

SCRUTINY COMMISSION – 10TH FEBRUARY 2020

Report of the Head of Planning and Regeneration Lead Member: Councillor Morgan

Part A

ITEM 6 Draft Local Plan Consultation

Purpose of Report

To provide an overview of the recent consultation on the Draft Charnwood Local Plan, outlining the process of consultation, a summary of the consultation responses and an explanation of how the responses received will be used to prepare the Local Plan for Submission to the Secretary of State for Examination.

Action Requested

To consider the approach to consultation on the Draft Charnwood Local Plan and receive a summary of representation made.

Reason

To scrutinise the effectiveness of the consultation on the Draft Charnwood Local Plan.

Policy Justification and Previous Decisions

The Government's requirements for plan preparation are contained in the National Planning Policy Framework (NPPF). The NPPF states that plan should be based on relevant, up-to-date evidence and supported throughout their preparation by a sustainability appraisal. Plans should provide a positive vision and address housing, economic, social and environmental needs. They should achieve sustainable development; be prepared positively in an aspirational but deliverable way; be shaped by early, proportionate and effective engagement; be clearly written and unambiguous; accessible; and avoid unnecessary duplication.

On the 14th March 2019 Cabinet approved the Local Development Scheme 2019-22 (minute 100 18/19 refers). This sets out the programme for the preparation of the Charnwood Local Plan.

The development of the Draft Local Plan was scrutinised by the Policy Scrutiny Group on a number of occasions as set out below:

- 27th June 2016 – scrutiny of the scope of the Local Plan and its relationship with the Leicester and Leicestershire Strategic Growth Plan;
- 26th September 2017 – scrutiny of the forthcoming 'Towards a Local Plan' consultation and relationship between the Local Plan and Neighbourhood Plans;
- 24th April 2018 – scrutiny of the timetabling changes; and
- 10th July 2018 – scrutiny of 'Towards a Local Plan' consultation and its effectiveness; also considered changes to methods of calculating housing needs.

Implementation Timetable including Future Decisions and Scrutiny

The responses received to the consultation on the Draft Local Plan will be assessed and used to inform the preparation of a Pre-Submission Charnwood Local Plan. Approval will then be sought from Cabinet for the publication of the pre-submission local plan.

The local plan will subsequently undergo a further round of statutory consultation, in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The local plan and the responses to that consultation will be submitted to the Secretary of State for an examination in public. If the Planning Inspector finds the Plan is sound it will then need to be formally adopted by Council.

Report Implications

The following implications have been identified for this report.

Financial Implications

The Local Plan preparation is taken into account in the Council's medium term financial plan.

Risk Management

The risks associated with the preparation of the Local Plan and actions to mitigate those risks are reported to the Local Plan Project Board. A summary is set out in the table below.

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
Loss of resources impacts ability to meet programme	Very Likely (4)	Significant (2)	Moderate (8)	Ensure sufficient staff resources with the necessary expertise and experience are available
Change in national policy affects direction of local plan and causes consequential delay or aborted work	Likely (3)	Significant (2)	Moderate (6)	Maintain watching brief for announcements, make representations to Government and keep programme under review.
Progress/direction of Housing Market Area partnership affects the local plan and causes consequential delay to programme or aborted work	Likely (3)	Significant (2)	Moderate (6)	Maintain partnership approach to growth and proactively engage under the Duty to Cooperate on cross boundary issues and understand implications for CBC policy set
Delay to evidence availability prejudices ability to	Likely (3)	Significant (2)	Moderate (6)	Proactive project and risk assessment processes

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
satisfy 'justified' test of soundness				
Lobbying creates a negative environment for engagement with delays/reputational damage	Likely (3)	Significant (2)	Moderate (6)	Proactive communication of growth, options and reasoned
Procedural or other legal challenge	Likely (3)	Significant (3)	Moderate (9)	Maintain legal advice and identify resources as a priority for appropriate defence of council against challenges

Equality and Diversity

The Local Plan is supported by an Equalities Impact Assessment.

Sustainability

The Local Plan is informed by a Sustainability Appraisal process which seeks to inform the identification of the most appropriate strategy for delivering the homes and jobs needed for the area.

