

**MEETING OF THE COUNCIL**

**TUESDAY, 21 NOVEMBER 2017**

## **ADDITIONAL BOOKLET**

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The Planning Inspectorate

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# **Report to North West Leicestershire District Council**

**by B J Sims BSc(Hons) CEng MICE MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Date 12 October 2017**

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

## **Report on the Examination of the North West Leicestershire Local Plan**

The Plan was submitted for examination on 4 October 2016

The Examination hearings were held between 5 and 16 January and 21-22 March 2017

File Ref: PINS/G2435/429/4

## Abbreviations

[xx]	Reference to Document xx in the Examination Library
2004 Act	Planning & Compulsory Purchase Act 2004 (as amended)
AMR	Annual Monitoring Report
AoS	Area of Separation
DCLG	Department for Communities and Local Government
DCS	Developer Contribution Scheme
dpa	dwelling per annum
DPD	Development Plan Document
DtC	Duty to Co-operate
EA	Environment Agency
EMG	East Midlands Gateway
FEMA	Functional Economic Market Area
5YHLS	Five Year Housing Land Supply
GVA	Gross Value Added
ha	hectare(s)
HEDNA	Housing and Economic Development Needs Assessment
HMA	Housing Market Area
HWP	Housing White Paper
KSC	Key Service Centre
LEP	Local Enterprise Partnership
LGS	Local Green Space
LPEG	Local Plans Expert Group
LSC	Local Service Centre
MM	Main Modification
MoU	Memorandum of Understanding
NE	Natural England
NP	Neighbourhood Plan
NPPF	National Planning Policy Framework
NWL	North West Leicestershire
OAN	Objectively Assessed Need
OBR	Office of Budget Responsibility
ONS	Office for National Statistics
PACEC	Public and Corporate Economic Consultants
PDL	previously developed land
Plan	North West Leicestershire Local Plan
PPG	Planning Practice Guidance
Regulations	Town and Country Planning (Local Planning)(England) Regulations 2012)
SAC	Special Area of Conservation
SDSS	Strategic Distribution Sector Study
SEA	Strategic Environmental Assessment
SRFI	Strategic Rail Freight Interchange
SGP	Strategic Growth Plan
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
sqm	square metres
SoS	Secretary of State
STWL	Severn Trent Water Limited
WQMP	Water Quality Management Plan

## Summary

This Report concludes that the North West Leicestershire Local Plan (the Plan) provides an appropriate basis for the planning of the District, provided that a number of Main Modifications [MMs] are made to it. North West Leicestershire District Council has specifically requested me to recommend any MMs necessary to enable the Plan to be adopted.

The MMs all concern matters that were discussed at the Examination Hearings. Following the Hearings, the Council prepared a Schedule of Proposed Main Modifications and carried out a Sustainability Appraisal of them. The MMs were subject to public consultation over a six-week period, together with additional evidence in support of the Plan as now recommended to be modified, in particular the Leicester and Leicestershire Housing and Economic Development Needs Assessment (HEDNA). In some cases I have amended the detailed wording of the MMs. I have recommended the inclusion of the MMs in the Plan after considering all the representations made in response to consultation upon them.

The **Main Modifications** are summarised as follows:

- Commitment to early review of the Plan by **Policy S1** on Future Housing and Economic Development Needs to accommodate any unmet needs identified by agreement within the Housing Market Area according to the future Strategic Growth Plan and to reconsider the adequacy of land supply for housing and employment (**MMs1-9**);
- Clarification of provisions by **Policies S2 and S3** on Settlement Hierarchy and Countryside in favour of sustainable transport and the re-use of previously developed land including outside settlements (**MMs10-12**);
- Update **Policies H1 and H2** and supporting text on Housing Provision (**MMs13-20**);
- Update **Policy H3** and supporting text on new Housing Site Allocations and to:

increase the housing allocation at Money Hill, Ashby de la Zouch, by **Policy H3a** from 1,750 to 2,050 dwellings, together with detailed amendments to development criteria and the preparation of a comprehensive Masterplan, and

make alternative and additional provisions for housing sites at Measham and at Kegworth by **Policy H3c** and **new Policy H3d** in response to uncertainty regarding the route of the proposed HS2 rail line,

(**MMs21-29**);

- Amendments to **Policy H4** and supporting text on Affordable Housing to clarify the thresholds and levels of contributions towards affordable housing required from new residential development on both brownfield and greenfield sites. (**MM30-31**);
- Update **Policy Ec1** and supporting text on Employment Provision (**MMs32-39**);
- Amendment to **Policy Ec2** and supporting text on New Employment Sites to include detailed amendments to development criteria and the preparation of a comprehensive Masterplan for Money Hill, Ashby de la Zouch and broad criteria for the consideration of development of unallocated employment sites with good, sustainable access to the strategic highway network where need exists (**MM40-41**); and
- A range of other detailed amendments to policy wording, mainly to ensure consistency with national policy with respect to the protection of the natural and historic environment and for climate change (**MMs42 and 44-46 including 44A**).

## Introduction

1. This Report contains my assessment of the North West Leicestershire Local Plan (the Plan) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended) (the 2004 Act). It considers first whether the preparation of the Plan has complied with the Duty to Co-operate (DtC). It then considers whether the Plan is sound and whether it is compliant with legal requirements. The National Planning Policy Framework (NPPF) makes clear at paragraph 182 that, in order to be sound, the Plan should be positively prepared, justified, effective and consistent with national policy. At paragraph 153, the NPPF specifies that the Plan should be able to be reviewed, in whole or in part, to respond flexibly to changing circumstances.
2. The starting point for the Examination is the assumption that the Council, as local planning authority, has submitted a Plan for examination which it considers to be sound. The North West Leicestershire Local Plan, submitted in October 2016 is the basis for my Examination. It is the same document as was published for consultation in July 2016 [LP/01; LP/19#10].

## Main Modifications

3. In accordance with section 20(7C) of the Act, the Council requested that I should recommend any Main Modifications [MMs] necessary to rectify matters that make the Plan unsound and /or not legally compliant and thus incapable of being adopted. My Report explains why the recommended MMs, all of which relate to matters that were discussed at the Examination Hearings, are necessary. The MMs are referenced in bold text (**MM1** etc), and are set out in full in the **Appendix** to the Report.
4. Following the Examination Hearings, the Council prepared a proposed Schedule of MMs [EX/101] and undertook a Sustainability Appraisal (SA) upon them [EX/102]. The Schedule of MMs was subject to public consultation for six weeks from 12 June to 24 July 2017, together with additional evidence in support of the Plan, as now recommended to be modified, in particular the Leicester and Leicestershire Housing and Economic Development Needs Assessment (HEDNA) [EX/65-67]. I have taken account of the consultation responses, where relevant to the MMs and to soundness, in coming to my conclusions in this Report and made some amendments to the detailed wording of the MMs. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and SA that has been undertaken. Where necessary, I have highlighted these amendments in the Report text.

## Policies Map

5. The Council must maintain an adopted Policies Map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a Submission Policies Map showing the changes to the adopted Policies Map that would result from the proposals in the submitted Plan. In this case, the Submission Policies Map comprises the set of plans identified as the North West Leicestershire Local Plan Publication Policies Maps June 2016. [LP/02; LP/13].

6. The Policies Map is not defined in statute as a development plan document and so I do not have the power to recommend MMs to it. However, a number of the published MMs to the policies of the Plan require further corresponding changes to be made to the Policies Map. These further changes were published for consultation alongside the MMs [EX/103a-d].
7. When the Plan is adopted, in order to comply with the legislation and give effect to the policies of the Plan, the Council will need to update the adopted Policies Map to include all the changes proposed, together with the further changes (minor modifications) published alongside the MMs.

## **Background Matters**

### ***Plan Preparation***

8. The Plan was drafted in 2015 with reference to the Leicester and Leicestershire Strategic Housing Market Assessment of 2014 (SHMA) and accompanying Memorandum of Understanding (MoU) between the eight local authorities of the Leicester and Leicestershire Housing Market Area (HMA) [HO/03-04]. The MoU concluded that each authority of the HMA would meet its own identified need for additional housing.
9. The housing requirement of the draft Plan was set substantially in excess of the objectively assessed need (OAN) for the District identified in the 2014 County-wide SHMA. This was to recognise an increasing rate of dwelling completions in the District between 2012 and 2016 as well as the approval by the Secretary of State (SoS) of the East Midlands Gateway (EMG) Strategic Rail Freight Interchange (SRFI) within the District at Roxhill, giving rise to significant increased employment and potential housing demand.
10. Following failure at appeal in early 2016 [EX/13] to demonstrate a five year housing land supply (5YHLS), as required by the NPPF, the Council commissioned a North West Leicestershire (NWL) Review of Housing Requirements [HO/01]. This Review expressly did not supersede the SHMA but sought to substantiate the Plan housing requirement within NWL.
11. The HMA authorities had by then commissioned a new Leicester and Leicestershire Housing and Economic Development Needs Assessment (HEDNA). However, after discussing its options with the other HMA authorities, as well as the Department of Communities and Local Government, specialist planning consultants and the Planning Inspectorate, and having taken legal advice, the Council decided to proceed with the publication and submission of the Plan on the basis of the internal Review [EX/05-08].

### ***Priority for Adoption and Potential for Early Review***

12. The NPPF and the national Planning Policy Guidance (PPG) together place local plans at the heart of the planning system, making it essential that they are in place and kept up to date. Consistent with a Written Ministerial Statement (WMS) of 21 July 2015, the PPG advises that consideration should be given to the option of the Council making a commitment to review the Plan, or particular policies in the Plan, within an agreed period, where this would enable the Inspector to conclude that the Plan is sound and meets the other



legal requirements. The WMS of 2015 expressly sought the production of local plans by early 2017.

13. The Council proceeded on the basis that early review of the Plan should be triggered if the findings of the HEDNA required increased development land requirements or if a new MoU were to result in unmet need from other authorities being accommodated in NWL.
14. The decision of the Council to proceed with the submission of the Plan in October 2016 was reached taking into account the Government priority for adopted local plans to be in place by early 2017 and with the approach that it was not tenable to await the new HEDNA and a new MoU on the distribution of development when it was already anticipated that the advent of the SRFI would require an increase in housing requirement over the SHMA figure.

### ***Timeframe***

15. The NPPF states that local plans should be drawn up preferably with a 15-year time horizon. The submitted Plan has a timeframe and related evidence base of 20 years from 2011-31. This leaves only 14 years from the projected adoption date of the Plan, later in 2017. However, it would be impractical, and against the imperative for local plans to be put in place, to delay the Plan in order to re-establish its evidence base over an extended timescale.
16. Moreover, it is to be expected that, in order to comply with the national policy requirement that the Plan should be kept up to date, the Plan will be reviewed several times, in any event, within the reduced 14-year time frame following its initial adoption.

### ***Examination Process and Post-Submission Documentation***

17. After submission of the Plan, I issued guidance that no aspect of the Plan or its supporting documentation, as submitted, need delay the Examination. The Hearings would provide the proper opportunity to establish whether the DtC had been met and whether the evidence base then available robustly justified the housing and employment requirements set by the submitted Plan. It would then be possible for the Plan to be found sound, albeit subject to early review as a matter of policy, depending also on the findings of the HEDNA.
18. I made clear, and it was accepted by the Council and Representors throughout the Examination, that nothing could detract from the overarching legal and policy requirements that, to be sound for adoption, the Plan must be judged to be positively prepared, justified, effective and consistent with national policy, as well as being able to respond flexibly to changing circumstances.
19. In the event, the HEDNA [EX/65-67] was published at the end of January 2017, shortly after the conclusion of the first programme of Hearings. Alongside the HEDNA, the HMA authorities published a Joint Statement of Co-operation [EX/68]. This includes the statement that the HEDNA would be tested via the local plan preparation process. That process had begun with the current Examination of the NWL Local Plan and all the other seven HMA authorities were yet to submit new or updated plans for examination, based on the new HEDNA.

20. It was generally accepted that the HEDNA must now constitute a material consideration in this Examination. It was therefore circulated to all Representors to the submitted Plan with an opportunity to respond by mid-February 2017.
21. In particular among its findings, the HEDNA concludes that the housing need for the HMA as a whole has risen, compared with the results of the 2014 SHMA, but that the individual housing requirement for NWL is lower than that calculated in the NWL Review. The Council proposes to adopt this HEDNA figure as the stated housing requirement of the Plan, whilst maintaining the original higher figures for flexibility in the allocation of sites.
22. This approach is challenged by some Representors on grounds that the HEDNA underestimates development needs and by others in terms that the housing allocations of the Plan should be reduced to the HEDNA figure, whilst several local planning authorities within the HMA foresee as yet unquantified housing needs falling upon neighbouring Districts. In the face of these representations, an additional opportunity was allowed for the submission of statements for a further two-day Hearing on 21-22 March 2017 where the implications of the HEDNA and a series of proposed MMs were discussed.
23. During the course of the Examination, in February 2017, before the further Hearing, the Government issued its Housing White Paper (HWP) entitled *Fixing Our Broken Housing Market*. This takes up certain of the recommendations of the Local Plans Expert Group (LPEG) in March 2016, including that the PPG should set out a standard common methodology for SHMAs and for establishing Objectively Assessed Need for housing. The Examination was conducted on the basis of current national policy and guidance. However, the Council and Representors were afforded the opportunity to comment upon the HWP during the further Hearings and all such comments are taken into account in this Report.
24. The final items of post-submission documentation were the Addendum Report on the SA carried out on the MMs, after the Hearings [EX/102], the proposed modifications to the Submission Policies Map consequent upon the MMs [EX/103a-d] and the representations on the MMs themselves with responses by the Council, as posted on the Council website.

### **Public Consultation**

25. Submissions were made that, in the interests of fairness, the Examination should not continue on the basis of the new HEDNA. However, by way of the six-week consultation on the MMs and the post-submission evidence contained in the HEDNA and certain other documentation provided after the Hearings, including the SA of the MMs, full public consultation was assured in practical terms. This was equivalent to that which was required prior to the original submission of the Plan under Regulations 19 and 22(3) of The Town and Country Planning (Local Planning)(England) Regulations 2012 (The Regulations).

### **Neighbourhood Plans**

26. Comments were made that the preparation of the Plan failed to have due regard to emerging neighbourhood plans (NPs), in particular that for Ashby de

la Zouch, which has suffered reversals in its preparation consequent upon the circumstances surrounding the Local Plan.

27. Under the Localism Act, a made NP is an important component of the statutory development plan and the PPG advises that the Council should liaise with those preparing NPs to avoid conflicts. However, there is no legal or policy requirement for the Local Plan to comply with an emerging NP, whereas it is a requirement that a NP is in general conformity with the Local Plan.
28. Consultation upon the NP is a matter between the District Council and those preparing the NP, whilst the Local Plan is itself open to public objection via this examination process. Local concern and frustration among those involved in formulating the NP is understandable. However, potential conflict between this Plan and NPs as yet unmade is not a matter for this Report.

## **Assessment of Compliance with the Duty to Co-operate**

### ***Legal Duty***

29. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council has complied with any duty imposed by section 33A of the 2004 Act in relation to the preparation of the Plan. In order to maximise the effectiveness of Plan preparation, Section 33A requires constructive, active and on-going engagement with local authorities and other prescribed bodies with respect to strategic matters affecting more than one planning area. Those bodies are prescribed by Article 4 of the Regulations. Relevant strategic issues are set down in the NPPF at paragraphs 156 and 178. It is necessary for the Council to demonstrate that the Plan, on submission, is compliant with the DtC.

### ***Engagement and Co-operation***

30. The Council submitted evidence in connection with the DtC by way of a Duty to Co-operate Statement [LP/14] and a Statement of Consultation [LP/19]. This demonstrates that, throughout the preparation of the Plan, the Council engaged with all the bodies prescribed, as applicable. These included the other seven district authorities of the HMA, Leicestershire County Council and those non-Leicestershire authorities which adjoin NWL.
31. It is not substantively disputed that NWL lies within a HMA and Functional Economic Market Area (FEMA), both of which comprise the administrative County of Leicestershire, as discussed in the Assessment of Soundness below. It is clear that there was wide-ranging co-operation between the Council and its HMA and FEMA partner authorities, with reference to the needs for and availability of market and affordable housing and economic development land. This co-operation culminated in the commissioning of the HEDNA, subsequently published in January 2017.
32. Co-operation also extended to consideration of the needs for transport infrastructure, gypsy and traveller accommodation and retail development. Parish and Town Councils were also involved in discussions on settlement boundaries within the spatial strategy.
33. Co-operation with the Environment Agency (EA), Severn Trent Water Limited (STWL), together with neighbouring local authorities, resulted in the outcome

that a Developer Contribution Scheme (DCS) evolved and was adopted by the Council with the aim to ensure that development will not harm the integrity of the River Mease Special Area of Conservation (SAC). Developer contributions support a range of mitigation measures identified in a Water Quality Management Plan (WQMP) prepared by the EA.

34. Other subjects of cross-boundary co-operation included the National Forest and Charnwood Forest as well as statutory agencies, resulting in the inclusion of protective policies within the Plan.
35. The internal NWL Review of housing need, taking account of the SRFI, was shared across and outside the HMA.
36. NWL is located at the heart of the national motorway network and in an area of high demand for industrial development, and especially large-scale, Class B8 storage and distribution land. These circumstances have evidently attracted the SRFI at Roxhill in the north of the District, where its employment generation potential will affect housing needs, including outside the HMA. The compliance of the preparation of the Plan with the DtC is questioned with respect to known high demand for new employment sites outside the County, as the defined HMA.
37. Representations were also made that the well-known unmet housing needs of Birmingham and Coventry and the functional relationships between NWL and those conurbations, as well as Derby, Nottingham and other neighbouring Districts, should influence the provisions of this Plan. Other representations included proposals that the Plan should facilitate opportunities for developments where they would relate to substantial settlements outside NWL but close to its borders, for example at Albert Village, near Swadlincote.
38. Significantly, however, despite ongoing engagement and co-operation, up to the time of the submission of the Plan, no other local authority, either within or outside the HMA and FEMA, relied upon NWL to meet any unmet housing or employment needs.
39. Arguments remain as to the amounts, types and distribution of housing and employment development for which the Plan should provide. However, these are primarily matters of soundness, related to the spatial strategy of the Plan, its housing and employment land requirements and to land supply, rather than to the DtC. Such matters are considered in the Assessment of Soundness below.
40. It is evident that there has been further co-operation between the Council and its partner HMA authorities since the Plan was submitted for examination, in particular with respect to the HEDNA and Statement of Co-operation, published in January 2017. Although the DtC strictly applies only to the preparation of the Plan, up to the time of submission for examination, this factor is germane to the consideration of the HEDNA, as an addition to the evidence base of the Plan, as now proposed to be modified.
41. The Plan has faced objection from other HMA authorities on grounds that it should not proceed to adoption until the full implications of the HEDNA and a projected Leicester and Leicestershire Strategic Growth Plan (SGP) are known, especially with regard to unmet needs from elsewhere in the HMA. However,

the DtC neither includes, nor implies, any obligation to agree. The question of whether the Plan should proceed to adoption is more properly related to its justification and effectiveness in relation to the soundness of the Plan.

42. Overall, I am satisfied that the Council has engaged constructively, actively and on an on-going basis with all prescribed bodies, as appropriate, and that the DtC is properly to be regarded as having been met in the preparation of the Plan.

## **Assessment of Soundness**

### **Main Issues**

43. Taking account of all the representations, the written evidence and the discussions that took place at the Examination Hearings, I have identified six Main Issues upon which the soundness of the Plan depends. In respect of each Main Issue, my Report focusses principally on the matters of soundness arising and any MMs required, rather than responding to every point raised by Representors. The issues considered in this Report do not necessarily follow the order of the matters discussed during the Hearings.

### **Main Issue 1 – Strategy**

***Does the Plan set down a justified and effective Strategy for the distribution of development, based upon an appropriate Vision, set of Objectives, Settlement Hierarchy and Limits to Development?***

#### ***Vision and Objectives***

44. The Plan sets an overall Vision to continue the transformation of the District from its past as a coalfield area to a 21<sup>st</sup> Century place to live, work and relax, attracting businesses to locate and grow in the District. The Vision recognises the SRFI, East Midlands Airport and Donington Park as destinations in their own right, centrally located close to major road and rail networks, in the context of a strongly performing economy. The Vision highlights the attractions of the maturing National Forest, Charnwood Forest and Ashby Canal, as well as a range of heritage assets. Coalville is identified as the growing main town, with Ashby de la Zouch and Castle Donington as other centres. A total of fifteen objectives include the promotion of economic growth, new homes, sustainable transport and local distinctiveness.
45. There is no argument that the Vision and Objectives of the Plan are inappropriate or incomplete. They appear to provide a sound basis for the Plan. Criticism focusses upon whether the Plan properly implements its Vision and Objectives in its spatial strategy, policies and site allocations.

### **Overall Strategy**

46. Section 5 of the Plan is devoted to its Strategy, in terms of Policy S1 on Future Housing and Economic Development Needs, Policy S2 on the Settlement Hierarchy and Policy S3 on Countryside.
47. Policy S1, as submitted, provides for a minimum of 10,400 dwellings, 96 hectares (ha) of employment land and 7,300 square metres (sqm) for shopping and also includes reference to early review of the Plan, if the HEDNA

indicates additional needs. Following the publication of the HEDNA, the Council proposes MMs, reducing the housing requirement to 9,620 dwellings and the employment land requirement, net of strategic sites, to 66ha. These figures are discussed below, in connection with Main Issue 2.

48. Policy S2 classifies Coalville as the Principal Town and Ashby de la Zouch and Castle Donington as Key Service Centres (KSCs). Ibstock, Kegworth and Measham are classified as Local Service Centres (LSCs), whilst other settlements are classified as Sustainable Villages, Small Villages or Hamlets.
49. Policy S3 protects the Countryside, outside settlements, as defined by Limits to Development, for the sake of its intrinsic character and beauty and the diversity of its landscapes, heritage, wildlife and natural resources. At the same time, Policy S3 supports development for specified uses in the designated Countryside, including development at East Midlands Airport and Donington Park Racetrack, subject to a range of development management criteria.
50. Significantly, at paragraph 5.15, the Plan acknowledges the core principle of the NPPF that the Settlement Hierarchy of the Plan is to guide future development to sustainable locations but highlights that ‘the scale and location of most new development that is needed is already committed’. This statement was consistently repeated by the Council during the Examination in terms that “We are where we are!”. It is also borne out by the allocation of only a small number of new housing and employment sites by Policies H3 and Ec2, to provide for the originally stated, net residual requirements of 800 dwellings and 6ha of employment land. That is, as compared with the large number of sites already with planning permission, or Council resolutions to grant approval, nominated in Policies H1-2 and Ec1. It has to be accepted that the essential focus of this Report must be upon future provision.
51. The Council considered, and subjected to SA, five alternative development distribution options to focus the majority of the additional housing required on Coalville (Alternative A) or Ashby de la Zouch (B) or proportionately across the Principal Town, KSCs and LSCs (C) or dispersed among LSCs and Sustainable Villages (D) or split between Coalville and Ashby de la Zouch (E).
52. Other housing alternatives considered included a new settlement but this was rejected as an ‘unreasonable alternative’ on grounds that the amounts of identified residual requirements for new development do not justify such a proposal. A focus of new housing development on the northern part of the District, at Castle Donington close to the projected SRFI, was also considered but rejected as an ‘unreasonable alternative’, in the absence of sufficient, suitable, available land.
53. Option B was chosen, to focus the majority of new development on Ashby de la Zouch, as a KSC and the second largest town in the Settlement Hierarchy. This was due to its limited recent growth and continuing development commitments, compared with Coalville, Castle Donington and Kegworth, and the relatively more buoyant housing market in Ashby de la Zouch. The more dispersed options B, C and E were subject to greater planning constraints than either Options A or B.

54. For the residual employment land requirement, the allocation of the Money Hill site at Ashby de la Zouch, allocated by Policy H3a, was chosen among a range of available alternatives, in preference to placing additional employment in Coalville or Castle Donington. New employment land in the northern part of Ashby de la Zouch will redress an imbalance caused by the approval of the SRFI alongside a significant amount of employment land already available in Castle Donington.
55. That choice of the strategic Money Hill combined housing and employment allocation was made despite relatively low SA scores in respect of flood risk, ecology, heritage and loss of agricultural land. However, over the approximately 140ha allocation, as a whole, the view of the Council that there is scope for mitigation appears to be reasonable.
56. In terms of the broad spatial distribution of new development between the defined settlements and Countryside of the District, the Settlement Hierarchy and Limits to Development promulgated by the Plan appear broadly justified by the evidence, including the SA.

### ***Other Considerations of Development Location***

57. However, before reaching any conclusion as to the soundness of the Strategy of the Plan, it is necessary to consider, in more detail, a number of other matters having a bearing upon the spatial distribution and location of new development.

#### *M42 corridor*

58. Representations were made that the Plan Strategy fails to accord appropriate importance to opportunities for employment development with access via Motorway junctions along the M42 corridor, as a component of the national transportation network. This is a matter related directly to the adequacy of the supply of employment land, considered under Main Issue 5 below.

#### *Previously Developed Land*

59. Some concern is expressed that the Plan fails to prioritise the redevelopment of brownfield land over greenfield sites in accordance with national policy. Notably however, the strategic mixed allocation at Money Hill, under Policy H3a, includes the former Arla Dairy land, whilst a number of the housing sites listed under Policies H1 and H2 are also previously developed land (PDL). Historically, between 2006 and 2010, some 81 to 95 per cent of development in the District took place on PDL, reducing substantially to 21 per cent in 2012-13 but rising again to 46 per cent in 2015-16.
60. The Council explains the reduction after 2010 partly in terms of the changed definition of PDL to exclude garden land and the recovery as a result of recent residential redevelopment employment sites. Other PDL identified in the Strategic Housing Land Availability Assessment (SHLAA) is evidently still in use for other purposes or otherwise not available or viable. Remaining PDL without planning permission in the SHLAA would not meet identified requirements in any event. In general terms, the Plan effectively prioritises the redevelopment of PDL, where practical.

61. However, as submitted, Policies S2 on the Settlement Hierarchy and S3 on the Countryside are fairly criticised for restricting the redevelopment of certain brownfield sites, which lie outside the Limits to Development defined in the Strategy but which are related to nearby settlements and could provide for sustainable redevelopment. To make Policies S2 and S3 and their supporting text sound, it is necessary to introduce provisions to support the redevelopment of suitable sites where this would be well-related to a defined settlement and served by sustainable transport. This is achieved by **MMs10-12**.

#### *Sustainable Transport*

62. The Settlement Hierarchy is questioned as to whether it fosters the use of sustainable means of transport. In the largely rural District of NWL, the main sustainable alternative to car travel is the local bus services. However, in directing development to the hierarchy of settlements established by the Strategy, it follows from the assessment of the community facilities present that new development would also be located closest to such public transport services as are available.
63. The encouragement of sustainable transport options is also a matter for the provision of infrastructure under Main Issue 6 below.

#### *Ravenstone and Ellistown*

64. Representations are made that Ravenstone and Ellistown, both designated by Policy S2 as Sustainable Villages, should be included as integral parts of the urban area of Coalville, as the Principal Town of the District.
65. There is no doubt that Ellistown, to the south, and Ravenstone, to the west-south-west, both enjoy a functional relationship with Coalville, being located in relatively close proximity to the town centre. However, both appear to maintain an individual identity and character, with substantial separation from Coalville by intervening open Countryside, designated by Policy S3.
66. In the case of Ellistown, that separation will ultimately be eroded to a considerable extent by the extensive, committed residential and employment development of the South East Coalville Urban Extension. However, that can rightly be seen as a further reason to preserve its village identity. Moreover, the western part of Ellistown will continue to be distinguished from urban Coalville by an area of designated Countryside and National Forest running north to Hugglescote.
67. Notwithstanding that the Coalville Limit of Settlement is, in practice, drawn on the Submission Policies Map as encompassing Ellistown, there is no evident reason to alter the designated status of either Ravenstone or Ellistown as Sustainable Villages within the Settlement Hierarchy of Policy S2.

#### *Sustainable Villages*

68. It is argued that, notwithstanding the justified Settlement Hierarchy, Policy S2 is too restrictive of development within Sustainable Villages, permitting only a limited amount of growth, with no specific land allocations. However, the Limits to Development are drawn to include property curtilages and some



agricultural buildings. In addition, some of the sites identified in Policies H1 and H2 include land adjoining settlements.

69. Certain settlements designated as Sustainable Villages by Policy S2 lie closer to larger settlements in neighbouring districts than to those within NWL. The Sustainable Villages of Albert Village and Blackfordby are cited as being closely related to Swadlincote and Woodville in South Derbyshire. Concern is raised that the Strategy does not recognise this relationship. It is argued that the close proximity of these settlements to the community facilities offered just across the artificial District boundary warrants the allocation of land for sustainable development within such settlements and that the provisions of the Plan are neither justified nor effective without them.
70. Questions of whether the District boundary is logically drawn might be for the respective local authorities to address but they are beyond the scope of this Report. There is merit in the contention that new development in villages close to the boundary would be sustainably located with respect to larger settlements outside the District. However, the Sustainable Villages concerned are clearly identified as independent settlements in their own right. Moreover, they have been categorised within the NWL Settlement Hierarchy according to their level of community facilities. Furthermore, there is no suggestion from neighbouring authorities, outside the HMA and FEMA, that such allocations are required to meet their own unmet development needs.
71. On balance, if the development requirements of the Plan can be met in compliance with its defined Settlement Hierarchy, the absence of specific allocations for new development in Sustainable Villages, including those close to larger settlements outside the District, does not mean that the Plan is unsound.

*Areas of Separation between Coalville and Whitwick*

72. Policy En5 of the submitted Plan designates two Areas of Separation (AoSs), respectively north west and south east of Hermitage Road, within which only rural and recreational uses will be allowed. This provision evolved from a review of a Green Wedge policy in a former Structure Plan. The purpose of Policy En5 is to prevent the coalescence of Coalville with Whitwick. The Submission Policies Map includes the whole of Whitwick and the two AoSs, within the defined Limits to Development for Coalville. The AoSs are not therefore designated Countryside and are not subject to Policy S3. According to the evidence of the Council, the reason for this is that Whitwick is joined to Coalville by three bands of development, at New Swannington and Thornborough to the west, centrally along Hermitage Road and along Broom Leys Road to the south east.
73. In contrast with the surrounding built up areas, the AoSs are distinctly semi-rural or settlement fringe in character. West of Hermitage Road, the AoS incorporates sports and leisure facilities and a lake, and serves to maintain separation between north eastern Coalville and the development at Thornborough, New Swannington and north western Whitwick. East of Hermitage Road, the AoS is essentially open or wooded and separates Coalville and south eastern Whitwick. The latter area has been, and remains, under strong development pressure.

74. The boundaries of the AoSs were assessed in detail in a Settlement Fringe Analysis (SFA) [SFA/01, 04, 10] in 2010, since when little has changed in their overall character. The SFA gave consideration to the landscape and visual value of the areas comprising the AoSs and the potential for any development impacts upon them to be mitigated.
75. With respect to the western AoS, the SFA concluded that the character of the area was common to many urban fringes but recognised its importance to the separation of Whitwick, New Swannington, Thornborough and Coalville, despite surrounding built development.
76. With respect to the eastern AoS, the SFA recommended the retention of woodland and the enhancement of gateway rural views between Whitwick and Coalville. At the same time, the SFA did not rule out some level of development, with potential for mitigation.
77. There is very strong local support within Whitwick for the designation of the AoS in the interests of maintaining settlement identity. This approach has previously received qualified support at appeal. The evidence of the Council, in defence of Policy En5, is based on its judgements that the SFA strongly suggests that development opportunities in the western AoS are extremely limited and that, in the eastern AoS, landscape harm would exceed development benefit.
78. On the other hand, the AoS designation is equally strongly opposed by those with development interests, particularly in the eastern area. These objections are linked to representations, discussed in connection with Main Issue 2 below, that the development requirements of the Plan are insufficient and the Strategy ineffective, in not allocating additional sites in Coalville. However, these objections also address the quality of the evidence on which the boundaries of the AoSs and the constraints of Policy En5 are based.
79. With reference to national policy, AoS is not recognised as a protective designation by the NPPF. However, core principles of the NPPF are that planning should take account of the different roles and characteristics of different areas with reference to their relative environmental value, should deliver conservation of the natural landscape and should identify where development would be inappropriate. The AoSs are different from surrounding areas in their level of built development, topography and landscape and are of recognised local value in avoiding the coalescence of distinct built up areas.
80. Read in isolation, Policy En5 is restrictive and inflexible. However, in permitting rural and recreational land uses, it does not impose a complete ban on development. Nor does it impede development required to meet the housing and employment requirements of the Plan, where these can be accommodated elsewhere within the scope of the Plan Strategy. In the context of the Plan as whole, Policy En5 is justified in its terms, provided the defined boundaries of the AoSs, to which it relates, are also justified on robust evidence.
81. Land within the SFA has been considered for development in previous studies in connection with the former draft Core Strategy, which was withdrawn in 2013. Moreover, whilst the conclusions of the SFA appear robust, they are

notably equivocal as to the value of all of the land comprising the AoSs now designated by Policy En5. The local support is plainly heartfelt and genuine. However, this support, and the Council evidence in favour of the designation of the AoSs, is clearly subjective. Moreover, previous appeal decisions and High Court judgments favouring the AoSs are essentially site-specific and do not provide a direct, strategic comparison.

82. It is concluded above that the spatial distribution of new development by the Plan across the Settlement Hierarchy is broadly justified. On balance, I consider there to be overriding merit in the judgement of the Council that the AoSs, as designated, are justified for the life of this Plan, especially taking into account the established commitment to the extensive South East Coalville Urban Extension. Given the AoS designation is justified for the purpose of this Plan, there is no inconsistency between Policy En5 and the aspects of national policy, summarised above, recognising local differences.
83. Importantly though, on the evidence provided to this Examination, there is scope for reconsideration of the detailed boundaries and land uses of the AoSs, in the event that it becomes necessary, at any time in the future, for the Plan to be reviewed in the light of increased development needs.

### ***Conclusion on Strategy***

84. Overall, subject to MMs 10-12 to Policies S2 and S3, I conclude that the Strategy of the Plan in spatial terms is justified, potentially effective and sound as submitted.
85. However, that conclusion is subject to the housing and employment land requirements of the Plan also being justified, on the latest evidence of the HEDNA, and the allocated sites being both the most suitable in planning terms, and practically deliverable when needed, to implement the Strategy. These are all matters for consideration in relation to Main Issues 2 to 5 below, including the potential need for commitment to early review of the Plan.

### **Main Issue 2 – Housing and Employment Land Requirements**

***Are the overall requirements of the Plan for Housing and Employment development justified by a robust evidence base, subject to early review of the Plan according to future circumstances?***

#### ***Housing Market Area and Functional Economic Market Area.***

86. There is no substantive dispute that both the HMA and the FEMA are, as defined in the HEDNA and the previous SHMA, practically co-incident with the administrative area of Leicester City and the County of Leicestershire. The HMA reflects a high level of self-containment in terms of migration, housing costs and commuting flows, with Leicester City attracting workers from across the County, whilst the FEMA also relates to a wider Midlands market area based around the motorway network, especially in regard to the logistics and distribution sectors.

