these draft objectives will then be included in the next stage of consultation on the Local Plan Substantive Review.

## **2. DRAFT OBJECTIVES**

2.1 The 15 objectives in the adopted Local Plan provide a starting point for this exercise. It is not appropriate simply to roll these forward into the Local Plan Substantive Review even though they may still seem valid; they need to be re-visited to take account of updated information and any changes in circumstance since the adopted Local Plan was prepared.

2.2 In developing a revised set of objectives a number of other sources have been considered, in addition to the adopted Local Plan.

2.3 One input to this review process is the Sustainability Appraisal (SA) objectives from the (draft) Sustainability Appraisal Scoping Report (2020). These SA objectives provide the framework by which the sustainability credentials of the emerging plan will be tested.

2.4 The National Planning Policy Framework (NPPF) has been revised since the Local Plan was adopted and this should be a further influencing factor on the Local Plan Review objectives. It is important that the objectives are grounded in the requirements as set out in the NPPF.

2.5 Important local perspective can be added from the council's own Delivery Plan. Whilst this covers a shorter timeframe than the Local Plan Review, it is an important statement of the council's key priorities which strategic documents, such as the Local Plan, can help to deliver. Also, and where appropriate, other key council strategies such as the Health & Wellbeing Strategy and the Zero Carbon Roadmap/Action Plan may inform the objectives of the Local Plan Review.

2.6 Finally, the objectives in the Leicester & Leicestershire 2050 Strategic Growth Plan are also considered to be relevant.

2.7 To take this forward, the adopted Local Plan objectives have been assessed against the influencing factors described above. This assessment is presented in the table in Appendix A of this report and this helps to identify common themes and explains the reasoning behind proposed changes. Climate change is a particular area which has been given added emphasis to reflect the Council's commitment to achieve carbon neutrality. Where possible, similar matters have been consolidated to help reduce the overall number of objectives.

2.8 The assessment table concludes with proposed, revised objectives for the Local Plan Review. For convenience, the 11 suggested objectives are listed below.

*1 - Enable the health and wellbeing of the district's population.*

*2 - Enable the delivery of new homes, including affordable housing, which meet local housing needs including in terms of size, tenure and type.*

*3 - Achieve high quality development which is sustainable, which responds positively to local character and which creates safe places to live and work.*

*4 - Reduce the need to travel and increase opportunities for cycling, walking and public transport use.*

*5 - Support the district's economy, including its rural economy, by providing for a range of employment opportunities which respond to the needs of businesses and local workers.*

6 - Enhance the vitality and viability of the district's town and local centres which have an important role serving our local communities with a particular focus on the regeneration of Coalville.

7 - Ensure new development mitigates for and adapts to climate change, including reducing vulnerability to flooding, and contributes to reduced net greenhouse gas emissions to support the district becoming carbon neutral by 2050.

8 - Conserve and enhance the district's built, cultural, industrial and rural heritage and heritage assets.

9 - Conserve and enhance the district's natural environment, including its biodiversity, geodiversity, water environments and landscape character, notably the National Forest and Charnwood Forest as well as its other valued landscapes.

10 - Promote the efficient use of natural resources and brownfield land, control pollution and facilitate the sustainable use and management of minerals and waste.

11 - Maintain access to services and facilities including jobs, shops, education, sport and recreation, green space, cultural facilities, communication networks and health & social care and ensure that development is supported by the physical and social infrastructure the community needs and that this is brought forward in a co-ordinated and timely way.

2.9 The number of objectives (11) is slightly less than in the adopted Local Plan (15). This is because a number of objectives have been merged to consolidate the overall number. For example, community safety is now included in design as is local identity.

2.10 Subject to Cabinet's and the Local Plan Committee's consideration, the draft objectives will be part of the next public consultation for the Local Plan Review. This will expose them to wider scrutiny and the feedback received can be used to inform future iterations of the objectives. The objectives will complement an overall 'Vision' which is a narrative statement explaining what the district will be like at a future point when the Local Plan Review has been delivered. A draft Vision is in preparation.

| <b>Policies and other considerations, as appropriate</b> |   |
|--|---|
| Council Priorities:                                      | All the Council Priorities impact on the subject matter of this report: <ul style="list-style-type: none"> <li>- Supporting Coalville to be a more vibrant, family-friendly town</li> <li>- Our communities are safe, healthy and connected</li> <li>- Local people live in high quality, affordable homes</li> <li>- Support for businesses and helping people into local jobs</li> <li>- Developing a clean and green district</li> </ul> |
| Policy Considerations:                                   | Adopted Local Plan<br>National Planning Policy Framework  |
| Safeguarding:  | None specific   |
| Equalities/Diversity:                                    | The Local Plan Review as an entity will be subject to an Equalities Impact Assessment.  |
| Customer Impact:   | None specific   |
| Economic and Social Impact:                              | The decision, of itself, will have no specific impact. The Local Plan Review as a whole will deliver positive   |

|                                    |  |
|------------------------------------|--|
|                                    | economic and social impacts and these will be recorded through the Sustainability Appraisal.   |
| Environment and Climate Change:    | The decision, of itself, will have no specific impact. The Local Plan Review as a whole will deliver positive environmental and climate change benefits and these will be recorded through the Sustainability Appraisal.             |
| Consultation/Community Engagement: | The draft objectives will be subject to public consultation as part of the plan preparation process. The consultation arrangements will be governed by requirements in the Statement of Community Involvement.                       |
| Risks:                             | A risk assessment for the Local Plan Review has been prepared and is kept up to date. As far as possible control measures have been put in place to minimise risks, including regular Project Board meetings where risk is reviewed. |
| Officer Contact                    | Ian Nelson - Planning Policy Team Manager<br>01530 454677<br><a href="mailto:ian.nelson@nwleicestershire.gov.uk">ian.nelson@nwleicestershire.gov.uk</a>  |

APPENDIX A

**Draft Local Plan Review Objectives**

|                               | <b>NWLLP (2017)</b>   | <b>NPPF (paragraph 20)</b>   | <b>SA Scoping Report (2020)</b>  | <b>Council Delivery Plan (2019/20)</b>   | <b>Leicester &amp; Leicestershire 2050 Strategic Growth Plan</b>   |
|-------------------------------|---|--|--|--|--|
| <b>Health &amp; wellbeing</b> | Objective 1 - Promote the health and wellbeing of the district's population.  | <ul style="list-style-type: none"> <li>• Make sufficient provision for.. community facilities such as health</li> </ul>  | <p>SA1 Improve the health and wellbeing of the district's population. (provision of suitable homes is addressed under SA 4)</p> <p>SA9 is 'Reduce air, light and noise pollution to avoid damage to natural systems and protect human health'.</p> | Our communities are safe, healthy and connected<br>The Vision of the Council's Health & Wellbeing Strategy (2018-28) is 'To measurably improve the health and wellbeing of everyone in North West Leicestershire.' |  |
| <b>Commentary</b>             | <p><i>Health &amp; wellbeing is a consistent theme across these sources and is a local priority in the CDP and reflected in the Health &amp; Wellbeing Strategy. The adopted plan objective is still relevant and fit for purpose subject to a small change to substitute the word 'enable' for 'promote' to make the objective more proactive.</i></p> <p><i>Recommendation – retain 'Enable the health and wellbeing of the district's population.'</i></p> |  |  |  |  |
| <b>Housing needs</b>          | Objective 2 - Support the delivery of new homes balanced with economic growth to provide a stock of housing that meets the needs of the community, including the need for affordable housing.   | <ul style="list-style-type: none"> <li>• Strategic policies should set out an overall strategy for the pattern, scale and quality of development</li> <li>• Make sufficient provision for... housing (including affordable housing)</li> </ul> | SA4 Provide good quality homes that meet local needs in terms of number, type and tenure in locations where it can deliver the greatest benefits and sustainable access to services and jobs.  | Local people live in high quality, affordable homes  | Creating conditions for investment and growth - balancing the need for new housing and jobs with protection of our environment and built heritage. |

|                     | NWLLP (2017)  | NPPF (paragraph 20)  | SA Scoping Report (2020)   | Council Delivery Plan (2019/20)                     | Leicester & Leicestershire 2050 Strategic Growth Plan  |
|---------------------|---|--|--|---|--|
|                     |   |  | (the design, energy, resource and water efficiency of homes is addressed under SA 10, 13, 16 and 17) |   |  |
| 22<br>Commentary    | <p><i>Achieving the delivery of new homes which meet local needs (number, size, type and tenure) is a consistent theme and a relevant objective. Creating an strict alignment between housing and employment growth has less emphasis now in view of the introduction of the standard methodology although it is still a matter which will be carefully considered as the plan progresses. For the purposes of the objectives, it is suggested this be omitted. The SA objective refers to locations which can deliver the greatest benefits; Members will chose an appropriate spatial strategy, and the sites which can deliver it, at a later stage of the plan preparation process.. The SA references to sustainable access can be covered in a sustainable transport objective. The CDP refer to quality homes which can be picked up in a development quality objective .</i></p> <p><i>Recommendation – revise Objective 2 to ‘Enable the delivery of new homes, including affordable housing, which meet local housing needs including in terms of size, tenure and type’.</i></p> |  |  |   |  |
| Development quality | Objective 3 - Ensure new development is of a high quality of design and layout whilst having due regard to the need to accommodate national standards in a way that reflects local context and circumstances.   | <ul style="list-style-type: none"> <li>• Strategic policies should set out an overall strategy for the pattern, scale and quality of development</li> <li>•</li> </ul> |  | Local people live in high quality, affordable homes | Maintaining the essential qualities of Leicester & Leicestershire and delivering high quality development. |
| Commentary          | <p><i>Development quality is an important theme in the NPPF and local documents, albeit not part of the SA framework, which merits an objective in the Local Plan Review. The adopted LP objective could be simplified to remove the reference to national standards although this is an aspect we will need to address in the policies themselves. In an effort to consolidate the number of objectives, community safety has been incorporated into this objective.</i></p> <p><i>Recommendation – Revise Objective 3 to ‘achieve high quality development which is sustainable, which responds positively to local character and which creates safe places to live and work’.</i></p>  |  |  |   |  |

|  | NWLLP (2017)  | NPPF (paragraph 20)  | SA Scoping Report (2020)   | Council Delivery Plan (2019/20)                                 | Leicester & Leicestershire 2050 Strategic Growth Plan  |
|--|---|--|--|---|--|
| <p><b>Accessibility and access to services</b></p> <p>23</p> | <p>Objective 4 – Ensure regard is had to reducing the need to travel and to maintaining access to services and facilities including jobs, shops, education, sport and recreation, green space, cultural facilities, communication networks, health and social care.</p>   | <ul style="list-style-type: none"> <li>• Strategic policies should set out an overall strategy for the pattern, scale and quality of development</li> <li>• Make sufficient provision for...infrastructure for transport, telecommunications; community facilities such as...cultural infrastructure; conservation and enhancement of the natural environment</li> </ul> | <p>SA2 Reduce inequalities and ensure fair and equal access and opportunities for all residents</p> <p>SA8 Reduce the need to travel and increase numbers of people walking, cycling or using the bus for their day-to-day travel needs.</p> | <p>Developing a clean and green district</p>                    | <p>Securing essential infrastructure that is needed to make this happen – taking advantage of proposals to improve national and regional networks (as set out in the Midlands Connect Strategy) and maximising the benefits from them.</p> |
| <p><i>Commentary</i></p>                                     | <p><i>There are two distinct (though linked) concepts here; 1) reducing the need to travel which itself is closely linked to increasing the availability of sustainable transport modes and 2) facilitating access to services which can encompass how services are delivered as well as their physical location and how accessible they are from where people live (or will live). LP Objective 4 combines them whereas the SA separates them and it is recommended that the latter approach be taken here and access to services is covered in the infrastructure objective below.</i></p> <p><i>Recommendation – Revise Objective 4 to ‘Reduce the need to travel and increase opportunities for cycling, walking and public transport use.’</i></p> |  |  |   |  |
| <p><b>Needs of the economy</b></p>                           | <p>Objective 5 - Support economic growth throughout the district and the provision of a diverse range of employment opportunities including the development of tourism and leisure.</p>   | <ul style="list-style-type: none"> <li>• Make sufficient provision for employment, retail, leisure and other commercial development</li> </ul>   | <p>SA5 Support economic growth throughout the District</p> <p>SA7 Provision of a diverse range of employment opportunities that match the skills and needs of local residents</p>  | <p>Supporting businesses and helping people into local jobs</p> | <p>Creating conditions for investment and growth - balancing the need for new housing and jobs with protection of our environment and built heritage.</p>  |

|   | NWLLP (2017)   | NPPF (paragraph 20)  | SA Scoping Report (2020)  | Council Delivery Plan (2019/20)  | Leicester & Leicestershire 2050 Strategic Growth Plan |
|---|--|--|---|--|---|
| <i>Commentary</i>                       | <p><i>Supporting economic growth throughout the district and the provision of a range of employment opportunities are clear, common themes. Matching jobs to the skills and needs of local residents (as expressed in Sustainability Appraisal objective SA7) could be interpreted as a limit on employment growth for an authority which imports a considerable amount of labour and with a demand for strategic scale distribution in the district. The term 'respond to' is preferred for the Local Plan Objective. Tourism and leisure uses are encompassed in the term 'economy'.</i></p> <p><i>Recommendation – Revise Objective 5 to 'Support the district's economy, including its rural economy, by providing for a range of employment opportunities which respond to the needs of businesses and local workers'</i></p> |  |   |  |   |
| <b>Town and local centres</b><br><br>24 | <p>Objective 6 - Enhance the vitality and viability of the districts town and local centres, with a particular focus on the regeneration of Coalville, in ways that help meet the consumer needs.</p>  | <ul style="list-style-type: none"> <li>• Strategic policies should set out an overall strategy for the pattern, scale and quality of development</li> <li>• Make sufficient provision for.. retail, leisure</li> </ul> | <p>SA6 Enhance the vitality and viability of existing town centres and village centres.</p> | <p>Supporting Coalville to be a more vibrant, family-friendly town</p> |   |
| <i>Commentary</i>                       | <p><i>There is a common thread across the sources about retaining the vitality and viability of town and local centres and the local focus on Coalville reflects the CDP On the face of it 'ways that meet consumer needs' could be excluded and replaced with words which underline the important role of town and village centres.</i></p> <p><i>Recommendation – Slightly revise objective 6 to 'Enhance the vitality and viability of the district's town and local centres which have an important role serving our local communities with a particular focus on the regeneration of Coalville'</i></p>   |  |   |  |   |
| <b>Community safety</b>                 | <p>Objective 7 - Enhance community safety so far as practically possible and in a way which is proportionate to the scale of development proposed whenever allocating sites for</p>  | <ul style="list-style-type: none"> <li>• Make sufficient provision for...infrastructure for security</li> </ul>  |   | <p>Our communities are safe, healthy and connected</p>                 |   |



|                                 | NWLLP (2017)  | NPPF (paragraph 20)  | SA Scoping Report (2020)  | Council Delivery Plan (2019/20)  | Leicester & Leicestershire 2050 Strategic Growth Plan |
|---------------------------------|---|--|---|--|---|
|                                 | development or granting planning permission.  |  |   |  |   |
| <i>Commentary</i>               | <p><i>The issue of community safety could be incorporated into an objective about design and quality. This would help to condense the number of objectives without losing sight of it as an issue.</i></p> <p><i>Recommendation – include community safety considerations in a design/quality objective</i></p>   |  |   |  |   |
| <b>Climate change</b><br><br>25 | Objective 8 - Prepare for, limit and adapt to climate change.   | <ul style="list-style-type: none"> <li>• Make sufficient provision for...planning measures to address climate change and adaptation</li> </ul> | SA10 Reduce carbon emissions throughout the District. (reducing the impact of petrol or diesel fuelled vehicles is addressed by SA8)<br>SA11 Ensure the District is resilient to the impacts of climate change. | The Council adopted a Zero Carbon Roadmap and Action Plan in March 2020. |   |
| <i>Commentary</i>               | <p><i>This will be a key issue for the Substantive Review. The Zero Carbon Roadmap and Action Plan aims for the Council to be carbon neutral by 2030 with the whole district to follow by 2050. The adopted Local Plan objective continues to be relevant with a suggested revision to refer to the carbon neutrality target. Reference to flood risk could also be included as part of the mission to reduce the overall number of objectives.</i></p> <p><i>Recommendation – revise Objective 8 to read ‘Ensure new development mitigates for and adapts to climate change, including reducing vulnerability to flooding, and contributes to reduced net greenhouse gas emissions to support the district becoming carbon neutral by 2050.’</i></p> |  |   |  |   |
| <b>Water</b>                    | Objective 9 - New developments need to be designed to use water efficiently, to reduce flood  | <ul style="list-style-type: none"> <li>• Make sufficient provision for infrastructure for.. water</li> </ul>                                   | SA16 Protect water resources and ensure they are used efficiently.  |  |   |

|                       | NWLLP (2017)   | NPPF (paragraph 20)   | SA Scoping Report (2020)  | Council Delivery Plan (2019/20) | Leicester & Leicestershire 2050 Strategic Growth Plan   |
|-----------------------|--|---|---|---------------------------------|---|
|                       | risk and the demand for water within the district, whilst at the same time taking full account of flood risk and ensuring the effective use of sustainable urban drainage systems (SUDs).  | supply, wastewater, flood risk  |   |                                 |   |
| 26<br>Commentary      | <p><i>On the face of it water efficiency, reducing the demand for water could be covered under an 'efficient use of resources' objective.</i></p> <p><i>Avoiding/mitigating for flood risk could be addressed under the umbrella objective for climate change.</i></p> <p><i>Recommendation – cover these issues into an expanded climate change objective and a resources objective .</i></p> |   |   |                                 |   |
| <b>Local identity</b> | Objective 10 - Conserve and enhance the identity, character and diversity and local distinctiveness of the district's built, natural, cultural, industrial and rural heritage and heritage assets.   | <ul style="list-style-type: none"> <li>• Strategic policies should set out an overall strategy for the pattern, scale and quality of development</li> <li>• Make sufficient provision for... conservation and enhancement of the natural, built and historic environment</li> <li>• Make sufficient provision for...community facilities such as ..cultural infrastructure</li> </ul> | SA13 Conserve and enhance the quality of the District's landscape and townscape character.<br>SA15 Conserve and enhance the character, diversity and local distinctiveness of the District's built and historic heritage. |                                 | <p>Creating conditions for investment and growth - balancing the need for new housing and jobs with protection of our environment and built heritage.</p> <p>Maintaining the essential qualities of Leicester &amp; Leicestershire and delivering high quality development.</p> |