Key Decision: No

Background Papers: Draft Charnwood Local Plan

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Part B

Background

1. On the 17th October 2019 Cabinet approved the Draft Charnwood Local Plan for consultation as the Cabinet's preferred planning strategy for Charnwood 2019-2036. Cabinet also approved the consultation plan set out as an appendix to the report (minute 38 19/20 refers). The Draft Charnwood Local Plan 2019-36 and an accompanying Interim Sustainability Appraisal were published for consultation on 4th November and the consultation ended on 16th December 2019.
2. The Council undertook two earlier consultations to help it prepare the draft plan, the first on the scope of the local plan in July 2016 and the second on the key issues and options in April 2018, when the Council published a discussion paper titled 'Towards a Local Plan for Charnwood'.
3. The Draft Charnwood Local Plan sets out the Council's preferred options for a development strategy and planning policies which have been developed taking into account the following:
 - the Government's requirements as set out in the National Planning Policy Framework (NPPF)
 - the Council's local priorities set out in its Corporate Plan and the local plan vision
 - the evidence that has been prepared to understand the roles of different settlements, what land is available for development, constraints to development and the options for delivering homes and jobs
 - the results of the earlier consultations and an options appraisal process.

Consultation Process

4. The consultation lasted for six weeks. A letter/emails was sent to the approximately 1330 organisations and individuals that are on the local plan consultation database to inform them of the consultation and invite their participation. The database includes statutory consultees, parish and town councils, developers and planning agents, members of the public and local groups. A list of the organisations that were consulted in this way is set out in Appendix A. An email alert was also sent to approximately 350 people who have registered to receive updates on the development of the local plan.
5. In order to seek as broad a range of responses to the consultation as possible, the Council also sought to publicise it in the following ways:
 - the Council's communications team publicised the consultation, and information about how to respond to it, through the Council's website, Twitter, Facebook (including paid for advertising), press releases which lead to several articles in local newspapers and publications, the Charnwood Now email alert, articles in the staff magazine, and to members of the Virtual Citizens' Panel
 - posters were sent to libraries, parish/town councils and community centres for them to display on their noticeboards
 - copies of the draft plan were made available at libraries, the Borough Council's offices and the County Council's offices
 - emails and copies of press releases sent to all members

- information about the local plan and the consultation was included in the Charnwood News magazine which is distributed to every household in the Borough
 - information boards were displayed at three venues: the Borough Council offices in Loughborough, the Glenmore Centre in Shepshed and Syston Community Centre
 - three consultation roadshow events were held, in Loughborough, Shepshed and Syston, at which officers were present to answer questions regarding the proposals in the draft plan and provide help with how to respond to the consultation
 - officers attended a number of additional events at the request of parish councils to provide information about the draft plan and answer questions.
6. The Council is committed to involving a wide range of individuals and organisations in its planning consultations, including hard to reach groups, and to using a wide range of consultation techniques in seeking to engage with people who may not otherwise respond to planning consultations. The Council sought to overcome some of the barriers to people participating in the consultation by:
- expanding the consultation database to include a wider range of voluntary sector organisations
 - contacting organisations representing hard-to-reach groups and offering assistance in enabling them and the people they represent to respond to the consultation
 - producing a summary version of the draft local plan which was 12 pages long rather than the 132 pages of the complete draft plan
 - enabling people to respond to the consultation in a number of different ways, including a flier with four key questions to answer which was sent to schools and voluntary sector organisations.

Number of Responses

7. Around 100 people attended the three roadshow events. A record was kept of the comments that were made at each of the events and a summary of the key issues from each event was prepared.
8. In total 424 people and organisations responded formally to the consultation making approximately 3,500 separate comments. The table below shows that there was a range of respondents including planning agents and developers, members of the public and various organisations and bodies including infrastructure providers, community action groups and schools.

Towards a Local Plan Consultation Response Summary	
Respondents	Number of Responses
Members of the Public	275
Planning Agents and Developers	69
Organisations	35
Residents Groups	5
Parish/ Town Councils and Loughborough Area Committee	17
Adjacent Local Authorities	11

unmet need. It is suggested that the scale of housing planned is insufficient and that a larger buffer is needed. It is highlighted that the Strategic Growth Plan is non-statutory and cannot be relied upon. It is argued that there is insufficient flexibility to secure the required a five year supply of deliverable sites in the context of slow delivery of the SUEs and implementation rates. Respondents also suggest that the proposed scale of development will fail to meet affordable housing needs and not support economic growth.