## ***Evidence of Needs***

87. On submission, the Plan was supported by evidence of housing and employment needs comprising essentially the County-wide SHMA, the NWL Review of Housing Requirements, the Leicester and Leicestershire Strategic Distribution Sector Study (SDSS) [EC/02] and Employment Land Study (the PACEC study) [EC/04].
88. Together, these studies identify the overall requirements, set down in Policy S1, as submitted, for 10,400 dwellings and a total of 96ha of employment land.
89. The housing figure of 10,400 units is equivalent to 520 dwellings per annum (dpa) for each of the twenty years of the Plan period 2011-31. This figure is derived by the NWL Review, in excess of the OAN calculated by SHMA of 320dpa, and includes an estimate of the effect of the approved SRFI on housing need within NWL.
90. However, it is accepted that the primary source of evidence of development need is now the County-wide HEDNA of January 2017. This develops housing and employment need figures, district by district across the HMA and FEMA for two timeframes of 2011 to 2031 and 2011 to 2036. These are related to the respective time horizons of the several local plans which the HEDNA is intended to inform. The HEDNA is also intended to inform a non-statutory Strategic Growth Plan (SGP) for Leicester and Leicestershire as well as the Strategic Economic Plan of the Leicestershire Local Enterprise Partnership (LEP). It is the figures for the period 2011 to 2031 which are relevant to the NWL Plan, as confirmed in the consideration of the timeframe of the Plan under Background Matters above.
91. For the HMA as a whole, the HEDNA concludes that the overall OAN for housing to 2031 is 96,580 dwellings, significantly higher than the 2014 SHMA upper figure of 71,655. That is compared with a theoretical total housing land availability capacity equivalent to 206,908 units. However, the assessed ability of individual authorities to accommodate their individual OAN varies widely.
92. Subject to further testing via the plan preparation process, all the HMA authorities are assessed as able to meet their own OAN except for Leicester City and Oadby and Wigston Borough, both of whom now declare unmet housing needs consequent upon increased OAN figures. However, these unmet needs remain to be quantified in the SGP in late 2017 or during 2018.
93. In contrast, for NWL the HEDNA identifies an overall OAN for housing of 9,620 new dwellings, compared with theoretical capacity of 26,301 units. This OAN figure is equivalent to 481dpa to 2031. The figure is inclusive of student housing need within NWL. The HEDNA also identifies a need for 66ha of employment land within NWL, excluding Class B8 storage and distribution uses over 9,000sqm.
94. Significantly, the housing figure is lower than that predicted by the earlier studies and contained in the submitted Plan. However, it tends to bear out the results of the internal NWL Review of Housing Requirements and imply that they are conservative.

95. The Council therefore proposes to modify the overall requirements of the Plan in line with the lower figures of the HEDNA and to defer consideration of accommodating any unmet needs from other HMA authorities to an early review of the Plan, depending on whether, and to what extent, the future SGP shows this to be necessary.
96. This approach is supported locally, especially by representatives of residents of Ashby de la Zouch, concerned at the amount of development the Plan allocates there. However, the methodology and results of the HEDNA are strongly opposed, in particular by developers, who maintain their previously expressed view that even the higher quantitative housing and employment provisions of the Plan, as submitted, are substantially below what is needed in practice.

### ***Objective Assessment of Need for Housing***

97. It is a fundamental tenet of national policy and guidance that there is no single precise means of predicting housing need. The HWP proposes the introduction of a standard common methodology of calculating OAN, as recommended by LPEG, but under policy and guidance currently applicable, there is no such recognised common approach. It is for this Report to consider whether the HEDNA provides a robust basis for the OAN for housing in NWL, rather than to judge between several competing higher assessments put forward by Representors.
98. The HEDNA follows the PPG in taking, as its starting point, the latest official Government Household Projections published in July 2016. These are based upon the 2014-based Sub National Population Projections (SNPP) published by the Office for National Statistics (ONS). The HEDNA then takes into account the market signals and factors such as migration, economic growth, and affordable housing need identified in the PPG as influential upon the OAN figure, which excludes consideration of land supply with respect to land availability and planning constraints.
99. The HEDNA calculates the demographic housing need for NWL to be 386dpa, based on extended 10 year migration trends, and concludes that this figure should be increased to 425dpa by a 10 per cent affordability allowance regarded as realistically deliverable. There is no clear evidence available for or against any further increase for unattributed population change, such as underestimated emigration due to erroneous historic census.
100. The OAN figure of 481 is, in any event, led by a Planned Growth Scenario derived from economic structure and performance data and is considered by the HEDNA to deliver the additional market and affordable housing required.
101. However, the OAN for housing put forward by the HEDNA is challenged in other respects, in particular its approach to economic activity rates, commuting patterns and headship rates, as well as affordable housing provision.

### ***Economic Activity Rates***

102. The Planned Growth Scenario assumed for the HEDNA inflates the baseline growth assumption of 10,900 jobs to 16,700 jobs from 2011-2031, including

those expected to be generated by the SRFI. This Scenario is little questioned in itself. It is differing views of the economic activity rates of certain population age groups which give rise to claims that the OAN should be increased, due to its sensitivity to this factor.

103. However, the HEDNA has regard to three accepted data sources of the Office of Budget Responsibility (OBR) as well as Experian and Oxford Economics forecasting models, basing its conclusions on the mid-range results provided by Experian, as compared with other available forecasting models.
104. In relation to the effect of employment trends on housing need assessments, the PPG states that, where the supply of economically active residents is less than job growth, this could result in unsustainable commuting patterns.
105. The HEDNA recounts that the OBR estimates the growth in residents in employment nationally between 2014 and 2035 to be 2.5 million, significantly lower than the other forecasts, which are in excess of 4 million. The OBR figure is derived according to changes in state pension age and a range of migration and age structure scenarios, suggesting a reduction in employment rates for key 20 to 50 year old groups and overall participation rates of 76.5 per cent up to age 65 and 13.7 per cent thereafter. These results are related to fiscal sustainability and, according to the HEDNA, are contrary to known trends and therefore appear cautious.
106. In contrast, Experian provides a direct labour market forecast, with higher participation rates for the 16-65 year age group of up to 80 per cent and 16.7 per cent for those over 65. The HEDNA then compares the Experian-based HEDNA figures for economic activity and population growth rates with those predicted by Oxford Economics, concluding that they are below the OE results but equivalent in terms of population growth and related housing need. The HEDNA therefore prefers the higher Experian estimate as representing a more appropriately robust approach.
107. The HEDNA analysis of the OBR results is described as misleading by Representors, who point out that the lower activity rates it predicts could alone result in additional housing need in NWL of some 138dpa, when input to accepted forecasting models. Notably, the OBR approach is broadly favoured in the LPEG report as well as in several previous local plan examinations, whilst being rejected in a number of appeal decisions which favoured other forecasts.
108. On its own merits, the approach of the HEDNA to economic activity rates is logical and robust but remains to be considered alongside factors that affect modelling input data.

### *Commuting Patterns*

109. The issue of commuting patterns is highlighted by the advent of the SRFI, predicted to attract some 7,000 employees, including many from outside the District.
110. The HEDNA, nevertheless, adopts the commuting assumptions of the Oxford Economics Model, as unchanging throughout the Plan period from the 2011 census data on which they are based. However, it also takes account of the

relative, expected economic growth performance of the different areas outside the District where a proportion of employees are likely to live, including those with jobs at the SRFI.

111. NWL is expected to see a compound annual employment growth rate of 1.2 per cent between 2015 and 2031. That is twice the rate of the HMA as a whole and more than twice that of the wider East Midlands. It is expected to increase in-commuting by some 4,500 employees from the several related travel to work areas bounding the northern part of the HMA. This is in contrast with Leicester City, with a lower expected annual growth of 0.3 per cent, compared with immediately neighbouring districts, and a commensurately reducing level of in-commuting.
112. Such a relatively high in-commuting level to NWL has to be considered in the context of the relationship of the major employment areas in the north of the District to surrounding travel to work areas and to the strategic transport network. The potential for the SRFI to alter commuting patterns but without leading to substantial additional local housing requirements was noted by the SoS in granting approval for the SRFI.
113. In the circumstances, the commuting patterns for NWL predicted by the HEDNA appear acceptable and robust, such that no further increase in the OAN is necessary in this connection.

#### *Headship Rates*

114. OAN is also sensitive to headship rates. A temporary fall in younger, and particularly ethnic minority household formation, evident due to the recession between the 2001 and 2011 censuses, could lead to a long-term under-prediction of household formation, if carried forward inappropriately in the OAN calculation for the Plan period. It is suggested that the OAN could be underestimated by around 50dpa due to this factor alone.
115. Importantly, the HEDNA takes its household formation assumptions from Government predictions based on census results since 1971. Unlike later Government data sets, these figures do not anticipate the more recent recessionary fall in younger household formation. Moreover, a recorded increase in the ethnic minority proportion of the NWL District population, coupled with increases in tuition fees and reductions in state benefits, make a return to pre-recession headship rates unlikely.
116. Finally, for clarity in relation to economic growth, it is noted the HEDNA only models economic-led housing need forwards from 2015. However, this is because it relies upon actual performance data for the first four years of the Plan period from 2011 to 2015.
117. On balance, there is no justification for increasing the OAN in response to headship rate predictions.

#### *Affordable Housing Provision*

118. The HEDNA identifies an affordable housing need across the HMA of twice the total demographic housing need. For NWL the notional figure is 727dpa, some 90 per cent over the demographic need of 386dpa. If, as found above,

the OAN of 481dpa is justified on the evidence, it is common sense that these amounts of affordable housing are plainly undeliverable. It is equally common sense that an increase in market housing supply over the OAN would tend to suppress prices and improve affordability. It is necessary to find an appropriate balance.

119. The HEDNA, in its analysis of market signals, finds that NWL already has the lowest land values in the HMA, being 40 per cent below national levels outside London, and the lowest house prices in the HMA outside the City of Leicester. The lower quartile house price ratio and rental affordability are both consistent with the national averages. Moreover, unlike the calculation of OAN, the modelling of affordable need includes supply side factors unrelated to OAN, including existing households releasing market dwellings on removal of occupants to an affordable home.
120. The HEDNA nevertheless reaches the reasonable conclusion that there is an evidential basis for a HMA-wide uplift in the demographic housing need to cater for affordable need. For NWL a 10 per cent adjustment on the demographic need figure would result in an addition of 38 units and a total of 424dpa. This factor seems arbitrarily derived. However, there is no evidence in the representations to provide an alternative basis for determining a realistic adjustment. Furthermore, in practice, the economic-led OAN of 481dpa represents a much greater increase of nearly 25 per cent over the demographic need figure, which would necessarily contribute also to affordability.
121. The approach of the HEDNA to the provision of affordable housing as part of the OAN is reasonable on balance and no further adjustment to the OAN is required in this connection. The viability of providing an affordable element within new housing developments remains to be considered in relation to Main Issue 4 below.

#### *Conclusion on OAN for Housing*

122. Several Representors put forward extensive alternative assessments of OAN, deriving higher figures for the OAN for housing than the 481calculated by the HEDNA, ranging between 619dpa and 744dpa, based on future economic growth, commuting, headship and affordability assumptions. There is no doubt that accepted statistical modelling methodology is highly sensitive to input data variations related to lower rates of in-commuting, household formation and economic activity, in turn supporting improved affordability.
123. On balance however, the judgements made within the HEDNA for NWL, in particular upon headship rates and the crucial commuting ratio, are justified in support of the OAN of 481dpa, notwithstanding this is reduced from the 520dpa on which the submitted Plan was based, in response to the internal NWL Review of Housing Requirements. On the latest evidence, the reduction in the OAN now proposed would not, in itself, impinge adversely upon the effectiveness of the Plan. That does remain, nevertheless, subject to consideration of other factors, especially unmet needs from elsewhere in the HMA.



### ***District Need for Employment Land***

124. The 96ha employment land requirement of the Plan, as submitted, covers Classes B1, commercial, B2, industry and B8, distribution.
125. The HEDNA accords with the PPG in taking account of econometric forecasts of need for, and long-term past take-up rates of employment land. Based on the Planned Growth Scenario, the HEDNA concludes that there is a need in NWL for a lesser total of 66 ha of employment land overall, but this comprises 49ha Classes B1-2 industry and a further 16.8ha limited to small-scale Class B8 distribution sites under 9,000sqm.
126. The evidence of take-up of Class B1-2 sites draws on recognised commercial transaction databases. Alternative evidence from the Valuation Office Agency (VOA) is either not comparable, as it includes Class B8 sites, or is dated from before the time frame studied by the HEDNA.
127. The HEDNA recognises the contribution of renascent manufacturing in gross value added (GVA) terms, as shown by Oxford Economics, albeit coupled with some decline in employment due to improving productivity. Recognised Government data on floorspace compared with GVA data from Experian shows no correlation between floorspace demand and change in GVA.
128. In reaching its conclusions on the need for Class B8 land, the HEDNA, read with the updated SSDS, considers both future growth and replacement of storage and distribution uses, with reference to take up and availability of sites. This is viewed over the wider area of the Midlands Golden Triangle, extending to Birmingham, Nottingham and Milton Keynes and including the part of the M42/A42 corridor within NWL. The HEDNA records an increase in large-scale, online retail demand for Class B8 floor space in the Midlands.
129. For larger, Class B8 use, categorised as strategic, the HEDNA repeats the conclusion drawn from the Strategic Distribution Sector Study, as now updated [EX93], that there is a need for a total of 361ha of replacement and new strategic Class B8 land for the County as a whole up to 2031 but attempts no subdivision by district.
130. It is widely accepted that the distribution of such development is properly for consideration on a FEMA-wide basis due to cross-boundary demand and that a simplistic pro rata distribution between FEMA authorities would not be appropriate.
131. With regard to employment land needs overall, there is no effective challenge to the findings of the HEDNA in themselves.
132. Objections on grounds that the Plan is nevertheless unsound in relation to employment land provision are essentially reserved for questions of the adequacy of supply by type and location, including the replacement of employment land lost to other uses. These matters are considered below in connection with Main Issue 5.

***Overall Consideration of Housing and Employment Land Requirements, Unmet Needs and Early Plan Review***

133. For the above reasons, the OAN for housing of 481dpa and the overall need for employment land of 66ha identified by the HEDNA provide a robustly justified basis for the stated housing and employment land requirements of the Plan, before the application of planning constraints or other policy considerations.
134. The outstanding concern, in terms of requirements, is whether NWL should accommodate the unmet needs of the City of Leicester and the Borough of Oadby and Wigston. These unmet needs will not be clarified until the SGP is finalised at some time in the future.
135. In terms of ministerial policy and national guidance, it can properly be concluded that the Plan is sound with respect to its overall housing and employment land requirements, provided the Council is expressly committed, by adopted policy, to early review of the Plan, within a stated period after any such unmet needs to be met within NWL are identified.
136. Such early review is secured by **MM9** to Policy S1, together with amendments to its numerical requirements to accord with the foregoing findings on housing and employment needs. **MMs 1-8** are also necessary for consistency of the Plan text with the modification to Policy S1.
137. With those modifications in place, the overall requirements of the Plan for housing and employment development are justified by robust evidence. Whether the Plan is effective and sound overall is for further consideration below in relation to Main Issues 3-6 regarding the several aspects of land supply.

**Main Issue 3 – Housing Land Supply**

***Does the Plan make effective provision in its policies and site allocations to ensure a five year supply of Housing Land and Gypsy and Traveller Sites throughout the Plan period, having regard to planning constraints, including the River Mease Special Area of Conservation and the route of the High Speed Two (HS2) rail line?***

***Capacity and Delivery***

138. There is no question that, as indicated by the HEDNA, NWL has the planning capacity to provide for the level of housing development needed to meet its stated minimum requirement of 481dpa.
139. It is concluded in connection with Main Issues 1 and 2 above that the Strategy of the Plan is essentially sound, subject only to MMs10-12, and that its overall housing requirement is justified.
140. It remains to be considered whether the housing sites identified and allocated by the Plan are the most suitable in planning terms and would deliver the requisite numbers of dwellings in a timescale to secure a 5YHLS throughout the Plan period, as required by the NPPF.

### ***Housing Sites – Policy H1, Permissions and Policy H2, Resolutions***

141. The planning circumstances of the sites nominated by Policies H1 and H2, as having approval or being subject to resolutions to grant permission, are naturally subject to change since the Plan was submitted. Many of the sites listed in Policy H1 are under construction or the subject of reserved matters applications. Others are blighted, in particular by the potential alternative routes of the HS2 rail line, as considered below. Several sites listed in Policy H2 now have planning permission.
142. Accordingly, the Council proposes to update Policies H1 and H2 and their supporting text by way of **MMs13-20**, which are needed for soundness. It would be for the Council to make such further minor factual amendments prior to adoption as it considers appropriate. It is important to note that the factual information as to housing commitment and capacity set out in Table 2 within the Plan text is not to be confused with any judgement as to practical delivery and supply during the Plan period. In particular, no more than about 1,375 of the 2,050 dwellings allocated at Money Hill, Ashby de la Zouch, are expected to come forward before 2031. The net predicted supply during the Plan period is some 9,000 dwellings, leaving at least 620 to be allocated on new sites.
143. In its calculation of housing land supply, the Council expressly excludes windfall sites which might come forward unexpectedly from unallocated areas of land. This is an appropriately conservative approach, given evidence in the SHLAA of a reducing rate of delivery of small windfall sites and a lack of information on which to base an estimate from large windfall sites.
144. The primary concern of soundness is whether the sites nominated in Policies H1 and H2, as modified, will, with the new allocations of Policy H3, deliver the requisite numbers of dwellings for the Plan housing requirement to be met and a 5YHLS to be provided throughout the Plan period.

### ***Housing Sites – Policy H3, New Allocations***

145. The introductory paragraph 7.13 to Policy H3 states the need for additional sites to meet the revised housing requirement of 9,620 dwellings, as confirmed by **MM21**.

#### ***Money Hill (land North of Ashby de la Zouch) – Policy H3a***

146. The choice of this mixed residential and employment site as a major element of the Plan Strategy is discussed above in relation to Main Issue 1 on Strategy. In terms of housing land supply, the site is allocated for a total of 2,050 dwellings, increased from 1,750 in the consultation version of the Plan, with some 1,375 coming forward by 2031.
147. The site is evidently the most sustainable location to provide the scale of housing required to meet the Plan Strategy, as affecting Ashby de la Zouch. The only other comparable alternative, at Packington Nook, is detached from the town and a proposal for its development has also been rejected at appeal.
148. The chief remaining environmental constraint on Money Hill is the potential impact due to increased effluent from development on the River Mease SAC.

This raises matters related respectively to the rate of housing delivery and of environmental protection, discussed further below and as part of Main Issue 6.

149. Understandable local concerns regarding the distribution of development within such a large allocation justify a policy requirement to provide a comprehensive masterplan for the whole site area. This is introduced by **MMs22 and 25** to Policy H3a and related text, which also confirm the number of dwellings and are necessary for soundness. This is reaffirmed by a similar amendment to Policy Ec2, in relation to employment land provision, discussed below in connection with Main Issue 5.

*Land off Waterworks Road, Coalville – Policy H3b*

150. The chief concern regarding this Council-owned site for 95 dwellings relates to its deliverability with respect to access, which the Council is confident will be overcome. Its potential environmental impacts are less than those of alternatives considered in the AoS, including Broomleys Farm or on land South of Loughborough Road. The selection of the site appears consistent with the Plan Strategy.

*Land off Ashby Road/Leicester Road, Measham – Policy H3c and*

*Land South of Ashby Road, Kegworth*

151. In Policy H3c, as submitted, the allocation of the site off Ashby Road within Measham for 420 dwellings is qualified as a reserve provision against the development of land west of the High Street under Policy H2e being prohibited by the route of the HS2 rail line. The allocation is consistent with the Plan Strategy and the site is preferable to other local alternatives in terms of scale and the potential for environmental impact and its mitigation.
152. During the Examination, it emerged that the allocated site is itself now affected by an alteration to the HS2 route. Uncertainty remains over the final route of HS2 and its effect on housing developments in Measham. This has led the Council to introduce alternative proposals to provide flexibility of housing provision to meet this aspect of the Strategy.
153. In addition to the Measham land, it is proposed to include an additional contingency allocation on land south of Ashby Road, Kegworth, where other sites with permission, including that identified in Policy H1v, are also now affected by HS2. This site has since been subject to satisfactory SA.
154. The proposed qualified allocation of the Measham site for a reduced total from 420 to 300 dwellings, together with the additional allocation in Kegworth for 110 dwellings, by a new section d of Policy H3, is a logical approach in the circumstances. The necessary amendments are brought about by **MMs23-24 and 26-27**.
155. Overall, with those MMs in place, the allocated sites are the most suitable in planning terms to provide the housing development required in addition to the deliverable sites nominated by Policies H1 and H2 as already having approval or being subject to resolutions to be permitted.

***Deliverability - Housing Trajectory and Five Year Housing Land Supply***

156. Based on the latest available evidence and consultation with potential developers, the Council considers that the supply of housing land, including the sites identified and allocated by Policies H1-3, with the MMs proposed, would deliver some 10,590 dwellings by 2031, nearly 1,000 in excess of the overall requirement of 9,620 dwellings.
157. The Council further considers that the trajectory of housing delivery will secure a housing land supply in the order of either 6 or 7 years for the current five year period to 2021, depending on whether the 5 or 20 per cent supply buffer prescribed by the NPPF is applicable at any given year. That is calculated from the base requirement of 2,405 units (481dpa x 5) and an estimated supply of 3,591 units, net of any windfall contribution from small sites, with adjustments for shortfall and buffer.
158. These supply estimates are challenged with respect to a number of specific sites in terms both of their practical deliverability, as well as reasonable assumed build rates in dpa, once development commences. The main areas of dispute are as follows:
- i. Considering first the major strategic Money Hill allocation by Policy H3a, the developer confirms that dwelling completions should commence in late 2017 at 130dpa from two concurrent developments. This is credible, such that the Council estimate of 350dpa to 2021 is reasonable, even modest. There is no evidence of delivery being constrained in the early years by the need to protect the River Mease SAC.
  - ii. The site at Waterworks Road, Coalville appears to be subject to potential delay due to access difficulties but the Council, as site owner, is optimistic of delivering 50 dwellings by 2021, commencing in 2019. However, unresolved uncertainty justifies omitting this 50 units for the purpose of the current 5YHLS calculation.
  - iii. The Council is endeavouring, by MMs discussed above, to secure alternative sites at Measham (H3c-d) in the face of uncertainty created by the proposed HS2 route. In view of this uncertainty, a precautionary reduction of the Council five year estimate from 60 to zero is appropriate.
  - iv. The site at Holywell Spring Farm (H1d) might proceed at a slower rate than anticipated and deliver fewer than the 250 units assumed by the Council, having regard to disputed viability and constraint by the River Mease SAC. A precautionary reduction of the Council estimate by 100 units is appropriate.
  - v. The viability of land South of Park Lane, Castle Donington (H1i) is questioned. However, the development is permitted, subject to a viability assessment that a reduced 12 per cent affordable housing contribution is acceptable and no public highway funding is essential. The Council estimate of 140 units is reasonable in the circumstances.

- vi. For the Standard Hill site at Coalville (H1n), despite concerns over viability, the developer advises that development is to commence in 2018 at 30 to 40dpa. A precautionary halving of the Council estimate of 100 to 50 is appropriate in the circumstances.
  - vii. Within the large permitted Urban Extension of South East Coalville, land at Grange Road, Hugglescote (H1q and H2c) is evidently subject to issues of the affordable housing contribution, as well as infrastructure and utilities provision, such that Representors envisage a reduction of the Council five year delivery estimate of 435 dwellings to 120 units. The developer is more optimistic. In reality a figure between the two is more realistic, justifying a reduction of 150 in the five year delivery assumed.
  - viii. Similar comments apply to the site at Jackson Street, Coalville, where a conservative reduction of 30 in the Council five year estimate of 60 units is justified in view of viability issues.
159. Accepting that there is no certain basis for precise calculation, it is appropriately conservative to round the foregoing total reductions of 440 to 500 units in case of further reduced delivery. Applying that reduction to the five year supply to 2021, as estimated by the Council, the net 3,091 (3,591-500) would still deliver a housing land supply of approximately 5.3 years, including an increased 20 per cent buffer in recognition of persistent under-delivery in past years. The rate of delivery should improve on adoption of an up-to-date Plan, coupled with a degree of economic recovery.
160. Even on the most pessimistic challenge to the Council estimates put forward in the Examination, the 5YHLS would appear still to be just above the five year minimum.
161. To reflect the foregoing adjustments, suitable and necessary additional amendments to the supporting text are made by **MMs28-29**. The housing trajectory also demonstrates a 5YHLS throughout the Plan period on current evidence but the Plan is subject to review under modified Policy S1 in any event.

### ***Accommodation for Gypsies and Travellers and Travelling Showpeople***

162. Under Section 8 of the Housing Act 1985, as amended by Section 124 of the Housing and Planning Act 2016, the Council has a duty to consider the needs of all persons residing or resorting to the District with respect to the provision of sites on which caravans can be stationed. There is no longer a requirement for specific gypsy and traveller accommodation needs assessments (GTAAAs), albeit existing GTAAAs are still a recognised source of data.
163. Nevertheless, the national Planning Policy for Traveller Sites of August 2015 (PPTS) requires the Council to plan positively and collaboratively on robust evidence to set targets for caravan pitches, based upon an objective and up-to-date assessment of need. The Plan should contain a policy confirming pitch requirements for the full Plan period. The PPTS also states that any shortfall in the provision of sites should be met by allocations sufficient to achieve a deliverable five year supply of pitches, with developable sites or broad locations identified beyond that period.

164. Policy H7 provides reasonable criteria for the appraisal of any site-specific proposals that might come forward and sets down pitch requirements five-yearly throughout the Plan period on the basis of unchallenged evidence of the 2013 Refresh of the Leicestershire, Leicester and Rutland GTAA of 2007 [HO/07]. This evidence appears to be robustly based but dated. The Council, with other HMA authorities, has therefore commissioned a new GTAA. However, the identification of sites is expressly deferred by Policy H7 to a separate Gypsy and Traveller Site Allocations Development Plan Document (DPD).
165. In the preparation of the Gypsy and Traveller Site Allocations DPD, a call for sites failed to identify any new sites, leading to the assessment by the Council of some 500 potential sites in conjunction with statutory planning consultees and gypsy liaison groups. Once the updated needs assessment is complete, the Council proposes to publish the draft DPD, identifying specific sites.
166. By way of Policy H7 and its supporting text, the Plan complies as far as possible on the available evidence with national guidance and has attracted no objections, subject to the proposed continued joint working with other authorities and the preparation of the Site Allocations DPD.
167. The HEDNA merely touches upon the accommodation needs of gypsies and travellers as a specific group, relying upon the new GTAA commissioned by the HMA authorities. Meanwhile, the effectiveness of the Plan in this connection remains dependent upon a needs assessment and DPD preparation work yet to be completed.
168. However, given the clear undertaking that this further collaborative assessment is to be carried forward and the Site Allocations DPD published in the short term, coupled with the commitment by Policy S1, as amended by MM9, to early review of the Plan as whole, the provisions of the Plan for gypsy and traveller accommodation are justified and effective in the circumstances.
169. Finally in this regard, reference in current national guidance is to needs assessment of all people residing in or resorting to the District, rather than a specific GTAA. This may give rise to changes in the terminology of Policy H7 and its supporting text. However, such amendments would not affect the essential soundness of the Plan and would amount to minor modifications. These would be for the Council to consider and are not a matter for this Report.

### ***Overall Conclusion on Housing Land Supply***

170. It is concluded, on the evidence to this Examination, that the supply of housing sites identified and allocated by Policies H1-3 is approximately 10,590 dwellings. This is more than sufficient, by a margin of nearly 1,000 units, to meet the housing land requirement of 481dpa. Moreover, this can be delivered in a timescale to provide a 5YHLS throughout the Plan period to 2031, as indicated by the housing trajectory. That is even with the downward adjustment, set out above, to the current five year delivery estimates to 2021 put forward by the Council.
171. It is understandable that Representors, concerned to protect their localities from development pressure, advocate limiting the housing supply

commensurate with the reduction in the requirement from 520dpa to 481dpa between the submitted Plan and the figure derived subsequently by the HEDNA.

172. There are a number significant planning factors militating against such a line of action. First, with only three newly allocated sites and a 5YHLS only just above the required level, the Plan lacks the flexibility to maintain housing supply at the required rate in the face of any significant , unforeseen delay in the delivery of individual sites. Second, the Plan is subject to early review by way of Policy S1 and MM9, in order to cater for, as yet unquantified, unmet housing need from Leicester and from Oadby and Wigston. Third, it is well established that the numerical planned housing requirement is not to be regarded as a ceiling but as a minimum.
173. On a balance of judgement in the circumstances, the housing supply created by the Plan, in excess of the minimum, is nevertheless to be regarded as appropriate.
174. Overall, subject to the foregoing MMs, the Plan makes effective provision to ensure a five year supply of Housing Land and for Gypsy and Traveller Sites throughout the Plan period.

#### **Main Issue 4 – Affordable Housing Contributions**

##### ***Does the Plan make adequate and effective provision for appropriate contributions to the supply of affordable housing from new development?***

175. The single issue of particular concern regarding the provisions of the Plan for affordable housing contributions relates to the distinction, in terms of viability, between greenfield and previously developed sites.
176. The viability of the Plan and its allocated sites, including their potential to contribute affordable housing, is assessed in a Viability Review of June 2016 [LP/09]. This forms the basis for Policy H4, as submitted, which sets minimum affordable housing contributions of between 20 and 30 per cent for all new housing developments by settlement. These apply to all sites above the 10-dwelling threshold promulgated by national guidance, except for the three largest towns where a threshold of 15 or more dwellings is stated. Policy H4 includes a provision for negotiation of a lower contribution on viability grounds.
177. The inputs and results of the modelling within the 2016 Viability Review are not challenged in themselves. However, the Council accepted, following discussion at the Examination Hearings, that Policy H4 over-simplifies the contribution requirements, in that it fails to distinguish between brownfield and greenfield developments. In addition, the specified threshold of 15 dwellings and above for larger settlements is an unexplained departure from the national norm. Given the generally higher cost of redeveloping brownfield sites, Policy H4, as submitted, thus places excessive reliance upon the option for negotiating alternative, lesser contributions and is consequently ineffective.
178. In response, the Council put forward an Addendum to the Viability Review dated March 2017 [EX/84]. This draws on the results of the original viability



modelling to tabulate deliverable affordable housing percentages for an 11-dwelling archetypal site, applied throughout the whole District, for both previously developed and greenfield land.

179. The Viability Addendum shows that a 30 per cent affordable contribution should be viable for all greenfield sites of 11 dwellings or 1,000sqm or more of floor space, except in the main Coalville urban area, where only 20 per cent is expected to be viable.
180. However, the Viability Addendum equally demonstrates that nowhere is a contribution of more than 15 per cent viable on brownfield sites, even for sites of up to 30 dwellings or below 1ha. This applies only to Ashby de la Zouch and Measham. In all other settlements, brownfield sites of that capacity could evidently only support up to a 5 per cent affordable contribution.
181. With those rates and thresholds in place, Policy H4 would provide a balanced and effective basis for securing appropriate affordable housing contributions, without undue recourse to costly and time-consuming, scheme-specific viability assessments and negotiations.
182. The revised figures need to be transposed into Policy H4, with commensurate revision to its supporting text, in order for the Plan to make adequate and effective provision for affordable housing contributions from new development. Further, the qualification in the table to Policy H4 that the percentage contributions are a minimum requirement is inappropriate and reduces the clarity of Policy H4 as a basis for negotiation when this does become necessary. These amendments are achieved by **MMs 30-31**, which are required for the Plan to be sound in this respect.

## **Main Issue 5 – Employment Land Supply**

### ***Does the Plan make effective provision for an adequate supply of Employment Land?***

183. It is concluded in connection with Main Issues 1 and 2 that the Strategy of the Plan is sound and its overall employment land requirement justified. The question of soundness to be addressed with respect to the supply of employment land is whether the Plan provides for the delivery of the requisite amount and appropriate type of employment sites to secure the land supply required for the Plan period.
184. The methodology and results of the HEDNA, compared with the evidence supporting the submitted Plan, caused the Council to review the numerical supply provisions of the Plan for employment sites, with reference to the respective needs for commercial and industrial Classes B1 and B2 sites and for small storage and distribution Class B8 sites, under 9,000sqm. In the HEDNA, the latter are distinguished from strategic Class B8 sites.
185. The revised evidence of the Council is that the current supply of land for Class B1, B2 and small B8 sites, including the 16ha Money Hill allocation, is some 53ha. This would indicate a shortfall of 13ha compared with the requirement identified by the HEDNA of 66ha.

186. The submitted plan included an allowance for loss of land in all employment Use Classes of 45ha. The Council revisits this figure with reference to its recorded actual losses of Class B1, B2 and small B8 land from 1991 to 2016 of some 1.28ha per year. Repeated over the remaining 15 years of the Plan period, this would add a further 19ha to the shortfall. At the same time, there is evidence that employment sites in those classes with remaining potential for non-employment use now total only about 10ha. On this basis, it would be reasonable to assume a likely shortfall of the order of 23ha and no more than 32ha in any event.
187. According to the Council, the total employment land supply of the Plan, including the SRFI, is 291ha, equivalent to 37 per cent of the total FEMA requirement identified by the HEDNA. Previous evidence supporting the submitted Plan excluded the SRFI from the supply but it is now appropriate to include it, in line with the approach of the HEDNA. Some 30ha is committed with planning consent and the new Money Hill allocation adds 16ha to the potential supply, with some flexibility of use between the several components of Use Class B.
188. This quantitative evidence is questioned by Representors, including with respect to the amounts of residual land remaining available on established employment sites. The figures are presented for all Class B uses and do not compare directly with the results of the HEDNA. However, it is claimed that there is some 50ha less employment land in the supply than the Council considers to be the case.
189. Of particular concern is the Lounge Disposal Site in Ashby de la Zouch where a potential 25ha of developable employment land could be reduced by the construction of HS2 rail line through its western part. Nevertheless, there is evidence of development interest in a substantial part of the site. The total loss of this site from the supply is therefore unlikely.
190. Another substantial site in question is at Sawley Crossroads, where some 14ha is subject to permission to extend storage use by the existing user. It appears reasonable to include this residual land in the total employment land supply.
191. Overall, the numerical evidence of the Council on the current employment land supply is robust.
192. However, Representors also question whether, irrespective of overall quantity, the Plan provides for a sufficient range of sites in size and location. These concerns are justified with respect to the degree of flexibility afforded by the Plan and the recognition of the strategic importance of the M42 corridor in relation to distribution across the wider transportation network.
193. The Council therefore now proposes **MMs40-41** to add a second clause to Policy Ec2 and expand its supporting text on New Employment Sites. This is to provide an appropriate level of flexibility in the choice and location of employment sites, including within the M42 corridor, in response to evidence of need or demand and subject to transport and amenity considerations. The Council also proposes, by way of **MMs32-39**, to revise the Plan text and Policy Ec1 on current Employment Provision and Permissions to reflect the foregoing circumstances. An additional amendment to Table 5 within the Plan

text is appropriate to clarify that the figure for committed employment sites now refers only to Class B8 sites up to 9,000sqm.

