

To: Ian Nelson c: Chris Elston

Detailed response to Local Plan consultation submitted 28 March 2022

Dear Ian

Firstly thanks again for working with us in order to get this more detailed response to you. Whilst I am the one submitting this document to you both I wanted to stress that it has been evolved, discussed, reviewed and approved by all of the Parish Councils noted in Appendix 1, including a cross party group of District Councillors.

We appreciate your support to date not only to this group but also to those evolving Neighbourhood Plans and we look forward to continuing this 'working together' approach to develop an aspirational and deliverable set of aligned plans. We very much see this as the start of the process and hope that by drawing on our local knowledge and skills the resulting Local & Neighbourhood Plans will be something we can all feel proud of.

You will see from the attached response we agree with some, but not all of the recommendations and where we don't agree we have tried to be clear on the reason why. There is a significant strength of local feeling behind our stated views and we look forward to discussing them with you and your team in due course.

There are a number of things we feel very strongly about and its worth pointing out a few up front namely:

- The need for a cautious evolution of the plan given the wider uncertain economic environment without committing to the 'worst case' scenarios too soon. This might be through prescribed decision making (or milestone) stages to ensure a plan can be generated now but adjusted in the future once there is more certainty.
- More co-operation with other authorities including Nottinghamshire & South Derbyshire
- A reasonable, fair and proportionate settlement on the unmet needs of Leicester.
- The pursuit of no more than the Higher 1 housing numbers for now.
- Making best endeavours to pursue a new settlement strategy above all others.
- A cautious and more sustainable approach to warehousing and employment land.
- A stronger focus on greenspace and valued landscapes

Once again thank you for your support of this group to date and we look forward to engaging with you and your team after Easter once you have had time to digest this.

Best Regards

On behalf of the group

John McClelland

1. Introduction

- a. This response is submitted on behalf of the group of the local parish council's which surround East Midlands Airport (EMA) and the new Freeport zone (EMAGIC) in Northwest Leicestershire (NWL). The group is also supported by a cross party group of NWLDC District Councillors who were elected to represent the residents in these areas. Appendix 1 provides a detailed list of those involved in the group and their roles.
- b. It should be stressed that we very much see this formal response **as the start of a 'working together' process** between this group and NWLDC. Firstly, due to the fact that some of the key supporting evidence base and data are still evolving to inform the plan, for instance Freeport proposals, updated HEDNA, negotiations on unmet needs. Secondly to recognise that Neighbourhood Plans are evolving in many Parishes and the NPPF guidelines on plan making requires a close working relationship to:

'..... direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan'
- c. As a starting point for this we would propose an initial meeting with NWLDC just after Easter to review and share, from our respective perspectives, current thinking on areas of separation, local greenspace designation, housing and employment sites in our Parishes. By working together on this constructively we hope to arrive at a set of Neighbourhood and Local plans which support NWLDC's strategic objectives but also meet the needs of the communities we serve.
- d. Finally, whilst Policy S3 is not in the consultation document itself it is nevertheless especially important that this should remain as strongly worded as currently, or even strengthened to protect local green spaces, areas of separation, and valued landscapes. This would be in line with the recent strengthening of the NPPF guidelines to protect and enhance the environment.

2. Approach to Strategy & Plan creation

- a. NPPF requirements for plan making

NPPF 15 requires that the plan **'should provide a positive vision for the future and a platform for local people to shape their surroundings'**. As we stated in our initial response any form of a 'develop-er led' approach to policy creation is unlikely to be supported at Parish level. This is in line with the Planning Inspector's historic views of the Authority's previous shortcomings in this regard. All Parishes will endeavour to work with the Authority to formulate and deliver a Local Plan that is the *right* way forward for the locality, not necessarily the *easy* way forward.

In terms of plan making NPPF16 states *'Plans should:'*

- a) *Be prepared with the objective of contributing to the achievement of **sustainable development***
- b) ***Aspirational** but deliverable*
- c) *Be shaped by early, proportionate and **effective engagement between plan makers and communities, local organisations, etc.***
- d) *.....*

We support all three of these key requirements and seek to work together to achieve sustainable development through **aspirational but deliverable** plans in our area.

b. Uncertainty in the economic environment

The plan should recognise the uncertainty in general economic environment and the likelihood of a downturn in economic activity relative to previous forecasts. The impacts of the Pandemic, war in Ukraine, energy crisis are all driving a cost of living increase and lower disposable incomes for goods. This calls for a prudent approach in this plan, deferring where possible *any* major decisions that may result in giving up more countryside or open green space to development, for instance until there is more certainty in 5 years' time.

