

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LOCAL PLAN ADVISORY COMMITTEE – WEDNESDAY, 31 JANUARY 2018

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| Title of report | REVIEW OF LOCAL PLAN |
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| Purpose of report | To outline for members the proposed approach in respect of the review of the Local Plan. |
| Council priorities | Value for Money Business and Jobs Homes and Communities Green Footprints Challenge |
| Implications: Financial/Staff Link to relevant CAT Risk Management | <p>The Local Plan review will require the gathering of additional evidence which will have financial implications. The exact requirements and costs are not clear at this stage and will need to be kept under review. Appropriate budgetary provision is being sought as part of the budget process for 2018/19.</p> <p>None</p> <p>A risk assessment of the project has been undertaken. As far as possible control measures have been put in place to minimise these risks, including monthly Project Board meetings where risk is reviewed.</p> |
| Equalities Impact Screening | An Equalities Impact Assessment of the Local Plan review will be undertaken. |

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| Human Rights | None discernible |
| Transformational Government | Not applicable |
| Comments of Head of Paid Service | The Report is Satisfactory |
| Comments of Deputy Section 151 Officer | The Report is Satisfactory |
| Comments of Deputy Monitoring Officer | The Report is Satisfactory |
| Consultees | Local Plan Project Board |
| Background papers | <p>Adopted North West Leicestershire Local Plan which can be viewed at https://www.nwleics.gov.uk/files/documents/adopted_local_plan_2011_20311/WrittenStatement%20-%20as%20Adopted.pdf</p> <p>Report on the Examination of the North West Leicestershire Local Plan which can be viewed at https://www.nwleics.gov.uk/files/documents/local_plan_inspectors_report_october_20171/INSPECTOR%27S%20REPORT%20FINAL%20OCTOBER%202017.pdf</p> <p>The National Planning Policy Framework which can be viewed at National Planning Policy Framework - Guidance - GOV.UK</p> |
| Recommendations | <p>THAT THE ADVISORY COMMITTEE:</p> <p>(i) NOTES THE PROPOSALS TO COMMENCE A REVIEW OF THE LOCAL PLAN; AND</p> <p>(ii) NOTES AND COMMENTS ON THE PROPOSED APPROACH TO THE REVIEW AS OUTLINED IN THE REPORT.</p> |

1.0 BACKGROUND

1.1 Members will recall that the North West Leicestershire Local Plan was adopted on 21 November 2017. The subsequent 6 week legal challenge period passed without any challenge.

1.2 Policy S1 of the adopted Local Plan states that:

“The District Council will commence a review of this Local Plan (defined as being publication of an invitation to make representations in accordance with Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012) by the end

of January 2018 or within 3 months of the adoption of this Local Plan (whichever is the later). The Plan Review will be submitted for examination within two years from the commencement of the review. In the event that the reviewed plan is not submitted within two years then this Local Plan will be deemed to be out of date."

1.3 The period of three months from adoption of the Local Plan expires on 20 February 2018. Therefore, there is a need to formally commence the review of the Local Plan.

2.0 WHY DOES THE LOCAL PLAN NEED TO BE REVIEWED SO SOON AFTER ADOPTION?

2.1 There are two principal reasons as to why this immediate review was required:

- An acknowledged shortfall in the provision of employment up to 2031 compared to the requirements in the Housing and Economic Development Needs Assessment (HEDNA); and
- The possible need to accommodate additional housing arising from unmet needs in Leicester City.

2.2 In respect of the latter issue, Leicester City has yet to identify a precise quantum of its unmet housing and/or employment need. Once it has done so there will be a need for all of the Leicester and Leicestershire authorities to agree a Memorandum of Understanding (or similar) regarding the distribution of new housing (and possibly employment) for the Housing Market Area. This may have implications for the amount of housing (and/or employment) which needs to be provided for in the Local Plan.

3.0 WHAT PERIOD SHOULD THE REVIEW COVER?

3.1 The adopted Local Plan covers the period 2011-2031. We know that there is already a shortfall in employment land provision to 2031 compared to the requirements identified in the HEDNA, whilst sufficient provision has already been made for housing. A review to 2031 could, therefore, be largely limited to addressing the shortfall in employment land.

3.2 However, a roll forward to 2036 would ensure a longer period of time between adoption and the end of the plan period and so should minimise the likely need for a further review before the (now) statutory requirement that plans be reviewed within 5 years of adoption. This would represent a more efficient use of resources and so provide certainty and stability for a longer period

3.3 Therefore, it is considered that the Local Plan review should go up to 2036.

4.0 WHAT SHOULD THE REVIEW COVER?

4.1 Whilst there is a clear need to do an 'immediate' review to address those matters identified through the Local Plan Examination, this does not mean that all policies in the Local Plan need to be reviewed. It should be regarded as a 'partial' review rather than a full review.