194. These modifications are appropriate and necessary for soundness. With them in place, the employment land supply within NWL would appear, in broad terms to be such that the claim of the Council that there is no urgency to resolve the identified shortfall by way of specific allocations carries some merit.
195. On the other hand, the supply of Class B1, B2 and small B8 sites is strictly inadequate for the Plan period as a whole. However, the Plan proceeds on the justified premise, taking account of national guidance, that early review must take place in terms of Policy S1, as amended by MM9, in respect of unmet housing and employment needs from elsewhere in the HMA. MM41 makes a further appropriate textual cross-reference to early review. That being the case, it is acceptable to regard the provisions of the Plan for employment land as sound in their proposed modified form.
196. In a further addition to Policy Ec2, also included within **MM40**, again in response to justified representations, the Council proposes to require a Masterplan to be provided for the strategic Money Hill allocation, prior to the first development taking place. As in the case of the housing provision within this allocation, this is necessary to secure an appropriately comprehensive approach to the development of such a large site.
197. Finally, with respect to employment land, **MM42** makes a small but important amendment to Policy Ec4 by supporting growth of the East Midlands Airport, provided such development gives rise to a material increase in its capability, as opposed to its mere capacity, as currently stated.

## **Main Issue 6 – Other Policy Provisions**

### ***Environment, Heritage and Climate Change***

198. Policies En1-4 and 6, HE1-2 and CC1-3 provide a suite of protective measures related to the environment, heritage and climate change. These are broadly consistent with the NPPF, without inappropriately repeating national guidance, but give rise to specific areas of concern as follows:

#### *Areas of Separation and Local Green Space*

199. AoSs are considered in relation to Policy En5 above in connection with Main Issue 1, Strategy.
200. Local Green Space (LGS) is a protective designation, defined in paragraphs 76-78 of the NPPF, for local and neighbourhood plans to apply to open spaces that do not comprise extensive tracts of land and are special to local communities. The Council considers the identification and protection of valued LGS is best left to NPs. Meanwhile, Policies IF3 and S3 would provide protection from development to valued open spaces respectively within settlements and in countryside areas.
201. NP preparation has not progressed far in NWL and local Representors are understandably concerned that the NP making process can be protracted.

However, the NPPF makes clear that the LGS designation is for limited use and is not appropriate for most green or open areas. There is no obligation for such areas to be identified in local plans.

202. It might be for a future review of the Plan, and not for this Report, to conduct a review of potential LGSs, where evidence of special local value might justify designation.
203. Nevertheless, the approach of the Council in deferring LGS designation to NPs does not render the Plan unsound as submitted.

#### *Land and Air Quality*

204. Policy En6 covers, briefly but effectively, an appropriate range of considerations regarding the effect of development on land and air quality. To be soundly consistent with the NPPF at paragraph 109, it should refer to avoiding 'any unacceptable adverse impact'. Its reference, as submitted, merely to 'any adverse impact', implies too high a test. **MM44A** is inserted, since the public consultation, to achieve this necessary amendment.

#### *River Mease Special Area of Conservation*

205. Policy En2 seeks to improve water quality in the River Mease SAC by constraining development that would discharge waste water into the catchment subject to headroom in water treatment capacity. Compliance is required with a Water Quality Action Plan, including water quality improvement by way of the established, two-phase Developer Contribution Scheme (DCS1-2). **MM44** introduces an additional criterion, necessary for soundness, to restrict development where there is no capacity in the DCS scheme in operation.
206. The historic evolution and means of implementation of the DCS are complex but, essentially, local Representors passionately maintain that the technical basis of assessing water quality, in particular phosphate levels, is erroneous and Policy En2 thus ineffective, rendering the Plan unsound in respect of this aspect of environmental protection.
207. There is conflicting evidence of assertion in this regard. The expert evidence of the Council is that DCS1 is correctly based on appropriate historic water quality data on the types of phosphate concerned. DCS2 also was reviewed by specialist consultants as well as the EA, STWL and the River Mease SAC Project Officer, without modification.
208. Ultimately, the effectiveness of DCS1-2 and of Policy En2 will be a matter for the Monitoring Framework of the Plan which includes a suitable set of criteria for Policy En2. With that safeguard in place and on a balance of probabilities, Policy En2 is properly to be regarded as sound and the DCS effective.

#### *Transport Infrastructure*

209. Policy IF4 deals with Transport Infrastructure and New Development. The Council proposes **MM43** to ensure that account is taken of the need to minimise the effects of transport modes on climate change, including with

reference to accessibility to non-car travel modes. This appropriately makes Policy IF4 effective in terms of national policy.

### *Protection of Heritage Assets*

210. By way of **MM25, MM40 and 46**, the Council proposes amendments to Policy H3a on Money Hill, Policy Ec2 on New Employment Allocations, and Policy Cc1 on Climate Change. These changes are all necessary and appropriate to clarify the protection of heritage assets in line with national policy.
211. However, proposed **MM45** to Policy He1, on the Historic Environment, requires different amendment from the published version to retain recognition of the separate 'substantial' and 'less than substantial' levels of harm to designated heritage assets defined in national policy as well as providing for the balance of judgement required between less than substantial harm and planning benefits. These further changes make Policy He1 consistent with NPPF paragraphs 133-135 and are needed for soundness.

### *Implementation and Monitoring*

212. Policy IM1, read with the Monitoring Framework at Appendix 5 to the Plan, provides a sufficient range of criteria for the monitoring of the future effectiveness of the Plan, in particular by way of the Annual Monitoring Report (AMR). Policy IM1 includes appropriate measures to address any identified shortfall from reserve sites or those listed in the SHLAA, subject to the Settlement Hierarchy of Policy S2.
213. Notwithstanding concerns expressed by Representors, Policy IM1 does not need to provide detailed triggers for remedial action further to the AMR, nor refer to windfall sites. If, at any time, the Council was unable to demonstrate sufficient land supplies, in particular for housing, the relevant policies of the Plan would be rendered out of date by the NPPF in any event.

### *Assessment of Legal Compliance*

#### *Statement of Community Involvement*

214. Some concerns were expressed by Representors that public consultation was inadequate, for example with respect to the extent and content of the major land allocation at Money Hill, Ashby de la Zouch, which was subject to relatively late alteration, prior to the submission of the Plan. Such considerations are matters of evidence related to the soundness of the Plan, as considered above. There is nothing to indicate that the public consultation on the Plan failed to comply with the Statement of Community Involvement.

#### *Sustainability Appraisal*

215. Various concerns were raised that the Sustainability Appraisal contained inconsistencies. However, the scope of the SA and the topics it covered were set with appropriate reference to Schedule 2 of the Strategic Environmental Assessment Regulations 2004 (SEA Regulations). The likely environmental effects of the policies and allocations of the Plan, and latterly the recommended MMs, were evaluated accordingly, with no finding of any unmitigated impact. The choice of options between reasonable alternatives is

ultimately a matter of judgement. There is no substantive indication that the SA is inadequate in terms of the SEA Regulations, notwithstanding any apparent detailed inconsistencies.

216. Further concerns were raised that the Sustainability Appraisal failed to consider reasonable alternative spatial strategies, in particular with respect to the AoS between the main settlement of Coalville and Whitwick, promulgated by Policy En5. In this connection, legal precedent was quoted in support of additional work on the SA to evaluate, on an equal basis, the likely environmental effects of alternative formulations of the AoS. Nevertheless, the designation by the Plan of the AoS, in substitution for a former Green Wedge, is primarily a matter of soundness considered above as part of the spatial strategy and is assessed as such in the SA. I do not consider further detailed analysis within the SA to be necessary or that the SA is inadequate with respect to the Strategic Environmental Assessment Regulations 2004.

### **Conclusion on Legal Compliance**

217. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

<b>LEGAL REQUIREMENTS</b>	
Local Development Scheme (LDS)	The Plan has been prepared in accordance with the North West Leicestershire Local Plan Local Development Scheme (LDS) [LP/15], save that, due to the extension of the Examination to accommodate the HEDNA and MM consultation, the projected adoption will be deferred beyond June 2017, as originally scheduled. The LDS should strictly be updated in this respect. However, at this stage, this discrepancy is of no practical consequence to any party and it is appropriate to regard the preparation of the Plan as compliant with the LDS.
Statement of Community Involvement (SCI) and relevant Regulations	The SCI was adopted in January 2015 [LP/16]. Consultation on the Local Plan and the MMs has complied with its requirements.
Sustainability Appraisal (SA)	SA has been carried out on the Plan and the MMs and is adequate with reference to the Strategic Environmental Assessment Regulations 2004.
Habitats Regulations Assessment (HRA)	The Final Habitats Regulations Assessment June 2016 [LP/11] reaches an overall screening conclusion that the Plan will have no likely significant effects, either alone or in combination with other plans and projects, upon any European sites and that an Appropriate Assessment is not required.
National Policy	The Plan complies with national policy except where indicated and MMs are recommended.
2004 Act (as amended) and 2012 Regulations.	The Plan complies with the Act and the Regulations.

## Overall Conclusion and Recommendation

218. For the reasons set out above, the Plan has a number of deficiencies in respect of soundness, explored in connection with the identified Main Issues. In accordance with Section 20(7A) of the 2004 Act, I therefore recommend non-adoption of the Plan, as submitted.
219. However, the Council has requested, under Section 20(7C) of the 2004 Act, that I recommend Main Modifications to make the Plan sound and capable of adoption. I accordingly recommend the Main Modifications, set out in the **Appendix** to this Report, whereby the North West Leicestershire Local Plan would satisfy the requirements of Section 20(5) of the 2004 Act and meet the criteria for soundness in the National Planning Policy Framework.

*B J Sims*

Inspector

This report is accompanied by an Appendix containing the Main Modifications.

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## **APPENDIX**

### **SCHEDULE OF RECOMMENDED MAIN MODIFICATIONS**

Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text
MM1	23	New paragraph 5.4	<u>A Housing and Economic Needs Development Assessment (HEDNA) has been undertaken for the Leicester and Leicestershire Housing Market Area (HMA) which identifies the future housing and employment needs for the district. Whilst the HEDNA was completed towards the end of the process of preparing this Plan it was considered and subjected to public consultation as part of the evidence base and provides the basis for the housing and employment provision made in this plan.</u>
MM2	23	Paragraph 5.4  (new paragraph 5.5)	<p>It is essential that there is a sufficient supply of land for future business needs in order to ensure that the local economy continues to grow. We have had regard to work undertaken on behalf of the Leicester and Leicestershire Enterprise Partnership in 2013 by the Public and Corporate Economic Consultants (PACEC) on this matter. This identified that up to 2031 there would be 5,600 employment jobs created (that is those uses which fall within the B Use Class of the Use Classes Order 2015). This then translates in to a need for about 96 hectares of land for employment. This is the basis upon which the employment land needs of the plan are based.</p> <p><u>The HEDNA has identified a need for 66 hectares of employment land (comprising those uses which fall within Class B1, B2 and B8 of less than 9,000sq metres (as defined by the Use Classes Order 2015). A study<sup>1</sup> in respect of the need for additional provision for distribution uses (Class B8) of more than 9,000 sq metres has identified a need for both additional road and rail connected sites across the HMA but it does not identify any specific requirements for individual districts/boroughs. Within North West Leicestershire such provision has already been made through a Strategic Rail Freight Interchange (SRFI) near to East Midlands Airport/junction 24 (referred to as Roxhill), which was approved by the Secretary of State in January 2016.</u></p>

<sup>1</sup> Leicester and Leicestershire Strategic Distribution Study

MM3	24	Paragraph 5.5 (new paragraph 5.6)	<del>North West Leicestershire forms part of the Leicester and Leicestershire Housing Market Area (HMA). In accordance with the NPPF a Strategic Housing Market Assessment (SHMA) has been undertaken to identify future housing needs both across the HMA and for individual districts. For North West Leicestershire <b>the HEDNA</b> this identified an Objectively Assessed Need (OAN) of <del>285</del> to <del>350</del> <b>481</b> dwellings each year for the period 2011-2031. This equates to a total of <del>between 5,700 and 7,000</del> <b>9,620</b> dwellings.</del>
MM4	24	Paragraph 5.6	<del>However, we also have to have regard to other evidence before we can confirm whether this is the appropriate level of development to plan for. The Planning Practice Guidance advises that in identifying housing need account should be taken of “the likely change in job numbers....”. A Strategic Rail Freight Interchange (SRFI) near to East Midlands Airport/junction 24 (referred to as Roxhill), was approved by the Secretary of State in January 2016. It is estimated that it will create 7,400 jobs. In contrast the PACEC study referred to above forecast an increase in the number of jobs in the B8 Use Class (Storage or distribution) (which the vast majority of the new jobs at Roxhill would comprise of) of only 3,400. Therefore, the PACEC study does not does not make sufficient allowance for jobs in the B8 sector.</del>
MM5	24	Paragraph 5.7	<del>We commissioned a study (Review of Housing Requirements 2011-31 by JG Consulting) to look at what the potential impact of the SRFI with its projected additional 7,400 jobs would be in terms of housing needs. This work also updated the demographic data used to inform the SHMA. It found that the most significant impact of the SRFI would be on North West Leicestershire as just over 50% of all employees at the SRFI could be expected to be resident in the district. The study concluded by recommending that an Objectively Assessed Need for North West Leicestershire of 520 dwellings each year (or 10,400 dwellings over the plan period would be appropriate). This is slightly less than the figure we had proposed in our draft Local Plan in September 2015 (535 dwellings per annum).</del>
MM6	24	Paragraph 5.8	<del>Having regard to this evidence this Local Plan <b>makes provision sufficient to seek</b> to ensure that a minimum of <del>10,400</del> <b>9,620</b> dwellings will be delivered over the plan period 2011-31.</del>

		(New paragraph 5.7)	
MM7	24/25	Paragraph 5.9	As noted at paragraph 1.14 we have, together with the other HMA authorities, commissioned a Housing and Economic Development Needs Assessment (HEDNA) which will identify new housing and employment requirements. This work is currently scheduled to be completed in September 2016. Following this a new Memorandum of Understanding (or equivalent) will be agreed by the HMA authorities. It is possible that the HEDNA and subsequent agreement could result in a change to the housing requirements of this Local Plan. We have considered whether we should delay publication of the Local Plan until this work has been completed. However, having regard to the Government's stated intention for local authorities to get local plans in place by early 2017 and the advantages of having up to date policies in place we have concluded that such a delay would not be appropriate.
MM8	25	Paragraph 5.10 (new paragraph 5.8)	Policy S1 recognises that there <u>is may be</u> a need to undertake an early review of the Local Plan in the event that the HEDNA and/or subsequent agreement require that additional provision be needed. <b><u>This is because whilst the current total provision of employment land is about 291 hectares, there is a mismatch between the type of land identified as being required in the HEDNA and the actual provision. There is a shortfall of about 29 hectares when compared to the HEDNA requirement for Class B1, B2 and B8 of less than 9,000sq metres. This reflects the fact that the HEDNA was completed towards the end of the process of preparing this plan. In addition, it is apparent that not all of the other HMA will be able to accommodate their housing needs within their boundaries. The Council is committed to working with the other HMA authorities to agree how and where this unmet need will be accommodated. It may, therefore, be necessary for additional provision to be made for housing (and/or employment) when this work is completed.</u></b>
MM9	26	Policy S1	<u>Policy S1 – Future housing and economic development needs</u>  Over the plan period to 2031 provision is made for a minimum of 10,400 dwellings (520 dwellings each year), 96 hectares of land for employment purposes and 7,300 sq meters for shopping purposes. <b><u>will be made to meet</u></b>

			<p><b><u>the housing and employment land needs of the district as identified in the Leicester and Leicestershire Housing and Economic Development Needs Assessment (January 2017).</u></b></p> <p><b><u>This means that:</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>provision will be made for the development of a minimum of 9,620 dwellings (481 dwellings per annum) which is the Objectively Assessed Need (OAN) and Housing Requirement for the district;</u></b></li> <li>• <b><u>provision will be made for 66 hectares of land for employment purposes (B1, B2 and B8 of less than 9,000sq metres)</u></b></li> </ul> <p><b><u>Provision will also be made for 7,300sq metres for shopping purposes.</u></b></p> <p>The Council will continue working collaboratively with other Authorities, including those in Leicester &amp; Leicestershire to establish through a Housing and Economic Development Needs Assessment, objectively, the level of long term housing and economic growth required including testing options for, and agreeing, its scale and distribution amongst the authorities concerned.</p> <p>In the event that this work indicates an additional need in North West Leicestershire, the Council commits to bringing forward an early review of this Plan (either partial or otherwise) unless there is sufficient flexibility within the Local Plan.</p> <p><b><u>The Council will continue to work collaboratively with the Leicester &amp; Leicestershire Housing Market Area (HMA) authorities to establish the scale and distribution of any additional provision that may be necessary in North West Leicestershire and elsewhere in the HMA as a result of the inability of one or more authority to accommodate its own needs as identified in the Leicester and Leicestershire Housing and Economic Development Needs Assessment.</u></b></p> <p><b><u>The District Council will commence a review of this Local Plan (defined as being publication of an invitation to make representations in accordance with Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012) by the end of January 2018 or within 3 months of the adoption of this Local Plan (whichever is the later). The Plan Review will be submitted for examination within two years from the</u></b></p>
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			<b><u>commencement of the review. In the event that the reviewed plan is not submitted within two years then this Local Plan will be deemed to be out of date.</u></b>						
MM10	27/28	Policy S2	<p><u>Policy S2 – Settlement Hierarchy</u></p> <p>The following Settlement Hierarchy will be used when assessing the suitability of a settlement for new development, with the general principle being that those settlements higher up the hierarchy will take more growth than those lower down and that the type of development proposed is appropriate to the scale and character of the settlement and its place in the hierarchy.</p> <table><tr><th>Settlement Classification</th><th>Settlement(s)</th></tr><tr><td><p>Principal Town</p><p>The primary settlement in the district which provides an extensive range of services and facilities including employment, leisure and shopping and which is accessible by <del>public</del> <b><u>sustainable</u></b> transport from surrounding areas and to other large settlements outside the district. The largest amount of new development will be directed here, including retail development, to support the regeneration of Coalville Town Centre.</p></td><td><p>Coalville Urban Area which comprises <del>of</del> Coalville, Donington-le-Heath, Greenhill, Hugglescote, Snibston, Thringstone and Whitwick as well as the Bardon employment area.</p></td></tr><tr><td><p>Key Service Centre</p><p>Smaller than the Principal Town in terms of population and also the range of services and facilities they provide, they play an important role providing services and facilities to the surrounding area and are accessible by some <del>public</del> <b><u>sustainable</u></b> transport. A significant amount of development will take place in these settlements but less than that in the Principal Town.</p></td><td><p>Ashby de la Zouch</p><p>Castle Donington</p></td></tr></table>	Settlement Classification	Settlement(s)	<p>Principal Town</p> <p>The primary settlement in the district which provides an extensive range of services and facilities including employment, leisure and shopping and which is accessible by <del>public</del> <b><u>sustainable</u></b> transport from surrounding areas and to other large settlements outside the district. The largest amount of new development will be directed here, including retail development, to support the regeneration of Coalville Town Centre.</p>	<p>Coalville Urban Area which comprises <del>of</del> Coalville, Donington-le-Heath, Greenhill, Hugglescote, Snibston, Thringstone and Whitwick as well as the Bardon employment area.</p>	<p>Key Service Centre</p> <p>Smaller than the Principal Town in terms of population and also the range of services and facilities they provide, they play an important role providing services and facilities to the surrounding area and are accessible by some <del>public</del> <b><u>sustainable</u></b> transport. A significant amount of development will take place in these settlements but less than that in the Principal Town.</p>	<p>Ashby de la Zouch</p> <p>Castle Donington</p>
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				<p>Local Service Centre</p> <p>Settlements which provide some services and facilities primarily of a local nature meeting day-to-day needs and where a reasonable amount of new development will take place</p>	<p>Ibstock</p> <p>Kegworth</p> <p>Measham</p>
				<p>Sustainable Villages</p> <p>Settlements which have a limited range of services and facilities where a limited amount of growth will take place within the defined Limits to Development.</p>	<p>Albert Village, Appleby Magna, Belton, Blackfordby, Breedon on the Hill, Coleorton (the Lower Moor Road area only), Diseworth, Donisthorpe, Ellistown, Heather, Long Whatton, Moira (including Norris Hill), Oakthorpe, Packington, Ravenstone, Swannington, Worthington.</p>
				<p>Small Village</p> <p>Settlements with very limited services and where development will be restricted to conversions of existing buildings or the redevelopment of previously developed land (as defined in the National Planning Policy Framework) or affordable housing in accordance with Policy H5 (Rural Exceptions Sites for Affordable Housing).</p>	<p><i>Battram, Coleorton (the part not considered to be a Sustainable Village), Griffydam, Hemington, Lockington, Lount, Newbold, Newton Burgoland, Osgathorpe, Peggs Green, Sinope, Snarestone, Sweptstone, Spring Cottage, Tonge, Wilson.</i></p>
				<p>Hamlets</p> <p>Small groups of dwellings with no services and facilities and where development will be considered in the context of the countryside policy (Policy <del>S3</del> S4).</p>	

			<p><b><u>The re-use of previously developed land (as defined in the National Planning Policy Framework) will be supported where it is compatible with the settlement hierarchy set out above. The redevelopment of previously developed land for housing should be within or well-related to the Principal Town, a Key Service Centre, Local Service Centre, Sustainable Village or Small Village.</u></b></p> <p>Any development provided for within this policy which discharges wastewater into the Mease catchment will be subject to the provisions of policy En2. Any such development which does not meet these provisions will not be permitted.</p>
MM11	29	Paragraph 5.20  (new paragraph 5.18)	<p>... Any further development in such settlements will be restricted to either infilling or <del>physical extensions</del> <b><u>previously developed land which is well related to the settlement concerned.</u></b> "...</p>
MM12	30/31	Policy S3	<p><u>Policy S3: Countryside</u></p> <p><del>(1)</del> Land outside the Limits to Development is identified as countryside <del>which will be protected for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all</del> <b><u>where those uses listed (a) to (s) below will be supported, subject to those considerations set out in criteria (i) to (vi) below.</u></b></p> <p><del>(2)</del> <del>In areas designated as Countryside on the Policies Map, development for the following uses will be supported:</del></p> <ul style="list-style-type: none"> <li>(a) Agriculture including agricultural workers dwellings ;</li> <li>(b) Forestry including forestry workers dwellings;</li> <li>(c) The preservation of Listed Buildings;</li> <li>(d) The re-use and adaptation of buildings for appropriate purposes including housing in accordance with the Settlement Hierarchy (Policy <del>S3</del><b><u>S2</u></b>);</li> </ul>



			<p>(e) The redevelopment of previously developed land for housing in a Small Village in accordance with <b>Policy S2 the Settlement Hierarchy (Policy S3)</b></p> <p>(f) Flood protection;</p> <p>(g) Affordable housing in accordance with Policy H5;</p> <p>(h) The extension and replacement of dwellings;</p> <p>(i) Expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;</p> <p>(j) Sites for Gypsies and Travellers and Travelling Showpeople in accordance with Policy H7;</p> <p>(k) Small-scale employment generating development or farm diversification;</p> <p>(l) Community services and facilities meeting a proven local need;</p> <p>(m) Development by statutory undertakers or public utility providers;</p> <p>(n) Recreation and tourism;</p> <p>(o) Renewable energy;</p> <p>(p) Development at East Midlands Airport in accordance with Policy Ec5;</p> <p>(q) Development at Donington Park Racetrack in accordance with Policy Ec8;</p> <p>(r) Transport infrastructure;</p> <p>(s) <b><u>Employment land in accordance with the provisions of Policy Ec2</u></b></p>
			<p>(3) Developments in accordance with <del>(2)</del> <b><u>(a) to (s)</u></b> above will be supported where:</p> <p>(a) the appearance and character of the landscape, including its historic character and features such as biodiversity, views, settlement pattern, rivers, watercourses, field patterns, industrial heritage and local distinctiveness is safeguarded and enhanced. Decisions in respect of impact on landscape character and appearance will be informed by the Leicester, Leicestershire and Rutland Historic Landscape Characterisation Study, National Character Areas and any subsequent pieces of evidence ; and</p> <p>(b) it does not undermine, either individually or cumulatively with existing or proposed development, the physical and perceived separation and open undeveloped character between nearby settlements either through contiguous extensions to existing settlements or through development on isolated sites on land divorced from settlement boundaries; and</p> <p>(c) it does not create or exacerbate ribbon development; and</p>

			<p>(div) built development is well integrated with existing development and existing buildings, including the re-use of existing buildings, where appropriate; and</p> <p>(ev) the development will not seriously undermine the vitality and viability of existing town and local centres <u>and</u>;</p> <p>(vi) <u>The proposed development is accessible, or will be made accessible, by a range of sustainable transport.</u></p>												
MM13	41	Table 2	<p><b>Table 2– Housing provision as at 1 October <del>2015</del>2016</b></p> <table><tr><th></th><th>Number of dwellings</th></tr><tr><td>Completions 1 April 2011- 31 September <del>2015</del> 2016(A)</td><td><del>2,172</del> <u>2,690</u></td></tr><tr><td>Under construction (B)</td><td><del>322</del> <u>471</u></td></tr><tr><td>Planning permission (C)</td><td><del>5,207</del> <u>8,851</u></td></tr><tr><td>Resolution to grant planning permission (D)</td><td><del>3,506</del> <u>541</u></td></tr><tr><td>Total provision (A+B+C+D)</td><td><del>11,207</del> <u>12,553</u></td></tr></table>		Number of dwellings	Completions 1 April 2011- 31 September <del>2015</del> 2016(A)	<del>2,172</del> <u>2,690</u>	Under construction (B)	<del>322</del> <u>471</u>	Planning permission (C)	<del>5,207</del> <u>8,851</u>	Resolution to grant planning permission (D)	<del>3,506</del> <u>541</u>	Total provision (A+B+C+D)	<del>11,207</del> <u>12,553</u>
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MM14	41/42	New paragraph 7.5	<p><u>The figures above include dwellings on sites of less than 10 dwellings. We have considered whether we should make an allowance for unidentified sites which may come forward over the plan period. These can either be small sites (usually those of less than 10 dwellings) or larger sites (for example perhaps a former factory site). Whilst historically such sites have provided an important part of the supply, the provision of such sites is, by its nature, very uncertain. Therefore, for the purposes of estimating housing supply we have not made any allowance for such sites coming forward. However, should such sites come forward and planning permission be granted then they would count towards the housing supply at that point in time just as those which currently have planning permission are included in the figures at Table 2.</u></p>												

MM15	42	7.8	As a result of these considerations we think it is likely that only about 9,600 dwellings in total will be built up to 2031 across the district (11,207 committed dwellings less 1,600 dwellings at south-east Coalville that are not expected to be built by 2031). Therefore, we need to make provision for an additional 800 dwellings to ensure that the required number of dwellings (10,400) will be achieved.
MM16	42	7.9	We have considered whether we should make an allowance for unidentified sites which may come forward over the plan period. These can either be small sites (usually those of less than 10 dwellings) or larger sites (for example perhaps a former factory site). Whilst historically such sites have provided an important part of the supply, the provision of such sites is, by its nature, very uncertain. Therefore, for the purposes of estimating housing supply we have not made any allowance for such sites coming forward. However, should such sites come forward and planning permission be granted then they would count towards the housing supply at that point in time just as those which currently have planning permission are included in the figures at Table 2.
MM17	42	New paragraph 7.8	<b><u>In addition, two of the sites with permission at Kegworth for 260 dwellings (Ashby Road Kegworth and south of A6, Derby Road, Kegworth) are both potentially affected by the route of HS2. There is, therefore, considerable doubt as to whether these sites will be able to be built during the plan period.</u></b>
MM18	42/43	New paragraph 7.9	<b><u>Allowing for the sites referred to above, together with uncertainties in respect of a small number of other sites with planning permission, it is estimated that about 9,000 dwellings (including those already built) will be built in the plan period. Therefore, we need to make provision for at least a further 600 dwellings.</u></b>
MM19	43/44	Policy H1	<p><u>Policy H1 – Housing provision : planning permissions</u></p> <p>The following sites have the benefit of planning permission for housing development. In the event that planning permission lapses on these sites it will be renewed subject to the policies of this Local Plan and any other material considerations including any evidence in respect of deliverability of any particular site.</p> <p>Any development provided for within this policy which discharges wastewater into the Mease catchment will be subject to the provisions of policy En2. Any such development which does not meet these provisions will not be permitted.</p>

				Site	Capacity	
				H1a	Off Measham Road, Appleby Magna	39 dwellings
				H1b	Off Top Street, Appleby Magna	29 dwellings
				H1c	3 Top Street, Appleby Magna	12 dwellings
				H1d	Holywell Spring Farm, Burton Road Ashby de la Zouch	400 dwellings
				H1ea	Holywell Mill, Ashby de la Zouch	44 dwellings
				<b>H1b</b>	<b>Land north of Ashby de la Zouch</b>	<b>605 dwellings</b>
				H1f	Off Leicester Road, Ashby de la Zouch	101 dwellings
				H1g	South of Burton road, Ashby de la Zouch	275 dwellings
				H1h	Former depot Kilwardby Street, Ashby de la Zouch	32 dwellings
				H1i	South of Park Lane, Castle Donington	895 dwellings
				H1j	Rear of 138 Bardon Road, Coalville	132 dwellings
				H1k	Rear of 164-222 Bardon Road, Coalville	77 dwellings
				H1l	Former depot Highfield Street, Coalville	28 dwellings
				H1m	Land off North Avenue, Coalville	17 dwellings
				H1n	Standard Hill/West of Highfield Street, Coalville	400 dwellings
				<b>H1e</b>	<b>Off Jackson Street Coalville</b>	<b>129 dwellings</b>
				<b>H1f</b>	<b>Off Kane Close Coalville</b>	<b>21 dwellings</b>
				H1o	The Farm, Manor Road, Donington le Heath	14 dwellings
				H1pg	Acresford Road, Donisthorpe	36 dwellings
				H1qh	Land north <u>and south</u> of Grange Road , Hugglescote	800-3,500 dwellings
				H1r	Castle Inn, Dennis Street, Hugglescote	10 dwellings
				H1s	Rear of Frearson Road, Hugglescote	188 dwellings
				H1ti	South of Grange Road, Hugglescote	105 dwellings
				H1uj	Station Road, Ibstock	142 dwellings
				H1vk	Ashby Road, Kegworth	110 dwellings
				<b>H1l</b>	<b>Slack &amp; Parr , Long Lane, Kegworth</b>	<b>188 dwellings</b>
				<b>H1m</b>	<b>Land south of A6, Derby Road, Kegworth</b>	<b>150 dwellings</b>
				H1w	New Street, Measham	20 dwellings
				H1x	Atherstone Road, Measham	77 dwellings
				H1y	Off Measham Road, Moira	80 dwellings

			<table><tr><td>H1zn</td><td>Cresswells Coaches, Shortheath Road, Moira</td><td>24 dwellings</td></tr><tr><td>H1ao</td><td>Home Farm, Main Street, Oakthorpe</td><td>29 dwellings</td></tr><tr><td>H1ab</td><td>166 Spring cottage Road, Overseal</td><td>11 dwellings</td></tr><tr><td>H1ap</td><td>Dawsons Road, Osgathorpe</td><td>16 dwellings</td></tr><tr><td>H1ag</td><td>South of Normanton Road, Packington</td><td>30 dwellings</td></tr><tr><td>H1ae</td><td>Heather Lane, Ravenstone</td><td>50 dwellings</td></tr><tr><td>H1af</td><td>Loughborough Road, Thringstone</td><td>85 dwellings</td></tr><tr><td>H1ag</td><td>61-65 Grace Dieu Road, Whitwick</td><td>12 dwellings</td></tr></table>	H1zn	Cresswells Coaches, Shortheath Road, Moira	24 dwellings	H1ao	Home Farm, Main Street, Oakthorpe	29 dwellings	H1ab	166 Spring cottage Road, Overseal	11 dwellings	H1ap	Dawsons Road, Osgathorpe	16 dwellings	H1ag	South of Normanton Road, Packington	30 dwellings	H1ae	Heather Lane, Ravenstone	50 dwellings	H1af	Loughborough Road, Thringstone	85 dwellings	H1ag	61-65 Grace Dieu Road, Whitwick	12 dwellings
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MM20	44/45	Policy H2	<p><u>Policy H2 – Housing provision: resolutions</u></p> <p>The Council has resolved to grant planning permission for housing development on the sites listed below. The Council will work with developers and applicants to ensure that the legal agreements associated with these developments are completed as efficiently as possible so that permission can be issued. Once planning permission is granted it will be subject to the provisions of Policy H1.</p> <p>Where there has been a delay in the signing of a legal agreement and a planning permission not granted, it may be necessary for the application to be referred back to Planning Committee for account to be taken of any material change in circumstances since the initial resolution to grant permission.</p> <p>Any development provided for within this policy which discharges wastewater into the Mease catchment will be subject to the provisions of policy En2. Any such development which does not meet these provisions will not be permitted.</p> <table><tr><td></td><td>Site</td><td>Capacity</td></tr><tr><td>H2a</td><td>Off Jackson Street, Coalville</td><td>129 dwellings</td></tr><tr><td>H2b</td><td>Off Kane Close, Coalville</td><td>21 dwellings</td></tr><tr><td>H2c</td><td>North and south of Grange Road, Hugglescote</td><td>2,700 dwellings</td></tr><tr><td>H2d</td><td>Slack &amp; Parr, Long Lane, Kegworth</td><td>188 dwellings</td></tr><tr><td>H2ea</td><td>West of High Street, Measham</td><td>450 dwellings</td></tr><tr><td>H2fb</td><td>Land at Blackfordby Lane, Moira</td><td>18 dwellings</td></tr></table>		Site	Capacity	H2a	Off Jackson Street, Coalville	129 dwellings	H2b	Off Kane Close, Coalville	21 dwellings	H2c	North and south of Grange Road, Hugglescote	2,700 dwellings	H2d	Slack & Parr, Long Lane, Kegworth	188 dwellings	H2ea	West of High Street, Measham	450 dwellings	H2fb	Land at Blackfordby Lane, Moira	18 dwellings			
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MM21	45	Paragraph 7.13	As outlined at paragraph 7.8 it is necessary to identify additional sites to ensure that the overall provision of housing will be sufficient to meet the housing requirement of <del>10,400</del> <b>9,620</b> dwellings.
MM22	45	Paragraph 7.15	We have considered a range of potential locations and sites to make this provision and have concluded that the most appropriate allocation <del>would be</del> <b>is</b> north of Ashby de la Zouch (more details about this assessment can be found in the supporting Background Paper and the Sustainability Appraisal). This area comprises two sites which are identified in our Strategic Housing Land Availability Assessment Site A5 (Land north of Ashby, Money Hill) and Site A22 (Former Arla dairy, Smisby Road). <b>Part of site A5 has planning permission for 605 dwellings (H1b). They remainder of A5 together with the whole of A22</b> adjoin each other and are <del>proposed</del> <b>included</b> as a single allocation. <b>The overall scale of development that could be realised on the site (including that part which has planning permission) is about 2,050 dwellings.</b>
MM23	46	Paragraph 7.18	Land west of High Street Measham ( <del>H2ea</del> ) is potentially affected by the <del>currently preferred</del> <b>proposed</b> route for HS2. <b>In order to provide flexibility in the event that the final route of HS2 does impact upon the site</b> If this route is confirmed as the final route some, if not all, of this development will not be provided. It would, therefore, be necessary <b>it is proposed</b> to make alternative provision to ensure that the overall requirement is still met. Our preference would be to make this provision elsewhere in Measham. We have assessed the various sites identified in the SHLAA. Whilst a number of the sites are quite small and or now have planning permission there are two large areas identified in the SHLAA; one off Atherstone Road (sites M6 and M7) and one off Ashby Road/ Leicester Road (sites M11 and M12). The site off Atherstone Road is largely in use as a brick and pipe manufacturing works. Our preference, therefore, is to identify land off Ashby Road/Leicester Road as a reserve site should the route of HS2 prohibit the development of land west of High Street.
MM24	46	New paragraph 7.20	<b><u>As noted at paragraphs 7.8 two sites at Kegworth are also potentially affected by the route of HS2. Land south of Ashby Road, Kegworth is therefore, proposed as an alternative to these sites in the event that the route of HS2 does prohibit their development. The site is capable of accommodating about 110 dwellings so it will not make up all the shortfall that would result from the loss of these two sites.</u></b>
MM25	47	Policy H3	<u>Policy H3 – Housing provision: new allocations</u>

