

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

**CABINET – 29 JULY 2014**

Title of report	<b>UPDATE REPORT ON LOCAL PLAN PROGRESS</b>
Key Decision	a) Financial No b) Community Yes
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Purpose of report	For Cabinet to note the progress of preparation of the Local Plan and the minutes of the meetings of the Local Plan Advisory Committee
Reason for Decision	For Cabinet to set of its views for consideration by Council.
Council Priorities	Value for Money Business and Jobs Homes and Communities Green Footprints Challenge
Implications:	
Financial/Staff	The Local Plan will require the gathering of additional evidence which will have financial implications. The exact requirements are not clear at this stage and will need to be kept under review. The Council makes budget provision each year in anticipation of these costs.
Link to relevant CAT	None
Risk Management	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.
Equalities Impact Assessment	As part of the process of preparing the Local Plan an assessment of the potential impact of the policies and proposals of the Local Plan from an equalities perspective will need to be undertaken.
Human Rights	None
Transformational Government	Not applicable

Comments of Deputy Chief Executive	As author, the report is satisfactory
Comments of Section 151 Officer	Report is satisfactory
Comments of Deputy Monitoring Officer	Report is satisfactory
Consultees	None
Background papers	Reports to 3 June 2014 meeting of LPAC which can be viewed <a href="#">here</a>
Recommendations	<p><b>THAT CABINET:</b></p> <p><b>(I) NOTES THE MINUTES OF THE LOCAL PLAN ADVISORY COMMITTEE OF 18 MARCH 2014 AND 29 APRIL 2014;</b></p> <p><b>(II) NOTES THE RECOMMENDATIONS OF THE MEETING OF THE LOCAL PLAN ADVISORY COMMITTEE OF 3 JUNE 2014; AND</b></p> <p><b>(III) RECOMMENDS THAT THE LOCAL PLAN ADVISORY COMMITTEE RECONSIDERS THE LOCAL PLAN, PLAN PERIOD ON THE BASIS OF NEW EVIDENCE AVAILABLE IN THIS REPORT</b></p>

## 1.0 BACKGROUND

- 1.1 Members will recall that at the meeting of Council on 25 February 2014 it was agreed to establish a Local Plan Advisory Committee to work with officers on the new Local Plan.
- 1.2 The Advisory Committee has so far met on three occasions on 18 March 2014, 29 April 2014 and 3 June 2014. The Advisory Committee was set up as a sub-committee of Council and so the minutes have to be reported to Council. The meetings referred to above will be considered at the meeting of Council on 16 September 2014.
- 1.3 The purpose of this report is for Cabinet to consider progress with the preparation of the Local Plan and the outcome from the meetings of LPAC ahead of drafting recommendations to be considered by Council. Cabinet are responsible for drafting the Local Plan and making recommendations to Council. Council have set up the LPAC to facilitate greater member involvement in the preparation of the Local Plan. Whilst Cabinet are not bound by the views of the LPAC, it is appropriate that their recommendations are informed by the wider view of members as represented through the LPAC via the minutes of the LPAC meetings.

## **2.0 MEETING OF LPAC ON 18 MARCH 2014**

- 2.1 The meeting was provided with an update of both the National and Local Plan process and a report outlining the possible scope to be covered by the new Local Plan. A copy of the minutes is attached at Appendix A of this report.
- 2.2 It will be noted that in terms of the Local Plan the Advisory Committee had been advised that:
- the Council should prepare a Local Plan rather than revising and resubmitting the Core Strategy; and
  - that the plan period should be 2011-36
- 2.3 The Advisory Committee agreed that the plan period should be 2011-2036. However, the issue of the plan period is considered further at paragraph 4.3 of this report.
- 2.4 The Advisory Committee was also presented with an initial draft structure for the Local Plan and to comment on the structure, although it was stressed that the structure could change in due course.

## **3.0 MEETING OF LPAC ON 29 APRIL 2014**

- 3.1 The meeting considered a report in respect of a new Statement of Community Involvement (SCI) and the Council's Strategic Housing Land Availability Assessment (SHLAA). A copy of the minutes is attached at Appendix B of this report.
- 3.2 In respect of the SCI the Advisory Committee was advised that it would be appropriate to prepare a new SCI to take account of changes in legislation. This was endorsed by the Advisory Committee.
- 3.3 In respect of the SHLAA it was noted that this was a vital part of the Council's evidence base to support the new Local Plan but that importantly, inclusion of any site in the SHLAA did not mean it would definitely be included in the Local Plan or granted planning permission if an application was submitted. The Advisory Committee noted the SHLAA and its role in the Local Plan process.

