

## NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COUNCIL – 15 SEPTEMBER 2015

Title of report	<b>DRAFT NORTH WEST LEICESTERSHIRE LOCAL PLAN</b>
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Purpose of report	To approve the draft Local Plan for the purposes of public consultation
Council Priorities	Value for Money Business and Jobs Homes and Communities Green Footprints Challenge
Implications:	
Financial/Staff	The cost of preparing the Local Plan to date excluding staff costs is approximately £297,104 and is met from within existing budgets.
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	Before the final publication of 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 by officers.
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	On the advice of the external solicitor, the report is satisfactory.
Consultees	Local Plan Project Board includes Malcolm Sharp of Sharp Planning Plus and Simon Stanion of Marrons Shakespears acting as external advisors to the Council.
Background papers	<p>Reports to Local Plan Advisory Committee which can be viewed at <a href="http://minutes-1.nwleics.gov.uk/ieListMeetings.aspx?CId=251&amp;Year=0">http://minutes-1.nwleics.gov.uk/ieListMeetings.aspx?CId=251&amp;Year=0</a></p> <p>National Planning Policy Framework which can be found at <a href="http://www.gov.uk/government/publications?topics%5B%5D=planning-and-building">www.gov.uk/government/publications?topics%5B%5D=planning-and-building</a></p> <p>The Town and Country (Local Planning) England (Regulations) 2012 which can be viewed at <a href="#">The Town and Country Planning (Local Planning) (England) Regulations 2012</a></p>
Recommendations	<p><b>THAT COUNCIL:</b></p> <p><b>(I) RECEIVES THE MINUTES OF THE LOCAL PLAN ADVISORY COMMITTEE OF 4 MARCH 2015 AND 10 JUNE 2015; AND</b></p> <p><b>(II) APPROVES THE DRAFT LOCAL PLAN FOR CONSULTATION</b></p>

## 1.0 BACKGROUND

- 1.1 Members will be aware that following the withdrawal of the Core Strategy in October 2013 it was agreed to prepare a new Local Plan. The Local Plan is the Council's key planning document which establishes the Council's planning policies for the district. The National Planning Policy Framework (NPPF) notes that "*Local Plans are the key to delivering sustainable development that reflects the visions and aspirations of local communities*". The Local Plan identifies what the future development needs of the district are, including housing and economic development to meet the needs of a growing population, and facilitates its provision. It sets out what is expected as part of new development as well as what will or will not be permitted and where.
- 1.2 Having an up-to-date Local plan in place is of fundamental importance when determining planning applications. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that "*If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise*".
- 1.3 A cross party Local Plan Advisory Committee (LPAC) was established at the meeting of Council on 25 February 2014 to work with officers on the preparation of a new Local Plan.

- 1.4 All decisions on the Local Plan are reserved for Council. The LPAC has met on a number of occasions, most recently on 15 July 2015 when it considered the proposed draft Local Plan.
- 1.5 This report seeks authorisation from Council for the publication of the draft Local Plan for consultation purposes.
- 1.6 The report first of all outlines the process followed in preparing the draft Local Plan, summarises the Legal factors of relevance to the Local Plan, then summarises the draft plan and concludes by outlining the next steps and timetable.

## **2.0 PROCESS FOR PREPARING THE DRAFT LOCAL PLAN**

- 2.1 Since being established the LPAC has met on ten separate occasions and has considered reports in respect of:
- Scope of a document to replace the Core Strategy (18 March 2014);
  - Strategic Housing Land Availability Assessment and Statement of Community Involvement (29 April 2014);
  - Local Plan timetable, Strategic Housing Market Assessment (3 June 2014);
  - Strategic Housing Market Assessment (update), Risk Management, Plan Period update and Limits to Development (9 September 2014);
  - Review of Town Centre boundaries (15 October 2014);
  - Development Strategy, Affordable Housing and Statement of Community Involvement (12 November 2014);
  - Town Centre boundaries and Limits to Development updates and recent Local Plan examinations (17 February 2015);
  - Local Plan designations and Local Plan community engagement (4 March 2015);
  - Update on various matters previously considered (10 June 2015); and
  - Consideration of draft Local Plan (15 July 2015).
- 2.2 The minutes of LPAC have previously been reported to meetings of Council, except for those in March, June and July 2015. Those for March and June have been agreed by LPAC and are attached as Appendix A and Appendix B of this report. Council are asked to receive these minutes.
- 2.3 The minutes for the meeting of 15 July 2015 have yet to be agreed by the LPAC and so will be reported to a subsequent Council meeting. However, given that Council is being asked to approve the draft Local Plan today, reference to the discussions which took place at that meeting are included in this report as appropriate.
- 2.4 Project management of the preparation of the Local Plan has been overseen by a Project Board chaired by the Director of Services and which meets on a monthly basis.
- 2.5 Following the withdrawal of the Core Strategy the Council appointed Malcolm Sharp (Sharp Planning Plus Ltd (SPP) *“to advise on the Council’s process and timelines, assist in reporting to, and liaising with, Members and assist with the meeting of core milestones on the Core Strategy”*. Subsequently it also appointed Simon Stanion, a partner in Marrons Shakespeares (MS) to advise on any legal issues appertaining to the emerging replacement document.