c. Attitude to risk

It is appropriate that there is a balanced and proportionate attitude to risk across different policies and that risks are not just added to each other which is not best industry practice. We could not help but notice the development land requirements in the GLHearn report, which forms the basis for the consultation, is extremely risk averse in using the second highest forecast method, then adding a 33% flexibility margin based on the last 5 years completion. Planning for risk should be balanced recognising the plan will be revisited every 5 years. A time based approach to key decisions and risks between now and 2039 is required with no need to make them all today. Irrespective of wider national and international events, the spirit of the current approach does feel as though all 'worst case' planning assumptions are being combined, resulting in a 'worst case plus' direction of travel at a very early point. Balance and caution are needed at this formative stage.

d) Leicestershire unmet need

We would be concerned if NWLDC decided to take on more of Leicestershire's unmet need in a way that was not fair and proportionate, making the plan more challenging to deliver and thus giving up more countryside in less and less appropriate places. NWLDC has taken more than its fair share over the last five years and needs to look to its other stated objectives before volunteering to give up more.

e) Duty to co-operate

The NPPF Section 3 Item 24 requires that, in preparing Local Plans, Councils have a duty to cooperate across administrative boundaries.

*'Local Planning authorities and Local Councils are under a duty to co-operate with each other, and with other prescribed bodies on strategic matters **that cross administrative boundaries**'*

Items 25-27 go on to say that strategic matters require this co-operation and should result in a statement of common ground. As such, given the strategic nature of Logistics and Warehousing, infrastructure and housing needs etc. we would expect to see tangible and substantial evidence of this co-operation with Nottinghamshire and South Derbyshire who geographically are positioned alongside the NWLDC by the multi modal transport hubs at EMA and SEGRO. Taking up even more development land in the Local Plan without evidence of this would not be supported given the amount of countryside and amenity already given up by residents in this part of NWL.

f. Neighbourhood Plans

The NPPF requirements on the role of Neighbourhood Plans are clear and we welcome the support from NWLDC to date in supporting their creation locally. The NPPF states:

*28. Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. **This can include allocating sites, the provision of infrastructure and community facilities***

at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies.

29. Neighbourhood planning gives communities the power to develop a shared vision for their area. **Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan.** Neighbourhood plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies.

To be effective however working together is key and we look forward to the commencement of this process after Easter.

g. Testing of plans

As part of the process the NPPF states: *Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are ‘sound’ if they are:*

*(a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs and is informed by agreements with other authorities, so that **unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.***

*(b) Justified – an appropriate strategy, **taking into account the reasonable alternatives,** and based on proportionate evidence.*

*(c) Effective – deliverable over the plan period, and **based on effective joint working on cross-boundary strategic matters** that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*

*(d) Consistent with national policy – **enabling the delivery of sustainable development** in accordance with the policies in this Framework and other statements of national planning policy, where relevant.*

h. Developer contributions

The NPPF’s require that plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure).

Based on past experiences, to avoid developers avoiding their obligations, at the outset policies and planning approvals with **S106 contributions need to be tightly drawn up to ensure developer fulfils its requirement before the full build is complete.** Policies in the Local Plan should require these to be agreed at outline planning stage in a staged way. Early consultation should be sought with Parish Council Planning Committees in order for these statutory consultees to be able to shape the timeliness of S106 delivery with the substantial local knowledge that exists.

3. Approach to the environment

a. NWLDC priorities

We are concerned that the proposed Local Plan is not as strong as it could be with respect to the environment and protection of the valued greenspaces, landscapes and views that remain after the last 5 years of cumulative development on a massive scale. This is particularly so when the NPPF’s have been recently strengthened in this respect.

The Council’s own Delivery Plan for 2020-21 is an important document that provides a local perspective to the Council’s key priorities that the new LP can help to deliver. The Delivery Plan lists five priorities

that show support for the local economy, businesses and communities.... but not the environment. Do we infer from this that the Council does not see the protection, conservation and enhancement of the local environment as a priority over the next few years? If so, that would be of great concern if this approach follows through to the LP

A number of important changes to the NPPF were introduced in July 2021 to support Council's in delivering better places to live and work and to ensure that communities have a greater influence over the location and design of development. The environmental objective wording has been strengthened with a requirement to 'protect and enhance' the environment and 'improve biodiversity' rather than 'contribute to' protection and 'helping to improve biodiversity' as written in the previous version of NPPF.

NPPF paragraph 11 a) retains the presumption in favour of sustainable development, but plan making now has a more green focus including the requirement to 'improve the environment'. The LPR provides the opportunity for the Council to provide a greener focus to the new LP in keeping with NPPF.

