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Meeting	LOCAL PLAN COMMITTEE
Time/Day/Date	6.00 pm on Thursday, 10 December 2020
Location	Remote meeting using Microsoft Teams
Officer to contact	Democratic Services 01530 454512

AGENDA

Item		Pages
1	APOLOGIES FOR ABSENCE	
2	DECLARATION OF INTERESTS	
	Under the Code of Conduct members are reminded that in declaring disclosable interests you should make clear the nature of that interest and whether it is pecuniary or non-pecuniary.	
3	PUBLIC QUESTION AND ANSWER SESSION	
	To receive questions from members of the public under rule no.10 of the Council Procedure Rules.	
4	MINUTES	
	To confirm and sign the minutes of the meeting held on 15 October 2020.	3 - 8
5	LOCAL PLAN OBJECTIVES	
	Report of the Head of Planning and Infrastructure	9 - 14
6	LOCAL PLAN UPDATE	
	Head of Planning and Infrastructure	15 - 22
7	CONSULTATION RESPONSE TO LEICESTER CITY LOCAL PLAN	
	Report of the Head of Planning and Infrastructure	23 - 28

Circulation:

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

MINUTES of a meeting of the LOCAL PLAN COMMITTEE held in the Remote meeting using Microsoft Teams on THURSDAY, 15 OCTOBER 2020

Present: Councillor J Bridges (Chairman)

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

In Attendance: Councillors D Everitt, R Ashman and M D Hay

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

14 APOLOGIES FOR ABSENCE

There were no apologies.

15 DECLARATION OF INTERESTS

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

Councillor D Harrison declared a non-pecuniary interest in item 5 - Planning for the Future White Paper - Response to Consultation, as a member of Leicestershire County Council, through which he had taken part in discussions about the paper.

16 PUBLIC QUESTION AND ANSWER SESSION

There were no questions received.

17 MINUTES

Consideration was given to the minutes of the meeting held on 24 September 2020.

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

RESOLVED THAT:

The minutes of the meeting held on the 24 September 2020 be approved and signed by the Chairman as a correct record.

18 PLANNING FOR THE FUTURE WHITE PAPER - RESPONSE TO CONSULTATION

The Planning Policy Team Manager presented the report to members. He presented each of the three pillars set out in the consultation document one by one taking questions after each one.

Pillar 1: Planning for development

The Planning Policy Team Manager advised that a member had raised a question prior to the meeting about the response to question 5, in relation to areas designated as one of three categories. The member had raised concerns about the wording of the second paragraph and after discussions, officers agreed that a slight change to the wording was required. Therefore it was proposed that an amendment be made so that the paragraph reads:-

“Such an approach also does not provide sufficient flexibility to deal with changing circumstances. For example, if an area is identified as being Protected but a major proposal arises for the creation of a significant number of new and well paid jobs as a result of inwards investment, and the Council representing the local community wished to support it, then such a proposal could not be supported. The wording at page 29 of the White Paper suggests some development might be permissible in Protected areas. If this is what is intended, how is this different to the current approach? “

The member in question thanked Mr Nelson for the slight change of wording, even though in his opinion it was not 100% satisfactory, he was happy to support the proposed responses. The member raised concerns about the the amount of flexibility suggested within the White Paper in respect of Protected areas. He felt that the authority should not find itself back in the situation that it had found itself in with the current Local Plan where there were too many caveats in relation to the protection of the countryside.

The Planning Policy Team Manager understood these concerns and highlighted that page 29 of the White Paper seemed to suggest that some development would still be permissible, although further clarity was required from Government.

Thanks were conveyed to Mr Nelson for addressing the concerns that had been received and for the excellent responses that had been provided to the 25 questions. He accepted that planning legislation needed updating but noted that there was countrywide concern over the White Paper. He felt that the paper put the developer first and hoped that the final consideration of the changes did not get put back. He hoped that following all the hard work of the officers, Cabinet would support the response to be submitted to Whitehall and that Whitehall would take note of the responses and work across the political parties to develop a planning act fit for the 21st Century.

A member noted that there was no inclusion in the paper about nature accessible green spaces in the new proposed Growth or Renewal areas and that wildlife was the foundation of nature. It was further noted that the paper sought to abolish the legal duty of care. The member queried, how safe was the Hugglescote and Donington-le-Heath Neighbourhood Plan was without the duty to co-operate?

The Planning Policy Team Manager advised that he did not think that the abolishment of the legal duty of care would make any difference to the Neighbourhood Plan, as such plans were prepared under their own separate pieces of legislation.

Members reiterated their support in relation to the robust responses that the officers had provided. They felt that the White Paper, as proposed, had not addressed all of the issues and Responses from other external professional planning groups, who were in opposition to the paper was also highlighted. Members noted the response to question 7b and felt that it was an ideal opportunity to add that the authority was in favour of high level strategic plans, and that without these plans it would be difficult to resolve cross boundary issues. It was asked if some wording could be added about the general support for increased regional planning strategies.

The Planning Policy Team Manager advised that if the committee was minded to support the inclusion of wording that referred to the need for wider strategic planning he would be happy to add something to the response.

The proposals were supported by the committee.

Pillar 2: Planning for beautiful and sustainable places.

There were no comments from the committee.

Pillar 3: Planning for infrastructure and connected places.

