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Meeting	<b>LOCAL PLAN COMMITTEE</b>
Time/Day/Date	6.00 pm on Wednesday, 26 January 2022
Location	Council Chamber, Council Offices, Coalville
Officer to contact	Democratic Services 01530 454512

### AGENDA

Item		Pages
<b>1</b>	<b>APOLOGIES FOR ABSENCE</b>	
<b>2</b>	<b>DECLARATION OF INTERESTS</b>	
	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.	
<b>3</b>	<b>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</b>	<b>MINUTES</b>	
	To confirm and sign the minutes of the meeting held on 9 December 2021	<b>3 - 6</b>
<b>5</b>	<b>ELECTRIC VEHICLE CHARGE POINTS</b>	
	Report of the Head of Planning and Infrastructure	<b>7 - 12</b>
<b>6</b>	<b>RATCLIFFE-ON-SOAR POWER STATION PROPOSED LOCAL DEVELOPMENT ORDER</b>	
	Report of the Head of Planning and Infrastructure	<b>13 - 18</b>
<b>7</b>	<b>PLANNING POLICY UPDATE</b>	
	Report of the Head of Planning and Infrastructure	<b>19 - 24</b>

Circulation:

Councillor J Bridges (Chairman)  
Councillor R L Morris (Deputy Chairman)  
Councillor D Bigby  
Councillor R Boam  
Councillor D Everitt  
Councillor J Hout  
Councillor J Legrys  
Councillor A C Saffell  
Councillor J G Simmons  
Councillor N Smith  
Councillor M B Wyatt

MINUTES of a meeting of the LOCAL PLAN COMMITTEE held in the Council Chamber, Council Offices, Coalville on THURSDAY, 9 DECEMBER 2021

Present: Councillor J Bridges (Chairman)

Councillors R L Morris, D Bigby, D Everitt, J Houlton, J Legrys, A C Saffell, J G Simmons and G Houlton (Substitute for Councillor N Smith)

Officers: Mr I Nelson, Mr C Elston, Mrs C Hammond, Mrs R Wallace, Ms J Althorpe and Ms S Lee

## **29 APOLOGIES FOR ABSENCE**

Apologies were received from Councillor N Smith.

## **30 DECLARATION OF INTERESTS**

There were no interests declared.

## **31 PUBLIC QUESTION AND ANSWER SESSION**

There were no questions received.

## **32 MINUTES**

Consideration was given to the minutes of the meeting held on 27 October 2021.

The Planning Policy and Land Charges Team Manager advised Members suggested that a minor change be considered to the recommendation that was agreed for minute number 28 – Development Strategy and suggested that the word span be changed to cover.

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

RESOLVED THAT:

Subject to the minor change to the recommendation at minute number 20, the minutes of the meeting held on 27 October 2021 be approved and signed by the Chairman as a correct record.

## **33 LOCAL PLAN REVIEW : EMPLOYMENT STRATEGY OPTIONS**

The Principal Planning Policy Officer presented the report to members.

The Planning Policy and Land Charges Team Manager was asked to provide responses to two questions that had been received from Councillor N Smith. He advised that the first question was in relation to whether the Local Plan would be making any provision for truck stops and the response was that it was not something that had been looked at so far, but it was mentioned the NPPF that Local Authorities should do and it would be looked at. The second question related to the HS2 following the Government's announcements and it was noted that HS2 were still awaiting instructions from Government and as soon as that was known Members would be updated.

Following a request from Councillor J Legrys, the Planning Policy and Land Charges Team Manager provided members with an update on the discussions on the unmet housing, employment and strategic distribution needs.

Councillor J Legrys expressed concerns that there was no mention on how neighbouring Local Plan authorities felt over the level of development in the north of the district and that the Council was still focussing on distribution rather than manufacturing. He felt that option 1 at para 2.19 was the right one as it would build in flexibility and that options should be put in reserve for later in the plan period.

Councillor D Bigby stated that he felt putting options forward for consultation was the right way to go but expressed concerns over the tone of the wording in the report as he felt it could unduly influence people into a particular position. He was pleased to see the options in relation to the general employment land strategy had not got any particular preference.

The Principal Planning Policy Officer advised that in terms of the presentation of the options, officers could provide pros and cons to each option that would appear more balanced.

Consideration was given to the wording of the consultation around the strategic warehousing figure, as it was felt that it would appear that the authority would be willing to take a large part of any unmet need. It was agreed that the wording emphasised that it was an option ahead of what would be agreed at the Countywide option.

Councillor A C Saffell felt that the plan should include a housing development close to the employment land, to provide housing for those who would work there.

It was felt by members that land should be allocated for industry not just warehousing.

Councillor D Bigby noted that the numbers of the paragraphs that were to be included in option 1 should read 2.19 to 2.22, not 2.18 to 2.21 as stated in the report.

Subject to the change of paragraph numbers in (i) of the recommendations, it was moved by Councillor D Bigby, seconded by Councillor J Legrys and

RESOLVED THAT:

The following be included in the next Local Plan review public consultation (regulation 18):

- (i) the options for sustaining employment land supply (paragraphs 2.19 to 2.22),
- (ii) the general employment strategy options (paragraphs 4.9 to 4.12) and
- (iii) the strategic warehousing initial option (paragraph 5.7)

### **34 AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT (SPD) - ADOPTION**

The Principal Planning Policy Officer presented the report to members.

