

MINUTES of a meeting of the LOCAL PLAN COMMITTEE held in the Abbey Room, Stenson House, London Road, Coalville, LE67 3FN on WEDNESDAY, 14 AUGUST 2024

Present: Councillor J G Simmons (Chair)

Councillors P Lees, M Ball, A Barker (Substitute for Councillor S Lambeth), D Bigby, J Legrys, R L Morris, P Moulton, C A Sewell, L Windram and M B Wyatt

In attendance: Councillors R Johnson and S Sheahan

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

7 APOLOGIES FOR ABSENCE

Apologies were received from Councillor S Lambeth.

8 DECLARATION OF INTERESTS

Councillor R Morris declared a registerable interest in item 6 – Breedon on the Hill Neighbourhood Plan Submission (Regulation 16) Consultation, as the Chair of Breedon on the Hill Parish Council. He would leave the room during the discussion or voting on the item.

9 PUBLIC QUESTION AND ANSWER SESSION

There were four questions asked which are set out below together with the responses. Each member of the public who asked a question was invited by the Chair to ask one supplementary question which is also set out together with the response.

Question from Ms Baker

'I understand that NWLDC has exceeded their allocated quota of 357 new properties per year by building an average of 789 properties per year between 2020/21 and 2022/23. This additional building will have contributed to the Council now being allocated a new mandatory quota of 621 properties. After speaking to members of the Planning Committee, I am now aware that NWLDC agreed to take on a proportion of Leicester City Council's housing number responsibilities. I was particularly devastated to find that the draft plan includes a proposal to build 500 properties to the west of Whitwick, which will completely destroy that village community, be detrimental to the wildlife and the environment, destroy productive farmland and to place even more pressure on the road network and local resources.

Do the Council intend to continue to build a greater number than their fair share of housing into the future?'

Response from the Chair of the Local Plan Committee

'Whilst the standard method does result in annual requirement for 357 dwellings, to this has to be added any unmet need from elsewhere within Leicester and Leicestershire. Leicester City has demonstrated to the satisfaction of all of the Leicestershire authorities that it is not able to accommodate all its needs within its boundaries. Therefore, under the Duty to Cooperate that the Council is required to satisfy, all of the other Leicestershire authorities have to help meet this unmet

Chair's initials

need. In addition, any housing requirement has to take account of any other local factors. In this instance, there is an imbalance between the number of future jobs and homes in the district. Therefore, the final housing requirement has been established as 686 dwellings each year. It is this factor which accounts for most of the increase in North West Leicestershire.

More details about this can be found at paragraphs 4.7 to 4.12 of the Proposed Policies document published in February and which can be viewed on the Council's website.

Whilst this number was exceeded in the first couple of years, it is likely that in some future years it will not be met. In effect there will be peaks and troughs which over time even each other out.

It is not the Council's intention to see more housing built than is required, but it does have to ensure that it meets whatever the identified need is.'

Supplementary question and response

Ms Baker asked if the Council had done everything it could to identify alternative sites that were more environmentally friendly and where development would be more in line with the community needs. The Planning Policy and Land Charges Team Manager advised that the plan was looking to strike a balance with where jobs and homes are located. The available space around the Bardon employment area had already been given planning permission for housing development and unfortunately there was no other available site in the area. Whitwick was the nearest settlement to Bardon and therefore the proposed site would strike the balance with jobs and homes.

Question from Mr Perry

'In view of the importance of the decisions that may be taken as regards the number of additional properties to be built in North West Leicestershire, and in particular approx. 800 new houses proposed in the West Whitwick plan, would it be advisable to delay/postpone any & all decisions to a later date? I ask this question following the recent change of Government & with reference to possible new legislation that has been trailed in the media. Any decisions taken now in haste without knowing the full scope of future legislation could be disastrous for local communities.'

Response from the Chair of the Local Plan Committee

'Officers are giving consideration to what these changes may mean for the preparation of the Local Plan. However, it is important that the Council gets a new Local Plan in place as soon as possible to ensure that it remains up to date. Without an up-to-date plan, the Council will be vulnerable to planning applications which may be submitted. Therefore, it will be important to maintain progress on a new Local Plan, whilst taking account of changes announced by the government.'

Supplementary question and response

Mr Perry asked if the Committee felt they had made enough effort to promote the proposed changes to the Local Plan as he believed many local people were not aware of the impact it would make on communities. The Planning Policy and Land Charges Team Manager listed the methods used to publicise the consultation including social media, the Council's website, publishing information in local newspapers and numerous drop-in sessions with officers across the district.

Question from Mr Brackenbury

'What is the justification for the proposed amendment to policy S1(2) setting out a requirement for employment land for the period 2024-2040 of at least 35,000 sq m for office uses and 146,000 sq m for industrial and small warehousing?'