A member felt that the responses were fair and honest, but noted that the 3rd pillar was the most difficult to understand. Concerns were expressed over developers who backtracked on their S106 responsibilities after permission had been granted and it was felt that the White Paper did not address this issue. The same member highlighted that under the current Government proposals local authorities and private infrastructure providers would have to first borrow money to put services/infrastructure in place, whilst waiting for the developer to pay the monies secured pursuant to the development. The member urged all members to lobby the LGA to respond to Government to ask how local authorities and service providers would reclaim their funds if the developer subsequently went into liquidation.

A member praised the response to question 22a in relation to the proposed levy and viability, as it was felt that there were significant issues that had been picked up within the response. It was felt that developers should not pay more for the land being purchased than necessary so that future requirements including the provision of infrastructure could be met. Member's hoped that the Government would listen to the response.

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

RESOLVED THAT:

The Committee recommends that Cabinet responds to the consultation in respect of the Planning for the Future White Paper as set out in sections 3 to 5 of the report, subject to the following amendments:-

1. The second paragraph of question 5 be amended to state:
 "Such an approach also does not provide sufficient flexibility to deal with changing circumstances. For example, if an area is identified as being Protected but a major proposal arises for the creation of a significant number of new and well paid jobs as a result of inwards investment, and the Council representing the local community wished to support it, then such a proposal could not be supported. The wording at page 29 of the White Paper suggest some development might be permissible in Protected areas. If this is what is intended, how is this different to the current approach? "

And

2. At the end of question 7b the following be inserted:
 "It is also suggested that cross boundary issues could be best addressed through some form of formal strategic planning (i.e. greater than local authority level)."

19 POTENTIAL STRATEGIC SITES INFRASTRUCTURE STUDY

The Chairman advised that he had received a request to speak from Councillor M Hay and invited him to address the committee.

Councillor M Hay addressed the committee advising that his ward covered one of the proposed development sites. He praised officers for the report and was impressed with the level of detail that had gone into the work, especially around infrastructure, which he felt was a lynchpin for the style of development addressed in the report. He acknowledged that more housing was needed and the infrastructure requirements to support it, but urged officers to take into consideration the quality of life for both the new and existing residents within the area. He highlighted that any new development in the north of the district had to work, as if not it would have a knock- on effect on the existing amenities and traffic in the

Castle Donington Wards. He added that it had to be done correctly not only for residents now, but those in the future.

The Chairman thanked Councillor M Hay for his comments and asked him to put them in writing to the officers so that they were able to provide responses.

The Planning Policy Team Manager presented the report to members.

It was noted that some members supported a new settlement in principal but felt that it should be a new settlement, not a settlement bolted on to an existing community. It was considered that lessons needed to be learnt in relation to the lack of concern from the developers in relation to the Grange Road sites over the impact to existing residents of Hugglescote's quality of life from the bolt on development. It was requested that the terminology 'quality of life' be included in responses and ensured that the Council learns from these experiences.

One member felt that the main issues that needed to be taken into account were the experiences and problems that had arisen within the Hugglescote ward in relation to the South East Coalville developments, and that infrastructure needed to be put in before development commenced. It was asked whether the flightpath of aircraft going over the sites listed was considered when the study was carried out?

The Planning Policy Team Manager advised that it was looked at and the view was that these matters would be dealt with through development management systems or local plan policies. Therefore, at that stage, air and noise issues would not prohibit development.

Members were pleased that officers were carrying out the work and acknowledged that self-contained new settlements would be needed rather than bolting on to existing communities, without the necessary infrastructure first being in place. It was asked if officers could advise why the inspector had turned down the sites in Essex and whether the work already undertaken by the council had given them confidence that the authority would not face the outcome as that in Essex. Reference was made to the junction close to site D where it was felt that the infrastructure could be improved.

The Planning Policy Team Manager advised that the reasons the sites had been turned down in Essex were because the inspectors were not convinced that the developments would be deliverable due to their size. As a result officers began thinking about the proposals and trying to fill in any gaps as early as possible.

A member advised that he was pleased that information had been sought on the site that he had put forward, however he noted that external support could be sought and he would be happy to meet officers to discuss. He asked that the proposal be moved forward. He stated that he would be happy to work with a fellow councillor whose concerns he shared.

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

RESOLVED THAT:

- (I) The outcome from the infrastructure study and landscape sensitivity appraisal be noted;
- (II) None of the four sites identified in the report are to be discounted at this time be noted; and

(III) The intention to develop options for a potential future development strategy be noted.

Councillor M B Wyatt left the meeting at 6.45pm

Councillor T Saffell left the meeting at 7.07pm.

The meeting commenced at 6.00 pm

The Chairman closed the meeting at 7.07 pm

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Title of Report	LOCAL PLAN REVIEW: DRAFT OBJECTIVE 4 – SUSTAINABLE TRANSPORT	
Presented by	Ian Nelson Planning Policy Team Manager	
Background Papers	National Planning Policy Framework Sustainability Appraisal Scoping Report 2020 Council Delivery Plan Leicester and Leicestershire Strategic Growth Plan	Public Report: Yes
Financial Implications	The cost of the substantive Local Plan Review is met through existing budgets.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	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.	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	No staffing implications associated with the specific content of this report. Links with the Council's Priorities are set out at the end of the report.	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	This report provides the Committee with revised proposed wording for the draft Local Plan Objective concerning sustainable transport.	
Recommendations	THAT LOCAL PLAN COMMITTEE NOTES THE REVISED WORDING OF DRAFT OBJECTIVE 4 AT PARAGRAPH 1.8 FOR INCLUSION IN THE NEXT CONSULTATION STAGE OF THE SUBSTANTIVE LOCAL PLAN REVIEW.	