Councillor J Legrys expressed his disappointment that there were no comments from Cabinet on the document when they had discussed it. He sought clarity on why the document had been brought back to committee following Cabinet consideration. The Planning Policy and Land Charges Team Manager provided members with an explanation of the decision making process that was required.

Councillor J Legrys felt that 20% affordable housing was too low for the Coalville urban area. He was pleased with the wording around contributions for both on site and off site new developments, however he noted issues around the uncertainty of HS2, employment of both the Freeport and the Development Corporation, and also Ratcliff Power Station.

Following comments made by Councillor A C Saffell in relation to the proposal to make land available for a new settlement, that would provide affordable homes for those employed at the sites in the north of the district, the Planning Policy and Land Charges Team Manager reminded members of the information, in relation to this, that was contained in the Development Strategy report that they had considered at the last meeting and that land west of Belton was not considered to be appropriate.

It was moved by Councillor R Morris, seconded by Councillor J Houtt and

RESOLVED THAT:

The Affordable Housing Supplementary Planning Document attached as appendix B be adopted.

### **35 SWANNINGTON NEIGHBOURHOOD PLAN - PROPOSED RESPONSE TO PRE-SUBMISSION DRAFT (REGULATION 14).**

The Principal Planning Officer presented the report to members.

In response to a question from Councillor D Bigby, The Planning Policy and Land Charges Team Manager explained the risks of Neighbourhood Plans going out of date following the review of the Local Plan.

Councillor J Legrys raised a question in relation to the identified cycling route and sought clarification on how the SNP could provide support to the potential new route, which should be included. He felt that the route need protecting as there were a number of heritage assets that were along the route. The Principal Planning Officer stated that she would incorporate some wording.

Subject to the incorporation of wording around the support to a potential new cycling route and protection of heritage assets, it was moved by Councillor J Legrys, seconded by Councillor J Houtt and

RESOLVED THAT:

- i) The suggested pre-submission (regulation 14) response to Swannington Parish Council as set out at appendix b be endorsed;
- ii) The endorsement of any further response by officers at submission (regulation 16) stage be delegated to the Strategic Director of Place, in consultation with the Portfolio Holders for Planning and Infrastructure be agreed;
- iii) It be noted that once the neighbourhood plan has been submitted the Strategic Director of Place, in consultation with the Portfolio Holders for Planning and Infrastructure will:
  - A) publish the plan for a six week period and invite representations;
  - B) notify consultation bodies; and
  - C) appoint an independent examiner to conduct the examination of the neighbourhood plan;
- (iv) It be noted that following receipt of the independent examiner's report, the Strategic Director of Place in consultation with the Portfolio Holders for Planning

and Infrastructure will determine whether the conditions have been met for the neighbourhood plan to proceed to referendum;

- (v) If the majority of those who voted in the referendum are in favour of the Swannington Neighbourhood Plan and the District Council does not consider the making of the neighbourhood plan to be incompatible with any EU or human rights obligations, then the decision whether to make the plan be delegated to the Strategic Director of Place in consultation with the Portfolio Holders for Planning and Infrastructure.

### **36 STATEMENT OF COMMON GROUND - CHARNWOOD BOROUGH**

The Planning Policy and Land Charges Team Manger presented the report to members.

Councillor J Legrys stated that he would have preferred that members were included in the discussions, as he was aware that there were concerns from Councillors at Charnwood about flooding down stream on the River Soar and the effect of the Gateway project in that area. He understood that the report was for noting purposes only and thanked officers for their work.

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

RESOLVED THAT:

The Statement of Common Ground with Charnwood Borough Council be noted.

The meeting commenced at 6.00 pm

The Chairman closed the meeting at 7.31 pm

## LOCAL PLAN COMMITTEE – WEDNESDAY 26 JANUARY 2022

<b>Title of Report</b>	<b>ELECTRIC VEHICLE CHARGING POINTS</b>	
<b>Presented by</b>	Ian Nelson Planning Policy and Land Charges Team Manager	
<b>Background Papers</b>	<a href="#">National Planning Policy Framework</a>  <a href="#">Zero Carbon Roadmap</a>  <a href="#">Renewable and Low Carbon Energy Study</a>  <a href="#">LPC Report 07 July 2021</a>  <a href="#">Government Consultation and Response Documents: Electric vehicle chargepoints in residential and non-residential buildings</a>  <a href="#">WPD Electric Vehicle Strategy April 2020</a>	<b>Public Report:</b> Yes
<b>Financial Implications</b>	None from the specific content of this report.	
	<b>Signed off by the Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	None from the specific content of this report. In due course the planning policy implications of any climate change evidence will be incorporated in a consultation document for the Substantive Local Plan Review. The Local Plan Review process as a whole must accord with the legal requirements set out in legislation and guidance.	
	<b>Signed off by the Monitoring Officer:</b> Yes	
<b>Staffing and Corporate Implications</b>	None identified	
	<b>Signed off by the Head of Paid Service:</b> Yes	
<b>Purpose of Report</b>	This report sets out the changes proposed to the Building Regulations to require Electric Vehicle (EV) chargepoints in residential and non-residential developments.	
<b>Recommendations</b>	<b>THAT THE COMMITTEE NOTES THE PROPOSED CHANGES TO THE BUILDING REGULATIONS IN RESPECT OF EV CHARGEPOINTS AND THE IMPLICATIONS FOR THE LOCAL PLAN REVIEW AS SET OUT IN SECTION 3 OF THE REPORT.</b>	

**1. INTRODUCTION**

- 1.1 Members will recall that the 7 July 2021<sup>7</sup> meeting of this committee considered a report in respect of potential policy options for renewable energy, reducing carbon emissions and

water efficiency measures with a view to testing these through the next stage of consultation on the Local Plan.