			<p>The following sites are allocated for housing development, subject to meeting the specified requirements set out below. These sites will be subject to a Section 106 Agreement to secure the provision of any specific requirements including on and off-site infrastructure.</p> <p>H3a - Land north of Ashby de la Zouch (<del>about 2,050</del> 1,750 dwellings in total)</p> <p>Development will be subject to the following requirements:</p> <ul style="list-style-type: none"> <li>(i) provision for suitable and safe access from the A511 (the principal vehicular access route), Smisby Road (the secondary vehicular access point) and Nottingham Road (primarily as a sustainable transport access, with some potential for very limited vehicular access); and</li> <li>(ii) any highway link between the A511 access and Smisby Road access should be designed in such a way that it would not provide an attractive through route from the A511 to Smisby Road; and</li> <li>(iii) provision of suitable and safe walking and cycling connections from the site to Ashby town centre, <del>and</del> adjoining employment areas (existing and proposed) <b><u>and the wider countryside;</u></b> and</li> <li>(iv) provision of a range of infrastructure including a new primary school, extensions to secondary schools, affordable housing, open spaces, green infrastructure and community facilities and enhanced public transport provision; and</li> <li>(v) design and layout of the proposed development should <b><u>have due regard to the protection and enhancement of Heritage Assets including</u></b> <del>minimise the impact upon the setting of Ashby de la Zouch Conservation Area and the Ashby Castle Scheduled Ancient Monument, Parish Church of St Helen and</del> <b><u>Ashby de la Zouch Conservation Area;</u></b> and</li> <li>(vi) provision for the discharge of wastewater into the Mease catchment in accordance with the provisions of policy En2. Development which does not meet these provisions will not be permitted. In addition, development will not be permitted until a second ‘development window’ for the Developer Contributions Scheme has been agreed and no more than 600 dwellings will be allowed to be built</li> </ul>
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			<p>until provision is made for pumping wastewater from the sewage treatment works at Packington out of the river Mease catchment; and</p> <p>(vii) provision of a mineral assessment identifying the potential effect of the proposed development on the mineral resources beneath and adjacent to the site; and</p> <p><b><u>(viii) A comprehensive Masterplan prepared in consultation with stakeholders, including both the district and town council and agreed in writing with the local planning authority for the comprehensive development of the site which identifies a range of land uses (including residential, employment and commercial uses, green infrastructure and open spaces, pedestrian and cycle links within and beyond the site and community facilities) and their relationship to each other and existing development in the vicinity of the site and what measures will be put in place to protect amenity of existing residential areas.</u></b></p>
MM26	48/49	Policy H3c	<p>H3c - Land off Ashby Road/Leicester Road, Measham (about <del>420</del> <b>300</b> dwellings)</p> <p>Development of this site will be supported in the event that the proposed route of HS2, when confirmed, prohibits the development of land west of High Street Measham (Policy H2e).</p> <p><b><u>Development of this site will be supported when:</u></b></p> <p>(a) <b><u>The Government confirms the line of HS2 in the vicinity of Measham; and</u></b></p> <p>(b) <b><u>The confirmed route passes through land West of High Street Measham (H2a); and</u></b></p> <p>(c) <b><u>The site West of High Street Measham is not capable of being developed in its entirety as a result of the alignment of HS2.</u></b></p>
MM27	49	New policy H3d	<p><b><u>H3d - Land south of Ashby Road, Kegworth (about 110 dwellings)</u></b></p> <p><b><u>Development of this site will be supported when:</u></b></p> <p>(d) <b><u>The Government confirms the line of HS2 in the vicinity of Kegworth; and</u></b></p>



			<p>(e) <u>The confirmed route passes through those sites north of Ashby Road Kegworth and/or south of Derby Road Kegworth which currently benefit from planning permission for housing development; and</u></p> <p>(f) <u>Either of the two sites is not capable of being developed in their entirety as a result of the alignment of HS2.</u></p> <p><u>Development will be subject to the following:</u></p> <p>(i) <u>Provision of vehicular access from Ashby Road; and</u></p> <p>(ii) <u>The proposed development being compatible with the route of the proposed Kegworth bypass; and</u></p> <p>(iii) <u>Provision of walking and cycling connections from the site to Kegworth centre; and</u></p> <p>(iv) <u>Provision of a range of infrastructure including contributions towards education provision, affordable housing, open spaces, green infrastructure and community facilities and enhanced public transport provision; and</u></p> <p>(v) <u>The incorporation of appropriate measures to mitigate the impact of any noise issues associated with the M1, HS2 or East Midlands Airport.</u></p>
MM28	50	Paragraph 7.22  (now paragraph 7.23)	<p>The NPPF requires that the Council maintain a 5 year supply of housing sites. As at 1 October <del>2015</del><b>2016</b> for the 5 year period to October 2020<del>1</del> and based on the projected completions in the trajectory there is a supply of <u>between 5.4 6 years (with a 20% buffer) and 7 years (with a 5% buffer)</u>. <del>More details about this are set out in the Housing Background Paper published alongside this Local Plan.</del></p>
MM29	50	Paragraph 7.23  (now paragraph ) 7.24	<p>The trajectory identifies that <del>8,597</del> <b>7,902</b> dwellings will be developed by 2031, in addition to the <del>2,172</del> <b>2,690</b> which were built from April 2011 to 1 October 2015<del>6</del>. Therefore, it is projected that <del>10,769</del> <b>10,592</b> dwellings will be developed over the plan period. This is more than the identified requirement of <del>10,400</del> <b>9,620</b> dwellings <u>by about 1,000 dwellings. This additional provision in supply will provide a degree of flexibility in the unforeseen event that some of the identified sites do not come forward as predicted. In addition, as already noted there may be a need to accommodate additional housing development from elsewhere in the Housing Market</u></p>

			<b><u>Area. Therefore, this level of supply will help to make an immediate contribution to any additional provision required and so will ensure that supply continues to be made whilst the review of the Plan which is committed to in Policy S1 takes place.</u></b>																		
MM30	51/52/53	Policy H4	<p><b><u>Policy H4: Affordable Housing</u></b></p> <p>(1) To support the provision of mixed, sustainable communities the Council will seek the provision of affordable housing on new housing developments. <b><u>The provision of affordable housing will be</u></b> subject to the following thresholds above which <del>provision will be sought and</del> the level of contributions <b><u>will be sought:</u></b></p> <p><b><u>Greenfield Sites</u></b></p> <table><tr><th>Settlement</th><th>Affordable Housing Contribution</th><th>Threshold</th></tr><tr><td>Ashby de la Zouch</td><td>30%</td><td><del>15 or more dwellings</del> <b><u>11 or more dwellings OR 1,000sqm (gross floor space)</u></b></td></tr><tr><td>Castle Donington</td><td>30%</td><td><del>15 or more dwellings</del> <b><u>11 or more dwellings OR 1,000sqm (gross floor space)</u></b></td></tr><tr><td>Coalville Urban Area</td><td>20%</td><td><del>15 or more dwellings</del> <b><u>11 or more dwellings OR 1,000sqm (gross floor space)</u></b></td></tr><tr><td>Ibstock</td><td>20%</td><td>11 or more dwellings OR 1,000 (gross) floor space</td></tr><tr><td>Kegworth</td><td>30%</td><td>11 or more dwellings OR 1,000 (gross) floor space</td></tr></table>	Settlement	Affordable Housing Contribution	Threshold	Ashby de la Zouch	30%	<del>15 or more dwellings</del> <b><u>11 or more dwellings OR 1,000sqm (gross floor space)</u></b>	Castle Donington	30%	<del>15 or more dwellings</del> <b><u>11 or more dwellings OR 1,000sqm (gross floor space)</u></b>	Coalville Urban Area	20%	<del>15 or more dwellings</del> <b><u>11 or more dwellings OR 1,000sqm (gross floor space)</u></b>	Ibstock	20%	11 or more dwellings OR 1,000 (gross) floor space	Kegworth	30%	11 or more dwellings OR 1,000 (gross) floor space
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				Measham	30%	11 or more dwellings OR 1,000 (gross) floor space
				All other settlements	30%	11 or more dwellings OR 1,000 (gross) floor space

**Previously Developed Land**

<u>Settlement</u>	<u>Affordable Housing Contribution</u>	<u>Threshold</u>
<u>Ashby de la Zouch</u>	<u>15%</u>	<u>30 or more dwellings OR sites of 1Ha or more</u>
<u>Castle Donington</u>	<u>5%</u>	<u>30 or more dwellings OR sites of 1Ha or more</u>
<u>Coalville Urban Area</u>	<u>5%</u>	<u>30 or more dwellings OR sites of 1Ha or more</u>
<u>Ibstock</u>	<u>5%</u>	<u>30 or more dwellings OR sites of 1Ha or more</u>
<u>Kegworth</u>	<u>5%</u>	<u>30 or more dwellings OR sites of 1Ha or more</u>
<u>Measham</u>	<u>15%</u>	<u>30 or more dwellings OR sites of 1Ha or more</u>
<u>All other settlements</u>	<u>5%</u>	<u>30 or more dwellings OR sites of 1Ha or more</u>

(2) In agreeing the provision of affordable housing account will be taken of:

- site size and site constraints; and
- financial viability, having regard to the individual circumstances of the site.

			<p>Where it can be demonstrated that the full affordable housing requirement would adversely affect the viability of a proposed development then the Council will agree to look at other measures to increase viability in accordance with Policy IM1 (Implementation and Monitoring of the Local Plan) before agreeing to a lesser amount of affordable housing subject to the provision of part (4) below.</p> <p>(3) The Council's preference is for on-site affordable housing provision which should:</p> <ul style="list-style-type: none"> <li>include a mix of types and tenure that reflects the type and nature of any need at the time the application is determined; and</li> <li>be integrated within the design and layout of a development such that they are externally indistinguishable from market housing on the same site.</li> </ul> <p>(4) Planning permission will be subject to a legal agreement to secure the provision of the agreed amount of affordable housing. Where a site is likely to be developed in phases over the longer term the agreement will include a suitable mechanism to review the amount of affordable housing provided over time as viability improves.</p> <p>(5) The Council will encourage the provision of affordable homes to meet the need of elderly people. Where bungalow provision is made the Council will consider reducing the overall level of affordable housing contribution, having regard to the type and size of other affordable housing provided across the site.</p>
MM31	54	New paragraphs 7.35 to 7.38	<p><b><u>In regards to previously developed land, the Viability Study tested a range of scenarios to assess the viability of affordable housing on both greenfield and brownfield sites. The Study identified that affordable housing viability on brownfield sites is generally more constrained compared to greenfield sites.</u></b></p> <p><b><u>The Viability Study identifies that brownfield sites in areas such as Coalville and Castle Donington, for example, have a higher value for employment land compared to residential.</u></b></p> <p><b><u>The generally higher development costs of previously developed land (compared to greenfield sites) can impact upon site viability and so will require a different approach in respect of associated development costs, including affordable housing.</u></b></p>

			<b><u>Therefore, to ensure the Local Plan responds to this evidence and to assist the viability and therefore delivery of brownfield sites Policy H4 provides for different affordable housing requirements for greenfield and brownfield sites.</u></b>
MM32	63	8.16	<del>The PACEC study, which has been used to inform our future employment needs, identified that in 2010 just under half of all jobs were provided by the employment sector. It is by far the most significant sector for job opportunities and the creation of prosperity. It is important therefore, that the local plan ensures the provision of sufficient land for such uses. This requires not only the provision of new land but also the protection of key employment areas against non-employment uses.</del>
MM33	64	Paragraph 8.17 (new paragraph 8.14)	As noted in policy S2, provision needs to be made for a minimum of <del>9666</del> Hectares of land for employment purposes during the plan period. As with housing, we are not starting with a blank sheet of paper; a number of developments have taken place since 2011 and there are also a number of sites where planning permission has previously been granted for some form of employment development.
MM34	64	Paragraph 8.18 (new paragraph 8.15)	In addition to the existing provision, we need to consider whether some land currently in use for employment purposes could be lost to other uses. For example, older stock which may become not-fit-for purpose during the plan period. <del>Over the period 1991-2011 a total of 23.54 hectares of employment land was lost to housing. This equates to 1.18 hectares each year. If this rate were to be repeated over the period of this plan then there would be a loss of about 24 hectares (i.e. 20 X 1.18). More recently for 2011-14 some 8.53 hectares of employment land has been lost to housing (an annual average of 2.84 hectares). If this rate were to be repeated during the remainder of the plan period (17 years) then about 48 hectares of employment land would be lost.</del> <b><u>An Assessment of Employment Sites study was a comprehensive survey of employment sites in the district which considered which the most suitable sites were to retain in employment use and which might reasonably be considered for other uses. Those sites which were identified as being potentially suitable for release to other uses totalled 25.8ha. Of these 15.4ha has already been (or are being) redeveloped for other uses, principally housing. Therefore, this leaves only 10.4ha as potentially suitable for release to other uses.</u></b>

MM35	64	8.19	It is not possible to predict with any great certainty as to how much existing employment land might be lost in the future. The fact that the average figure for 2011-14 is higher than the previous 20 years possibly reflects the state of the economy (i.e. limited demand for employment space) and the governments stated aim of boosting housing supply (i.e. competing alternative uses which are more commercially viable). The average figure for 2011-14 may, therefore, be considered too high. However, we have only considered employment land lost to housing. It is likely that employment land will be lost other uses as well. Whilst these uses may generate jobs in their own right, they would be non-employment uses.																					
MM36	64	8.20	Having considered these factors it would be prudent to be cautious and so a figure of 45 hectares of employment land lost to other uses is assumed for the purpose of calculating the need for additional employment land.																					
MM37	65	Table 5	<table><tr><td colspan="3">Table 5 – Employment land provision as at 1 October <del>2015</del>2016</td></tr><tr><td>Requirement 2011-31</td><td><del>966</del>6 Ha</td><td>A</td></tr><tr><td>Starts 2011-<del>15</del>16</td><td><del>7.75</del>6.81 Ha</td><td>B</td></tr><tr><td>Commitments (<u>excluding Class B8 sites over 9,000sqm</u>)</td><td><del>127.04</del> <b>29.86Ha</b></td><td>C</td></tr><tr><td>Residual requirement (A-B-C)</td><td>- <del>38.79</del><b>29.33Ha</b></td><td>D</td></tr><tr><td>Allowance for potential loss of employment land</td><td><del>45</del><b>10Ha</b></td><td>E</td></tr><tr><td>Residual requirement (D-E)</td><td><del>-6.21</del><b>39Ha</b></td><td></td></tr></table>	Table 5 – Employment land provision as at 1 October <del>2015</del> 2016			Requirement 2011-31	<del>966</del> 6 Ha	A	Starts 2011- <del>15</del> 16	<del>7.75</del> 6.81 Ha	B	Commitments ( <u>excluding Class B8 sites over 9,000sqm</u> )	<del>127.04</del> <b>29.86Ha</b>	C	Residual requirement (A-B-C)	- <del>38.79</del> <b>29.33Ha</b>	D	Allowance for potential loss of employment land	<del>45</del> <b>10Ha</b>	E	Residual requirement (D-E)	<del>-6.21</del> <b>39Ha</b>	
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MM38	65	Paragraph 8.22	It can be seen that <del>the effect of this allowance is that</del> there is a small shortfall of about <del>6</del> <b>39</b> hectares <b><u>compared to the requirements identified in the HEDNA (including an allowance for the potential loss of existing employment land)</u></b> . This shortfall is addressed at Policy Ec2.																					

		(new paragraph 8.17)																									
MM39	64/65	Policy Ec1	<p><u>Policy Ec1 - Employment provision: permissions</u></p> <p>The following sites have the benefit of planning permission for employment development and where development has yet to commence. In the event that planning permission lapses on these sites it will be renewed subject to the policies of this Local Plan and any other material considerations including any evidence in respect of deliverability of any particular site.</p> <p>Any development provided for within this policy which discharges wastewater into the Mease catchment will be subject to the provisions of policy En2. Any such development which does not meet these provisions will not be permitted.</p> <table border="1"> <thead> <tr> <th></th><th>Site</th><th>Site Area (Hectares)</th><th>Use Class</th></tr> </thead> <tbody> <tr> <td>EC1a</td><td>Former Lounge disposal point, Ashby de la Zouch</td><td>25.5</td><td>B8</td></tr> <tr> <td>EC1b</td><td>Rear of Charnwood Arms, Bardon</td><td>1.2</td><td>B1</td></tr> <tr> <td><del>EC1c</del></td><td><del>Off Beveridge Lane/South Lane, Bardon</del></td><td><del>3.9</del></td><td><del>B1, 2, 8</del></td></tr> <tr> <td><del>EC1d</del></td><td><del>Off Beveridge Lane, Ellistown</del></td><td><del>25.0</del></td><td><del>B2, 8</del></td></tr> <tr> <td>EC1e</td><td>Land at Sawley crossroads, Sawley</td><td>24.88</td><td>B1, B8</td></tr> </tbody> </table> <p>Planning permission has also been granted for a Strategic Rail Freight Interchange on land north of East Midlands Airport/west of Junction 24 of the M1 (site EC1f on the policies map). In the event that the permission lapses the Council will support its renewal through the Nationally Significant Infrastructure Project process (or any equivalent replacement process) subject to the policies of this Local Plan and any other material considerations including any evidence in respect of deliverability.</p>		Site	Site Area (Hectares)	Use Class	EC1a	Former Lounge disposal point, Ashby de la Zouch	25.5	B8	EC1b	Rear of Charnwood Arms, Bardon	1.2	B1	<del>EC1c</del>	<del>Off Beveridge Lane/South Lane, Bardon</del>	<del>3.9</del>	<del>B1, 2, 8</del>	<del>EC1d</del>	<del>Off Beveridge Lane, Ellistown</del>	<del>25.0</del>	<del>B2, 8</del>	EC1e	Land at Sawley crossroads, Sawley	24.88	B1, B8
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MM40	67/68	Policy Ec2	<p><u>Policy Ec2 – Employment allocations: new allocations</u> <b>New Employment sites</b></p>																								

			<p><b>(1)</b> Land north of Ashby de la Zouch (Money Hill) is allocated for employment development for up to 16 Ha subject to the following:</p> <p>(a) The provision of vehicular access to the A511 in conjunction with the adjoining housing development proposed under policy H3a; and</p> <p>(b) The provision of employment units of varying sizes to meet the needs of a wide range of employers; and</p> <p>(c) <u>Land adjoining the A511 and Smisby Road will be restricted to those uses falling within the B1 Use Class; and</u></p> <p>(d) The provision of appropriate landscaping, planting and other features so as to minimise the impact upon the adjoining housing development proposed under Policy H3a as well as the impacts on the wider landscape and biodiversity; and</p> <p>(e) Design and layout of the proposed development should <u>have due regard to the protection and enhancement of Heritage Assets including Ashby Castle Scheduled Ancient Monument, Parish Church of St Helen and Ashby de la Zouch Conservation Area</u>; <del>minimise the impact upon the setting of Ashby de la Zouch Conservation Area and the Ashby Castle Scheduled Ancient Monument; and</del></p> <p>(f) The provision of cycle and walking links to the adjoining housing development proposed under Policy H3a; and</p> <p>(g) The provision of green infrastructure links, providing both <del>an</del> ecological connectivity and footpath and cycle links, within the development and to the wider area; and</p> <p><b>(h) <u>A comprehensive Masterplan prepared in consultation with stakeholders, including both the district and town council and agreed in writing with the local planning authority for the comprehensive development of the site which identifies a range of land uses (including residential, employment and commercial uses, green infrastructure and open spaces, pedestrian and cycle links within and beyond the site and community facilities) and their relationship to each</u></b></p>
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			<p><u>other and existing development in the vicinity of the site and what measures will be put in place to protect amenity of existing residential areas; and</u></p> <p>(i) Provision for the discharge of wastewater into the Mease catchment in accordance with the provisions of policy En2. Development which does not meet these provisions will not be permitted. In addition, development will not be permitted until a second ‘development window’ for the Developer Contributions Scheme has been agreed.</p> <p><u>(2) Where evidence indicates an immediate need or demand for additional employment land (B1, B2 and B8) in North West Leicestershire that cannot be met from land allocated in this plan, the Council will consider favourably proposals that meet the identified need in appropriate locations subject to the proposal:</u></p> <p><u>(a) Being accessible or will be made accessible by a choice of means of transport, including sustainable transport modes, as a consequence of planning permission being granted for the development; and</u></p> <p><u>(b) Having good access to the strategic highway network (M1, M42/A42 and A50) and an acceptable impact on the capacity of that network, including any junctions; and</u></p> <p><u>(c) Not being detrimental to the amenities of any nearby residential properties or the wider environment.</u></p>
MM41	68	New paragraph 8.26	<p><u>The provision of this site will result in a shortfall compared to the HEDNA (excluding an allowance for the potential loss of existing employment land) of about 13 hectares. This will be addressed through the review of the Local Plan committed to in Policy S1 (taking account of any additional employment land which might be redistribution to the district from elsewhere in the HMA) and through the determination, against Ec2 (2) of any planning applications which come forward in the meantime.</u></p>
MM42	73/74	Policy Ec4	<p><u>Policy Ec4: East Midlands Airport</u></p>

			<p>(1) The growth of East Midlands Airport will be supported provided development <del>that</del> gives rise to a material increase in airport capacity <u>or capability</u>:</p> <ul style="list-style-type: none"> <li>(a) Is limited to that necessary to support an airport capable of handling up to 10 million passenger and 1.2 million tonnes of cargo per year; and</li> <li>(b) Incorporates measures that will reduce the number of local residents affected by noise as a result of the airport's operation, as well as the impact of noise on the wider landscape; and</li> <li>(c) Incorporates measures to ensure that local air quality satisfies relevant standards; and</li> <li>(d) Is accompanied by improvements in public transport access to the airport and other measures that will reduce the level of airport-generated road traffic (per passenger); and</li> <li>(e) Will protect and enhance heritage assets within the vicinity of the airport.</li> </ul> <p>(2) Within the boundaries of the airport, as defined on the Policies Map, development will be limited to:</p> <ul style="list-style-type: none"> <li>(a) Operational facilities and infrastructure; and</li> <li>(b) Passenger and terminal facilities; and</li> <li>(c) Cargo facilities; and</li> <li>(d) Airport ancillary infrastructure where the proposed development requires and benefits from an airport location and is of a scale that is appropriate to that relationship; and</li> <li>(e) Landscape works; and</li> <li>(f) Internal highways and infrastructure; and</li> <li>(g) Improvements to public transport and airport customer car parking.</li> </ul>
MM43	96/97	Policy IF4	<p><u>Policy IF4: Transport Infrastructure and new development</u></p> <p>(1) The Council, working with the highway authorities, will ensure that development takes account of the impact upon the highway network and the environment, <b>including climate change</b>, and incorporates safe and accessible connections to the transport network to enable travel choice, <b>including by non-car modes</b>, for residents <del>and commuters</del>, <b>businesses and employees</b>. In assessing proposals regard will be had to any Transport Assessment/Statement and Travel Plan prepared to support the application.</p>

			<p>(2) New development will be expected to <b><u>maximise accessibility by sustainable modes of transport, having regard to the nature and location of the development site and</u></b> contribute towards improvement of the following where there is a demonstrable impact as a result of the proposed development:</p> <ul style="list-style-type: none"> <li>(a) The provision of cycle links within and beyond sites so as to create a network of cycleways across the district, including linkages to key Green Infrastructure;</li> <li>(b) The provision of public footpath links within and beyond sites so as to enhance the network of footpaths across the district, including linkages to key Green Infrastructure;</li> <li>(c) The provision of new public transport services, or the enhancement of existing services, to serve new developments so that accessibility by non-car modes <b><u>to essential services and facilities, such as shops, schools and employment</u></b>, is maximised.</li> </ul> <p><b><u>(3) Where new development has a demonstrable impact upon the highway network contributions towards improvements will be sought commensurate with the impact. The following specific highway improvements are identified as priorities:</u></b></p> <ul style="list-style-type: none"> <li>(d) Strategic road improvements <ul style="list-style-type: none"> <li>• J22 of M1</li> <li>• J13 of A42</li> </ul> </li> <li>(e) Local road improvements <ul style="list-style-type: none"> <li>• the A511 corridor between J22 of the M1 and J13 of the A42</li> </ul> </li> </ul>
MM44	107/108	Policy En2	<p><u>Amend part 3 to state:</u></p> <p>In the event that there is no headroom capacity available at the appropriate wastewater treatment works, <b><u>or there is no capacity available within the Developer Contributions Scheme in operation at the time that an application is determined</u></b> or exceptionally where as part of the development it is proposed to use a non-mains drainage solution for the disposal of foul water and this is supported by the Environment Agency, development</p>

			will only be allowed where it can be demonstrated that the proposed development, on its own and cumulatively with other development, will not have an adverse impact, directly or indirectly, upon the integrity of the river Mease Special Area of Conservation.
MM44/A	114	Policy En6	<p>(b) Appropriate mitigation measures are identified which avoid any <b>unacceptably</b> adverse impacts upon the site or adjacent areas, including groundwater quality.</p> <p>Development should avoid any <b>unacceptably</b> adverse impact upon soils of high environmental value (for example wetland and other specific soils) and ensure that soil resources are conserved and managed in a sustainable way.</p>
MM45	118/119	Policy He1	<p><u>Policy He1: Conservation and enhancement of North West Leicestershire’s historic environment</u></p> <p>(1) To ensure the conservation and enhancement of North West Leicestershire’s historic environment, proposals for development, including those designed to improve the environmental performance of a heritage asset, should :</p> <ul style="list-style-type: none"> <li>a) Conserve or enhance the significance of heritage assets within the district, their setting , for instance significant views within and in and out of Conservation Areas;</li> <li>b) Retain buildings, settlement pattern, features and spaces, which form part of the significance of the heritage asset and its setting;</li> <li>c) Contribute to the local distinctiveness, built form and scale of heritage assets through the use of appropriate design, materials and workmanship;</li> <li>d) Demonstrate a clear understanding of the significance of the heritage asset and of the wider context in which the heritage asset sits.</li> </ul> <p>(2) There will be a presumption against development that will lead to substantial harm to, or total loss of significance of a designated heritage asset. Proposals will be refused consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss or all of the following apply:</p> <ul style="list-style-type: none"> <li>• The nature of the heritage asset prevents all reasonable uses of the site; and</li> </ul>

**Deleted:** ,

**Deleted:** and that it would not result in harm to the heritage asset or its setting; ¶

¶ Where harm results a clear convincing justification for any works is required

			<ul style="list-style-type: none"> <li>• no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and</li> <li>• conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and</li> <li>• The harm or loss is outweighed by the benefit of bringing the site back into use.</li> </ul> <p>Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.</p> <p>(3) Where permission is granted, where relevant the Council will secure appropriate conditions and/or seek to negotiate a Section 106 Obligation to ensure that all heritage assets are appropriately managed and conserved.</p> <p>(4) The district council will support development that conserves the significance of non-designated heritage assets including archaeological remains.</p>
MM46	123/124	Policy Cc1	<p>(1) Planning applications for renewable energy including any new grid connection lines and any ancillary infrastructure and buildings associated with the development will be supported where:</p> <p>(a) There is no unacceptable impact on residential amenity in terms of noise, shadow flicker, vibration and visual dominance; and</p> <p>(b) There is no adverse impact on the landscape character taking account of the special qualities set out within the individual National Character Areas; and</p> <p>(c) All impacts on, biodiversity have been adequately mitigated or enhanced; and</p> <p>(d) <del>The special qualities of all heritage designations including their settings are conserved or enhanced;</del> <b><u>Heritage assets and their settings are conserved or enhanced;</u></b> and</p> <p>(e) Proposals take account of the cumulative effect that would result from the proposal in conjunction with permitted and existing renewable energy schemes; and</p>

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**SCHEDULE OF PROPOSED ADDITIONAL  
MODIFICATIONS TO  
PUBLICATION VERSION OF THE NORTH WEST  
LEICESTERSHIRE LOCAL PLAN**

**June 2017**

This document details the Council’s proposed Additional Modifications to the North West Leicestershire Publication version Local Plan. A separate schedule sets out the Main Modifications which are proposed to be made to the Local plan.

“Additional Modifications” are of a more minor nature and do not materially affect the policies set out in the Local Plan. Additional modifications mainly relate to points where a need has been identified to clarify the text, include updated facts, or make typographical or grammatical revisions which improve the readability of the Local Plan. The “Additional Modifications” have not been assessed through the Sustainability Appraisal.

The proposed Additional Modifications are listed in the order they appear in the Publication version of the Plan. For each amendment, information on the proposed change and the reason for the change is given. Where new text is proposed it is shown in bold and where text is proposed for removal it has been struck through as set out below.

**Insertion of text**

~~Removal of text~~

The Document Page number referred to in the schedule is the ‘tracked changes’ version which can be viewed separately.



Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified text (deleted text shown as struck through, additional text shown in bold).	Reasons for modification
AM1	Various	General throughout the document	Ensure correct use of punctuation, capital letters and tense; and correct typing errors.	Clarity and to correct typing errors
AM2	7	Paragraph 1.3	<del>This publication Local Plan represents the District Council's view on how sustainable development should be achieved in North West Leicestershire and covers the period to 2031. It identifies new sites for housing and employment and also includes a range of policies to ensure that new development, of whatever type, is of the highest quality possible so as to maintain North West Leicestershire as an attractive place to live, work and enjoy.</del>	Factual update
AM3	7	Paragraph 1.4	<del>In preparing the Local Plan a number of previous consultations have been undertaken under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. This included consultation on the draft Local Plan between September and November 2015 where views were sought from anybody with an interest in the future planning of the district. Responses received were used to inform the preparation of the publication Local Plan.</del>	Factual update
AM4	7	Paragraph 1.5	<del>This publication Local Plan has been prepared under the provisions of The Town and Country Planning (Local Planning) (England) Regulations 2012 and is the publication Local Plan version prepared under Regulation 19. After this stage the plan (together with any comments received) will be submitted to the Secretary of State (Regulation 22) who will appoint a Planning Inspector to assess the plan through a Public Examination to establish whether it is 'sound' or not. To be 'sound' a Local plan must be:</del>  <ul style="list-style-type: none"> <li>• <del>Positively prepared;</del></li> </ul>	Factual update

			<ul style="list-style-type: none"> <li>• <del>Justified;</del></li> <li>• <del>Effective; and</del></li> <li>• <del>Consistent with national policy</del></li> </ul>	
AM5	8	Paragraph 1.6	<del>Only when the plan has been through these various stages and a Planning Inspector considers the plan to be 'sound' is the Council able to adopt the Local Plan. Upon its adoption it will replace the existing Local Plan which was adopted in 2002.</del>	Factual update
AM6	8	New paragraph 1.3	<b><u>The preparation of the Local Plan has included a number of consultations and the plan was the subject of an Examination in early 2017. Following receipt of the Inspector's Report in xxxx, the plan was adopted in xxxx 2017.</u></b>	Factual update
AM7	8	Paragraph 1.7  (new paragraph 1.4)	Amend to read:  <del>Once</del> <b>The</b> adopted this Local Plan together with the Minerals and Waste Local Plan prepared by Leicestershire County Council <b>comprise</b> will be the Development Plan for North West Leicestershire. The Development Plan provides the basis for determining planning applications.	Factual update
AM8	8	New paragraph 1.5	<b><u>This Local Plan replaces the 2002 adopted Local Plan.</u></b>	Factual update and for clarification
AM9	8	Paragraph 1.8  (New paragraph 1.6)	Amend to read:  The Local Plan is not prepared in isolation <b>and</b> <del>As noted above the Local Plan</del> must be consistent with national policies. These are set out in the National Planning Policy Framework (NPPF) which was published by the Government in 2012. The NPPF is also supplemented by a range of Planning Practice Guidance (PPG) on a variety of subjects. This provides guidance on the interpretation and	Factual update

			implementation of requirements in the NPPF.	
AM10	8	Paragraph 1.10  (New paragraph 1.8)	Amend to read:  “In addition to national policies we <del>also have to comply</del> <b>complied</b> with various European level regulations. In particular <del>the plan has been subject</del> <b>we have to undertake</b> a Strategic Environmental Assessment (SEA) <del>of the plan</del> to assess <del>the plan’s</del> <b>its</b> environmental impacts. We <del>also have</del> <b>also</b> <del>to undertaken</del> a Habitats Regulations Assessment (HRA) to consider the impact of the policies and proposals of the Local Plan on sites of European significance designated for species and habitats (Special Areas of Conservation (SAC)) or birds (Special Protected Areas (SPA)). That part of the river Mease and its tributaries which lie within North West Leicestershire are designated as a Special Area of Conservation.”	Factual update
AM11	8	Paragraph 1.11  (new paragraph 1.9)	Amend to read:  “The <del>plan has also been subject to</del> <b>requirement for a SEA has been taken further by the Government which requires that</b> a Sustainability Appraisal (SA) <del>be carried out</del> to assess not only the environmental effect of the plan, but also the economic and social effects.”	Factual update
AM12	8	Paragraph 1.12	<del>This publication Local Plan is accompanied by a Sustainability Appraisal/Strategic Environmental Assessment and a Habitats Regulations Assessment.</del>	Factual update
AM13	9/10	Paragraph 1.16  (new paragraph 1.13)	Amend to read:  “In terms of this Local Plan we have co-operated with our partners across the HMA/LLEP on a variety of matters including:  <ul style="list-style-type: none"> <li>Establishing housing <b>and employment</b> requirements <b>through a Housing</b></li> </ul>	Factual update