Put simply, more weight is needed within the Delivery Plan in order to reflect the strengthened requirement of seeking to protect and enhance the environment.

b. Landscape sensitivity and value

NPPF paragraph 170 retains the requirement for policies and decisions to contribute to and enhance the natural and local environment by, amongst other things, protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside. The Local Plan Review (LPR) provides the opportunity for the Council to provide up to date local landscape evidence to inform the new Local Plan, in accordance with NPPF.

Objective 9 in the Local Plan refers to '*conserve and enhance landscape characteras well as its other valued landscapes*' however we do not feel there is an appropriate evidence base to define 'valued landscapes'

Appropriate landscape sensitivity assessment in accordance with the latest guidance from Natural England ('*An approach to landscape sensitivity assessment to inform spatial planning and land management 2019*') that takes into account **landscape character assessment at the local scale** in accordance with latest guidance '*An Approach to Landscape Character Assessment 2014*' should be used to inform strategic spatial planning and land management. This should be accompanied by policies and proposals requiring applicants to demonstrate that environmental (as well as economic and social) effects of development are acceptable, for example by requiring landscape and visual impact assessment of a proposal in accordance with latest guidance in GLVIA3.3 (The Landscape Institute and Institute of Environmental Management & Assessment, '*Guidelines for Landscape and Visual Impact Assessment*', Third Edition, 2013).

c. Landscape evidence base

Noticeably there is no landscape character assessment (LCA) in the list of evidence documents at Appendix 1. The adopted local plan relies on LCA at the national, regional and county scales, rather than at the local scale. Whilst the 1994 National Forest Character Assessment and the 2008 Charnwood Forest LCA provide local-scale assessments of the National Forest and Charnwood Forest areas, LCA coverage of the rest of the NWL Council area relies on Natural England's National Character Area (NCA) profiles (2013-15), the East Midlands Regional LCA (2010) and the Leicester Leicestershire and Rutland Landscape and Woodland Strategy (2001). The NWL Settlement Fringe Assessment (2010) and the NWL Landscape Sensitivity Study (2019-21) adopt the landscape character descriptions from the National Character Area profiles, **but what is required is an up-to-date baseline local LCA that takes into account the significant development and other landscape change within NWL. This will help in understanding of the local landscape, in informing judgements (for**

example on landscape sensitivity including what may be valued by a local community) and decisions concerning the management of change.

A robust, auditable and transparent landscape evidence base should follow the latest guidance (as previously noted) to ensure that assessment criteria and indicators are appropriate to the particular landscape and to particular development scenarios.

As referred to above, the NWL Landscape Sensitivity Study, 2019, adopts the key landscape characteristics from the NCA profiles. The study uses the character profiles at the national scale in the absence of a regional LCA; however, the East Midlands Regional LCA was published in 2010 and thus was available for use in the study. **Using national-level characteristics is too broad a scale for the assessment of sensitivity of land around settlements.** Importantly, the study is a strategic assessment to be used as the context for more detailed studies of individual sites; it follows methodology in GLVIA3 which provides guidance on landscape and visual assessment of specific development proposals (rather than following guidance on landscape sensitivity to the principle of a particular development type scenario) but **it does not make judgements on the appropriateness of specific proposals on individual sites; and no community engagement was undertaken for the study (a crucial aspect of latest guidance on landscape sensitivity).**

Furthermore, the NWL Landscape Sensitivity Study **does not consider cumulative impacts which is a major concern in the Castle Donington area; developments to the north of the A50 and at EMAGIC are not considered in the study.**

Whilst the study may provide useful background to the new LP **it must be made clear that development is not necessarily appropriate in areas of lower sensitivity identified in the study; more site-specific information, not least informed by detailed site visits and community and stakeholder engagement, will be required so that local developments and cumulative impacts can be fully assessed.**

In summary given these various shortcomings to the evidence base we want to work with NWL in defining, at local level, the valued landscapes worthy of conserving and enhancing in our specific area.

It is also worth noting that over the last two years, the willingness of Planning Officers to even visit application sites has reduced to a very minimal level. It is imperative that Planning teams visit the locality for which they are responsible, especially when there is a specific application under review. Google maps and street view is not sufficient in terms of an analysis tool. Parish Councillors would welcome to opportunity to meet with Planning Officers and 'walk the patch'.

4. Response to specific consultation questions

Question 1 Do you agree with these Local Plan Review objectives ?

NO

- a. We noted in Section 3 that the NWLDC Delivery Plan lists five priorities that show support for the local economy, businesses and communities.... but not the Environment and are concerned this is not a priority for the Local Plan. We feel the objectives should be strengthened to provide a basis for policies in the Local Plan that give stronger protection for the countryside, local greenspace, and valued

landscapes. This should include measures to retain the character of our settlements from further encroaching development. This is particularly pertinent given the loss of countryside and amenity from the cumulative impact of development over the last 5 years. This lack of focus in the objectives can lead to weaker policies which can be exploited by developers chasing land in this sought-after area.