|                                      | NWLLP (2017)   | NPPF (paragraph 20)  | SA Scoping Report (2020)  | Council Delivery Plan (2019/20)       | Leicester & Leicestershire 2050 Strategic Growth Plan  |
|--------------------------------------|--|--|---|---------------------------------------|--|
| <i>Commentary</i>                    | <p><i>Local identity (distinctiveness) and respecting local qualities cuts across the SA objectives and the SGP. This issue could be incorporated into an objective about overall development quality encompassing design, respecting and reflecting local character. Heritage could be covered in a new, dedicated objective.</i></p> <p><i>Recommendation - produce a composite design objective (see above) and a heritage objective 'Conserve and enhance the district's built, cultural, industrial and rural heritage and heritage assets'</i></p> |  |   |                                       |  |
| <b>Natural environment</b><br><br>27 | Objective 11 - Protect and enhance the natural environment including the district's biodiversity, geodiversity and water environment areas identified for their importance.  | <ul style="list-style-type: none"> <li>• Make sufficient provision for... conservation and enhancement of the natural, built and historic environment, including ... green infrastructure</li> </ul> | <p>SA12 Protect and enhance the District's biodiversity and protect areas identified for their nature conservation and geological importance.</p> <p>SA9 Reduce air, light and noise pollution to avoid damage to natural systems and protect human health.</p> | Developing a clean and green district | Creating conditions for investment and growth - balancing the need for new housing and jobs with protection of our environment and built heritage. |
| <i>Commentary</i>                    | <p><i>As an issue, this is an important one and one which consistent across the sources. This could be combined with landscape conservation to create a more concise list of objectives.</i></p> <p><i>Recommendation – Combine and refine Objectives 11 and 12 to read 'Conserve and enhance the district's natural environment, including its biodiversity, geodiversity, water environments and landscape character, notably the National Forest and Charnwood Forest as well as its other valued landscapes.'</i></p>                                |  |   |                                       |  |
| <b>Landscape</b>                     | Objective 12 - Conserve and enhance the quality of the district's landscape character including the National Forest and Charnwood Forest and other valued landscapes.  | <ul style="list-style-type: none"> <li>• Make sufficient provision for... conservation and enhancement of the natural, built and historic environment, including landscapes</li> </ul>               | SA13 Conserve and enhance the quality of the District's landscape and townscape character.  | Developing a clean and green district |  |

|                        | NWLLP (2017)  | NPPF (paragraph 20)   | SA Scoping Report (2020)  | Council Delivery Plan (2019/20)                 | Leicester & Leicestershire 2050 Strategic Growth Plan  |
|------------------------|---|---|---|---|--|
| <i>Commentary</i>      | <i>See above</i>  |   |   |   |  |
| <b>Waste</b><br><br>28 | Objective 13 - Take account of the need to reduce the amount of waste produced.   | <ul style="list-style-type: none"> <li>• Make sufficient provision for infrastructure for...waste management</li> <li>• Make sufficient provision for...planning measures to address climate change mitigation</li> </ul> | <p>SA17 Ensure the efficient use of natural resources, including reducing waste generation.</p> <p>SA9 Reduce air, light and noise pollution to avoid damage to natural systems and protect human health.</p> <p>SA14 Ensure land is used efficiently and effectively</p> |   |  |
| <i>Commentary</i>      | <p><i>Whilst this objective may have been included be a response to a particular local issue, the lead authority for waste management infrastructure is the county council. The issue could be covered in a more generic way to refer to the efficient use of resources (like the SA does) which could encompass promoting waste reduction, promoting the use of brownfield land, water use, minerals etc as well as a reference to pollution to pick up that aspect of SA9</i></p> <p><i>Recommendation - replace objectives 13 and 15 with ‘promote the efficient use of natural resources and brownfield land, control pollution and facilitate the sustainable use and management of minerals and waste.’</i></p> |   |   |   |  |
| <b>Infrastructure</b>  | Objective 14 - Seek to deliver the infrastructure needs of the area, including Green sustainable development.   | <ul style="list-style-type: none"> <li>• Make sufficient provision for infrastructure for transport, telecommunications, security, waste management, water supply, wastewater,</li> </ul>                                 |   | Our communities are safe, healthy and connected | Securing essential infrastructure that is needed to make this happen – taking advantage of proposals to improve national and regional networks (as set out in the Midlands Connect Strategy) |

|                   | NWLLP (2017)   | NPPF (paragraph 20)  | SA Scoping Report (2020) | Council Delivery Plan (2019/20) | Leicester & Leicestershire 2050 Strategic Growth Plan |
|-------------------|--|--|--------------------------|---------------------------------|---|
|                   |  | flood risk and coastal change management....; community facilities (such as health, education and cultural infrastructure)                   |                          |                                 | and maximising the benefits from them.                |
| <i>Commentary</i> | <p><i>Whilst infrastructure isn't an issue specifically identified in the SA framework, it will be a key matter for the Substantive Local Plan Review taking account of the NPPF and the SGP. Objective 14 could be expanded to provide more detail on the types of infrastructure and to incorporate the theme of the overall accessibility of services</i></p> <p><i>Recommendation - amend Objective 14 to read '-Maintain access to services and facilities including jobs, shops, education, sport and recreation, green space, cultural facilities, communication networks and health &amp; social care and ensure that development is supported by the physical and social infrastructure the community needs and that this is brought forward in a co-ordinated and timely way.'</i></p> |  |                          |                                 |   |
| <b>Minerals</b>   | Objective 15 - Take full account of the need to safeguard mineral resources including sand and gravel, igneous rock and brickclay.   | <ul style="list-style-type: none"> <li>• Make sufficient provision for ... the provision of minerals and energy (including heat);</li> </ul> |                          |                                 |   |
| <i>Commentary</i> | <i>See above</i>   |  |                          |                                 |   |

This page is intentionally left blank

|  |  |                           |
|--|--|---------------------------|
| <b>Title of Report</b>                     | <b>STATEMENT OF COMMUNITY INVOLVEMENT FOR PLANNING PURPOSES- ADDENDUM</b>  |                           |
| <b>Presented by</b>                        | Ian Nelson<br>Planning Policy Team Manager   |                           |
| <b>Background Papers</b>                   | <a href="#">Report to Cabinet – 23 July 2020</a>   | <b>Public Report:</b> Yes |
| <b>Financial Implications</b>              | There are not any costs associated with the suggested changes to the Statement of Community Involvement  |                           |
|  | <b>Signed off by the Section 151 Officer:</b> Yes  |                           |
| <b>Legal Implications</b>                  | Legal considerations considered in the drafting of the report  |                           |
|  | <b>Signed off by the Deputy Monitoring Officer:</b> Yes  |                           |
| <b>Staffing and Corporate Implications</b> | There are none   |                           |
|  | <b>Signed off by the Deputy Head of Paid Service:</b> Yes  |                           |
| <b>Purpose of Report</b>                   | To consider amendments to the Council's adopted Statement of Community Involvement (February 2019) in light of the Covid-19 pandemic, and in other such circumstances that may arise when locations referenced in the SCI are not available. |                           |
| <b>Recommendations</b>                     | <b>THAT LOCAL PLAN COMMITTEE NOTES THE REVISIONS TO THE STATEMENT OF COMMUNITY INVOLVEMENT (SCI) AS SET OUT IN 4.1 OF THE REPORT TO CABINET AS ATTACHED AT APPENDIX 1.</b>   |                           |

## 1.0 BACKGROUND

- 1.1 The Statement of Community Involvement (SCI) sets out how the Council will involve the local community, businesses, key organisations and others in preparing its Local Plans, other important planning documents and in processing planning applications. The Council is committed to ensuring that all sections of the community understand how they are able to contribute, and have opportunity to be involved in and influence, the planning process.
- 1.2 However, in light of the impact of Covid-19 pandemic, it is not currently possible to fulfil certain requirements of the Statement of Community Involvement. In particular, access to the Council Office and other locations where documents can normally be viewed, is either not allowed or is severely restricted. This has implications for seeking views on various planning matters.
- 1.3 In response to these restrictions the government has published new guidance as part of the National Planning Practice Guidance (PPG) in respect of the need to review Statements of Community Involvement, with respect to Plan-Making.
- 1.4 A report setting out revisions to the SCI to address the problem of people not being able to access the Council Offices and other venues referred to in the SCI, is due to be considered by Cabinet at its meeting on 23 July 2020. The Cabinet report and its associated appendix are both included as Appendix 1 to this report.
- 1.5 The outcome of Cabinet's decision will be reported verbally to the Committee.

| <b>Policies and other considerations, as appropriate</b> |  |
|--|--|
| Council Priorities:                                      | Our communities are safe, healthy and well connected.  |
| Policy Considerations:                                   | None identified  |
| Safeguarding:  | None identified  |
| Equalities/Diversity:                                    | The Statement of Community Involvement has been subject to an Equalities Impact Assessment.  |
| Customer Impact:   | An up-to-date Statement of Community Involvement seeks to ensure effective and constructive engagement in the preparation of the Local Plan and in determining planning applications. The suggested amendments communicate how the Council will respond during the Covid-19 pandemic or other such times when access to hard copies of documents are not available at locations within the District. |
| Economic and Social Impact:                              | The suggested amendments to the SCI illustrates and confirms the Council's commitment to ensuring that all sections of the community understand how they are able to contribute, and have opportunity to be involved in and influence, the planning process.   |
| Environment and Climate Change:                          | None Identified  |
| Consultation/Community Engagement:                       | The public will be informed of the Council's intentions to update the SCI and of the temporary changes to be made, as detailed in paragraph 5.3  |
| Risks:   | A failure to engage effectively and constructively in the preparation of the Local Plan and in determining planning applications could leave the Council vulnerable to challenge. Having an up-to-date Statement of Community Involvement will help to minimise this risk.   |
| Officer Contact  | Chris Elston<br>Head of Planning and Infrastructure<br><a href="mailto:chris.elston@nwleicestershire.gov.uk">chris.elston@nwleicestershire.gov.uk</a>  |





This page is intentionally left blank

## CABINET – THURSDAY 23 JULY 2020

|  |   |  |
|--|---|--|
| <b>Title of Report</b>                     | <b>TEMPORARY SUSPENSION OF PARTS OF STATEMENT OF COMMUNITY INVOLVEMENT FOR PLANNING PURPOSES</b>  |  |
| <b>Presented by</b>                        | Councillor Robert Ashman<br>01530 273762<br><a href="mailto:robert.ashman@nwleicestershire.gov.uk">robert.ashman@nwleicestershire.gov.uk</a>  |  |
| <b>Background Papers</b>                   | Planning Practice Guidance: Coronavirus (COVID-19):<br>planning update<br><a href="https://www.gov.uk/guidance/coronavirus-covid-19-planning-update">https://www.gov.uk/guidance/coronavirus-covid-19-planning-update</a><br><br>Planning Practice Guidance: Plan-making<br><a href="https://www.gov.uk/guidance/plan-making# covid19">https://www.gov.uk/guidance/plan-making# covid19</a> | <b>Public Report:</b> Yes<br><br><b>Key Decision:</b><br>Yes |
| <b>Financial Implications</b>              | There are not any costs associated with the suggested changes to the Statement of Community Involvement<br><br><b>Signed off by the Section 151 Officer:</b> Yes  |  |
| <b>Legal Implications</b>                  | Legal considerations considered in the drafting of the report<br><br><b>Signed off by the Monitoring Officer:</b> Yes   |  |
| <b>Staffing and Corporate Implications</b> | None<br><br><b>Signed off by the Head of Paid Service:</b> Yes  |  |
| <b>Purpose of Report</b>                   | <b>To consider amendments to the Council’s adopted Statement of Community Involvement (February 2019) in light of the Covid-19 pandemic, and in other such circumstances that may arise when locations referenced in the SCI are not available.</b>   |  |
| <b>Reason for Decision</b>                 | In accordance with the Council’s constitution, approval of changes to the Statement of Community Involvement falls within the remit of Cabinet.   |  |
| <b>Recommendations</b>                     | <b>THAT CABINET:</b><br><br><b>(I) AGREE TO AN ADDENDUM TO THE ADOPTED STATEMENT OF COMMUNITY INVOLVEMENT (SCI) AS SET OUT IN 4.1 OF THIS REPORT TO OUTLINE HOW THE COUNCIL WILL CONSULT IN THE EVENT OF LOCATIONS REFERENCED IN THE SCI NOT BEING AVAILABLE; AND;</b><br><br><b>(II) THAT THE LOCAL PLAN COMMITTEE BE INFORMED OF THE DECISION OF CABINET.</b>                             |  |

## **1. BACKGROUND**

- 1.1 The Statement of Community Involvement (SCI) sets out how the Council will involve the local community, businesses, key organisations and others in preparing its Local Plans, other important planning documents and in processing planning applications. The Council is committed to ensuring that all sections of the community understand how they are able to contribute, and have opportunity to be involved in and influence, the planning process.
- 1.2 However, in light of the impact of Covid-19 pandemic, it is not currently possible to fulfil certain requirements of the Statement of Community Involvement. In particular, access to the Council Office and other locations where documents can normally be viewed, is either not allowed or is severely restricted. This has implications for seeking views on various planning matters.
- 1.3 In response to these restrictions the government has published new guidance as part of the National Planning Practice Guidance (PPG) in respect of the need to review Statements of Community Involvement, with respect to Plan-Making.

## **2. PLANNING PRACTICE GUIDANCE**

- 2.1 The PPG advises that where any of the policies in the SCI cannot be complied with due to current Covid-19 guidance the local planning authority is encouraged to undertake an immediate review and update the policies where necessary so that plan-making can continue. Alternative temporary amendments should be made to the SCI, that are necessary to allow plan-making to progress, and that also continue to promote effective community engagement by means which are reasonably practicable. Suggested options include the use of online engagements to their full potential, including social media and providing documents for inspection on public websites.
- 2.2 The Local Planning Authority should also take reasonable steps to ensure those sections of the community that do not have internet access, are involved and to consider alternative and creative ways to achieve this. For example, use representative groups to target people in areas affected by the proposal. Also, if feasible consulting by telephone or in writing can be used if alternatives cannot be identified.
- 2.3 It is noted that this Guidance specifically refers to plan-making, however the SCI also deals with the processing of planning applications. It is therefore suggested that the SCI is also reviewed and updated, where appropriate, on this matter also.
- 2.4 Since the publication of this Guidance, the government has announced that they propose to make some temporary changes to how Local Development Documents (Local Plans) are made available, through the Business and Planning Bill that was introduced to the House of Commons on 25 June 2020. This identifies that the Government intends to bring forward legislation to remove temporarily the requirement for local planning authorities to make Local Development Documents available for inspection at their offices and other places. It also proposes to temporarily remove the requirement for these documents to be provided on request. Local Authorities however will still need to ensure that these documents are made available on their website.
- 2.5 Notwithstanding this upcoming legislation, it is still considered beneficial for the Council to publish its proposed arrangements should it not be able to fulfil certain requirements of its SCI, whether Covid-19 related or not. It is considered that this approach would provide clarity to our customers as, also at this current time, there is no clear timetable for when this legislation may be introduced. If further updates on the proposed legislation are available for the date of the Cabinet Meeting, members will be provided with a verbal update.

### **3. NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL STATEMENT OF COMMUNITY INVOLVEMENT (ADOPTED 2019)**

- 3.1 The Council's SCI was adopted in February 2019 (Appendix A). Officers have identified those areas of the SCI that cannot be complied with due to the impact of the current Covid-19 pandemic. These are summarised below:

#### Preparation of Local Plans and Supplementary Planning Documents

- 3.2 Throughout various stages in the preparation of these documents, arrangements set out in the SCI require, amongst a range of other consultation measures, that hard copies of the documents will be made available for inspection 'at the Council Offices, district libraries and at other locations considered appropriate.' The Council Offices and libraries are currently closed to the public.
- 3.3 The SCI also suggests that hard copies of documents could also be provided to the Parish Councils that have offices and the Council's leisure centres. However many of these facilities are also currently closed due to the pandemic.

#### Managing Development

- 3.4 With respect to how planning applications are dealt with, the SCI makes the following arrangements.
- For those older applications that are not available on line, the documents can be made available for inspection, at the District Council offices, by arrangement during office hours.
  - For those who do not have access to a computer the Council provides access to the online system at the District Councils offices.
  - The Planning Register is available on the District Council's website or available for inspection, at the District Council offices, by arrangement during office hours.

#### Neighbourhood Planning

- 3.5 Whilst the SCI does not set out specific requirements related to the conduct of consultations associated with the preparation of Neighbourhood Plans, it does highlight the Local Planning Authority's role in publicising in relation to applications for neighbourhood areas and in relation to publicising Neighbourhood Planning proposals.

