

MINUTES of a meeting of the LOCAL PLAN ADVISORY COMMITTEE held in the Council Chamber, Council Offices, Coalville on WEDNESDAY, 20 JANUARY 2016

Present: Councillor J Bridges (Chairman)

Councillors J Cotterill, R Johnson, J Legrys, V Richichi and M Specht

In Attendance: Councillors R Adams, G Jones, S McKendrick and T J Pendleton

Officers: Mr M Sharp (Consultant), Mr S Bambrick, Mr D Gill, Mrs M Meredith, Mr I Nelson and Mr J Newton

**19. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor R D Bayliss.

**20. DECLARATION OF INTERESTS**

There were no interests declared.

**21. MINUTES OF PREVIOUS MEETING**

Consideration was given to the minutes of the meeting held on 16 December 2015.

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

RESOLVED THAT:

The minutes of the meeting held on 16 December 2015 be approved and signed by the Chairman as a correct record.

**22. COMMITTEE TERMS OF REFERENCE**

RESOLVED THAT:

The Terms of Reference be noted.

**23. DRAFT LOCAL PLAN - CONSULTATION RESPONSES**

The Director of Services presented the report to members, outlining the progress made to date in respect of the draft Local Plan. He stated that the report was intended to provide a high level understanding of the volume of responses that had been received to the draft Local Plan and some of the key emerging issues at this stage. He emphasised that it was not intended at this stage to give the full detail, as the Planning Policy team were currently working through all the responses, and the full detail would be available to members in due course. He highlighted the methods of communication during the consultation process, and advised that for the first time, social media applications such as Twitter had been significantly utilised to promote the consultation. He added that it was felt this had been quite successful and was something the Council would want to continue going forward. He highlighted that there had been 326 responses to the consultation media which had generated just under 2,000 individual detailed comments. In addition a further 424 responses had been received in the format of a standard letter.

The Director of Services made reference to section 3 of the report which outlined the issues that were being noted as a result of the consultation. He added that a number of responses had been received which suggested either that the housing requirement figure was too high or too low, and the Council's response to these comments needed to be

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considered. He advised members that responses had also been received from Charnwood Borough Council and Oadby and Wigston Borough Council in respect of the overall housing requirement, which emphasised the need to provide clear and robust evidence to support the housing requirement figure set out on the Local Plan, once this was agreed upon. He made reference to a recent planning appeal decision in Coalville where the inspector had also made comments regarding the objectively assessed need for the district and this would need to be taken account of as part of the preparations for the Local Plan going forward, and clearly this was a key issue. He added that the Council was already in the process of procuring some external advice from demographic experts to support the development of the housing requirement figure to be included in the Local Plan, and the appeal decision had re-emphasised the need for this work to take place prior to the Council meeting in June.

The Director of Services advised that comments had also been received in relation to the settlement hierarchy, the limits to development, and a significant number of standards responses had been received in relation to the Money Hill development in Ashby de la Zouch. A number of people had also commented on the Council's approach to infrastructure. He advised that as part of the preparations, officers were already planning on preparing an infrastructure delivery plan to support the Local Plan, and a consultant had been commissioned to prepare that plan.

The Director of Services made reference to section 3.32 of the report relating to renewable energy and highlighted that a ministerial statement had been published just prior to the consideration of the draft Local Plan by Council. He advised that it was the view of officers that the impact of this was that there was a risk of the plan being found unsound if some consideration was not given to potential suitable areas for wind energy development in the Local Plan, and as a result, officers were minded to commission some work on this. He sought the views of the Advisory Committee as to whether they felt this was necessary.

Councillor R Johnson expressed disappointment that a consultation event had not taken place in Hugglescote after having approached the Director of Services and the Planning Policy Team Manager. He added that a lot of residents did not use social media.

The Chairman reminded Councillor R Johnson that he had advised all members to liaise with their Parish Councils on this matter and he asked that the officers look into this further.

Councillor J Legrys thanked the officers for their work in putting the report together and the Director of Services for the briefing last week in respect of the effects of the Gladman appeal. He felt it was fair to say that an increased number of responses had been received by using social media. He added that he had attended a meeting at Ashby Wolds which was well attended. He supported Councillor R Johnson on his comments regarding the lack of a village Local Plan meeting in Hugglescote. He felt that it would be very difficult to respond to the issues raised, and added that there had been a number of critical comments on the draft Local Plan and he remained to be convinced that they would be taken into account when the Local Plan was reported back to Council. He stated that most of the people he spoke to were very sceptical about the progress of the Local Plan and the Gladman appeal was now in public domain with the inspector making it clear that he did not believe the Council had a 5 year housing land supply. He added that he fully accepted that Whitehall had moved the goalposts in a lot of cases. He felt that officers were trying to put together a Local Plan effectively in a vacuum. He stated that the proposed housing requirement figures were based on the assumption that the Roxhill development would be going ahead. He added that what concerned people was that only 15% of the employees would come from within the district, and it was necessary to fully understand how this would affect the overall housing requirement. He urged members to read the appeal decision as it would have a profound effect on the Local Plan, as it

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questioned the 5 year housing land supply. He emphasised the importance of progressing the Local Plan to prevent spurious development in the district. He stated that additional plots of land would be required should the housing requirement be increase which had not been discussed in the consultation. He expressed concerns that the local community would effectively have very limited time to comment should additional plots of land be needed.

Councillor J Bridges stated that he had read the appeal decision and he assured Councillor J Legrys that officers were working hard to plan for this situation. He added that there were a lot of factors involved and additional land would always be needed whenever there was population growth.