1. BACKGROUND

- 1.1 The Substantive Local Plan Review will contain a set of objectives which 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 Over the past months, draft objectives have been considered at meetings of Cabinet (23 July and 20 October) and this Committee (29 July). The last outstanding matter which Cabinet considered at its October meeting was the wording of Objective 4 which concerns sustainable transport. The relevant passages from the October Cabinet report are reproduced in italics below.

- 1.3 *"The Local Plan Committee met on 29th July 2020. Agreement was reached on 10 of the 11 objectives but Objective 4, which is concerned with sustainable transport, was not agreed. At the meeting, Cllr Legrys put forward specific revised wording for this objective.*
- 1.4 *The original wording for Objective 4 was as follows;*
- "4 - Reduce the need to travel and increase opportunities for cycling, walking and public transport use."*
- 1.5 *Cllr Legrys' proposed the following;*
- "4 - The Local Plan Review to plan for*
- specific off-highway walking and cycling routes within NWL*
 - with particular consideration made to safeguard land for the provision of segregated off-highway walking/cycling routes to and from employment growth areas*
 - and an overall focus on the improvement of inter-community off-highway interconnectivity."*
- 1.6 *This amendment was not agreed and officers were asked to work with Councillor Legrys and Councillor Bridges (as chair of the Local Plan Committee) to find alternative wording. This would enable the themes from Councillor's Legrys' amendment to be reflected using wording which better matched the tone and overarching nature of the other 10 objectives.*
- 1.7 *The themes in the Councillor Legrys amendment can be summarised as*
- Delivery of infrastructure*
 - Connectivity; and*
 - Safety*
- 1.8 *In respect of safety, this issue is already addressed in Objective 3 in the context of high quality development and does not to be further repeated in Objective 4. The following revised wording picks up the remaining two themes;*
- "4 - Reduce the need to travel and increase opportunities for cycling, walking and public transport use, including connecting homes, workplaces and facilities and through the delivery of dedicated new infrastructure.*
- 1.9 *Cllr Legrys has indicated to officers that he finds this proposed wording acceptable."*
- 1.10 Cabinet's decision was to request that this Committee note the revised wording of Draft Objective 4 [above] for inclusion in the next public consultation stage of the Substantive Local Plan Review. Cabinet's decision is reflected in this report's recommendation to this Committee.
- 1.11 Subject to the Committee's decision, the agreed set of draft Objectives (Appendix 1) 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.

Policies and other considerations, as appropriate	
Council Priorities:	A Local Plan objective on sustainable transport will have particular relevance for the following Council Priorities: <ul style="list-style-type: none"> - Our communities are safe, healthy and connected - Developing a clean and green district
Policy Considerations:	Adopted Local Plan 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 01530 454677 ian.nelson@nwleicestershire.gov.uk

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APPENDIX 1 – List of draft Objectives

- 1 - Enable the health and wellbeing of the district's population.
- 2 – Ensure 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, work and travel.
- 4 - Reduce the need to travel and increase opportunities for cycling, walking and public transport use, including connecting homes, workplaces and facilities and through the delivery of dedicated new infrastructure.
- 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 - Ensure 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.

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Title of Report	LOCAL PLAN REVIEWS – UPDATE	
Presented by	Ian Nelson Planning Policy Team Manager	
Background Papers	Local Plan Partial Review – proposed main modifications National Planning Policy Framework Strategic Housing and Economic Land Availability Assessment 2019	Public Report: Yes
Financial Implications	The cost of the review is met from existing budgets which are reviewed as part of the annual budget setting process.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	Legal implications considered in the preparation of this report	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	None identified	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	To provide an update for Members in respect of the Local Plan reviews.	
Recommendations	THAT LOCAL PLAN COMMITTEE: (I) NOTES THE PROGRESS ON THE LOCAL PLAN PARTIAL REVIEW; (II) NOTES THE SUGGESTED TIMETABLE FOR THE SUBSTANTIVE REVIEW; (III) AGREES TO UPDATING THE LOCAL DEVELOPMENT SCHEME WHEN THERE IS GREATER CLARITY IN RESPECT OF THE TIMETABLE FOR THE STATEMENT OF COMMON GROUND TO BE AGREED BY ALL OF THE LEICESTER AND LEICESTERSHIRE AUTHORITIES; (IV) AGREES TO TESTING THE FOUR GROWTH OPTIONS SET OUT AFTER PARAGRAPH 3.25 OF THE REPORT ; AND (V) NOTES THE PROPOSALS TO DEVELOP THE EVIDENCE BASE	

1 INTRODUCTION

- 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. THE PARTIAL REVIEW

Modifications

- 2.1 The hearing sessions at the Examination concluded on 17 September 2020. It should be noted that the Examination itself is ongoing until such time as the Inspector submits her final report to the Council.
- 2.2 At the end of the hearing session officers were requested by the Inspector to prepare a number of main modifications that arose from the various discussion which took place at the hearing sessions. These were drafted and agreed with both the Portfolio Holder for Planning and Regeneration and the Inspector and they were also subject to an updated Sustainability Appraisal Report.
- 2.3 The Inspector asked the Council to undertake consultation on these main modifications. This was without prejudice to the Inspector's ultimate conclusions and recommendations on the Local Plan. The proposed main modifications were published for a 6-week consultation period starting on 30 November 2020. The consultation closes on 10 January 2021.
- 2.4 In addition to the main modifications and the accompanying Sustainability Appraisal Report, a number of minor modifications were also published. These largely seek to update the document, avoid duplication and improve clarity and presentation. They do not alter the overall impact of the Local Plan, change its direction or affect the substance or soundness of the document. The minor modifications have not been assessed through the Sustainability Appraisal and will not be considered by the Inspector as they are not relevant to her final report.