- 1.2 The report also noted, at paragraph 1.13 that a further report would be brought to this committee considering Electric Vehicle (EV) charging points and the Cycling and Walking Strategy.
- 1.3 The Cycling and Walking Strategy was the subject of discussion at the meeting of the Community Scrutiny Committee on 24 November 2021. A report on this will be brought to a future meeting of this committee.
- 1.4 It was the intention to bring a report setting out options in respect of EV chargepoints to the December LPC meeting. A report had been drafted to this effect, but whilst it was going through internal checks the Government published their long awaited response to the Building Regulations consultation on EV chargepoints which meant the report needed to be revised.

## 2. PROPOSED CHANGES TO THE BUILDING REGULATIONS

- 2.1 The Government published a consultation in July 2019 that proposed the creation of a new part to the English Building Regulations requiring EV charging infrastructure in new buildings and buildings undergoing a material change of use and major renovation.
- 2.2 The Government published its response to the consultation on 22 November 2021. The Government note that their response had been delayed due to the coronavirus pandemic. However, despite the delay the Government state that there has not been a material change in circumstances to warrant re-consultation on the matter and therefore the response document details the Government’s final policies.
- 2.3 The table below sets out the Government’s final policy positions and the requirements for EV chargepoints in various building types, including the conversion of buildings. The table also sets out the exemptions from the requirements that the government will introduce. These exemptions are largely intended to ensure that developments remain viable, where installations would be disproportionately difficult or costly.

Table 1: Summary of the Governments Final Policy Positions in relation to EV chargepoints

Building Type	Final Policy Position	Unless
<p>New dwellings (including flats), with associated parking within the site boundary (e.g. a house or flat with an associated parking space)</p> <p>New residential properties with more than 10 parking spaces</p> <p><i>(e.g. a block of flats or housing development with parking)</i></p>	<ul style="list-style-type: none"> <li>• At least one electric vehicle charge point per dwelling</li> <li>• Cable routes in every space without charge points.</li> </ul>	<ul style="list-style-type: none"> <li>• The installation of a charge point would increase grid connection costs by more than £3,600 In which case not all requirements will apply.</li> </ul>
Buildings undergoing material change of use to	<ul style="list-style-type: none"> <li>• At least one electric vehicle charge point for each new dwelling with</li> </ul>	<ul style="list-style-type: none"> <li>• The buildings are listed buildings, in conservation areas or in schedule of</li> </ul>

<p>create dwellings. <i>(e.g. a disused warehouse being developed into flats with parking)</i></p>	<p>associated parking within the site boundary.</p>	<p>monuments which charge point installation would unacceptably alter</p> <ul style="list-style-type: none"> <li>Existing power supply is insufficient to install all charge points</li> </ul> <p>In which case not all requirements will apply.</p>
<p>Residential buildings undergoing major renovation <i>(e.g. a block of flats undergoing largescale renovation of over 25% of the building's surface area, including parking areas)</i></p>	<ul style="list-style-type: none"> <li>Have at least one electric vehicle charge point for each dwelling with associated parking within the site boundary; and</li> <li>Cable routes in every space without charge points.</li> </ul>	<ul style="list-style-type: none"> <li>Building will not have more than 10 parking spaces within the site boundary after the renovation is complete</li> <li>Infrastructure costs exceeds 7 % of the total cost of the major renovation of the building</li> <li>Existing power supply is insufficient to install all charge points</li> <li>Property is undergoing major renovation for the purposes of fire safety remediation</li> </ul> <p>In which case not all requirements will apply.</p>
<p>New non-residential building <i>(e.g. a newly built cinema complex with parking)</i></p>	<ul style="list-style-type: none"> <li>Minimum of one charge point; and</li> <li>Cable routes for one in five of the total number of spaces.</li> </ul>	<ul style="list-style-type: none"> <li>Building will not have more than 10 parking spaces within the site boundary of the building.</li> </ul>
<p>Non-Residential buildings undergoing major renovation <i>(e.g. a commercial shopping centre undergoing largescale renovation of over 25% of the building's surface area, including parking areas)</i></p>	<ul style="list-style-type: none"> <li>Minimum of one charge point; and</li> <li>Cable routes for one in five of the total number of spaces.</li> </ul>	<ul style="list-style-type: none"> <li>Building will not have more than 10 parking spaces within the site boundary after the renovation is complete</li> <li>Infrastructure costs exceeds 7 % of the total cost of the major renovation of the building</li> </ul> <p>In which case not all requirements will apply.</p>
<p>Mixed Use Developments <i>(e.g. a skyscraper building with office space as well as</i></p>	<ul style="list-style-type: none"> <li>In mixed-use developments, requirements for residential and non-residential buildings will</li> </ul>	