14. The low growth scenario is supported by other respondents. It is suggested by respondents that the additional homes proposed in the draft local plan for flexibility are not justified, will have unacceptable impacts on the environment and cannot be supported by infrastructure.

Development Strategy

15. The position of some settlements in the settlement hierarchy is questioned by some respondents. In terms of the distribution of development there are suggestions of unfairness and that the scale of development in some areas is out of proportion with the size of the settlement or the infrastructure available to support development. A new settlement is suggested as an alternative.
16. It is suggested by some respondents that more development should be directed towards Loughborough (including suggestions for development at Cotes) and Shepshed. Others suggest more development should be directed to small villages and hamlets, Other Settlements and Service Centres. It is highlighted that very little development is proposed in the northeast of the borough. Others suggest there is too much development concentrated in parts of Loughborough, Shepshed, Syston, Service Centres and the Other Settlements.
17. Respondents highlight a lack of clarity for Neighbourhood Plans and call for existing plans to be taken into account. There is a wish from some for the task of identifying sites to be undertaken by neighbourhood plan groups.

Housing Sites

18. The Draft Local Plan proposed 70 new sites for housing development alongside the existing Sustainable Urban Extensions. The inclusion of the majority of proposed sites have been supported by the landowner, promoter or developer and a significant amount of supporting evidence has been submitted. Additional evidence has also been submitted for a large number of alternative sites assessed as part of the process but not proposed for allocation, to show how issues with sites could be overcome. Some respondents challenge the site selection process and the transparency of the assessment.
19. The promoters of all the larger proposed housing allocations have submitted large amounts of supporting evidence for their sites which together with the evidence for smaller sites will need to be considered in detail and discussed with specialists within the Council as well as infrastructure providers, Leicestershire County Council and neighbouring authorities. The promoters of the land south west of Loughborough have proposed a significantly different allocation boundary and the promoters of the site south of Loughborough are promoting significantly more homes than identified in the draft local plan.

20. In total six landowners have indicated that they are not willing to develop their site. These sites combined were proposed to provide land for 189 homes. All except one are urban sites. No contact has been received from twelve sites, which provide land for a total of 427 homes. Further work will be required to confirm there is a willing landowner for these sites. The majority of these sites are also within the urban area.
21. In total 25 new sites have been proposed for consideration. These sites are supported by a range of evidence from promoters. A site has also been proposed by Leicester City Council for burial space to meet the needs arising from within the City.
22. The Environment Agency have highlighted concerns with two sites which will need to be investigated further HS38 (Fairway Rd) and HS18 (Beacon Road).
23. Concerns are raised in relation to individual proposed sites and also the concentration of sites in certain areas. This includes a range of concerns about whether there will be sufficient infrastructure to support development, whether flood risk will be increased, how traffic will be managed and concerns about the landscape and biodiversity impacts. There is a lack of confidence that certain aspects of the planning system will work including confidence regarding flooding evidence and delivery of infrastructure.

Infrastructure

24. Respondents highlight the pressure proposed development will put on local infrastructure especially schools and health services. It is argued that many doctors' surgeries and schools are already oversubscribed and social services are under pressure. Concerns are also highlighted about the focus on bus access when the Council exerts no control over this service.
25. The West Leicestershire Clinical Commissioning Group highlight concerns about the scale of development in Shepshed which they suggest will pose a significant risk for Health Care provision in the area, stating that the two current surgeries will require significant investment.
26. Leicestershire County Council Education highlight significant challenges to meeting primary education needs in Barrow Upon Soar, Cossington and Hathern. They highlight the need for new schools to support the development proposed at Loughborough, Shepshed and Syston. It is also highlighted that additional land will be required to expand schools in Queniborough, Quorn, Rearsby, Rothley and Sileby.
27. Leicester City Council highlight that the preferred spatial development strategy for both the City and Charnwood directs growth to the north/north-west of the urban area of Leicester and therefore it will be important to ensure close working on cross boundary infrastructure matters. This issue is also raised by North West Leicestershire in relation to the International Gateway and by Leicestershire County Council Transport in relation to both areas.

28. Highways England also highlight the likely impact on the operation of the M1, specifically between M1 J21A and J24, and on the A46 of the development on the edge of Leicester, Loughborough and Shepshed.