### **4. PROPOSED AMENDMENTS TO THE SCI**

- 4.1 There may be consultations or other instances where it may not be possible to provide access to hard copies of documents due to circumstances beyond the Council's control, because locations identified in the SCI are not available. It is therefore suggested that a minor amendment is made to the SCI. Consideration has been given to how this information could be provided in an updated SCI. As these changes would only be temporary, and also for ease of use, it is suggested that the changes that will occur, in such circumstances, is relayed in the form of an Addendum at the front of the SCI. The suggested Addendum is detailed below:

#### ***Proposed Addendum***

*There may be occasions where it may not be possible to provide access to hard copies of documents that the Council wishes to consult on due to circumstances beyond the Council's control. A specific example being the Covid-19 pandemic where the Council is unable to provide its usual access to hard copies of documents as the Council Office and other locations, such as public libraries are closed due to restrictions on movement imposed by the Government. Where such occasions arise, the Council will use other*

available channels of communication to promote and deliver effective consultation. The Council will provide notice on its website of the methods of communication being used in a particular consultation and also those locations which are affected by any access restrictions.

The Council's alternative approaches to ensure continued participation in consultations are set out below. Should any Government guidance or amendments to legislation be published the Council will review and amend the SCI accordingly. Also please note that it is the intention for these changes to be temporary during the period of such occurrences.

### Preparation of Local Plans and Supplementary Planning Documents

- For all consultations, the Council will carefully consider whether it is safe, feasible and appropriate to carry out a consultation, in a way that does not prejudice the ability of people to be engaged in terms of fairness and equality. The Council may in some cases need to adjust its timescales for document preparation and also the period of time documents are consulted upon.
- All consultation documents will continue to be made available via the Council's website.
- For those that are not able to view a local plan or other consultation documents online, hard copies of the document will be made available and posted out where possible (free of charge) on request. This will be communicated in consultation material.
- Should anyone be unable to submit a response online or by email and be unable to leave their home to post a response the Council will consider bespoke measures on a case by case basis to enable people to respond. Anyone who experiences such issues should contact the Planning Policy Team on 01530 454677 or 454676 to discuss possible alternative arrangements.
- The Council will be clear in its correspondence as to how officers can be contacted via phone when not in the office.
- Consultation periods may be extended, where appropriate, to provide time for accessing documents and responding.
- Where a formal notice is required to be available for inspection at the Council Offices, then this will be displayed in a location(s) accessible to the public without needing to enter the Council Offices, for example at the entrances of the building and/or on a notice board.
- Arrangements will be kept under review throughout consultations.

### Managing Development

- For those applications that are not available on line, the documents can be made available in PDF format and sent electronically. For those who do not have access to a computer, please contact the Council's Planning Department on 01530 454665 to discuss alternative arrangements.
- Should anyone be unable to submit a response online or by email and be unable to leave their home to post a response the Council will consider bespoke measures on a case by case basis to enable people to respond. Anyone who experiences such issues should contact the Council's Planning Department on 01530 454665 to discuss alternative arrangements.
- Decision notices for planning applications submitted and determined since 2008 can be viewed on the Council's website.
- Applications for planning permission will be entered on a register. Maintaining a planning register is a statutory obligation and the information is available on the District Council's website for inspection.
- For those unable to view the above documentation on line, hard copies will be made available and posted out where possible (free of charge) on request.
- The Council operates a Duty Planning Officer system to deal with simple enquiries, as well as offering general planning and procedural advice. This service will only be available between 1pm and 5pm on the phone on 01543 454580. However, it may

*be necessary on occasion to temporarily suspend this service. Any suspension shall be advertised on the Council's website.*

### Neighbourhood Plans

- *For those elements of the Neighbourhood Plan process where the Council is responsible for undertaking consultation, the Council will employ pragmatic steps to make the consultation as inclusive as possible. This is likely to include, but is not limited to: extended consultation period, posters in key locations that remain accessible, press release and printed elements provided on request.*

## 5 NEXT STEPS

- 5.1 With current social distancing restrictions as a result of the Covid-19 pandemic, it is not possible to fulfil a number of the requirements set out in the SCI. It is therefore considered appropriate to suspend parts of the SCI temporarily and in part and to provide alternative arrangements.
- 5.2 There is not a requirement to consult on these changes to the SCI but national guidance suggests that it is good practice for local planning authorities to inform the public of their intentions to update the SCI and of the temporary changes that have been made.
- 5.3 As Cabinet approval is sought for these changes this would ensure that the report and decision is available in the public domain. It is also suggested that those on the Council's Local Plan database will be made aware of the Cabinet decision. It is then the intention for the decision of Cabinet to be reported to Local Plan Committee on 29 July 2020, for their information.

| <b>Policies and other considerations, as appropriate</b> |  |
|--|--|
| Council Priorities:                                      | Our communities are safe, healthy and well connected.  |
| Policy Considerations:                                   | None identified  |
| Safeguarding:  | None identified  |
| Equalities/Diversity:                                    | The Statement of Community Involvement has been subject to an Equalities Impact Assessment.  |
| Customer Impact:   | An up-to-date Statement of Community Involvement seeks to ensure effective and constructive engagement in the preparation of the Local Plan and in determining planning applications. The suggested amendments communicate how the Council will respond during the Covid-19 pandemic or other such times when access to hard copies of documents are not available at locations within the District. |
| Economic and Social Impact:                              | The suggested amendments to the SCI illustrates and confirms the Council's commitment to ensuring that all sections of the community understand how they are able to contribute, and have opportunity to be involved in and influence, the planning process.   |
| Environment and Climate Change:                          | None Identified  |
| Consultation/Community Engagement:                       | The public will be informed of the Council's intentions to update the SCI and of the temporary changes to be made, as detailed in paragraph 5.3  |
| Risks:   | A failure to engage effectively and constructively in the preparation of the Local Plan and in determining   |

|                 |   |
|-----------------|---|
|                 | planning applications could leave the Council vulnerable to challenge. Having an up-to-date Statement of Community Involvement will help to minimise this risk. |
| Officer Contact | Chris Elston<br>Head of Planning and Infrastructure<br><a href="mailto:chris.elston@nwleicestershire.gov.uk">chris.elston@nwleicestershire.gov.uk</a>           |





This page is intentionally left blank



**STATEMENT OF COMMUNITY INVOLVEMENT**

**FEBRUARY 2019**

## SECTION A: INTRODUCTON AND BACKGROUND

### 1 INTRODUCTION

- 1.1 Planning shapes the places where people live and work, so it is right that people should be able to take an active part in the process.
- 1.2 The [National Planning Policy Framework](#)(NPPF) (March 2018) highlights the importance of engagement with our communities in plan-making and states that:
- “Plans should.....be shaped by early, proportionate and effective engagement between planmakers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees; (Paragraph 16)”
- 1.3 In addition, Local Planning Authorities are required to produce a Statement of Community Involvement (SCI) under section 18 (Part 1) of the Planning and Compulsory Purchase Act 2004.
- 1.4 In making decisions as part of the plan making or planning application process the outcome of engagement will be taken in to account alongside all other material considerations.

#### **What is the Statement of Community Involvement (SCI)?**

- 1.5 The main purpose of the Statement of Community Involvement (SCI) is to:-
- set out how the community, business and other organisations with an interest in the development of the District can engage with the planning system.
  - explain how North West Leicestershire District Council will engage and consult the community and other interested individuals and organisations in the production of new Development Plan Documents (DPDs) including the Local Plan and Supplementary Planning Documents (SPDs), and when dealing with planning applications.
  - set out the Council’s role in neighbourhood planning
- 1.6 The SCI provides a framework for future consultation and community engagement. It is not prescriptive. The approach to consultation will vary depending upon circumstances and therefore a flexible approach to all future consultations is required. Certain requirements for consultation and engagement on plan-making and planning applications are set out in legislation. The SCI satisfies these statutory requirements and also seeks to exceed these requirements where appropriate whilst also having regard to available resources.
- 1.7 Section D of the SCI addresses Neighbourhood Planning which is a key part of the Government’s localism agenda. The approach to consultation and engagement will be a matter for the individual bodies in preparing their plans and therefore this matters is outside the scope of the neighbourhood plan Therefore the SCI provides an overview of what neighbourhood planning

is, its process and how the District Council will support and assist Neighbourhood Plan Groups in the preparation and making of Neighbourhood Plans.

### **Why is a new SCI required?**

- 1.8 The current adopted SCI (20015) was prepared to take into account legislative changes relating to the preparation of Local Plans and the determination of planning applications. It also provided an opportunity to allow the Council to change its approach on consultation based on experieience gained since the adoption of the 2006 SCI.
- 1.9 Since the adoption of this SCI (2015), legislative changes have been made under the Neighbourhood Planning Act 2017, with respect to plan-making and neighbourhood planning, and what should be addressed in a SCI, namely:-
- The Neighbourhood Planning Act requires a local planning authority to notify the parish/town council or neighbourhood forum of relevant planning applications if there is an adopted neighbourhood plan for their area.
  - Within its SCI the Council is now required to set out its policy for discharging its duty to give advice or assistance to qualifying bodies (i.e. Parish/Town Councils or Neighbourhood Forums) to facilitate neighbourhood planning and neighbourhood development plans and their preparation.

It is therefore an appropriate and relevant time to prepared an updated SCI to allow for these changes to be incorporated.

### **How is the statement set out?**

- 1.10 Section A sets the background and context for the SCI, including legal requirements and explaining how communities, and other individual and organisations, can be involved in the planning process.
- 1.11 Section B deals with plan-making, providing details on who the Council will consult, as well as when and how we will consult and engage with communities and stakeholders.
- 1.12 Section C explains how planning applications are dealt with and outlines the District Council's consultation arrangements.
- 1.13 Section D provides an overview of the role and process of Neighbourhood Development Plans and how the Council will support neighbourhood planning.
- 1.14 A glossary of terminology that has been used is provided within Appendix H.

## **2 WHAT IS PLANNING?**

- 2.1 The purpose of the planning system is to manage the use and development of land and buildings. It is how we as a society strike a balance between allowing development to support economic development and provide the things we need like homes, jobs, shops and transport whilst conserving our heritage and the environment.

The planning system has two main parts to it:

- Plan making (Planning Policy) and
- Managing Development (Planning Applications)

### **Plan-Making**

- 2.2 The purpose of plan making is to set out how an area will develop over time and to provide a guide for future development. Development Plan Documents (DPDs) will set out the policies for development within the district, for example, the North West Leicestershire Local Plan (Adopted 2017). When making decisions on planning applications, they are made having regard to adopted DPDs unless other material considerations indicate otherwise.
- 2.3 A Neighbourhood Plan is also a DPD, and is prepared by either a Parish or Town Council, or a Neighbourhood Forum. It can be used to assist in the determination of planning applications in the local area to which it applies.

### [National Planning Policy](#)

- 2.4 National Planning Policy is contained within the National Planning Policy Framework (NPPF), together with the National Planning Policy Guidance (NPPG) and the Planning Policy for Traveller Sites (PPTS). These documents provide advice on how the national policies should be applied and also provide guidance for local authorities, both in preparing DPDs and making decisions on planning applications.

### Duty to Co-operate

- 2.5 There is also a 'Duty to Co-operate' in the plan making process as defined in Section 110 of the Localism Act 2011. It is a requirement for the Council to engage with its partners, such as neighbouring authorities and other statutory bodies to consider joint approaches to plan making. North West Leicestershire District Council is committed to meeting this duty and is actively working with neighbouring authorities and other statutory bodies, and will continue to do so, throughout the plan-making process. See Appendix A for a list of the Duty to Co-operate bodies.

## Local Plan Policy

### *Development Plan Documents*

- 2.6 Development Plan Documents (DPDs) set out the District's policies for development. The Development Plan comprises of Development Plan Documents (DPDs) which form the legal basis for all future planning decisions in the district. DPDS must be consistent with and have regard to national planning policy.
- 2.7 The key and main DPD for the District Council is the Local Plan. This will set out the planning strategy, policies and proposal for the district; it will set out how the area will develop and change in the long term and will:
- Provide a vision for the future of the area, based on evidence of what is needed and what makes the local area distinctive
  - Provide priorities and policies to guide future development
  - Allocate land for housing, employment, retail and other uses.

Planning applications must be determined in accordance with the development plan (i.e. the Local Plan) unless material considerations indicate otherwise.

- 2.8 The current [North West Leicestershire Local Plan](#) was adopted in 2017 and provides the planning policies for the district for the period 2011 to 2031. It comprises a vision, strategic objectives, site allocations and development management policies.

### *Supplementary Planning Documents*

- 2.9 We can also produce Supplementary Planning Documents (SPDs) to add greater detail to policies in the Local Plan. These can be area or topic based. Although SPDs do not have the same status as the Local Plan they can be a material consideration when making planning application and making planning decisions. Current [SPDs](#) are available to view on the Councils website.

### *Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA)*

- 2.10 All DPDs must be subject to a Sustainability Appraisal and most DPDs and some SPDs to a Strategic Environmental Assessment (SEA), the latter normally being incorporated into the former. The Sustainability Appraisal seeks to assess the environment, social and economic effects of the implementation of the policies contained in the documents or the effects of not having these policies. The SEA only considers the environmental implications of policies and proposals in a DPD.
- 2.11 The Sustainability Appraisal is an integral part of Local Plan preparation and its outputs will be consulted upon during the various consultation periods.

## Neighbourhood Plan Policy

### *Neighbourhood Plans*

- 2.12 A Neighbourhood Plan is a community prepared plan which enables local people to guide the future of the area they live and work in. It is prepared by communities themselves with the support of the Council and will form part of the Statutory Development Plan alongside the Local Plan. Legislation enables either a parish or town council (where they exists), or a neighbourhood forum (for non-parished areas) to take neighbourhood planning forward and produce a Neighbourhood Plan. These are referred to as the 'qualifying body'. It is the role of the local planning authority to agree to the designation of a neighbourhood forum for the neighbourhood area.
- 2.13 A Neighbourhood Plan can be used to address the development and use of land and it can allocate land for the development, or include policies to guide development, for example, by seeking to protect important local green spaces. It should support the strategic policies set out in the Local Plan for its area and have regard to national policies and advice, set out in the NPPF and the NPPG. A proposed Neighbourhood Plan is subject to an Independent Examination and if recommended will proceed to a referendum. If a majority vote is received at referendum the Neighbourhood Plan will then be approved and form part of the development plan for that Neighbourhood Area. Applications for planning permission must be determined in accordance with the development plan, which includes both a local plan and neighbourhood plan, unless material considerations indicate otherwise

### **Managing Development**

- 2.14 Most new development, building work and how land and buildings are used, are managed through the process of planning permission. We are responsible for the determination of planning applications for such works. We receive about 1,000 applications per year which range from householder extensions and minor applications to large-scale proposals that include new housing, employment, retail and other development. The Local Plan is the most important consideration in deciding planning applications and planning applications must be determined in accordance with the development (i.e. the Local Plan) unless material considerations indicate otherwis



### **3 WHAT OPPORTUNITIES ARE THERE TO BE INVOLVED IN PLANNING?**

- 3.1 For the plans that we prepare and the planning applications that are submitted to us to decide, we must consult and engage with people and organisations in making our decisions.

#### **Plan Making**

- 3.2 The Local Plan has to be widely consulted upon and there is a formal process of consultation that all Local Plans need to go through with fixed deadlines. Minimum requirements for engagement are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (The Regulations). There are different stages in the preparation of a Local Plan and there are different opportunities to have a say throughout.

- 3.3 The nature of community involvement will vary depending on the type of planning policy document being produced. For example;

- Development Plan Documents - these must go through specific stages of community involvement before being submitted to a Government Inspector for examination and decision;
- Supplementary Planning Documents - these will also be subject to public consultation (but no independent examination) but will be adopted by the Council itself.

- 3.4 The Town and Country Planning (Local Planning) (England) Regulations 2012 ('The Regulations') sets out the three stages of plan production where some consultation or engagement is required, these are:

- Preparation of a Local Plan (Regulation 18)
- Publication of a Local Plan (Regulations 19)
- Representations relating to a Local Plan (Regulation 20); and
- Submission of a Local Plan and information to the Secretary of State (Regulation 22)

- 3.5 In terms of Supplementary Planning Documents (SPDs) the Regulations set out the two stages of plan production where some consultation or engagement is required, these are:

- Public participation (Regulation 12) and;
- Adoption of supplementary planning documents (Regulation 14)

#### **Managing Development**

- 3.6 Once any planning application has been received and recorded, we will take steps to publicise it, consult and invite comments. The nature, scale and type of planning application will determine how we will engage with the Community. Minimum requirements are set out in the Town and Country Planning (Development Management Procedure) Order 2015 (DMPO).

### **What is the role of Councillors in the planning system?**

- 3.7 Councillors have an extremely important role to play in the planning process, both as decision makers and as somebody who will represent the views of local people. Before the Local Plan can be submitted for independent examination it must be agreed by a meeting of all Councillors. Eleven Councillors also sit on the Local Plan Committee, which enables cross-party discussion, guidance and support for the development of the Local Plan.
- 3.8 With respect to planning applications, some of these will be determined by the Planning Committee. Although not all Councillors are members of the Planning Committee they can attend the meeting and make representations on behalf of local people.
- 3.9 Councillors will also help you to understand the planning process and assist you to respond to consultations on the Local Plan or planning applications. They will also communicate your views to officers and other councillors so as to ensure that all views are taken into account when determining how the council should proceed.
- 3.10 You can discuss any concerns or views you have with a councillor over the telephone or meet them in person. Councillors have regular surgeries which provide an opportunity for any resident to go and talk to their ward councillor face to face. If you cannot attend a surgery then councillors will try and meet with you separately. You can also write to councillors using either email or a letter.
- 3.11 Information about which councillors represent which area together with information about how you can contact them can be found on the district council's website at: [www.neleics.gov.uk/councillors](http://www.neleics.gov.uk/councillors).

## SECTION B: PLAN MAKING

### 4 Introduction

4.1 This section of the SCI set outs who we will consult, when we will consult and how we will consult when preparing our planning policy documents, both DPDs and SPDs. Minimum requirements for consultation and engagement are set out within the regulations however at certain stages in the preparation of planning policy documents; we have the flexibility to undertake our own process of engagement. The scale and extent of this will vary depending on the subject of the planning document. For example, the Local Plan will require widespread consultation across the District as well as with national and regional bodies, whereas an action plan for a particular area or a supplementary planning document on a specific topic, will be much more specific and targeted in terms of its consultation.