Next steps

- 2.5 Following the close of the consultation officers will need to go through the responses and prepare a schedule for the Inspector which addresses any comments made. The Inspector will need to decide in the light of comments received whether the next steps will be; preparation and submission of her final report to the Council, the publication of further modifications or further hearing sessions.
- 2.6 In the event that the Inspector recommends that the revised Local Plan can be adopted this will then be subject to a report to Council for adoption.

3 THE SUBSTANTIVE REVIEW

Timetable for review

- 3.1 Following the completion of the hearing sessions and the publication of the proposed modifications as outlined above, there is now a clearer direction of travel for the Substantive Review.
- 3.2 The proposed modifications require submission of the Substantive Review to the Secretary of State within 18 months of whichever is the earliest of:
 - a Statement of Common Ground being agreed; or
 - 21 May 2021
- 3.3 The Statement of Common Ground (SoCG) will deal with the issue of the redistribution of unmet need from Leicester City. The proposed modifications make clear that the SoCG will be taken to be agreed when all of the respective authorities have signed it off. Work on the SoCG is proceeding with a view to getting the agreement of the Leicester and Leicestershire Housing Market area wide Member Advisory Group (MAG). Once it has been agreed by MAG it will be necessary for each individual authority to sign off its agreement to the SoCG.

- 3.4 There is no firm timetable for the agreement of the SoCG, but it is considered unlikely that this would happen before the end of February 2021 at the earliest.
- 3.5 On the basis of the proposed modifications this would require submission of the Substantive Review by end of August 2022.
- 3.6 If a SoCG is not agreed or slips significantly, then submission of the Substantive Review would be required by 21 November 2022 (i.e. 18 months on from 21 May 2021). This date accords with the requirement for local plans to be reviewed every five years (i.e. the Local Plan was adopted on 21 November 2017).
- 3.7 When there is greater clarity regarding the timetable for the agreement of the SoCG then a revision will be made to the Council's Local Development Scheme. However, at this stage it is suggested that a required submission date of end of August 2022 be assumed.
- 3.8 Such a timetable is very challenging. In particular, there is still significant uncertainty regarding future housing and employment requirements and also any implications arising from any changes to the planning system which the government may proceed with following the recent consultations on planning reform, including revisions to the standard method used to calculate housing requirements.

The Development Strategy

- 3.9 The National Planning Policy Framework (NPPF) requires that plans should “*set out an overall strategy for the pattern, scale and quality of development and make sufficient provision for:*
a) *housing (including affordable housing), employment, retail, leisure and other commercial development ...*”.
- 3.10 Therefore, a key part of the local plan preparation process is to set out a development strategy that identifies both:
 - the overall amount of new development that needs to be provided for, principally housing and employment, and
 - where this development should go.
- 3.11 There is no single right approach, but to satisfy the test of soundness it must be (NPPF paragraph 35) “*an appropriate strategy, taking in to account the reasonable alternatives, and based on proportionate evidence*”.
- 3.12 The consideration of “reasonable alternatives” is a key task of the Sustainability Appraisal (SA) process. The issue of “reasonable alternatives” has been the subject of a number of legal challenges and judgements in recent years. These highlight that any alternatives that are to be tested need to be ‘reasonable’ but that it is not necessary to test all possible options.
- 3.13 There is an intrinsic link between the quantum of development that needs to be accommodated and any “reasonable “alternatives. For example, if there is a small requirement (say 1,000 dwellings) having an option for a new settlement of 5,000 dwellings could be considered unreasonable; it is clearly in excess of any requirements and so would raise serious concerns regarding its sustainability credentials (other aspects notwithstanding).
- 3.14 Any future development strategy options need to consider the following two elements:
 - how much development is to be provided for; and
 - where should development be located.
- 3.15 The latter aspect links to the issue of a settlement hierarchy to guide future development.

Amount of housing development to be provided for

- 3.16 There is still uncertainty regarding the overall scale of development which may need to be provided for. This is because whilst the government has published its proposed changes to the standard method, these have yet to be confirmed. Recent statements in the planning press suggest that the government are going to make further changes to the standard method. The Housing Minister recently stated that *"The present methodology doesn't provide the numbers of homes that we need and in some areas affordability is low. We will bring forward our final recalculation of housing need as soon as we can. But I would say that numbers being bandied around by Lichfields and other experts are entirely speculative."*
- 3.17 The reference to Lichfields refers to the generally accepted estimate of needs based on the proposed changes to the standard method which for North West Leicestershire is 1,153 dwellings per annum.
- 3.18 In a further announcement The Ministry of Housing, Communities and Local Government (MHCLG) has confirmed reports that the government is to revise its proposed new standard housing need method to "rebalance" the so-called 'algorithm' *"so that more homes are built in urban areas, particularly in the Midlands and the North"*.
- 3.19 The above suggests, therefore, that further changes to the housing requirement can be anticipated. In addition, the possible redistribution of unmet need from Leicester City has yet to be resolved. However, it would not be appropriate to wait until these matters are resolved before pressing ahead with the review.
- 3.20 The government has yet to amend the Planning Practice Guidance in respect of undertaking Housing and economic needs assessment to refer to the 2018-based household projections; it still refers to the 2014-based projections. Notwithstanding this, it is considered that at this time it would be prudent to assume that the government will (whatever changes are made to the standard method) confirm that the 2018-based household projections are to be used, as these are the most up-to-date projections available.
- 3.21 In terms of the local need (i.e. that specific to North West Leicestershire); three scenarios are suggested for testing as set out below:

Scenario	Annual Amount	Source
Low	672	Standard Method not revised with 2018 based household projections with cap
Medium	910	Standard Method not revised with 2018 based household projections without cap
High 1	1,153	Standard Method revised with 2018 based household projections

- 3.22 These all take account of the 2018-based household projections as these are the latest projections, but the low and medium scenarios are based on the current standard method with and without the cap respectively, whilst the high scenario is based on the suggested revised standard method upon which the government recently consulted. For the reasons set out at paragraph 3.20 none of these scenarios are based on the 2014-based household projections. By way of comparison, the 2014-based projections produce a requirement of 379-dwellings each year.
- 3.23 A further scenario (High 2) is suggested which seeks to take account of the issue of unmet need from Leicester City. As noted above, work is currently taking place to address this matter and so there is not currently a definitive figure available. Therefore, it is suggested

that at this time it would be appropriate to build in an assumed additional proportion of growth. A figure of 20% above the High 1 scenario is suggested.

Scenario	Annual Amount	Source
High 2	1,384	Standard Method revised with 2018 based household projections plus 20% to account for taking unmet need from Leicester City

3.24 In the event that the proposed changes to the standard method are confirmed by the government then it is understood that Leicester City would no longer have an unmet need and so the High 2 scenario would no longer be considered to be reasonable. However, it would not be prudent to delete this scenario at this time.

3.25 Taking the annual figures set out above and assuming a plan period of 2020-39, the following overall requirements would arise.

Scenario	Annual Amount (a)	Number of plan years (b)	Total Requirement 2020-39 (a x b)
Low	672	19	12,768
Medium	910	19	17,290
High 1	1,153	19	21,907
High 2	1,384	19	26,296

3.26 To put these figures in to context, as at April 2020 it is estimated that there were 46,295 dwellings in the district (Housing Flows Reconciliation Return form MHCLG, 2020). The above requirements would result in an increase in the number of dwellings of between about 28% and 57%. By way of comparison, using the 2014-based projections the total requirement would be 7,201, an increase of 15.5%.

3.27 It will be appreciated that we are not starting with a blank sheet of paper; a significant amount of new housing development is already committed, whether it has the benefit of planning permission or is an allocation in the adopted Local Plan. Using the figures in the latest housing trajectory (April 2020 based) up to 2031, (the end date of the adopted Local Plan) it is estimated that 6,702 dwellings will be completed. A number of the larger developments (e.g. South-East Coalville) will not be completed until after 2031. When these are taken in to account as well, the total number of dwellings which it is projected will be built by 2039 is 8,784. When this is deducted from the requirements in the various scenarios the following shortfall in provision results.

Scenario	Annual Amount	Total Requirement 2020-39	Total projected provision	Shortfall
Low	672	12,768	8,784	3,984
Medium	910	17,290	8,784	8,506
High 1	1,153	21,907	8,784	13,123
High 2	1,384	26,296	8,784	17,512

3.28 It is the shortfall that the Substantive Review will need to make specific provision for. Should the government confirm its proposed changes to the standard method, then this would mean High 1 scenario as a minimum. If the 2014-based household projections were to be used then there would not be a shortfall in provision.

3.29 There is a clear need to push ahead with the Substantive Review. Waiting for a final decision from government in respect of the standard method and the household projections is not an option, particularly in view of the already challenging timetable.

- 3.30 Therefore, at this time it is recommended that the four growth scenarios outlined above be taken forward for testing as part of the Sustainability Appraisal process.
- 3.31 Whatever the final requirement, it will be necessary to demonstrate that it is deliverable over the plan period. An initial assessment has been undertaken of the theoretical capacity based on the 2019 Strategic Housing and Economic Land Availability Assessment (SHELAA).
- 3.32 Taking account of sites which are now commitments (and therefore include in the projected provision figures above), this identifies that there is a theoretical capacity of 21,500 dwellings. This is more than any of the above requirements, but this figure needs to be treated with a degree of caution for a number of reasons:
- The SHELAA methodology agreed by the Leicester and Leicestershire authorities only allows for sites to be excluded in exceptional circumstances (e.g. a site is in flood zone 3b). There may be technical reasons why some sites would not be considered appropriate
 - Some of the sites are in unsustainable locations
 - The concentration of development in certain settlements would be unlikely to be sustainable
- 3.33 To ensure that all possible development sites have been considered a further call for sites was issued in September 2020. This generated a further 40+ housing sites. Officers have started the process of assessing these with a view to having an updated SHELAA available for early 2021.
- 3.34 In addition to the SHELAA update, officers are currently assessing the potential housing capacity from a variety of other sources of sites so as to provide as comprehensive an evidence base as possible. Again, the aim is to get this completed in early 2021.

Amount of employment land to be provided for

- 3.35 There are a number of pieces of evidence being developed which will inform the employment land requirements to be addressed as part of the Substantive Review.
- 3.36 Members will recall that a study was commissioned to advise about likely future employment land requirements. Initial findings were made available to officers in the early summer, but with the advent of the covid-19 pandemic and its possible economic consequences it was decided to suspend this work until new economic forecasts were available. In the light of the publication of new economic forecasts, this work has been picked up again and a final report is anticipated shortly.
- 3.37 Members will also be aware that a Leicester and Leicestershire wide strategic distribution study was commissioned on behalf of all the Leicester and Leicestershire authorities. This is close to being finalised after which it will be considered by both the Strategic Planning Group and the Member Advisory Group.
- 3.38 Finally, a separate study looking at the likely demand for start-up business units has been commissioned and is close to being finalised.
- 3.39 In view of the above, at this time it is not possible to advise as to what the future employment land requirements are likely to be. However, the outcome from all of the studies outlined above will be reported to a future meeting of this Committee.
- 3.40 As noted, a further call for sites has been issued. This has generated a further 10 additional employment sites which will need to be assessed.