Other Policy Areas

29. There are a range of policy refinements proposed including from several specialist organisations. Some respondents also raise concerns about whether there is sufficient evidence to support the policies, whether policies are ambitious enough and also whether they are practical and viable.

Customer Satisfaction

30. In order to measure the effectiveness of the consultation the following methods were used:

- the consultation questions included one asking how people became aware of the consultation
- a customer satisfaction questionnaire was given to people attending the consultation roadshow events
- all responses to the consultation were acknowledged and as part of the acknowledgement respondents were asked for their views on the consultation and how easy it was to find the information they needed.

31. The results of these surveys are summarised below. Responses to question regarding how people became aware of the consultation (46 received)

Source of Information about Local Plan Consultation	
Source	Number of Responses
Charnwood Borough Council <ul style="list-style-type: none"> • Website (7) • Local Plans email (4) • Facebook page (4) • Charnwood News Residents' Magazine (3) • Charnwood Now email alert (3) • Planning News Alert (1) • Twitter (1) • CBC itself (1) 	24
Local newspaper	7
Parish Council <ul style="list-style-type: none"> • Letter (1) • Meeting (1) • Facebook Group (1) • Parish Council (2) 	5
Within own organisation	4
Facebook group	1
Local Councillor	1
Local radio	1
Email	1
Local group on social media	1
Other (Keep East Goscote Green)	1
TOTAL	46

32. Results of customer satisfaction questionnaires from people attending the consultation roadshow events (11 received but not all questions answered on all forms)

Statement	Response				
	Strongly disagree	Tend to disagree	Neither agree nor disagree	Tend to agree	Strongly agree
Staff were helpful and polite				2	8
You were treated fairly and with respect				1	9
Advice given was accurate and professional				4	6
We communicated clearly with you				2	8
The exhibition met my expectations	2	3	2		3
TOTAL	2	3	2	9	34

33. While it is encouraging that the way in which the events were conducted was well received, the responses suggest that more could be done to ensure that future exhibitions meet people's expectations. From comments made at and after the exhibitions this could include improving the visual material that is available at the events.

Next Steps

34. The process of consultation is a critical element of plan making. The responses will now be used to inform the final evidence gathering, site assessments and policy refinement. This will include further engagement with infrastructure providers and key stakeholders.
35. The responses received to the consultation and further evidence that the Council will prepare will be used to inform the preparation of a Pre-Submission Charnwood Local Plan. This version of the local plan will undergo a further round of statutory consultation, in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The local plan and the responses to that consultation will then be submitted to the Secretary of State for an examination in public. If the appointed Planning Inspector finds the plan is sound it will then need to be formally adopted by the Council before it becomes part of the development plan.

Appendices

Appendix A: List of Respondents

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Draft Charnwood Local Plan Respondents (excluding members of the public)	
Anonymous (received via Rothley PC)	LRM Planning on behalf of Williams Davis Limited
Andrew Granger & Co Ltd obo landowner clients	Marrons obo Clarendon Land & Development Ltd
Anglian Water Services Limited	Marrons obo Hallam Land Management Ltd
Anstey Parish Council	Marrons obo Hawker Business Park Limited
Arriva Midlands	Marrons obo Nottingham Community Housing Association (NCHA)
Astill Planning Consultants obo Mr Fothergill	Marrons obo UCR Construction and Development Ltd
Avison Young obo Loughborough University	Marrons obo William Davis
Avison Young obo Jelson	Mountsorrel Parish Council
BABTAG	National Forest
Barkby & Barkby Thorpe Parish Council	National Grid obo Wood
Barton Willmore obo Michelmersh Brick Holdings Plc	Natural England
Berrys	Nineteen47 obo Helen Jean Cope Charity & Bowbridge Homes
Biffa	Nineteen47 obo Davidsons & Redrow
Blaby District Council	North West Leicestershire District Council
Boothwood School	Nottinghamshire County Council (Policy)
Boyer Planning obo Knightwood Trust Farms	Nottinghamshire County Council (Transport)
Boyer Planning obo Stagfield Group	Oadby & Wigston Borough Council
Boyer Planning on behalf of Rotherhill Developments Ltd	Cllr Richard Shepherd obo member of the public who does not wish to be identified.
Bristol Water	Pegasus obo David Wilson Homes
Burges Salmon LLP on behalf of Mr Proctors	Pegasus obo Davidsons Development Ltd (Anstey)
Burton on the Wolds, Cotes & Prestwold Parish Council	Pegasus obo Davidsons Development Ltd (Rothley)
Canal & River Trust	Pegasus obo Davidsons Development Ltd (Sileby)
Carter Jonas obo Taylor Wimpey Homes	Pegasus obo Davidsons Development Ltd (Wymeswold)
Chair Queniborough Neighbourhood Plan Steering Group	Pegasus obo Jelsons
Cllr Mary Draycott	Pegasus on behalf of David Wilson Homes
Neighbourhoods & Community Wellbeing Team	Pegasus on behalf of Hallam Land Management
Cossington CE Primary School	Pegasus on behalf of Palmer-Tomkinson Trust, Cooper Family, Barwood Homes and Davidsons Homes
Cossington Parish Council Clerk	Pegasus on behalf of Singh Family
Cllr Colin Hamilton	Pegasus on behalf of Taylor Wimpey Strategic Land
Cllr Jewel Miah	Pegasus Planning Group obo Carbide Properties Ltd
Cllr Max Hunt	Persimmon Homes & Charles Church
Cllrs Gill Bolton & Alice Brennan	Planit-X Town and Country Planning Services Ltd obo Barrow upon Soar Parish Council
Cllr David Snartt	Planning & Design Group obo GC No. 37 Limited (Godwin Developments)
Cllr Emma Ward	Queniborough Parish Council
CPRE Leicestershire Trustee	Quorn Parish Council
David Jarvis Associates on behalf of Tarmac Trading Ltd	Ratcliffe on the Wreake Parish Council