### 5 PLAN MAKING: Who do we consult?

5.1 Depending on the type of planning policy document there are a number of 'specific' consultation bodies that we must consult and invite to make representations. We also have the discretion to identify general consultation bodies. However these two lists of bodies are not exhaustive and are also related to successor bodies where re-organisations occur. In addition, legislation and regulations are frequently updated and the list of consultees may change over time as a result.

5.2 The Regulations set out the specific consultation bodies that we must consult at defined key stages in the production of a Plan. This includes a range of statutory bodies with responsibilities for the environment, infrastructure and mining. A full list of these 'specific consultation bodies' is set out in Appendix B. In addition we must consult with neighbouring authorities, with this group being more tightly specified and also part of the Duty to Cooperate place on local authorities.

5.3 We must also consult 'general' consultation bodies at key stages. The types of bodies on this list who will be involved include:

- Those representing the wider community, including the local strategic partnership, parish/town council, neighbourhood forums, areas forums, and other community groups;
- Those representing the business community, including chambers of trade and Network Gold;
- Special interest groups, such as conservation societies and nature conservation bodies;
- Hard to Reach Groups
- Developers and those with property and/or development interests.
- Voluntary groups and groups representing different ethnic, national or faith groups, and groups representing the interests of local people with disabilities.

The current list is set out in Appendix C.

Those 'general consultation bodies' who are consulted will depend on the nature and subject of the planning policy document being consulted upon. The Council can decide which organisations within these general categories it thinks are appropriate to consult.

- 5.4 In addition to the 'specific' and 'general' consultation bodies, we are committed to involving a wide range of other individuals and organisations including members of the Community and 'hard to reach' groups.
- 5.5 Therefore we will maintain a comprehensive database of individuals, community groups and stakeholder groups, who wish to be informed of the production of development plan documents and plan making. This database will be kept up to date as and when is necessary and will be kept under review. These interested individual and groups are asked to provide details of any changes of address etc to enable the database to be kept up to date.
- 5.6 It is recognised that there are sections of the community and population that maybe underrepresented in the planning process, or have a limited capacity for involvement. These groups may include ethnic minorities, young people, elderly people, and the transient population. We will liaise with other local council services, such as the Community Focus Team, as well as other organisations, such as Leicestershire County Council, where necessary to seek engagement with as many hard to reach groups as possible.

## 6.0 PLAN-MAKING: When do we consult?

6.1 The section below identifies the minimum legal requirements (as stated within the Regulations) for the stages in the preparation of DPDs and SPDs.

### Strategic Growth Plan for Leicester and Leicestershire

6.2 The district council has been working with the other Leicestershire authorities on the preparation of a Strategic Growth Plan which will set out aspirations for delivering housing, economic development and infrastructure. This document does not comprise a DPD but the Council will provide support for its preparation and assist in public consultation that is to be undertaken. The SCI will inform the methods of consultation and engagement as well as the consultees, including specific and general consultation bodies.

### Development Plan Documents

6.3 There are three main stages of DPD production where some form of consultation or engagement is required by the Regulations. These are summarised below.

**Preparation of a Local Plan (Regulation 18):** At this stage in the process we must consult and invite representations from:

- 'specific' consultation bodies (identified in the Regulations);
- 'general' consultation bodies (identified by the Local Authority), and
- Residents or businesses within the area, who we consider appropriate

Representation will be sought on what a Local Plan ought to contain.

Apart from these requirements there is flexibility open to us as to how we carry out the initial stages of plan production. Plan preparation can be an informal and ongoing process and involvement will be possible up to the publication of the Local Plan. However there will be at least one 'formal consultation' period during the Local Plan Preparation stage, normally with a 6-12 week consultation period.

**Publication of a Local Plan (Regulations 19 & 20):** The publication stage plan is the plan which we consider ready for examination. Before the plan is submitted we will publish the plan together with associated documents for representations to be made, for a period of not less than 6 weeks. These documents will be made available at the Council Offices and other defined appropriate places. The Council will invite interested parties (in addition to the specific and general consultation bodies) to make formal representations at this stage. This is the final stage in the process when formal representations on the Local Plan can be made to the Council.

**Submission of a Local Plan to the Secretary of State (Regulation 22):** A copy of the Local Plan and associated documents is submitted to the Secretary of State for ‘examination’ and an Independent Inspector is appointed to examine the soundness of the plan. The Inspector will also be provided with the formal representations made at the previous publication stage.

It is also at this stage that a Programme Officer will be appointed to assist the Inspector with procedural and administrative matters, organise the Hearing session of the examination and act as a channel of communication between the Inspector, the Council and representors. The Programme Officer is not an officer of the Council, but works under the direction of the Inspector.

The Programme Officer will notify each of the general and specific consultation bodies advising that the documents are available for inspection and where, as well as give notice of submission, to those who requested to be notified. Please note that this is not a stage where we carry out a formal consultation.

**Independent Examination (Regulation 24):** The Planning Inspectorate will notify the council of the date for the Examination in Public (EIP) in order to carry out an examination into the Plan’s ‘Soundness’. The Programme Officer will notify any person who has made a representation on the pre-submission consultation (Regulation 20) of the date, time, place and name of the Inspector at least six weeks before the opening of the hearing. The Plan is ‘examined’ by the Inspector to ensure that it is ‘sound’ and that the appropriate legal and procedural requirements have been met. Please note that this is not a stage where we carry out a formal consultation.

**Adoption (regulation 26):** As soon as reasonably practicable after we adopt a local plan we will make the plan and associated documents available for inspection at the Council Offices and other defined appropriate places. We will also send a copy of the adoption statement to any person who has asked to be notified on the adoption of the Local Plan as well as to the specific and general consultation bodies.

- 6.4 The Consultation Table 1 in Appendix D summarises the key stages of consultation for DPDs. It explains what these stages are, who will be consulted, when and how. This table will form the basis of how the Council will conduct its consultation on Development Plan Documents.

### **Supplementary Planning Documents**

- 6.5 The Council will occasionally produce Supplementary Planning Documents to add further detail to the policies in the Local Plan, as well as other DPDS. A Supplementary Planning Document (SPD) can be area or topic based and is capable of being a material consideration in a planning decision.
- 6.6 The National Planning Policy Framework (2012) states that SPDs should be used where they can help applicants make successful applications or aid infrastructure delivery. They should not be used to add unnecessarily to the financial burdens on development.

**Scoping and Evidence Gathering** – this is not a formal stage that is required in the Regulations. However this stage allows document preparation to begin with evidence gathering from a variety of sources, with a view to identifying possible issues and options. This stage is also likely to involve informal consultation with stakeholders and interested parties, considered appropriate to the subject matter of the SPD.

**Publication Stage (Public Participation) (Regulation 12)** – Copies of the SPD will be made available for not less than 4 weeks at the Council offices and other defined places and on the Council’s website. The Council will also invite representations from those individuals and bodies considered appropriate having regard to the subject of the SPD using the lists of specific and general consultation bodies. This stage is the formal consultation stage when comments are invited on the draft SPD.

**Adoption (Regulation 14)** –Representations received will be considered and when we are satisfied with the content and form of the document, it will be presented to Cabinet for adoption. Once adopted a SPD is a material consideration in the determination of planning applications.

- 6.7 The Consultation Table 2 in Appendix D summarises the key stages of consultation for SPDs. It explains what these stages are, who will be consulted, when and how. This table will form the basis of how the Council will conduct its consultation on Development Plan Documents.

## 7 PLAN MAKING: How do we consult?

7.1 The Council recognises that there are different elements to engagement, including

- Providing information, in a variety of ways e.g. in writing, website and social media
- Undertaking consultation – the Council asking for views or comments on what you think about a policy or proposal,
- Participation – active involvement in something such as discussions or workshop etc and;
- Feedback – identifying or explaining how responses received have informed the production of a piece of work such as a DPD.

7.2 In the case of planning policy documents, there is a distinction between ‘formal stages’ of plan production (where the nature of consultation is governed by the Regulations) and ‘ongoing informal consultation and engagement’ with the Community as part of the development and assessment of emerging options and where there is more freedom about how we engage..

### **What are the Legal Requirements?**

7.3 The minimum legal requirements concerning ‘how’ the Council must consult on Development Plan Documents are set out in the Town and Country Planning (Local Planning) (England) Regulations (2012) (The Regulations). These specify the following:

#### Plan Preparation (Regulation 18)

7.4 Notify and invite comments from the specific and general consultation bodies as well as residents or other persons with an interest in the district. To meet these requirements the specific and general bodies along with residents and business will be informed, by letter or e-mail during this stage of plan preparation.

#### Publication of a Local Plan (Regulation 19 & 20)

7.5 We are required to publicise the version of the Local Plan that we intend to submit for examination. This is to provide opportunity for representations to be made that can be considered at examination.

7.6 The regulations also specify that the document must be made available for inspection. We will meet this requirement by making the Local Plan document and supporting documents available in defined locations, including:

- At the Council Offices, Whitwick Road, Coalville, LE67 3FJ
- [At the Libraries throughout the district](#)
- [On the Council’s website](#)

We will advise, by email or by letter, the specific and general consultation bodies, of this stage of plan production, including the availability of documents and inviting representations to be



made, as required by the Regulations. The Council will also advise by email or by letter, residents and business, who are listed on the Council's Local Plan database.

#### Submission of documents (Regulation 22)

7.7 A copy of the Local Plan, along with associated documentation including any proposed changes is submitted to the Secretary of State for 'examination'. An independent Inspector is subsequently appointed to examine the soundness of the plan. We will meet the minimum publicity requirements by making the documents available in defined locations, including:

- At the Council Offices, Whitwick Road, Coalville, LE67 3FJ
- [At the Libraries throughout the district](#)
- [On the Council's website](#)

The Programme Officer will notify, by email or by letter, each of the general and specific consultation bodies, as well as residents and businesses, advising of the availability of the document, their availability for inspection and when and where. Other groups and individuals who have requested to be notified of the submission will also be contacted by email or by letter.

7.8 Our database will be used to ensure the required and appropriate stakeholders, including organisations, individuals, community groups and stakeholder groups are informed of the production of development plan documents and plan making.

#### How we will communicate with people

7.9 There are a variety of consultation and engagement techniques available to the Council that go beyond the minimum requirements of the Regulations. We will seek to go beyond the minimum requirements. Furthermore the methods of involving people should be appropriate and relevant to the people involved, and the type of consultation being undertaken. For example, a consultation on the general principle of where development should go will need a much wider consultation than a proposal relating to a specific issue or specific part of the district. Where possible and appropriate, we will go beyond those minimum requirements to promote greater community participation.

7.10 We will give consideration to a variety of methods that could be used during the various stages of the plan making process outlined above. Potential techniques that could be used include:-

**Inform by letter or email** statutory and general bodies, relevant groups and to those on our consultation database who have requested to be consulted.

**Publish on the Council's website** – a dedicated page(s) on the Council's website to provide information on the preparation of planning policy documents. Notifications of upcoming consultations will also be available on the website, including dates of consultation, how to make representations and how to view or download the associated documents, including evidence bases. Press releases could also be posted on the Council's website.

The web pages will be kept up to date and will be interactive, allowing representations to be submitted electronically where appropriate.

**Email alert system** whereby stakeholders identified on the Council's database can be provided with the latest information.

**Social Media** – Facebook, Twitter and other forms of social media used to publicise emerging documents and consultations and seek views and representations.

**Local media** – Notices published in local newspapers circulating in the area and press releases made available to the local media, as appropriate throughout the plan preparation process, and at key preparation stages.

**Availability of documents** – Hard copies of the documents will be made available for public viewing during formal public consultation at the District Council's offices and local libraries within the District. Hard copies of documents could also be provided to the Parish Councils that have offices and the Council's leisure centres.

**The Planning E-newsletter** - Consideration will be given to the publication of a planning e-newsletter which could be published on our website and distributed to all Parish Councils and District Councillors and stakeholders. It could be used to provide updates on plan preparation and provide notification of consultation events.

**Leaflets/postcards/posters** – this could be a good way of informing local residents about the local plan. Leaflets and posters could be made available at the Council offices, libraries, leisure centres and health centres as well a range of venues frequented by peoples, such as notice boards at Parish Councils and supermarkets in the District.

**Workshops**– These can be employed through the process although the exact format will depend on the issues discussed. They could be particularly useful in gathering information to inform plan preparation. The objectives and expected outcomes of each workshop will be clearly set out beforehand. Workshops will usually involve groups using plans and other visual aids. Careful consideration will be given to venues, timing and participants to ensure that events are as effective as possible.

**Town and Parish Councils** –have an important part to play during the process. Their important role in the local community and their knowledge on local matters is recognised. We will endeavour to make officers available to explain proposals and to help facilitate a well informed debate on the issues under consideration. We will also look at ways to facilitate and enable the Parish Council to help raise awareness of local plan preparation and consultations in their local community. Supporting documents can also be sent to the Parish Councils, such as leaflets and posters, to support local community engagement. Parish Councils will also be advised of Local Planning Advisory Committee Meetings and provided, electronically, with a copy of the agenda. In addition, we will use the existing Parish Liaison meetings to provide information and updates.

**Exhibitions** – These can also be employed throughout the process. Public displays for local residents would allow for progress on plan preparation to be followed, provide advice and information or raise awareness of consultations, as well as provide opportunities to contribute representations to a consultation. Existing community events could be used as venue for such exhibitions. Other appropriate venues may include high street locations, frequented by people, within the district’s town and villages.

**Surveys and questionnaire** - these may be utilised to canvas views on key issues, options, proposal and documents. Existing community events could be used as a venue for the surveys and questionnaires to be carried out.

**Programme of plan preparation** – The Council’s Local Development Scheme will provide information on the timetable for producing development plan documents. Where possible local groups will be advised of forthcoming consultation exercised through e-mail alerts.

**Focused meetings with recognised lobby groups** – These will be considered when requested and where it is clear that there are significant benefits from holding such a meeting.

**Utilise existing established groups** – existing forums and stakeholders will be utilised where appropriate in order to publicise development plan preparation and process including for the purposes of consultation and evidence gathering.

#### *Resources*

- 7.11` Community Involvement of the plan making process will be led by the Council’s Planning Policy Team but will also involve a corporate support across the Council involving the Communications Team and the Community Focus Team, as well as other areas of expertise. It is also appreciated that there may need to be an input from consultants or external facilitators.

## **8. HOW DO WE DEAL WITH REPRESENTATIONS**

8.1 Feedback is also an important element of the process as it is a means of showing those who have responded to the consultation how their views have been taken into account and informed the plan-making process. We will:

- acknowledge all representations received and summaries will be prepared of such representations.

8.2 It should be noted that all comments and representations received are public documents and cannot be kept confidential.

## SECTION C: MANAGING DEVELOPMENT

### 9. INTRODUCTION

- 9.1 This section explains how planning applications are dealt with and outlines the District Council's consultation arrangements.
- 9.2 The majority of planning applications are determined under powers that have been delegated to officers. Some applications are considered and determined by the Planning Committee which meets monthly, in accordance with the Council's constitution. Decisions are taken having regard to the Councils adopted Local Plan, and any adopted Neighbourhood Plans, which are the legal basis for all decisions, unless material considerations indicate otherwise.
- 9.3 The government sets targets for the time taken to determine planning applications. These are currently 13 weeks for major applications and 8 weeks for all others. If an Environmental Impact Assessment is required by the scale of development then this period will extend to 16 weeks. Before a decision is made the case officer will prepare a report with a recommendation.
- 9.4 The recommendation will take into account the policies within the adopted Local Plan, the National Planning Policy Framework, Planning Practice Guidance as well as any consultation comments received. The District Council can only take into account comments relating to material planning considerations.

### 10. PRE-APPLICATION ADVICE

- 10.1 We encourage applicants and developers to seek pre-application advice from the Council prior to the submission of a formal planning application. These discussions are undertaken in confidence. Normally this would involve the submission of sketch drawings and other relevant detail. We aim to provide a response within 20 working days wherever possible, advising on the likelihood of gaining an approval on an informal and non-prejudicial basis as well as giving an indication of what the key policies and planning issues are likely to be. The schedule of charges for pre-application advice as well as the procedures for gaining pre-application advice is available at:
- [http://www.nwleics.gov.uk/pages/planning\\_advice\\_and\\_guidance](http://www.nwleics.gov.uk/pages/planning_advice_and_guidance)
- 10.2 Furthermore, in accordance with good practice guidelines, the District Council currently operates a 'development team' approach to major proposals, with a nominated officer co-ordinating the input of other specialist advice on an initial scheme.
- 10.3 The Council also operates a Duty Planning Officer system to deal with simple enquiries, as well as offering general planning and procedural advice. This is available between 1pm and 5pm at the reception at the Council Offices or on the phone on 01543 454580.

### Pre-Application Consultation

- 10.4 We will also encourage applicants to undertake pre-submission consultation with neighbours and local communities prior to making an application. Pre-application discussion should also include the key consultees on the type of development proposed such as the Local Highway Authority, the Highways Agency and Environment Agency.

## **11. MANAGING DEVELOPMENT: When do we consult?**

- 11.1 Upon receipt of a planning application the local planning authority will undertake a period of formal consultation. This will normally last for a period of 21 days although there will be cases a longer period of time will be allowed for comment on applications where this is prescribed by legislation.
- 11.2 Depending on the type of planning application being considered, there are a number of consultation bodies that the Council must consult and invite to make representations. In addition, who will be consulted can depend on factors such as how many people would be affected by the proposal and the type of impact likely. The main type of consultation groups include:-
- Public – including consultation with neighbouring residents and community groups
  - Parish Councils and Neighbourhood Forums – consulted on applications within their Parish or Neighbourhood Area.
  - Statutory Consultees – this is where there is a requirement in law to consult a specific body who in turn are under a duty to respond, for example, Environment Agency, The Coal Authority
  - Consultation required by a direction – this is where the local planning authority is directed to undertake additional consultation due to specific local circumstance
  - Non Statutory Consultees – these are not required by law but there is a planning reason to engage with these consultees and who are likely to have an interest in the proposed development, for example, Health and Safety Executive.