<i>flats, with parking)</i>	apply as per the number of allocated spaces for different use types.	
Charge point requirements under regulations	<ul style="list-style-type: none"> <li>• Minimum power rating of 7kW</li> <li>• Minimum of Mode 3 or equivalent</li> <li>• Type 2 plug (where applicable)</li> <li>• Untethered (where applicable).</li> </ul>	

- 2.4 The Government note that there will be an adjustment period put in place, between the laying and coming into force of the regulations, where the requirements will not apply.
- 2.5 During this period properties which have their initial/building notices or full plans deposited will not be legally required to meet the regulations. This period is also intended to allow industry to prepare for the introduction of the regulations.
- 2.6 The necessary regulations were laid before Parliament on 15 December 2021. The Government has also confirmed that *“that there will then be an adjustment period of no less than 6 months from the date of the laying of the regulations in parliament and the regulations coming into force, during which initial/ building notices or full plans deposited will not be legally required to meet the new regulations. Initial/ building notices or full plans submitted in this period must begin building work by no later than 12 months after the coming into force date, otherwise the new regulations will need to be met”*.

### **3.0 IMPLICATIONS FOR THE LOCAL PLAN**

- 3.1 The NPPF sets out in paragraph 16 (point f) that (local) *“Plans should serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in the Framework, where relevant)”*.
- 3.2 As the requirements for EV chargepoints will form part of the Building Regulations and the NPPF advises that policies should not be duplicated in Local Plans it is not appropriate or necessary to repeat the requirements in a Local Plan Policy. However, should the promised changes to the Building Regulations not materialise before the Council prepares a final draft Local Plan (Regulation 19), then this issue may need to be revisited.
- 3.3 Whilst including a policy regarding the provision of EV chargepoints is not appropriate for the Local Plan, the new requirements will still have implications for the Local Plan, both in terms of viability but also in respect of ensuring that electricity supply is capable of supporting such provision.
- 3.4 To help understand these issues officers have met with representatives of Western Power Distribution (WPD).
- 3.5 An initial meeting provided the opportunity for officers to understand how engagement with WPD will be beneficial to ensure that the electricity supply can support not only new development within the district but also the additional requirements of energy saving measures such as EV chargepoints. In addition, WPD has developed an EV Strategy which outlines how they aim to facilitate the uptake of EV charging infrastructure.
- 3.6 In respect of the issue of connection costs and the exemption where costs exceed £3,600, WPD have advised that they would generally expect the cost per service

connection to be less than £3,600 for new developments. However, for housing developments in rural areas and/or where there was a significant upgrade of the High Voltage network required then it is likely that the cost threshold would be met and so the exemptions would apply.

- 3.7 These issues will be explored as part of an Infrastructure Delivery Plan to support the Local Plan which has recently been commissioned and through ongoing discussion with WPD.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	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:	The decision itself will have no specific impact. The Substantive Local Plan Review as a whole will deliver positive environmental and climate change benefits, and these will be recognised through the Sustainability Appraisal.
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	Emma Trilk Senior Planning Officer 01530 454726 <a href="mailto:emma.trilk@nwleicestershire.gov.uk">emma.trilk@nwleicestershire.gov.uk</a>

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## LOCAL PLAN COMMITTEE – 26 JANUARY 2022

<b>Title of Report</b>	<b>RATCLIFFE-ON-SOAR POWER STATION PROPOSED LOCAL DEVELOPMENT ORDER</b>	
<b>Presented by</b>	Sarah Lee Principal Planning Policy Officer	
<b>Background Papers</b>	<a href="#">National Planning Policy Framework</a>  <a href="#">National Planning Practice Guidance</a>  <a href="#">Ratcliffe-on-Soar Power Station site: LDO initial public consultation</a>  <a href="#">Planning Advisory Service advice on Local Development Orders</a>	<b>Public Report:</b> Yes
<b>Financial Implications</b>	The response to the consultation is met through existing staff resources. <b>Signed off by the Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	No specific legal implications arising from the content of this report <b>Signed off by the 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 at the end of the report. <b>Signed off by the Head of Paid Service:</b> Yes	
<b>Purpose of Report</b>	This report gives the Committee information about the proposed Local Development Order for the Ratcliffe-on-Soar Power Station site and includes the response to the initial public consultation to set out matters of interest and concern to this council.	
<b>Recommendations</b>	<b>THAT LOCAL PLAN COMMITTEE NOTES THE RESPONSE TO THE CONSULTATION ON THE RATCLIFFE-ON-SOAR POWER STATION PROPOSED LOCAL DEVELOPMENT ORDER AS SET OUT AT APPENDIX 1</b>	

**1. BACKGROUND**

- 1.1 Ratcliffe-on-Soar power station is situated to the north of the district boundary in the borough of Rushcliffe in Nottinghamshire. The power station has been operating for more than 50 years and will close at the end of September 2024 in line with government policy to end coal-fired power generation.
- 1.2 Along with East Midlands Airport and Gateway Industrial Cluster (EMAGIC) in North West Leicestershire and the East Midlands Intermodal Park (EMIP) in South Derbyshire, the site is covered by the East Midlands Development Company which is charged with co-ordinating and delivering the regeneration of the three sites. The three sites also comprise the East Midlands Freeport. Freeports are a flagship government programme to encourage investment, innovation and job creation.
- 1.3 Rushcliffe Borough Council (RBC) is now working with the power station's owners, Uniper, to explore options for the redevelopment of the site. They have decided to take things forward through a Local Development Order and RBC has published outline proposals for a first stage of informal public consultation<sup>13</sup>

- 1.4 The consultation closed on Monday 10 January 2022 and to meet this deadline, Appendix 1 has been submitted to RBC as officer-level comments. These have also been discussed and agreed with the Portfolio Holders for Planning and Infrastructure respectively. Therefore, this report is for noting only.

