



CABINET - 17 DECEMBER 2024

STRATEGIC TRANSPORT PLANNING ISSUES ASSOCIATED WITH THE EMERGING CHARNWOOD LOCAL PLAN

REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT, CHIEF EXECUTIVE AND DIRECTOR OF LAW AND GOVERNANCE

Purpose of the Report

1. The purpose of this report is to provide an update on the issues associated with the emerging Charnwood Local Plan (the Local Plan), following recent correspondence from the Local Plan Inspectors and implications for the County Council as Local Highway Authority (LHA).
2. Charnwood Borough Council will consider a report entitled 'Charnwood Local Development Scheme December 2024' at its meeting on 12 December 2024 and a supplementary report setting out further information will be circulated to members and published on the County Council's website once the outcome of that meeting is known.

Recommendations

3. The Cabinet is asked to note this and the supplementary report and consider the latest position in respect of the Local Plan.

Reasons for Recommendation

4. The County Council has a duty to cooperate in the development of the Local Plan. This will continue over the extended Local Plan examination period.
5. Following a previous report to this Cabinet, it was resolved that 'until the County Council is formally notified of the Borough Council's decision following the Inspectors' letter, and the reasons behind recommendations to its Cabinet, the County Council is unable to take any action to assist in progressing the Local Plan'. The consideration of the Local Development Scheme by the Borough Council's Cabinet on 12 December 2024 is potentially significant in setting out the Borough Council's position and therefore a further update will be provided to Cabinet following the meeting.

Timetable for Decisions (including Scrutiny)

6. It was anticipated that the Local Plan would be adopted by the Borough Council around the end of the 2024 calendar year, but this timing remains uncertain.

Policy Framework and Previous Decisions

7. Previous Cabinet decisions in relation to the Emerging Charnwood Local Plan were set out in a report to the Cabinet on 22 October 2024 (a link to which is provided in the Background Papers section of this report). These included -
- June 2022: approval of an area Transport Strategy based approach to deliver the Borough-wide transport mitigation package, through three area strategies:
 - September 2022: agreement that work towards an interim approach, prior to the Local Plan's adoption, would be taken by the Local Transport Authority dealing with planning applications in Charnwood and seeking approval of the Borough Council's support for implementation of this interim approach.
 - November 2022: approval of the approach and principles the County Council would adopt to manage risks of delivering sustainable and inclusive growth
 - February 2023: approval of an interim approach to planning issues in Charnwood, which aimed to provide an initial basis for how the LTA could seek transportation contributions.
 - December 2023: noting the position of the Local Plan, in particular the identified financial pressures associated with the strategy, including a major shortfall in funding of £120m.
 - February 2024: noting the overall approach to developing the capital programme set out in the Medium-Term Financial Strategy (MTFS) 2024/25 and that a key determinant in generating sufficient developer contributions was the approach taken by district councils in their capacity as LPAs (Local Planning Authority).
 - September 2024: approval of the County Council's National Planning Policy Framework (NPPF) consultation response, noting the amended NPPF.
8. The Cabinet on 22 October 2024 considered reports on the issues associated with the emerging Local Plan, including the outcome of consultation on the Charnwood Transport Contributions Strategy (CTCS) and the implications for the LHA and consideration of planning applications by the Borough Council's Plans Committee on 17 October. The Cabinet noted a number of issues which were of significant concern, including the Borough Council's late submission to the Local Plan Inspectors regarding preparation of a Community Infrastructure Levy (CIL), apparent misrepresentation of the County Council's position, and

decisions made by the Borough Council's Plans Committee despite recommendations of the LHA as statutory consultee. The Cabinet agreed that whilst the County Council would continue to work with the Borough Council to seek to have a sound Local Plan in place, Chief Officers were authorised, *inter alia*, to withdraw the proposed CTCS and take appropriate actions necessary to mitigate the impacts arising from the interim period between likely Local Plan adoption and the adoption of CIL, and to address the concerns set out in the supplementary report, including continuing to bring those concerns to the attention of the Borough Council.