- b. For instance, there is no mention in Objective 8 of Conservation Areas specifically which would like to see included.
- c. Likewise, the mention of *...its other valued landscapes* in Objective 9 has no objective data behind it in the evidence base to define where they are such that they can be considered in the planning process? As NPPF 175 states *'planning policies should contribute to and enhance the natural and local environment by – 'protecting and enhancing valued landscapes'* We would like to work with NWLDC to define these in our area.
- d. Furthermore, how can it be assured that the dependencies in the sustainable objectives, of which there are many, are acknowledged e.g., Health and Well Being suffers if access to shops, education, sport, recreation, green space and cultural facilities increase the need to travel and if economy and housing are developed ahead of proper community provision (objectives 1, 3, 4, 7, 11).

Question 2 – Do you agree with the proposed settlement hierarchy?

YES

Question 3 – Do you agree with the approach to Local Housing Needs Villages?

YES

Question 4 - Do you agree with our proposed approach to the amount of housing growth at this time? If not please explain why, including any specific evidence you think is relevant

HIGH 1 STRONGLY PREFERRED

- a. Our opinion is that the planners should concentrate on High 1 scenario (512 dwellings per annum). This more than satisfies the Standard Method calculation, meets the Strategic Growth Strategy and provides a good buffer to meet the Leicester unmet need. If the suggested Leicester city unmet need of 18,000 were distributed evenly between the five more rural Leicestershire Districts, each district would need to accommodate an additional 3600 dwellings. 512 dwellings pa would provide an additional 3625 dwellings above the standard method calculation which satisfies the requirement.
- b. However, as the housing requirement for Leicester City is based on its own demographics and economic needs, it would seem to be preferable that a high proportion of the Leicester unmet need should be accommodated in close proximity to this area. It should be exceptional for that unmet need to be sought to be met further afield. No exceptional reasons have been put forward. For this reason NWL, having no joint boundary with the city, should be expected to meet a smaller proportion of the City's unmet need than those Districts with joint boundaries to the city.
- c. The consultation document proposes the ONS 2018-based housing projections as an indicator of market signals and thus a justification for the High2 scenario. However, the NPPF clearly states that *"current and future demographic trends and market signals"* only need to be taken into account in *"exceptional circumstances."* No exceptional circumstances have been suggested. Firstly, the current trends have been exaggerated by the planning free for all that occurred during the period running up to adoption of the local plan in 2017 when the council could not demonstrate a 5 year housing supply and which was, in part, a balancing of much lower build rates in the first half of the last decade due to the 2010 economic crisis. Secondly the cited ONS Household Projection document clearly states that:

“Household projections are not a prediction or forecast of how many houses should be built in the future. Instead, they show how many additional households would form if assumptions based on previous demographic trends in population growth and household formation were to be realised. Projections do not factor in the effect of the coronavirus (COVID-19) or attempt to predict the impact of political circumstances.”

It is the 2016-2020 trend that is exceptional and so this should not be used as a basis for future requirements.

The reasons put forward for the HIGH 2 Scenario are therefore considered to be unsound. HIGH 1 is the correct way forward.

Question 5 - Do you agree with our proposed approach to the distribution of housing growth at this time? If not please explain why, including any specific evidence you think is relevant

HIGH 1 /OPTION 8 PREFERRED

- a. Considering that the High 1 Scenario is our preferred basis for future housing projections, we would still prefer Option 8. This is based on the fact that the Principle Towns and Key Service Centres already have large allocations of housing within the existing Local Plan that are still to be built or even receive planning permissions in many cases.

Option 8 would put pressure on developers to progress their current plans and build out these developments on a reasonable timescale, thus ending the current planning blight being suffered around those areas, with the new town coming on stream towards the end of the plan period and providing a long-term solution to future housing needs in the area which does not require further overdevelopment of the existing main towns. The building out of the current allocations should also hasten implementation of the infrastructure needs that they are generating. The delay to the need for the new town would provide time for detailed, joined-up planning of the development and its associated infrastructure. The arguments put forward for option 8 not being suitable for High Scenario 2 make sweeping assumptions about when work would commence on the new development. The text states that a build rate of 250 dwellings pa would not be sufficient to deliver High 2 scenario. However, it would be more than sufficient to supply the 1000 house shortfall under High 1 scenario even if only commenced during the 2030s. Furthermore, the flexibility required under the NPPF is easily catered for by the large number of unbuilt allocations across the district within the current local plan.