## 2. WHAT IS A LOCAL DEVELOPMENT ORDER?

- 2.1 A Local Development Order is made by a local planning authority and it effectively grants permitted development rights for specified types of development in a defined location. The National Planning Policy Framework (NPPF) encourages their use to help provide certainty, speed up the planning process and where the approach would achieve social, economic and/or environmental benefits. The [Planning Advisory Service](#) reports that “LDOs can help enable growth by positively and proactively shaping sustainable development in their area. They can play an important role in incentivising development by simplifying the planning process and making investment more attractive”.
- 2.2 The government wants to see development brought forward quickly in Freeports and this can be facilitated by using LDOs.

## 3. WHAT IS PROPOSED?

- 3.1 The site is some 265Ha and is situated to the north and south of A453 Remembrance Way. It comprises the current power station, the coal stockpiles, the operational power plant, eight cooling towers, supporting buildings and facilities, ash management operations and a National Grid substation.



- 3.2 The site has two access points with A453 dual carriageway which connects to M1J24, located in North West Leicestershire. It has good freight connectivity as bulk goods can be transported in and out of site by both rail and road. The East Midlands Parkway station on the Midlands Main Line is immediately to the west. The site also benefits from high-capacity energy supply infrastructure as a legacy of its power station use.
- 3.3 On the northern part of the site a planning application for an energy from waste facility (the East Midlands Energy Re-Generation Centre (EMERGE)) was approved in June 2021 subject to the completion of a legal agreement. North West Leicestershire District Council was consulted on the application and raised no objections (application reference 20/01962/NAC).

- 3.4 The emerging proposals for the site seek to deliver:
- A zero-carbon technology and energy hub for the East Midlands
  - High-skilled jobs
  - Modern industrial and business uses, served by on-site sustainable energy generation and storage
  - Advanced manufacturing, for example for production of electric car batteries
  - A hub for research, development, and innovation, through links with universities, business support organisations and established industry.
- 3.5 The exact mix of uses is not fixed but could include the following:
- Industrial, manufacturing and data operations with high energy demands
  - Low-carbon and green energy generation
  - Energy storage
  - Advanced manufacturing
  - Logistics
  - Research and training facilities
  - Other complimentary uses
- 3.6 The consultation material suggests that the proposal could create some 7-8,000 direct jobs as well as indirect jobs elsewhere through supply chains etc.
- 3.7 Redevelopment is expected to come forward in three main phases as follows:
- Phase 1: Large areas of the site are available or could be made available for redevelopment relatively easily such as under-utilised areas to the north of the A453 and the area in and around the ash fields to the south. The construction of the EMERGE Centre referred to above is expected to begin during this time.
  - Phase 2: Following the closure of the power station in late 2024, the land associated with the coal stockpile will be released, and development can take place in this area.
  - Phase 3: Following the power station closure, the main power generation buildings, cooling towers and other structures will be decommissioned, demolished and the land remediated after which the third phase of redevelopment can begin.
- 3.8 The proposed LDO will be accompanied by an Environmental Impact Assessment and a transport assessment. Whilst on-site car parking and electric vehicle charging will be provided, the emphasis will be on improving sustainable access over car use, including by:
- exploring the feasibility of a direct pedestrian/cycle link from East Midlands Parkway Station
  - improved bus access to and through the site
  - potential extension of the Nottingham tram network
  - upgrading the walking and cycling routes to and within the site

#### **4. WHAT ARE THE IMPLICATIONS FOR NWL?**

- 4.1 The response to this first stage consultation is included as Appendix 1 covering the following main points:
- in principle support for bringing forward one of the Freeport sites
  - need for the transport assessment work to fully consider the impacts on the strategic road network in particular on J24M1 and the local road network taking account of committed developments and commuting traffic
  - consideration how to specify uses in the LDO so they match the vision for the site
  - consideration of the impact of any supporting uses
- 4.2 The response incorporates views from the local ward member Cllr Sewell in respect of traffic volumes, risks of rat-running, air quality implications, sustainable transport connections and the safe transportation of waste.

## 5. NEXT STEPS

- 5.1 Following completion of the consultation, the timetable thereafter is as follows:
- statutory public consultation on a draft LDO in Spring/Summer 2022
  - LDO adoption in Autumn 2022
  - detailed plans for each phase will be subject to a separate application for approval by RBC from 2023 onwards
  - Construction to start from 2023 onwards

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	The content of this report is particularly linked to the priority for supporting businesses and helping people into local jobs
Policy Considerations:	National Planning Policy Framework
Safeguarding:	None specific
Equalities/Diversity:	None specific
Customer Impact:	None specific
Economic and Social Impact:	The proposal has the potential to generate significant benefits for the economy of the wider area, particularly as part of the wider Freeport area.
Environment and Climate Change:	The proposal has the potential to be an exemplar for low/zero carbon technologies. It will also help to keep a large scale brownfield site in productive use.
Consultation/Community Engagement:	This is the first stage of consultation. Further stages are set out in the body of the report.
Risks:	None specific from the content of this report at this stage but redevelopment has the potential to have implications for the Council's emerging Local Plan. The LDO, if confirmed, will streamline development on this site coming forward and thereby help to 'de-risk' the success of the Freeport and DevCo initiatives.
Officer Contact	Sarah Lee Principal Planning Policy Officer 01530 454791 <a href="mailto:sarah.lee@nwleicestershire.gov.uk">sarah.lee@nwleicestershire.gov.uk</a>

**Response to Rushcliffe Borough Council****Overall**

North West Leicestershire District Council (NWLDC) welcomes the fact that the borough council and the site owners are working together to bring forward the site efficiently and making use of the Local Development Order process both to enable and to control development.

