
REPORT TO:	Environmental & Development Services Committee	AGENDA ITEM: 8
DATE OF MEETING:	31 May 2012	CATEGORY: DELEGATED
REPORT FROM:	Director of Operations	OPEN
MEMBERS' CONTACT POINT:	Ian Bowen 01283 595821 ian.bowen@south-derbys.gov.uk	DOC:
SUBJECT:	North West Leicestershire Core Strategy: Proposed Submission Version	REF: IB
WARD(S) AFFECTED:	All	TERMS OF REFERENCE: EDS 17

1.0 Recommendations

That:

- (i) Members note the contents of the North West Leicestershire Core Strategy: Proposed Submission version;
- (ii) North West Leicestershire District Council be informed that the draft Core Strategy is considered to adequately address issues of cross-boundary significance in line with ongoing liaison between our two councils under the 'Duty to Co-operate';
- (iii) Responses be made to North West Leicestershire District Council as set out in paragraphs 4.7 – 4.37 of this report, including requests for amendments to the wording of policies CS9 (Development adjoining Swadlincote), CS12 (Town and Local Centres) and CS14 (Donington Park).

2.0 Purpose of Report

2.1 To consider, and formulate a response to the North West Leicestershire Core Strategy – Proposed Submission version.

3.0 Executive summary

3.1 North West Leicestershire District Council (NWLDC) have published, for consultation, their "Proposed Submission" Core Strategy. This sets out the vision and policies for the development of NWL for the period 2006–2026.

3.2 Under the new "Duty to Co-operate" it is important to ensure that any issues of cross boundary significance are properly considered. It is clear that none arise which

would demand formal joint working in preparing our respective development plans. A number of lesser issues arise, however, which are dealt with in the draft Core Strategy in a way that adequately reflects our two councils' ongoing liaison.

- 3.3 No objections to any of the proposed policies are being recommended. However, it is being recommended that the wording of Policies CS9 (Development adjoining Swadlincote), CS12 (Town and Local Centres) and CS14 (Donington Park) be clarified, as set out in this report.

4.0 **Detail**

- 4.1 North West Leicestershire District Council (NWLDC) have published, for consultation, their "Proposed Submission" Core Strategy. Comments are required to be submitted by 9th July 2012. The consultation can be viewed at <http://minutes.nwleics.gov.uk:81/aksnwleicester/images/att5353.pdf>

- 4.2 The draft Core Strategy sets out the vision and policies for the development of NWL for the period 2006–2026. In this regard, NWLDC have clarified that their Core Strategy will only indicate "broad locations" of growth rather than site specific allocations for development. The latter will be dealt with in a separate subsequent Site Allocations development plan document. The Core Strategy does not deal with minerals and waste matters.

- 4.3 Following the completion of this consultation, the NWLDC will need to formally submit proposals to the Secretary of State and convene a public Examination where the overall "soundness" of the document will be assessed by an independent planning inspector. The District Council anticipate adoption of the Core Strategy in May 2013. Once adopted, the Core Strategy will form part of the Council's "Local Plan" collectively with the proposed subsequent 'Site Allocation' document and any other development plan documents the council may prepare.

The Duty to Co-operate

- 4.4 Members should note that following the introduction of the "Duty to Co-operate" under the Localism Act, it is now particularly important that neighbouring local planning authorities identify and, where necessary, reach agreement on issues of cross boundary significance. In this regard, the National Planning Policy Framework urges formal joint working where development needs cannot wholly be met within a particular local authority area. It is clear, however, that no strategic planning issues arise in our relationship with NWLDC of such significance as to demand such joint working.

- 4.5 Nevertheless, there are a number of lesser issues of cross-boundary interest which are the subject of ongoing liaison between our two authorities under the Duty to Co-operate and these are appropriately reflected in the Core Strategy. These are set out in more detail, with recommendations, in paragraphs X – Y below.

- 4.6 The draft Core Strategy also contains a host of other policies which are not summarised below. For information, a full list is attached at Appendix 1.