- 2.6 Messrs Sharp and Stanion are members of the Project Board.
- 2.7 A key task of the Project Board has been to prepare and regularly review a Risk Register so as to minimise the risks facing the Local Plan as far as possible. A major risk that has been identified relates to changes in government guidance or policies or decisions by Planning Inspectors on other plans affecting our Local plan in some way. As Members will be aware the planning system has been through a period of significant change in the last 5 years. This continues to be the case. Officers monitor government announcements and decisions on other Local Plans on an ongoing basis to reduce this risk as much as possible. However, it remains a risk which Members should be aware of.
- 2.8 A key part of preparing a Local Plan is to undertake consultation to help inform decisions on the contents and approach of the Local Plan.
- 2.9 A consultation inviting representations on 'what the Local plan ought to contain' was undertaken between 20 June and 19 September 2014. In addition, consultation was undertaken with Parish and Town Councils between 17 November 2014 and 9 January 2015 in respect of suggested Limits to Development and Town Centre boundaries.
- 2.10 The Local Plan is supported by a wide ranging evidence base. An initial task for the Project Board was to determine which evidence developed as part of the Core Strategy would potentially be of relevance for the new Local Plan. Some of it was considered to be out of date (for example the Strategic Flood Risk Assessment, Retail Capacity Study) and so updates were commissioned. Other parts of it were considered to still be relevant and so have been used to inform the Local Plan (for example, assessment of employment sites, Water Cycle Study).
- 2.11 The draft Local Plan has been subject to the following independent assessments as required by the Regulations:
- Sustainability Appraisal/Strategic Environmental Assessment;
  - Viability study and;
  - Habitats Regulations Assessment (in respect of the river Mease Special Area of Conservation)
- 2.12 A draft Infrastructure Delivery Plan is being prepared and a final plan will be published when the Local Plan is submitted. The Infrastructure Delivery Plan will show what new infrastructure is required to support development and when it is likely to be provided.
- 2.13 The independent assessments referred to in paragraph 2.11 together with the rest of the evidence base will be published alongside the draft Local Plan for consultation.
- 2.14 The full list of evidence base documents is attached at Appendix C of this report.
- 2.15 The Local Plan also includes a Policies Map which identifies on an ordnance survey base where the various policy areas apply. These are appended to this report.

### 3.0 LEGAL MATTERS

- 3.1 The preparation of the Local Plan is governed by legislation (The Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011) and also Regulations (The Town and Country Planning (Local Planning) (England) Regulations 2012).
- 3.2 The consultation which it is recommended is undertaken in respect of the draft Local Plan would be under Section 18 of the above Regulations. Representations received in response to the consultation will then be considered and the Council will be asked to agree a 'publication' stage Local Plan (Regulation 19). This will represent the Local Plan which the Council considers should be submitted for examination. Before it can be submitted it must be published for a six-week period for representations to be made.
- 3.3 Once the Local Plan is submitted an independent Planning Inspector will be appointed by the Planning Inspectorate to consider whether the Local Plan is 'sound'.
- 3.4 To be "sound", the Local Plan should be:
- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
  - **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
  - **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
  - **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the [National Planning Policy] Framework.
- 3.5 In respect of the issue of the Local Plan being considered effective, Members will be aware that under the Localism Act 2011 the Council has a Duty to Cooperate.
- 3.6 This places a duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.
- 3.7 The legal duty is complemented by a policy requirement for public bodies to cooperate on planning issues that cross administrative boundaries, particularly relating to strategic policies to deliver homes and jobs needed in the area, the provision of retail, leisure and other commercial development, and the provision of infrastructure.
- 3.8 The first task of an Inspector appointed to hold an Examination is to assess whether the Council has complied with the legal Duty to Cooperate. If the Inspector concludes that this is not the case then the Local Plan automatically fails, it cannot be remedied through retrospective action.