			<p><b>and Economic Developments Needs Assessment (HEDNA)</b> — a joint Strategic Housing Market Assessment (SHMA) was commissioned by the District Council on behalf of all the partners in 2014. The SHMA set out a range of different scenarios for housing growth up to 2031 and 2036 in order that the Objectively Assessed Needs both for the HMA as a whole and for individual districts could be identified. Following completion of this work a Memorandum of Understanding (MOU) was agreed and signed by all the HMA authorities which confirms that each authority can meet its housing needs to 2028 and that we will continue to work together post 2028. This work is ongoing and will result in the preparation of a Development Strategy beyond 2028.</p> <ul style="list-style-type: none"> <li>• Since the draft Local Plan a further piece of work was commissioned by the District Council to provide more evidence on the likely impact of the Roxhill Strategic Rail Freight Distribution Centre, on the district's housing figures, particularly as this development was approved in January 2016. This study has been the subject of ongoing discussion with our HMA partners.</li> <li>• Establishing employment needs — An assessment of the future economic needs across Leicester and Leicestershire up to 2026 was undertaken in 2008 by the Public and Corporate Economic Consultants (PACEC) on behalf of the then Leicester Shire Economic Partnership. This work was then updated in 2013 on behalf of the LLEP and covered the period 2010 to 2031.</li> <li>• In addition the HMA partners have commissioned a HMA wide Housing and Economic Development Needs Assessment (HEDNA). This will identify an updated housing and employment Objectively Assessed Needs for the HMA and the individual districts and is expected to be completed in September 2016. Once this work is completed it is the intention for a new</li> </ul>	
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			<p><del>Memorandum of Understanding to be agreed.</del></p> <ul style="list-style-type: none"> <li>• Planning for Climate Change – a report commissioned by all the HMA authorities (except Charnwood Borough) which considered the potential of different sources of renewable energy across Leicestershire.</li> <li>• Charnwood Forest - the District Council has worked with Leicestershire County Council, Charnwood Borough Council and Hinckley and Bosworth Borough Council to set up a Charnwood Forest Regional Park Steering Group to oversee the creation of a Regional Park and to agree its long term Vision. This Vision has informed the Charnwood Forest policies of this Local Plan.”</li> </ul>	
AM14	10	Paragraph 1.21	<del>We will continue to cooperate with these various bodies throughout the development of this Local Plan.</del>	Factual update
AM15	10	Paragraph 1.22  (new paragraph 1.18)	Amend to read:  “A wide ranging evidence base <del>has been</del> <b>was</b> used to inform this Local Plan. This can be viewed on the Council’s website ( <a href="http://www.nwleics.gov.uk">www.nwleics.gov.uk</a> ).”	Factual update
AM16	11	Paragraph 1.23  (new paragraph 1.19)	Amend to read:  “The <del>publication</del> Local Plan is divided into a number of themed chapters which then contain a number of policies and supporting text. The policies are shown in grey boxes.”	Factual update
AM17	11	Paragraph 1.24  (new	Amend to read:  “The Local Plan is also accompanied by a Policies Map which shows the location of proposed allocations of land and other land use related policy information, on an	Factual update

		paragraph 1.20)	ordnance survey base map. <del>This map replaces the Proposals Map which accompanies the adopted Local Plan in its entirety.</del> There is one single map which covers the whole district. At a settlement level there are then a series of inset maps which show more details at a suitable scale.”	
AM18	11	Paragraph 1.26	<del>In addition to the publication Local Plan we have also published a number of themed background papers which explain in more detail some of the technical considerations which have informed the Local Plan. In making any comments on this plan please refer to these where appropriate.</del>	Factual update
AM19	11	Paragraph 1.28	<del>All of the supporting documents together with more information about how comments can be made can be viewed on the Council’s website at <a href="http://www.nwleics.gov.uk">www.nwleics.gov.uk</a>. Please note that any comments submitted are made publically available.</del>	Factual update
AM20	15	Paragraph 3.1	Amend first bullet point of Transport and Access section to paragraph 3.1 to read:  “North West Leicestershire benefits from excellent road transport links. It is at the intersection of the M1 motorway and the A42 <del>motorways</del> whilst the A50 provides a link ...”	Factual correction
AM21	16	Paragraph 3.1	Amend last bullet point in respect of Air quality and noise to read:  “There <del>is</del> <b>are</b> noise issues associated with transport, particularly at East Midlands Airport, as well events at Donington Park”.	Typing error
AM22	19	Table 1	Amend Housing section of Table 1 to read:  “Ensure provision of housing to meet the needs <b>of</b> all communities, including provision of housing for older people and families as well as affordable housing.”	Typing error

AM23	20	Table 1	Amend Heritage section of Table 1 - summary of key issues to read:  "The provision of new development needs to be achieved whilst also paying due regard to the protection and enhancement of <del>assets of heritage value</del> <u>assets</u> "	Factual correction
AM24	25	Paragraph 5.11  (new paragraph 5.9)	Amend to read:  "As the population grows it is necessary to ensure that as much of the shopping needs of local people <u>as possible</u> can be met within the district."	To correct grammatical error
AM25	32	Paragraph 5.28  (new paragraph 5.26)	Amend to read:  "Whilst policy seeks to facilitate the diversification of the rural economy, there are also benefits to the protection of the best and most versatile <u>agricultural</u> land. Where appropriate we shall seek the use of areas of poorer quality land in preference to that of agricultural land of a higher quality."	For clarification
AM26	32	Paragraph 5.29  (new paragraph 5.27)	At end of second sentence delete "these are".	Typing error
AM27	32	Paragraph 5.30  (new paragraph	Add a new sentence to the end of paragraph 5.30 to read:  <b><u>"Regard will also be had to the potential impact on landscape beyond the district's boundaries, where appropriate, along with supporting evidence."</u></b>	For clarification

		5.28)		
AM28	34	Paragraph 6.8	Amend to read:  “Building for Life 12 is a design quality indicator for new residential developments that is actively supported by the Home Builders Federation and endorsed by government. Building for Life 12 is aligned to the National <b>Planning</b> Policy Framework and its 12 questions are also aligned to our Place Making Principles.”	Typing error
AM29	39	Policy D2	Amend penultimate section to state:  “ <b>Proposals for external lighting schemes should be designed to minimise potential pollution from glare or spillage of light. The intensity of lighting should be necessary to achieve its purpose, and the benefits of the lighting scheme must be shown to outweigh any adverse effects. “</b>	Typing error
AM30	41	Paragraph 7.2	Amend first sentence to read: “In accordance with policy <del>S2</del> <b>S1</b> provision needs to be made for a minimum of <del>10,400</del> <b>9,620</b> dwellings during the plan period.”	Typing error and factual update
AM31	41	Paragraph 7.3	Amend first sentence to read:  “As already noted some development has taken place since 2011 and there <b>are</b> a number of sites where the Council has previously granted planning permission for housing development.”	Typing error
AM32	42	Paragraph 7.6 and 7.7  (new paragraph	Amend to read:  A significant number of the committed dwellings (3,500) are on sites which are collectively referred to as south-east Coalville. <del>Of these 3,500 dwellings there is permission for 800 dwellings on land north of Grange Road (site H1h) and there is a</del>	Factual update



		7.7)	<del>resolution to grant planning permission on one site, North and South of Grange Road Hugglescote (Site H2g) for 2,700 dwellings.</del> It is estimated that during the plan period that only 1,900 of these 3,500 dwellings are likely to be built.	
AM33	43	Paragraph 7.11	Amend final sentence before Policy H1 to read:  “The sites listed in Policy H1 had the benefit of planning permission as at 1 October 2015 <del>56</del> but development had not started.”	Factual update
AM34	44	Paragraph 7.11	After Policy H1 amend first sentence to read:  “As noted in Table 2 as at 1 October 2015 <del>56</del> some 5,207 <b>8,851</b> dwellings had the benefit of planning permission for housing.”	Factual update
AM35	44	Paragraph 7.12	Amend final sentence before Policy H2 to read:  “Those sites listed in Policy H2 were the subject of a resolution as at 1 October 2015 <del>56</del> .”	Factual update
AM36	45	Paragraph 7.12	After Policy H2 amend first sentence to read:  “As noted in Table 2 as at 1 October 2015 <del>56</del> some 3,506 <b>541</b> dwellings had the benefit of <b>resolution to grant</b> planning permission for housing.”	Factual update and typing error
AM37	45	Paragraph 7.14	Amend to read:  “In <del>the 2002</del> <del>our existing</del> Local Plan there <del>are</del> outstanding housing allocations on land at Waterworks Road Coalville and Wentworth Road Coalville. The Wentworth Road site was originally identified in the Coalville District Plan in the late 1970s. There is no evidence to suggest that this site will come forward for development and therefore <b>this allocation has not been retained</b> <del>it is not proposed to retain this</del> ”	Factual update

			allocation. The land at Waterworks Road is owned by the District Council and it remains our intention for the site to be developed for housing. Therefore, <b><u>the site has been</u></b> <del>we propose that this site be</del> allocated for housing as part of this plan. This site is capable of accommodating about 95 dwellings and so there remains a need to identify additional sites.”	
AM38	46	Paragraph 7.16	Amend first sentence to read:  “The overall scale of development that could be realised ( <del>1,750</del> <b><u>2,050</u></b> dwellings) is more than that required to make up the identified shortfall ( <del>800</del> <b><u>600</u></b> ).”	To be consistent with scale of development proposed by Main Modification 27
AM39	47	Policy H3a	Amend part (vi) to read:  “provision for the discharge of wastewater into the Mease catchment in accordance with the provisions of policy En2. Development which does not meet these provisions will not be permitted. In addition, development will not be permitted <del>until</del> <b><u>unless</u></b> a second ‘development window’ for the Developer Contributions Scheme <del>has been agreed and</del> <b><u>is current.</u></b> <del>n</del> <b><u>No</u></b> more than 600 dwellings will be allowed to be built until provision is made for pumping wastewater from the sewage treatment works at Packington out of the river Mease catchment and;	To reflect the fact that a second Developer Contribution Scheme is already in place
AM40	49	Policy H3c	Amend part (vi) to read:  “provision for the discharge of wastewater into the Mease catchment in accordance with the provisions of policy En2. Development which does not meet these provisions will not be permitted. In addition, development will not be permitted <del>until</del> <b><u>unless</u></b> a second ‘development window’ for the Developer Contributions Scheme <b><u>is current and there is sufficient capacity to accommodate</u></b>	To reflect the fact that a second Developer Contribution Scheme is already in place

			<u>the proposed development in full</u> has been agreed and;”	
AM41	53	Paragraph 7.27  (new paragraph 7.28)	Amend to read:  “The need for affordable housing was one of the issues considered in the <del>SHMA</del> <b>HEDNA</b> . This identified that in North West Leicestershire the estimated level of annual need for affordable housing over the period 2011-2031 was <del>212</del> <b>199</b> dwellings. This equates to about <del>60</del> <b>59</b> % of the highest Objectively Assessed Need (OAN) identified in the <del>SHMA</del> <b>HEDNA</b> for the same period ( <del>350</del> <b>481</b> dwellings each year) and about 40% of the revised OAN which we have concluded we need to make more provision for (535 dwellings each year).”	Factual update
AM42	53	Paragraph 7.28  (new paragraph 7.29)	Amend to read:  “It is important to note that the affordable housing need figure identified in the <del>SHMA</del> <b>HEDNA</b> is not in any way related to or influenced by the overall housing need figure, but is simply an estimate of the need for affordable housing having regard to a range of factors including the number of emerging households, housing waiting list demand, house prices and income levels.”	Factual update
AM43	53	Paragraph 7.29  (new paragraph 7.30)	Amend second sentence to read:  “In the period April 2011 to April 2014 <del>April 2014</del> <b>October 2016</b> some <del>258</del> <b>491</b> affordable dwellings were built out of an overall total of <del>1,028</del> <b>2,690</b> which equates to <del>25</del> <b>18</b> % of all new builds.”	Factual update
AM44	53/54	Paragraph 7.31	Amend last sentence to read:  “. In respect of affordable housing <del>we</del> <b>this</b> considered a number of options ( <del>see box</del>	Factual update

		(new paragraph 7.32)	<del>below) and</del> <b>our preferred approach is set out in policy H4.</b> <del>concluded that Option 1 was the best fit with the results of the modelling undertaken. More details about this can be found in the Viability Study report."</del>					
AM45	55	Paragraph 7.36  (new paragraph 7.41)	Amend first sentence to read:  "We need to secure the provision of more affordable housing in rural areas to meet the needs of local communities, as identified in the <del>SHMA</del> <b>HEDNA</b> ."	Factual update				
AM46	57	Policy H6	Amend H6 (2) (a) to read:  "evidence of housing needs including the most up to date <del>Strategic Housing Market Assessment</del> <b>Housing and Economic Development Needs Assessment</b> , Older People's Housings Needs Study, local housing needs surveys, parish plans and other evidence of market demand;"	Factual update				
AM47	57	Paragraph 7.41  (new paragraph 7.46)	Amend to read:  "The <del>Leicester and Leicestershire Strategic Housing Market Assessment (SHMA)</del> <b>HEDNA</b> indicates a need for various types and sizes of housing as set out below in Table 3. <del>, but particularly smaller housing e.g. 1 and 2 bedroom properties as well as 3 bedroom properties. As such the SHMA recommends that in terms of housing size, the following mix should be supported within the district."</del>	Factual update				
AM48	58	Table 3	Amend Table 3 to read:  Table 3 – dwelling mix suggested by <del>SHMA</del> <b>HEDNA</b> <table><tr><th>Type of</th><th>Dwelling size</th></tr><tr><td></td><td></td></tr></table>	Type of	Dwelling size			Factual update
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			<table><tr><td>Housing</td><td>1 bed</td><td>2 bed</td><td>3 bed</td><td>4 bed</td></tr><tr><td>Market</td><td><del>5-10%</del> <u>0-10%</u></td><td><del>35-40%</del><u>30-40%</u></td><td><del>45-50%</del><u>45-55%</u></td><td><del>10-15%</del><u>10-20%</u></td></tr><tr><td>Affordable</td><td><del>33.3%</del><u>30-35%</u></td><td><del>35.2%</del><u>35-40%</u></td><td><del>28.9%</del><u>25-30%</u></td><td><del>2.5%</del><u>5-10%</u></td></tr></table>	Housing	1 bed	2 bed	3 bed	4 bed	Market	<del>5-10%</del> <u>0-10%</u>	<del>35-40%</del> <u>30-40%</u>	<del>45-50%</del> <u>45-55%</u>	<del>10-15%</del> <u>10-20%</u>	Affordable	<del>33.3%</del> <u>30-35%</u>	<del>35.2%</del> <u>35-40%</u>	<del>28.9%</del> <u>25-30%</u>	<del>2.5%</del> <u>5-10%</u>								
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AM49	58	Paragraph 7.43  (new paragraph 7.48)	In second sentence delete reference to “SHMA” and replace with “HEDNA”.	Factual update																						
AM50	58	Table 4	Amend Table 4 to read:  <table><tr><th rowspan="2">Type of Housing</th><th colspan="4">Dwelling size</th><th rowspan="2">Total</th></tr><tr><th>1 bed</th><th>2 bed</th><th>3 bed</th><th>4+ bed</th></tr><tr><td>Market</td><td><del>182(5.2%)</del> <u>105 (2.5%)</u></td><td><del>588(16.9%)</del> <u>466(11.2%)</u></td><td><del>1167(33.5%)</del> <u>1,462 (35%)</u></td><td><del>1546(44.4%)</del> <u>2,146 (51.4%)</u></td><td><del>3483</del> <u>4,179</u></td></tr><tr><td>Affordable</td><td><del>90(14.3%)</del> <u>131</u></td><td><del>339(53.7%)</del> <u>430</u></td><td><del>195(31%)</del></td><td><del>7(1%)</del></td><td><del>631</del></td></tr></table>	Type of Housing	Dwelling size				Total	1 bed	2 bed	3 bed	4+ bed	Market	<del>182(5.2%)</del> <u>105 (2.5%)</u>	<del>588(16.9%)</del> <u>466(11.2%)</u>	<del>1167(33.5%)</del> <u>1,462 (35%)</u>	<del>1546(44.4%)</del> <u>2,146 (51.4%)</u>	<del>3483</del> <u>4,179</u>	Affordable	<del>90(14.3%)</del> <u>131</u>	<del>339(53.7%)</del> <u>430</u>	<del>195(31%)</del>	<del>7(1%)</del>	<del>631</del>	Factual update
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				(16.2%)	(53.2%)	241(29.8%)	7 (0.9%)	809		
AM51	59	Paragraph 7.44  (new paragraph 7.49)	Amend to read:  "As a result when compared to the <del>SHMA</del> <b>HEDNA</b> there is a need now to ensure that future developments, including those sites where only outline planning permission has been granted ( <del>on which there are 7,210 dwellings</del> ), need to focus on delivering 2 and 3 bedroom properties in order to provide a better balance in the housing market. "							Factual update
AM52	59	Paragraph 7.45  (new paragraph 7.50)	Amend second sentence to read as:  "The Planning Policy for Traveller Sites (PPTS) ( <del>March 2012</del> <b>August 2015</b> ), which relates to Gypsies, Travellers and Travelling Showpeople, sets out the Government's planning policy and should be read in conjunction with the NPPF."							Factual update
AM53	60	Paragraph 7.48  (new paragraph 7.53)	Amend second sentence to read:  "Therefore we, along with Leicester City Council and the majority of the other Leicestershire authorities, <del>have are seeking to commission</del> <b>ed</b> consultants to complete a new GTAA, for which the policy accommodates."							Factual update
AM54	63	Paragraph 8.12	<del>The figure of 15,000 jobs is higher than that suggested by the PACEC study referred to in chapter 5 because it post-dates the effect of the recent recession and takes account of the potential job creation associated with the East Midlands Gateway.</del>							Factual update
AM55	66	Paragraph 8.26	Amend to read:  "As noted at Table 5 there is a shortfall in employment provision of about <del>6</del> <b>39</b>							Factual update

		(new paragraph 8.21)	hectares. In deciding which site (or sites) should be allocated to address this shortfall we have had regard to a range of sites which have previously been notified to <b>the Council</b> as part of an Employment Land Availability Assessment (ELAA) we undertook in 2013/14.”	
AM56	67/68	Policy Ec2	Amend (1) (i) to read:  “Provision for the discharge of wastewater into the Mease catchment in accordance with the provisions of policy En2. Development which does not meet these provisions will not be permitted. In addition, development will not be permitted <del>until</del> <b><u>unless a second ‘development window’ for the Developer Contributions Scheme has been agreed is current, and there is sufficient capacity to accommodate the proposal in full.</u></b> ”	To reflect the fact that a second Developer Contribution Scheme is already in place
AM57	69	Paragraph 8.37  (new paragraph 8.33)	Amend first sentence to read:  “In respect of other sites not identified as Primary Employment Areas it is recognised that notwithstanding <b>the</b> role they play in the local economy it may sometimes be appropriate to allow their redevelopment for non-employment uses.”	Typing error
AM58	69/70	Paragraph 8.38  (new paragraph 8.34)	Amend to read:  “Land at Ashby Business Park was originally allocated for the development of a High Quality Business Park in the <del>adopted</del> <b><u>2002</u></b> North West Leicestershire Local Plan. The initial permission included a condition which sought to restrict the use of the site to B1 and B2 uses only, in order to maintain a Business Park environment. Development commenced in the 1990s but in recent years there has been limited progress in developing the remainder of the site. There have been previous planning applications for other uses including retail, hotel and public houses. These	Factual update

			<p>have been resisted for various reasons, including non-compatibility with the original aims of the adopted <del>2002</del> Local Plan <b><u>and design issues which conflict with the original aim of creating a business park environment at this important approach to Ashby de la Zouch.</u></b> A study undertaken in 2010 of existing and proposed employment areas concluded that whilst the site should continue to be protected for employment use that it would be appropriate to consider allowing some B8 development to the rear of the site so as to add value to the site. <b><u>In recognition of this it is proposed to allow for some B8 uses on the site. In order to maintain the original business park appearance of the overall site it is proposed that B8 uses would be allowed on those parts of the site which do not adjoin the A42 or the A511. In terms of other non-employment uses these will be considered against the provisions of Ec3(2)."</u></b></p>	<p>For clarification.</p> <p>For clarification.</p>
AM59	70/71	Policy Ec3	<p>Amend part 5 to read:</p> <p>"Any development provided for within this policy which discharges wastewater into the Mease catchment will be subject to the provisions of policy En2. Any such development which does not meet these provisions will not be permitted. In addition, new development provided for within this policy (i.e. that which does not already have planning permission) will not be permitted until <b><u>unless a second 'development window' for the Developer Contributions Scheme has been agreed is current, and there is sufficient capacity to accommodate the proposal in full.</u></b>"</p>	To reflect the fact that a second Developer Contribution Scheme is already in place
AM60	71	Paragraph 8.39  (new paragraph)	<p>Add a new sentence to the end of paragraph 8.39, to read:</p> <p><b><u>"National aviation policy is set out in the Aviation Policy Framework (DfT 2013) that recognises the benefit of aviation and sets out a primary objective to achieve long-term economic growth. As aviation is a major contributor to the economy, its growth is supported within a framework that maintains a balance</u></b></p>	For clarification.



		8.35)	<b><u>between its benefits and costs, particularly climate change and noise."</u></b>	
AM61	71	Paragraph 8.40  (new paragraph 8.36)	Amend first bullet point at paragraph 8.40 to read:  "The 11th busiest passenger airport in the UK handling <del>4,332,000</del> <b>4.4 million</b> passengers in <del>2013</del> <b>2015"</b>	Factual update
AM62	71	Paragraph 8.40  (new paragraph 8.36)	Amend second bullet point at paragraph 8.40 to read:  "The UK's largest pure cargo airport handling <del>300,000</del> <b><u>320,000</u></b> tonnes in <del>2013</del> <b><u>2015</u></b> and the 15th largest cargo airport in Europe"	Factual update
AM63	71	Paragraph 8.40  (new paragraph 8.36)	Insert additional bullet point to state:  <b><u>"On-site employment was about 7,100 jobs in 2015</u></b>	Factual update
AM64	72	Paragraph 8.43  (new paragraph 8.39)	Amend second sentence to read:  "There are no plans for the development of a second runway but the airport <del>does want to extend the life of the</del> <b><u>has implemented a</u></b> planning permission that was granted in 2011 for the construction of a 190 metre runway extension."	Factual update

AM65	72	Paragraph 8.45  (New paragraph 8.41)	Delete paragraph 8.45 and replace with the following:  <b><u>“Aircraft and airport operations at East Midlands Airport result in high levels of noise disturbance, particularly at night when background noise is generally lower. As a result of the recent implementation of a permission to extend the runway there are now some restrictions in respect of night time noise associated with planes using the airport. Notwithstanding these restrictions there remain concerns about night time noise issues on local communities and so we will continue to work with the airport to ensure that any impacts are minimised as far as possible.”</u></b>	Factual update and for clarification
AM66	76/77	Policy Ec6	Amend numbering of Ec6(1)(e) to (j)  ( <del>ei</del> ) long stay ....  ( <del>fii</del> ) open storage ...  ( <del>giii</del> ) development likely ...  ( <del>hiv</del> ) public open ....  ( <del>iv</del> ) golf courses....  ( <del>jvi</del> ) allotments.	For clarification
AM67	78	Paragraph 8.56  (new paragraph	Amend second sentence of paragraph 8.56 to read:  "As a consequence, Donington Park Racing's growth ambitions include <del>[a 10ha western]</del> extensions to the <del>[racetrack area]</del> <b><u>west and south of the circuit</u></b> to provide for motorsport development and related activities <del>such as research</del> . <b><u>Only the westerly extension is allowed for on the Policies Map, as it is considered that</u></b>	For clarification.

		8.52)	<b><u>a southerly extension would be injurious to the appearance and character of the local landscape</u></b> ."	
AM68	79	Policy Ec7	At end of Ec7(1)(d) add in the words " <b><u>and heritage assets</u></b> ".	Minor change to ensure adequate protection of Heritage Assets
AM69	84	Paragraph 8.76  (new paragraph 8.72)	Amend last sentence to read:  "The 2012 Retail Study advised that the thresholds set out below in Policy <del>Ec10</del> <b><u>Ec9</u></b> should, be used to require proposals outside of the defined centres.	Typing error
AM70	88	Paragraph 8.88  (new paragraph 8.84)	Amend to read:  " The <del>emerging</del> North West Leicestershire: Local Growth Plan 2014-2018, supports the development and enhancement of the local tourism offer in the district, and seeks to increase the number of visitors as well as the number of overnight stays, alongside increased private investment and employment opportunities in visitor related facilities. "	Factual update
AM71	88	Policy Ec13	Amend last sentence of part 2 to read:  "Outside of the Limits to Development preference would be for tourism and tourism related development to <del>make the re-use of</del> land and <b><u>/or</u></b> buildings."	For clarification
AM72	95	Policy IF3	Amend part 4 to read:  "In assessing the appropriateness of development which would result in the loss of	Typing error

			a site which at the time the development <del>proposes</del> <u>proposal</u> is considered, is an open space, sports or recreation facility within the Limits to Development, the following principle will be taken into consideration”	
AM73	95	Policy IF3	Amend part 5 to read:  “Proposals involving the potential loss of an open space, sports or recreation facility outside of the limits to development will be considered under the provisions of the Countryside policy (Policy <del>S4</del> <u>S3</u> ).”	Typing error
AM74	97	Paragraph 9.20	Amend second sentence to read as:  “Our settlement hierarchy (Policy <del>S3</del> <u>S2</u> ) seeks to reduce the need to travel by locating development in the most sustainable locations.”	Typing error
AM75	97	Paragraph 9.22	Amend third sentence of paragraph 9.22 to read:  "For motorways and trunk roads the highway authority is <del>the Highways Agency</del> <u>England</u> , whilst..."	Factual correction
AM76	98	Paragraph 9.27	Amend paragraph to read as :  “The Government believes that a national high speed rail network offers a once-in-a-generation opportunity to transform the way we travel in Britain. <b><u>An initial preferred route was published on</u></b> <del>On 28 January 2013, the Secretary of State for Transport announced the preferred route and stations for extending High Speed Rail line (HS2) routes beyond Birmingham to Manchester and to Leeds (known as phase 2). The initial proposed route for the Birmingham to Leeds leg of HS2. This passed</del> through North West Leicestershire. <del>It</del> mainly following the A42 corridor and then through a tunnel under the East Midlands Airport and across the M1 and	Factual update

			River Trent Valley to a new station at Toton near Long Eaton. <b><u>On 15 November 2016 revised proposals were published. Whilst most of the route through North West Leicestershire was unchanged the revised route is now proposed to go east of Measham rather than to the west, whilst it is no longer proposed to have a tunnel under East Midlands Airport. Instead the route follows the A42 and then follows the M1 to the west of Kegworth.</u></b>	
AM77	98	Paragraph 9.28	Amend paragraph to read as :  <b><u>“Alongside the revised proposals a Safeguarding Direction was published which has the effect of requiring the Council to consult with HS2 on planning applications which fall within the safeguarded area. A decision on the final route of HS2 is expected later in 2016 2017. At the present time it does not have any formal planning status.”</u></b>	Factual update
AM78	99	Policy IF5	Amend last part of policy to read:  “Any development provided for within this policy which discharges wastewater into the Mease catchment will be subject to the provisions of policy En2. Any such development which does not meet these provisions will not be permitted. In addition, development will not be permitted <del>until</del> <b><u>unless a second ‘development window’ for the Developer Contributions Scheme has been agreed is current, and there is sufficient capacity to accommodate the proposal in full.</u></b> ”	To reflect the fact that a second Developer Contribution Scheme is already in place
AM79	99	Paragraph 9.32	Delete the second sentence:  <del>“A decision on HS2 is expected later in 2015.”</del>	Factual Update
AM80	101	Paragraph	Add " <b><u>between Measham and Donisthorpe</u></b> " to the end of the first sentence of	For clarification.

		9.39	paragraph 9.39.	
AM81	108	Paragraph 10.22	<p>Amend to read:</p> <p>“In addition, a Developer Contribution Scheme (DCS1) was adopted by the District Council on 22 November 2012. This sets out the level of financial contribution expected from new developments within the river Mease catchment. <b><u>Due to the capacity in DCS1 being taken up, the Council approved DCS2 in September 2016.</u></b> The[se] contributions <b><u>required under DCS1 and DCS2 (together with any subsequent DCS)</u></b> are to be used to implement measures in the WQMP designed to reduce phosphorous levels thereby ensuring that new development does not lead to deterioration in water quality, or cause a net increase in phosphorous levels.”</p>	Factual update
AM82	108/109	Paragraph 10.24	<p><del>The first Development Window was set at 700 grams of phosphorous per day which equates to 2,400 3 bed dwellings. As the amount of phosphorous from new development is now approaching the capacity of the Development Window, a second Development Window has been identified. A DCS2 has been prepared and is currently going through the process of consultation before being adopted by the relevant local authorities. Once adopted DSC2 will ensure that there is sufficient capacity available to accommodate the development proposed in this Local Plan without affecting the integrity of the river Mease SAC.</del></p>	Factual update
AM83	109	Paragraph 10.25 (new paragraph 10.24)	<p>Amend first sentence of paragraph 10.25 to read:</p> <p>"As noted in DSC2 there is now agreement by Severn Trent, the Environment Agency and Natural England that in order to meet the conservation objectives the most effective long term solution <del>involves pumping</del> <b><u>is that all sewage effluent derived from developments within North West Leicestershire which currently discharge to the Waste Water Treatment Works at Packington and Measham will</u></b></p>	For clarification.

			<b><u>be pumped</u></b> out of the catchment."	
AM84	111	Policy En3	Amend Policy En3 (4)(b) to read:  "the proposed development respects and does not adversely affect the character and appearance of <b><u>the National Forest or</u></b> the wider countryside; <b><u>and</u></b> "	For clarification.
AM85	111	Policy En3	Add new criterion (c) to En3(4) to read:  <b><u>"the character of the National Forest is enhanced through incorporating a National Forest or locally inspired identity."</u></b>	For clarification.
AM86	112	Paragraph 10.40  (new paragraph 10.39)	Amend second sentence to read:  "Therefore, the provisions of the policy below have to be read in conjunction with the countryside policy (Policy S4 <u>3</u> )."	Typing error
AM87	113	Paragraph 10.43  (new paragraph 10.42)	Amend second sentence to read:  "This is recognised in the Countryside policy (policy S4 <u>3</u> ) where the potential impact upon the separation between settlements is an important consideration in determining proposals for development."	Typing error
AM88	120	Paragraph 11.19	Amend first sentence to read:  "The shop fronts within Ashby de la Zouch <b><u>and Castle Donington</u></b> town centres are predominantly..."	For clarification.

AM89	120	Paragraph 11.21	Amend first sentence to read:  "Due to the overall character and historic interest of the core shopping areas within Ashby de la Zouch and <b><u>Castle Donington</u></b> it is..."	For clarification.
AM90	122	Paragraph 12.4	Amend first bullet point to read:  "Ensuring a sustainable pattern of development, including improvement to the self-containment levels of the principal town, key service centres and local service centres and a reduction in the need to travel (see Policy S32);"	Typing error
AM91	123	Paragraph 12.7	Amend to read:  "Pre-application consultation must be undertaken in accordance with national legislation. Detailed technical assessments will be expected to demonstrate that the proposed siting is appropriate and does not result in any unacceptable impacts in terms of, <b><u>for example</u></b> , noise, highway safety, bats <b><u>and</u></b> shadow flicker when assessed against relevant standing advice."	For clarification
AM92	125	Paragraph 12.12	Delete second and third sentences and replace with:  " <b><u>In respect of heritage assets (and their settings) and landscape designations, this will require a detailed assessment during the planning process and will be assessed on a site by site basis. In respect of landscape designations these will have regard to the National Character Area profiles; more information about these can be found at paragraph 5.27 of this Local Plan.</u></b> "	For clarification
AM93	126	Policy Cc2	Amend Policy Cc2 (2)(b) to read:  "Site –specific Flood Risk Assessments should consider the issues of flooding from	For clarification.



			sewers, canal infrastructure failure, <del>and</del> groundwater rising from former coal mining areas <b><u>and watercourses; and</u></b>	
AM94	127	Policy Cc3	Amend Policy Cc3(1)(b) to read:  “b) That the SuDS scheme will itself adversely affect the environment <del>of</del> <b><u>or</u></b> safety.”	For clarification
AM95	130	Policy IM1	Amend first sentence of paragraph 4 to read:  “Where additional housing sites need to be brought forward initial priority will be given to those sites identified within the most recent Strategic Housing Land Availability Assessment (SHLAA) and having regard to the settlement hierarchy set out in Policy <del>S3</del> <b><u>S2</u></b> .”	Typing error
AM96	130	Paragraph 13.5	At end of paragraph add in additional sentence:  <b><u>“The policies in this Local Plan are the strategic policies that Neighbourhood Plans will be required to be in conformity with.”</u></b>	For clarification
AM97	130	Paragraph 13.8  (new paragraph 13.6)	Amend second sentence to read:  “Applications for planning permission must then be determined in accordance with the <b><u>development plan including the</u></b> neighbourhood plan, unless, material considerations indicate otherwise.”	Factual correction
AM98	136	Appendix 1	Insert the following after “Heat Island “ and before “Housing Market Area”:  <b><u>“The purpose of the HEDNA is to assess future development needs for housing (both market and affordable) and economic development uses (which includes</u></b>	For clarification

			<b><u>employment land and main town centre uses). The HEDNA provides evidence concerning future development needs – for housing, employment land and retail floorspace. It does not make policy decisions regarding what levels of development should be planned for.”</u></b>	
AM99	139	Appendix 1	Amend definition of Policies Map to read:  “This <del>will</del> illustrates, on an Ordnance Survey Base Map, designations and proposals contained in the <b>Local Plan. Development Plan Documents and Saved Policies.</b> <del>The Proposal Map is referred to as a policies map.”</del> ”	For clarification
AM100	142	Appendix 1	Delete reference to Strategic Housing Market Assessment	Factual update
AM101	143	Appendix 2	Replace housing trajectory with that based at 1 October 2016 and taking account of HEDNA	Up-to-date information
AM102	149	Appendix 5 – Monitoring Framework	For Policy S1, amend targets to read:  “A minimum of <del>10,400</del> <b>9620</b> dwellings to be built by 2031 (equates to <del>520</del> <b>481</b> dwellings per year).”  “ <del>96</del> <b>66</b> hectares of employment land to be developed by 2031.”	To take account of Main Modification 9
AM103	151	Appendix 5 – Monitoring Framework	For Policy H1, amend target to read:  “Meet the projected completions (for each approved development) as set out in the housing trajectory as set out in policy <del>S2</del> <b>S1</b> .”	Typing error
AM104	151	Appendix 5 – Monitoring	For Policy H2, amend target to read:  “Meet the projected completions (for each approved development) as set out in the housing trajectory. As set out <del>in</del> within policy <del>S2</del> <b>S1</b> .”	Typing error

		Framework		
AM105	151	Appendix 5 – Monitoring Framework	For Policy H3, amend target to read:  “Meet the projected completions as set out in the housing trajectory. As set out within policy <del>S2</del> <u>S1</u> .”	Typing error
AM106	151/152/153	Appendix 5 – Monitoring Framework	For Policy H4, amend indicator to read:  “Number of affordable homes granted planning permissions through: <ul style="list-style-type: none"> <li>• <del>Sites of 15 or more, in Ashby de la Zouch or Castle Donington, with 30% or more affordable housing;</del></li> <li>• <del>Sites of 15 or more, in Coalville Urban Area, with 20% or more affordable housing;</del></li> <li>• <del>Sites of 11 or more (or 1000sqm (gross) floor space), in Ibstock, Kegworth or Measham, with 30% or more affordable housing;</del></li> <li>• <del>Sites of 11 or more (or 1000sqm (gross) floor space), in all other settlements, with 30% or more affordable housing.”</del></li> </ul> <p><b><u>Greenfield Sites</u></b> <b><u>(Applies to sites of 11 or more or 1000sqm (gross) floor space)</u></b></p> <p><b><u>Coalville Urban Area, Ibstock – Minimum 20% affordable housing contribution</u></b></p> <p><b><u>Ashby de la Zouch, Castle Donington, Kegworth, Measham and all other settlements – Minimum 30% affordable housing contribution</u></b></p> <p><b><u>Previously Developed Land</u></b> <b><u>(Applies to sites of 30 or more or sites of 1ha or more)</u></b></p>	To take account of Main Modification 33

			<p><b><u>Ashby de la Zouch and Measham – Minimum 15% affordable housing contribution</u></b></p> <p><b><u>Coalville Urban Area, Ibstock, Castle Donington, Kegworth and all other settlements – Minimum 5% affordable housing contribution</u></b></p>															
AM107	151/152	Appendix 5 – Monitoring Framework	<p>For Policy H4, amend target to read:</p> <p>“Deliver affordable housing dwellings in the district, in accordance with the specified minimum affordable housing contribution for each of its settlements, as detailed <b><u>in Policy H4</u></b> below:</p> <ul style="list-style-type: none"> <li>● <del>30% of housing on sites of 15 or more, in Ashby de la Zouch or Castle Donington, as affordable housing;</del></li> <li>● <del>20% of housing on sites of 15 or more in the Coalville Urban Area, as affordable housing;</del></li> <li>● <del>30% of housing on sites of 11 or more (or 1000sqm (gross) floor space), in Ibstock, Kegworth or Measham, as affordable housing;</del></li> <li>● <del>30% of housing on sites of 11 or more (or 1000sqm (gross) floor space), in all other settlements, as affordable housing.</del></li> </ul>	To take account of Main Modification 33														
AM108	154	Appendix 5 – Monitoring Framework	<p>For Policy H6, amend target to read:</p> <table border="1"> <thead> <tr> <th rowspan="2">Type of Housing</th><th colspan="4">Dwelling size</th></tr> <tr> <th>1 bed</th><th>2 bed</th><th>3 bed</th><th>4 bed</th></tr> </thead> <tbody> <tr> <td>Market</td><td><del>5-10%</del> <b><u>0-10%</u></b></td><td><del>35-40%</del> <b><u>30-40%</u></b></td><td><del>45-50%</del> <b><u>45-55%</u></b></td><td><del>10-15%</del> <b><u>10-20%</u></b></td></tr> </tbody> </table>	Type of Housing	Dwelling size				1 bed	2 bed	3 bed	4 bed	Market	<del>5-10%</del> <b><u>0-10%</u></b>	<del>35-40%</del> <b><u>30-40%</u></b>	<del>45-50%</del> <b><u>45-55%</u></b>	<del>10-15%</del> <b><u>10-20%</u></b>	Factual update
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			<b>Affordable</b>	<del>33.3%</del> <b>30-35%</b>	<del>35.2%</del> <b>35-40%</b>	<del>28.9%</del> <b>25-30%</b>	<del>2.5%</del> <b>5-10%</b>		
AM109	155	Appendix 5 – Monitoring Framework	For Policy Ec1, amend target to read:  “Delivery of each of the Employment allocations that have permission in accordance with local plan policy <del>S2</del> <b>S1</b> .”						Typing error

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**North West Leicestershire District Council  
Council Responses to Local Plan Additional Modifications Consultation  
Representations**





## Policies Map - General

Respondent: <b>Mary Smith</b>		Representation Number: 118/01/PM	
<b>Comments:</b> I would like to object to the proposed Local Plan 2015, proposed by North West Leicestershire District Council, to down grade my land from J3 to S4 Limited Development.		<b>Council Response:</b> It is the Council's view that the issues raised in this representation do not relate to either the Main Modifications or new documentary evidence produced since the Plan was submitted for Examination. The Council does not, therefore, propose to address the points raised.	

