

MINUTES of a meeting of the LOCAL PLAN ADVISORY COMMITTEE held in the Council Chamber, Council Offices, Coalville on WEDNESDAY, 9 MARCH 2016

Present: Councillor J Bridges (Chairman)

Councillors R D Bayliss, J Cotterill, R Johnson and V Richichi

In Attendance: Councillors D Everitt, J Legrys, S McKendrick, T J Pendleton and A C Saffell

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

#### **24. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor M Specht.

#### **25. DECLARATION OF INTERESTS**

There were no interests declared.

#### **26. MINUTES OF PREVIOUS MEETING**

Consideration was given to the minutes of the meeting held on 20 January 2016.

Councillor R Johnson sought an update on the request at the last meeting to hold an additional exhibition in Hugglescote. The Planning Policy Team Manager reminded members that the response at the last meeting was that there were a number of events being held in the Coalville area and the officers' view was that there was no need to hold an additional exhibition in Hugglescote. He felt that there was nothing more he could add to this.

It was moved by Councillor J Bridges, seconded by Councillor J Cotterill and

RESOLVED THAT:

The minutes of the meeting held on 20 January 2016 be approved and signed by the Chairman as a correct record.

#### **27. COMMITTEE TERMS OF REFERENCE**

RESOLVED THAT:

The Terms of Reference be noted.

#### **28. 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 following the public consultation, the Planning Policy team had been assessing the responses received and considering whether any other changes were required to the Local Plan prior to seeking Council's approval of the submission version. He stated that officers had intended to present members at this stage with all of the comments received and all the proposed changes to the Local Plan, but due to the considerable number of comments received it was felt that it would be prudent to consider a section of the comments and convene an additional meeting to consider the remainder, in order to ensure that members had the appropriate amount of time to consider the comments made. He advised that the report before members summarised the comments received and gave an overview of the headline

Chairman's initials

changes proposed to the Local Plan. He added that the detailed comments had been made available on the Council's website due to their size. He sought members' comments on any of the proposed changes and advised that these would be noted and reported to Council in due course.

Councillor J Legrys commented that he had expected to see a direction of travel attached to the report. He added that he had had problems accessing the background papers and as such he had not had an opportunity to consider the comments in detail. He requested that in future it be made absolutely clear to members where any background papers were located. He also made reference to the Ashby de la Zouch Neighbourhood Plan and expressed deep concerns on behalf of residents that this was not referred to in the report. He asked whether consideration had been given to neighbourhood plans in this report.

The Planning Policy Team Manager advised that any neighbourhood plan would deal with the issues that were identified for that area, and it would be a matter for that neighbourhood plan to set out its policies and proposals, however in doing so, it could not conflict with strategic policies in an adopted local plan. He added that it was a matter of fact that the Ashby de la Zouch Neighbourhood Plan would need to accord with the strategic policies in the North West Leicestershire Local Plan once it was adopted, and there was currently a clear conflict between the proposals in the Ashby de la Zouch Neighbourhood Plan and the proposals in the North West Leicestershire Local Plan, primarily in terms of the Money Hill site. He advised that officers acknowledged that the neighbourhood plan existed in its draft form, however the Local Plan had to consider the needs of the whole of the district, not just a specific area.

The Director of Services explained that as a planning authority, the Council had a duty to consider any neighbourhood plan in its draft form when consulted upon it. He added that the Council's response to this particular draft neighbourhood plan had been formally considered and referred back to the group of people compiling it.

The Planning Policy Team Manager added that officers had met with representatives of the Ashby de la Zouch Neighbourhood Plan group and would continue to do so to ensure both plans were moving in same direction.

Councillor J Legrys made reference to minutes of the previous meeting on 20 January which stated that it was considered that the Money Hill allocation should be maintained. He commented that this was not stated in the report, but it was stated that it would be difficult to justify changing the site allocations at this stage without proper consultation. He expressed concerns that growth was occurring by stealth on this site and sought clarification on the Council's approach to growth at Money Hill.

Councillor R D Bayliss commented that the application had been approved on appeal.

The Director of Services clarified that the report from 20 January 2016 recommended to members that there was no justification for removing the Money Hill allocation from the Local Plan. He added that this remained the case and officers would be recommending to Council in June that the Money Hill allocation, as amended by the recommendations at tonight's meeting, should be maintained in the Local Plan going forward. He added that it was correct that some of that allocation now had the additional benefit of planning permission, however it was the full Money Hill site that officers were proposing be maintained in the Local Plan, which was also the suggestion in the report at the meeting on 20 January 2016.

Councillor J Legrys commented that the position needed to be absolutely clear in respect of the Money Hill allocation when the report went to Council in June. He acknowledged that the site now had planning permission which was not going to be challenged.

The Planning Policy Team Manager added that the report to the meeting on 20 January 2016 pointed out that if the Money Hill site was not allocated, an alternative site would need to be allocated, but given the sustainability merits of Ashby de la Zouch, it was considered that it would be difficult to justify an alternative.

In response to a question from Councillor J Legrys regarding the status of the Housing and Planning Bill, the Consultant advised that at present this was progressing through the House of Lords and as such there was some way to go before the Bill was enacted. He added that a representative of the Department for Communities and Local Government had made it clear that there were a number of things that needed to happen before the Bill could be enacted, such as secondary legislation and guidance. He explained that the representative had indicated that ministers were well aware that it would be necessary not to derail local plans in order to meet the 2017 deadline, and a range of transitional measures were being considered. He added that this was not official Government policy but the latest information available to date.