- 3.9 Arrangements are in place amongst all of the local planning authorities in the Leicester and Leicestershire Housing Market Area (HMA) through a Strategic Planning Group (officers) and a Member Advisory Group to ensure that there is cooperation where it is required.
- 3.10 As Members will be aware a Memorandum of Understanding was agreed by all of the HMA authorities in late 2014 which confirmed that each authority could, up to 2028, meet its own housing needs as suggested in the Strategic Housing Market Assessment and that all the authorities would continue to work together to support the preparation of Local Plans post 2028. However, members will note that, it is proposed to adopt a higher housing requirement for North West Leicestershire than that suggested in the Memorandum of Understanding, in order to take account of the higher jobs growth in the district. All of the HMA authorities were invited to attend a meeting with officers on 4 June 2015 to outline the approach it was proposed to take on this matter in the Council's emerging Local Plan and why and to seek their views. Subsequent to the meeting all of the authorities were also provided with written information which provided more detail in respect of the methodology which has been used and they were invited to comment.
- 3.11 A similar meeting and consultation was undertaken with those authorities who adjoin the district but are outside of the HMA (North Warwickshire Borough Council, Lichfield District Council, South Derbyshire District Council, Erewash Borough Council and Rushcliffe District Council) with a meeting held on 10 June 2015.
- 3.12 The responses to this consultation and officer's comments are summarised at Appendix D of this report. Legal advice has been sought and concludes that the responses do raise some technical issues which if not satisfactorily resolved could eventually be a risk to the soundness of the Local Plan and so further, ongoing, discussions with officers and members from within the HMA are required on this matter. However the advice is that the questions raised should not prevent the Council from publishing its draft Local Plan for further consultation and continuing with those discussions as part of the consultation process.
- 3.13 As already noted the Council has retained the services of external advisors to assist the Council in the preparation of the Local Plan by providing a 'critical friend' type role so as to seek to provide some assurance to the Council that its approach is appropriate in the context of the Legal requirements and national advice. The external advisors have prepared a joint statement which sets out their views on whether, at this stage, the Local Plan is moving in the right direction such that it is likely (although not guaranteed) to be found 'sound' in due course. A copy of the statement is attached at Appendix E of this report.
- 3.14 The joint statement identifies that, in terms of soundness, risks have been identified and managed, but that the situation remains changeable and that this process needs to continue. It also identified that by the time of submission an Infrastructure Delivery Plan needs to be completed. This is considered in more detail at paragraphs 4.55 to 4.57 of this report. In terms of the Duty to Cooperate support is drawn from the fact that the Charnwood Borough Local Plan recently passed the legal Duty test and that our approach is closely aligned to that of Charnwood. Overall the joint statement concludes that "*In preparing its emerging Local Plan NWLDC has been proactively managing risk to ensure that it has a good prospect of being found to have complied with the DtC and of the Plan being found 'sound' on examination.*"

## **4.0 THE DRAFT LOCAL PLAN**

- 4.1 The draft Local Plan is attached at Appendix F to this report and is set out in 12 chapters largely based on themes. These are outlined below. There are a series of questions throughout the draft Local Plan which are designed to try and help people respond to the consultation.

### Introduction

- 4.2 This chapter provides background information in respect of the purpose and process for preparing Local Plans, including outlining the importance of the Duty to Cooperate and how this has been complied with.

### Profile of North West Leicestershire

- 4.3 This section summarises the key findings from the Sustainability Appraisal in terms of the characteristics of the district on a range of issues including population, housing, economy and environmental matters.

### Issues and Objectives

- 4.4 The findings from the district profile are then used to identify the key issues which the Local Plan (and planning in general) can help to address. These issues are then used to identify the overall objectives which the Local Plan seeks to address and which provides a framework for the Local Plan policies.