## **4.0 MEETING OF LPAC ON 3 JUNE 2014**

- 4.1 The meeting considered reports in respect of the new Strategic Housing Market Assessment (SHMA) and the proposed timetable for the Local Plan.
- 4.2 In terms of the SHMA the Advisory Committee:
- noted that the findings identified that the housing need in North West Leicestershire was estimated to be between 285 and 350 per annum for 2011-31 and 270-330 per annum for 2011-36;
  - noted the next steps to reach agreement across the Housing Market Area (HMA) in respect of the amount and distribution of new housing; and
  - considered that it was essential that in the event that there was a need to re-distribute any housing across the HMA that any process for agreement should be open and transparent.

4.3 Since the meeting of the Advisory Committee on 3 June, the Member Advisory Group (MAG), which is a member group representing each of the planning authorities in the Leicester and Leicestershire Housing Market Area, has met and has indicated that in terms of reaching an agreement on the amount and distribution of new housing this should cover the period to 2031. The basis for the MAG reaching this conclusion is due to the fact that the current transport modelling work for the Housing Market Area currently only looks at the period to 2028 and therefore having plan periods to 2031 minimises the additional modelling work required to have a comprehensive set of plans in place. More importantly however the recommendation to run plans to 2031 is based on the fact that all planning authorities in the Housing Market Area have confirmed that they are able to accommodate their housing needs within their respective areas upto that date thereby avoiding the need for any re-distribution. Therefore, whilst the Local Plan Advisory Committee had recommended at its meeting that the Local Plan should cover the period 2011-2036, it was not aware of the MAG's deliberations on this matter at the time and as a result of this, officer advice is that it would now be appropriate to cover the period 2011-2031 to be consistent with other authorities in the Housing Market Area.

4.4 In considering the plan end date to 2031, Cabinet should be aware that the National Planning Policy Framework (NPPF) states at para 159 that local plans should:

"be drawn up over an appropriate time scale, *preferably* a 15-year time horizon, take account of longer term requirements, and be kept up to date"

However the NPPF also states at para 47 that the local plan should:

"identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, *where possible*, for years 11-15"

Given the Local Plan will not be adopted at the earliest until the end of 2016 an end date of 2031 would of course be just short of 15 years. The longer date (2036) would, as the LPAC have already been advised be preferable and fits better with NPPF in this regard. However if the Council is to continue with an plan end date of 2036, this poses a considerable risk of not being able to secure co-operation based on a robust evidence base, which is also a requirement of the NPPF.

Given that there is consensus that up until 2031 all the authorities can meet their objectively assessed housing need without the need for any redistribution subject to some modelling by LCC around transport. It is advised that it would likely have to be something of real significance for any constraint including transport to persuade an Inspector that any plan meeting housing would otherwise be found unsound on the '15 year rule'. This seems to be supported by the Inspector for the Charnwood Hearing being content that the submitted plan has an end date of 2028 (14 year time horizon).

Therefore due to changed circumstances following publication of the SHMA and emerging information concerning SHLAAs, Cabinet are advised that a credible argument could be advanced to support an end date of 2031 with a commitment that the authorities will be working together on a longer time horizon as the evidence base is rolled forward.

## **5.0 TERMS OF REFERENCE**

- 5.1 In respect of the timetable the Advisory Committee noted the proposed timetable for the preparation of the Local Plan and expressed some concerns that an initial consultation was planned over July and August 2014 when many people would be on holiday. This consultation is now underway (including a consultation in respect of the Statement of Community Involvement) until 19 September 2014.
- 5.2 It was also noted that adoption was not considered likely until the end of 2016 and the Advisory Committee expressed the need to ensure that progress was made as quickly as possible.
- 5.3 Finally, at the meeting of the LPAC on 3 June 2014, some concern was raised regarding the terms of reference for the Advisory Committee. These concerns were:
- a) The need for non members of the LPAC to give notice of the wish to participate at LPAC meetings;
  - b) The need to seek “permission” of the chairman to participate; and
  - c) That the terms of reference do not exclude a meeting being quorate with just one political party in attendance.
- 5.4 As these matters relate to the terms of reference to the LPAC and these are a matter for full Council, they will be addressed in the report to Council in September 2014.