

MINUTES of a meeting of the LOCAL PLAN COMMITTEE held in the Remote meeting using Microsoft Teams on THURSDAY, 15 OCTOBER 2020

Present: Councillor J Bridges (Chairman)

Councillors D Harrison, D Bigby, R Boam, J Houlton, R Johnson, J Legrys, V Richichi, A C Saffell, N Smith and M B Wyatt

In Attendance: Councillors D Everitt, R Ashman and M D Hay

Officers: Mr I Nelson, Mr C Elston, Mrs C Hammond, Miss S Odedra, C Colvin and Mr T Delaney

14 APOLOGIES FOR ABSENCE

There were no apologies.

15 DECLARATION OF INTERESTS

In accordance with the Code of Conduct, Members declared the following interests:

Councillor D Harrison declared a non-pecuniary interest in item 5 - Planning for the Future White Paper - Response to Consultation, as a member of Leicestershire County Council, through which he had taken part in discussions about the paper.

16 PUBLIC QUESTION AND ANSWER SESSION

There were no questions received.

17 MINUTES

Consideration was given to the minutes of the meeting held on 24 September 2020.

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

RESOLVED THAT:

The minutes of the meeting held on the 24 September 2020 be approved and signed by the Chairman as a correct record.

18 PLANNING FOR THE FUTURE WHITE PAPER - RESPONSE TO CONSULTATION

The Planning Policy Team Manager presented the report to members. He presented each of the three pillars set out in the consultation document one by one taking questions after each one.

Pillar 1: Planning for development

The Planning Policy Team Manager advised that a member had raised a question prior to the meeting about the response to question 5, in relation to areas designated as one of three categories. The member had raised concerns about the wording of the second paragraph and after discussions, officers agreed that a slight change to the wording was required. Therefore it was proposed that an amendment be made so that the paragraph reads:-

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“Such an approach also does not provide sufficient flexibility to deal with changing circumstances. For example, if an area is identified as being Protected but a major proposal arises for the creation of a significant number of new and well paid jobs as a result of inwards investment, and the Council representing the local community wished to support it, then such a proposal could not be supported. The wording at page 29 of the White Paper suggests some development might be permissible in Protected areas. If this is what is intended, how is this different to the current approach? “

The member in question thanked Mr Nelson for the slight change of wording, even though in his opinion it was not 100% satisfactory, he was happy to support the proposed responses. The member raised concerns about the the amount of flexibility suggested within the White Paper in respect of Protected areas. He felt that the authority should not find itself back in the situation that it had found itself in with the current Local Plan where there were too many caveats in relation to the protection of the countryside.

The Planning Policy Team Manager understood these concerns and highlighted that page 29 of the White Paper seemed to suggest that some development would still be permissible, although further clarity was required from Government.

Thanks were conveyed to Mr Nelson for addressing the concerns that had been received and for the excellent responses that had been provided to the 25 questions. He accepted that planning legislation needed updating but noted that there was countrywide concern over the White Paper. He felt that the paper put the developer first and hoped that the final consideration of the changes did not get put back. He hoped that following all the hard work of the officers, Cabinet would support the response to be submitted to Whitehall and that Whitehall would take note of the responses and work across the political parties to develop a planning act fit for the 21st Century.

A member noted that there was no inclusion in the paper about nature accessible green spaces in the new proposed Growth or Renewal areas and that wildlife was the foundation of nature. It was further noted that the paper sought to abolish the legal duty of care. The member queried, how safe was the Hugglescote and Donington-le-Heath Neighbourhood Plan was without the duty to co-operate?

The Planning Policy Team Manager advised that he did not think that the abolishment of the legal duty of care would make any difference to the Neighbourhood Plan, as such plans were prepared under their own separate pieces of legislation.

Members reiterated their support in relation to the robust responses that the officers had provided. They felt that the White Paper, as proposed, had not addressed all of the issues and Responses from other external professional planning groups, who were in opposition to the paper was also highlighted. Members noted the response to question 7b and felt that it was an ideal opportunity to add that the authority was in favour of high level strategic plans, and that without these plans it would be difficult to resolve cross boundary issues. It was asked if some wording could be added about the general support for increased regional planning strategies.

The Planning Policy Team Manager advised that if the committee was minded to support the inclusion of wording that referred to the need for wider strategic planning he would be happy to add something to the response.

The proposals were supported by the committee.

Pillar 2: Planning for beautiful and sustainable places.

There were no comments from the committee.

Pillar 3: Planning for infrastructure and connected places.