### Strategy

- 4.5 This chapter identifies the overall development requirements which the Local Plan needs to make provision for and sets out a settlement hierarchy to guide where development should go. It also includes a policy in respect of a presumption in favour of sustainable development. It is a requirement of the Planning Inspectorate that such a policy be included and the wording is based on a standard model which has been used elsewhere.
- 4.6 In terms of development requirements, policy S2 identifies the following requirements for the plan period (2011 to 2031):
- Housing – 10,700 dwellings
  - Employment – 96 hectares
  - Shopping – 7,300 sq metres (for comparison shopping only)
- 4.7 In respect of the issue of housing numbers, Members will recall that at the meeting of Council on 11 November 2014 it was agreed to sign a Memorandum of Understanding (MOU) with all the Leicester and Leicestershire Housing Market Area (HMA) authorities. The MOU confirmed that each authority could meet its own Objectively Assessed Need (OAN) as identified in the Strategic Housing Market Assessment (SHMA) up to 2028 and that we would continue to work together to support the preparation of Local Plans post 2028.

- 4.8 Whilst the SHMA identified the OAN for each authority it also noted that the OAN figures *“provide a ‘policy off’ assessment of housing need. In translating this into housing targets in development plans, the commissioning local authorities will need to consider whether there is a case for adjusting the level of housing provision to align with their evidence regarding local economic growth potential and to address where relevant any unmet needs from adjoining authorities”*.
- 4.9 For clarification the reference to policy-off means that no account has been taken of any possible policy constraints which could affect the future provision of housing; it represents an objective assessment of future needs based on an analysis of predicted growth only.
- 4.10 The MOU notes that *“In determining their housing target over the relevant plan period each authority will take account of all relevant evidence”*. This reflects the advice at paragraph 158 of the NPPF that local planning authorities should ensure that their assessments of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals.
- 4.11 The employment requirements to be met in the Local Plan are derived from a study undertaken by the Public and Corporate Economic Consultants (PACEC) on behalf of the Leicester and Leicestershire Enterprise Partnership (LLEP) in 2013.
- 4.12 The PACEC study provides a forecast of the likely change in the number of jobs in the B Use Classes (i.e. That is those uses which fall within the B Use Class of the Use Classes Order 2015 – B1 offices, B2 industrial, B8 storage or distribution). This identified that up to 2031 there would be 5,600 employment jobs created (that is those uses which fall within the B Use Class of the Use Classes Order 2015). This then translates in to a need for about 96 hectares of land for employment. In respect of B8 Uses (Storage or distribution) the PACEC study predicts an increase of 3,400 jobs.
- 4.13 Members will be aware that there is currently a proposal for the development of a Strategic Rail Freight Interchange (SRFI) west of Junction 24 of the M1 and north of East Midlands Airport (the East Midlands Gateway Rail Freight Interchange). This envisages the creation of about 7,400 jobs, mostly in the B8 Use Class. The application is due to be determined by the Secretary of State for Transport in January 2016, but as a scheme which is supported by the District Council the Plan is predicated on this development taking place.
- 4.14 Clearly not all of the jobs created by the East Midlands Gateway Rail Freight Interchange would be over and above that forecast by PACEC. Some of the jobs would be included within the PACEC forecast of 3,400 jobs for the B8 Use Class. The question as to how many is clearly open to debate, but it has been assumed that 5,000 of the 7,400 jobs projected for the development (about 66% of all of the jobs) would be additional to that forecast by PACEC.
- 4.15 This is still significantly more jobs in the B8 Use Class than that forecast by PACEC study. It is considered therefore, that whilst permission has not yet been granted for this development (and there is no guarantee that it will be forthcoming), it would be prudent to consider a greater number of jobs in the B8 Use Class than that forecast by the PACEC study when considering future housing requirements particularly as the Council has stated its support for the East Midlands Gateway Rail Freight Interchange proposal.