The Settlement Hierarchy

- 3.41 As with the amount of development, it will be necessary to consider reasonable alternatives for how new growth might be distributed across the district.
- 3.42 The adopted Local Plan establishes a settlement hierarchy (Policy S2) to direct development to the most appropriate locations. The settlement hierarchy has proved to be an effective tool and has been supported at appeal. Whilst, the settlement hierarchy will have to be reviewed, it is considered that it is unlikely that many significant changes are required. However, there may be a need for some 'tweaks', such as the possible inclusion of a new settlement category.
- 3.43 The settlement hierarchy can then be combined with the different growth scenarios outlined above to derive a series of potential distributions of development. Officers have begun to consider what such reasonable alternatives might be and are in discussion with our appointed sustainability appraisal consultants to better understand how different options might be assessed. The intention is to bring a further report to this Committee early in 2021 when these options have been further developed, with a view to testing these through public consultation.
- 3.44 The intention is to develop these options and then present a report to a future meeting of this Committee before embarking on a round of consultation in respect of the options.

Evidence Base

- 3.45 The consultation referred to above will form part of the evidence base to show the evolution of the development strategy. However, consultation responses alone will not be sufficient to justify whatever development strategy is eventually chosen.
- 3.46 As noted earlier, it will be necessary to demonstrate that whatever strategy is put forward will be deliverable. Whilst (as outlined earlier) there appears to be sufficient sites (and dwellings) identified in the SHELAA to meet the various scenarios for housing growth, this is very much a theoretical capacity.
- 3.47 Deliverability has a number of facets to it:
- Is the amount of development likely to be supported by the market?
 - Will the development be able to deliver the necessary infrastructure to support the increase in households and people?
 - Will development be viable?
- 3.48 The answer to all 3 of these needs to be positive.
- 3.49 To be able to answer these questions the following high-level evidence is proposed:
- Engage consultants to consider the ability of the market to deliver various scales of growth, not just district wide but also at the more local (i.e. settlement) level. This local element is important because in the SHELAA there are a number of areas where there is a significant concentration of sites within a relatively small area and so there is a need to understand whether such a concentration in development would be likely to be supported by the market.
 - Undertake work to understand at a settlement level what the infrastructure implications may be for key public infrastructure such as health, education and public utilities.
 - In the light of the above, engage consultants to advise on the viability implications of the development strategy options.
- 3.50 In addition to the above, there will be a need to undertake transport modelling to assess the development strategy options, principally (although not exclusively) to feed in to the Sustainability Appraisal of options.

Policies and other considerations, as appropriate	
Council Priorities:	Our communities are safe, healthy and connected Local people live in high quality, affordable homes Supporting businesses and helping people into local jobs 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.
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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LOCAL PLAN COMMITTEE – WEDNESDAY, 10 DECEMBER 2020



Title of Report	CITY OF LEICESTER LOCAL PLAN 2020 to 2036 – DRAFT PLAN FOR CONSULTATION	
Presented by	Ian Nelson Planning Policy Team Manager	
Background Papers	City of Leicester Local Plan 2020 to 2036 – Draft Plan for Consultation (March 2020) The Leicester and Leicestershire Strategic Growth Plan National Planning Policy Framework	Public Report: Yes
Financial Implications	None identified	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	The Council is a consultee and any comments it makes will need to be taken into account by Leicester City Council as part of the process for preparing a further iteration of the Local Plan. If necessary, the District Council's comments could be considered as part of the subsequent Local Plan Examination	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	None identified	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	The purpose of this report is to advise Members of comments submitted in response to consultations in respect of the draft Leicester Local Plan and to seek formal approval of these.	
Recommendations	THAT: (I) LEICESTER CITY COUNCIL BE THANKED FOR CONSULTING THIS COUNCIL ON ITS DRAFT LOCAL PLAN; AND (II) THE RECOMMENDATIONS AT PARAGRAPHS 2.3, 2.12, 2.19 AND 2.25 OF THIS REPORT BE AGREED AS THE DISTRICT COUNCIL'S RESPONSE TO THE DRAFT CITY OF LEICESTER LOCAL PLAN.	

1.0 BACKGROUND

- 1.1 The Leicester Core Strategy was adopted in June 2014 and covers the period up to 2026.
- 1.2 In accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, Leicester City Council recently issued a Draft Local Plan for Consultation ('the Draft Plan') which sets out the vision and objectives for growth of the city between 2020 and 2036. It will eventually replace the adopted 2014 Core Strategy and the remaining saved local plan policies from the 2006 City of Leicester Local Plan. The

consultation document can be viewed at: <https://consultations.leicester.gov.uk/sec/draft-local-plan/>.

- 1.3 The Draft Plan is accompanied by a new Local Development Scheme (October 2020), which anticipates consultation on the Pre-Submission Local Plan (Regulation 19) between July and August 2021; submission of the Plan to the Secretary of State in November 2021; and adoption of the Plan in August 2022.
- 1.4 Most of the matters raised in the consultation are matters for local consideration. The following report concentrates upon those matters that are of strategic significance.
- 1.5 The Draft Plan consultation closed on 7 December 2020. As this was before a meeting of this committee, officers submitted comments following discussion with the Portfolio Holder for Infrastructure and Planning but on the understanding that they were subject to being agreed by this committee.