Draft Charnwood Local Plan Respondents (excluding members of the public)	
Davidsons Developments Ltd	RCA Regeneration Ltd obo Mr and Mrs Gamble
Define obo Bloor Homes	Rearsby Parish Council
DLP Planning Ltd on behalf of Gloeбал Ltd	Robert Bakewell Primary School
East Goscote Parish Council	Rosconn Strategic Land
East Leicestershire & Rutland Clinical Commissioning Group	Rosebery Medical Centre
East Midlands Airport,	Rothley Parish Council
Emery Planning on behalf of Hollins Strategic Land	Rothley Church of England Academy
Fisher German LLP on behalf of Mr & Mrs Taylor	Savills obo Trustees
Fisher German LLP on behalf of Rearsby Trust	SELAG -South and East Leicestershire action Group
For and on behalf of Charnwood Constituency Labour Party	Severn Trent Water
Forest House Surgery	Severn Trent Water
Foxley Tagg Planning Ltd on behalf of NaCSBA	Shearsby Parish Councillors
Geoffrey Prince Associates Ltd on behalf of Cawrey Ltd	Shepshed Town Council
Gladmans	Sileby Parish Council
Haddon Way Residents Association	Sport England
Harborough District Council	Storer & Ashby Area Residents Group (SARG)
Hathern Parish Council	The Country Practice
Heaton Planning on behalf of Swithland Homes Ltd	The Environment Agency
Highways England	The Environment Agency
Hinckley and Bosworth Borough Council	The Nanpantan Ward Residents' Group
Historic England	The Woodland Trust
Hoton Parish Council	Theatres Trust
House Builders Federation	Thomas Taylor Planning Ltd obo Mr S Scottorn
Infraland	Thomas Taylor Planning Ltd obo Mr W Murdoch
John Storer House	Thomas Taylor Planning Ltd obo Mr W Sbitany
Julian Sutton on behalf of The Brush Group	Thomas Taylor Planning on behalf of Various Clients
Leicester City Council	Trustee and Secretary of the Rectory Wildlife Garden
Leicester City Council	Turley obo ALDI Stores Ltd
Leicestershire & Rutland Bridleways Association	Turley on behalf of Rainier Developments Ltd
Leicestershire & Rutland Wildlife Trust	Turley on behalf of Rainier Developments Ltd (Wymeswold)
Leicestershire County Council Education	Vale Planning Consultants
Leicestershire County Council	WDA Planning
Leicestershire local access forum	West Leicestershire CCG
Lichfields on behalf of CEG	William Davis Ltd
Lichfields on behalf of St Philips	Woodbrook Vale School
Lone Star Land Ltd obo Sturdee Poultry Farms Ltd	
Loughborough Air Quality Protection Group	
CLLrs Kat Goddard & Julie Bradshaw	