- 4.16 In view of the above, officers have undertaken further work on this matter and have concluded that in order to ensure a balance between likely jobs growth and population growth the OAN for the Local Plan should be set higher at 10,700 dwellings.
- 4.17 In February 2015 the Department for Communities and Local Government published new household projections based on 2012 data (the SHMA was based on the 2011 interim projections). These suggest that in North West Leicestershire as at 2031 there would be 44,000 households, compared to 44,802 in the 2011 projections and just over 46,000 suggested by the SHMA.
- 4.18 This suggests that the SHMA may have overestimated the future need. However, it should be appreciated that forecasting is not an exact science and it can be seen that forecasts do vary through time. Furthermore, the household projections are merely trend based and do not take account of any local factors which could suggest higher or lower growth than contained in the national household projections. As outlined above there is a potential for the proposed development of the East Midlands Gateway Rail Freight Interchange (if approved) to impact upon future housing requirements to a greater or lesser degree.
- 4.19 Notwithstanding the latest household projections, officers are of the view that it would be prudent in view of the economic growth issues outlined above to propose a higher housing requirement than that suggested in the SHMA and agreed as part of the MOU. Such an approach would also be compatible with Inspector's recommendations on other Local Plans where there is evidence to suggest that a higher housing requirement would be appropriate. Accordingly this is included in the draft Local Plan.
- 4.20 Moving away from the figures recommended in the SHMA raises potential issues under the Duty to Cooperate. This is considered in section 3 of this report. In respect of employment, the evidence for this is based on the findings of the PACEC study as outlined at paragraph 4.13.
- 4.21 In respect of future shopping needs a Retail Capacity Study was undertaken in late 2014 which assessed the need for additional shopping provision (both convenience (food) and comparison (non-food) goods). This identified a need for 7,300 sqm of additional comparison retail floorspace in the District for the period to 2031, with the need not arising until after 2016. No additional need for convenience retail floorspace was identified.
- 4.22 Finally in the strategy chapter is a policy of Design, in view of the fact that the Council has in recent years sought, and continues to seek, improved design as part of new development.

### Housing

- 4.23 Policies H1 to H3 set out how the plan's housing requirement will be met. Those sites included in policy H1 already have the benefit of planning permission as at 1 April 2015, whilst those sites in policy H2 were the subject of a resolution to grant planning permission. These sites provide for the vast majority of new development up to 2031. Notwithstanding the fact that they benefit from a permission or resolution it is still necessary to be sure that they can be delivered. In this respect an assessment suggests that it is likely that not all of the new homes will be delivered before 2031 and so there is a need to make further provision.

- 4.24 Policy H3 identifies the sites which it is proposed to allocate to address the residual requirement. It is proposed to allocate land north of Ashby de la Zouch (Policy H3a) for up to 1,750 dwellings. This site comprises of that area known as Money Hill and the site of the former Arla dairy off Smisby Road.
- 4.25 Members will also be aware that the current preferred route for HS2 passes to the west of Measham. This route goes through a site where the council has resolved to grant planning permission for up to 450 dwellings (Measham Waterside). There is uncertainty as to whether this site will be deliverable in the event that the final route for HS2 follows the same route as currently proposed. Therefore, it is proposed to identify a reserve site between Ashby Road and Leicester Road Measham which will only be allowed to be developed in the event that the Measham Waterside site is not deliverable. It is possible that by the time the Council considers the responses to the draft Local Plan in spring 2016 that a decision on the final route for HS2 will have been made. It is possible therefore by that time that matters will be a lot clearer and that there will not be a need for the reserve site.
- 4.26 Policies H4 and H5 are concerned with the issue of affordable housing.
- 4.27 Policy H4 is concerned with the issue of the amount of affordable housing to be secured as part of new development. The Viability Study referred to at paragraph 2.11 considered a number of options for different amounts and thresholds to be used to secure affordable housing. It also tested two market scenarios: current market and a growth scenario with net price growth of 4% over plan period.
- 4.28 On the basis of the findings the study recommends that the following rates would be appropriate

<b>Settlement</b>	<b>Target</b>
Ashby de la Zouch	30%
Castle Donington	30%
Coalville Urban Area	20%
Kegworth and Measham	30%
All other settlements	30%

- 4.29 In terms of the thresholds included in the policy these are based on the governments preferred approach on planning obligations announced in a Ministerial Statement in November 2014 and subsequent government advice.
- 4.30 This has been recently successfully challenged in the High Court by Reading Borough Council and West Berkshire District Council. The impact of this is to revert to the previous approach which would enable smaller developments to be subject to planning obligations. This serves to highlight one of the challenges facing the Council in preparing a Local plan at a time of change in the planning system as already referred to at paragraph 2.7 of this report.