Proposed Policies and Officer Recommendations:

Policies CS1 and CS15: District Housing Provision

- 4.7 The draft Core Strategy proposes provision of at least 9,700 new homes (388 dwellings per annum) in the period 2006 - 2031. These are to be distributed mainly around the Coalville urban area (4,950 dw), Ashby de la Zouch (1,400 dw) and Castle Donington (1,300 dw) with lesser amounts at Ibstock, Kegworth, Measham and other 'sustainable villages'.
- 4.8 At 388 dwellings per annum, the proposed scale of housing growth falls considerably below the requirement for NWL set out in the East Midlands Regional Plan (510 dpa). In this regard, however, the Leicestershire districts, together with Leicester City have co-operated on a Housing Requirements Study which is based on more recent 2008 national household projections. Six projections (or "scenarios") were prepared which, for North West Leicestershire, ranged from 3,865 dwellings to 9,700 dwellings. The District Council is proposing to adopt the latter higher figure.

Recommended Response on the District Housing Provision:

- 4.9 It is essential that neighbouring districts make provision for the full housing needs arising in their areas in order to avoid additional housing pressures upon South Derbyshire. Whilst NWLDC's proposed housing target falls below the level required by the East Midlands Regional Plan, this appears to be based upon robust and more contemporary evidence. It is therefore being recommended that no objection be raised.

Policies CS2 and CS10: District Employment Provision

- 4.10 Together, these policies promote the development of 134 hectares of additional employment land for B1, B2 and B8 use for the period 2006-2031, plus an allowance of a further 30ha to allow for future losses. Taking into account existing commitments this amounts to the need to find land for an additional 60ha of B1, B2 and B8 land.
- 4.11 This is intended to be mainly accommodated at Coalville. As part of this approach, NWLDC propose the unusual approach of maintaining a rolling five-year supply of employment land.

Recommended Response on the District Employment Provision:

- 4.12 The quantum of employment land being proposed appears to be based upon a robust assessment of Leicester and Leicestershire's employment needs. The general approach towards locating most development at Coalville is also a reasonable approach which accords with the proposed housing strategy. It is therefore being recommended that no objection be raised.

Policy CS3: East Midlands Airport

- 4.13 This policy provides for the operational growth of East Midlands Airport having regard to its impact on local communities and the wider environment, and the need to increase the number of employees and visitors travelling to the airport by means other than the private car.

4.14 This includes a commitment to periodically reviewing the airport Surface Access Strategy and work with the airport and other partners to seek to minimise the environmental impact of operations at and connected with the airport. The policy also makes clear any further consolidation or development at the airport related to night flights will require the application of stringent controls over night-time noise.

Recommended Response on East Midlands Airport:

4.15 The operation and development of the airport is an issue which affects residents in parts of South Derbyshire. It is considered that the proposed policy provides a suitable framework within which to promote more sustainable travel to and from the airport as well as properly considering any adverse environmental effects from future development. It is therefore being recommended that no objection be raised.

Policy CS5: Rail Infrastructure

4.16 This policy supports the reinstatement of passenger services on the National Forest Line and seeks to safeguard the route and stations from prejudicial development.

Recommended Response on Rail Infrastructure:

4.17 Whilst a 2009 study by Leicestershire County Council concluded that the running costs associated with re-opening of the line are likely to be prohibitive, this project would nevertheless represent a long term aspiration of South Derbyshire District Council. It is therefore being recommended that no objection be raised.

Policy CS6: Strategic Rail Freight Interchange

4.18 This policy notes that proposals for any new Strategic Rail Freight Interchange (SRFI) in NWL will be determined at the national level and makes clear the District Council will only support a SRFI where a number of criteria are met.

Recommended Response on Strategic Rail Freight Interchange:

4.19 That fact that rail freight issues are acknowledged in the draft NWL Core Strategy is welcome and it is therefore being recommended that no objection be raised.

Policy CS9: Development Adjoining Swadlincote

4.20 This policy recognises South Derbyshire District Council's longstanding commitment to regeneration in Woodville. Given the obvious relationship with adjacent land lying in NWL, the policy supports co-ordinated development where this would be the most sustainable option in meeting the needs of the wider Swadlincote urban area. The supporting text also makes clear that any such development would contribute to NWL's housing and/or employment needs. The policy similarly commits to co-operation with South Derbyshire District Council over the future planning of Boundary.

Recommended Response on Development Adjoining Swadlincote:

4.21 Detailed proposals for development in Woodville are at a formative stage although the majority landowner has recently confirmed a promotional partnership agreement

with St Modwen. This will deliver much needed commercial regeneration and, in particular, assist in delivering the District Council's longstanding aspiration for a Woodville Regeneration Route.