A member felt that the responses were fair and honest, but noted that the 3rd pillar was the most difficult to understand. Concerns were expressed over developers who backtracked on their S106 responsibilities after permission had been granted and it was felt that the White Paper did not address this issue. The same member highlighted that under the current Government proposals local authorities and private infrastructure providers would have to first borrow money to put services/infrastructure in place, whilst waiting for the developer to pay the monies secured pursuant to the development. The member urged all members to lobby the LGA to respond to Government to ask how local authorities and service providers would reclaim their funds if the developer subsequently went into liquidation.

A member praised the response to question 22a in relation to the proposed levy and viability, as it was felt that there were significant issues that had been picked up within the response. It was felt that developers should not pay more for the land being purchases than necessary so that future requirements including the provision of infrastructure could be met. Member's hoped that the Government would listen to the response.

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

RESOLVED THAT:

The Committee recommends that Cabinet responds to the consultation in respect of the Planning for the Future White Paper as set out in sections 3 to 5 of the report, subject to the following amendments:-

1. The second paragraph of question 5 be amended to state:
 "Such an approach also does not provide sufficient flexibility to deal with changing circumstances. For example, if an area is identified as being Protected but a major proposal arises for the creation of a significant number of new and well paid jobs as a result of inwards investment, and the Council representing the local community wished to support it, then such a proposal could not be supported. The wording at page 29 of the White Paper suggest some development might be permissible in Protected areas. If this is what is intended, how is this different to the current approach? "

And

2. At the end of question 7b the following be inserted:
 "It is also suggested that cross boundary issues could be best addressed through some form of formal strategic planning (i.e. greater than local authority level)."

19 POTENTIAL STRATEGIC SITES INFRASTRUCTURE STUDY

The Chairman advised that he had received a request to speak from Councillor M Hay and invited him to address the committee.

Councillor M Hay addressed the committee advising that his ward covered one of the proposed development sites. He praised officers for the report and was impressed with the level of detail that had gone into the work, especially around infrastructure, which he felt was a lynchpin for the style of development addressed in the report. He acknowledged that more housing was needed and the infrastructure requirements to support it, but urged officers to take into consideration the quality of life for both the new and existing residents within the area. He highlighted that any new development in the north of the district had to work, as if not it would have a knock- on effect on the existing amenities and traffic in the

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Castle Donington Wards. He added that it had to be done correctly not only for residents now, but those in the future.

The Chairman thanked Councillor M Hay for his comments and asked him to put them in writing to the officers so that they were able to provide responses.

The Planning Policy Team Manager presented the report to members.

It was noted that some members supported a new settlement in principal but felt that it should be a new settlement, not a settlement bolted on to an existing community. It was considered that lessons needed to be learnt in relation to the lack of concern from the developers in relation to the Grange Road sites over the impact to existing residents of Hugglescote's quality of life from the bolt on development. It was requested that the terminology 'quality of life' be included in responses and ensured that the Council learns from these experiences.

One member felt that the main issues that needed to be taken into account were the experiences and problems that had arisen within the Hugglescote ward in relation to the South East Coalville developments, and that infrastructure needed to be put in before development commenced. It was asked whether the flightpath of aircraft going over the sites listed was considered when the study was carried out?

The Planning Policy Team Manager advised that it was looked at and the view was that these matters would be dealt with through development management systems or local plan policies. Therefore, at that stage, air and noise issues would not prohibit development.

Members were pleased that officers were carrying out the work and acknowledged that self-contained new settlements would be needed rather than bolting on to existing communities, without the necessary infrastructure first being in place. It was asked if officers could advise why the inspector had turned down the sites in Essex and whether the work already undertaken by the council had given them confidence that the authority would not face the outcome as that in Essex. Reference was made to the junction close to site D where it was felt that the infrastructure could be improved.

The Planning Policy Team Manager advised that the reasons the sites had been turned down in Essex were because the inspectors were not convinced that the developments would be deliverable due to their size. As a result officers began thinking about the proposals and trying to fill in any gaps as early as possible.

A member advised that he was pleased that information had been sought on the site that he had put forward, however he noted that external support could be sought and he would be happy to meet officers to discuss. He asked that the proposal be moved forward. He stated that he would be happy to work with a fellow councillor whose concerns he shared.

It was moved by Councillor J Legrys, seconded by Councillor V Richichi and

RESOLVED THAT:

- (I) The outcome from the infrastructure study and landscape sensitivity appraisal be noted;
- (II) None of the four sites identified in the report are to be discounted at this time be noted; and

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(III) The intention to develop options for a potential future development strategy be noted.

Councillor M B Wyatt left the meeting at 6.45pm

Councillor T Saffell left the meeting at 7.07pm.

The meeting commenced at 6.00 pm

The Chairman closed the meeting at 7.07 pm