

MINUTES of a meeting of the LOCAL PLAN COMMITTEE held in the Abbey Room, Stenson House, London Road, Coalville, LE67 3FN on WEDNESDAY, 22 MAY 2024

Present: Councillor J G Simmons (Chair)

Councillors P Lees, M Ball, D Bigby, S Lambeth, J Legrys, R L Morris, P Moulton, C A Sewell, L Windram and M B Wyatt

Officers: Mr I Nelson, Mr C Elston, Mr T Devonshire, Ms J Althorpe and Ms S Lee

**1 APOLOGIES FOR ABSENCE**

There were no apologies received.

**2 DECLARATION OF INTERESTS**

Councillor P Moulton declared a registerable interest, he had been lobbied without influence by residents, with regards to the Meadow Lane site.

**3 PUBLIC QUESTION AND ANSWER SESSION**

There were no questions received.

**4 MINUTES**

Consideration was given to the minutes of the meeting held on 17 January 2024.

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

RESOLVED THAT:

The minutes of the meeting held on 17 January 2024 be approved and signed by the Chair as a correct record.

**5 LOCAL PLAN REGULATION 18 CONSULTATION**

The Planning Policy and Land Charges Team Manager presented the report.

Members thanked Officers for their hard work during the consultation period.

In light of a formal Councillor Questions item on the agenda, it was agreed that the following exchange would be reproduced verbatim in the minutes.

**Question to Local Plan Committee 22<sup>nd</sup> May 2024**

Hugglescote and Donington le Heath Neighbourhood Plan "Donington Fields Local Green Space"

**Question 1: Ashburton Road Recreation Ground**

The proposed Neighbourhood Plan was considered by the Independent Examiner. In his report dated 21<sup>st</sup> July 2021 he noted in para 4.21 *"My concern about Donington Fields is that, at 11.7ha, it is extensive in nature and that the northernmost two plots owned by the Thomas Harley Charities may not endure beyond the Plan period, contrary to advice in paragraph 99 of the NPPF. Furthermore, some of the individual plots of land scored significantly below the threshold set by the Plan for eligibility for LGS, notably plots 097 and 97A. Therefore, in accepting that most of Donington Fields meets the other designation criteria, I shall recommend that this LGS is modified by the exclusion of the northern most plots of land. (PM8)."*

Chairman's initials

I would be grateful if Officers can provide me with answers to the following points:

- The two parcels of land, known as the Recreation Ground/Childrens Play Area, has had free and unobstructed pedestrian access for recreation purposes for a considerable number of decades. My understanding is that the updated NPPF dated 20<sup>th</sup> December 2023 now provides additional protections/safeguarding to existing recreation sites. Considering this NPPF clarification, can the above two sites be designated as 'protected open space' as part of the current Local Plan Review?

Response

There was no change to NPPF in respect of the issue of protecting open space, sport and recreation land and buildings. Paragraph 103 requires that they should not be built on unless assessment shows they are surplus to requirements, or the loss would be replaced by alternative provision in a suitable location or it is for an alternative sports use.

The recreation ground and children's play area would be covered by this policy. The field between the recreation ground and the Manor House, would not.

- Bearing in mind that the Examiner states "*in accepting that most of Donington Fields meets other designation criteria*", can Officers please explain what these other designations are please?

Response

The reference to other designation criteria refers to paragraph 106 of the NPPF. This states:

*The Local Green Space designation should only be used where the green space is:*

- a) in reasonably close proximity to the community it serves;*
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- c) local in character and is not an extensive tract of land*

The Examiner's concern related to point c) as he considered it to be "extensive in nature".

**Question 2: Donington Fields Agricultural Land (known locally as the Farmer's Field)**

This land adjoins the Grade 2 listed Medieval Manor House. The Manor House is now in the ownership of Leicestershire County Council. The 13<sup>th</sup> Century Manor House is open to the public as the '1620 Manor House and Gardens' with displays explaining the use of the house and surrounding land over the last eight centuries.

Were a Planning Application for development on the Farmer's Field to be submitted to the LPA, I understand that Historic England would be a Principal Statutory Consultee. Can you confirm this please?

Response

Yes we would consult with Historic England

I understand that, when considering Planning Applications associated with 'listed buildings', consideration must be made to protect not only the buildings but also the wider landscape, known as the 'setting'.

- Can you please provide details as to how our Planning Officers have regard to the good practice advice provided by Historic England when assessing the effect of a proposed development within the Setting of a Listed Building.

Chairman's initials

- How might a proposed development on the Farmer's Field be assessed in the light of this advice?