The Consultant stated that clearly, the goalposts did move and it was difficult to draw a line in the sand. He added that a number of local authorities were facing this problem. His view was that inspectors were trying to be a bit more pragmatic than previously. He commented that it was true that the inspector who looked at the Gladman appeal was very senior, however time needed to be taken to consider the implications. He added that the inspector did not go into great detail in respect of the evidence base and he suggested that a Local Plan inspector would do so. He stated that he did not want to advise the Council to move away from current figure, but to do more work on the evidence base to ascertain whether the figure could be adequately defended.

The Planning Policy Team Manager stated that he agreed with the Consultant's comments in respect of the distinction between a planning appeal and a Local Plan inspection, as the latter would really involve a forensic examination of the evidence base. He commented that to some extent, the Gladman appeal reinforced the need for more evidence. He added that the timing was quite fortuitous in that the Local Plan had not progressed to the next stage and there was time to compile the additional information required.

The Director of Services emphasised that the timetable set out in the report was dependent upon being able to present to Council a robust position which was unchanged from the current position. He clarified that the timetable was not sacrosanct, and if significant changes were suggested, the timetable would have to be reconsidered, taking account of the circumstances at that time. He assured members that it would not be in the Council's interests to railroad the Local Plan through to try to meet a preordained timetable.

Councillor M Specht stated that he had read the inspector's report in respect of the Gladman appeal and he was disappointed in his summing up. He added that he was horrified that the housing figure he quoted was significantly more than the figure in the draft Local Plan and he questioned whether members were commenting on something that was already out of date. In light of the shocking evidence in the Gladman appeal, he sought clarification on what the situation would be if different inspectors reached differing opinions.

The Director of Services stated that this reinforced the point made by the Consultant, insofar as the Local Plan should not be prepared by responding to individual appeal decisions. He added that all decisions needed to be taken account of, and clearly this particular decision was important, as it had an immediate impact on the Council's approach to individual planning decisions. He advised however that a different view had to be taken when it came to preparing the Local Plan, as the Council should not be shifting its position constantly. He explained that the work currently being undertaken would take account of respective appeal decisions, but they were more relevant for making individual decisions at Planning Committee. He added that the emphasis was on the evidence base supporting the Local Plan.

Councillor M Specht sought clarification on how the discussions in respect of the five year housing land supply would affect the Planning Committee.

The Director of Services reminded members that the discussion this evening should focus on examining the Local Plan rather than seeking to dissect the Gladmans appeal decision. He added that clearly the impact that this individual decision would have on the Local Plan would be taken into account as part of building the evidence base. He explained that the inspector had said that the 350 dwellings per annum in the Strategic Housing Market Assessment did not represent the full objectively assessed need, and further work needed to be undertaken to establish the need. The implication of this was that, based on the current evidence, an inspector had concluded that the Council did not currently have a five year housing land supply, and it was a matter for the Planning Committee to determine applications on a case by case basis, taking this into account. He assured members that once a figure was finally determined, the evidence base would be in place to support it. He added that until that point was reached, these discussions about the housing need figure would always be ongoing, which was why it was imperative for the Local Plan to progress as soon as possible.

Councillor V Richichi stated that there seemed to be a lot of concern regarding the inspector's report and he was pleased to hear the comments from the Consultant. He commented that he felt the Planning Committee were very fair in their judgement and he felt members should not be tethered to a decision that could be challenged.

The Consultant commented that the Council needed to be absolutely sure that the evidence base in relation to the housing requirement figure was as strong as it could be, and it was advisable not to have a kneejerk reaction to the content of the appeal. He clarified that it had been a misunderstanding that the objectively assessed need identified in the Strategic Housing Market Assessment would be the final figure; indeed the guidance stated that this should be a starting point. He stated that now it was necessary to ensure that the figure of 535 was robust, and only if it was found not to be the case, should members react to the comments made by the inspector as far as the Local Plan was concerned. However, the Consultant emphasised that when members were sitting on the Planning Committee, applications must be determined on a case by case basis and the comments made by the inspector in the Gladman appeal must also be taken account of.

The Director of Services pointed out that, regardless of this particular appeal decision, all members were required to make appropriate planning decisions that accorded with planning policies or other material considerations. He emphasised that the Gladman appeal was a material consideration when determining planning applications.

Councillor J Legrys commented that a significant number of people had commented on the draft Local Plan and he asked whether they would receive an individual response and an opportunity to discuss this with officers. He added that the public often feel that they have commented and then this is ignored.

The Planning Policy Team Manager advised that the intention was to bring a report to a future meeting of this committee showing all the individual comments from the consultation and officers' responses to those. He added that this report would be publically available, so those who have commented would be able to see how officers are recommending the Council respond to those comments. He added that officers would always make themselves available to explain matters to members of the public; however this did not mean the position would change.

The Chairman added that there were a lot of similar questions and he felt it would be useful to feed back the responses to the Parish Council or ward member, so they could assist in feeding that back to members of the public.

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In respect of renewable energy, the Director of Services emphasised that officers were seeking to respond to a ministerial statement and there was not a lot of evidence for the Council to present, however on balance, officers felt there was a risk if the Council did not commission some work to at least identify some potential areas as suitable for wind energy developments, in order to mitigate that risk. He sought the views of the Advisory Committee on this.

The Advisory Committee expressed full support for commissioning some additional work on this issue.

It was moved by Councillor V Richichi, seconded by Councillor R Johnson and

RESOLVED THAT:

The summary of responses received to the consultation on the draft Local Plan be noted.

The Chairman congratulated Mr M Sharp on receiving an honour in the Queen's Honours List.

The meeting commenced at 6.30 pm

Councillor G Jones entered the meeting at 6.33 pm

The Chairman closed the meeting at 7.29 pm