2.0 KEY MATTERS

Plan period

- 2.1 The proposed plan period is 2020 to 2036. However, Policy SL01, which sets out a strategy for the location of new development, calculates the city's housing need over the 2019 to 2036 period.

Comment

- 2.2 In order to anticipate and respond to long-term requirements and opportunities, the National Planning Policy Framework (NPPF) requires strategic policies to look ahead at least 15 years from adoption (paragraph 22). Strategic policies include those relating to the amount of development to be provided for. The City Council's current timetable envisages Local Plan adoption in August 2022, meaning in NPPF terms it would not plan ahead for a sufficient time period. Furthermore, it does not allow for any unanticipated slippage in the programme. This is something that Leicester City Council will need to reflect upon and they may need to adapt the plan period accordingly.

Recommendation

- 2.3 That Leicester City Council be advised that: a) a longer plan period should be considered in order to be consistent with the NPPF and b) the plan period should be consistent across all areas of the plan.

Future development needs

Housing

- 2.4 Draft Policy SL01 states the city's housing need over the plan period is 29,104 dwellings (1,712 dwellings per annum). This is based upon a plan period of 2019 to 2036 (17 years) which, as noted above, is inconsistent with the 2020 to 2036 plan period stated elsewhere. The housing need figure has been calculated in accordance with the government's standard method, using the ONS 2014-based household projections as a baseline.
- 2.5 Chapter 5 of the Draft Plan provides more detail on how the need for new homes will be met. It concludes that a total of 21,362 homes can be delivered within the city boundary. This leaves an 'unmet need' of 7,742 homes to be met elsewhere in the Housing Market Area. The issue of how the unmet need will be distributed will form part of a Statement of Common Ground between the Leicester and Leicestershire authorities, which, in due course will also inform the North West Leicestershire Local Plan Substantive Review.

- 2.6 The table below (adapted from Table 1 of the Draft Plan) summarises how the city anticipates meeting its housing requirement.

Component	Dwellings
Housing Need 2019-36 (Standard Method 2019)	29,104 (1,712 dwellings per annum)
Commitments major developments detailed permissions and outlines	9,827
Small sites allowance/windfalls based on past rate	2,550 (150dpa based on past delivery rate)
Allocations identified in the draft plan	1,486
City centre capacity work	4,905
Strategic sites	2,594
Total capacity within the city	21,362
Remainder to be accommodated within the HMA	7,742

- 2.7 This anticipated supply includes the allocation of five strategic sites to deliver 2,594 new homes:

- Policy SL02: Western Park Golf Course (466 homes)
- Policy SL03: Land to the east of Ashton Green (660 homes)
- Policy SL04: Land north of the A46 Bypass (611 homes)
- Policy SL05: Land west of Anstey Lane (325 homes)
- Policy SL06: General Hospital Site (532 homes)

- 2.8 At Appendix 1 of the Draft Plan, a housing trajectory is included, which estimates when the 21,362 homes in the city boundary will be delivered. It is limited to the categories of 'Non-Central Development Area Sites', 'Windfall', 'Central Development Area' and 'Commitments'

Comment

- 2.9 Since the preparation of the Draft Plan, the government has published the 2018-based household projections and has consulted on proposed changes to the standard method. It is understood that if these changes were brought forward, the City Council's unmet need for housing would be substantially lower or may not exist.
- 2.10 Given the advice on 1 October 2020 from the government's Chief Planner to continue with the preparation of Local Plans (rather than await the outcome of any changes to the standard method), it is agreed that the stated housing need of 1,712 dwellings per annum is the most appropriate figure as it is consistent with the current methodology in the National Planning Practice Guidance (NPPG).
- 2.11 With regards to the proposed supply within the city boundary:
- It is not entirely clear from the supporting information how sites have been selected for development and whether there are any sites which have been discounted at this stage;
 - The information included in the housing trajectory is somewhat limited and inconsistent with the categories at Table 1;
 - The windfall allowance of 150dpa has been determined using historic delivery rates, which is a reasonable approach. However, the City Council has acknowledged that this figure will need to be reviewed, having regard to matters such as the scope for new permitted development and changes of use; the implications of new draft Local Plan policies on tall buildings, density, space standards, conversion of houses to flats; and the potential future spatial distribution of windfall development.

- It is also noted that a windfall allowance is included within the first three years of the housing trajectory (where there is a risk of double counting committed extant planning permissions);
- When describing what will be provided at the strategic allocations, the number of dwellings is given as a precise figure (as opposed to a minimum or approximate figure).

Recommendations

2.12 The following actions are recommended:

- To acknowledge the housing need figure of 1,712 dwellings per annum as being the most appropriate figure at the present time;
- To acknowledge the unmet need figure of 7,742 dwellings but to advise that the City Council's stated capacity of 21,362 dwellings is likely to require further evidence and justification;
- To acknowledge that the issue of unmet need will be subject to further discussion and negotiation between the Leicester and Leicestershire authorities and will be documented in a forthcoming Statement of Common Ground.
- To highlight that further iterations of the Plan may need to be revised to account for a) any changes to the standard method that may be announced by the government and b) the most up-to-date baseline data;
- In order to demonstrate that the proposals are appropriate given the reasonable alternatives, to advise that the Regulation 19 consultation should provide greater detail on the site selection process (including assessments of any discounted sites);
- In order to demonstrate that the Plan is deliverable, to advise that future iterations of the housing trajectory should project the delivery of homes on a site-by-site basis. The City Council should ensure that the Plan is supported by a supply of specific, deliverable sites for years one to five of the plan period and specific, developable sites or broad locations for growth, for years 6-10 and where possible, for years 11-15 of the plan (as specified by NPPF paragraph 67);
- That the level of development currently proposed through windfall is acknowledged and the proposed review of this figure ahead of the Regulation 19 consultation is welcomed. The City Council will also need to be satisfied that it is not double counting extant permissions by including a windfall allowance in the first three years of its trajectory;
- To recommend that the projected number of dwellings in site allocation policies are more flexibly worded, e.g. 'a minimum of/around' 466 homes' as opposed to a definitive figure.