Using the approach above there is ample time for all Compulsory Purchase of land or Public Private Partnerships to be pursued with the intention of the policy and the Planning Authority driving the best case scenario to deliver aspirational but achievable development, rather than be developer led. It is noted that Officers have shown a willingness to meet with experts in this regard and a District Councillor is arranging this.

Should a new settlement approach be unacceptable then very reluctantly Option 3a would be our second choice for High1 Scenario. This would only be considered acceptable after substantial evidence is provided that the concept of a new settlement has been progressed as far as possible and best endeavours have been made to do so.

- b. If the High 2 Scenario were to be progressed, then Option 7b appears to be the best compromise of the options presented. However, we would prefer the New Settlement to take a much greater proportion, up to the maximum number deliverable over the timescale of the plan (2295), with the allocations to the other categories reduced pro-rata i.e., Principal Town (1510), KSC (647), LSC (232) and Sustainable Villages (216).

- c. Whichever option is progressed, if the New Settlement, where it is presently proposed, forms a significant part of the solution, we strongly argue that the Housing Requirements for the surrounding Sustainable Villages should be reduced from their present numbers. This would help to prevent our Parishioners suffering the double blow of major disruption from infrastructure development and long term construction of the New Settlement, whilst also being expected to endure continued expansion within the villages.
- d. Whatever the final decisions the Housing Requirement figures will be needed to be agreed for several emerging Neighbourhood Plans and we look forward to working with NWLDC to achieve this.
- e. We also believe that there should be maximum separation between the New Settlement and existing villages built into any Masterplan for the new development.
- f. Finally, we believe that there should be more and tangible liaison with neighbouring authorities on cross border strategic decisions. The housing needs generated by developments such as significant new employment sites and also associated with the Freeport are pertinent to all neighbouring authorities. The type of housing required due to the new employment sites also needs to be carefully considered. It is likely that there will be significant demand for more affordable housing to cater for the type of employment that is generated.

Question 10 - Which option for ensuring a continuity of employment land supply do you prefer? Is there a different option which should be considered?

OPTION 3

- a. Summary - We strongly favour Option 3 in line with the approach suggested by the Stantec study to await the next review of the Local Plan. This is particularly so given the forecast downturn in economic indicators, rising inflation and the reduction in disposable income that will surely follow the cost of living crisis. This would be consistent with a prudent and proportionate response to providing a flexible and deliverable plan required by the NPPF's.
- b. Table 7 shows the Stantec study which recommends 47Ha for which there is currently 38.4 of supply to 2039. This leaves an actual shortfall of only 8.6Ha. The rest of the forecast caters for a risk margin of an additional 6.37Ha and losses margin of 18.2Ha. We will deal with these in c. & d.
- c. Risk - Given the economic climate has changed considerable since the report the main risk is of a downturn/recession rather than an upturn so we challenge the idea that 5 years of recent completions should be the basis of calculating a risk margin. These are exceptional times, and the past will not be a good indicator of the future. A more prudent approach to allocating risk margins is required, including even accepting the prospect of negative margins for a downturn in the early years of the plan.
- d. Loss margin - We also question the sustainability of an approach which allocates more sites/country-side to allow for 100% of the forecast loss. **We believe that policy for re-use of existing employment lands already allocated must form part of the Local Plan before new sites are allocated.** By following the Stantec recommendation to wait and see, NWLDC would have time for a detailed study of existing sites to identify those which should be offered for reuse/redevelopment as part of the next Local Plan.
- e. Unmet need -If Leicestershire 23Ha of unmet need were distributed evenly between NWLDC and the five other rural Leicestershire Districts, each district would need to accommodate an additional 4Ha. For the same reasons and logic put forward in our response to housing need, we would expect this to be an absolute maximum and the other five districts which border Leicester to take more as this would provide a more sustainable solution from a travel and availability of workforce perspective.
- f. Evidence base - We await the updated HEDNA report and details of the Freeport proposals before we comment further on this.

Question 11 – Which general employment land strategy option do you prefer? Is there a different option which should be considered?

OPTION 3

- a. Summary – Given our position on Question 10 to wait until the next Local Plan then this question at this time becomes a moot point.
- b. In general, however we prefer a strategy based on Option 3 which distributes smaller industrial units and offices across more sites, preferably in areas where unemployment is highest and where low cost commuting is easiest. This would make most sense. On balance we believe this would be a better and more sustainable approach than that recommended by Stantec for substantial sites & critical mass. This has been a policy to date around the EMA and the corollary is that roads, services and local residential amenity is severely impacted.
- c. Unlike strategic scale development, building multiple smaller industrial units and offices in the already stretched areas under Option 1 & 2 is also unlikely to bring in the necessary critical mass to fund a corresponding growth in the infrastructure necessary for it to be absorbed.

