

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LOCAL PLAN COMMITTEE – WEDNESDAY, 2 OCTOBER 2019

Title of report	LOCAL PLAN REVIEW – AREA OF SEPARATION STUDY
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Purpose of report	To outline the outcome of a study of the Area of Separation between Coalville and Whitwick.
Council Priorities	<ul style="list-style-type: none"> - Building Confidence in Coalville - Homes and Communities - Businesses and Jobs
Implications:	
Financial/Staff	The cost of the study has been met from existing budgets.
Link to relevant CAT	None
Risk Management	The need to review the boundaries of the Area of Separation were highlighted by the Local Plan Inspector in his report of October 2017. Maintaining the Area of Separation in a future Local Plan without reviewing its boundaries would leave the Council vulnerable at the Examination that will take place at a future date. Commissioning an independent study will enable the Council to demonstrate that it has acted upon the Inspector's advice.
Equalities Impact Screening	An Equalities Impact Assessment of the Local Plan review will be undertaken as part of the Sustainability Appraisal.
Human Rights	None discernible
Transformational Government	Not applicable

Comments of Head of Paid Service	The Report is Satisfactory
Comments of Section 151 Officer	The Report is Satisfactory
Comments of Monitoring Officer	The Report is Satisfactory
Consultees	None
Background papers	<p>Adopted North West Leicestershire Local Plan</p> <p>www.nwleics.gov.uk/pages/local_plan</p> <p>Report on the Examination of the North West Leicestershire Local Plan (October 2017)</p> <p>www.nwleics.gov.uk/pages/local_plan_examination</p>
Recommendation	<p>THAT THE LOCAL PLAN COMMITTEE NOTES:</p> <p>(I) THE OUTCOME OF THE AREA OF SEPARATION STUDY; AND</p> <p>(II) THAT THE AREA OF SEPARATION STUDY FORMS PART OF THE COUNCIL'S EVIDENCE BASE TO SUPPORT THE LOCAL PLAN SUBSTANTIVE REVIEW</p>

1.0 BACKGROUND

- 1.1 Policy En5 of the Local Plan establishes an Area of Separation between Coalville and Whitwick. The purpose of the policy is to seek to maintain the physical separation between Coalville and Whitwick so as to ensure that they maintain their respective character and identity.
- 1.2 The extent of the Area of Separation is identified on the plan at Appendix A of this report.
- 1.3 Prior to its designation as an Area of Separation, the land in question had been identified in the previous Local Plan as part of a larger Green Wedge. Parts of the area had been the subject of a number of planning applications for housing development which the Council refused and which had subsequently been dismissed at appeal.
- 1.4 The issue of the Area of Separation was debated at the Local Plan Examination in early 2017. The Inspector did not recommend any changes to the policy nor its boundaries, but in respect of the latter he did note that "*On balance, I consider there to be overriding merit in the judgement of the Council that the AoSs, as designated, are justified for the life of this Plan*". He went on to state that "*Importantly though, on the evidence provided to this*

Examination, 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”.

1.5 In effect, the Inspector was flagging up that any review would have to consider the need for possible changes to the boundaries of the Area of Separation, in the context of development needs.

1.6 To ensure that the Inspector’s views are considered, a study was commissioned to assess the boundaries of the Area of Separation and advise of any changes which might be required.

2.0 THE STUDY

2.1 The study was undertaken by The Landscape Partnership, a company with over thirty years’ experience in matters relating to landscape assessments and similar work.

2.2 A copy of the report is attached at Appendix B and C of this report.

2.3 The methodology (section 2 of the report at Appendix B) involved a combination of both desk top study but also on-site appraisal and assessment. The Area of Separation was divided in to 24 land units comprising areas of common landscape character to assess their individual role and functionality. Each unit was then assessed against a set of 8 common criteria.

2.4 The criteria were selected to evaluate how land units contribute to the Area of Separation by:

- maintaining the openness of the land,
- protecting the identity and distinctiveness of the settlements and
- preventing coalescence.

2.5 The study focuses on the importance of land units in terms of the role or functionality they play in providing a physical, visual and perceptual separation of Coalville and Whitwick.

2.6 Each land unit is then categorised, having regard to the criteria used, as being a ‘Primary’, ‘Secondary’ or ‘Incidental’ contribution based on the following definitions:

- **Primary** - the land unit comprises a fundamental component of the openness that separates adjacent settlements in terms of landscape character and visual perception.
- **Secondary** - the land unit in combination with other units provides an important component of the openness that separates adjacent settlements or different parts of the same settlement in terms of landscape character and visual perception.
- **Incidental** - the land unit makes a limited contribution to the openness that separates adjacent settlements in terms of landscape character and visual perception.

2.7 The results of the assessment and the categorisation assigned to each land unit are set out at Figure 12 of Appendix C. Of the 24 land units 11 are judged to make a Primary contribution, 8 a Secondary contribution and 4 an Incidental contribution whilst 2 small

areas are considered to not make a contribution because the particular areas have been subject to some small scale development.

- 2.8 Notwithstanding the different categorisations used, the study notes (paragraph 2.17) that *“All three categories are regarded as demonstrating characteristics which merit being included in the AoS. However, it is important to recognise that some units are of relatively greater importance to the AoS and hence the use of the underlined phases above”*.
- 2.9 Those areas identified as providing a Primary or Secondary contribution are (the study notes at paragraph 2.18) *“clearly appropriate for inclusion within the AoS within the Local Plan review”*, whilst those that make an Incidental contribution (paragraph 2.19) *“are of more limited importance to the AoS overall e.g. by being well contained or relating more strongly to the settlement edge alone. The removal of these units from the AoS would not undermine the remainder of the designation should a justified alternative use be identified. However, based on their current land use and functionality it is considered that these units make a contribution albeit limited and should at the current time be retained within the AoS”*.

3.0 NEXT STEPS

- 3.1 The study will form part of the Council's evidence base to support the 'substantive' review of the Local Plan. All evidence base documents are, in the interests of transparency, placed in to the public domain on the Council's website.
- 3.2 The principle of maintaining the physical separation between different settlements is a legitimate planning consideration. The council has a longstanding commitment to maintaining the physical separation of Coalville and Whitwick. This approach has been supported by Inspectors at a number of major appeals, most recently in May 2017.
- 3.3 The study outlined in this report provides the Council with independent evidence to help define what the boundaries of an Area of Separation should be. Consideration of the studies recommendations will be taken forward as part of the Local Plan 'substantive' review in due course.