



Oadby and Wigston Borough Council

TO COUNCILLOR:

Mrs L M Broadley
Mrs L Eaton
L A Bentley
G A Boulter
J W Boyce
F S Broadley
D M Carter
Miss M V Chamberlain
M H Charlesworth

B Dave
M L Darr (Mayor)
R F Eaton (Deputy Mayor)
D A Gamble
Mrs S Z Haq
J Kaufman
Mrs H E Loydall
K J Loydall
R E R Morris

Mrs S B Morris
R H Thakor
G S Atwal
T Barr
Ms A R Bond
Ms K Chalk
B Fahey
Dr T K Khong

Dear Councillor et al,

I hereby summon you to attend a meeting of the **COUNCIL** to be held at the Council Offices, Station Road, Wigston on **THURSDAY, 18 FEBRUARY 2016 at 7.00 PM** for the transaction of the business set out in the Agenda below.

Yours faithfully

Council Offices
Wigston
18 February 2016

Mark Hall
Chief Executive

AGENDA UPDATE (NO. 2)

PAGE NO 'S

15. Update on Local Development Orders

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Council	Thursday, 18 February 2016	Matter for Information
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Title: **Update on Local Development Orders for Housing Development on Brownfield Land in the Borough**

Author: **Anne Court (Director of Services)
Adrian Thorpe (Planning Policy and Regeneration Manager)**

1. Introduction

1.1 This report provides an update on the preparation of Local Development Orders in the Borough.

2. Recommendations

2.1 It is recommended that Members:

- note the progress on the Local Development Orders and the future work programme
- note that the statutory consultation will begin on Monday 22nd February 2016

3. Information

3.1 On 28th May 2015 Development Control Committee resolved to approve the recommendation to proceed with the Local Development Orders in the Borough following the receipt of a grant of £44,500 for the purpose from the Department of Communities and Local Government.

3.2 A Local Development Order essentially grants planning permission for types of development which the Council consider to be suitable on a site without the need for a formal planning application (in effect the permission granted would be akin to an outline planning permission).

3.3 Whilst the purpose of the grant is to assist the delivery of housing development on brownfield sites, other acceptable land uses can also be incorporated in the Local Development Order.

3.4 The Council appointed Peter Brett Associates to assist in making the Local Development Orders relating to three sites that have already been identified in the Local Plan and/or masterplans:

- Paddock Street car park, Wigston (Town Centres Area Action Plan Policy 15 - Long Lanes)
- East Street car park, Oadby (Town Centres Area Action Plan Policy 19 – Brooksby Square)
- Bus Depot, Station Street, South Wigston (Saved Local Plan Employment Policy 11 and Housing Policy 12)

- 3.5** The Local Development Orders will assist in bringing forward development and delivering the overall regeneration of the particular sites and the wider area. This will help the Council to promote investment in the town centres and to continue delivering housing thus protecting greenfield land from development.

Current Position

- 3.6** An informal public consultation was held between Monday 14th December 2015 and Friday 22nd January 2016. The purpose of the informal consultation was to enable local residents, businesses and stakeholders to comment on the design and development principles, draft plans and options for each of the sites.
- 3.7** The results of the informal public consultation along with the draft Local Development Orders were presented to Members at a briefing held on Thursday 4th February 2016 to which all Members were invited. Members considered amendments required to the various design guide options and the contents of the draft Local Development Orders in the light of the informal public consultation. Members also discussed and identified matters that should be included in a separate Design Guide document which will act as a tool for officers, Members and prospective developers in considering proposals for development on each of the sites.

Statutory Consultation

- 3.8** At the briefing Members indicated that they were content to proceed to the statutory consultation stage on the draft Local Development Orders. This is a four week statutory consultation period and is a formal requirement in the preparation of Local Development Orders. It requires consultation with statutory consultees and any person affected by the Local Development Order as per a planning application.
- 3.9** The statutory consultation will run from Monday 22nd February 2016 until Monday 21st March 2016. In comparison to the informal consultation the statutory consultation is intended to be more targeted towards those who would be directly affected by or involved in the Local Development Orders. Therefore consultation methods will include promotion on the Council's website and digital display screens, publication of a notice in the local press and at each site and letters sent directly to statutory consultees and neighbours. Where addresses are available, letters will also be sent directly to those who submitted comments in relation to the informal consultation.

Next Steps

- 3.10** Following the statutory consultation the Council must consider any representations and whether any modifications are required to the Local Development Order. If it is decided to proceed to adoption the Local Development Order must be adopted by resolution of the Council as Local Planning Authority. It is proposed that this would be undertaken by Development Control Committee at its meeting on Thursday 14th April 2016 along with consideration as to the fees that the Borough Council will apply to Local Development Orders. This timetable has been agreed with Department of Communities and Local Government as it falls a little after the 31st March 2016 which is the date that the Department had indicated that the process should be completed.
- 3.11** In adopting the Local Development Orders the Council must send a copy of the Local Development Orders and the Statement of Reasons relating to the making the orders, to the Secretary of State as soon as reasonably practicable, and no later than 28 days, after the local planning authority has adopted the order.

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Implications	
Financial	<p>This work is being funded through a grant from the Department of Communities and Local Government.</p> <p>There are no statutory fees associated with Local Development Orders which is reflective of their purpose to encourage development on a particular site, thus assisting in the delivery of housing on brownfield sites and the regeneration of key sites in the Borough. However, local authorities are able to apply their own fee schedule. It is proposed that the Council will set its fees in relation to Local Development Orders at the same time as bringing them into effect, currently proposed to take place at the meeting of Development Control Committee on Thursday 14th April 2016 subject to the outcomes of the statutory consultation.</p>
Legal	<p>Local Development Orders remove the requirement for planning applications to be made for certain types of development. Conditions similar to those seen on a planning permission can be added and there can also be a requirement through the conditions for a Section 106 agreement if offered by a developer where a condition requires mitigation of an impact from development.</p> <p>A Local Development Order being in place does not limit a landowner or developer from submitting a planning application for development not covered by the order. This would be addressed under normal procedures.</p> <p>A Local Development Order takes precedence over any Local Plan policies for the particular sites in question if the content of the Local Development Order differs from the Local Plan policies.</p> <p>A Local Development Order can be revoked at any time.</p>
Risk	<p>CR1- Decreasing Financial Resources See 'Financial' comments above.</p> <p>CR9 – Economy The Local Development Order will assist in bringing forward development and delivering the overall economic regeneration of the particular sites and the wider area. This will help the Council to promote investment in the town centres and to continue delivering housing thus protecting greenfield land from development</p>
Equalities	<p>An Equalities Assessment will be prepared.</p>