4.22 Whilst the precise footprint of development is still being explored by this Council and development partners, NWLDC's willingness to release adjoining land in the event it is needed to achieve regeneration in South Derbyshire is to be welcomed. Although any development in NWL would count numerically towards the requirements of NWLDC, this policy might (subject to the detail of emerging proposals) provide more flexibility in devising a developable scheme. It could also potentially assist in providing further developer contributions towards the overall scheme including the Woodville Regeneration Route.

4.23 The wording of the policy could be somewhat clearer, however, and the following amendment is recommended:

“Policy CS9: Development Adjoining Swadlincote

Provision will be made for the extension of Swadlincote urban area into North West Leicestershire District where:

1 South Derbyshire District Council is able to demonstrate that it is required to ~~meet the development needs of~~ **assist with the delivery of a larger comprehensive scheme in Woodville** South Derbyshire District and Swadlincote, and is the most sustainable option for meeting those needs, **including provision of the Woodville Regeneration Route**;

~~2 It is part of a larger, comprehensive development that incorporates land in South Derbyshire, and~~

~~3~~ **2** The separate identity of Albert Village is protected.

North West Leicestershire District Council will cooperate with South Derbyshire District Council regarding the future planning of Boundary”.

Policy CS12: Town and Local Centres

4.24 This policy identifies a hierarchy of town and local centres which will be used to guide the location of future retail development. In particular, Coalville is defined as the primary town centre and the preferred location for new town centre and local centre uses. The draft Core Strategy also signals a commitment to maintaining up-to-date assessments of retail and leisure need.

Recommended Response on Town and Local Centres:

4.25 Swadlincote and Ashby-de-la-Zouch have overlapping shopping catchment areas and it is essential that the NWL Core Strategy incorporates appropriate policies guiding the location and type of future retail development.

4.26 Policy CS12 proposes a reasonable centre hierarchy to guide the development of future retail and town centre uses. However, whilst the supporting text indicates that a “town centres first” policy would apply in the determination of planning applications,

the wording of the policy itself does not appear to reflect this. It is therefore recommended that the policy be amended to make clear that any out-of-centre proposal, including proposed extensions to existing retail operations, will be subject to a rigorous sequential test requiring consideration of in-centre and edge of centre options first.

Policy CS14: Donington Park

4.27 This policy supports the continued use of Donington Park as a race circuit but restricts new development to that which is essential to the operational needs of the track and has a clear functional relationship with the use of the track for motorsports. Such development would be subject to two key criteria:

1. being satisfactory in terms of impact upon nearby residential amenity and the surrounding countryside; and
2. demonstrating satisfactory arrangements for vehicular access and not adversely affecting traffic conditions on the local or wider road network or environmental conditions in nearby settlements

4.28 The policy also makes clear that uses other than those that are essential for the operational needs of the racetrack will only be supported where a Masterplan securing the long-term future of the racetrack has been agreed by the Council following appropriate consultation.

Recommended Response on Donington Park:

4.29 Whilst the continued use of the race circuit has always been supported by South Derbyshire District Council, any intensification of its use is a cause for concern amongst some communities particularly in relation to noise and traffic congestion.

4.30 The proposed policy acknowledges those concerns and seeks to incorporate appropriate safeguards against future inappropriate development. However, the wording of the policy is rather weak where it refers to the need for development to be “satisfactory” in terms of its impact on nearby residential amenity. It is therefore being recommended that NWLDC be requested to amend the policy to read “new development should not lead to any additional detrimental impact on residential amenity”. It is also being recommended that the commitment to public consultation on the introduction of any future Masterplan be supported.

Policy CS20: Gypsies and Travellers and Travelling Showpeople

4.31 This policy seeks to make provision to meet the accommodation needs of Gypsies, travellers and showpeople in accordance with the Leicestershire, Leicester and Rutland Gypsy and Travellers Accommodation Needs Assessment (GTAA - 2007). A commitment is similarly given to reviewing and updating the GTAA in co-operation with others. The policy also introduces criteria for the selection of sites.

Recommended Response on Gypsies and Travellers and Travelling Showpeople:

4.32 It is essential that neighbouring local authorities assess the need and make provision for new sites in order to avoid travellers being forced to resort to sites and unauthorised encampments in South Derbyshire. The policy aims to meet provision

on the basis of an evidence based assessment and it is therefore being recommended that no objections be raised.

Policy CS33: River Mease Special Area of Conservation

4.33 This policy expresses a commitment to work with Natural England, the Environment Agency, Severn Trent Water and the development industry to improve water quality of the River Mease Special Area of Conservation (SAC). This is in recognition of the fact that the river is currently failing to meet its conservation objectives, primarily due to high levels of phosphates in the river. At the same time, the draft Core Strategy is proposing substantial amounts of development in the river catchment.