- 4.31 As already noted the previous national approach allowed for sites of less than 10 dwellings to be subject to a planning obligation. The Council's approved Supplementary Planning Document (SPD) on affordable housing seeks the provision of affordable housing on sites of 5 dwellings or more in all settlements except the Coalville urban area, Ashby de la Zouch and Castle Donington (where the threshold is 15 dwellings). Securing the provision of affordable housing on sites as small as 5 dwellings is particularly beneficial for rural areas where new developments tend to be smaller in scale and so would enable more affordable housing to be delivered in these areas.
- 4.32 Therefore, in light of the High Court decision it is now open to the Council to take an approach similar to that included in the SPD. However, such an approach has not been subjected to the Sustainability Appraisal or the viability study. Furthermore, it is understood that the government are considering an appeal against this decision so the situation could change again.
- 4.33 On balance it is considered that at this time it would be appropriate to not make any further changes to the draft Local Plan from that considered by LPAC bearing in mind that all of the independent assessments referred to at paragraph 2.11 have been undertaken on the basis of the draft policy .
- 4.34 When the Local Plan is next reported to Council this matter will be reviewed and appropriate advice on how the Council should proceed will be provided accordingly having regard to the national policy position at that time. A footnote to this effect has been added to the draft Local Plan from that which was considered by the LPAC.
- 4.35 Policy H5 is concerned with allowing affordable housing sites to be brought forward in rural areas and largely carries forward the principles set out in the existing adopted Local Plan (Policy H12).
- 4.36 Policy H6 is concerned with seeking to ensure that new housing development includes an appropriate mix of house sizes and types.
- 4.37 Policy H7 is concerned with the issue of provision of sites for gypsies and travellers and travelling showpeople. The needs of the travelling community have been identified through a needs assessment carried out jointly with the other Leicestershire authorities (except Hinckley and Bosworth) in 2013. It is not proposed to allocate any sites as part of this Local Plan. It is proposed to do this as part of a standalone allocations plan which would then form part of the Local Plan. Instead Policy H6 establishes the criteria to be used in assessing potential sites.
- 4.38 Members should be aware that a similar approach has been accepted elsewhere, but recently a Local Plan proposing a similar approach in Maldon, Essex was considered by the Inspector to be unsound. The Local plan has subsequently been called in by the Secretary of State for him to consider and issue a decision. Depending upon the outcome of this it should be appreciated that this could require the Council to consider a different approach. This matter will be kept under review.
- 4.39 Irrespective of the outcome of the Maldon Local Plan officers are of the view that it is essential that the Council seeks to start to address this issue. It is proposed that this matter be progressed as part of the work of the LPAC.

## Economic

- 4.40 This chapter deals with two broad areas of key importance to the economy of the district: employment (policies Ec1 to Ec8) and town centres (Ec9 to Ec15).
- 4.41 In respect of employment issues, policy Ec1 deals with sites which currently have the benefit of planning permission whilst under policy Ec2 it is proposed to allocate land (about 16 hectares) for employment use as part of the development of land north of Ashby de la Zouch.
- 4.42 Policy Ec3 seeks to protect key employment sites whilst policy Ec4 is concerned with protecting a number of existing Brickworks and Pipeworks throughout the district for employment use should the current use cease. This policy is similar to that in the adopted Local Plan (policy M2). It should be stressed that it is not envisaged that these uses will cease during the lifetime of the Local Plan, but in view of the fact that these sites are not covered by any restoration conditions it is considered necessary to give an indication as to how the Council would respond to proposals for redevelopment.
- 4.43 Policies Ec5 to Ec7 are concerned with East Midlands Airport, with Ec6 and Ec7 dealing with issues relating to the public safety zones and safeguarding. Policy Ec5 establishes the broad considerations which will apply in respect of proposed developments at the airport and seeks to strike a balance between the economic advantages associated with the operation of the airport and the environmental impact, especially that on local communities.
- 4.44 Policy Ec8 is concerned with Donington Park. As with the airport the policy seeks to strike a balance between the economic benefits of the racetrack and also the environmental impact. The approach is broadly the same as that in the adopted Local plan (policy L20) but it is proposed to extend the policy boundary of Donington Park to the west subject to certain criteria being met. This extension would, it is considered, help to secure the future of the racetrack.
- 4.45 In respect of town centres policy Ec9 sets out the retail hierarchy and identifies Coalville and Ashby as Town Centres at the top in recognition of their current roles. Underneath this are the Local Centres of Castle Donington, Kegworth, Ibstock and Measham. The boundaries of these town centres are also defined under this policy.
- 4.46 Castle Donington Parish Council has expressed concerns that in its view the boundary proposed is too tight and does not allow for possible expansion of new businesses in to the town centre. Officers have met with representatives of the Parish Council, including a walk around the town centre, to discuss this matter. As a result officers have agreed that it would be appropriate to make some amendments to the boundary and these are included on the policies map. The Parish Council has stated its intention to submit an alternative town centre boundary to the District Council.
- 4.47 Notwithstanding the equal status attributed to Coalville and Ashby Town Centres, policy Ec9 seeks to direct new development to Coalville Town Centre in the first instance. This is consistent with the advice contained in the Retail Capacity study. In terms of the additional retail comparison requirement identified in the Retail Capacity study the draft Local Plan identifies 5 options for how this might be met. Of those 5 options, option 2 which would