The site is key component of the East Midlands Freeport and NWLDC supports in principle proposals which will enable the success of this initiative.

**Transport**

NWLDC notes that a Transport Assessment will be undertaken as part of the LDO preparation process. The assessment must take full account of development commitments in NWLDC in addition to the proposals themselves and their effect on the capacity of both the strategic and local road networks. It is important that consideration is also given to the North West Leicestershire Local Plan Review, currently underway, which may need to focus a significant amount of development in the vicinity of East Midlands Airport and J24 M1. It is also important that National Highways, and Leicestershire County Council, Nottinghamshire County Council and Derbyshire County Council as respective Highway Authorities are fully engaged in any assessment. Leicestershire County Council is currently undertaking strategic transport modelling for Leicester City and Leicestershire. The data and underpinning assumptions being used by the Highways Authorities could usefully be shared to ensure there is a consistent basis for analysing the cross-boundary highways implications of the proposals.

NWLDC has particular concerns about the potential impact that the proposals could have on the capacity of J24 M1, and of A50, A453, A6 and A42 to accommodate further development in view of the economic significance of this locality. National Highways will be a key consultee in this regard.

Further it is noted that the proposals are estimated to generate 7-8,000 additional jobs and workforce may be drawn from the local area, including the towns and villages in the north of North West Leicestershire such as Kegworth and Castle Donington, as well as further afield. The Transport Assessment must include realistic assumptions for these commuting patterns so there is a robust assessment of the impact on the local roads serving these settlements including any risk of rat-running through such places, and the improvements which may be needed as a result, to be incorporated in the LDO's requirements. Construction traffic must also be directed away from these villages and the transportation of any waste to the site must be done in a safe manner.

The use of sustainable transport should be maximised where possible including by rail. It is noted that an option to be considered is the extension of the current tram network to the power station site. Such an extension has the potential to carry on into Leicestershire, potentially serving key economic generators at the East Midlands Airport and East Midlands Gateway. It is important that such a potential opportunity is explored as part of these considerations rather than just stopping at the County boundary.

**Proposed uses**

NWLDC notes that the vision for the site has an emphasis on innovative and sustainable businesses. Consideration could be given to how this can be controlled through the LDO and whether specifying acceptable use classes will be sufficient. As an example, the site's size, location and transport connections could make it particularly attractive for all types of strategic distribution.

The initial list of uses includes supporting uses. In view of the eventual scale of the site and number of employees, this may include uses such as convenience shopping, cafes, takeaways and gym/s. RBC may want to consider setting size parameters for these types of uses to avoid creating a new local centre which draws trade from established centres elsewhere.

## **Environmental Impact Assessment**

In addition to the above, NWLDC considers that key matters which the LDO supporting evidence must address include, amongst others:

- a robust assessment of the visual and landscape impact of the proposals, including from key public vantage points in NWL
- flood risk
- ecological impacts and the opportunities for biodiversity net gain
- air quality, including during construction
- noise.

RBC will need to satisfy itself that it has sufficient evidence on these matters to determine the content of the LDO and that the LDO itself will secure the sustainable development on the site.

## LOCAL PLAN COMMITTEE – 26 JANUARY 2022

<b>Title of Report</b>	<b>PLANNING POLICY UPDATE</b>	
<b>Presented by</b>	Ian Nelson Planning Policy and Land Charges Team Manager	
<b>Background Papers</b>	<a href="#">Town and Country Planning (Local Planning) (England) Regulations 2012 – Part 8 (regulation 34).</a>  <a href="#">Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019.</a>	<b>Public Report: Yes</b>
<b>Financial Implications</b>	The cost of preparing and undertaking the various matters referred to in the report are met from within existing budgets.	
	<b>Signed off by the Section 151 Officer: Yes</b>	
<b>Legal Implications</b>	The Council is required to publish an Authority Monitoring Report; an Infrastructure Funding Statement and Brownfield Land Register on an annual basis.	
	<b>Signed off by the Monitoring Officer: Yes</b>	
<b>Staffing and Corporate Implications</b>	None identified.	
	<b>Signed off by the Head of Paid Service: Yes</b>	
<b>Purpose of Report</b>	This report provides an update in respect of a number of matters relating to the work of the Planning Policy team.	
<b>Recommendations</b>	<b>THAT THE LOCAL PLAN COMMITTEE NOTES THE CONTENTS OF THE REPORT</b>	

**1.0 BACKGROUND**

- 1.1 This report provides an update for Local plan Committee in respect of the Local Plan and a number of other matters related to the ongoing work of the Planning Policy team, namely:
- The Authority Monitoring Report;
  - Infrastructure Funding Statement;
  - Neighbourhood Plans;
  - Brownfield Land Register; and
  - Strategic planning

**2 LOCAL PLAN UPDATE**

- 2.1 Members will recall that over the last few months a number of reports have been presented to meetings of this committee on arrange of subject matters to be addressed as part of the Local Plan review. These reports advised that the particular issues addressed in the reports would be subject to consultation. This consultation shall commence on 17 January 2022 and runs until 28 February 2022. The consultation can be viewed at <https://consultation.nwleics.gov.uk/planning/local-plan-consultationjan2022/> from 17 January 2022.