Response from the Chair of the Local Plan Committee

'The justification for these requirement are derived from an update to the previous Need for Employment Land report as noted at paragraph 4.23 of the Local plan report (Item 5). As set out in Table 2 of item 5, the overall requirement is now less, but it is over a shorter period of time.'

Supplementary question and response

Mr Brackenbury asked for confirmation that, as the Council has the data available to compare rates received against rates due, the evidence referred to takes into account the vacant space both to occupied and unoccupied buildings. The Planning Policy and land Charges Team Manager agreed to provide a response outside of the meeting.

Question from Mrs Armston

'Regarding the West Whitwick proposal, the possible main developer has suggested one of the two access points would be off Talbot Street. Anyone who is familiar with the built-up street, in my opinion, would say that's virtually impossible. For a development of this scale to be considered for inclusion in the local plan, our planners must have considered access points for the committee to make an informed decision. If so, may I ask where?'

Response from the Chair of the Local Plan Committee

'The West of Whitwick proposal was identified in the draft plan as a Broad Location. In effect, this means it was an area for further exploration to determine how much, if any of it, might be suitable to be formally allocated for development. In coming to a view on whether allocation would be appropriate or not, a variety of factors need to be considered including how access might be achieved and also how the area might be developed in a comprehensive manner. Officers are assessing the various responses to the consultation which will be reported to a future meeting of this committee.'

Supplementary question and response

Mrs Armston asked if the broad plan for access to the site was likely to get even broader than what was proposed in the consultation. The Planning Policy and Land Charges Team Manager responded that there was currently nothing to suggest that would be the case and that there was still a lot of work required for the site which was why it was allocated as a broad location.

The Chair thanked the questioners for attending the meeting and putting forward their questions.

10 MINUTES

Consideration was given to the minutes of the meeting held on 22 May 2024.

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

RESOLVED THAT:

The minutes of the meeting held on 22 May 2024 be approved and signed by the Chair as a correct record.

11 LOCAL PLAN - STRATEGY POLICIES: CONSIDERATION OF RESPONSES TO CONSULTATION

The Planning Policy and Land Charges Team Manager presented the report and along with the Principal Planning Policy Officers, summarised each of the policies for consideration.

For clarification prior to the discussion, the Legal Advisor explained the 'duty to co-operate' requirement in relation to the current consultation on the National Planning Policy Framework (NPPF). Discussion from Members followed in which reference was made to the possibility of looking again at allocated sites for development. The Planning Policy and Land Charges Team Manager confirmed that this was still uncertain and would come back to Committee in due course.

During continued discussion on the 'duty to co-operate' requirement, comments were made by Members on the lower level of co-operation from some nearby authorities and it was suggested that an elected member attend the regional meetings where allocation of unmet need figures were discussed. It was also suggested that the Council ask other authorities to take some of North West Leicestershire's housing allocation. The Planning Policy and Land Charges Team Manager explained that North West Leicestershire had not declared any unmet housing need and therefore it could not be discussed with other authorities.

Each policy was then discussed in turn and several questions of clarity were sought and addressed by officers throughout the discussion.

Policy S1 – Future Housing and Economic Development Needs

Discussion was had on the possible extension of the local plan period, and it was explained that further work would be undertaken in due course on the employment requirements following the very recent national changes.

A suggestion was made to separate industrial development and warehousing. The Principal Planning Policy Officer explained the practicality of combining the two in planning terms due to the similar nature. It was also noted that combining them gave more flexibility, as separation could lead to the need to allocate more land to ensure numbers.

Following a discussion on the Freeport site it was confirmed that planning requirements still applied, and planning infrastructure would be needed if demonstrated it was required. It was noted that only if the Development Consent Order was granted would the site become part of the district supply numbers.

Policy S2 – Settlement Hierarchy

Officers corrected an error in the report at the appendix on page 74 of the agenda pack, the missing figure in relation to the two Kegworth sites was 251 dwellings.

Some concern was raised in the consultation that although there was the ability for settlements to move up categories if improvements were made in the area, there was not the ability to move down if the category disappeared. The Planning Policy and Land Charges Team Manager explained that in these circumstances the settlement would be classed as a local needs settlement and therefore development would be discouraged.

Policy S5 – Residential Development in the Countryside

Concerns were raised about self builds in rural areas and it was asked if it should be included in the policy. The Planning Policy and Land Charges Team Manager explained that the policy was for people who needed to be in a rural area rather than self builds, he also added that self builds would be subject to its own separate policy.