### Amended Plans

- 11.3 Following submission of a planning application, negotiations can often take place between planning officers and developers, and their agents in order to seek amendments to a submitted scheme. In most cases, upon receipt of amended plans, we will carry out a further consultation on these amendments. This consultation is likely to include re-notification of neighbours, Parish Councils and statutory consultees, depending on the nature of the changes and the likely implications. In view of the tight time scales to determine planning applications the re-notification time is set at 14 days. Minor alterations that have no material impacts will not normally be the subject of re-notification.

### Planning Appeals

- 11.4 If an application for planning permission is refused by the local planning authority, or it is granted with conditions, an appeal can be made to the Secretary of State against the refusal or the conditions attached. There is also a right of appeal if an application is not determined within a specific time. An appeal can only be made by or on behalf of the person who made the application for planning permission or approval. There is currently no 'third party' right of

appeal for objectors or other parties who may have an interest in the proposal and who are unhappy about the decision to approve a planning application.

- 11.5 Appeals are examined by an independent Planning Inspector. We will advise neighbours who have previously been notified when appeals are submitted. Further advice on the appeal process is available at:-

<http://www.planningportal.gov.uk/planning/planninginspectorate>

## **12. MANAGING DEVELOPMENT: How do we consult?**

- 12.1 The level of consultation carried out for planning applications, will be proportionate to the type and scale of planning application being determined. In all cases, publicity will meet legal requirements and in some cases, additional publicity will be carried out.
- 12.2 Planning legislation requires certain types of applications, such as works to a listed building, or planning applications that are accompanied by an Environmental Impact Assessment, to be advertised in the local press. For most types of applications, site notices (s) and/or letters will be appropriate. More detail is provided in the section below.

### Publicity Requirements

- 12.3 The regulations set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015, The Planning (Listed Building and Conservation Areas) Regulations and The Planning (Listed Buildings and Conservation Areas) Act 1990, state how planning applications need to be publicised, either by site notice or individual neighbour notification.
- 12.4 Neighbour notification by letter is the principal method of consultation on most planning applications. For most planning applications, letters are sent to all owners/occupiers of properties that immediately adjoin the boundary of the application site. In addition the Council will notify more widely where an application is likely to have a wider impact. Comments are invited within 21 days.
- 12.5 In addition, a press notice and site notice is also required for the following types of applications:
- Erection of 10 or more dwellings, or a site area of 0.5 hectares or more
  - Erection of 1000 square metres of floorspace or site area of 1 hectare or more
  - An application accompanied by an Environment Impact Statement
  - A departure from the Local Plan
  - A development that would affect the public right of way, under part III of the Wildlife and Countryside Act 1981
  - Development affecting the character or appearance of a Conservation Area
  - Development affecting the setting of a Listed Building.



12.6 Large scale or more complex development proposals may warrant the use of a Planning Performance Agreement (PPA). This is a project management tool that is agreed between the Local Planning Authority and an applicant. Under the PPA a project plan and programme is agreed. They provide opportunities for joint working, bringing together other parties such as statutory consultees as well as provide opportunity to identify how and what communities should be engaged.

**13. MANAGING DEVELOPMENT: Who do we consult?**

13.1 The Council is ‘required’ to consult various organisation and bodies and is advised to consult others depending on the type of application, as set out in the Town and Country Planning (Development Management Procedure Order) (England) (2015) (DMPO). A list of the statutory consultees is provided in Appendix E. A list of the non-statutory consultees, as defined in national policy and guidance, is provided in Appendix F.

13.2 Parish Councils are consulted electronically on planning applications within their parish, which means they are able to access the planning application by viewing the details on line. The same approach would be applied to any Neighbourhood Forums that are established within the district.

13.3 In addition to planning applications, there are other types of applications that can be submitted to the Councils for determination. These are listed in the table below along with details of who and how we will usually consult on these applications, depending on the particular circumstances

| Application type                          | Consultation  |
|---|---|
| Lawful Development Certificate (existing) | <ul style="list-style-type: none"> <li>• Neighbour Notification</li> <li>• Parish/Town Council</li> <li>• Neighbourhood Forum</li> <li>• Site Notice</li> </ul>   |
| Lawful Development Certificate (proposed) | <ul style="list-style-type: none"> <li>• Neighbour Notification</li> <li>• Parish/Town Council</li> <li>• Neighbourhood Forum</li> <li>• Site Notice</li> </ul>   |
| Advertisement Consent Applications        | <ul style="list-style-type: none"> <li>• Neighbour Notification</li> <li>• Parish/Town Councils</li> <li>• Neighbourhood Forum</li> <li>• Councils Conservation Officer if the application site is on a Listed Building</li> <li>• Highway Authority if the sign is illuminated and is fronting public highway</li> </ul> |

|   |   |
|---|---|
| Prior Notification Applications                                 | Parish/Town Councils are consulted as would be any Neighbourhood Forums. As scheme is permitted development and does not need the benefit of planning permission, generally there is more consultation. However some consultation maybe undertaken depending in the nature of the proposal and whether local knowledge is appropriate to situation. |
| Non-Material Amendments   | As these types of applications propose amendments that are non-material to the original permission then no consultation is carried out.   |
| Hedgerow removal notices  | <ul style="list-style-type: none"> <li>• Parish/Town Council</li> <li>• Neighbourhood Forum</li> <li>• Council's Tree Officer</li> <li>• Any relevant statutory consultees</li> </ul>   |
| Tree Preservation Orders(TPOs)/works to trees protected by TPOS | <ul style="list-style-type: none"> <li>• Neighbour Notification</li> <li>• Parish/Town Council</li> <li>• Neighbourhood Forum</li> </ul>  |
| Work to trees in a Conservation Area                            | <ul style="list-style-type: none"> <li>• Parish/Town Council</li> <li>• Neighbourhood Forum</li> </ul>  |
| Discharge of Conditions   | <ul style="list-style-type: none"> <li>• Relevant Statutory Consultees</li> </ul>   |
| Environment Assessment 'scoping opinion'                        | <ul style="list-style-type: none"> <li>• Relevant Statutory Consultees</li> </ul>   |
| Environmental Assessment 'Screening opinion'                    | <ul style="list-style-type: none"> <li>• None</li> </ul>  |

Table 1: publicity on other planning applications

### What happens to comments made on an application?

- 13.4 People are able to respond online through the Councils website. Alternatively comments can be submitted by email or by letter. All comments must be made in writing and contain the name and address of the author. All comments received are public documents and cannot be kept confidential. All written representations received on all applications are summarised in the report on the application and are considered before a decision is made.

## **14. HOW ARE APPLICATIONS DETERMINED?**

- 14.1 Some 90% of planning applications are determined under delegated powers by authorised officers of the Council. However, some major and/or controversial applications are reported to the Planning Committee for decision by Members of the Council. If an application is to be determined in this way we will inform the applicant/agent and anyone who has submitted comments on a particular application (including the Parish Council) of the date of the meeting and their right to speak at the meeting. Ordinarily there is a right for one objector or supporter, the applicant or agent and a Parish Council representative to speak at the Planning Committee.

Each speaker has no more than three minutes. A guidance note is sent to all interested parties advising of the procedure and issues which are planning related and those which are not. These guidance notes are available also available on the Council's web site at:

[http://www.nwleics.gov.uk/pages/speaking\\_at\\_planning\\_committee](http://www.nwleics.gov.uk/pages/speaking_at_planning_committee)

- 14.2 Planning decisions are uploaded to the Council's website. In addition, anyone who submitted comments in respect of a particular planning application is notified of the decision.

## **15. WHERE CAN I FIND INFORMATION ON PLANNING APPLICATIONS**

- 15.1 Information on planning applications can be found in a number of places.

### Website

- 15.2 Current planning applications including plans, application forms, consultation replies and drawings, as well as some historical applications, can be viewed here [https://www.nwleics.gov.uk/pages/view\\_planning\\_applications](https://www.nwleics.gov.uk/pages/view_planning_applications). This is available by individual property or by weekly/monthly list.

- 15.3 For those older applications that are not available on line, the documents can be made available for inspection by arrangement during office hours. For those who do not have access to a computer the Council provides access to the online system at the District Councils offices, Whitwick Road, Coalville. Access to the offices is between the hours of 8.45 am and 5.00pm Monday to Friday.

- 15.4 Decision notices for planning applications submitted and determined since 2008 can normally also be viewed on the Councils website.

### The Weekly List

- 15.5 A list of valid planning applications registered and planning decisions made are updated in 'real time' on the District Council's website.

### *The Planning Register*

- 15.6 Applications for planning permission will be entered on a register. Maintaining a planning register is a statutory obligation and the information is available on the District Council's website for inspection by arrangement during office hours.



## SECTION D: NEIGHBOURHOOD PLANNING

### 16. NEIGHBOURHOOD PLANS

- 16.1 Neighbourhood Plans (NPs) were introduced by the Localism Act 2011 and are regulated by The Neighbourhood Planning (General) Regulations.
- 16.2 A NP is a community prepared plan which enables local people to guide the future of the area they live and work. NPs can add detail and local objectives to the Council's Local Plan. North West Leicestershire District Council will provide advice and assistance to a parish/town council, neighbourhood forum or community organisation that is producing a neighbourhood plan and take decisions at key stages in the neighbourhood planning process within the time limits that apply.
- 16.3 North West Leicestershire District Council will provide information on the status of neighbourhood plans in the district using the Councils' website. However it is not the role of the SCI to set out the approach to consultation on a Neighbourhood Plan and this will be a matter for the 'qualifying body'.
- 16.4 The following section summarises the key stages in the neighbourhood planning process, together with the roles and responsibilities of the District Council and qualifying body.

### 17. STAGES AND CONSULTEES IN THE PREPARATION OF A NEIGHBOURHOOD AREA DESIGNATION

- 17.1 In terms of general support throughout the plan preparation process, North West Leicestershire District will
- Maintain a Neighbourhood Planning webpage that provides information about the powers available under neighbourhood planning and the key development stages.
  - Provide details of the officer(s) to contact for Neighbourhood Plan Issues.
  - Coordinate input into the Neighbourhood Plan on Local Authority services, functions, plans and policies including local planning, housing and leisure and amenities.
  - Provide advice and information about the Neighbourhood Planning process and any funding, resources and skills available to support the process. This maybe in the form of providing details of contacts in other organisations, attending Neighbourhood Plan meetings or signposting the group to the availability of funding sources
  - Provide advice and assist with the interpretation of the relevant regulations and highlight any potential issues.

- Assist with and/or provide advice on community engagement or consultation, loan of display boards, and where resources permit attend consultation events/meetings if requested.
- Provide mapping services for use at consultation events and workshop.

**17.1 Step 1: Designating neighbourhood area and if appropriate neighbourhood forum (Regulation 5, 6 and 7)**

- Relevant body submits an application to North West Leicestershire District Council to designate a neighbourhood area.
- On receipt the Council will check that the application meets the necessary requirements and that the boundary is considered to be coherent, consistent and appropriate in planning terms. If it is considered not to be we will work with the qualifying body to come to a suitable resolution
- North West Leicestershire District Council will acknowledge receipt of the application and publicise and consult on the area application for minimum 6 weeks (4 weeks where the application is from a parish council and the area to which the application relates is the whole of the area of the parish council). The District Council will consult local planning authorities adjoining the neighbourhood area, adjoining parish councils, Leicestershire County Council and the relevant District Councillors. The costs of consultation will be met by the District Council.
- In an area without a town or parish council a prospective neighbourhood forum would need to submit an application to be the designated neighbourhood forum for a neighbourhood area. The Council will also publicise and consult on the forum application for minimum 6 weeks.
- North West Leicestershire District Council will designate the neighbourhood area within the statutory timescales, this being within 8 weeks if the application is from a parish council and relates to the whole of the parish, or 13 weeks in other cases. Where the application relates to an area that also falls within the area(s) of another local planning authority, the application will be determined within 20 weeks. The timescale commences from the date immediately following that on which the application is first publicised.
- North West Leicestershire District Council takes decision on whether to designate the neighbourhood forum.

**17.2 Step 2: Preparing a draft neighbourhood plan**

Qualifying body develops proposals and will:

- gather baseline information and evidence. North West Leicestershire District Council will share relevant evidence, including that gathered to support its own plan-making, with the qualifying body. In particular, where the Local Plan does not set out a housing requirement figure for a neighbourhood area, the District Council will provide an

indicative figure if requested to do so by the qualifying body. The District Council will engage with the qualifying body, in order for groups to understand how figures are reached. This will help avoid disagreements at neighbourhood plan examinations, and minimise the risk of neighbourhood plan figures being superseded when the District Council adopts a new Local Plan.

- engage and consult those living and working in the neighbourhood area and those with an interest in or affected by the proposals (eg service providers). Representatives of North West Leicestershire District Council will attend stakeholder events when invited by the qualifying body.
- talk to land owners and the development industry. North West Leicestershire District Council will share relevant evidence relating to land availability assessments subject to data protection principles.
- Identify issues that the Neighbourhood Plan may address. North West Leicestershire District Council will provide advice on which issues could be considered suitable for a Neighbourhood Plan as well as provide advice on any relevant European and National legislation and policies, and adopted and emerging Local Plan policies which the Neighbourhood Plan will need to be in conformity with
- determine whether a plan is likely to have significant environmental effect. If requested to do so by the qualifying body, North West Leicestershire District Council will prepare a Strategic Environmental Assessment Screening Statement for a neighbourhood plan to be used to determine whether a neighbourhood plan requires a Strategic Environmental Assessment (SEA). Where requested the District Council will also prepare a Habitats Regulations Assessment Screening Statement to assess whether there are likely to be significant effects on European Sites as a result of a neighbourhood plan.
- start to prepare proposals documents eg basic conditions statement. Where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place the District Council will discuss and aim to agree with the qualifying body the relationship between policies in the emerging neighbourhood and local plans with appropriate regard to national policy and guidance. The District Council will work with the qualifying body to produce complementary neighbourhood and Local Plans.

### 17.3 **Step 3: Pre-submission publicity and consultation (Regulation 14)**

The qualifying body:

- publicises the draft plan and invites representations
- consults the consultation bodies as appropriate. Appendix G provides a list of these consultees and North West Leicestershire District Council will provide the qualifying body with relevant contact details subject to data protection principles. The Council will also respond to the pre-submission consultation on the Neighbourhood Plan.
- sends a copy of the draft plan to the local planning authority. North West Leicestershire District Council will publicise the draft plan on its website for the duration of the consultation period which should be a minimum of 6 weeks
- where European Obligations apply, complies with relevant publicity and consultation requirements.
- considers consultation responses and amends plan if appropriate.

- prepares consultation statement and other proposal documents.

**17.5 Step 4: Submission of a neighbourhood plan to the local planning authority (regulation 15 & 16)**

Qualifying body submits the plan to North West Leicestershire District Council together with a map or statement which identifies the neighbourhood plan area, a Consultation Statement, and a Basic Conditions Statement.

- North West Leicestershire District Council checks that submitted proposal complies with all relevant legislation
- If the North West Leicestershire District Council finds that the neighbourhood plan meets the legal requirements it will:
  - publicises the proposal for minimum 6 weeks and invite representations
  - publicise the submitted documents on the Council's website, as a minimum, in a way which is likely to bring the proposal to the attention of people who live, work or carry on business in the neighbourhood area.
  - notifies consultation bodies referred to in the consultation statement including those bodies specified under Paragraph 1 of Schedule 1 of the Neighbourhood planning (General) Regulations 2012. (Appendix G)
  - appoints an independent examiner (with the agreement of the qualifying body)

**17.6 Step 5: Independent Examination (regulation 17 & 18)**

- North West Leicestershire District Council sends plan and representation to the independent examiner
- independent examiner undertakes examination. The examination will usually take the form of written representations, unless the examiner considers it necessary to hold a public hearing. If a public hearing is held the examiner will invite participants to attend. Examiner fees are paid by North West Leicestershire District Council. If a public hearing is to be held, the District Council will provide an Examination venue, if no other suitable town/village venue can be provided.
- independent examiner issues a report to the North West Leicestershire District Council and qualifying body
- North West Leicestershire District Council publishes report
- North West Leicestershire District Council considers report and reaches own view within 5 weeks of receiving the report unless the District Council and the qualifying body agree another date.
- North West Leicestershire District Council takes the decision on whether to send the plan to referendum



**17.7 Steps 6 and 7: Referendum (guided by the Neighbourhoods Planning (Referendums) Regulations 2012) and bringing the neighbourhood plan into force**

- North West Leicestershire District Council will meet the cost of the referendum and will arrange a referendum, normally within 56 days of the decision to go to referendum. The Council will also give a minimum of 28 working days notice before the date of the referendum.
- North West Leicestershire District Council publishes information statement
- North West Leicestershire District Council publishes notice of referendum/s
- polling takes place (in a business area an additional referendum is held)
- results declared
- should more than half of those voting vote in favour of the neighbourhood plan, the plan comes into force as part of the statutory development plan for the area
- upon a successful vote for the community to accept the NP as a planning document for the area the Council will bring the document into legal force as an extant and active planning document. The Council will publicise the decision on its website as a minimum and notify anyone who asked to be notified of the decision. Details of where and when the neighbourhood plan can be inspected will also be provided.
- there are narrow circumstances where North West Leicestershire District Council is not required to make the neighbourhood plan. These are where it considers that the making of the neighbourhood plan would breach, or otherwise be incompatible with, any EU or human rights obligations (see section 61E(8) of the Town and Country Planning Act 1990 Act as amended). Otherwise, the neighbourhood plan will be 'made' within 8 weeks of the referendum.
- in respect of proposals for modifications of neighbourhood plans where the modifications do not change the nature of the plan and meet the basic conditions, a referendum is not required. The local planning authority is required to make the modified neighbourhood plan

## **Appendix A**

### **PLAN MAKING – Duty to Co-operate Bodies**

The prescribed bodies (in addition to local planning authorities and County Councils) which are subject to the Duty to Co-operate include;

- The Environment Agency
- English Heritage
- Natural England
- The Civil aviation Authority
- Homes England
- The Primary Care Trust (now replaced by the Clinical Commissioning Group)
- The Office of Rail Regulation
- The Highway Authority (both the Highways Agency and Leicestershire County Council)

## **Appendix B**

### **PLAN MAKING - Specific Consultation Bodies**

- The Coal Authority
- The Environment Agency
- Historic England
- Natural England
- Network Rail
- Highways England
- A 'relevant' authority in or adjoining the Local Planning Authority (Including Local Planning Authorities, County Council, a Parish Council and a Local Policing Body)
- Electronic communication code systems operators
- Primary Care trust established under section 18 of the National Health Service Act 2006 or continued in existence by virtue of that section
- Electricity providers
- Gas providers
- Sewerage Undertakers
- Water Undertakers
- Homes England

## Appendix C

### PLAN MAKING – General Consultation Bodies

Please note that this list is not exhaustive. The Council has a live database which can be amended at any time.

