MINUTES of a meeting of the LOCAL PLAN COMMITTEE held in the Council Chamber, Council Offices, Whitwick Road, Coalville - Public are encouraged to view the live stream of the meeting on WEDNESDAY, 7 JULY 2021

Present: Councillor J Bridges (Chairman)

Councillors K Merrie MBE, D Bigby, D Everitt, J Hoult, J Legrys, R L Morris, A C Saffell and N Smith

In Attendance: Councillors

Officers: Mr C Colvin, Mr C Elston, Ms S Grant, Mr I Nelson and Mrs R Wallace

The Chairman reminded Members that they were not being asked to approve anything in its final form, only to note or approve for subsequent public consultation. In relation to the consultation, Members would have the opportunity in the future to discuss the exact wording of policies. The Chairman also referred to the public questions received in relation to potential sites as identified in the SHELAA which was discussed at the previous meetings and responses had been provided. Members were reminded that there would be no debate on the merits of any particular sites as this could compromise the decision making in the future.

## 8 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R Boam and Councillor M B Wyatt.

## 9 DECLARATION OF INTERESTS

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

Councillor K Merrie declared a non-pecuniary interest in item 3 – Public Question and answer session as a Leicestershire County Councillor for Coalville South and a District Ward Member for Ellistown and Battleflat, areas which fall under the public question received.

Councillors D Bigby, J Hoult, J Legrys, R Morris, A C Saffell and N Smith declared that they had been lobbied in relation to item 3 – Public Question and Answer Session but still had an open mind.

## 10 PUBLIC QUESTION AND ANSWER SESSION

The following questions were submitted to the Committee and responses provided.

**QUESTION FROM MR D PICKERING**

‘Do you know there is a nature reserve close to the edge of the proposed c85 site at Donington-le-heath where Barn owls, kingfishers, otters, and migrating birds of prey including osprey use yes or no?’

**RESPONSE**

Yes, we are aware of this.

Kelham Bridge lies under 100m from C85 (at its nearest point, the main body of the site is over 200m).Kelham Bridge is a Local Wildlife Site managed by the Leicestershire and Rutland Wildlife Trust (LRWT).

The LCC Ecologist was consulted on C85 as a potential development site. They confirmed that C85 itself is not an ecological designation, but it does contain several potential Biodiversity Action Plan habitats: hedges, ponds, a small river, trees and scrub woodland along the former railway to the south. The site is considered to have potential for badgers. There is also potential for aquatic mammals/crayfish along the River Sence and Great Crested Newts just off-site to the north and also within a pond on site. Further survey work would be needed or mitigation or to enter into a Great Crested Newt District Level Licencing Scheme. The site would require a Phase 1 Survey as well as further survey work to assess the ecological potential of the site with respect to badgers, and otter, water vole and crayfish. It was also recommended that hedgerows are retained with a 5m buffer of natural vegetation to the retained hedgerows (outside of gardens). These comments are noted in the SHELAA assessment.

It should be noted that the LCC Ecologist did not comment on the site's proximity to Kelham Bridge.

**QUESTION FROM MR R MADDISON**

'Is the Local Plan Committee aware of the difficulties and implications of burying the 400kV cables that currently run over C85?'

**RESPONSE**

'Overhead cables cross the SW corner of C85. This was not flagged as a constraint by the agent. Generally, in such circumstances, a developer may choose not to build on that part of the site and to ensure development is offset by an appropriate and safe distance. They may also opt to place the cables underground, the cost of which will be factored into the developer's viability assessment of the site.'

**QUESTION FROM MS F PICKERING**

'Will Oak tree Gardens be used to gain access to e85, yes or no?'

**RESPONSE**

Oak Tree Gardens does not adjoin C8. Therefore, a direct access to C85 from Oak Tree Gardens is not possible.

**QUESTION FROM MR W JENNINGS**

With reference to the potential addition of C85.

'What is the considered traffic implications for this scheme on surrounding roads. We refer to additional traffic through Ravenstone, Ellistown and along Ashburton Road in particular the Hugest crossroads which are already known to be over capacity'

**RESPONSE**

The Highways Authority was consulted on C85. As SHELAA requires only a red line boundary of the proposed site to be submitted the Highway Authority are only able to provide high level comments on the suitability of the site in terms of potential highway issues that may arise if the site was developed. In this instance the Highways Authority acknowledge that any development proposals in or around Donington-le-Heath are likely to have significant transport impacts on Coalville and the A511 corridor, and as such proportionate contributions should be sought towards emerging transport

strategies/scheme packages for these areas to ensure that the cumulative impacts of development on these areas/corridors are addressed.