Following the conclusion of the discussion on the individual policies, Councillor M Wyatt stated that it was clear that residents were frustrated with housing allocations and villages felt like they were losing their identity. Therefore, he moved recommendations one to seven within the report with the addition of the following:

‘North West Leicestershire District Council condemns the government’s decision to increase the allocation of housing and request the Member of Parliament to make urgent representation to the housing minister expressing our grave concerns.’

It was seconded by Councillor P Lees and became the substantive motion.

Councillor D Bigby then moved an amendment to delete the wording added by Councillor M Wyatt as detailed above and to add in the following:

‘Taking full account of the duty to co-operate, North West Leicestershire should resist accepting any increase in its annual housing allocation for the new local plan period above that already agreed through the current statement of common ground – namely 686.’

It was seconded by Councillor J Legrys.

The Planning Policy and Land Charges Team Manager advised against the amendment as there would be a risk of failing the duty to co-operate requirement.

Councillor D Bigby spoke to his amendment explaining that it was to give a steer to officers and the administration about what the committee wanted and to provide a negotiating tool. A thorough debate was had by Members both for and against the

proposed amendment which culminated in further advice from officers and the legal advisor on the risk of approving the amendment.

At this point procedural advice was sought in relation to voting on the motion and the substantive motion. Some concern was raised regarding the political nature of the substantive motion in front of Members should the amendment fall. Therefore, a Member suggested that the item be deferred to allow further information to become available on the housing allocation figures. Members were advised that as there was a motion currently tabled, that would need to be dealt with first before a deferral could be considered unless both the amendment and the substantive motion were withdrawn. There was not consent from all parties to withdraw, therefore the chair moved to the vote on the amendment as proposed by Councillor D Bigby.

A recorded vote being requested, the voting was as detailed below.

The amendment was LOST.

The Chair put the substantive motion as proposed by Councillor M Wyatt to the vote. A recorded vote being requested, the voting was as detailed below.

RESOLVED THAT:

- 1) The comments received in respect of Strategy Policies S1 to S5 be noted.
- 2) The proposed changes to the plan objectives as set out in Section 3 of the report and Appendix A be agreed.
- 3) The proposed changes to Strategy Policy S1 as set out in Section 4 of this report and Appendix B be agreed.
- 4) The proposed changes to Strategy Policy S2 as set out in Section 5 of this report and Appendix C be agreed.
- 5) The proposed changes to Strategy Policy S3 as set out in Section 6 of this report and Appendix D be agreed.
- 6) The proposed changes to Strategy Policy S4 as set out in Section 7 of this report and Appendix E be agreed.
- 7) The proposed changes to Strategy Policy S5 as set out in Section 8 of this report and Appendix F be agreed.
- 8) North West Leicestershire District Council condemns the government's decision to increase the allocation of housing and request the Member of Parliament to make urgent representation to the housing minister expressing our grave concerns.

Substantive motion from Councillor M Wyatt (Motion)	
Councillor Jenny Simmons	For
Councillor Paul Lees	For
Councillor Mike Ball	For
Councillor Anthony Barker	Against
Councillor Dave Bigby	Against
Councillor John Legrys	Against
Councillor Ray Morris	For
Councillor Peter Mout	For
Councillor Carol Sewell	Against
Councillor Lee Windram	For
Councillor Michael Wyatt	For
Carried	
Amendment to motion from Councillor D Bigby (Amendment)	
Councillor Jenny Simmons	Against
Councillor Paul Lees	Against
Councillor Mike Ball	Against
Councillor Anthony Barker	For
Councillor Dave Bigby	For
Councillor John Legrys	For
Councillor Ray Morris	Against
Councillor Peter Mout	For
Councillor Carol Sewell	For
Councillor Lee Windram	Against
Councillor Michael Wyatt	Against
Rejected	

12 BREEDON ON THE HILL NEIGHBOURHOOD PLAN SUBMISSION (REGULATION 16) CONSULTATION

Having declared an interest, Councillor R Morris left the meeting at this point and did not take part in any discussion or voting on the item.

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

It was moved by Councillor J Legrys, seconded by Councillor A Barker and

RESOLVED THAT:

- 1) The proposed response to the submission draft of the Breedon on the Hill Neighbourhood Plan in Appendix A be agreed.
- 2) The consultation period for the Breedon on the Hill Neighbourhood Plan be noted.
- 3) It be noted that following receipt of the Independent Examiner's report, the Strategic Director of Place in consultation with the Portfolio Holder for Infrastructure to determine whether the conditions have been met for the Neighbourhood Plan to proceed to referendum.
- 4) It be noted that following the referendum and if time does not allow for a report to this Committee, the Strategic Director of Place in Consultation with the Portfolio Holder for Infrastructure to determine whether the Neighbourhood Plan should be 'made'.

The meeting commenced at 6.00 pm

The Chairman closed the meeting at 8.03 pm

Chair's signature