Age UK Leicestershire and Rutland  
Ancient Monuments Society  
Ashby de la Zouch Civic Society  
Canal and Rivers Trust  
Campaign for Real Ale Ltd  
Campaign for the Protection of Rural England (Leicestershire and Derbyshire) and other environmental groups  
Charley Heritage Group  
Civic societies and local resident associations  
Clinical Commissioning Groups  
Coal Authority  
Coalville Heritage Society  
Coleorton Heritage Group  
Commission for Architecture and the Built environment  
Community Appraisal Groups  
Council for British Archaeology  
Crown Estate  
Diseworth Local Heritage Society  
East Midlands Airport  
East Midlands Chambers  
Equality and Human Rights Commission  
Federation of Small Businesses  
Freight on Rail  
Friends of Thringstone  
Garden History Society  
Guide Association  
Historic period societies (e.g. Georgian Society, Victorian Society, Twentieth Century Society)  
Home Builders Federation  
Hugglescote Heritage Society  
Inland Waterways Association  
Ibstock Historical Society  
Leicestershire Police  
Leicestershire Fire and Rescue Services  
Leicestershire and Rutland Wildlife Trust  
Long Whatton Local Historical Society  
National Farmers Union  
National Forest Company

National Trust  
Network Rail  
Newbold Heritage Group  
Parish Councils  
Parish Plan Groups  
Relevant bus companies  
Royal Society for the protection of Birds  
Resident Associations  
The Scout Association  
The Society for the Protection of Ancient Buildings  
Sport England (East midlands Region)  
Sustrans  
The Theatres Trust  
Volunteering Partnerships  
Whitwick Historical Group  
Woodland Trust

## Appendix D

Table 1: Consultation on Development Planning Documents

| Stage   | Purpose   | Who   | How  |
|---|---|---|--|
| Preparation of a Local Plan document (Regulation 18)      | <p>Plan preparation which can be informal and ongoing process with involvement possible right up to its publication.</p> <p>There will be at least one formal consultation period during the Local Plan Preparation stage, normally with a 6-12 week consultation period.</p> | <p>Specific and general consultation bodies</p> <p>Those registered on the Councils database, including those residents or business within the area where appropriate.</p> <p>Duty to Co-operate bodies</p>   | <p>Letter, email, website, press releases.</p> <p>Documents will be made available at the Council Offices and at other locations considered appropriate.</p> <p>Other potential techniques that may be used include: Town and Parish Councils, workshops, utilise existing established groups, social media, public exhibitions, community events.</p> |
| Publication of a Local Plan Document (Regulation 19 & 20) | <p>Consultation on the proposed submission document.</p> <p>Consultation will be undertaken for a minimum of 6 weeks.</p>   | <p>Specific and general consultation bodies</p> <p>Those registered on the Councils database, including those residents or business within the area where appropriate.</p> <p>Duty to Co-operate bodies</p> <p>Those who responded to the plan preparation consultation</p> | <p>Letter, email, website, press releases, social media.</p> <p>Documents will be made available at the Council Offices, district libraries and at other locations considered appropriate.</p> <p>Statement of representations procedure and statement of fact will be sent to specific and general consultation bodies.</p>                           |

| Stage  | Purpose   | Who   | How  |
|--|---|---|--|
|  |   |   | <p>Letters and emails will be sent out with the following information-</p> <ul style="list-style-type: none"> <li>-consultation period</li> <li>-how the Plan can be seen, along with the places and times that the Plan can be viewed.</li> </ul> <p>Other potential techniques that may be used include:</p> <ul style="list-style-type: none"> <li>Town and Parish Councils, workshops, utilise existing established groups, social media, public exhibitions, community events.</li> </ul> |
| <p>Submission of a Local Plan to the Secretary of State</p> <p>(Regulation 22)</p> | <p>Submission of a Local Plan and all associated documents in accordance with Regulation 22</p> <p>This is not a stage where formal consultation is carried out by the Local Planning Authority (LPA)</p> | <p>Specific and general consultation bodies</p> <p>Duty to Co-operate bodies</p> <p>Other interested parties considered appropriate.</p> <p>Those who requested to be notified.</p> | <p>Notification of the submission of the document will be carried out by the appointed Programme Officer, by letter and email.</p> <p>Notification will advise of the availability of the plan for inspection and where and when it can be inspected.</p> <p>A copy of the Submission document and associated documents will be placed on the Council's website, at the Council Offices, and at the districts libraries.</p>   |

| Stage                                  | Purpose   | Who  | How  |
|--|---|--|--|
| Independent Examination(Regulation 24) | <p>Independent examination of the plan by an Independent Inspector.</p> <p>This is not a stage where formal consultation is carried out by the Local Planning Authority (LPA)</p> | <p>All those who made representations.</p>   | <p>The Programme Officer will advise of the examination hearing sessions by letter or email, at least 6 week before its start.</p> <p>Publish on the Council's website and provide a hard copy on display at the Council, a notice setting out the date, time and place at which the hearing is to be held and the name of the Inspector appointed to carry out the independent examination.</p> <p>Other potential techniques used may include press releases and social media.</p> |
| Adoption (Regulation 26)               | <p>Adoption of the plan by the Local Planning Authority.</p>  | <p>All those who made representations.</p> <p>Specific and general consultation bodies.</p> <p>All those who asked to be notified.</p> | <p>Letter, email, website, Press Releases, Social Media.</p> <p>The Plan and associated documents will be made available at the Council Offices and at other appropriate locations.</p> <p>A copy of the Adoption Statement will be sent to the Secretary of State as well as those who asked to be specifically notified.</p>   |



Table 2: Consultation on Supplementary Planning Documents

| Stage                                | Purpose  | Who  | How   |
|--------------------------------------|--|--|---|
| Scoping and Evidence Gathering       | Evidence Gathering and preparation of Draft SPD                                    | Stakeholders and interested parties, considered appropriate to the subject matter of the SPD, will be engaged.   | Letter, email, website.<br><br>Documents will be made available at the Council Offices and at other locations considered appropriate.<br><br>Other potential techniques that may be used include:<br>Town and Parish Councils, workshops, utilise existing established groups, social media, public exhibitions, community events.                                  |
| Public Participation (Regulation 12) | Consultation on the Draft SPD.<br><br>Consultation period of a minimum of 6 weeks. | Specific and general consultation bodies<br><br>Duty to Co-operate bodies<br><br>Those registered on the Councils database, including those residents or business within the area where appropriate. | Letter, email, website, press releases, social media.<br><br>Copies of the SPD and any supporting documents will be made available at the Council offices and the districts libraries, as a minimum, for public inspection.<br><br>Other potential techniques that may be used include:<br>Town and Parish Councils, workshops, utilise existing established groups |
| Adoption                             | Adoption of the SPD by the   | The following will be  | The adoption statement  |

|                        |  |  |   |
|------------------------|--|--|---|
| <p>(Regulation 14)</p> | <p>Local Planning Authority</p> <p>This is not a stage where consultation is carried out by the Local Planning Authority (LPA)</p> | <p>notified of the adoption of the SPD:</p> <p>Specific and general consultation bodies</p> <p>Duty to Co-operate bodies</p> <p>Those registered on the Councils database, including those residents or business within the area where appropriate.</p> <p>Anyone who has specifically asked to be notified when the SPD is adopted.</p> | <p>and the SPD will be made available at the Council offices, the district libraries and other appropriate locations, and published on the Councils website.</p> <p>Notification of the adoption of the SPD sent to individuals, bodies and organisations will be in writing, either email or letter.</p> <p>Press releases and social media will also be used to inform of adoption.</p> |
|------------------------|--|--|---|

## Appendix E

### MANAGING DEVELOPMENT – Statutory Consultees

| Statutory Consultees   | Type of Development  |
|--|--|
| The Canals and River Trust   | Certain types of development likely to affect canals or nearby areas   |
| The Coal Authority   | Certain types of development in areas where the Coal Authority has notified to the local planning authority that it is an area of coal working, and for minerals exploration on land that has been identified as containing coal.  |
| Crown Estates Commissioner   | Certain minerals planning applications where the Crown Estates Commissioners have given notice to that land in their area contains silver or gold.   |
| Department of Energy and Climate Change                                    | Mineral developments where the Department for Energy and Climate Change have given notice to the local planning authority that the land in their area contains gas or oil.   |
| Department of Transport (administered in practice by the Highways England) | New Development likely to result in a material increase in the volume or a material change in the character of traffic entering or leaving a trunk road.   |
| East Midlands Airport  | East Midlands Airport is a statutory consultee in respect of development management. This is in respect of its role as the Aerodrome Safeguarding Authority for East Midlands Airport. East Midlands Airport will be consulted on relevant planning applications located within the Airport Consultation Zone. |
| Environment Agency   | The Environment Agency are a statutory consultee to Local planning authorities for several types of planning application related to its statutory duties on flood risk, protection of land and water quality, mining operations, waste regulation and fisheries.   |
| Historic England   | Historic England are a statutory consultee to Local planning authorities for several types of planning application including development that would affect the setting of a Listed Building, development that would affect the   |

| Statutory Consultees        | Type of Development   |
|-----------------------------|---|
|                             | character and appearance of a Conservation Area, development likely to affect the site of a scheduled monument and Applications for Listed Building Consent for works on a Grade I or Grade II* listed Building.  |
| Forestry Commission         | Statutory requirement under <a href="#">paragraph 4 of Schedule 5 of the Town and Country Planning Act 1990</a> or mineral operators to consult the forestry commission if the proposed form of post-extraction restoration is for forestry.  |
| Garden History Society      | For development likely to affect any park or garden on English Heritage's <i>Register of Historic Parks and Gardens of Special Historic Interest in England</i>   |
| Health and Safety Executive | The Health and Safety Executive issues consultation zones to the local planning authority and should be consulted on certain developments in the vicinity to major accident hazards.  |
| Highways England            | Developments likely to affect the strategic road network, and certain other highway matters.  |
| Local Planning Authority    | The adjoining local planning authority will usually need to be consulted where an application is likely to have an impact on a neighbouring area. Where there is a County Council, the district council is required to consult the county council in certain cases and may not decide the application for 21 days or the county council has responded (if earlier). |
| Local Highway Authority     | The Local Highway Authority will need to be consulted where the proposed development will either involve a new access to the highway network, or an increase or change in traffic movements.  |
| County Planning Authority   | Specific requirements exist for consultation with County Planning Authorities, reflecting their responsibilities as planning authorities for certain specific matters.  |
| Natural England             | Certain developments affecting Sites of Special Scientific Interest, involving the loss of best and most versatile agricultural land, or in an area of particular natural sensitivity or interest which appears to be affected by development that could have significant implications for  |

| Statutory Consultees       | Type of Development  |
|----------------------------|--|
|                            | major accident hazards. Natural England must also be consulted on development (including permitted development) likely to have a significant effect on a European (wildlife) Site in England or European Offshore Marine Site under the <a href="#">Conservation of Habitats and Species Regulations 2010</a> (as amended).  |
| National Parks Authorities | Specific requirements exist for consultation with National Parks authorities in relation to development likely to affect land in a National Park   |
| Parish Councils            | <p>Whilst Parish Councils are not statutory consultees, they do have a role as a consultee in the planning application process.</p> <p>The Local Planning Authority must consult the Parish Council if they have requested that they do so. There is also a legal requirement to notify the Parish Council of the decision on planning applications if they have requested that they Local Planning Authority do so.</p> <p>The same approach applies to any Neighbourhood Forums.</p> |
| Rail Network Operators     | Development likely to result in a material increase in the amount of traffic using a level crossing over a railway.  |
| Sport England              | Planning applications where the development is likely to affect the use of land as playing fields.   |
| Theatres Trust             | Development involving any land on which there is a theatre.  |

## APPENDIX F

### MANAGING DEVELOPMENT – Non-Statutory Consultees

|  |
|--|
| Non – Statutory Consultees                             |
|  |
| Emergency Services and Multi-Agency Emergency Planning |
| Forestry Commission                                    |
| Health and Safety Executive                            |
| Ministry of Defence                                    |
| Office of Nuclear Regulation                           |
| Police and Crime Commissioners                         |
| Rail Network Operators                                 |
| Sport England  |

## Appendix G

### Consultation Body as defined by the Neighbourhood Planning (General) Regulations 2012

| Consultation Body  |
|--|
| A local planning authority, county council or a parish council any part of whose areas is in or adjoins the area of the local planning authority |
| The Coal Authority   |
| Homes England  |
| Natural England  |
| The Environment Agency   |
| Historic England   |
| Network Rail Infrastructure Limited  |
| Highways England   |
| The Marine Management Organisation   |
| Any person to whom the electronic communication code applies.  |
| Any person who owns or controls electronic communication apparatus   |
| A Primary Care Trust in any part of the neighbourhood area   |
| A person with a licence under the Electricity Act, in any part of the neighbourhood area   |
| A person with a licence under the Gas Act, in any part of the neighbourhood area   |
| A sewerage undertaker, in any part of the neighbourhood area   |
| A water undertaker, in any part of the neighbourhood area  |
| Voluntary bodies some or all of whose activities benefit all or any part of the neighbourhood area   |
| Bodies which represent the interest of different racial, ethnic or national groups in the neighbourhood area                                     |
| Bodies which represent the interest of different religious groups in the neighbourhood area  |
| Bodies which represent the interest of person carrying on business in the neighbourhood area   |
| Bodies which represent the interests of disabled persons in the neighbourhood area.  |

## Appendix H

### GLOSSARY

**Development Management** – The management or control of development proposals through the planning system.

**Development Plan** – comprises of Development Plan Documents (DPDs) which form the legal basis for all future planning decisions in the district.

**Development Plan Documents (DPD)** – Documents prepared by the local planning authority (including the Local Plan) setting out the main spatial strategy, policies and proposals for the area. These documents will be statutory documents and subject to an independent examination by an Inspector. They will undergo rigorous procedures of community involvement and consultation. DPDs must be consistent with and have regard to national planning policy.

**Duty to Cooperate** – Created by the Localism Act 2011. It places a legal duty on the Council to engage constructively, actively and on an ongoing basis with certain specified bodies to maximise the effectiveness of Local Plan preparation relating to strategic cross boundary matters.

**Examination** – The purpose of the Examination is to consider if the development plan is sound. The majority of representations made at Examination will usually be written representations. However, in some instances a Planning Inspector may allow representations to be examined by way of oral hearings, for example round table discussions, informal hearing sessions and formal hearing sessions.

**General Consultation Bodies** – Organisations defined by The Town and Country Planning (Local Planning) (England) Regulations 2012 that are required to be consulted at key stages of plan production. They include bodies which represent the interests of different racial, ethnic, religious or national groups, disabled persons and business in the local planning authority's area.

**Hard to Reach Groups** – Groups of people or organisations within the community that have traditionally been more difficult to engage in the planning system. They include older people, religious, disabled and ethnic minority groups.

**Local Development Document (LDD)** – The collective term covering Development Plan Documents and Supplementary Planning Documents.

**Local Development Scheme (LDS)** – A three year project plan outlining the Councils programme for preparing the Local Plan.

**Local Plan** – Collective term for the Development Plan Documents that set out the spatial vision and strategy for the Borough including policies and proposals. The Local Plan is a key part of the development plan.

**National Planning Policy Framework (NPPF)** – It sets out the government's national planning requirements, policies and objectives. It replaces much of the national advice previously contained within planning policy statements, planning policy guidance and circulars. It is a material consideration in the preparation of Local Plan documents and when considering planning applications.

**Neighbourhood Development Plan (NDP)** – A plan for the neighbourhood area which is prepared by an authorised community group. The plan must be in general agreement with the overall plan for the local authority area and can include general planning policies and allocations for new development.

**The Planning Inspectorate** - The Planning Inspectorate is an executive agency of the Department for Communities and Local Government. It deals with planning appeals, national infrastructure planning applications, examination of local plans.

**Planning Performance Agreements** – Up front agreements between a developer and a local planning authority that set out all the information required and the timetable for delivering a decision on a large



application. They are an opportunity to establish a collaborative relationship based on good communication and regular exchange of information. This should allow a process to be agreed which allows the local planning authority to project plan the work needed to determine the application.

**Specific Consultation Bodies** – Organisations defined by The Town and Country Planning (Local Planning) (England) Regulations 2012 that are required to be consulted at key stages of plan production. They include neighbouring and parish councils, key service providers, Government departments and non-government organisations.