- 2.2 In terms of the evidence base to support the Local Plan, consultants have recently been appointed in respect of the following:
- Infrastructure Delivery Plan – this will identify the infrastructure required to support new development
  - Viability study – to undertake a whole plan viability assessment
  - Green Infrastructure study – to undertake a study to identify and map the existing green and blue infrastructure and to identify potential future requirements
- 2.3 In terms of the review timetable a revised Local Development Scheme (LDS) has been discussed and agreed with the Portfolio Holders for Planning and Infrastructure and with the Shadow Portfolio Holder for Planning. The LDS can be viewed from this [link](#). The revised timetable is set out below:

<b>TIMETABLE</b>	
<b>Stage</b>	<b>Dates</b>
Emerging options (Regulation 18)	January 2022 to early 2023
Consult on Development strategy and other matters	January/February 2022
Consult on potential site allocations	Spring 2022
Consult on draft policies	Autumn 2022
Agree publication version (Regulation 19)	June 2023
Consult on Publication Local Plan (Regulation 19)	June/July 2023
Submission	October 2023
Examination	January 2024
Adoption	mid 2024

### **3 THE AUTHORITY MONITORING REPORT**

- 3.1 Local planning authorities must publish information at least annually that:
- shows progress with local plan preparation,
  - reports any activity relating to the duty to cooperate,
  - any information collected which relates to indicators in the plan, and
  - any policies which are not being implemented.
- 3.2 This is done through an Authority Monitoring Report (AMR) – formerly known as an Annual Monitoring Report.
- 3.3 The latest published AMR covers the period 1 April 2020 – 31 March 2021. The monitoring period is the same each year and this allows for year-by-year comparison over time. A copy of the AMR which can be viewed from this [link](#).
- 3.4 The key headlines from the 2021 AMR are set out below.

#### **Housing**

- Number of dwellings completed during the monitoring period was 702 compared to requirement of 481 dwellings.
- Since 2011/12 the average annual build rate has been 619 dwellings
- As at 31 March 2021 there were 626 dwellings under construction, the majority of which were located in the Coalville Urban Area and the Key Service Centres (Ashby de la Zouch and Castle Donington)

- Number of new affordable dwellings built 118, 17% of all dwellings built in the monitoring period
- There remains an under provision of 2 bed and over provision of 4 bed properties compared to the dwelling mix suggested by HEDNA. However, 2020/21 did see a decrease in the number of 4 bed new builds and an increase in 3 bed new builds
- Number of dwellings with planning permission 6,863
- As of 30 October 2021 there were 72 individuals on the Self Build Register which we are required to maintain. Given the number of permissions to date (34) and the number of entrants on the register as of 30 October 2020, permission has been granted for enough suitable plots of land to fully meet the demand for self-build and custom housebuilding in the area, for the period up to October 2021.

## **Employment**

- Overall, the employment need HEDNA for the period to 2031 has largely been met. However, whilst the supply of industrial and small-scale distribution land has surpassed the requirements, a significant residual requirement for additional office space remains to be addressed.
- Notable developments in the 2020/21 monitoring year include the permission to grant 3 office buildings at EM Point, J23A M1, Castle Donington (2.16Ha) and the completion of Tungsten Park, Bardon Road, Bardon for industrial/smaller scale B8 uses (5Ha).
- With respect to strategic B8 uses, the AMR shows that the level of provision in NWL alone exceeds the requirements of the Strategic Distribution Study to 2031. Growth of the sector has surpassed what the Study forecast and could be taken as an indicator of the strength of the market.

## **Retail and Service Centres**

This section of the AMR considers vacancy rates within the main settlements of the district.

- Coalville continues to have the highest number of vacant units in the district (12%), although there has been a small decline in the number of vacancies (13.3% in 2020).
- In 2018 Ashby de la Zouch had the lowest vacancy rate (1%) of any centre in the district, but is now at 5.4%, a slight reduction from 2020 (6.4%)
- Castle Donington unchanged at 5.4%
- Ibstock decreased from 10.5% in 2020 to 5.5%
- Measham has seen an increase from 0% to 2.7%. However, this is one unit and there is an indication that this unit will be reopening soon with a new use.

## **4 INFRASTRUCTURE FUNDING STATEMENT**

- 4.1 District Councils are required to produce an Infrastructure Funding Statement (IFS) on an annual basis. We are required to publish the IFS and to also submit it to Government by 31 December 2021. The first such report was published for 2019/20.
- 4.2 The IFS provides a summary of the financial contributions sought and received from developers for the provision of infrastructure to support development in North West

Leicestershire for the reporting year 1 April 20 - 31 March 2021. The IFS can be viewed from this [link](#).