4.2 Apart from those issues highlighted in paragraph 2.1 above, the Local Plan Inspector identified two other potential areas to be considered as part of a review; the boundaries to the Area of Separation and the possible need for Local Green Space.

4.3 In terms of future development needs and assuming an end date of 2036, the HEDNA's overall requirement for housing would be 11,200 dwellings and that for employment (excluding strategic B8 uses) would be 81 hectares. The table summarises the position as at 31 March 2017.

| | Requirement (a) | Completions 2011-2017 (b) | Planning permissions (c) | Allocations (d) | Residual (a-b-c-d) |
|----------------------------------|----------------------------|--|---|----------------------------|-------------------------------|
| Housing (dwellings) | 11,200 | 3,073 | 9,670 | 1,540 | + 3,083 |
| Employment (hectares) | 81 | 4.81 | 28.74 | 16 | 31.5 |

4.4 In terms of housing there is, based on the above figures, an oversupply. However, as noted above in paragraph 2.2 the issue of the distribution of housing across the Housing Market Area to take account of any unmet needs elsewhere has yet to be agreed by the local authorities. In addition, the current consultation on the Strategic Growth Plan may also have implications for the final housing requirement. In addition to addressing the possible need for additional development, the review will also need to consider other housing issues such as affordable housing and types and mix of dwellings to reflect a different plan period.

4.5 In terms of future shopping needs these will need to be reviewed in the light of an increase in population and households from that allowed for in the adopted Local Plan.

4.6 Similarly, increased development will have an impact upon infrastructure and so this needs to be understood and accommodated.

4.7 In terms of the issue of a review of the Area of Separation, this was an issue considered at Examination of the Local Plan and in his report the Inspector commented (paragraph 82 of his report) that:

“On balance, I consider there to be overriding merit in the judgement of the Council that the AoSs [Areas of Separation], as designated, are justified for the life of this plan ...”

But that (paragraph 83):

“... there is scope for reconsideration of the detailed boundaries and land uses of the AoSs, in the event that it becomes necessary, at any time in the future, for the plan to be reviewed in the light of increased development needs.”

4.8 By virtue of the fact that (a) the Inspector made it clear that his comments regarding the appropriateness of the boundaries to the Area of Separation only applied during the life of the [adopted] plan (i.e. to 2031) and (b) that the development needs up to 2036 will be greater than those allowed for in the adopted Local Plan, it is considered that the boundaries to Areas of Separation need to be reviewed.

- 4.9 In terms of the issue of the identification of Local Green Space (LGS), as referred to in the National Planning Policy Framework, the Inspector noted that (paragraph 202) “It might be for a future review of the Plan, and not for this Report, to conduct a review of the potential of LGSs, where evidence of special local value might justify designation”.
- 4.10 Other than those issues outlined above the review may also be a need to include new policies in respect of the following:
- Self and custom build;
 - Public health implications of developments, including Health Impact Assessments;
 - Space standards; and
 - Creating local employment opportunities.
- 4.11 Consideration may also need to be given to the potential role of Neighbourhood Plans in setting out a planning framework for the district and the possible approach to the issue of having a Community Infrastructure Levy (CIL).
- 4.12 It is important to note that in addition to the outcome of the Strategic Growth Plan, the review will also need to take in to account the outcome of the government’s review of the National Planning Policy Framework (NPPF).
- 4.13 Therefore, the precise contents of the Local Plan will only be finalised after the consultation and in view of the above bullet points.

5.0 NEXT STEPS

- 5.1 Regulation 18 the Local Plan Regulations referred to in Policy S1 above requires that a local planning authority:
- Notifies specified bodies and persons that it intends to prepare a local plan; and
 - Invite such bodies and persons to make representations about what the local plan ought to contain.
- 5.2 It is proposed, therefore, to undertake a consultation, based on the content of this report, which invites comments on what matters the review should consider.
- 5.3 When adopting the Local Plan Council also resolved that “*Officers be authorised to commence work on a review of the Local Plan within 3 months of the adoption of the Local Plan*”. Therefore, there is no necessity to seek any further authorisations.
- 5.4 It is proposed that consultation be undertaken for a period of 6 weeks commencing on 19 February 2018 closing on 2 April 2018.

6.0 TIMETABLE FOR THE REVIEW

- 6.1 The following timetable for the review is proposed:

| Stage | When |
|--|---------------------|
| Consultation on what matters the review should consider (Reg 18) | February/March 2018 |
| Consultation on emerging options (Reg 18) | Autumn 2018 |
| Consultation on pre-submission plan (Reg 19) | Autumn 2019 |
| Submission for Examination (Reg 22) | Autumn 2019 |
| Examination | Winter 2019 |
| Adoption | Autumn 2020 |

6.2 It will be necessary to issue a new Local Development Scheme to reflect the above programme.