**Stakeholders** – A person or organisation with an interest or concern in something.

**Statement of Community Involvement (SCI)** – Outlines the approach of the authority to involving the community in preparing the Local Plan and planning applications.

**Supplementary Planning Documents (SPD)** – Documents that expand on policies and proposals in Development Plan Documents.

**Sustainability Appraisal (SA)** – An appraisal of the social, economic and environmental implications of a strategy, policies and proposals. The SA seeks to ensure that proposals contribute to the achievement of sustainable development.

**Tests of Soundness** – The tests outlined in the National Planning Policy Framework that DPDs are judged against.



|  |  |                           |
|--|--|---------------------------|
| <b>Title of Report</b>                     | <b>DISEWORTH VILLAGE DESIGN STATEMENT</b>  |                           |
| <b>Presented by</b>                        | Ian Nelson<br>Planning Policy Team Manager   |                           |
| <b>Background Papers</b>                   | <a href="#">Report to Cabinet – 9 June 2020</a>  | <b>Public Report:</b> Yes |
| <b>Financial Implications</b>              | The costs of consultation will be in terms of officer time as the consultation will be online. There are no financial implications otherwise.                        |                           |
|  | <b>Signed off by the Section 151 Officer:</b> Yes  |                           |
| <b>Legal Implications</b>                  | Legal considerations considered in the drafting of the report  |                           |
|  | <b>Signed off by the Deputy Monitoring Officer:</b> Yes  |                           |
| <b>Staffing and Corporate Implications</b> | There are none.  |                           |
|  | <b>Signed off by the Deputy Head of Paid Service:</b> Yes  |                           |
| <b>Purpose of Report</b>                   | To consider a request from Diseworth and Long Whatton Parish Council to adopt a revised Village Design Statement for Diseworth as a Supplementary Planning Document. |                           |
| <b>Recommendations</b>                     | <b>THAT LOCAL PLAN COMMITTEE AGREE TO UNDERTAKE CONSULTATION IN RESPECT OF THE REVISED DISEWORTH VILLAGE DESIGN STATEMENT.</b>                                       |                           |

## 1.0 BACKGROUND

- 1.1 The Diseworth Village Design Statement (“VDS”) was adopted by the District Council as Supplementary Planning Guidance on 3 April 2000.
- 1.2 Following the adoption of the Local Plan in November 2017 a report to Cabinet in January 2018 considered the issue of which existing Supplementary Planning Documents /Guidance should be retained. This involved assessing the various SPD/SPG against a number of criteria to help determine whether it was still relevant.
- 1.3 Following the decision of Cabinet in January 2018, the Diseworth and Long Whatton Parish Council were contacted to advise them of the need to consider reviewing the VDS if it was to be retained.
- 1.4 The Parish Council undertook a review of the VDS, updating and amending it as considered necessary (for example to take account of the adopted Local Plan and the National Planning Policy Framework).The proposed revised VDS was submitted to the Council with a request that it be approved as a SPD.
- 1.5 The revised VDS was considered by Cabinet at its meeting on 9 June 2020. The Cabinet report is attached as Appendix A and the proposed Village Design Statement is attached as Appendix B to this report.
- 1.6 Cabinet agreed to request this Committee to undertake consultation on the revised VDS, subject to this being done in a way that complies with the Council’s Statement of Community Involvement (SCI). Proposed changes to the SCI are considered in a separate report on this agenda. Subject to the proposed changes being agreed it is considered that a consultation can be undertaken which complies with the SCI.

| <b>Policies and other considerations, as appropriate</b> |  |
|--|--|
| Council Priorities:                                      | Our communities are safe, healthy and connected  |
| Policy Considerations:                                   | The draft revised VDS has been assessed against both the adopted Local Plan and the Council's Design SPD and is considered to comply with their provisions.  |
| Safeguarding:  | None identified  |
| Equalities/Diversity:                                    | An Equalities Impact Assessment will need to be undertaken before the revised VDS can be adopted as a SPD  |
| Customer Impact:   | The principal impact would be upon those submitting planning applications in Diseworth as they would need to take in to account the revised VDS.   |
| Economic and Social Impact:                              | The revised VDS has been prepared by the Parish Council with input from the local community. As such it represents the aspirations of the local community as to how future developments should look. |
| Environment and Climate Change:                          | The revised VDS seeks to ensure that the local environment is taken in to account when designing new developments  |
| Consultation/Community Engagement:                       | The draft revised VDS has been subject to consultation and if agreed by Cabinet and the Local Plan Committee will be then subject of further consultation.   |
| Risks:   | As outlined in the confidential Appendix B to this report  |
| Officer Contact  | Chris Elston<br>Head of Planning and Infrastructure<br><a href="mailto:chris.elston@nwleicestershire.gov.uk">chris.elston@nwleicestershire.gov.uk</a>  |

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – 9 JUNE 2020

|  |   |                              |
|--|---|------------------------------|
| <b>Title of Report</b>                     | <b>DISEWORTH VILLAGE DESIGN STATEMENT</b>   |                              |
| <b>Presented by</b>                        | Councillor Robert Ashman<br>01530 273762<br><a href="mailto:robert.ashman@nwleicestershire.gov.uk">robert.ashman@nwleicestershire.gov.uk</a>  |                              |
| <b>Background Papers</b>                   | <a href="#">Diseworth Village Design Statement</a>  | <b>Public Report:</b> Yes    |
|  | <a href="#">The Local Authorities (Functions and Responsibilities) (England) Regulations 2000</a><br><br><a href="#">The Town and Country Planning (Local Planning) (England) Regulations 2012</a><br><br><a href="#">Planning and Compulsory Purchase Act 2004</a><br><br><a href="#">Statement of Community Involvement</a> | <b>Key Decision:</b> Non-key |
| <b>Financial Implications</b>              | <b>The costs of consultation will be in terms of officer time as the consultation will be online. There are no financial implications otherwise.</b>  |                              |
|  | <b>Signed off by the Section 151 Officer:</b> Yes   |                              |
| <b>Legal Implications</b>                  | <b>Legal considerations considered in the drafting of the report</b>  |                              |
|  | <b>Signed off by the Monitoring Officer:</b> Yes  |                              |
| <b>Staffing and Corporate Implications</b> | <b>None identified</b>  |                              |
|  | <b>Signed off by the Head of Paid Service:</b> Yes  |                              |
| <b>Purpose of Report</b>                   | To consider a request from Diseworth and Long Whatton Parish Council to adopt a revised Village Design Statement for Diseworth as a Supplementary Planning Document.  |                              |
| <b>Reason for Decision</b>                 | The Preparation of Supplementary Planning Document is a Cabinet function  |                              |
| <b>Recommendations</b>                     | <b>THAT CABINET REQUEST THE LOCAL PLAN COMMITTEE TO AGREE TO UNDERTAKE CONSULTATION IN RESPECT OF THE REVISED DISEWORTH VILLAGE DESIGN STATEMENT SUBJECT TO BEING ABLE TO COMPLY WITH THE COUNCIL'S STATEMENT OF COMMUNITY INVOLVEMENT</b>  |                              |

## **1. BACKGROUND**

- 1.1 The Diseworth Village Design Statement was adopted by the District Council as Supplementary Planning Guidance on 3 April 2000.
- 1.2 Following the adoption of the Local Plan in November 2017 a report to Cabinet in January 2018 considered the issue of which existing Supplementary Planning Documents /Guidance should be retained. This involved assessing the various SPD/SPG against a number of criteria to help determine whether it was still relevant.
- 1.3 The Diseworth Village Design Statement was one of two Village Design Statements (the other being Appleby Magna) which it was considered needed to be reviewed if they were to continue to be retained.

## **2. WHAT IS A VILLAGE DESIGN STATEMENT?**

- 2.1 Village Design Statement (VDS) were introduced in the 1990's as a tool to be used by local communities as an expression of their aspirations for how future development should take in to account design matters.
- 2.2 Through the VDS process, local people can set out the pattern and shape of their settlement, landmarks and special features, distinctive features in design and local materials. VDS do not detail the type of development that a community wants in their area, nor do they focus on specific community projects. These goals are more appropriately pursued through neighbourhood plans or parish plans, respectively. The VDS is only concerned with the visual character of a village and how it might be protected or enhanced.
- 2.3 If a community can demonstrate that their VDS is compatible with the adopted Local Plan and has been produced with the involvement of the community and the appropriate statutory consultees, then the VDS can be adopted by the Council as a Supplementary Planning Document (SPD), which means it can be used when determining planning applications within the area to which the VDS applies.

## **3. REVIEW OF VDS**

- 3.1 Following the decision of Cabinet in January 2018, the Diseworth and Long Whatton Parish Council were contacted to advise them of the need to consider reviewing the VDS if it was to be retained.
- 3.2 An initial meeting took place with representatives of the Parish Council in March 2018 to discuss how a review could be conducted and what it needed to consider.
- 3.3 The Parish Council undertook a review of the VDS, updating and amending it as considered necessary (for example to take account of the adopted Local Plan and the National Planning Policy Framework).
- 3.4 It was agreed with the Parish Council that the revised VDS needed to be the subject of consultation before it could be submitted to the District Council. This consultation was undertaken between 28 May and 11 July 2019, facilitated via both the Parish Council website and the District Council's website. In addition, the District Council's database of contacts was used to consult with a range of stakeholders, including representatives of the development industry.
- 3.5 One response was received to the consultation. A number of changes were made to the draft VDS in light of these comments in order to ensure that the VDS was compatible with local and national policies.
- 3.6 The revised VDS was submitted to the Council with a request that it be approved as SPD. The draft VDS is attached at Appendix A of this report.

3.7 The VDS is considered to be compatible with the adopted Local Plan (for example, Policy D1 – Design of new development) and also the Council’s Design SPD, helping to provide a local dimension that these documents cannot do. In discussing the review, officers have also highlighted to the Parish Council where the previous VDS needed updating to reflect changes in national policies, particularly as the National Planning Policy Framework did not exist at the time that the previous version was prepared. These changes have been addressed by the Parish Council.

#### **4.0 PROCESS FOR ADOPTING AS A SUPPLEMENTARY PLANNING DOCUMENT**

4.1 Best practice for adopting VDS as SPD has historically required that any VDS be subject to consultation with the local community and stakeholders before being submitted to the Council for approval. Whilst this has happened in respect of the review of the Diseworth VDS, there have been changes in respect of both legislation and regulations which mean that it is not possible to move to adoption of the SPD at this stage.

4.2 Having taken legal advice, the legislative and regulatory requirements are:

- The adoption of an SPD is a Council function as per Schedule 4 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (“2000 Regulations”). Under the Council’s Constitution Local Plan Committee now has authority to adopt SPD’s.
- The formulation or preparation of a SPD, however, is an Executive function (Cabinet function) as it falls within Regulation 4(1)(c) of the 2000 Regulations.
- An SPD is a ‘local development document’ which neither the 2012 Regulations nor the Planning and Compulsory Purchase Act 2004 allows for a third party (in this case the Parish Council) to prepare and undertake consultation on behalf of the local authority. Reference within the legislation is only made to the local planning authority.

4.3 Put simply legislation does not allow the Council (which in accordance with the Council’s constitution means the Local Plan Committee) to adopt an SPD that it has not prepared or consulted on itself.

4.4 The legal advice has suggested that are two options open to the Council at this stage:

- Prepare the SPD itself and go out to consultation in accordance with the 2012 Regulations and the 2004 Act.
- Take the draft SPD prepared by the Parish Council to Cabinet recommending that the Local Plan Committee approve that the draft SPD go out to public consultation..

4.5 As noted above this situation has arisen due to changes in legislation and requirements since the previous VDS was approved by the Council as SPD. This is not unique to the Council, so a review of practice elsewhere has been undertaken. This review suggests that some authorities have simply adopted the VDS as SPD provided they have been subjected to some form of consultation by the group preparing the VDS as part of its preparation. However, a number of other authorities have, upon receipt of the VDS, undertaken their own consultation (irrespective of whether the group preparing it has previously undertaken consultation) before approving it.

4.6 The latter approach is similar to the first bullet point above at paragraph 4.4, other than the fact it is not the Local Planning Authority that has prepared the VDS, but rather the local community. This fact does represent a small risk, but the fact that the council would have carried out its own consultation would help to minimise this risk.

4.7 For the reasons outlined above it is recommended that the VDS be subject to consultation before consideration is given to adopting it as SPD. The process for this is considered in the next section of the report.

## 5.0 NEXT STEPS

5.1 In terms of governance, as noted at paragraph 4.2 above, formulation of an SPD, is an Executive function but adoption is a Council function which has been delegated to the Local Plan Committee.

5.2 Therefore, Cabinet are asked to request the Local Plan Committee to approve that the draft SPD go out to public consultation.

5.3 Following the public consultation a further report amending the draft SPD will then need to be brought back to Cabinet (amendments having been made pursuant to the consultation response) recommending that Local Plan Committee approve the revised draft SPD.

5.4 The next Local Plan Committee is scheduled to meet on 29 July 2020. Subject to the agreement of Cabinet, a report will be taken to that meeting seeking the approval of the Local Plan Committee to commence consultation as outlined above.

5.5 The Council's Statement of Community Involvement (SCI), sets out how the Council will consult on planning issues (including SPDs). This states "*Copies of the SPD will be made available for not less than 4 weeks at the Council offices and other defined places and on the Council's website.*"

5.6 Members will be aware that because of the current Covid-19 pandemic the Council Offices are not currently open to visiting members of the public. Therefore, it would not be possible to comply with the SCI. Undertaking a consultation without making a hard copy available at the Council Offices represents a potential risk that could result in a Judicial Review if the VDS was subsequently adopted as SPD. However, if the SCI is not changed then this could result in a significant delay to the adoption of the VDS

5.7 Therefore, before any consultation can be undertaken it will be necessary for the SCI to be amended in light of Covid-19. It is intended that a report making the necessary changes to the SCI will be considered at the 14 July 2020 meeting of Cabinet (i.e. before the meeting of Local Plan Committee). It will then be possible to commence consultation after the Local Plan Committee meeting on 29 July 2020.

| <b>Policies and other considerations, as appropriate</b> |  |
|--|--|
| Council Priorities:                                      | Our communities are safe, healthy and connected  |
| Policy Considerations:                                   | The draft VDS has been assessed against both the adopted Local Plan and the Council's Design SPD and is considered to comply with their provisions.  |
| Safeguarding:  | None identified  |
| Equalities/Diversity:                                    | An Equalities Impact Assessment will need to be undertaken before the VDS can be adopted as SPD  |
| Customer Impact:   | The principal impact would be upon those submitting planning applications in Diseworth as they would need to take in to account the VDS.   |
| Economic and Social Impact:                              | The VDS has been prepared by the Parish Council with input from the local community. As such it represents the aspirations of the local community as to how future developments should look. |
| Environment and Climate Change:                          | The VDS seeks to ensure that the local environment is taken in to account when designing new   |



|                                    |   |
|------------------------------------|---|
|                                    | developments  |
| Consultation/Community Engagement: | The draft VDS has been subject to consultation and if agreed by Cabinet and the Local Plan Committee will be ten subject of further consultation.     |
| Risks:                             | As outlined in the confidential Appendix B to this report   |
| Officer Contact                    | Chris Elston<br>Head of Planning and Infrastructure<br><a href="mailto:chris.elston@nwleicestershire.gov.uk">chris.elston@nwleicestershire.gov.uk</a> |

This page is intentionally left blank

## Diseworth Village Design Statement

*A Village Design Statement ("VDS") was prepared in 1998 and approved as a Supplementary Planning Document. However, following adoption of the new Local plan in November 2017, North West Leicestershire District Council considered that the VDS needed to be reviewed in view of its age. The VDS has been reviewed by the Parish Council and it was the subject of consultation between 28 May and 11 July 2019.*

### **What villagers like most about Diseworth**

When the original Village Design Statement was put together villagers were asked what they valued most about Diseworth as a place in which to live. They highlighted the following and we have no reason to suggest it's altered:

- The intimate scale of the village
- The relaxing environment
- The survival of the village as a working agricultural community
- Rural proximity - ease of access to open countryside
- The countryside setting viewed from surrounding hills
- The survival of many old buildings which emphasise the variety of vernacular architecture in the village

### **What villagers like least about Diseworth**

- Through traffic
- Encroachment on open land
- Landscape urbanisation - e.g. garden design with non-indigenous trees
- Background noise from outside the village from the airport, major road networks, day to day and race track.
- Pollution of various kinds, for instance of the brook, and from road and air traffic
- New houses which are out of scale with the older properties - so-called "executive" houses rather than "cottages"
- Large garages which are obtrusive (that is, in front of the houses they serve)

### **Preface**

This design statement tries to address these positive and negative features from a planning perspective. Planning matters can be addressed at two levels. There will be matters to be addressed through local and national planning and design statements. Diseworth is by no means the only village which faces the tensions caused by increases in traffic of all kinds; by the demand for large increases in housing in rural areas; or by the effects of economic changes, whereby agriculture requires a tiny workforce compared with the past, but still to a large extent determines the quality of the environment in which such villages are set.

National issues are set against the everyday requirement to make sound planning decisions which respect and reflect the architectural and environmental traditions of the area in general, and of Diseworth (in this instance) in particular. These are the responsibilities of our elected Councillors in the County and District Councils, and their respective officers.

There are expectations of villagers, to do with local feelings and influence. It is very hard, indeed probably quite inappropriate, for neighbours to approach a particular householder to criticise his or her choice of trees and shrubs to grow in the garden. Not everyone can be an expert on indigenous planting schemes, indeed so-called experts can themselves differ! But there are ways in which a culture of good practice can be established. The Local History Society, a Gardening Club. Open Garden events, displays and exhibitions, can all help people to be more aware of good practice, just as good Conservation exercises can help people to maintain and improve their existing buildings in a more appropriate and sympathetic way.