## Policies Map – Main Map

Respondent: **Everything is Somewhere on behalf of Wheatcroft Properties Ltd**

Representation Number: 37/01/PM

### Comments:

The Policies Map has excluded an area of land which is shown edged red on attached plan Ref No 13127 DP LPMoD Ec7 which Wheatcroft Properties Ltd (WPL) consider should be included in light of it's previous use and character relative to land which is included on the Policies Map. In addition WPL request that the area shown edged green is also included on the Policies Map. Finally Paragraph 8.52 (modified number) lacks clarity in describing the areas of land allocated. The Plan referred to has been sent by email to NWLDC.

Background information;

- The land shown on the Policies Map in relation to Policy Ec7 is shown edged and hatched blue on Plan No 13127 DP LPMoD Ec7.

- Paragraph 8.52 states - "The ongoing investment required to manage and operate a race circuit to an international standard is significant and without income generation from other uses on site the circuit alone would not be viable. As a consequence, Donington Park Racing's growth plans include [a 10ha western] extensions to the [racetrack area] west and south of the circuit to provide for motorsport development and related activities such as research. Only the westerly extension is allowed for on the Policies Map, as it is considered that a southerly extension would be injurious to the appearance and character of the local landscape."

- It is understood that the wording for 8.52 is based on the comparison between a plan titled "Draft 3" dated October 3rd 2014 and the final Policies Map.

- WPL based their proposed areas for policy Ec7 on Plan No 11558 DPR Local Plan dated November 20th 2015. This plan was submitted as part of the Consultation Process.

### Council Response:

In respect of paragraph 8.52 it is considered that the proposed wording is appropriate as it reflects the previous discussions on this site.

In regards to the 'red' and 'green' areas of land identified on the map provided as part of the representation the 'red' land is used by Stephenson College as a construction plant training centre. The most recent permission (12/00433/FUL Change of use to form construction plant training facilities) was granted in 2013. In granting planning permission, the proposed use was not considered to 'be essential to, nor have a functional relationship with, the racetrack.' The Council did, however, conclude that the permission was in effect 'temporary'. The 'green' land does not seem to have any relevant or recent planning history. The land seems to be of a similar character to other, adjoining land to the north and east that also lies outside the boundary of the Ec7 designation on the Policies Map. Given this background, the council is of the view that neither the 'red' or 'green' land should be included within the Ec7 policies map designation.

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With reference to the Draft 3 Plan it can be seen that this includes various areas not included on the Policies Map. These include the western part of the land shown shaded green and also an area also shown edged green which lies adjacent to the A453 and Hill Top Road. It is understood that the reference in Paragraph 8.52 as the “southerly extension” does in fact specifically refer to the the latter.

It can therefore be seen that the commentary in Paragraph 8.52 doesn’t accord with the Policies Map. WPL submitted a response on this point amongst others at the Publication Stage of the Local Plan. In that submission WPL proposed that the wording in Paragraph 8.56 (previous number) be changed from;

As a consequence, Donington Park Racing’s growth plans include a 10ha western extension to the racetrack area to provide for motorsport development and related activities such as research.

to

As a consequence, Donington Park Racing’s growth plans include extensions to the west and south of the circuit as shown on the Policies Map, to provide for motorsport development and related activities.

It can be seen that this wording was accepted however the final sentence now contradicts the areas shown on the Policies Map. Removal of this final sentence would address this point.

Turning to the land omitted as shown on Plan No 13127 DP LPMod Ec7 this is located immediately to the south of the land for the auction of plant and machinery and to the west of the land used for car parking by East Midlands Airport. The was for many years used for training by Stephenson’s College and is “made up” ground. The land is well screened by virtue of existing buildings and the shelter belt which runs along the southern boundary of the area. In light of it’s location within Donington Park, it’s location relative to the auction site and the airport carpark and that it is well screened WPL are seeking this land to be included on the Policies Map.

In addition WPL have requested that the area shown edged green is also included on the Policies Map relating to Ec7. This area of land has historically been used for car parking in conjunction with

## Policies Maps

events taking place at Donington Park. Up until approximately 3 years ago there was a brick built ticket office on the land which is still shown on the plan. The land is grass with the benefit of a brick wall adjacent to the highway which in part screens the land. At the western end of the land edged green is The Tower and the adjoining "Tower Entrance". This area of land needs to be considered in relation to adding features. To the northern boundary is a STW water storage area with steep banks around it and to the north and west of the land there is the concrete panel "10ft wall" which surrounds the race track.

**Suggested Revised Wording:**

With regard to Paragraph 8.52 the removal of the final sentence "Only the westerly extension is allowed for on the Policies Map, as it is considered that a southerly extension would be injurious to the appearance and character of the local landscape." removes the confusion between the land identified on the Policies Map and the commentary.

### Policies Map 3 (Ashby de la Zouch)

Respondent: <b>David Bigby</b>		Representation Number: 5/15/PM3	
<b>Comments:</b> This map contains a number of inaccuracies.  It fails to show several developments which have planning permission and/or are currently being built.  I would also strongly advocate removing the employment land allocation near Smisby Road and increasing the size of the other new employment land allocation off the A511 proportionately in order to reduce the impact on the residents of Cliftonthorpe and keep the employment area in one place.  <b>Suggested Revised Wording:</b> see above		<b>Council Response:</b> The original Policies Maps were published in June 2016. Since then development has commenced on a large number of sites that were listed in Policies H1 and H2 of the Submission version of the Local Plan (June 2016). Policies H1 and H2 have been amended to provide information on sites as at 1 October 2016 consistent with the housing trajectory. It is proposed to amend the policies maps to reflect these changes.  See response to MM9 (5/12/MM40)	

Respondent: <b>Savills on behalf of Conygar Ashby Limited</b>		Representation Number: 3/03/PM3	
<b>Comments:</b> See comments on MM9.		<b>Council Response:</b> See response to MM9 (14/01/MM9)	

Respondent: <b>Ashby de la Zouch Town Council</b>		Representation Number: 24/13/PM3	
<b>Comments:</b> As highlighted under MM22 the inset map for Ashby is misleading as Woodcock Way is not included in the Money Hill development. The inset map should also show land that is already		<b>Council Response:</b> Sites where development has started have been taken out of Policy H1 and/or H2 and the relevant policies	

## Policies Maps

<p>being developed, it is misleading as there appears to be areas of land within the limits to development that are available for development e.g. alongside Burton Road. However these areas are already being developed.</p> <p><b>Suggested Revised Wording:</b> Inset map 3 should be amended to show areas already with planning permission where building has commenced. The Woodcock Way development can then be seen to be connected with the wider Money Hill development.</p>	<p>maps have been amended. Development has commenced on the site at Woodcock Way and this has been reflected on the Policies Map to ensure a consistent approach. Therefore, it is considered that there is no need to amend the Policies Map.</p>
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Respondent: <b>Iceni Projects</b>	Representation Number: 45/05/PM3
<p><b>Comments:</b> The Money Hill Consortium welcomes the main modification that provide the policy support for the production of a masterplan in consultation with a range of stakeholders, including the district and town council. The Money Hill Consortium has worked closely with stakeholders even before NWDLC first embarked on the preparation of a new Local Plan and wish to maintain this strong collaborative working. This is in the interests of ensuring that the Money Hill site is comprehensively developed and includes a range of land uses. Consequently, as acknowledged in the addendum to the Sustainability Appraisal, whilst the quantum of development identified at the “land north of Ashby” has risen through the Main Modifications process the requirement to prepare a masterplan for the site will seek to mitigate any harm.</p> <p><b>Suggested Revised Wording:</b> In identifying the above and avoiding any ambiguity it would be helpful if the area to be covered by a comprehensive masterplan was demarcated on Inset Map 3 of the Policies Plan.</p>	<p><b>Council Response:</b>  Noted. It is not considered necessary to include an additional boundary on the Policies Map. However, it would be appropriate for information to include an additional appendix which identifies the extent of Money Hill that is expected to be the subject of a Masterplan.</p>

## Policies Map PM14 (Ibstock)

Respondent: **Barbara O'Sullivan**

Representation Number: 125/01/PM14

**Comments:**

Reference Land to the South of High Street Ibstock Ib20  
Plus Land to the rear of 111a and 121 High Street

We bought 119 High Street in 1986 with the knowledge that the land to the rear was included in the Housing Development plan as was the other land extending to the rear of 111a High Street (inclusive).

We used the land for our family but always intended to sell it for development at the appropriate time. The adjacent strip to the rear of 121 High Street was already owned by housebuilders (David Wilson Homes). In the past 30 years, since we moved here, we have not been informed nor consulted about any change in the status of this land and were quite shocked when we heard via the Conservation department that all this land had been reverted to "outside the development plan" and additionally dismayed by their proposal to include the land to the rear of 119-121 High Street within the conservation area boundary.

Five years ago, we entered into discussions with David Wilson homes (DWH). In November 2013, we signed an option on our land for three years plus an ongoing period of eighteen months. Since then we have had regular meetings with them and discussions on the progress of the development. The plans showed the development to cover all the land to the rear of 111a - 121 High Street. David Wilson Homes held pre-planning discussions with NWL Council and to our knowledge everything was progressing well. Access was to be through Hextall Drive on the Legion Drive estate. The project was delayed by disagreement over the settlement of a ransom strip held by David Thornton Baker and the British Legion. At present DWH have withdrawn from the negotiations. However, this position could change at any time with interest from another developer with an alternative plan and we want to be able to develop our land should that occur.

**Council Response:**

It is the Council's view that the issues raised in this representation do not relate to either the Main Modifications or new documentary evidence produced since the Plan was submitted for Examination.

The site is allocated in the adopted Local Plan (2002) as housing allocation H4I. Despite being allocated for housing development there has been no evidence that the site would come forward for development and nor has it been promoted through the Local Plan process.

<p>Since this has been going on for a significant period and because we have not previously been informed of any changes to the status of our land, we feel it would be grossly unfair if we were unable to continue with this development or indeed a different project tailored to the needs of the village and the environment. This area of land is in the centre of the village, close to the Health Centre, chemist and post office. It is a very short walk to both primary and secondary schools. It is an ideal place for people to live and should not be taken out of the building plan nor committed to the conservation area.</p> <p><b>Suggested Revised Wording:</b> Our request is that the "Limits to Development" boundary should be modified to include the land to the rear of 121 - 119 High Street and also the land to the rear of 111a High Street adjoining Hextall Drive.</p>	
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## Policies Map PM15 (Kegworth)

Respondent: <b>Chave Planning Limited on behalf of Jarrom Agricultural Services</b>		Representation Number: 65/01/PM15
<p><b>Comments:</b></p> <p>Since the Government confirmed the route of HS2 Phase 2b on the 17th July 2017, it is considered that the route should be shown on the Policies Map.</p> <p>It is also noted that the extent of site allocation H3d has been incorrectly mapped, such that it extends slightly over the area safeguarded for HS2. The 5.9ha site promoted by the landowner Jarrom Agricultural Services, suitable for the development of 110 dwellings as described in our representations under MM27, is identified in yellow on the constraints plan below. It does not affect land safeguarded for HS2. It is considered that the site boundary of allocation H3d should be amended so that it is consistent with the area promoted and avoids land safeguarded for HS2.</p> <p>(Map provided)</p> <p><b>Suggested Revised Wording:</b></p> <p>The Policies Map should be amended to show the confirmed HS2 route and to correct the boundary to site allocation H3d as described above.</p>		<p><b>Council Response:</b></p> <p>It is considered that the route of HS2 does not need to be shown on the Policies Map.</p> <p>The boundary of site H3d will be amended to reflect the boundary provided as part of the representation.</p>

## Policies Map PM17 (Measham & Oakthorpe)

Respondent: **Planning & Design Practice Ltd**

Representation Number: 72/01/PM17

**Comments:**

Inset Map 17: Measham and Oakthorpe

- My client objects to the proposed boundary defining the limits to development at the south of Measham, between the River Mease and the housing development on Masefield Close / Burns Close area.
- Lack of consistency in defining this boundary here, no logical process has been followed;
- Line showing limit to development is altering from the previous iteration of the Local Plan – this has prejudiced my clients position as the owner of this land;
- The previous iteration of the limit to development should at least be included in this version of the Local Plan proposals map;
- A promontory of land further to the north-west has been included in the limits to development, without clear justification, but not my clients land;
- The boundary of the housing development is irregular here, with several extended garden boundaries included in the existing limits to development – the proposed new boundary either needs to be consistently straightened out to include all of these areas; or allowed to be an organic shape following the line of the river;
- Some land needs to be included in the limits to development to allow for limited expansion of Measham during the Plan Period – as a settlement defined as a “Local Service Centre” a reasonable amount of new development is expected to take place.

**Suggested Revised Wording:**

Suggested new boundary for the Limits to development on south of Measham is provided

**Council Response:**

The Limits to Development have been defined using a consistent methodology across the district therefore amending the boundary would be inconsistent with the approach taken by the council.

A previous representation regarding this matter was made a Publication Stage, the council’s response is detailed in 72/01/S2.

## Housing and Economic Development Needs Assessment (HEDNA)

Respondent: **Nigel Garnham on behalf of Packington Nook Residents Association (PNRA)**

Representation Number: 32/04/HEDNA

**Comments:**

Policy S1 – Future housing and economic development needs  
HEDNA Implications For Local Plan– Employment And Housing Implications

The “HEDNA implications for the Local Plan – employment” document states in Para 5.5: Looking at the figures for employment land lost for the period 1991 to 2016 (38.5ha3) it is estimated that about 6.4 ha was in some form of strategic B8 use. This has the effect of reducing losses in the B1, B2 and small B8 category to 32.1ha which equates to an annual average of 1.28ha for the period of 1991-2016 (there being no losses in 2015/16). If this were to be repeated for the remainder of the plan period (15 years) then the allowance would be 19.2ha (i.e. 19ha).

Whilst the identification of 19.2 ha of land that will be lost to employment is of value in identifying the need for additional employment land, this available land is ignored on the parallel Housing Report. Since most of the lost employment land will be converted to housing the need for additional housing land is therefore overestimated by up to 19ha. Whilst we accept the need for over provision to account for uncertainties in delivery of sites, the Policies now adopted will create a gross over-provision, which is being now partly allocated to Ashby.

PNRA objects to this omission from the “HEDNA implications for the Local Plan – housing” document. This needs to be properly accounted for in respect of the potential of land lost to employment subsequently available to housing.

**Suggested Revised Wording:**

Modify the “HEDNA implications for the Local Plan – housing” as requested

**Council Response:**

The issues raised in this representation are considered to have already been addressed by the Council in previous written evidence submitted to the Inspector and/or at the Examination Hearing sessions. We are therefore content to rely on this previous evidence given and do not have any further comment to add at this stage.

### Sustainability Appraisal Report (Paragraph 3.4.3)

Respondent: <b>Ashby de la Zouch Town Council</b>		Representation Number: 24/14/SA	
<b>Comments:</b> The Sustainability Appraisal supports the development of a Masterplan for Money Hill, which they comment is positive from a community perspective. For this reason the Town Council maintains that members of the local community should be consulted as part of the Masterplan process.		<b>Council Response:</b> See Council's response to Ashby de la Zouch Town Council's comments on MM25.	
<b>Suggested Revised Wording:</b> Local Plan Policy H3 Point (viii) should be amended to include public consultation alongside consultation with stakeholders, including the Town Council.			

### Sustainability Appraisal Report (Paragraph 3.6.5)

Respondent: <b>Ashby de la Zouch Town Council</b>		Representation Number: 24/15/SA	
<b>Comments:</b> The Masterplan is expected to mitigate the risk of increased congestion at peak times in Ashby. However there is no indication in Policy H3 that this will form part of the Masterplan process. Also many of the traffic implications will be in the wider area, e.g. town centre and main arterial routes around the town which fall outside the Money Hill site.		<b>Council Response:</b> When considering whether to agree in writing to the comprehensive masterplan, the district council will consider, amongst other things, impacts of the proposed land use mix and locations of the different land uses within the site on the wider Ashby de la Zouch area. This will also be considered during consideration of any planning application for the site.	
<b>Suggested Revised Wording:</b> Local Plan Policy H3 should be amended so that mitigation measures related to increased congestion created by the development in the immediate vicinity and across Ashby are included in the Masterplan process.		It is therefore not considered necessary to require that mitigation measures related to increased congestion created by the development in the	

immediate vicinity and across Ashby are included in the Masterplan process.

### Sustainability Appraisal Report (paragraph 4.2.1)

Respondent: <b>Ashby de la Zouch Town Council</b>	Representation Number: 24/16/SA
<b>Comments:</b> The proposal that a particular emphasis be given to monitoring of impacts in the Ashby de la Zouch area is welcomed.	<b>Council Response:</b> Noted

### Sustainability Appraisal Report (Paragraph 3.6.4)

Respondent: <b>Packington Nook Residents Association (PNRA)</b>	Representation Number: 32/03/SA
<b>Comments:</b> Policy H3 Housing provision: new allocations  We support the amended criteria H3a iii), v) and viii) as a means of integrating large scale new development within Ashby and acknowledge the case for securing a coordinated provision of infrastructure for both housing and employment land, most notably via the access off the A511. However, the increase in the number of dwellings allocated for Ashby de la Zouch from 1,750 to 2,050 is not supported by PNRA .  The Sustainability Appraisal Supplementary Report says with regards to transport:  The 2015 SA Report concluded the following -	<b>Council Response:</b>  The issues raised in this representation are considered to have already been addressed by the Council in previous written evidence submitted to the Inspector and/or at the Examination Hearing sessions. We are therefore content to rely on this previous evidence given and do not have any further comment to add at this stage.

“3.6.4 As a large proportion of development has already been committed, infrastructure will have been secured that minimise impacts on transport. For any further development, the Plan directs housing and employment towards the main settlements which will help to ensure that existing facilities and public transport links will be in close proximity. However, increased development in the main towns (as directed by the settlement hierarchy) is likely to lead to further travel by private car, which is the most prevalent form of travel in the District. In areas of greatest development such as Coalville and Ashby de la Zouch, this could lead to increased congestion at peak times. Plan policies encourage the development of sustainable modes of transport in new development, seek to ensure that infrastructure is upgraded as necessary, and also support the re-opening of the National Forest Rail Line. These measures will each help to minimise additional car traffic and promote sustainable modes of travel.

Overall a not significant positive effect is predicted. Whilst the Plan will encourage shorter trips, and more sustainable modes of travel, the influence of the policies is not considered to be high; given that the majority of development (and mitigation) has already been established, and the predominant mode of travel would remain the private car.”

3.6.5 This positive conclusion broadly holds true for ‘the submission plan plus proposed modifications’. The risk of ‘increased congestion at peak times’ in Ashby de la Zouch could feasibly be increased as a result of the proposed modifications, due to the proposal to increase the quantum of growth at Land north of Ashby de la Zouch; however, the proposal is also now to require preparation of a comprehensive masterplan, which should serve to mitigate effects.

The Main Modifications reduces the number of dwellings required in the District by 780. Despite this reduction it is still proposed to allocate an additional 300 dwellings in Ashby de la Zouch. PNRA does not support this additional allocation as it is not required to meet the HEDNA. While understanding that Money Hill may well eventually be developed fully, it seems inappropriate to show it all as allocated for housing up to 2031. One would normally expect a Plan to allocate only what could reasonably be expected to be delivered within the period that it covers.

PNRA supports the Ashby Town Council’s opinion that owing to constraints created by the River Mease and the scale of the planned development of the 2050 dwellings allocated at Money Hill, 675 will not be built until after 2031. Therefore these additional 300 dwellings are not required and will not affect development during the plan period so should not be included. Any increase

## Sustainability Appraisal Report

above this level will be exploited by developers to build more dwellings in Ashby where greater sales and profit levels can be achieved compared to other parts of the District.

Furthermore, PNRA considers that any additional housing approvals should be dependent on the masterplan being prepared and the infrastructure modifications fully implemented so that congestion in the Ashby can be managed.

**Suggested Revised Wording:**

Remove the amended H3 figure of 2050 dwellings for Ashby de la Zouch.

**Additional Modification AM21**

Respondent: <b>Environment Agency</b>		Representation Number: 14/03/AM21	
<b>Comments:</b> Support paragraph 3.1 text "as well events at Donington Park"" - does not read well , typing error.  <b>Suggested Revised Wording:</b> amend text to read " as well as events at Donington Park"		<b>Council Response:</b> Agree. The Council proposes to make this change under Additional Modification AM1 as it ensures the correct use of punctuation, capital letters or tense or corrects typing errors, and does not materially affect the policies set out in the Local Plan.	

**Additional Modification AM39**

Respondent: <b>Environment Agency</b>		Representation Number: 14/04/AM39	
<b>Comments:</b> Support: as it seeks to protect the integrity of the River Mease SAC		<b>Council Response:</b> Noted.	

**Additional Modification AM40**

Respondent: <b>Environment Agency</b>		Representation Number: 14/05/AM40	
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## Additional Modifications

<b>Comments:</b> Support: as it seeks to protect the integrity of the River Mease SAC.	<b>Council Response:</b> Noted.
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### Additional Modification MM43

<b>Respondent: David Bigby</b>	<b>Representation Number: 5/14/MM43</b>
<b>Comments:</b> The revised value for percentage of affordable housing built from April 2011 to October 2016 is now 18% compared with the previous 25% till October 2015. This is a worrying downward trend over the last year and is not properly explained by the preceding sentence, which states that a “significant” amount of affordable housing has been built or is committed, nor by the following paragraph - new 7.31 - which blames the recession and reduced availability of finance for the increasing shortfall. A valid explanation for this reduction in built affordable housing over the last year is needed.  <b>Suggested Revised Wording:</b> New para 7.30 - change "a significant amount of affordable housing has already been built since 2011" to "a disappointing amount of affordable housing has been built since 2011"  New para 7.31 - add after "primarily due to", "the government's wish to sustain developer profits at around a 20% return on capital and a failure to challenge developer viability assessments,"	<b>Council Response:</b> The issues raised in this representation are considered to have already been addressed by the Council in previous written evidence submitted to the Inspector (Background Paper 4 Policies H1, H2, H3 and H4 (BP/04), Background Paper 4 Update (EX/17); Affordable Housing trajectory as at 1 October 2016 (EX20); Viability Report June 2016 (LP/09); and Viability Assessment of Draft Local Plan (LP/10)) and at the Examination Hearing sessions. We are therefore content to rely on this previous evidence given and do not have any further comment to add at this stage.

Additional Modifications

**Additional Modification AM56**

Respondent: <b>Environment Agency</b>		Representation Number: 14/06/AM56
<b>Comments:</b> Support: as it seeks to protect the integrity of the River Mease SAC.	<b>Council Response:</b> Noted.	

**Additional Modification AM59**

Respondent: <b>Environment Agency</b>		Representation Number: 14/07/AM59
<b>Comments:</b> Support: as it seeks to protect the integrity of the River Mease SAC.	<b>Council Response:</b> Noted.	

**Additional Modification AM78**

Respondent: <b>Environment Agency</b>		Representation Number: 14/08/AM78
<b>Comments:</b> Support: as it seeks to protect the integrity of the River Mease SAC.	<b>Council Response:</b> Noted.	

## Additional Modifications

### Additional Modification AM81

Respondent: <b>Environment Agency</b>		Representation Number: 14/09/AM81
<b>Comments:</b> Support: as it seeks to protect the integrity of the River Mease SAC.		<b>Council Response:</b> Noted.

### Additional Modification AM83

Respondent: <b>Environment Agency</b>		Representation Number: 14/10/AM83
<b>Comments:</b> Support: as it seeks to protect the integrity of the River Mease SAC.		<b>Council Response:</b> Noted.

### Additional Modification AM84 & AM85

Respondent: <b>Packington Nook Residents Association (PNRA)</b>		Representation Number: 32/01/AM84 & 85
<b>Comments:</b> We support the ideas behind changes to Policy En3(4) but since the Policy is broad brush within the very wide area of the National Forest, the impact is weakened in the area covered by Policy En3(5) because of inadequate definition in the Local Plans Main Policy Maps of the “Heart of the National Forest”; the area in which this Policy will be most needed and effective. The Plan needs such a map.		<b>Council Response:</b> It is the Council’s view that the ‘Heart of the National Forest’ has been sufficiently identified, as an area between three settlements, to allow suitable development to concentrate in that area and that defining a specific boundary could limit opportunities

Additional Modifications

Insert a map, clearly defining the area relating to Policy En3 (4).	to link to the wider National Forest Area and also fails to provide sufficient flexibility.
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**Additional Modification AM85**

Respondent: <b>The National Forest Company</b>		Representation Number: 67/01/AM85	
<b>Comments:</b> The National Forest Company supports this amendment which addresses the comments raised in the previous consultation.		<b>Council Response:</b> Noted.	

**Additional Modification AM93**

Respondent: <b>Environment Agency</b>		Representation Number: 14/11/AM93	
<b>Comments:</b> Support: the Policy is now clear that all sources of possible flooding have been addressed.		<b>Council Response:</b> Noted.	

# **NORTH WEST LEICESTERSHIRE LOCAL PLAN**

**Adopted: November 2017**



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# **1 BACKGROUND**

## **What is planning?**

- 1.1 The purpose of planning is to help achieve sustainable development. This means ensuring that providing for the needs of the current generation does not make life worse for future generations. It requires making decisions on proposals for development from house extensions to large scale housing and employment developments which provide the homes and jobs that people require.

## **What is the Local Plan?**

- 1.2 Most new development requires planning permission before it can be built. Planning policies are used to help decide whether planning permission should be granted or not. The role of the Local Plan is to set out such policies and to help secure sustainable development by identifying how much new development is required and where it should go.
- 1.3 The preparation of the Local Plan has included a number of consultations and the plan was the subject of an Examination in early 2017. Following receipt of the Inspector's Report in October 2017, the plan was adopted in November 2017.
- 1.4 The adopted Local Plan together with the Minerals and Waste Local Plan prepared by Leicestershire County Council comprise the Development Plan for North West Leicestershire. The Development Plan provides the basis for determining planning applications.
- 1.5 This Local Plan replaces the 2002 adopted Local Plan.

## **What other matters have we had regard to in preparing the Local Plan?**

- 1.6 The Local Plan is not prepared in isolation and must be consistent with national policies. These are set out in the National Planning Policy Framework (NPPF) which was published by the Government in 2012. The NPPF is also supplemented by a range of Planning Practice Guidance (PPG) on a variety of subjects. This provides guidance on the interpretation and implementation of requirements in the NPPF.
- 1.7 Throughout this document there are various references to the NPPF and the PPG.
- 1.8 In addition to national policies we have complied with various European level regulations. In particular the plan has been subject to a Strategic Environmental Assessment (SEA) to assess the plan's environmental impacts. We have also undertaken a Habitats Regulations Assessment (HRA) to consider the impact of the policies and proposals of the Local Plan on sites of European significance designated for species and habitats (Special Areas of Conservation (SAC)) or birds (Special Protected Areas (SPA)). The part of the river Mease and its tributaries which lie within North West Leicestershire are designated as a Special Area of Conservation.

- 1.9 The plan has also been subject to a Sustainability Appraisal (SA) to assess not only the environmental effects of the plan, but also the economic and social effects.

### **Duty to Cooperate**

- 1.10 The Localism Act 2011 introduced a requirement on local planning authorities to co-operate with neighbouring local authorities and other bodies with a regulatory or strategic interest in Local Plan issues. This is referred to as the “Duty to Cooperate” and includes the need to consider the impact of the strategy as a whole and its proposals for major development on other places close to North West Leicestershire.
- 1.11 North West Leicestershire lies within the county of Leicestershire which, together with Leicester City, has been identified as a Housing Market Area (HMA) and the Leicester and Leicestershire Enterprise Partnership area (LLEP). We have a close working relationship with the authorities across the HMA/LLEP through a variety of different groups.
- 1.12 The LLEP is serviced by three different boards (Place, People and Business). The Place Board is itself then serviced by a Strategic Planning Group which consists of high level officers from the various authorities. It is through this group that cooperation at a strategic level is co-ordinated and also provides a direct link in to the work of the LLEP with whom we are required to cooperate. A Member Advisory Group which consists of the appropriate portfolio holders from each authority has also been established to provide a political buy-in to the work of the Strategic Planning Group.
- 1.13 In terms of this Local Plan we have co-operated with our partners across the HMA/LLEP on a variety of matters including:
- Establishing housing and employment requirements through a Housing and Economic Developments Needs Assessment (HEDNA).
  - Planning for Climate Change – a report commissioned by all the HMA authorities (except Charnwood Borough) which considered the potential of different sources of renewable energy across Leicestershire.
  - Charnwood Forest - the District Council has worked with Leicestershire County Council, Charnwood Borough Council and Hinckley and Bosworth Borough Council to set up a Charnwood Forest Regional Park Steering Group to oversee the creation of a Regional Park and to agree its long term Vision. This Vision has informed the Charnwood Forest policies of this Local Plan.
- 1.14 We have worked with the highway authorities (Highways England and Leicestershire County Council) to establish the impact of proposed development on the highway network and to identify new infrastructure requirements resulting from this development.

- 1.15 The river Mease Special Area of Conservation also covers part of the districts of Lichfield and South Derbyshire. We have worked with the two authorities and Natural England, the Environment Agency and Severn Trent to develop a joint strategy to ensure that there is no detrimental impact on the water quality of the river Mease as a result of development.
- 1.16 We have worked with the Environment Agency and Leicestershire County Council to prepare an updated Strategic Flood Risk Assessment and with the former in the preparation of a Water Cycle Study.
- 1.17 Outside of the HMA/LLEP we also adjoin a number of other local authorities (North Warwickshire, Lichfield, South Derbyshire, Erewash and Rushcliffe). In addition to the work on the river Mease outlined above we have agreed a Statement of Common Ground with South Derbyshire. We also have a regular dialogue with each of these authorities, none of whom have asked North West Leicestershire for help in meeting their development needs.

### **Evidence base**

- 1.18 A wide ranging evidence base was used to inform this Local Plan. This can be viewed on the Council's website ([www.nwleics.gov.uk](http://www.nwleics.gov.uk)).

### **Structure of Document**

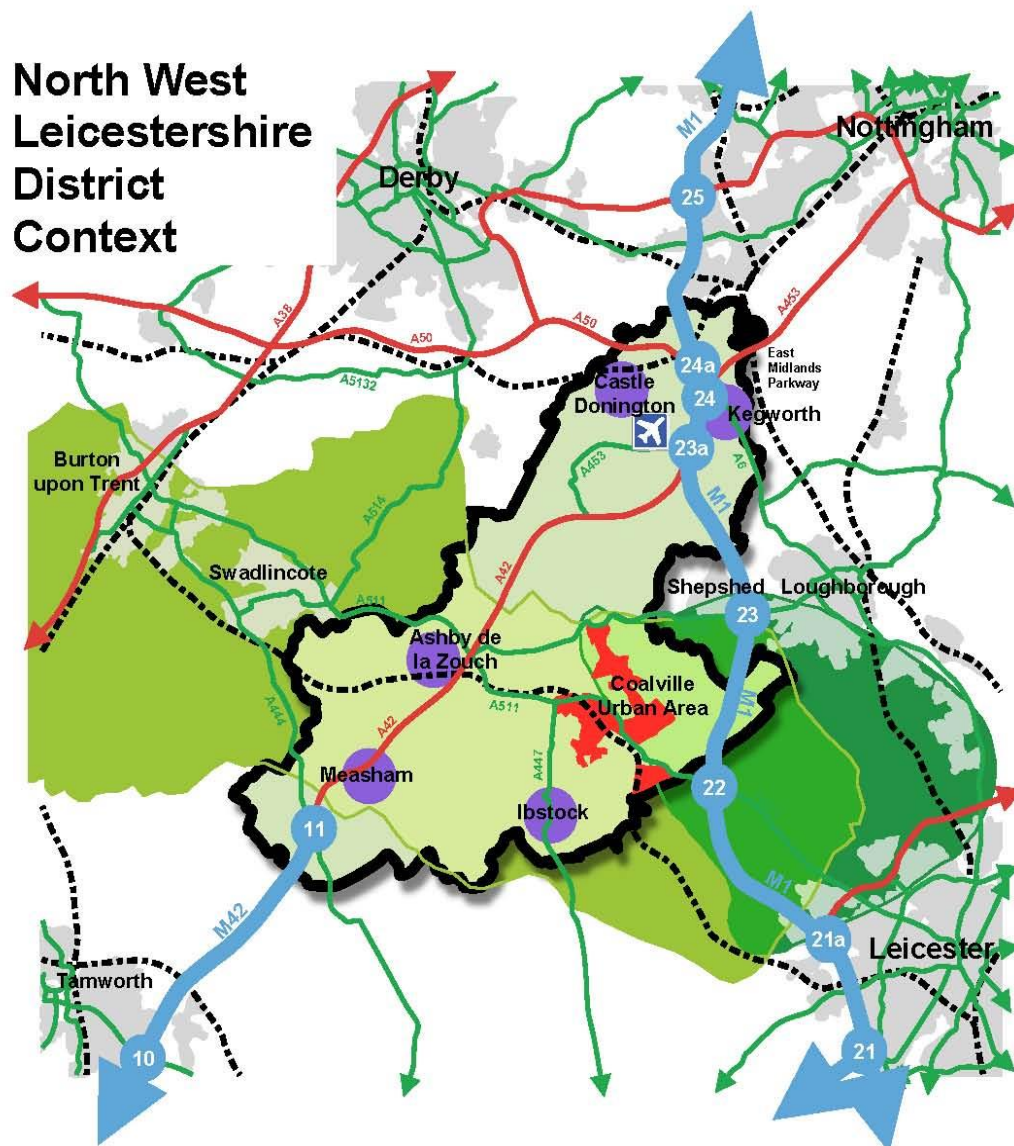
- 1.19 The Local Plan is divided into a number of themed chapters which then contain a number of policies and supporting text. The policies are shown in grey boxes.
- 1.20 The Local Plan is also accompanied by a Policies Map which shows the location of proposed allocations of land and other land use related policy information, on an ordnance survey base map. There is one single map which covers the whole district. At a settlement level there are then a series of inset maps which show more details at a suitable scale.
- 1.21 Alongside the Policies Map are Wind Energy Maps. These identify the areas within the district potentially suitable for both medium-large scale and small scale wind energy development.
- 1.22 We are aware that planning is full of a lot of technical words and jargon. To help you understand this better we have included a glossary of key terms at Appendix 1 of this document.

