

Note of Meeting

Leicester City Council and Historic England Duty to Cooperate Meeting

4th July 2024

Microsoft Teams

Participants:

- Rosamund Worrall – Team Leader (Development Advice) (South), Midlands Region, Historic England (RW)
- Ripple Gupta – Senior Planning Policy Officer, Leicester City Council (RG)
- Paul Statham – Senior Planning Policy Officer, Leicester City Council (PS)
- Paul O’Neill – Planning Policy Officer, Leicester City Council (PO’N)
- Joseph Todd – Planning Policy Officer, Leicester City Council (JT)

Item
<p>Local Plan update</p> <p>PO’N gave an update on the latest with the Local Plan. He informed that the Plan was submitted in September 2023 and Government Inspectors have been appointed.</p> <p>PO’N confirmed that the Hearing sessions for the Plan were due to take place in June and July 2024 but were delayed until October and November 2024 due to the General election impacting on the days of hearings. The hearing sessions are expected to take place in two parts with the first 3 weeks of October focussing on Duty to Cooperate, Consultation, Transportation, Central Development Area and strategic sites.</p> <p>PO’N advised that draft Matters Issues and Questions (MIQs) were provided previously for the first set of hearings but have been withdrawn since due to the change of dates. He mentioned that these MIQs are due to be reproduced around 20th August 2024 for both sessions, with the first session to be similar to previous.</p>
<p>Infrastructure Policy Update/Developer Contributions SPD</p> <p>PS stated that the Council is currently working on an update to the Infrastructure policy and a Supplementary Planning document in relation to the contributions of the delivery of infrastructure. PS alerted that, although this will have little impact, Historic England will be consulted on any documents going forward.</p>
<p>Local Plan Review</p> <p>PO’N advised that once the Council have completed the examination and adopted this Local Plan, LCC have committed to an immediate review of the Plan.</p>
<p>Historic England points of objection on submitted Local Plan</p> <p>PO’N advised that modifications have been proposed for policy HE01 and HE02 to combine the two policies together. RW supported this policy change as felt that archaeology sits under all of the Historic Environment and shouldn’t ideally be treated in isolation. However, mentioned that this is advisory and can be reflected however the Council sees best.</p>

PO’N commented that site allocation comments were the other main issues raised in Reg 19 representations from Historic England (HE) and clarified that work has been done towards site allocations as highlighted in the Leicester Local Plan 2020 to 2036 Housing and Sites Topic Paper (2023) and the Housing Sites Methodology (November 2022) paper. RW stated that previous HE representations were based on the need for justifications to show what assessments had been done. RW welcomed the new examination documents, but had not yet seen these, and so agreed to review the documents in light of updated supporting evidence.

Potential for SoCG

PO’N introduced the potential to produce a SoCG and agreed with RW that as a starting point RW would review the documents, before informing the Council if previous HE issues had been addressed through the updated documents.

PO’N agreed to send the examination links and documents to RW and copy in planning casework team at HE.

Note of Meeting

Leicester City Council and Historic England Duty to Cooperate Meeting

28 July 2023

Microsoft Teams

Participants:

- Rosamund Worrall – Team Leader (Development Advice) (South), Midlands Region, Historic England (RW)
- Ripple Gupta – Senior Planning Policy Officer, Leicester City Council (RG)
- Paul Statham – Senior Planning Policy Officer, Leicester City Council (PS)
- Paul O’Neill – Planning Policy Officer, Leicester City Council (PO’N)
- Justin Webber – Senior Building Conservation Officer, Leicester City Council (JW)
- Grahame Appleby – City Archaeologist, Leicester City Council (GA)

Item
<p>Local Plan update</p> <p>PO’N gave background to the Local Plan, including the period it covers, and that the Government applied an uplift to Leicester’s housing need in December 2020 which increased it to 39,424 during the plan period.</p> <p>PO’N advised that a Regulation 22 Statement has been prepared in which the City Council responds to the issues raised in representations received during the Regulation 19 public consultation on the publication version of the Local Plan.</p> <p>PO’N informed that the City Council has prepared topic papers on various subject areas of the Local Plan to provide explanation as to how decisions were made in those areas.</p> <p>PO’N outlined the anticipated timeline for the Local Plan’s progression – that the Plan will be submitted to Government in August 2023, an examination is expected to take place in early 2024 (possibly in March), and that the Plan is expected to be adopted in late 2024 at the earliest.</p>
<p>Historic England Reg 19 representation on Local Plan</p> <p>Policy HE01. The Historic Environment – RW informed that the point that HE01. The Historic Environment and Policy HE02. Archaeology should be combined into a single policy comes from experience at examinations on other authorities’ local plans where Inspectors raised it. RW advised that she was intending to give an advance warning to expect to be questioned on this by Inspectors.</p> <p>Regarding the point that policies HE01 and HE02 should include wording on the consideration of harm in respect of public benefit, PO’N advised that the City Council feels this is sufficiently covered by Objective 7 of the Plan. The Plan objectives sit above all Plan policies. Plan policies should be read in their context.</p>

RW said that the point made by Historic England (HE) in their representation with regard to the inclusion of wording on the need for Scheduled Monument Consent was due to a perceived lack of clarity around this in the Local Plan. She said that some authorities have approved applications without the relevant consent in place. RW said that HE's point here is advisory though she noted it may end up duplicating what is already in national policy. She also advised that the issue was one which was raised by Inspectors at examinations in the past but does not seem to have received as much attention from them more recently.

PO'N informed that the City Council agrees with HE that Policy FMWN01. New Waste and Existing Waste Uses should be revised to also reference Policy HE02. Archaeology.

RW advised that Inspectors are likely to require robust evidence showing heritage assets have been considered in the site selection process. She felt that it was not entirely clear from Policies SL01. Location of Development and Policy Ho01. Housing Allocations that this evidence is in place. RG outlined the work that has gone into the site selection process and that a Sites Methodology Paper has been done which describes the process and which includes consultation with Conservation colleagues. RW said the point is more of an advisory one to prepare for examination. She also advised that from her experience having robust evidence available which shows heritage assets have been considered in relation to each allocated site will speed the review process up at examination.

Regarding Policy Ho05. Housing Densities, PS advised that the city's challenging housing need as well as the proportion of its need which has been declared as an unmet need means that the city has to show it has increased the densities it expects on sites. If exceptional circumstances are put into policy, then this would leave the city open to accusations that it is not meeting its need to the extent that it can and applications for developments which would attempt to deliver below expected densities may be submitted. However, PS advised that each site will be considered with regard to its particular context and densities appropriate to the context of each site will be permitted. RW said that she understands the City Council's position and that exceptional circumstances allowing for lower densities will be considered.

Local Plan Examination

RW informed that that she would not be seeking to attend at examination, unless called upon by the Inspector. She advised that HE will not be pressing on issues of soundness as long as they are satisfied that appropriate work has been done to support the allocations and address heritage constraints.

RW advised that a Statement of Common Ground ahead of examination hearings would be something that HE would be willing to engage in with the City Council.

RW also advised that, overall, she thinks the Plan is very positive, especially with regard to the design coding work. She said that she has signposted other authorities to it.