The people of Diseworth feel that there are detailed considerations that are particular to the character, needs and setting of their village, which have not been (indeed could not be) addressed in the District Council's Local Plan, and national planning policy documents.

The statement has been endorsed by Long Whatton and Diseworth Parish Council.

The purpose of the Village Design Statement (VDS) is to inform planning proposals and decisions so as to ensure the effective and successful management of change on whatever scale, and as such it sets out to provide guidance for those individuals and organisations seeking to initiate change and development in and around the village, by identifying good quality in both traditional and modern developments. It is intended to supplement with local detail the Local Plan, which was adopted by the local planning authority (North West Leicestershire District Council) in November 2017.

### **What is a village design statement?**

To this end the Statement sets out to explain the village in terms of its long history, and to articulate those features of the village that are seen by its residents as most attractive and distinctive, which deserve to be retained, and which together help to determine what is distinctive about Diseworth.

### **The Statement is addressed to:**

*developers, architects, designers, and builders*, to inform them of local views on design, materials and location of new and adapted buildings;  
*residents and landlords*, to offer guidance on sympathetic approaches to maintenance, alterations and extensions within the village;  
*the local planning authority*, providing local information and views to inform planning decisions which affect the village;  
*the Parish Council*, to inform the comments it makes on planning applications; *the local highways authority*, (Leicestershire County Council), to offer them local evidence and views which will inform their planning.

### **The importance of Village Design Statements**

In the past Village Design Statements have been successfully used as a tool to preserve the unique visual character of the village and surrounding area. A Village Design Statement aims to make sure that new development in the village respects the distinctive visual character of the place. Although planning policy says that the Planning Authority must respect the character of local surroundings when taking planning decisions, the hierarchical nature of the planning process can now be balanced by the increase in public involvement. The existence of a sound, well researched Village Design Statement is seen as an aid to improving the quality of planning decisions. As a small farming village, close to a major airport and with many links to major arterial roads it has survived with relatively little change, particularly in recent years. There is, however, a build-up of pressure on the road system and increasing expansions of the Airport and surrounding green field sites.

### **The context for Diseworth with reference to the Diseworth Conservation Area Appraisal and Study April 2001.**

[https://www.nwleics.gov.uk/files/documents/diseworth\\_conservation\\_area\\_appraisal\\_and\\_study/Diseworth%20Conservation%20Area%20Appraisal%20and%20Study.pdf](https://www.nwleics.gov.uk/files/documents/diseworth_conservation_area_appraisal_and_study/Diseworth%20Conservation%20Area%20Appraisal%20and%20Study.pdf)

#### **(i) The historical context**

While the Statement is about Diseworth as it is now, it is important to know how the village got here. Rural settlements have a logical setting concerned with trade and economy, security, geography and often religion. Diseworth is no different. Its origins can be traced to Saxon times, its location close to a Roman road, astride a brook, and on a gentle south-facing slope. Ownership has been vested in a variety of landowners in the past, including Langley Priory and Christ's College Cambridge, and two of its five working farms are still owned by the heirs to the Langley Priory estate. The pattern of employment has changed little since the Enclosures Act two hundred years ago - small farms with a mixture of arable, sheep, dairy and cattle breeding, and even the survival of smallholdings. The pattern of the village and its surrounding landscape has also changed little in those two hundred years. Although the number of houses has increased, particularly in the last thirty years, the shape of the settlement remains much as it was, and the landscape is also little altered, with a majority of hedgerows surviving, and the pattern of fields, established

then, still often apparent. The village itself, seen from the brows of its surrounding slopes, nestles comfortably in its little valley, displaying a charming and distinctive mixture of brick and stone, tiles and slate, trees and other greenery.

The stone was quarried locally for many years and may have been a primary reason for the site of the settlement. There is considerable evidence that a mediaeval manor house stood at the end of Hall Gate, not least the existence of high-quality dressed stone in a number of walls around the village! There have also been three brickworks in the village until fairly recently and their warm red, if somewhat soft, products, survive in many cottages and farm buildings. Earlier buildings provide some fine examples of vernacular domestic architecture, in the timber frames, including several cruck beams; the thatched roofs; the stone plinths to many houses; and the detail of brickwork, doorways and windows exemplified later.

The settlement pattern, around what is known as the Cross, where the four principal streets, or Gates, meet, has long since lost its main purpose. Grimes Gate formerly led over what is now the airport towards Castle Donington and Derby; Clements Gate led to Long Holden and towards Long Whatton, now divided by the embankment to the M1 motorway, while Lady Gate leads to Longmere Lane, now a track carried on a bridge over the A42. The fourth street, Hall Gate, led possibly to the old Hall, and certainly to a ford which in living memory was used as a sheep-wash; thence it joins the Belton Road, built along the line of the Roman road.

A fifth road of some age skirts the southern side of the village, known for no obvious reason as The Green - there is no village green extant. It does however provide a clear boundary to the built-up area on that side of the village to which there are very few exceptions.

Within the village is also a network of footpaths of historic significance, and mostly still well used today. They indicate for example patterns of employment - taking labourers to the mill, or to a farm. Recent road and housing developments have utilised these paths to link, for example, Page Lane and the Woodcroft to the older roads.

With a population of about 636 (2011 census) the village supports a range of organisations and activities. Principal among these is the Primary School, with about 60 pupils, of Church of England foundation, sited on the original location of the 1862 building. The church itself, with remains which have been dated back to Saxon times, is largely of the 17th century. There are also two chapels of contrasting architectural styles - a modest Baptist chapel on Lady Gate which is now the Heritage Centre and a more highly decorated Methodist Church dating from 1887, which is now a private dwelling. The Village Hall was built by local voluntary labour after the Second World War, and sits on about half a hectare of land. Within and beyond these buildings the village supports a surprisingly wide variety of clubs, societies and less formal organisations for all ages. There is a public house in Hall Gate, a building of some historic and architectural importance.

## **(ii) The modern context**

It would be hard to exaggerate the threat felt by Diseworth residents from their neighbours. The three large conurbations of Nottingham, Leicester and Derby provide employment for many, and ensure that shops and services such as hospitals and entertainment are easily available in both quantity and quality. The down side of this is that they need servicing by transport routes of all kinds, and the network that has grown up and continues to develop attracts commercial, industrial and housing developers looking for potential sites convenient for these conurbations and their communications networks. The history and traditions of a village such as Diseworth in a search may not often merit any special consideration from developers or their agents. Ancillary documents only provide guidance; they need telling and specific arguments to help planners ensure that change and development is appropriate in both scale and design.

Where large scale developments do take place within both sight and sound of the village, then protective measures which largely exist already - for example in the District Council's Local Plan - should be applied firmly and consistently. Otherwise developers, keen to build adjacent to the Airport or to the major road network which almost surrounds the village, will swamp Diseworth.

Village residents particularly value the countryside in which their village is set. The views from surrounding slopes display a village of working farms set in a traditional agricultural setting. Green spaces, whether farmland, smallholdings, playing fields or gardens, reach into the village and contribute to an exciting variety of colour and layout throughout the village. A number of houses were built on sizeable plots of land -

smallholdings, or orchards, for example. Unfortunately, several have now lost much of that land to infilling development, which is altering the open nature of the village settlement, and to its distinctive character. However, there are limited opportunities left. The network of footpaths which extend from the village into this countryside is well used by both residents and visitors. A good mixture of indigenous trees, including fruit trees, also contributes to the landscape although there is only one tree preservation order extant within the Conservation area. In specific places there are notable features: Hall Field, for example, provides evidence of the likely site of a mediaeval manor house, while there and elsewhere ridge and furrow has survived. This is a fine and largely well-preserved example of a post- enclosure agricultural settlement.

### **Recommendations**

Development should not be permitted that could adversely affect the setting of a listed building

The view of the local community is that it would wish to see the existing countryside around Diseworth protected against inappropriate development.

Infill development should be avoided where it would conflict with the character of the village and the particular site and its setting, including the other policies set out in this VDS.

### **The structure of the community**

Although the population of the village has varied widely, it is now no greater than it has been at several periods in the past. Smaller households, and several examples of two or three cottages being combined as one house, have been balanced by the building of many new houses this century - more than a third of the houses in the village have been built in the last thirty years or so. A mixture of good fortune and good planning has ensured that the shape of the village has remained largely unaltered, and most development has taken place on former pasture, smallholdings and orchards. A small amount of development can be characterised as in-filling - in gardens, or on the sites of former farm buildings, but open spaces are increasingly dwindling. In two or three places, farmland reaches close to the centre of the village: behind the church, for example, and to the north of Hall Gate. Both within and beyond the village's designated Conservation Area, a good number and variety of mature indigenous trees survive. Views within the village rarely include straight lines - the only largely straight road is Page Lane - so the characteristic style of many older buildings abutting on to the street never appears rigid or formal. The curve of Clements Gate is a good example.

Recent permissions have allowed some much larger houses to be built within the village, but most are on a modest scale; exceptions include the Church, which is a striking feature of many village views with its distinctive spire. There are also two fine farmhouses at Old Hall and Cross farms. Several rows of cottages have been converted into single houses of some size, but since they are built with their gable ends to the road, they do not appear out of scale.

### **Recommendations**

New housing should be of a varied type and size that reflects the existing character of the village.

The open character of the settlement should be maintained for example when plans for infilling or other development on greenfield sites within the village are being considered.

### **The character of the landscape setting**

Clustered around the modest broach spire of the church, the village presents charming views which are gradually disclosed to those approaching from any direction. Gentle ridges to the north and south, and to an extent the rising ground to east and west, help at least partly to hide both the sight and the sound of traffic both from the roads and from the airport.

**The farmland** surrounding the village is much as it was following the Enclosures Act of 1794. Few hedgerows have been lost since that time, and until recently, pasture land predominated, although some ridge and furrow has been lost to the recent growth in arable farming. There has been however considerable loss of woodland.

**Diseworth Brook** and its small tributaries are a characteristic feature of the village. Several farms were built beside them in the past. Nowadays many houses benefit from the brook skirting, or sometimes crossing, their garden. Elsewhere many houses relied until recently on spring-fed wells, and a number of

these springs pass under Clements Gate, for example, and thence into Diseworth Brook.

**Fields**, including playing fields and smallholdings, continue to provide significant green spaces within the village; some gardens incorporate former farmland or smallholdings and extend to around a hectare, and many houses benefit from views over open countryside. This close relationship between housing and green spaces represents an important and striking feature of Diseworth.

The mixes of building materials, of architectural styles and of layouts, together also form a distinctive feature of the village. Prominent among the clusters are the farm buildings, particularly at Old Hall Farm, which provide an impressive introduction to the northern approach from Mill Hill, and at Cross Farm, next to the church. The mixture of local stone and brick is paralleled by the mix of pantiles, Staffordshire tiles and slate, often more than one material per house. The remaining thatched roofs, as on Lilly's Cottage at the Cross, add to the mix.

### **Recommendations**

New houses should continue to offer a variety of size and style, rather than offering uniform groups of houses. They should also reflect as far as possible the range of materials seen in the village.

New development should as far as possible not diminish the balance between buildings and green space, particularly within the Conservation Area.

The brook and its feeder streams need to be seen as a safe and distinctive feature of the village environment.

### **Buildings and spaces within the village**

Twenty two buildings are listed as being of historical or architectural importance. Two of these are listed as grade 2\*. These are the Anglican Church, and Lilly's Cottage. The others include several farm buildings - for example three of the farm buildings at Old Hall Farm as well as the farmhouse.

Buildings in Diseworth are generally modest in scale, and are historically characterised by their use of local materials. Their variety reflects both their age and their purposeful design: until recently every building was designed to support village life and work. This is most apparent in the farms, a number of which continue to function. The other trades in the village are also often still apparent in the surviving buildings. Much employment in the years following enclosure was connected with the hosiery trade, and some cottages had an extra, third storey for use as a workshop.

Several buildings have functioned at some time as shops, or as the village bakery. There were for some time three brickworks in the village, and evidence of two survives. Other buildings offer evidence of the usual village trades - the builder, the joiner, the blacksmith, the carter.

A few buildings are elaborately constructed. Lilly's cottage displays more sophisticated joinery than most of that found in the village; Old Hall farmhouse uses what is for Diseworth an unusual mix of stone and elaborately patterned brickwork; the gabling at Cross farmhouse is most distinctive, while the corbelled brickwork on many gable ends is also characteristic.

Most houses in the village are more modest in both size and construction. Several have been enlarged by knocking two or three cottages together. Many older houses present their gable ends to the street, and this pattern helps to create an intimate atmosphere, enhanced by the relatively narrow roadways, mostly with footpaths on one side only. This pattern is not repeated in the newer roads such as Brookside and The Woodcroft, where houses are set back in their gardens.

Good examples survive of the different periods of vernacular architecture. The cruck beam used in mediaeval building can be seen in several houses, such as Hallstead, Lilly's Cottage and the Old Forge, as well as in farm buildings at Old Hall Farm.

These certainly include examples dating back to the fourteenth century. Many later houses using box frame construction survive, such as 50 Hall Gate, which has a plaque dated 1692, but this probably commemorates the date of renovation, not of the original building. Such timber framing continued after 1700, first with brick infill, and later with brick cladding, until well into the nineteenth century when brick became the principal structural material.

Throughout these periods most buildings used stone for a plinth, sometimes good quality dressed stone, but more often undressed. This was usually the local marl from seams on which the village is built.

Roofing materials were originally of mainly local material - thatch of course, of which some good examples survive; slate, Staffordshire tiles, and clay pantiles of which some were made locally and some imported from Holland. A number of buildings display an interesting mix of these materials. Window openings in brick are frequently characterised by shallow segmented arches, a feature which a number of modern houses have pleasingly adopted. Other attempts in newer buildings to adopt traditional design features such as timber framing and stone plinths are less successful since they are not structural, nor can the proportions of new houses be the same - for instance, regulations govern the height of ceilings, or the size of window openings. In general the houses built in the last thirty years or so have used sympathetic materials on walls and roofs and avoided the flamboyance of many recent housing developments elsewhere.

Of the listed buildings in the village, one or two are in disrepair, but many have been sympathetically and carefully maintained and restored.

### **Recommendations**

New buildings must be in keeping with the older ones in the village:

- they should be appropriate in scale
- they should be constructed from appropriate materials, to harmonize with traditional materials; the use of reclaimed materials should be encouraged only if they are appropriate to the vernacular style of the village
- where groups of houses are being built there should be a variety in both the size and the style of houses within the group
- garages should not be the most prominent feature of a property when viewed from the road
- Design details - such as windows, doorways, roofline and pitches - should wherever possible reflect sympathetically that of the traditional buildings of the village. It is recognised that modern building requirements such as Building Regulations help to determine, for example, ceiling heights and window sizes, but there are a number of modern houses in the village which have shown that this does not prevent development being sympathetic in both scale and detail.

### **Highways and traffic**

Originally a farming village, with farms both in the village itself and in outlying parts of the Parish, its character has changed little until very recently, and it remains essentially agricultural. Much housing now provides accommodation for those working in nearby conurbations, and at the airport, but little economic activity has been introduced within the village. The pattern of roads has thus changed little in the parish and still reflects its agricultural origins. Roadways connect the village to its farmland and to the nearby market towns. Some roads have not been metalled, but remain substantial tracks which show their earlier importance: Hyams Lane, Green Lane and Long Holden are examples.

Of course, on the Parish boundaries there are three major trunk roads, and the airport has obliterated the original route to Castle Donington. The M1 and A42 are sources of noise and impair certain views from the village, but it is the A453 and the airport with its large industrial warehouses including DHL and UPS, which generate traffic whose routes and volume conflict with the local use of more minor roads. Although there are both speed restrictions and weight limits on the roads though the village, residents are concerned that their enforcement is infrequent. Highways isn't a role within a Parish Council remit, however, will continue to urge the highway authority to consider appropriate traffic calming measures. In addition, a degree of support from local firms is needed to ensure that the roads are not having excessive demands made upon them

Certain key points are of particular concern: on Grimes Gate outside the school and further down at the Cross, where visibility is restricted; on The Green, where the speed limit is too often broken. The roads, in their scale and layout, reflect the history of the village, and would be very difficult to upgrade (if that were believed to be an option) because of the proximity of so many buildings to the road.

Problems are further exacerbated within the village by inconsiderate airport user parking and cars waiting to pick up passengers i.e. Taxis.

Parking inconsiderately often causes obstructions to emergency, farm and delivery vehicles.



## **Recommendations**

There should be more constructive efforts made to ensure that traffic is only that appropriate to the roads as they are at present or can be mitigated for through the scope of that planning application.

Traffic calming measures should be introduced as early as possible, particularly on Lady Gate and Grimes Gate, where through traffic to and from the Airport is increasing rapidly, particularly of light freight vehicles. In the Village Appraisal survey, road markings were the most popular form of traffic calming, and there was some concern that some other measures might create difficulties for farm vehicles, but it is clear that systems that require enforcement in order to be effective (such as the present speed limits) will not be successful given the present level of policing available.

Although the Parish Council doesn't have the power regarding traffic calming, it will continue to work with Leicestershire County Council to seek implementation of better signage e.g. Flashing Light Signs.

## **References**

Much valuable information has been taken from "Diseworth Today and Tomorrow" - the appraisal report issued in 1998.

## **Acknowledgements**

North West Leicestershire District Council  
Long Whatton & Diseworth Parish Council

Practical Support has come from many sources, in particular the Rural Community Council, District Council Planning Officers (especially Ian Nelson) and the training and materials provided by the Countryside Commission (now the Countryside Agency).

The energy and practical support of dozens of villagers is of course the single most valuable resource we had to call on. Village walks, consultation and planning days, the final consultative exhibition, all have been excellently attended and every contribution has been valued. Well over 150 photographs were contributed by over thirty people.

This page is intentionally left blank