

# NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COUNCIL – 16 SEPTEMBER 2014

Title of report	<b>MINUTES OF LOCAL PLAN ADVISORY COMMITTEE</b>
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Purpose of report	For Council to receive the minutes of the meeting of the Local Plan Advisory Committee and to consider their recommendations
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 Head of Paid Service	The report is satisfactory
Comments of Section 151 Officer	The report is satisfactory

Comments of Deputy Monitoring Officer	The report is satisfactory
Consultees	None
Background papers	Minutes of meetings of Local Plan Advisory Committee dated 18 March 2014 and 29 April 2014 as set out in Appendix A and Appendix B of this report.  Reports to 3 June 2014 meeting of LPAC which can be viewed <a href="#">here</a>
Recommendations	<p><b>THAT COUNCIL:</b></p> <p><b>(I) RECEIVES 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 LOCAL PLAN ADVISORY COMMITTEE OF 3 JUNE 2014 AS SET OUT IN PARAGRAPHS 4.2 AND 4.3 OF THIS REPORT; AND</b></p> <p><b>(III) AGREES THE RECOMMENDATIONS OF THE LOCAL PLAN ADVISORY COMMITTEE TO PREPARE A NEW LOCAL PLAN AND THAT THE PLAN PERIOD BE 2011-2031 AND;</b></p> <p><b>(IV) THAT THE TERMS OF REFERENCE FOR THE LOCAL PLAN ADVISORY COMMITTEE NOT BE CHANGED.</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 (LPAC) to work with officers on the new Local Plan.
- 1.2 Council have set up the LPAC to facilitate greater member involvement in the preparation of the Local Plan. However, as members will be aware Cabinet are responsible for drafting the Local Plan and making recommendations to Council.
- 1.3 To date the LPAC has met on three occasions; on 18 March 2014, 29 April 2014 and 3 June 2014. As the LPAC was set up by Council it is necessary for the minutes from LPAC meetings to be reported to Council.
- 1.4 The purpose of this report is to consider the outcome from those meetings on 18 March and 29 April. Minutes for the meeting of 3 June have yet to be agreed by the LPAC and so will be need to be received at a subsequent Council meeting, but the outcome of the meeting is summarised here for completeness. The outcome of all the LPAC meetings to date were considered by Cabinet at its meeting on 29 July 2014 in order that Cabinet were aware of the views of the LPAC in their role of drafting the Local Plan as outlined at paragraph 1.2

## **2.0 MEETING OF 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 LPAC 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 LPAC resolved that this advice be recommended to Council.
- 2.4 The LPAC was also presented with an initial draft structure for the Local Plan and invited to comment on the structure, although it was stressed that the structure could change in due course.
- 2.5 Cabinet at its meeting of 29 July 2014 agreed to note the minutes of the meeting.

## **3.0 MEETING OF 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 LPAC was advised that it would be appropriate to prepare a new SCI to take account of changes in legislation. This was agreed by the LPAC.
- 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 LPAC agreed to note the SHLAA and its role in the Local Plan process.
- 3.4 Cabinet at its meeting of 29 July 2014 agreed to note the minutes of the meeting.

## **4.0 MEETING OF 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 LPAC:
- 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

- resolved 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 In respect of the timetable the LPAC 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. Officers agreed therefore to extend the consultation period accordingly. It was noted that adoption was not considered likely until the end of 2016 and the LPAC expressed the need to ensure that progress was made as quickly as possible.

4.4 This consultation is now underway (including a consultation in respect of the Statement of Community Involvement) until 19 September 2014.

4.5 Some concern was raised regarding the terms of reference for the LPAC. 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.

4.6 Cabinet at its meeting of 29 July 2014 agreed to recommend that the Local Plan Advisory Committee reconsider the local plan, plan period on the basis of new evidence available in the report by Cabinet.

## **5.0 ISSUES ARISING FROM THE ADVISORY COMMITTEE**

### Plan Period

5.1 As noted above Cabinet at its meeting on 29 July 2014 asked that in terms of the issue of plan period that LPAC reconsider the end date.

5.2 The reason for making this request is that since this issue was first considered by the LPAC, 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.

5.3 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 up to that date thereby avoiding the need for any re-distribution.

5.4 Therefore, whilst the LPAC 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.

- 5.5 In considering the plan end date to 2031, Council 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"

- 5.6 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 a 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.
- 5.7 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).
- 5.8 Therefore due to changed circumstances following publication of the SHMA and emerging information concerning SHLAAs, both Cabinet and the LPAC have been 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.
- 5.9 A report on this matter was to be considered by the LPAC at its meeting on 9 September 2014. In view of the print deadlines the outcome of LPAC was not known at the time of drafting this report. A verbal update will be provided at the meeting of Council in order that members are fully aware of the views of the LPAC.

#### Terms of Reference

- 5.10 The Terms of Reference for the LPAC were agreed by Council at its meeting on 25 February 2014. It is open to Council to amend the Terms of Reference if it wishes. However, amending them to address the concerns outlined at paragraph 4.5 above would not be consistent with how other council meetings are organised. Therefore, it is suggested that no change be made to the Terms of Reference.