### Response

The NPPF defines the setting of a heritage asset as:

*“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral”.*

The Planning Practice Guidance also provides further guidance on the issue of setting. [Historic environment - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Advice on matters relating to setting will be sought from the Council's Conservation Officer or from specialist consultants as is deemed necessary.

After this exchange was concluded Members discussed communications with the public, the need to simplify things for residents wherever possible, what role Members could play in promoting this, and they also noted the uneven take up of the consultation sessions with residents. The Planning Policy and Land Charges Team Manager largely shared these concerns, although he noted that planning matters were inherently complex and thus difficult to communicate.

A Member discussed the recent briefing on the Isley Woodhouse development which had demonstrated the complexities involved in making that new settlement a success; and that settlement of course played a key role in the Local Plan. Therefore, would something concretely detailing the plans for the settlement be coming to the committee. The Planning Policy and Land Charges Team Manager had no plans to bring something to the committee at this moment, and advised that it was currently more important to articulate principles, rather than details.

A Member asked about the transport modelling and whether it was on schedule. The Planning Policy and Land Charges Team Manager said that the modelling was currently at a fairly abstract level of detail, but, that caveat noted, the modelling should be ready to feed into the report on allocations planned for the committee in August.

A debate was had amongst some Members about the site at Meadow Lane. The Planning Policy and Land Charges Team Manager confirmed that a developer had in fact put in an objection to it being taken out of the Local Plan, which had been against Officer's recommendations. He then set out some technical details of what would happen if sites were taken out.

Members debated whether some data could be presented more qualitatively or whether this was an essentially quantitative process which strove for the utmost objectivity. The Planning Policy and Land Charges Team Manager advised that there were capacity issues in the team which would hamper the selection of qualitative data, and there was also the risk of Officers appearing partisan due to the subjective nature of each response.

Following on from this Members discussed the tight timeline which the Committee was working too. The Planning Policy and Land Charges Team Manager added that the next stage was a restricted and very formal part of the process, and he did not envisage them doing anymore consultation events.

A Member felt that the profile of properties must be considered and should reflect the wide variety of demand. This should also link in to the employment base for the district, to create a true sense of community rather than simply produce homes for commuters. This also had an environmental dimension. The Planning Policy and Land Charges Team Manager advised that the nature of the UK system precluded an overly top-down approach.

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

RESOLVED THAT:

- 1) The comments made in respect of the Draft Local Plan be noted;
- 2) The progress in respect of the development of the evidence base be noted.

## **6 HOUSING AND EMPLOYMENT LAND UPDATE**

The Principal Planning Policy Officers presented the report.

Members discussed possible changes to the employment allocation at Money Hill, expressing some concern at the envisaged reduction as requested by developers. The Principal Planning Policy Officers advised that the Development Control team had received an Environmental Impact Scoping Opinion, which proposed a lesser amount of employment land. They had not yet seen a justification, so this was simply something to note as an emerging issue in the context of the Local Plan as a totality. The Head of Planning and Infrastructure also updated Members in respect of issues related to the River Mease Special Area of Conservation.

A Member asked for an update on the rescinding of the HS2 legislation. Officers advised that this was planned for summer 2024, although officers noted the unpredictable political context, nationally.

A Member asked about the current status of the five year land supply and when it was likely to run out. The Principal Planning Policy Officer advised that Officers were currently finalising the five year housing trajectory and then would be able to do the relevant calculations. The NPPF guidance had also been changed at the end of 2023 and this had impacted calculations.

A Member asked about the underutilisation of employment land and how this was reflected in the Plan. The Principal Planning Policy Officer noted the challenges of predicting future employment trends, but ultimately Officers had to make the best predictions they could after consulting with the relevant experts. Flexibility must also be built into the finalised Plan.

Members and Officers discussed how the envisaged Freeport impinged on the Plan, and Officers noted that the Council was now just a consultee on the application for a Development Consent Order, and Officers thus could not give definitive answers, though further details would be forthcoming in future meetings.

A Member inquired about the use of consultants in respect of employment forecasts and how their track record of success, or otherwise, was determined. Officer advised that there was a number of ways to produce forecasts and that planning guidance recommended utilising a variety of methods, comparatively and holistically. Officers sought references when appointing consultants and they frequently consulted with other local authorities before hiring a given consultant.

It was moved by Councillor J Legrys, seconded by Councillor M Ball, and

Chairman's initials

RESOLVED THAT:

The housing and employment position as at April 2024 as set out in the report be noted.

The meeting commenced at 6.00 pm

The Chairman closed the meeting at 7.40 pm