Employment

2.13 Policy SL01 is underpinned by the City Council's 2017 Employment Land Study and identifies the following employment land requirements for Leicester up to 2031:

- 45,000 sqm of offices;
- 45ha of light/general industry and small-scale storage and distribution; and
- strategic distribution uses not provided within the city boundary.

2.14 The Draft Plan states that the delivery of offices needs to be the top priority for the City Centre. Elsewhere, it is proposed that light/general industry and small-scale storage and distribution is primarily directed to Western Park (20.5ha); Beaumont Park (8.8ha) and East of Ashton Green (4.9ha). The existing Ashton Green consent will deliver 5ha and two further small sites will deliver a combined total of 4.8ha. This totals 44ha.

2.16 Since Policy SL01 was drafted in March 2020, it is understood that the City Council (informed by further evidence base work) has an increased employment land need of 67ha and is therefore unable to accommodate 23ha of its employment land needs within the city boundaries (its 'unmet employment land need'). As with housing, the question of how the unmet need will be distributed elsewhere in the county will form part of a

Statement of Common Ground, which, in due course will also inform the North West Leicestershire Local Plan Substantive Review.

Comment

- 2.17 In light of the evidence base update, the implications of COVID-19 and recent changes to the Use Classes Order, it would be appropriate for the City Council to consider whether the Draft Plan and its evidence base should be revisited and redrafted with regards to employment land.
- 2.18 The City Council's employment land needs are anticipated to increase as a result of the latest Economic Development Needs Assessment. This will need to be confirmed, along with the City Council's unmet employment land need figure as part of the Regulation 19 Plan.

Recommendations

- 2.19 The following actions are recommended:
- To acknowledge the Draft Plan's current position on employment land, but that the Plan will need to be updated to reflect the most up-to-date evidence on employment need and should explicitly state the City Council's unmet employment land figure;
 - That the Draft Plan's position is likely to be impacted by COVID-19 and changes to the Use Classes Order, which will need to be factored into the Plan;
 - To acknowledge that the issue of unmet need will be subject to further discussion and negotiation between the Leicester and Leicestershire authorities and will be documented in a forthcoming Statement of Common Ground.

Gypsies and Travellers

- 2.20 The Leicester City and Leicestershire Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA) was published in May 2017 in order address the government's requirement for local authorities to set pitch and plot targets for permanent and transit accommodation needs (Planning Policy for Gypsy and Traveller Sites, 2015). Leicester City Council has prepared an Addendum Report (September 2019) to the 2017 GTAA in order to inform the Local Plan. This does not currently appear to be on the Council's evidence base webpage.
- 2.21 At paragraph 5.61, the Draft Plan expresses a need for seven permanent gypsy and traveller pitches (up to 2036), a minimum of 12 transit caravan spaces and two additional travelling showpeople plots (over 10 years). Compared to the 2017 GTAA the need for gypsy and traveller pitches has increased by one pitch and the need for travelling and showpeople plots has increased by two plots. The need for transit provision is the same as identified in the 2017 GTAA.
- 2.22 It is proposed that the need for seven gypsy and traveller pitches will be provided as part of the Western Park allocation (Policy SL02). Policy Ho12: Gypsy Traveller and Travelling Showpeople proposes a permissive, criteria-based policy which will be applied to all applications for gypsy, traveller and travelling showpeople sites, including temporary stopping places and transit sites.

Comment

- 2.23 It is agreed that a review of the GTAA was necessary so that the Local Plan is supported by an up-to-date evidence base.
- 2.24 Whilst a potential site is identified to accommodate the need for permanent pitches, no sites are identified to meet the needs of travelling showpeople or transit needs. In addition, it is not clear why the supporting text makes reference to a need for two

showpeople plots being required in the next 10 years, whereas Table 4 states a need for three plots up to 2036.

Recommendations

- 2.25 That the findings of the GTAA Addendum be noted, but with the request that the document should be made available to view on the City Council's website. In order to conform with the government's Planning Policy for Gypsy and Traveller Sites, the City Council should give consideration as to whether specific sites for transit and travelling showpeople should be identified, and if not provide a clear justification as to why a criteria based policy is appropriate. In addition, the Plan should provide more clarity on the required number of plots for travelling showpeople.

Policies and other considerations, as appropriate	
Council Priorities:	None
Policy Considerations:	None
Safeguarding:	No issues identified
Equalities/Diversity:	No issues identified
Customer Impact:	No issues identified
Economic and Social Impact:	No issues identified
Environment and Climate Change:	The potential impact of proposed development upon parts of the district are highlighted in the report
Consultation/Community Engagement:	None
Risks:	The District Council is a consultee on the City of Leicester Draft Local Plan. It is important that the District Council engage in the process to ensure that any concerns are raised to protect the Council's interests.
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