- 4.3 The IFS comprises of a main report and an appendix. The appendix sets out details of new agreements entered in to during the reporting year.
- 4.4 As set out in the IFS those matters for which the County Council are responsible are not reported upon as the County council are required to produce their own report.
- 4.5 Key points to note:
- 105 new affordable dwellings were directly provided
  - In total, £1,298,940 was spent
  - Approximately £97,000 paid out for new or improved leisure facilities provided by NWLDC
  - Approximately £219,000 paid out to Parish and Town Council's for various schemes
  - Approximately £130,000 paid out for River Mease projects
  - Approximately £841,000 paid out towards improvements in healthcare provision in Ashby de la Zouch.
- 4.6 In terms of the monies currently being held, as at 31 March 2021 the figure was £8,255,931.27 an increase of about £300,000 from 2019/20. Of this the largest amount being held is for affordable housing (£3,120,178), followed by £2,409,935 for highway improvements associated with the A511 corridor (this is in addition to what monies the County Council hold), £725,120 for recreation and leisure and £529,315 for healthcare.

## 5 NEIGHBOURHOOD PLANS UPDATE

- 5.1 There are three 'made' Neighbourhood Plans.

<b>Neighbourhood Plan</b>	<b>Date made</b>
Ashby de La Zouch	29 November 2018
Ellistown and Battleflat	16 July 2019
Hugglescote and Donington le Heath	15 November 2021

- 5.2 In addition, there are 5 Neighbourhood Plans currently in preparation. The progress on these is summarised below.

<b>Breedon on the Hill</b>	Community Questionnaire undertaken in Sumer 2021. Consultation on the Pre-Submission Plan is scheduled for June 2022 to September 2022. Submission November 2022. Examination Jan 2023 to April 2023.
<b>Long Whatton &amp; Diseworth</b>	Currently undertaking community engagement. Consultation on the Pre-Submission Plan expected to take place June to September 2022.
<b>Blackfordby</b>	The Plan is currently at Examination with a report anticipated early in the New Year. In the event that the Examiner recommends approval of the plan, with or without modifications, the next stage will then be for the Council to decide whether the Plan should proceed to referendum.
<b>Swannington</b>	Consultation on the pre-submission draft plan took place between 25 October and 6 December 2021. This was the subject of a report to this Committee on 9 December 2021. The Parish Council is now considering consultation responses. The next stage is to prepare the submission plan and other accompanying documents before submitting to NWLDC.
<b>Lockington and</b>	This was designated on 5 May 2021. A consultation event took

<b>Heminton</b>	place in October 2021. The Neighbourhood Plan group is analysing the data from the Open Event and questionnaire to understand the key themes and messages from the community.
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- 5.3 Whilst many neighbourhood planning groups employ expert consultants to assist and guide the preparation of the plan, input from the officers from the Planning Policy & Land Charges team is also required at key stages, in particular:
- to designate the neighbourhood plan area
  - to undertake Strategic Environmental Assessment/Habitat Regulations Assessment Screening and to consult on this with expert consultees
  - to check the submission documentation is in order
  - to organise consultation on the submission draft plan (Reg 16)
  - to prepare NWLDC comments at Reg 16 stage
  - to organise the examination, including the appointment of the Examiner
- 5.4 Additionally, the team can be asked:
- to provide mapping for the neighbourhood plan area
  - to advise on consultation contacts, the content of the pre-submission plan (Reg 14) and Reg 15 plan
  - to give presentations to groups considering whether to prepare a plan.
- 5.5 Ultimately the District Council does not have any control over the timetable for the various Neighbourhood Plans; this is in the gift of the Neighbourhood Plan groups. Officers will continue to liaise with each group to provide assistance where possible, whilst also having regard to other, ongoing resource commitments.

## 6 STRATEGIC PLANNING

- 6.1 Members will be aware that as part of the Local Plan preparation the Council has a Duty to Cooperate with other local authorities. A Strategic Growth Plan (SGP) is in place for Leicester and Leicestershire which helps to demonstrate compliance with the Duty to Cooperate.
- 6.2 Members will also be aware that Leicester City has declared an unmet need in terms of both housing and employment. Officers from each of the respective authorities, including the County Council, are currently working to address this issue through a Statement of Common Ground that will, initially, be considered through the Member Advisory Group (MAG) established to oversee the SGP work. Thereafter, the SoCG will be considered by each authority according to its own governance processes. It is likely that this will be in spring/summer 2022.
- 6.3 As part of the work on the SoCG a number of options for how the unmet need might be distributed are being developed and tested through a Sustainability Appraisal and also through transport modelling.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	<ul style="list-style-type: none"> <li>- Supporting Coalville to be a more vibrant, family-friendly town</li> <li>- Support for businesses and helping people into local jobs</li> <li>- Developing a clean and green district</li> <li>- Local people live in high quality, affordable homes</li> <li>- Our communities are safe, healthy and connected</li> </ul>
Policy Considerations:	Adopted Local Plan

Safeguarding:	None discernible
Equalities/Diversity:	None discernible
Customer Impact:	The Local Development Scheme, Authority Monitoring Report and Infrastructure Funding Statement are available on the Council's website for customers to view.
Economic and Social Impact:	None
Environment and Climate Change:	None
Consultation/Community Engagement:	None
Risks:	None applicable – this report is to be noted only and no decision is required.
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