4.34 The policy proposes only to allow new development within the river catchment where there is sufficient headroom capacity available at the relevant Wastewater Treatment Works (WWTW) and where the proposal accords with the provisions of an emerging Water Quality Management Plan. This may include the provision of contributions for infrastructure or water quality improvements.

4.35 In cases where there is no headroom capacity at the relevant WWTW, development would only be allowed where it can be demonstrated that the proposed development will not have an adverse impact upon the SAC.

Recommended Response on River Mease Special Area of Conservation:

4.36 As a site enjoying special protection under EU legislation, it is essential to ensure that development will have no significant adverse effects on the River Mease SAC. Parts of South Derbyshire also lie within the catchment of the River Mease although strategic scale developments are unlikely to be necessary here. Accordingly, SDDC officers are contributing to the work being driven by NWLDC, Severn Trent, Natural England and the Environment Agency to produce a Water Quality (Phosphate) Management Plan. This is likely to lead to a developer contribution strategy to fund measures that will deliver phosphate reductions to enable development to proceed without conflicting with the EU Habitats Directive.

4.37 Whilst this is still emerging and the legal context for proposing and mitigating the significant effects of development in SACs is complex, the draft policy appears to represent a reasonable approach at this stage and it is being recommended that no objection be raised.

Conclusions

4.38 Whilst there is no need for formal joint working between our two authorities, the NW Core Strategy: Proposed Submission version properly addresses issues which have potential for cross-boundary significance in line with our ongoing liaison under the Duty to Co-operate.

4.39 No objections are being recommended to be raised. However, it is being recommended that improvements could be made to the wording of Policies CS9 (Development adjoining Swadlincote), CS12 (Town and Local Centres) and CS14 (Donington Park).

5.0 Financial Implications

5.1 None arising directly from this report.

6.0 Corporate Implications

6.1 The scale and type of development being proposed in neighbouring authorities' LDF documents have the potential to affect the achievement of our key corporate objectives under the theme Sustainable Growth & Opportunity. The Duty to Co-operate with neighbouring LPAs is also now an important corporate priority and it is important to carefully assess emerging proposals.

7.0 Community Implications

7.1 Emerging development plans in neighbouring areas have the potential to affect some communities in South Derbyshire and these are addressed in this report.

8.0 Background Papers

8.1 North West Leicestershire Core Strategy – Proposed Submission Version, May 2012.

Appendix 1

Full list of Policies in the North West Leicestershire Core Strategy: Proposed Submission Version

The Core Strategy contains the following policies which deliver the Vision and objectives:

- CS1 – District Housing Provision
- CS2 – District Employment Provision
- CS3 – East Midlands Airport
- CS4 – Strategic Highway Network Improvements
- CS5 – Rail Infrastructure
- CS6 – Strategic Rail Freight Interchange
- CS7 – Location of Development
- CS8 – Countryside
- CS9 - Development adjoining Swadlincote
- CS10 – Meeting the Development Needs of Business
- CS11 – Education and Training in Connection with New Developments
- CS12 - Town and Local Centres
- CS13 – Rural Economy
- CS14 – Donington Park
- CS15 – Distribution of Housing
- CS16 – Housing Density
- CS17– Housing mix
- CS18 – Affordable Housing
- CS19 – Rural ‘Exception’ Sites for Affordable Housing
- CS20 – Gypsies, Travellers and Travelling Showpeople
- CS21 – Well-designed building and places
- CS22 – Infrastructure and Developer Contributions
- CS23 – Transport
- CS24 - Climate Change and New Development
- CS25 - Sustainability and New Development
- CS26 - Flood Risk
- CS27 – Groundwater Protection and land Instability
- CS28 - Strategic Green Infrastructure
- CS29 – Open space, Sport and Recreation
- CS30 -The National Forest
- CS31 - Charnwood Forest Regional Park
- CS32 – Natural Environment
- CS33 - River Mease Special Area of Conservation
- CS34 – Conserving and Enhancing the Historic Environment
- CS35 – Coalville Urban Area
- CS36 - Coalville Urban Area Broad Growth Locations
- CS37 - Ashby de la Zouch
- CS38 - Castle Donington
- CS39– Ibstock
- CS40 – Kegworth
- CS41 – Measham
- CS42 - Rural Area