Question 12 – Do you agree with the initial policy option for strategic warehousing? If not, why not?

NO

- a. In answer to the direct question we are unconvinced by the reasons put forward as to why such a large (50%) proportion is necessary, proportionate or sustainable. Particularly when, as stated in Paragraph 6.24 of the consultation document over the last 5 years:

‘The level of provision in NWL alone has exceeded what was predicted for the whole of Leicester and Leicestershire up to 2031 in the Strategic Distribution Study (2017)’

- b. However our response to this question goes well beyond direct question to the heart of the assumptions and conclusions which has led to NWLDC proposing the allocation of an additional 106,000 square metres of land for development.

Paragraph 6.26 refers to the key evidence base for this decision as the report titled ‘Warehousing and Logistics in Leicester and Leicestershire, managing growth and change (April 2021). We will refer to this from now on as *the report*.

- c. We have several major concerns with *the report* itself and the recommendations and conclusions being drawn from it by both GLHearn and NWL as follows:

- I. Plan timing vs GLH forecast timing - *The report* covers the period to 2041 whilst the Local Plan covers the period to 2039. By a simple mathematical interpolation between 2036 and 2041 from *the reports* data on Page 11 it can be shown that the 2039 net demand for road sites reduces from 212,000 sqm to 72,000 sqm and for rail sites from 719,000 sqm to 613,000sqm (Appendix 2). The corollary of this is that even at a 50% take up by NWL the land needed for road served sites would reduce from 106,000 sqm to 36,000 sqm
- II. Risk & uncertainty - The report was based on data at March 2020 and by *the report’s* own admission this was at the height of the pandemic and there was uncertainty ahead. Since then, events have further deteriorated putting pressure on future growth. This therefore requires a more prudent approach to the forecast and any risk margins added. The past is no longer a credible predictor of the future.

In this respect adding a 33.3% upwards risk margin onto the base forecast based on the last 5 years of completions seems excessive and disproportionate in the current

uncertain economic climate. This equates to a huge 644,000 sqm being added to the forecast across both road and rail sites.

In addition this 33% risk margin is added to the gross forecast which consists of two elements, one for growth, and one for replacement which is the dominant element accounting for 84% of the forecast value. Whilst adding a risk element (upwards or downwards) to any economic growth prediction would make logical sense, adding 33% to the replacement element seems illogical and implies that a third more warehouses could be retired earlier from use than the 30 years used in the model. This seems excessive particularly if the model predicts a growing demand. Also, as we will argue in our next point such an approach for Local Planning is unsustainable.

It should be noted also that the chosen model selected from the eight on offer was itself the second highest with a total forecast need of 1,928,000 sqm. For illustrative purposes if a simple average forecast of the 8 models on offer would have been used the forecast would be 1,752,000 sqm.

In summary a more prudent and logical approach to adding risk margin is needed in the modelling.

- III. The need for a sustainable policy - The majority of the demand to 2041 in *the report*, some 1.62m sqm (84%), comes from an assumption that 100% of the land utilised for strategic warehouses on reaching a 30 year life will no longer be suitable for re-use. This is referred to as the *High Scenario* and is adopted as the basis of the forecast recommendation. In simple terms it assumes there are 21 years until 2041 so 21/30 of the existing total 2.3m sqm of stock will need to be replaced 100%. The commerciality of businesses abandoning warehouses after just 30 years should also be considered. It does make business sense to do this. In practice, the warehouses would be renewed on their current site, either as part of organic enhancement or as part of a holistic modernization. The sites would not just be abandoned resulting in a need for more warehouse land. This does not make economic sense and a 30 year lifespan, or any other lifespan, of warehousing should not drive future need for more warehousing land.

We feel strongly that any policy in the Local Plan which is based on such an assumption is and at odds with the NPPF requirements on protecting the environment, increasing the use of brownfield sites and promoting sustainable development policies.

Such a policy, without any objective assessment of the re-use or potential for longer life of specific sites (*100 referred to in the report*,) would drive a spiral of land allocation to new sites at less and less appropriate locations leaving vast swathes of brownfield sites behind. We would not support such an approach. There must be some objective data assessment to ascertain how much of this already allocated land could be re-used. Indeed it should be policy that these sites are reutilised first unless there was an overwhelming case not to, and this must be a high bar to overcome. NWLDC should set clear targets and policies on this in the Local Plan.