<p><b><u>IT IS IMPORTANT TO NOTE THAT WHEN USING THE LOCAL PLAN TO FORM A VIEW ON A PROPOSED DEVELOPMENT ALL OF THE POLICIES CONTAINED IN THE PLAN MUST BE CONSIDERED TOGETHER WHEN FORMING A VIEW.</u></b></p>
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## **2 NORTH WEST LEICESTERSHIRE CONTEXT**

- 2.1 North West Leicestershire district, as the name suggests, comprises the north-west part of the county of Leicestershire and is a mainly rural district, covering 27,900 hectares (108 square miles). The district shares borders with the counties of Derbyshire, Nottinghamshire, Staffordshire and Warwickshire.
- 2.2 The district is close to, and has excellent road access with four major cities - Birmingham, Derby, Leicester and Nottingham - using the motorway network (M1 north/south and M42 south-west/north-east). However, there are no passenger rail services in the district. In the north of the district is the East Midlands Airport (EMA)
- 2.3 Most of the southern part of the district lies within the National Forest which spans three counties in the centre of England - Derbyshire, Leicestershire and Staffordshire, whilst the upland area of the Charnwood Forest lies in the south-east corner.
- 2.4 The population of the district was about 93,500 as at the 2011 Census. The principal town is Coalville and the other main settlements are Ashby de la Zouch, Castle Donington, Ibstock, Kegworth and Measham.
- 2.5 The map on the next page shows the location of the district and its wider context.

# North West Leicestershire District Context



## Key

North West Leicestershire district

Motorway

Trunk Road

A Road

Railway

East Midlands Airport

Coalville Urban Area

Other main settlements

National Forest

Charnwood Forest Regional Park

### 3 NORTH WEST LEICESTERSHIRE PROFILE

- 3.1 The Sustainability Appraisal scoping report sets out a detailed assessment of the district and its characteristics which provides a context for the Local Plan. The following provides a summary of the key characteristics and follows the order of the Scoping Report:

#### Population

- There were 93,468 people as at the 2011 Census, a growth of about 9,000 from the 2001 Census.
- The population is ageing with a rapid increase in the number of residents aged 40-49 and 60-69 in the last 10 years, whilst the number of 25-39 year olds has decreased.
- According to the 2011 Census the largest population was in Coalville (36,801 people) followed by Ashby-de-la-Zouch (12,385), Castle Donington (6,350), Ibstock (5,961), Measham (5,200) and Kegworth (3,541).
- There are high concentrations of working age people in Coalville and Castle Donington, whilst older people are concentrated in the Measham/Appleby Magna area and younger people in Ashby de la Zouch and Ellistown.
- The district is the 200<sup>th</sup> most deprived local authority in England (out of 354) but it is the most deprived in Leicestershire (excluding Leicester City) with pockets of deprivation concentrated in Coalville, Greenhill, Ibstock, Measham, Moira, Ashby and Castle Donington.

#### Housing

- The proportion of 3 bed dwellings is higher than the average in Leicestershire and England, as is the proportion of detached dwellings and terraced properties.
- There has been an increase of 17% in overcrowding between the 2001 Census and the 2011 Census but this is less than that for the East Midlands (36%) and England & Wales (32%).

#### Employment and the economy

- In terms of competitiveness and growth opportunities, North West Leicestershire enjoys a highly accessible position in the middle of the country, with good road links and a growing international airport. Partly because of its accessibility, the area has proved attractive to inward investors, and has recently seen high levels of employment growth.
- There are significantly more people employed in the transport and logistics sector (19.8%), wholesale/retail (17.3%), construction (5.9%), professional and other private services (17.3%) than nationally.



- Economic forecasts based on the Experian 2013 data for the district indicate that from 2012 to 2031 the sectors predicted most likely to grow by over 1% are transport & storage; professional & other private services; accommodation, food services & recreation; and wholesale & retail. Only three sectors are predicted to decline (one very marginally), the two with the greatest predicted decline are agriculture, forestry & fishing and by a large proportion the greatest decline is predicted in manufacturing.
- The overall job density in NWL (i.e. the number of jobs per head of population aged 16 to 64 so 1 equals one job for one person) was 1.05 in 2012 which indicates in commuting in to the district and is an increase from 2011 when it was 0.92.
- There was a concentration of higher order occupations 'Managers, Directors and Senior Officials' according to the Census 2011 around Appleby (18.1%) and the rural wards of central NWL (Breedon and Valley). In contrast there were concentrations of those with 'Elementary Occupations' in the wards of Coalville (17.4%) and Greenhill, both associated with the settlement of Coalville and also in Measham.
- The proportion of the workforce with NVQ4+ level skills, including university degree, at 25.4%, is lower than the proportion for Great Britain and East Midlands (35.2% and 30.1% respectively).

#### Transport and Access

- North West Leicestershire benefits from excellent road transport links. It is at the intersections of the M1 and A42 whilst the A50 provides a link from the north of the district to Stoke on Trent and the North West of England and in the south-east to Leicester whilst the A453 provides a direct link to Nottingham.
- No passenger rail services in the district, whilst bus service provision is variable.
- Travel to work is dominated by the use of the car.
- There is a net in-flow of commuters based on the 2011 Census (7,453 persons).
- East Midlands Airport (EMA) is in the north of the district and is one of the UK's major freight airports. It has seen significant growth in both passenger numbers and cargo freight since the mid-1990s, but the economic downturn has resulted in reduced levels of both. As would be expected of a large airport there are environmental issues relating to its operation. These include noise impacts on local residents associated with take-off and landing, and also issues relating to significant carbon emissions from aircraft.

### Air quality and noise

- There are five Air Quality Management Areas (AQMA) in the district; M1 Mole Hill Kegworth; High Street Kegworth; Stephenson Way/Bardon Road Coalville; High Street/Bondgate Castle Donington and Copt Oak Road Copt Oak.
- There are noise issues associated with transport, particularly at East Midlands Airport, as well as events at Donington Park.

### Climate Change

- A technical review of renewable energy potential for the district for 2020 to 2030 indicates that there is potential for over 255MW of electricity and 217MW of heat in 2020 to be generated from all sources, including small scale generation. The greatest potential is from wind energy (up to 80% of the total), with solar Photovoltaic the other main source. However, the overall potential is less than some other districts in Leicestershire and Rutland, due to limited wind resource.
- Information from the Department of Energy and Climate Change shows at present there is very little opportunity for district heat in the district.
- The tonnes of CO<sub>2</sub> per capita in the district has steadily declined from 2005 to 2011 (commercial and domestic), although this has been less marked for transport. However, per capita emissions are well above that for England; in 2011 this was approximately 8.8 tonnes CO<sub>2</sub> per capita compared to England at 5.6 tonnes CO<sub>2</sub> per capita. This is largely attributable to industrial and commercial sources and transport (1.6 tonnes and 1.5 tonnes more than England respectively) whilst domestic is only marginally higher than England (0.1 tonne difference).
- The district lies wholly within the catchment of the River Trent.
- Fluvial flooding represents the primary source of flood risk with the northern part of the district (Kegworth across to Castle Donington) at the highest risk of fluvial flooding from the rivers Trent and Soar. Other areas at risk of flooding are central Ashby-de-la-Zouch, parts of the wider Coalville Urban Area including Thringstone and Whitwick and the southern edge of Measham.
- Other potential sources of flooding include flooding from sewers and potential canal infrastructure failure, surface water flooding and groundwater rising from former coal mining areas, although the areas at risk are difficult to define.

### Biodiversity and geodiversity

- The river Mease (including its tributary the Gilwiskaw Brook) is designated as a Special Area of Conservation (SAC), a European level designation, as well as a Site of Special Scientific Interest. Water quality in the river has deteriorated mainly due to high phosphorus levels. A Restoration Plan and Water Quality

Management Plan have been put in place. These are supported by a Developer Contributions Strategy which seeks to ensure that new development that affects water quality makes a financial contribution towards measures to improve water quality.

- There are 17 Sites of Special Scientific Interest in the district, the majority of which are assessed as being in favourable or unfavourable recovering condition.
- There is one National Nature Reserve and 5 Local Nature Reserves.
- There are two Local Biodiversity Action Plans relevant to North West Leicestershire: Leicester, Leicestershire & Rutland Biodiversity Action Plan (Leicestershire and Rutland Wildlife Trust, 2010) and The National Forest Biodiversity Action Plan (National Forest, 2004). The former consists of 19 Habitat Action Plans and 16 Species Action Plans whilst the latter consists of 18 Habitat Action Plans and 9 Species Action Plans.

#### Landscape and Land

- There are no nationally designated landscapes within the district. However, the district is covered by 5 National Character Areas, as identified by Natural England. These are: Trent Valley Washlands, Melbourne Parklands, Leicestershire and South Derbyshire Coalfield, Mease/Sence Lowlands, and Charnwood.
- The Charnwood Forest represents the highest land in Leicestershire and has a distinctive landscape character with geology of international importance and a rich biodiversity. The area has been identified as a Regional Park to reflect its importance in landscape terms and as an area for recreation. The Regional Park is a non-statutory designation, led by a steering group of local partners, with specific objectives for environmental, social and economic benefits.
- The National Forest was designated in the early 1990's to transform the landscape and link the ancient forests of Charnwood (to the east) and Needwood (to the west). The National Forest covers about 56% of the district including the larger settlements of Coalville, Ashby de la Zouch, Ibstock and Measham.

#### Cultural Heritage

- There are 22 Conservation Areas, 23 Scheduled Monuments, 640 Listed Buildings and 3 Registered Parks and Gardens.

#### Water

- The various rivers that run through the district have Water Abstraction Licensing Strategies in place which generally identify that water is available,

although in some places there may be occasions where water is more limited when flows are at low levels.

- Severn Trent's Water Resource Management Plan identifies that water will be available for use sufficient to meet future demand of customers and it also targets spare headroom capacity.
- The North West Leicestershire Water Cycle Study 2012 highlights known capacity issues at the Snarrows Wastewater Treatment Works that serves the Coalville Urban Area.

#### Waste and minerals

- There exists supplies of minerals which need to be protected from development which would sterilise them.

## 4 WHAT ARE THE ISSUES?

- 4.1 Based on the findings outlined above, the Scoping Report identified a broad range of issues across the district.
- 4.2 The following list summarises the key issues, in no particular order, from the Scoping Report and concentrates upon those which are most likely to require addressing through the planning system.

**Table 1 – summary of key issues**

Housing	Ensure provision of housing to meet the needs of all communities, including provision of housing for older people and families as well as affordable housing.
Services and facilities	Need to ensure that the services and facilities in the district are appropriate to meet the needs of a growing and changing population.
Accessibility	Need to ensure that communities have access to services and facilities, including by public transport, walking and cycling. However, current bus service provision is variable which impacts upon some sections of the community more than others, for example the elderly and infirm.
Housing and economic growth	Ensure that growth in housing and the economy complement each other in terms of scale.
Economy	Support for economic growth will require the provision of additional land and premises across the district, including rural areas, and support for tourism and leisure.
Retailing	Health checks of town centres show that performance is variable, with particular issues in Coalville which is the principal town centre in the district. Need to protect and enhance centres.
Pollution	To improve air quality in the 5 Air Quality Management Areas which are largely linked to transport related issues. In addition, need to ensure that new development is not itself detrimentally affected by noise and pollution and deals with any onsite land contamination issues.
Flooding	Some areas at risk of flooding, largely in the northern part of the district along the rivers Trent and Soar.

Nature conservation	River Mease Special Area of Conservation is affected by water quality issues, whilst the condition of some Sites of Special Scientific Interest is a concern.
Landscape	There is a varied landscape in terms of character and appearance. New development needs to reflect this in its design and layout, whilst the National Forest and Charnwood Forest are major assets where enhancement will benefit the district.
Agricultural Land	There are limited areas of best and most versatile agricultural land so it is important to ensure that these areas are protected.
Heritage	The provision of new development needs to be achieved whilst also paying due regard to the protection and enhancement of heritage assets.

- 4.3 It should be appreciated that not all of the issues identified in the Scoping report are ones which can necessarily be addressed by the planning system, which is largely concerned with new development. For example, issues related to training and skills will largely be addressed through education and other training establishments and possibly involve various training programmes which may be supported by government or the Leicester and Leicestershire Enterprise Partnership. The role of planning is limited to ensuring that new development does not detrimentally affect the ability of education establishments to provide education because of a lack of physical space. Where development would have an adverse impact on capacity then it will be necessary to ensure that new development makes a suitable financial or other contribution towards the enhancement of facilities. Therefore, the issues outlined above and the following objectives are those which can most directly be addressed using the planning system.
- 4.4 Implementation of the policies as well as the provision of infrastructure will require co-operation and input from a wide range of organisations, including neighbouring authorities, as well as public, voluntary and private sector organisations.

#### **OUR VISION**

- 4.5 The Spatial Vision set out below describes the kind of place that we want North West Leicestershire to be by the end of the Plan period. It picks up on the key issues that are set out in the previous section.

*By 2031 North West Leicestershire will have continued its transformation, started in the 1980s, from a former coalfield area characterised by environmental degradation, a struggling economy and poor connections into a place fit for the 21<sup>st</sup> century. This will be reflected in the maturing of the National Forest as both an environmental and economic asset and in the attractiveness of the towns and villages in North West Leicestershire as places in which to live, work and relax.*

*Businesses will choose to locate and grow in this area, taking advantage of its excellent location in the centre of the country, close to major road and rail networks and a major international airport. The East Midlands Enterprise Gateway, focussed on East Midlands Airport, Donington Park and the East Midlands Gateway Rail Freight Interchange, will be recognised as a key destination in its own right. This strongly performing economy will be reflected in low unemployment and reduced instances of deprivation.*

*The district will continue to be a place of choice for people wishing to live here, with lots to see and do, such as the National Forest, Charnwood Forest, Ashby Canal and a plethora of heritage assets, as well as being strong communities built around vibrant, accessible places and award winning housing developments.*

*As the district's main town, Coalville will have grown significantly and the town will have benefited from major new investment in infrastructure and as a result, the town centre regeneration as a heritage town will be well underway. Elsewhere, the other key centres, including the historic market towns of Ashby de la Zouch and Castle Donington, will be vibrant centres which meet people's day-to-day shopping needs as well as supporting a thriving night time economy.*

## **OBJECTIVES**

- 4.6 Having regard to the issues outlined above, those in the Sustainability Appraisal Scoping Report and to national policies as set out in the National Planning Policy Framework a range of objectives have been prepared to identify what we are seeking to achieve through the Local Plan and new development.

Objective 1 - Promote the health and wellbeing of the district's population.

Objective 2 - Support the delivery of new homes balanced with economic growth to provide a stock of housing that meets the needs of the community, including the need for affordable housing.

Objective 3 - Ensure new development is of a high quality of design and layout whilst having due regard to the need to accommodate national standards in a way that reflects local context and circumstances.

Objective 4 – Ensure regard is had to reducing the need to travel and to maintaining access to services and facilities including jobs, shops, education, sport and recreation, green space, cultural facilities, communication networks, health and social care.

Objective 5 - Support economic growth throughout the district and the provision of a diverse range of employment opportunities including the development of tourism and leisure.

Objective 6 - Enhance the vitality and viability of the districts town and local centres, with a particular focus on the regeneration of Coalville, in ways that help meet the consumer needs.

Objective 7 - Enhance community safety so far as practically possible and in a way which is proportionate to the scale of development proposed whenever allocating sites for development or granting planning permission.

Objective 8 - Prepare for, limit and adapt to climate change.

Objective 9 - New developments need to be designed to use water efficiently, to reduce flood risk and the demand for water within the district, whilst at the same time taking full account of flood risk and ensuring the effective use of sustainable urban drainage systems (SUDs).

Objective 10 - Conserve and enhance the identity, character and diversity and local distinctiveness of the district's built, natural, cultural, industrial and rural heritage and heritage assets.

Objective 11 - Protect and enhance the natural environment including the district's biodiversity, geodiversity and water environment areas identified for their importance.

Objective 12 - Conserve and enhance the quality of the district's landscape character including the National Forest and Charnwood Forest and other valued landscapes.

Objective 13 - Take account of the need to reduce the amount of waste produced.

Objective 14 - Seek to deliver the infrastructure needs of the area, including Green sustainable development.

Objective 15 - Take full account of the need to safeguard mineral resources including sand and gravel, igneous rock and brickclay.



## 5 STRATEGY

### INTRODUCTION

- 5.1 This chapter sets out the main components of our strategy

### HOW MUCH NEW DEVELOPMENT IS REQUIRED?

- 5.2 People are living longer, birth rates are increasing and more people are moving into the district. As a result we have a growing and changing community who need homes, jobs, shops and services.
- 5.3 A key aspect of the Local Plan is to identify the amount of new jobs and homes needed in the district and then translating these in to the provision of sufficient land.

#### *Business Needs*

- 5.4 A Housing and Economic Needs Development Assessment (HEDNA) has been undertaken for the Leicester and Leicestershire Housing Market Area (HMA) which identifies the future housing and employment needs for the district. Whilst the HEDNA was completed towards the end of the process of preparing this Plan it was considered and subjected to public consultation as part of the evidence base and provides the basis for the housing and employment provision made in this plan.
- 5.5 The HEDNA has identified a need for 66 hectares of employment land (comprising those uses which fall within Class B1, B2 and B8 of less than 9,000sq metres (as defined by the Use Classes Order 2015)). A study<sup>1</sup> in respect of the need for additional provision for distribution uses (Class B8) of more than 9,000sq metres has identified a need for both additional road and rail connected sites across the HMA but it does not identify any specific requirements for individual districts/boroughs. Within North West Leicestershire such provision has already been made through a Strategic Rail Freight Interchange (SRFI) near to East Midlands Airport/M1 Junction 24 (referred to as Roxhill), which was approved by the Secretary of State in January 2016.

#### *Housing Needs*

- 5.6 For North West Leicestershire the HEDNA identified an Objectively Assessed Need (OAN) of 481 dwellings each year for the period 2011-2031. This equates to a total of 9,620 dwellings.
- 5.7 Having regard to this evidence this Local Plan makes provision sufficient to ensure that a minimum of 9,620 dwellings will be delivered over the plan period 2011-31.

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<sup>1</sup> Leicester and Leicestershire Strategic Distribution Study

- 5.8 Policy S1 recognises that there is a need to undertake an early review of the Local Plan. This is because whilst the current total provision of employment land is about 291 hectares, there is a mismatch between the type of land identified as being required in the HEDNA and the actual provision. There is a shortfall of about 29 hectares when compared to the HEDNA requirement for Class B1, B2 and B8 of less than 9,000sq metres. This reflects the fact that the HEDNA was completed towards the end of the process of preparing this plan. In addition, it is apparent that not all of the other HMA authorities will be able to accommodate their housing needs within their boundaries. The Council is committed to working with the other HMA authorities to agree how and where this unmet need will be accommodated. It may, therefore, be necessary for additional provision to be made for housing (and/or employment) when this work is completed.

#### *Shopping Needs*

- 5.9 As the population grows it is necessary to ensure that as much of the shopping needs of local people as possible can be met within the district.
- 5.10 A Retail Capacity Study was undertaken in late 2014 which assessed the need for additional shopping provision (both convenience (food) and comparison (non-food) goods). This study took into account projections of population growth, spending projections and non-traditional forms of shopping as well as sites with permission for a retail use or where new shops have been developed.
- 5.11 A number of scenarios were used to identify future floorspace requirements, using either a static or increased expenditure retention rate. Overall the study recommended that there is a need for 7,300 sqm of additional comparison retail floorspace in the District for the period to 2031, with the need not arising until after 2016. No additional need for convenience retail floorspace was identified.
- 5.12 Following on from this a further retail study was undertaken in 2016, this time focusing on an assessment of the operator demand for retail property in the town centres of Coalville and Ashby de la Zouch. This has suggested that there is limited demand at this time.

#### **Policy S1 – Future housing and economic development needs**

Over the plan period to 2031 provision will be made to meet the housing and employment land needs of the district as identified in the Leicester and Leicestershire Housing and Economic Development Needs Assessment (January 2017).

This means that:

- provision will be made for the development of a minimum of 9,620 dwellings (481 dwellings per annum) which is the Objectively Assessed Need (OAN) and Housing Requirement for the district;
- provision will be made for 66 hectares of land for employment purposes (B1, B2 and B8 of less than 9,000sq metres)

Provision will also be made for 7,300sq metres for shopping purposes.

The Council will continue to work collaboratively with the Leicester & Leicestershire Housing Market Area (HMA) authorities to establish the scale and distribution of any additional provision that may be necessary in North West Leicestershire and elsewhere in the HMA as a result of the inability of one or more authority to accommodate its own needs as identified in the Leicester and Leicestershire Housing and Economic Development Needs Assessment.

The District Council will commence a review of this Local Plan (defined as being publication of an invitation to make representations in accordance with Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012) by the end of January 2018 or within 3 months of the adoption of this Local Plan (whichever is the later). The Plan Review will be submitted for examination within two years from the commencement of the review. In the event that the reviewed plan is not submitted within two years then this Local Plan will be deemed to be out of date.

#### **WHERE SHOULD DEVELOPMENT GO?**

- 5.13 A core principle of the NPPF is to “focus significant development in locations which are or can be made sustainable”. To help do this we define a settlement hierarchy to distinguish between the roles and functions of different settlements and to guide the location of future development, although it should be appreciated that the scale and location of most new development that is needed is already committed.

#### **Policy S2 – Settlement Hierarchy**

The following Settlement Hierarchy will be used when assessing the suitability of a settlement for new development, with the general principle being that those

settlements higher up the hierarchy will take more growth than those lower down and that the type of development proposed is appropriate to the scale and character of the settlement and its place in the hierarchy.

Settlement Classification	Settlement(s)
<b>Principal Town</b>  The primary settlement in the district which provides an extensive range of services and facilities including employment, leisure and shopping and which is accessible by sustainable transport from surrounding areas and to other large settlements outside the district. The largest amount of new development will be directed here, including retail development, to support the regeneration of Coalville Town Centre.	Coalville Urban Area which comprises of Coalville, Donington-le-Heath, Greenhill, Hugglescote, Snibston, Thringstone and Whitwick as well as the Bardon employment area.
<b>Key Service Centre</b>  Smaller than the Principal Town in terms of population and also the range of services and facilities they provide, they play an important role providing services and facilities to the surrounding area and are accessible by some sustainable transport. A significant amount of development will take place in these settlements but less than that in the Principal Town.	Ashby de la Zouch  Castle Donington
<b>Local Service Centre</b>  Settlements which provide some services and facilities primarily of a local nature meeting day-to-day needs and where a reasonable amount of new development will take place.	Ibstock  Kegworth  Measham
<b>Sustainable Villages</b>  Settlements which have a limited range of services and facilities where a limited amount of growth will take place within the defined Limits to Development.	Albert Village, Appleby Magna, Belton, Blackfordby, Breedon on the Hill, Coleorton (the Lower Moor Road area only), Diseworth, Donisthorpe, Ellistown, Heather, Long Whatton, Moira (including Norris Hill),

		<b>Oakthorpe, Packington, Ravenstone, Swannington, Worthington.</b>
<b>Small Village</b>	<b>Settlements with very limited services and where development will be restricted to conversions of existing buildings or the redevelopment of previously developed land (as defined in the National Planning Policy Framework) or affordable housing in accordance with Policy H5 (Rural Exceptions Sites for Affordable Housing).</b>	<b><i>Battram, Coleorton (the part not considered to be a Sustainable Village), Griffydham, Hemington, Lockington, Lount, Newbold, Newton Burgoland, Osgathorpe, Peggs Green, Sinope, Snarestone, Sweptstone, Spring Cottage, Tonge, Wilson.</i></b>
<b>Hamlets</b>	<b>Small groups of dwellings with no services and facilities and where development will be considered in the context of the countryside policy (Policy S3).</b>	

**The re-use of previously developed land (as defined in the National Planning Policy Framework) will be supported where it is compatible with the settlement hierarchy set out above. The redevelopment of previously developed land for housing should be within or well-related to the Principal Town, a Key Service Centre, Local Service Centre, Sustainable Village or Small Village.**

**Any development provided for within this policy which discharges wastewater into the Mease catchment will be subject to the provisions of policy En2. Any such development which does not meet these provisions will not be permitted.**

- 5.14 In considering the sustainability of different settlements this means looking at the range of services and facilities available including accessibility by public transport and non-car modes. Consideration also needs to be given to the role of specific settlements. For example, some settlements will have services and facilities which only serve the immediate population, whilst in other settlements there is a greater range of services and facilities which serve an area wider than the settlement itself.
- 5.15 Therefore in defining the settlement hierarchy we have assessed the different settlements within the district in terms of the range of services and facilities available.

Services looked at include schools, post office, general store, doctors surgery, recreational and community facilities as well as accessibility by public transport and non-car modes. The frequency of public transport services to and from settlements and also the range of destinations of services have also been taken into account. Consideration has also been given to the role of specific settlements. Those settlements with fewer facilities and services are less self-sufficient in their ability to meet the daily requirements of residents.

5.16 In North West Leicestershire the following settlements (in alphabetical order) offer the most comprehensive range of services and facilities and they also, to some extent, serve other settlements as well:

- Ashby de la Zouch;
- Castle Donington;
- Coalville Urban Area;
- Ibstock;
- Kegworth; and
- Measham

5.17 Therefore, these six settlements form the central part of our settlement hierarchy and will accommodate the vast majority of new development.

5.18 Outside of these settlements there are a number of settlements which have some services and facilities but on a much lesser scale. Some development in these settlements will be appropriate, although there is already a significant level of provision made through planning permissions. Any further development in such settlements will be restricted to either infilling or previously developed land which is well related to the settlement concerned. We term these as Sustainable Villages and they comprise:

*Albert Village, Appleby Magna, Belton, Blackfordby, Breedon on the Hill, Coleorton (the Lower Moor Road area only), Diseworth, Donisthorpe, Ellistown, Heather, Long Whatton, Moira (including Norris Hill), Oakthorpe, Packington, Ravenstone, Swannington, Worthington.*

5.19 Beyond these the remaining settlements have very few services and facilities. Development in these locations would inevitably require the use of private vehicles to access services and facilities. Such an approach is at odds with the aim of the NPPF and so is inappropriate.

*Battram, Coleorton (the part not considered to be a Sustainable Village), Griffydam, Hemington, Lockington, Lount, Newbold, Newton Burgoland, Normanton le Heath, Osgathorpe, Peggs Green, Sinope, Snarestone, Sweptstone, Spring Cottage, Tonge, Wilson.*

- 5.20 There are also small groups of buildings in the countryside that sometimes have a settlement name and may be best described as hamlets and that have no facilities. Development proposals in these settlements will be considered against Policy S3 (Countryside).

## **COUNTRYSIDE**

- 5.21 The NPPF recognises the need to “take account of the different roles and character of different areas,” and that planning should recognise “the intrinsic character and beauty of the countryside.”

### **Policy S3 – Countryside**

**Land outside the Limits to Development is identified as countryside where those uses listed (a) to (s) below will be supported, subject to those considerations set out in criteria (i) to (vi) below.**

- (a) Agriculture including agricultural workers dwellings;**
- (b) Forestry including forestry workers dwellings;**
- (c) The preservation of Listed Buildings;**
- (d) The re-use and adaptation of buildings for appropriate purposes including housing in accordance with the Settlement Hierarchy (Policy S2);**
- (e) The redevelopment of previously developed land in accordance with Policy S2;**
- (f) Flood protection;**
- (g) Affordable housing in accordance with Policy H5;**
- (h) The extension and replacement of dwellings;**
- (i) Expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;**
- (j) Sites for Gypsies and Travellers and Travelling Showpeople in accordance with Policy H7;**
- (k) Small-scale employment generating development or farm diversification;**
- (l) Community services and facilities meeting a proven local need;**
- (m) Development by statutory undertakers or public utility providers;**
- (n) Recreation and tourism;**
- (o) Renewable energy;**
- (p) Development at East Midlands Airport in accordance with Policy Ec5;**
- (q) Development at Donington Park Racetrack in accordance with Policy Ec8;**
- (r) Transport infrastructure;**
- (s) Employment land in accordance with the provisions of Policy Ec2.**

**Developments in accordance with (a) to (s) above will be supported where:**

- (i) the appearance and character of the landscape, including its historic character and features such as biodiversity, views, settlement**

**pattern, rivers, watercourses, field patterns, industrial heritage and local distinctiveness is safeguarded and enhanced. Decisions in respect of impact on landscape character and appearance will be informed by the Leicester, Leicestershire and Rutland Historic Landscape Characterisation Study, National Character Areas and any subsequent pieces of evidence; and**

- (ii) it does not undermine, either individually or cumulatively with existing or proposed development, the physical and perceived separation and open undeveloped character between nearby settlements either through contiguous extensions to existing settlements or through development on isolated sites on land divorced from settlement boundaries; and**
- (iii) it does not create or exacerbate ribbon development; and**
- (iv) built development is well integrated with existing development and existing buildings, including the re-use of existing buildings, where appropriate; and**
- (v) the development will not seriously undermine the vitality and viability of existing town and local centres; and**
- (vi) The proposed development is accessible, or will be made accessible, by a range of sustainable transport.**

5.22 North West Leicestershire is a mainly rural district and the area that separates our towns and villages consists of largely undeveloped countryside. Although major infrastructure, urban and industrial influences are rarely far away, there remain substantial areas of open, mainly arable, farmland. We want to maintain, and where possible enhance, the environmental, economic and social value of the countryside.

5.23 We have defined Limits to Development around most of our settlements as a means of distinguishing between areas of potential for new development and areas which can be regarded as countryside where development will be considered having regard to the provisions of Policy S3.

5.24 The uses listed above are those which it is considered would be potentially appropriate in the countryside but it will be necessary to ensure that proposed development does not unduly impact upon the character and appearance of the countryside.



- 5.25 The landscape of the countryside varies in character and appearance across the district. It is important that account is taken of these differences in considering development proposals in the countryside.
- 5.26 Whilst policy seeks to facilitate the diversification of the rural economy, there are also benefits to the protection of the best and most versatile agricultural land. Where appropriate we shall seek the use of areas of poorer quality land in preference to that of agricultural land of a higher quality.
- 5.27 Natural England has defined National Character Areas across the whole country. There are five National Character Areas within North West Leicestershire:
- Trent Valley Washlands (Area 69)
  - Melbourne Parklands (Area 70)
  - Leicestershire and South Derbyshire Coalfield ( Area 71)
  - Mease/Sence Lowlands (Area 72)
  - Charnwood (Area 73)
- 5.28 Each of these areas has a profile associated with it which describes in detail the key landscape features and identifies any issues and opportunities. We will have regard to these, along with the Leicester, Leicestershire and Rutland Historic Landscape Characterisation Assessment, National Character Areas, and any subsequent pieces of evidence when considering proposals in a countryside location. Regard will also be had to the potential impact on landscape beyond the district's boundaries, where appropriate, along with supporting evidence.
- 5.29 In respect of transport infrastructure it is recognised that sometimes these will either pass through the countryside (for example roads) or may be located within a countryside setting (for example, a road side service facility adjoining a main road and which cannot be accommodated in a built up area).

## 6 DESIGN

- 6.1 Good design is indivisible from good planning and is central to creating places for people. Well-designed places are those that relate well to their environment, are attractive, safe and offer a better quality of life for those that live and work there. The Council therefore requires all new development to offer, as a minimum, a good standard of design responding positively to the opportunities to make our towns and villages better places.
- 6.2 National planning policy places a strong emphasis on good design as an important means by which we can make places better for people. Good design is not restricted to how buildings look. It involves carefully considering how new development integrates with its surroundings; how it contributes towards creating cohesive places, rather than a patchwork of disconnected developments that fail to relate to one another and the streets and spaces around them.
- 6.3 As such, design considerations include but are not restricted to: views into, out of and through development sites, distinctive local characteristics, relationship to topography and other landscape features, habitat creation and the responsible management of surface water. It is therefore essential that a robust opportunities and constraints assessment forms the basis of any development proposal.
- 6.4 It is important that the Council is objective in assessing the quality of proposed new developments. In order to do this, the Council has considered the qualities and deficiencies of buildings, streets and spaces within the district.
- 6.5 The Council has identified a series of principles that when followed result in better designed buildings, streets and spaces. These are called our 'Place making principles for North West Leicestershire'. These principles will be used to structure pre-application discussions for proposed new non-residential developments and be used to support decisions on planning applications. For residential developments we will use Building for Life 12 as this would satisfy the Council's Place Making Principles.
- 6.6 These principles are aligned to: a) the National Planning Policy Framework, b) The National Forest Design Charter, c) Building for Life and d) OPUN's Place Making Checklist.

The principles are:

1. A National Forest or locally inspired identity
2. Street and spaces shaped by buildings
3. A greener footprint
4. Vibrant, mixed use communities
5. Responsive to their context
6. Connected communities
7. Easy to get around
8. Well designed and well managed public spaces

## 9. Architectural quality

### **RESIDENTIAL DEVELOPMENT AND BUILDING FOR LIFE 12**

- 6.7 Building for Life 12 is a design quality indicator for new residential developments that is actively supported by the Home Builders Federation and endorsed by government. Building for Life 12 is aligned to the National Planning Policy Framework and its 12 questions are also aligned to our Place Making Principles.
- 6.8 Building for Life 12 is designed to be used at the start of the design process and as a way to structure pre-application discussions and as a community engagement tool. The 12 questions are divided over three chapters: 1. Integrating into the neighbourhood, 2. Creating a Place, 3. Street and Home.
- 6.9 The Council has been using Building for Life 12 and its predecessor since 2008. As such, most house builders that build in our district are already well accustomed to the Council using Building for Life 12 as a way of structuring pre-application discussions and as our preferred method of determining the design quality of residential planning applications.
- 6.10 Building for Life 12 is based on a traffic light system. One or more 'reds' indicates that the design of a scheme needs to be reconsidered. 'Ambers' indicate that one or more aspects of a scheme could be improved; however these may be justified in certain circumstances. 'Greens' indicate a good resolution to one or more of the twelve questions.
- 6.11 The Council expects all residential developments to perform well against Building for Life 12, i.e.
- as many 'greens' as possible are achieved.
  - Any 'ambers' are robustly justified and restricted to factors beyond an applicant's control (only applies to Building for Life questions 1 to 4. Viability considerations may justify 'amber' against question 5 in exceptional circumstances).
  - 'reds' are avoided.