The Highways Authority also note that the main access routes for traffic to/from the site (including between the site and Coalville town centre) would involve passing through Hugglescote Crossroads and/or the double mini roundabouts in the centre of Ellistown, which are longstanding pinch points on the local highway network.

**QUESTION FROM MS S ASTILL**

'Are you aware that the agricultural land in C85 and E9 is high grade farmland?'

**RESPONSE**

Both the Natural England regional records and the agent state that C85 is Grade 2, thereby comprising Best and Most Versatile (BMV) agricultural land.

E9 (and E7) is shown on the Natural England regional records to be Grade 3. The regional records do not distinguish between Grade 3a (BMV) and 3b, so further evidence would be required to ascertain if the site constitutes BMV agricultural land.

**QUESTION FROM MS E PARSONS**

'Considering the Lanes in Donington le Heath are single track with limited footpaths, what are the proposed vehicle access and emergency vehicle access routes for C85?'

**RESPONSE**

At this stage the site is only being promoted for development and there are not any exact details of the proposed vehicular access.

**QUESTION FROM MR S RICE**

'Are you aware the primary and secondary school placements within the parish are currently oversubscribed and a number of local children are unable to get into their nearest school?'

**RESPONSE**

Through liaison with the education authority, the Council is aware of ongoing issues. In preparing the Local Plan account will be taken of the impact upon school provision.

For his supplementary question, Mr Rice referred to the fact that officers were already aware of the school placement issues, therefore he asked what urgency would be placed on education and was it going to be prioritised above the building of more homes.

A formal response would be provided to Mr Rice outside of the meeting.

## 11 MINUTES

Consideration was given to the minutes of the meeting held on 26 May 2021.

It was moved by Councillor J Legrys, seconded by Councillor A C Saffell and

RESOLVED THAT:

The minutes of the meeting held on 26 May 2021 be approved as a correct record.

## 12 WAREHOUSING AND LOGISTICS IN LEICESTER AND LEICESTERSHIRE: MANAGING GROWTH AND CHANGE (APRIL 2021)

The Principal Planning Policy Officer presented the report to Members.

In relation to the rail served need, a Member suggested that this be carefully monitored as it was believed that a great deal could be fulfilled by potential National Distribution centre in Hinckley. A comment was also made regarding the none rail sites, as the consultants report stated that these sites were not needed until 2031 because there was already enough available. As Local Plans are to be revised every five years, the Member felt there was no need to allocate any none rail serve sites at this point. The Planning Policy Team Manager explained that although the Local Plan would be revised every five years, the plan did cover a period up to 2039, therefore it could not be ignored. The provision would need to be made but would not come forward until the right time.

A Member shared their disappointment that the ongoing Freeport discussions were not mentioned within the report as although it was not yet finalised it was something that would have an impact once agreed. It was recognised that there was a reliance on the Hinckley and Bosworth Borough Council sites, which were strongly opposed by local residents and politicians, , officers were asked if the allocation decision would be taken locally or nationally.

Comments were also made in respect of the great deal of uncertainty of growth due to factors out of our control, therefore officers were asked how the uncertainty would be addressed when assessing the sites.

It was agreed for the Planning Policy Team Manager to respond to the questions in writing outside of the meeting.

A Member requested a briefing on this issue before it was brought back to Committee to allow further discussion on uncertainties. All agreed.

It was moved by Councillor J Legrys, seconded by Councillor K Merrie and

RESOVLED THAT:

1) The findings of the Warehousing and Logistics Study (2021) which would form part of the evidence base for the substantive local plan review be noted.

2) The next steps as set out in the report be noted.

## 13 LOCAL PLAN REVIEW - RENEWABLE AND LOW CARBON ENERGY

The Planning Policy Team Manager presented the report and referred Members to the amended recommendations set out in the update sheet due to an error in the original report.

Members acknowledged the work undertaken by officers to date and recognised that this was the start of a long journey to make the District greener and more efficient.

In relation to the preferred options as part of the public consultation, a Member felt that the approach of listing the preferred options could seem too leading. In response, the Planning Policy Team Manager explained that the intention was to list the options as preferred at this time as they were based on the information currently available. It was

noted that the process had yet to commence but it was made clear that the approach may have to be changed going forward as more information became available.