As an example of the sensitivity let's consider what would happen if the life of existing 1.62m sqm of stock which falls in the replacement window by 2041 could be extended to 40 years (called the *Low Scenario* in *the report*). Or to put it another way if only 25% of the existing land already built upon (405,000 sqm) could be reused at 30 years (ref Table 29 in *the report*). The effect of this would be net replacement demand to 2041 for rail and road sites would drop from 1,620,000 sqm to 1,215,000 sqm. Applying the same 643,000 sqm risk margin which we disputed earlier, the report would still conclude that with the current allocations we are in surplus on road served sites by 19,000 sqm at the end of 2041. (Appendix 2).

Adjusting this for 2039 the replacement requirement would become 1,099,000 sqm **leading to a surplus of 102,000 sqm of road served sites at the end of 2039 including the significant risk margin of 33%.**

It is clear therefore the impact a sustainable re-use or life extension policy would have on the forecast and this needs to be taken into account.

d. Timing of key decisions

The report provides forecast data at points in 2036 and 2041. If we look at 2036, some 13 years from when the plan will come into force, the data shows that, even with the same significant risk margins applied to this shorter period, there would still be a surplus of road served sites of 48,000 sqm. (Appendix 2). Thus no immediate decisions to allocate more land for strategic warehousing in this plan are necessary at this stage.

e. Proposed way forward

The economic climate has changed since *the report* was compiled and the likely short term direction for economic growth is downwards for the variety of reasons previously expressed. This calls for a prudent approach before offering up more land for development. This is especially so when using the reports own forecast which show that by 2036, including the 643,000 sqm risk margin, there would still be a forecast surplus of 48,000 sqm. The reality will likely be better.

The current replacement policy is not sustainable and decisions should be deferred until the next Local Plan to allow time to develop a site by site analysis and policies on re-use. As the data shows a 25% re-use or life extension policy on existing sites would yield another 405,000 sqm of land and avoid the risk of tearing up more countryside whilst leaving a wasteland behind. This would provide a surplus of over 100,000 sqm by 2039.

Professional advice should be taken to look at applying a sensible approach to the risk margins to be applied and on what elements of the forecast. We do not believe that the current methodology is proportionate or logical nor would represent best industry practice. We should not allocate more land than necessary due to this factor.

Similarly demand numbers should be adjusted to reflect 2039 and not used in their raw form from whatever the supporting evidence is , in this case 2041.

Question 13 – Which policy option for employment land proposals on unidentified sites do you prefer? Is there a different option which should be considered?

OPTION 1

We strongly favour Option 1 to delete Policy Ec2(2) as it encourages unwarranted applications in a way that is tactical and not part of the overarching strategy which places employment land in more appropriate locations by design.

It is easy for large developers to create a justification of urgent need or demand through hundreds of pages of reports from consultants and in a similar way to overcome statutory obstacles. The policy to date has led to loss of countryside and the building of facilities on designated flood plains creating risk for residents. Sites should be specified for development through a logical strategic planning process and any requirement for flexibility to react to urgent circumstances addressed in the structure of the Local Plan. Perhaps sites are graded by their appropriateness to meet a balanced scorecard against NWLDC objectives, similar to the sustainability assessment process for housing but broader. In situations of truly urgent need when existing sites were built out and allocations used up , then reserve sites in less appropriate locations can come forward as part of a thought through strategic plan.

Developers will always want to acquire sites closest to their markets with good transport links and thus the existence of such a policy would ultimately end up create a massing of sites in a concentrated area which will

destroy the character of that area and will not be sustainable. Evidence of this is all around us with low unemployment in this area and workers travelling to the sites from far away. Policy Ec2(2) is not sustainable.

The consultation document makes clear the NPPF requirement to be able to 'be sufficiently flexible to deal with changing circumstances' over the plan's lifetime. As an example, it states '*if the economy grows more strongly*'. However, in the current economic climate with forecasts now lower than when the evidence base was created the plan needs to be equally flexible to a downturn in the way land is allocated so that countryside is not given up unnecessarily. Once it is given up it is gone forever so a different mechanism to provide the flexibility the NPPF requires must be found that caters for changes in both directions.

Question 14 – Which policy option for start-up workspace do you prefer? Is there a different option which should be considered?

OPTION 1

Option 1 is our preferred option so that sites can be selected which give these start-ups the best chance of success, rather than be scattered around other sites. This co-location into a single area will also allow pooling of administrative functions to lower costs and also encourage sharing of knowledge and ideas between the business owners as they grow together.

Question 15 – Which policy option for local employment do you prefer? Is there a different option which should be considered?

OPTION 1

Option 1 is our preferred solution. Enforcing will not work in a low unemployment area and may stifle the business's ability to get the best people. Also it is hard to see how this could work administratively in an effective way as there would be many ways to get around the 'numbers game' and trying to monitor this would be non-added value for an already stretched Council.