involve the identification of land off Wolsey Road/Memorial Square Coalville is the favoured option at this time, but more work will need to be undertaken to establish the feasibility of this option (or other options).

- 4.48 Policy Ec10 establishes the threshold above which proposals for retail, leisure and office development outside of defined town centres will be required to submit an impact assessment. This approach is consistent with the advice in the Retail Capacity Study.
- 4.49 Policies Ec11 to Ec13 set out those policies which will apply in the Town and Local Centres and identify the types of uses which will be considered suitable in the centres and the factors which will be considered when determining proposals which come forward. Policy Ec14 is concerned with the Local Centres and seeks to resist the loss of shops and other town centre uses unless certain criteria can be satisfied.
- 4.50 Policy Ec15 is concerned with realising the districts tourism and cultural opportunities subject to satisfying identified criteria.

#### Infrastructure and Facilities

- 4.51 The policies in this chapter seeks to secure the provision of new infrastructure as part of new development (IF1, IF2, IF3 and IF4) whilst also protecting existing services and facilities (IF2 and IF3).
- 4.52 The Local Plan will be supported by an Infrastructure Delivery Plan which identifies what infrastructure provision will be made to support new development. This will not be a once-and-for-all document but will be something that is reviewed and added to as permissions are granted (and hence S106 Agreements put in place) and as new infrastructure provision is made by infrastructure providers.
- 4.53 The Infrastructure Delivery Plan will be an important element of the evidence base to show the soundness of the Local Plan by demonstrating the delivery of the proposals in the Local Plan.
- 4.54 The vast majority of new development, particularly housing, already benefits from planning permission or a resolution to grant planning permission. These permissions include (and in the case of resolutions will include) S106 Agreements which specify what infrastructure is to be secured as part of a particular development. The Infrastructure Delivery Plan will identify what infrastructure is to be provided and when. It will also identify what other infrastructure is anticipated to be forthcoming outside of the planning system, for example enhancements to public utilities through any investment programmes planned by the various utility companies.
- 4.55 At the time of drafting this report the preparation of the Infrastructure Delivery Plan was ongoing. It is anticipated that a substantially complete version will be published alongside the draft Local Plan. Officers will continue to work with infrastructure providers to provide a comprehensive overview of anticipated future infrastructure provision as part of the later stages of plan preparation.
- 4.56 On 11 June 2013 the Cabinet agreed an interim policy to prioritise the provision of highway infrastructure contributions above affordable housing in the Coalville area. This was in recognition of the need to support new development in Coalville (within strategic

development areas identified in the then emerging Core Strategy) whilst ensuring that such development remained viable. As members will be aware, a number of major residential proposals have since either been granted planning permission or are subject to resolutions to approve made in accordance with that interim policy. No new housing allocations are proposed for Coalville as part of the draft Local Plan, however, as there is now evidence to support a move away from the interim policy in relation to new development brought forward in accordance with the policies of the emerging local plan, members will note proposed Policy IF1 which provides that all potential infrastructure will be considered on an equal basis.

- 4.57 Policy IF5 sets out the Council's support for the re-opening of the former Leicester-Burton railway for passenger services and to protect the route. A study to investigate the potential for re-opening the Leicester to Burton line, commissioned jointly with the County Council, is currently ongoing and is expected to report shortly. A separate piece of work looking at a rail strategy for Leicestershire is also being undertaken.
- 4.58 Policy IF6 is concerned with protecting the route of the former Ashby Canal so that it can be re-opened.
- 4.59 Policy IF7 sets out the requirements for parking as part of new development.