Members welcomed the fabric first approach to minimise the need for energy consumption, but reference was made to the current Planning Bill going through parliament and concerns were raised that officers could be setting a target that was moving and therefore unachievable or possibly contradictory to the Planning Bill. The Chairman acknowledged that targets were moving but felt it was important to include it to keep control. The Planning Policy Team Manager agreed and added that if a plan was submitted that went over and above legislation then there was a risk that it could be found to be unsound. A further comment was made on the potential policy wording for the fabric first approach as it was felt that there would be a temptation for developers to install cheaper systems which were expensive to run. Officers were asked to look at the wording and a suggestion was made to add a note to discourage the installation of electric storage heaters. The Planning Policy Team Manager agreed to investigate this further.

A Member queried the inclusion of paragraph 2g in the potential policy wording at appendix 1, as it did not seem to be included in the NPPF. The wording was taken from current policy and did not seem achievable. The Planning Policy Team Manager explained that along with the NPPF, there was also a Ministerial Statement to consider, and this paragraph was most likely from that. In relation to the Ministerial Statement, officers were asked that due to the statement being made in 2016, was it necessary for paragraph 2(g) and 3(a) of the potential policy wording to be included in the Local Plan. The Planning Policy Team Manager explained that it was a fact that the Ministerial Statement was still in place and although it was made some years ago, it could not be ignored.

In relation to the Carbon offset fund, although still in its early stages, a Member felt that that the options were very binary and it was important to look at this in more detail going forward to allow carbon rates to improve. It was suggested that officers look at how the carbon price was set and to make it clear in the consultation how the Council were planning to set it. The Planning Policy Team Manager agreed with the comments made and that the carbon price setting would need to be considered if the Council decided to go down the route of a carbon offset fund.

A reference was made to the last paragraph of the potential policy wording for reducing carbon emissions at appendix 2 as it seemed to be advocating a 100 percent requirement for energy generation to match consumption which was very ambitious. It was suggested that officers look at making the wording clearer. It was also highlighted that there was no reference to the consultant's recommendation for a Local Development Order for retrospective installation of carbon energy efficiency measures to existing houses, officers were asked if this was under consideration. The Planning Policy Team Manager reported that a request had been submitted to the consultants in relation to the resources and cost required for that piece of work but had not yet received a response. Members would be kept informed of the progress.

In response to a concern from a Member in relation to the complexity of the subject matter and the importance of making it easy to understand for the public consultation, the Planning Policy Team Manager stated that he would bear it in mind and work with the communications team on the matter.

For clarity, the recommendations as amended in the additional papers were read out in full before they were put to the vote.

It was moved by Councillor K Merrie, seconded by Councillor J Hoult and

RESOLVED THAT:

The potential policy options for –

a) Renewable Energy (as set out in paragraphs 3.22 – 3.23 of the report)
b) Energy Efficiency (as set out in paragraphs 4.17 – 4.18 of the report)
c) Reducing Carbon Emissions (as set out in paragraphs 5.8 – 5.10; 5.18 – 5.20; 5.28 – 5.30 and 5.39 – 5.40 of the report)
d) Water Efficiency (as set out in paragraphs 6.4 – 6.5 of the report)

be agreed for inclusion in the next consultation stage of the Local Plan.

## 14 LOCAL PLAN REVIEW - HEALTH AND WELLBEING POLICY

The Planning Policy Team Manager presented the report to Members.

Members welcomed the work undertaken by officers and following discussion they were more minded to include a Health and Wellbeing Policy as per option two rather than to not have one at all.

Some concern was raised in relation to the possible restriction on policy requirements for small and medium sized developers as large developers could use this route to avoid the building of affordable housing. The Planning Policy Team Manager agreed that this could be an issue but there was a requirement to support small and medium sized developers. He added that an alternative approach could be taken to define these developers such as number of dwellings or size of the site rather than the annual turnover, however major developers did build on smaller sites which would go against what was trying to be achieved.

In response to a comment from a Member, the Planning Policy Team Manager explained that the aim of the health impact assessments would be demonstrate that developments had the provision of cycle, pedestrian and open spaces and other factors which helped to make a development healthy from the perspective of future residents, but gathering the information could be more difficult as evidence would be required as a baseline. It was essential for the assessment to be meaningful. Members agreed that the detail was important and there was a need for an overarching policy so that it could be used successfully at Planning Committee when considering planning applications.

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

RESOLVED THAT:

The potential policy options for –

a) A Health and Wellbeing Policy; and
b) A Health and Wellbeing Assessment Policy

be agreed for inclusion in the next consultation stage of the Local Plan.

Councillor D Everitt entered the meeting at 6.30pm.

The meeting commenced at 6.00 pm

The Chairman closed the meeting at 7.25 pm