Submitted on behalf of:

Castle Donington Parish Council

Kegworth Parish Council

Long Whatton & Diseworth Parish Council

Lockington cum Hemington Parish Council

Breedon Parish Council

Cllr C Sewell / Cllr T Saffell / Cllr R Morris / Cllr M Hay / Cllr R Canny

28th March 2022

APPENDIX 1 Membership of the Local Working Group

Parish Councils

Sam Lockwood – Long Whatton & Diseworth PC

Dave Bamford – Long Whatton & Diseworth PC

John McLelland – Lockington cum Hemington PC

Mark Rogers – Castle Donington PC

Ray Morris – Breedon PC

Roy Bates – Breedon PC

Ray Sutton – Kegworth PC

Angus Shields – Isley

District Councillors

Cllr. Rachel Canny

Cllr. Carol Sewell

Cllr. Ray Morris

Cllr. Tony Saffell

Cllr. Michael Hay

APPENDIX 2 – Calculations in support of answer to Question 12

| GL Hearn total forecast - different model outcomes | 2041 needs in 000s sqm | |
|--|------------------------|--------------------------------------|
| Labour demand model | -50 | |
| Labour demand sensitivity | 161 | |
| VOA trend | 1941 | |
| Low replacement, central traffic growth | 2061 | |
| Low replacement sensitivity test | 2166 | |
| High replacement, central traffic growth | 2466 | |
| High replacement sensitivity test traffic growth | 2571 | GLH Executive recommendation Page 10 |
| Completions trend | 2702 | |
| Average of above for reference: | 1752 | |

| GLH recommended forecast model to 2041 | 2571 | |
|--|--------------------------------|--|
| Made up from : | | |
| Traffic growth demand (sensitivity test) model | 308 | GLH Recommendation Page 110 / Table 36 |
| Replacement demand to 2041 High scenario 70% (21/30 yearsx2.3m sqm) | 1620 | GLH Recommendation Page 105 / Table 29 |
| Includes flexibility margin at 33% based on last 5 years completions | 643 | GLH Recommendation Page 10 |
| GLH split recommendation 43% (26% &60% also modelled) | Rail served sites (43%) | Road served sites (57%) |
| Split between rail and road | 1106 | 1466 |
| Less existing supply (NWLDC figures April 21): | -387 | -1131 |
| Leicestershire shortfall in Local Plan@April 21 | 719 | 335 |
| Less Netherfield Lane (NWLDC figure) | | -34 |
| Less Hinkley (assuming mainly B8 NWLDC) | | -89 |
| Final Leicestershire shortfall @2022 | | 212 |
| Offer to take 50% by NWLDC in LP consultation | | 106 |

| Adjust for 2039 not 2041 | | |
|--|-------------|-------------------------------------|
| Total Forecast to 2039 assuming (2036+ 0.6*(2041-2036)) | 2325 | |
| Split between rail and road at 57% road | 1000 | 1326 Page 11 ((1466-1117)*.6)+1117 |
| Less existing supply: | -387 | -1131 |
| | 613 | |
| Leicestershire shortfall in Local Plan | | 195 |
| Less Netherfield Lane | | -34 |
| Less Hinkley (assuming mainly B8) | | -89 |
| Final Leicestershire shortfall @ 2022 | | 72 |
| Offer to take 50% | | 36 |

| Sustainable option example -assume lower replacement /higher re-use scenario (40 years lifespan / 25% reuse) | | | Adjust for 2039 |
|--|--------------------------------|--------------------------------|--------------------------------|
| GLH recommended forecast model to 2041 | 2166 | | 2022 |
| Made up from : | | | |
| Traffic growth demand (sensitivity test) model | 308 | Page 110 - Table 36 | 280 |
| Replacement demand to 2041 High scenario 70% (21/40 yearsx2.3m sqm) | 1215 | Page 105 -Table 29 | 1099 |
| Includes flexibility margin at 33% based on last 5 years completions | 643 | | 643 |
| GLH split recommendation 43% (26% &60% also modelled) | Rail served sites (43%) | Road served sites (57%) | Road served sites (57%) |
| Split between rail and road | 931 | 1235 | 1152 |
| Less existing supply (NWLDC figures April 21): | -387 | -1131 | -1131 |
| Leicestershire shortfall in Local Plan | 544 | 104 | 21 |
| Less Netherfield Lane (NWLDC figure) | | -34 | -34 |
| Less Hinkley (assuming mainly B8 NWLDC) | | -89 | -89 |
| | | -19 | -102 |