9. On 22 November 2024 the Cabinet considered a report on the issues associated with the emerging Local Plan, including the response of the Inspectors to the late submission by the Borough Council of a proposal to implement a CIL to support the delivery of the Local Plan, the approach to reporting the issues associated with the Local Plan and dealing with planning applications prior to a clear route to adoption of the Local Plan being established. The Cabinet agreed that whilst the County Council would continue to work with the Borough Council to seek to have a sound Local Plan in place, Chief Officers were authorised to take appropriate actions necessary to mitigate the impacts arising from the interim period between likely Local Plan adoption and the adoption of CIL, and to address the concerns set out in the supplementary report. In addition, it was agreed that it was necessary for the Borough Council to provide a clear response to the issues raised in order for the County Council to assist in progressing the Local Plan.

Resource Implications

10. The County Council has committed significant resources to engaging in, and supporting, a collaborative approach to strategic planning in order to facilitate the delivery of growth within the County and mitigate the negative impacts of development, to the extent that it is reasonably possible to do.
11. The extended Local Plan examination process, together with ongoing input into various other emerging local plans, is a significant draw on resources across the County Council. Further extension of the Local Plan process in addition to other Regulation 19 consultations expected in the new year will put considerable pressure on these already stretched resources, as will the need to develop and maintain CIL schedules. Officers will work together to develop an appropriate resource plan with reference to the County Council's statutory duties, risks associated with Local Plan development and the financial position of the County Council.
12. The Director of Corporate Resources has been consulted on the content of this report.

Legal Implications

13. There are potential legal implications for the LHA in its role as statutory consultee. The Director of Environment and Transport is authorised to respond to planning applications in line with the responsibilities of this role. In

consultation with the Director of Law and Governance, the Director of Environment and Transport will continue to review the approach and any associated risks.

Circulation under the Local Issues Alert Procedure

14. A copy of this report will be circulated to all Members.

Equality Implications

15. There are no equality implications arising from this report.

Human Rights Implications

16. There are no human rights implications arising from this report.

Environmental Implications

17. The LPA has produced several documents assessing the environmental impacts of the Local Plan and these have been considered as part of the Local Plan's examination process. However, it is important that the necessary highways and transport measures are delivered as set out in the Local Plan, to ensure those assessments are reflective of the Local Plan Strategy in practice.

Partnership Working and Associated Issues

18. The County Council has worked collaboratively and with good faith with the Borough Council to support the development of the Local Plan.

Background Papers

Report to the Cabinet on 24 June 2022: Charnwood Local Plan (2021 to 2037) – Highways and Transportation Matters and Supplementary Report
<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=6775&Ver=4>

Report to the Cabinet on 23 September 2022: Charnwood Local Plan (2021 – 2037) Latest Position
<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=6776&Ver=4>

Report to the Cabinet on 25 November 2022: Managing the Risk Relating to the Delivery of Infrastructure to Support Growth
<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=6751&Ver=4>

Report to the Cabinet on 10 February 2023: Interim Approach to Planning Issues in Charnwood Borough
<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=7073&Ver=4>

Report to the Cabinet on 9 February 2024: Provisional Medium Term Financial Strategy 2024/25-2027/28
<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=7503&Ver=4>

Report to the Cabinet on 13 September 2024: Proposed Response to Consultation on the National Planning Policy Framework

<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=135&Mid=7509&Ver=4>

Reports to the Cabinet on 22 October 2024: Strategic Transport Planning Issues Associated with the Emerging Charnwood Local Plan and minutes of that meeting

<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=135&Mid=7510>

Report to Charnwood Borough Council on 12 December 2024: Local Development Scheme -

<https://charnwood.moderngov.co.uk/ieListDocuments.aspx?CId=137&Mid=980&Ver=4>

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