Councillor J Legrys expressed concerns about the social housing section of the Local Plan and what was to be included if there was going to be a radical change in affordable housing. He also expressed concerns regarding the lack of social housing.

The Consultant explained that he could not give an assurance that the Bill would not derail the Local Plan as it was not absolutely certain what would happen and the final form of the Bill was not yet known in relation to starter homes and their definition as affordable housing. He added that if starter homes were included as affordable housing, it would undermine the objectively assessed need for housing for every Local Plan in the country. The advice given by officers was to minimise the risks and he had had some assurances today that the Government are working on ways of implementing this that would minimise the risk of upsetting the Local Plan process.

Councillor J Legrys asked if there was any likelihood that the zoning of land would have to be altered to accommodate social housing which may or may not have its definition changed and may or may not fall outside of the SHMA. He expressed concerns about how the Council would deal with consulting the community if further land was required.

The Consultant advised members that he felt the appropriate action to take at present was to carry on as planned, as it was not a case of finding more land, rather more a question of the tenure of land.

Councillor R D Bayliss commented that surely land was land, and houses were houses irrespective of tenure.

The Consultant advised that it was not just as simple as providing a certain number of houses as the Council had a duty to provide for the objectively assessed need.

Councillor J Legrys expressed full support for the statement at paragraph 6.14 in respect of starter homes and rural exception sites, however he expressed concerns how this was going to be enforced. He also stated that he was not happy with the statements relating to housing type and mix and market demand at paragraphs 6.16 and 6.17 and argued that more bungalows were required. He commented that he supported the policy relating to rural exception sites, however he would like to see this progressed further. He added that he also wanted to see a greater housing mix throughout the Local Plan process.

The Planning Policy Team Manager advised that colleagues in housing were constantly working with parish councils on trying to identify need and bring forward rural exception sites and added that this was key evidence from a planning point of view. He added that the Local Plan was providing a framework so that as sites come forward, decisions could be made. He noted the comment in respect of housing type and mix relating to

bungalows and added that this was something that officers brought to the attention of developers when they brought forward schemes. He commented that the key issue for developers was viability.

Councillor R Johnson asked whether a section relating to self building would be included in the Local Plan, in light of the new regulations.

The Planning Policy Team Manager advised that the self build register would be reviewed to ensure it was compliant with the regulations and guidance. He added that in terms of the Local Plan, housing was housing, whether it was self build or not. He commented that there had been some discussion on whether or not a certain amount of housing should be set aside for self build, however the issue is evidence, which he did not feel was available. He added that having the register in place going forward should provide some evidence.

The Chairman invited Councillor A C Saffell to speak to Section 7 of the report.

Councillor A C Saffell stated that he had reviewed the policies on East Midlands Airport and Donington Park Race Circuit. He added that the parish council had undertaken a significant amount of work on the existing policies in the draft Local Plan. He commented that the final wording of Policies EC5 and EC8 needed to be agreed to make reference to the work of the parish council. He stated that he wanted to make the Advisory Committee aware that the parish council was working with the Planning Policy Team Manager to bring that forward.

The Planning Policy Team Manager confirmed that he was in receipt of the policies proposed by the parish council and would give them due consideration. He stated that notwithstanding the report tonight, and the next meeting on the Advisory Committee, the key decision time was when the report was submitted to Council, and therefore there was still time to consider whether further changes could potentially be made in light of the proposed policies from the parish council.

Councillor J Legrys expressed concerns in respect of an oversupply of employment land. He made reference to the Flagstaff site at Ashby de la Zouch which had permission and was zoned for employment use, however the site was lying derelict. He added that this was currently an eyesore and was not a good gateway into North West Leicestershire. He expressed concerns that land was being allocated that had no economic future and he sought justification of the process the team would be going through to assess any additional bids for employment land. He also sought clarification on what action would be taken on allocated land that stood derelict.

The Planning Policy Team Manager stated that he was confident that the sites included in the Local Plan would come to fruition. He advised that employment land was assessed in the same way as for housing, insofar as the merits of the various sites would be taken into consideration, and the best sites would be selected if there was an oversupply.

The Chairman commented that deliverability was a consideration.

The Planning Policy Team Manager added that land would not be allocated if there was not a need for it. He added that economic forecasts had been taken into consideration and allowances made for employment land being lost to other uses.

Councillor J Legrys expressed concerns in respect of sites remaining derelict and becoming an eyesore and felt there was an opportunity to try and control that in the Local Plan. He felt it was inappropriate to allow sites to remain derelict where land has been allocated and permission granted.

The Planning Policy Team Manager made reference to Policy EC3 and added that the NPPF made it quite clear that local authorities should not be retaining employment land if there was no evidence to suggest it was going to be developed. He added that a recent consultation had taken place on some possible criteria for this. He explained that Policy EC3 suggested that if a site was allocated for employment use, it was preferential for this use to be retained, however it also set out the criteria for considering alternative uses. As such this would cover derelict sites.

Councillor A C Saffell highlighted that there were a number of planning guidance documents on the Council's website and asked whether there was a procedure in place to review these in light of the Local Plan. He commented that the documents were now quite old, and some things had changed considerably.

The Chairman stated that this comment had been duly noted and a response would be provided.

It was moved by Councillor J Legrys, seconded by Councillor R Johnson and

RESOLVED THAT:

- a) The responses received to the consultation on the draft Local Plan as set out in Tables A to D be noted;
- b) The suggested changes to the Local Plan as outlined in the report be noted.

Mr S Stanion entered the meeting at 6.48pm

The meeting commenced at 6.37 pm

The Chairman closed the meeting at 7.28 pm