#### Natural Environment

- 4.60 This chapter deals with those matters relating to key aspects of the natural environment: Nature Conservation (En1), the river Mease Special Area of Conservation (En2), the National Forest (En3), Charnwood Forest (En4) and land and Air Quality (En6).
- 4.61 Policy En5 identifies that land between Coalville and Whitwick be identified as an Area of Separation where the principal aim is to maintain the integrity of the gap that provides physical separation between Coalville and Whitwick.

#### Historic Environment

- 4.62 Policy He1 sets out the considerations which the Council will have regard to when determining proposals which may impact upon aspects of the historic environment, including Listed Buildings, Conservation Areas and non-designated heritage assets.

#### Climate change

- 4.63 The policies in this chapter are concerned with matters which in some way or other can impact upon climate change. Policy Cc1 is concerned with proposals for renewable energy. Members may be aware that the Government has recently announced new guidance in respect of proposals for wind turbines. Whilst policy Cc1 applies to all forms of renewable energy (not just wind) it may be necessary to reconsider this policy when the implications of the new government policy are clearer.
- 4.64 Policies Cc2 to Cc4 are concerned with ensuring that issues which could have an impact upon climate change are adequately addressed as part of new development.

## Implementation and Monitoring

- 4.65 This section outlines how the Council will monitor the implementation of the Local Plan. Policy IM1 identifies how the Council will work with a range of organisations and interests to ensure that the Local Plan is implemented and what steps the Council will take in the event that development rates fall behind what is anticipated.
- 4.66 This section also includes text in relation to Neighbourhood Plans and as a separate Appendix includes a list of the draft Local Plan policies and identifies whether they are considered to be strategic or not, as a Neighbourhood plan has to be in general conformity with the strategic policies in a local plan.

## **5.0 VIEWS OF LOCAL PLAN ADVISORY COMMITTEE ON THE DRAFT LOCAL PLAN**

- 5.1 As already noted LPAC considered the draft Local Plan at its meeting on 15 July 2015. As LPAC is not a decision making body it was asked to comment on the draft Local Plan in order that their views could be taken in to account by Council.
- 5.2 Whilst the minutes of LPAC have yet to be agreed, at the next meeting on 20 January 2016, Appendix G of this report summarises the issues and comments made by LPAC together with officers' response.
- 5.3 Overall it is recommended that no changes be made to the draft Local Plan having considered the comments of LPAC.

## **6.0 NEXT STEPS**

- 6.1 Subject to the agreement of Council it is proposed to consult on the draft Local Plan starting on 28 September 2015.
- 6.2 An Engagement Plan has been developed which seeks to use a variety of means to raise the profile of the Local Plan and to encourage representations to be made. A copy of the Engagement Plan is attached at Appendix H of this report.
- 6.3 Representations received will be considered and reported to LPAC on the 20 January 2016 before bringing a revised version back to Council for approval on the 22 March 2016 as the Council's pre-submission Local Plan. A period of public consultation on the publication version (pre-submission) of the Local Plan will be held for six weeks. An indicative timetable is set out below.

<b>Date (Subject to Review)</b>	<b>Stage</b>
28 September 2015 – 30 November 2015	Consultation
20 January 2016	Local Plan Advisory Committee - Summary of responses
22 March 2016	Council agrees publication version
11 April 2016 – 23 May 2016	Publication consultation
June 2016	Submission
September 2016	Examination starts
June 2017	Receipt of Inspector's Report

September 2017	Adoption
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- 6.4 It should be noted that there is still significant uncertainty regarding some aspects of the timetable. For example, the amount of time taken to consider the responses to the consultation will be influenced by the number and complexity of responses received. Whilst there can be some certainty regarding the length of time between Submission and the start of Examination based on experience elsewhere, there is less certainty regarding how long it will take to receive an Inspector's Report. It will be necessary therefore to keep the timetable under review and to provide updates to the Advisory Committee as the plan progresses.
- 6.5 Any changes to the timetable will then be reflected in an update to the Council's Local Development Scheme subject to the approval of the Portfolio Holder for Planning and Regeneration in accordance with the Constitution.