Planning applications with one or more 'reds' will not be supported by the Council.

Applicants are required to submit a Building for Life assessment as part of their planning application in accordance with the Local Scheme of Validation.

#### **Policy D1 – Design of New Development**

**The Council will support proposed developments that are well designed and as a minimum offer a good standard of design:**

- (1) All developments must be based upon a robust opportunities and constraints assessment and be informed by a comprehensive site and contextual appraisal;**
- (2) New non-residential developments must positively address our Place Making principles:**
  - a) A National Forest or locally inspired identity;**
  - b) Streets and Spaces shaped by buildings;**
  - c) A greener footprint;**
  - d) Vibrant and Mixed communities;**
  - e) Responsive to their context;**
  - f) Connected places;**
  - g) Easy to get around;**
  - h) Well designed and well managed public spaces;**
  - i) Architectural quality.**
- (3) For residential developments Building for Life 12 will be used instead of the Place Making Principles. New residential development will need to perform positively against Building for Life 12;**
- (4) Existing neighbour amenity should be safeguarded in accordance with Local Plan Policy D2;**
- (5) New development should have regard to sustainable design and construction methods.**

**New development designed in accordance with the above principles should be able to demonstrate that they have been designed to reduce anti-social behaviour and the risk of crime.**

- 6.12 The Council has approved a Supplementary Planning Document which includes more detail on all aspects of design including each of the North West Leicestershire place making principles summarised below:
- 6.13 National Forest or locally-inspired identity: The National Forest offers a source of inspiration for the design and environmental performance of buildings, the design and management of green spaces and the integration of green and blue infrastructure.

References for new development can also be drawn from local architectural characteristics where there is a distinctive local architectural identity.

- 6.14 Streets and spaces shaped by buildings: The most successful streets and spaces are those where buildings help to enclose and define a network of streets and spaces; and relate well to them by providing active frontages at street level. As such, successful streets and spaces require more than physical (spatial) qualities. They require life (people) to make them attractive, enjoyable, sociable and safe places. The relationship between buildings and the public realm is therefore critically important.
- 6.15 A greener footprint: Creating buildings and spaces with a reduced environmental impact and that offer people opportunities to live lower carbon lifestyles (for instance, where people are encouraged to rely less on private cars, particularly for shorter journeys), are suitable for future adaptation, conversion or expansion, and as such designed to stand the test of time will be encouraged.
- 6.16 Vibrant and mixed-use communities: By mixing uses (for example, shops with homes) we can create places that are more socially and culturally stimulating and where more day to day facilities and services are a short walk or cycle from people's homes and workplaces.
- 6.17 Responsive to context: New development must respond positively to their site and wider context, for example by respecting the nature of existing development and by using features, such as landscape and views into, through and out of a site.
- 6.18 Connected places: Creating connected street patterns helps to encourage higher levels of walking and cycling, particularly for shorter local journeys thereby helping to reduce car dependency and tackle issues related to the lack of physical activity.
- 6.19 Easy to get around: Routes must be safe, direct and attractive, recognising the impact that urban, landscape, highways and architectural design can have on the travel choices people make. Streets within settlements, town and village centres must be regarded principally as places for pedestrians and cyclists; rather than purely places for the movement and parking of vehicles. Streets within settlements, town and village centres should seek to limit vehicle speeds to 20 mph or less through design features and/or the use of legal designations: 20 mph zones, Home Zones and Quiet Lanes.
- 6.20 Well-designed and well-managed public spaces: Public spaces must be well designed, well managed with a clear public function. National Forest planting requirements must be used creatively to help create an interesting, attractive and ecologically diverse network of streets and spaces.
- 6.21 Architectural quality: New or converted buildings must be fit for purpose with careful attention afforded to the design and amount of internal space; and access to natural lighting. Buildings should be designed to respond to their solar orientation and adjacent buildings, streets and spaces with which they will have a relationship.

### **Sustainable Design and Construction**

- 6.22 The sustainable design and construction of new buildings and extensions to existing buildings has an important role to play in reducing running costs and improving energy efficiency and the reduction of greenhouse gas emissions (notably CO<sub>2</sub>). Improving the energy efficiency of buildings is an essential part of achieving targets for a reduction in carbon emissions as almost half of the UK's current carbon emissions come from domestic (27%) and non-domestic buildings (17%).
- 6.23 The creation of buildings and spaces with a reduced environmental impact and that offer people opportunities to live lower carbon lifestyles, are suitable for future adaptation, conversion or expansion, and as such designed to stand the test of time will be encouraged.
- 6.24 The Council encourages developers to consider the integration of environmental 'optional extras' for residential led developments, i.e. features that would enable a development to exceed the environmental performance of new homes required by Building Regulations.
- 6.25 The following measures are examples of what could be incorporated in to new developments to mitigate and adapt to the effects of climate change:
- Planting, shading and advanced glazing systems to reduce solar heat gain during the summer;
  - Using materials to prevent penetration of heat, including the use of cool building materials, green roofs and walls and using flood resilient materials;
  - Increasing natural ventilation and the removal of heat by using fresh air;
  - Orientating windows of habitable rooms within 30 degrees of south and utilising southern slopes;
  - Locating windows at heights that maximise heating from lower sun angles during the winter;
  - Incorporating flood-resilient measures such as raising floor levels, electrical fittings and rain-proofing and overhangs to prevent infiltration of heavy rain around doors and windows;
  - Integrating water management into the design of new development through a network of attractive and functional features such as swales, rills, rainwater harvesting/storage (such as water butts and underground water storage) and rain gardens;
  - Incorporating waste reduction and recycling measures through the design of the development to ensure there are appropriate storage and segregation facilities;
  - Incorporating small scale renewables into the design of new developments where there would be no significant adverse impacts on landscape, ecology, heritage assets and amenity;
  - Incorporating car charging points where viable and appropriate to do so;

- Providing sufficient, safe and sheltered cycle storage in locations where the use of bicycles is closer to the front door of buildings than car parking spaces, where it is practical to do so;
- Connect to an existing or approved district energy scheme where available. Major development proposals should utilise opportunities to incorporate a district energy network.

## **AMENITY**

- 6.26 Impact on amenity is one of the most important determining considerations within the planning application process, as it can impact greatly on the quality of life for those affected. Noise, odour, light and overlooking are key factors affecting amenity, together with issues such as disturbance and pollution. In addition, the scale and massing of development if too large can have an overbearing and dominating impact on surroundings, and in particular on neighbouring properties which adversely affects amenity.
- 6.27 Design can have a direct influence on the relationship between new and existing development, and the distribution of activities within a development. In some cases, amenity reasons will rule out the provision of a development at a particular location either through the impact of the proposed development on existing residents or the impact on future occupants from existing lawful uses; in others, it may be possible for the impact on amenity to be made acceptable through appropriate design, layout and distribution of uses within the development or through suitable planning conditions.

### **Policy D2 – Amenity**

**Proposals for development should be designed to minimise their impact on the amenity and quiet enjoyment of both existing and future residents within the development and close to it. As such, development proposals will be supported where:**

- 1) They do not have a significant adverse effect on the living conditions of existing and new residents through loss of privacy, excessive overshadowing and overbearing impact.**
- 2) They do not generate a level of activity, noise, vibration, pollution or unpleasant odour emission, which cannot be mitigated to an appropriate standard and so, would have an adverse impact on amenity and living conditions.**

**Development which is sensitive to noise or unpleasant odour emissions will not be permitted where it would adversely affect future occupants.**

**Proposals for external lighting schemes should be designed to minimise potential**

**pollution from glare or spillage of light. The intensity of lighting should be necessary to achieve its purpose, and the benefits of the lighting scheme must be shown to outweigh any adverse effects.**

**The Council will prepare a Supplementary Planning Document which will include new Development Guidelines.**

## **TELECOMMUNICATIONS**

- 6.28 Mobile communications are an essential element in both the national and local economy. They are now considered an integral part of the success of most business operations and individual lifestyles. With the growth of services such as mobile internet access, demand for new telecommunications infrastructure is continuing to grow.
- 6.29 The National Planning Policy Framework (NPPF) at paragraph 42 confirms that “advanced, high quality communications infrastructure is essential for sustainable economic growth and plays a vital role in enhancing the provision of local community facilities and services.” The Council supports the enhancement of telecommunications in the District whilst at the same time seeking to ensure that environmental impacts are minimised, including the impact on the environment and the amenities of those living or working in close proximity to telecommunication instalments.
- 6.30 It is the Council’s aim to reduce the proliferation of new masts by encouraging mast sharing where possible. Existing masts and other structures should be used, unless the need for a new site has been justified. Where new sites are being sought, applicants will be required to demonstrate that they have explored the possibility of erecting apparatus on existing buildings or structures.

### **Policy D3 – Telecommunications**

**Proposals for telecommunications will be supported where;**

- (1) If proposing a new mast, it is demonstrated that the applicant has explored the possibility of erecting apparatus on existing buildings, masts or other structures. Such evidence should accompany any application made;**
- (2) The siting and appearance of the proposed apparatus and associated structures ensures that the impact on the visual amenity, character or appearance of the surrounding areas is minimised;**
- (3) If on a building, apparatus and associated structure are sited and designed so as to ensure that impact to the external appearance of the host building is minimised;**



**(4) The proposed development does not have an unacceptable effect on an area of ecological interest, areas of landscape importance, archaeological sites, conservation areas or buildings of architectural or historic interest.**

## 7 HOUSING

### INTRODUCTION

- 7.1 As already noted the NPPF seeks to boost significantly the supply of housing to meet the needs of the country and to contribute to the economic recovery following the recession of recent years.
- 7.2 In accordance with policy S1 provision needs to be made for a minimum of 9,620 dwellings during the plan period. However, it should be appreciated that in preparing this Local Plan we are not starting from a blank sheet of paper. Some development has already occurred or provision is in place. The following section outlines the current position in respect of housing provision.

#### Housing provision – current position

- 7.3 As already noted some development has taken place since 2011 and there are a number of sites where the Council has previously granted planning permission for housing development. In addition, there are also sites where the Council has previously agreed to grant planning permission subject to the completion of a legal agreement (usually referred to as a S106 Agreement) between the Council and the applicant, but the agreement has yet to be completed and so no permission has been issued. These are referred to as ‘resolutions’.
- 7.4 Table 2 below, summarises the position in terms of the various components of housing supply.

**Table 2 – Housing provision as at 1 October 2016**

	Number of dwellings
Completions 1 April 2011 - 31 September 2016 (A)	2,690
Under construction (B)	471
Planning permission (C)	8,851
Resolution to grant planning permission (D)	541
Total provision (A+B+C+D)	12,553

- 7.5 The figures above include dwellings on sites of less than 10 dwellings. We have considered whether we should make an allowance for unidentified sites which may come forward over the plan period. These can either be small sites (usually those of less than 10 dwellings) or larger sites (for example perhaps a former factory site). Whilst historically such sites have provided an important part of the supply, the

provision of such sites is, by its nature, very uncertain. Therefore, for the purposes of estimating housing supply we have not made any allowance for such sites coming forward. However, should such sites come forward and planning permission be granted then they would count towards the housing supply at that point in time just as those which currently have planning permission are included in the figures at Table 2.

- 7.6 Table 2 shows that as a result of permissions and resolutions the requirements have already been met. However, we have to be sure that all of these new homes will actually be built. Therefore, we have undertaken an assessment of how many dwellings we think are likely to be built during the plan period on each of the sites which are committed.
- 7.7 A significant number of the committed dwellings (3,500) are on sites which are collectively referred to as south-east Coalville. It is estimated that during the plan period that only 1,900 of these 3,500 dwellings are likely to be built.
- 7.8 In addition, two of the sites with permission at Kegworth for 260 dwellings (Ashby Road Kegworth and south of A6, Derby Road, Kegworth) are both potentially affected by the route of HS2. There is, therefore, considerable doubt as to whether these sites will be able to be built during the plan period.
- 7.9 Allowing for the sites referred to above, together with uncertainties in respect of a small number of other sites with planning permission, it is estimated that about 9,000 dwellings (including those already built) will be built in the plan period. Therefore, we need to make provision for at least a further 600 dwellings.

## **PROVISION FOR HOUSING**

- 7.10 Policies H1, H2 and H3 set out how we will ensure that the overall housing requirement is met over the plan period. These policies address three types of housing provision - permission, a resolution or allocation.

### **HOUSING PROVISION: PLANNING PERMISSIONS**

- 7.11 In respect of sites with planning permission these are those sites where development has yet to start. The principle of development on these sites has already been established and it is not possible for the Council to reverse these decisions unless the permissions were to lapse. However, if this did happen the Council would have to have robust reasons for not renewing permission. Generally speaking the Council would wish to support renewals and Policy H1 allows for this. The sites listed in Policy H1 had the benefit of planning permission as at 1 October 2016 but development had not started.

#### **Policy H1 – Housing provision: planning permissions**

**The following sites have the benefit of planning permission for housing development. In the event that planning permission lapses on these sites it will be**

renewed subject to the policies of this Local Plan and any other material considerations including any evidence in respect of deliverability of any particular site.

Any development provided for within this policy which discharges wastewater into the Mease catchment will be subject to the provisions of policy En2. Any such development which does not meet these provisions will not be permitted.

	Site	Capacity
H1a	Holywell Mill, Ashby de la Zouch	44 dwellings
H1b	Land north of Ashby de la Zouch	605 dwellings
H1c	South of Park Lane, Castle Donington	895 dwellings
H1d	Standard Hill/West of Highfield Street, Coalville	400 dwellings
H1e	Off Jackson Street Coalville	129 dwellings
H1f	Off Kane Close Coalville	21 dwellings
H1g	Acresford Road, Donisthorpe	36 dwellings
H1h	Land north and south of Grange Road, Hugglescote	3,500 dwellings
H1i	South of Grange Road, Hugglescote	105 dwellings
H1j	Station Road, Ibstock	142 dwellings
H1k	Ashby Road, Kegworth	110 dwellings
H1l	Slack & Parr, Long Lane, Kegworth	188 dwellings
H1m	Land south of A6, Derby Road, Kegworth	150 dwellings
H1n	Cresswells Coaches, Shortheath Road, Moira	24 dwellings
H1o	Home Farm, Main Street, Oakthorpe	29 dwellings
H1p	Dawsons Road, Osgathorpe	16 dwellings
H1q	South of Normanton Road, Packington	30 dwellings
H1r	Heather Lane, Ravenstone	50 dwellings

As noted in Table 2 as at 1 October 2016 some 8,851 dwellings had the benefit of planning permission for housing. Most of these dwellings are on sites of 10 or more, but there are also a significant number on smaller sites.

#### **HOUSING PROVISION: RESOLUTIONS**

- 7.12 The sites listed in Policy H2 are those where the Council has resolved to grant planning permission. Whilst the Council has agreed that the proposed development would be appropriate, changes in circumstances could mean that the Council has to re-consider the proposal. Such changed circumstances could occur where it takes a long time to reach agreement with the developer/applicant on a legal agreement. Therefore, it is in the interest of providing certainty for all that any legal agreements can be completed and permissions issued as quickly as possible. Policy H2 provides this commitment from the Council. Those sites listed in Policy H2 were the subject of a resolution as at 1 October 2016.

#### **Policy H2 – Housing provision: resolutions**

**The Council has resolved to grant planning permission for housing development on**

the sites listed below. The Council will work with developers and applicants to ensure that the legal agreements associated with these developments are completed as efficiently as possible so that permission can be issued. Once planning permission is granted it will be subject to the provisions of Policy H1.

Where there has been a delay in the signing of a legal agreement and a planning permission not granted, it may be necessary for the application to be referred back to Planning Committee for account to be taken of any material change in circumstances since the initial resolution to grant permission.

Any development provided for within this policy which discharges wastewater into the Mease catchment will be subject to the provisions of policy En2. Any such development which does not meet these provisions will not be permitted.

	Site	Capacity
H2a	West of High Street, Measham	450 dwellings
H2b	Land at Blackfordby Lane, Moira	18 dwellings

As noted in Table 2 as at 1 October 2016 some 541 dwellings had the benefit of resolution to grant planning permission for housing. The vast majority of these dwellings are on sites of 10 or more although there are also a number on smaller sites.

#### **HOUSING PROVISION: NEW ALLOCATIONS**

- 7.13 As outlined at paragraph 7.9 it is necessary to identify additional sites to ensure that the overall provision of housing will be sufficient to meet the housing requirement of 9,620 dwellings.
- 7.14 In the 2002 Local Plan there were outstanding housing allocations on land at Waterworks Road, Coalville and Wentworth Road, Coalville. The Wentworth Road site was originally identified in the Coalville District Plan in the late 1970s. There is no evidence to suggest that this site will come forward for development and therefore this allocation has not been retained. The land at Waterworks Road is owned by the District Council and it remains our intention for the site to be developed for housing. Therefore, the site has been allocated for housing as part of this plan. This site is capable of accommodating about 95 dwellings and so there remains a need to identify additional sites.
- 7.15 We have considered a range of potential locations and sites to make this provision and have concluded that the most appropriate allocation is north of Ashby de la Zouch (more details about this assessment can be found in the supporting Background Paper and the Sustainability Appraisal). This area includes two sites which are identified in our Strategic Housing Land Availability Assessment Site A5 (Land north of Ashby, Money Hill) and Site A22 (Former Arla dairy, Smisby Road). Part of site A5 has planning permission for 605 dwellings (H1b). The remainder of A5 together with the whole of A22 adjoin each other and are included as a single allocation. The overall scale of

development that could be realised on the site (including that part which has planning permission) is about 2,050 dwellings.

- 7.16 The overall scale of development that could be realised (2,050 dwellings) is more than that required to make up the identified shortfall (600). The site lies within the river Mease catchment and so development has to avoid having an adverse impact upon the integrity of the river Mease Special Area of Conservation (more on this can be found in the Environment chapter of this Local Plan). It has been agreed that pumping sewage effluent from Packington and Measham sewage works out of the Mease catchment is the most effective long term solution to deal with issues relating to phosphate levels in the catchment. It is considered that pumping out could be achieved by 2025. Therefore, the amount of development which will be allowed to be built on this site until such time as pumping out is taking place is restricted to 600 dwellings.
- 7.17 In respect of access to the site the primary point will be from the A511. There will also be a secondary point of access from Smisby Road. It is important that any link between these two points is designed so that it does not become used as a short cut between the A511 and Smisby Road. A third point of access from Nottingham Road will be allowed but this is primarily designed to enable sustainable transport access, such as buses, walking and cycling. This access will serve no more than 70 dwellings.
- 7.18 Land west of High Street Measham (H2a) is potentially affected by the route of HS2. In order to provide flexibility in the event that the final route of HS2 does impact upon the site it is proposed to make alternative provision to ensure that the overall requirement is still met. Our preference would be to make this provision elsewhere in Measham. We have assessed the various sites identified in the SHLAA. Whilst a number of the sites are quite small and/or now have planning permission there are two large areas identified in the SHLAA; one off Atherstone Road (sites M6 and M7) and one off Ashby Road/ Leicester Road (sites M11 and M12). The site off Atherstone Road is largely in use as a brick and pipe manufacturing works. Our preference, therefore, is to identify land off Ashby Road/Leicester Road as a reserve site should the route of HS2 prohibit the development of land west of High Street.
- 7.19 Both sites H3a and H3c are within the Minerals Consultation Area (and proposed Minerals Safeguarding Areas) as they contain potential near surface coal resources. Development should respond to the minerals safeguarding policies in the relevant Minerals Plan.
- 7.20 As noted at paragraph 7.8 two sites at Kegworth are also potentially affected by the route of HS2. Land south of Ashby Road, Kegworth is therefore proposed as an alternative to these sites in the event that the final route of HS2 does prohibit their development. The site is capable of accommodating about 110 dwellings so it will not make up all the shortfall that would result from the loss of these two sites.

- 7.21 Policy H3 identifies any specific requirements which will be expected to be met as part of the development of these allocations.

**Policy H3 – Housing provision: new allocations**

The following sites are allocated for housing development, subject to meeting the specified requirements set out below. These sites will be subject to a Section 106 Agreement to secure the provision of any specific requirements including on and off-site infrastructure.

**H3a - Land north of Ashby de la Zouch (about 2,050 dwellings in total)**

**Development will be subject to the following requirements:**

- (i) provision for suitable and safe access from the A511 (the principal vehicular access route), Smisby Road (the secondary vehicular access point) and Nottingham Road (primarily as a sustainable transport access, with some potential for very limited vehicular access); and**
- (ii) any highway link between the A511 access and Smisby Road access should be designed in such a way that it would not provide an attractive through route from the A511 to Smisby Road; and**
- (iii) provision of suitable and safe walking and cycling connections from the site to Ashby town centre, and adjoining employment areas (existing and proposed) and the wider countryside; and**
- (iv) provision of a range of infrastructure including a new primary school, extensions to secondary schools, affordable housing, open spaces, green infrastructure and community facilities and enhanced public transport provision; and**
- (v) design and layout of the proposed development should have due regard to the protection and enhancement of Heritage Assets including Ashby Castle Scheduled Ancient Monument, Parish Church of St Helen and Ashby de la Zouch Conservation Area; and**
- (vi) provision for the discharge of wastewater into the Mease catchment in accordance with the provisions of policy En2. Development which does not meet these provisions will not be permitted. In addition, development will not be permitted unless a ‘development window’ for the Developer Contributions Scheme is current. No more than 600 dwellings will be allowed to be built until provision is made for pumping wastewater from the sewage treatment works at Packington out of the river Mease catchment; and**
- (vii) provision of a mineral assessment identifying the potential effect of the proposed development on the mineral resources beneath and adjacent to**

the site; and

- (viii) A comprehensive Masterplan prepared in consultation with stakeholders, including both the district and town council and agreed in writing with the local planning authority for the comprehensive development of the site which identifies a range of land uses (including residential, employment and commercial uses, green infrastructure and open spaces, pedestrian and cycle links within and beyond the site and community facilities) and their relationship to each other and existing development in the vicinity of the site and what measures will be put in place to protect amenity of existing residential areas.

**H3b – Land off Waterworks Road Coalville (about 95 dwellings)**

- (i) provision of a range of infrastructure including contributions towards education provision, affordable housing, green infrastructure and community facilities and enhanced public transport provision.

**H3c - Land off Ashby Road/Leicester Road, Measham (about 300 dwellings)**

Development of this site will be supported when:

- (a) The Government confirms the line of HS2 in the vicinity of Measham; and
- (b) The confirmed route passes through land West of High Street Measham (H2a); and
- (c) The site West of High Street Measham is not capable of being developed in its entirety as a result of the alignment of HS2.

Development will be subject to the following:

- (i) provision of vehicular access from Ashby Road and Leicester Road; and
- (ii) provision of walking and cycling connections from the site to Measham town centre and existing bus routes; and
- (iii) provision of a range of infrastructure including contributions towards education provision, affordable housing, open spaces, green infrastructure and community facilities and enhanced public transport provision; and
- (iv) design and layout of the proposed development should minimise the impact upon the setting of Measham Conservation Area; and
- (v) protection and enhancement of heritage assets, including their setting; and
- (vi) provision for the discharge of wastewater into the Mease catchment in accordance with the provisions of policy En2. Development which does not meet these provisions will not be permitted. In addition, development will



not be permitted unless a 'development window' for the Developer Contributions Scheme is current and there is sufficient capacity to accommodate the proposed development in full; and

- (vii) provision of a mineral assessment identifying the potential effect of the proposed development on the mineral resources beneath and adjacent to the site.

**H3d - Land south of Ashby Road, Kegworth (about 110 dwellings)**

**Development of this site will be supported when:**

- (a) The Government confirms the line of HS2 in the vicinity of Kegworth; and**
- (b) The confirmed route passes through those sites north of Ashby Road Kegworth and/or south of Derby Road Kegworth which currently benefit from planning permission for housing development; and**
- (c) Either of the two sites is not capable of being developed in their entirety as a result of the alignment of HS2.**

**Development will be subject to the following:**

- (i) Provision of vehicular access from Ashby Road; and**
- (ii) The proposed development being compatible with the route of the proposed Kegworth bypass; and**
- (iii) Provision of walking and cycling connections from the site to Kegworth centre; and**
- (iv) Provision of a range of infrastructure including contributions towards education provision, affordable housing, open spaces, green infrastructure and community facilities and enhanced public transport provision; and**
- (v) The incorporation of appropriate measures to mitigate the impact of any noise issues associated with the M1, HS2 or East Midlands Airport.**

**HOW MANY DWELLINGS WILL BE BUILT AND WHEN?**

- 7.22 Having regard to the provisions in Policies H1, H2 and H3 and other commitments, we have assessed how we expect these various sites to be developed throughout the plan period as set out in the housing trajectory in Appendix 2.
- 7.23 The NPPF requires that the Council maintain a 5 year supply of housing sites. As at 1 October **2016** for the 5 year period to October **2021** and based on the projected

completions in the trajectory there is a supply of between 6 years (with a 20% buffer) and 7 years (with a 5% buffer).

- 7.24 The trajectory identifies that 7,902 dwellings will be developed by 2031, in addition to the 2,690 which were built from April 2011 to 1 October 2016. Therefore, it is projected that 10,592 dwellings will be developed over the plan period. This is more than the identified requirement of 9,620 dwellings by about 1,000 dwellings. This additional provision in supply will provide a degree of flexibility in the unforeseen event that some of the identified sites do not come forward as predicted. In addition, as already noted there may be a need to accommodate additional housing development from elsewhere in the Housing Market Area. Therefore, this level of supply will help to make an immediate contribution to any additional provision required and so will ensure that supply continues to be made whilst the review of the Plan which is committed to in Policy S1 takes place.

### **PROVISION OF AFFORDABLE HOUSING**

- 7.25 We are required to identify whether there is a need for affordable housing in the area and then plan to meet this need. The NPPF defines affordable housing as: social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices.

- 7.26 There are three main classifications of affordable housing:

- Social rented housing is owned by local authorities and private registered providers (as defined in Section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime.
- Affordable rented housing is let by local authorities or private registered providers of social housing (as defined in Section 80 of the Housing and Regeneration Act 2008) to households who are eligible for social rented housing. Affordable rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).
- Intermediate housing is housing for sale and rent provided at a cost above social rent, but below market levels, subject to the criteria in the affordable housing definition above. These can include shared equity (shared ownership and equity loans), other low-cost housing for sale and intermediate rent, but not affordable rented housing.

- 7.27 Housing that does not meet the above definition of affordable housing, such as 'low cost market housing', is not defined as affordable housing for the purpose of this policy.

#### **Policy H4 – Affordable Housing**

- (1) To support the provision of mixed, sustainable communities the Council will seek the provision of affordable housing on new housing developments. The provision of affordable housing will be subject to the following thresholds above which the level of contributions will be sought:

##### **Greenfield Sites**

<b>Settlement</b>	<b>Affordable Housing Contribution</b>	<b>Threshold</b>
<b>Ashby de la Zouch</b>	<b>30%</b>	<b>11 or more dwellings OR 1,000sqm (gross floor space)</b>
<b>Castle Donington</b>	<b>30%</b>	<b>11 or more dwellings OR 1,000sqm (gross floor space)</b>
<b>Coalville Urban Area</b>	<b>20%</b>	<b>11 or more dwellings OR 1,000sqm (gross floor space)</b>
<b>Ibstock</b>	<b>20%</b>	<b>11 or more dwellings OR 1,000sqm (gross floor space)</b>
<b>Kegworth</b>	<b>30%</b>	<b>11 or more dwellings OR 1,000sqm (gross floor space)</b>
<b>Measham</b>	<b>30%</b>	<b>11 or more dwellings OR 1,000sqm (gross floor space)</b>
<b>All other settlements</b>	<b>30%</b>	<b>11 or more dwellings OR 1,000sqm (gross floor space)</b>

##### **Previously Developed Land**

<b>Settlement</b>	<b>Affordable Housing Contribution</b>	<b>Threshold</b>
<b>Ashby de la Zouch</b>	<b>15%</b>	<b>30 or more dwellings OR sites of 1Ha or more</b>
<b>Castle Donington</b>	<b>5%</b>	<b>30 or more dwellings OR sites of 1Ha or more</b>
<b>Coalville Urban Area</b>	<b>5%</b>	<b>30 or more dwellings OR sites of 1Ha or more</b>
<b>Ibstock</b>	<b>5%</b>	<b>30 or more dwellings OR sites of 1Ha or more</b>
<b>Kegworth</b>	<b>5%</b>	<b>30 or more dwellings OR sites of 1Ha or more</b>
<b>Measham</b>	<b>15%</b>	<b>30 or more dwellings OR sites of 1Ha or more</b>
<b>All other settlements</b>	<b>5%</b>	<b>30 or more dwellings OR sites of 1Ha or more</b>

- (2) In agreeing the provision of affordable housing account will be taken of:**
- **site size and site constraints; and**
  - **financial viability, having regard to the individual circumstances of the site.**

**Where it can be demonstrated that the full affordable housing requirement would adversely affect the viability of a proposed development then the Council will agree to look at other measures to increase viability in accordance with policy IM1 (Implementation and Monitoring of the Local Plan) before agreeing to a lesser amount of affordable housing subject to the provision of part (4) below.**

- (3) The Council's preference is for on-site affordable housing provision which should:**
- **include a mix of types and tenure that reflects the type and nature of any need at the time that the application is determined; and**
  - **be integrated within the design and layout of a development such that they are externally indistinguishable from market housing on the same site.**
- (4) Planning permission will be subject to a legal agreement to secure the provision of the agreed amount of affordable housing. Where a site is likely to be developed in phases over the longer term the agreement will include a suitable mechanism to review the amount of affordable housing provided over time as viability improves.**
- (5) The Council will encourage the provision of affordable homes to meet the needs of elderly people. Where bungalow provision is made the Council will consider reducing the overall level of affordable housing contribution, having regard to the type and size of other affordable housing provided across the site.**

- 7.28 The need for affordable housing was one of the issues considered in the HEDNA. This identified that in North West Leicestershire the estimated level of annual need for affordable housing over the period 2011-2031 was 199 dwellings. This equates to about 41% of the highest Objectively Assessed Need (OAN) identified in the HEDNA for the same period (481 dwellings each year)
- 7.29 It is important to note that the affordable housing need figure identified in the HEDNA is not in any way related to or influenced by the overall housing need figure, but is simply an estimate of the need for affordable housing having regard to a range of

factors including the number of emerging households, housing waiting list demand, house prices and income levels.

- 7.30 A significant amount of affordable housing has already been built since 2011 or is already committed. In the period April 2011 to October 2016 some 491 affordable dwellings were built out of an overall total of 2,690 which equates to 18% of all new builds.
- 7.31 The percentage of affordable housing achieved since 2011 is less than the percentage above, primarily due to the impact of the recession and the reduced availability of finance, both public and private. It is important to note that the number of affordable homes that can be provided is constrained by both available public sector funding and the amount of cross subsidy that can realistically be achieved from increased land values associated with planning permissions for general market housing. In the recent and current housing market conditions, the number of affordable homes which can be delivered is linked with the development of market homes and if planning policies push for too high a quota of affordable homes it may both reduce the overall number of dwellings built, and the proportion of those that are affordable. It is also important that the delivery of all types of housing is not undermined by development sites becoming unviable, which can happen during times of recession when residential values and access to borrowing is reduced. During periods of a strong and viable housing market the provision of affordable housing should be less of an issue.
- 7.32 Going forward, whilst most new housing is already committed it is important that we set out both a target and a threshold above which we will seek affordable housing. This policy will be used to inform negotiations in respect of additional sites which come forward during the remainder of the plan period. However, in doing so we must, as outlined above, have regard to issues in respect of viability. We have undertaken a separate viability study which looked at the potential impact of all of the policies in this Local Plan upon the viability of new development. In respect of affordable housing we considered a number of options and our preferred approach is set out in policy H4.
- 7.33 A number of large schemes which already have planning permission for housing development include an element of affordable housing and the Section 106 Agreement allows for a renegotiation of the amount of provision as market conditions improve. We will apply this approach to future Section 106 Agreements as well so that it is likely that we will achieve more affordable housing than currently anticipated.
- 7.34 In accordance with the NPPF our preference is for any provision to be made on-site. However, in exceptional circumstances, for example because of site specific constraints or demonstrable viability issues, then we may accept a sum of money (usually referred to as a commuted sum) instead and use this money to make provision for affordable housing on another site(s).

- 7.35 In regards to previously developed land, the Viability Study tested a range of scenarios to assess the viability of affordable housing on both greenfield and brownfield sites. The Study identified that affordable housing viability on brownfield sites is generally more constrained compared to greenfield sites.
- 7.36 The Viability Study identifies that brownfield sites in areas such as Coalville and Castle Donington, for example, have a higher value for employment land compared to residential.
- 7.37 The generally higher development costs of previously developed land (compared to greenfield sites) can impact upon site viability and so will require a different approach in respect of associated development costs, including affordable housing.
- 7.38 Therefore, to ensure the Local Plan responds to this evidence and to assist the viability and therefore delivery of brownfield sites Policy H4 provides for different affordable housing requirements for greenfield and brownfield sites.
- 7.39 All of the available evidence identifies that the population of the district, in common with the rest of the country, is ageing. It is important to ensure that the needs of the elderly population are taken in to account when providing affordable housing. Such provision will often be best made in the form of bungalows. However, the cost of such provision, based on floor area, is generally more than that for 2 or more storey dwellings. Therefore, the provision of bungalows can affect site viability. In recognition of this where the provision of bungalows to meet the needs of elderly people is agreed as part of a development we will consider reducing the overall amount of affordable housing that we seek having regard to the types and size of other affordable housing to be provided.
- 7.40 Whilst most affordable housing will be provided as part of general market housing developments some will also be provided on 100% affordable housing developments. Over the last thirty years such provision has been made by housing associations (sometimes referred to as Registered Social Landlords). However, recent changes introduced by the Government have allowed the District Council to begin investigating the possibility of providing some housing as well. This work is ongoing and we do not know at this time how many homes it may be possible to provide.

## **RURAL 'EXCEPTION' SITES FOR AFFORDABLE HOUSING**

- 7.41 We need to secure the provision of more affordable housing in rural areas to meet the needs of local communities, as identified in the HEDNA. One way to help do this is to have an exceptions site policy. This approach enables the delivery of affordable housing to meet local need on land which is identified as countryside that would not normally be released for housing. 'Exception' sites are usually managed by a housing

association and can provide homes for existing residents or those with a family or employment connection to the local community.

- 7.42 A genuine need to live in the village must be established before sites are considered and a planning application submitted; these should be done in consultation with the local community and can be done using a variety of means such as surveys, consultation events and reviewing housing waiting list data. Such a need could be someone who lives or is employed in the village or needs to give or receive support from a close family member who lives in the village.
- 7.43 Due to the ongoing need for affordable housing in our rural areas and the limited grant funding available, we may allow for a small number of market homes to cross-subsidise the provision of affordable homes in suitable locations.

**Policy H5 – Rural Exceptions Sites for Affordable housing**

**1. The provision of affordable housing outside of the Limits to Development will be allowed as an exception where:**

- (a) the housing is demonstrated to meet an identified local need for affordable housing, and**
- (b) the development is well-related to and respects the character and scale of the settlement and its landscape setting; and**
- (c) the development allows accessibility to community services and facilities within it, where appropriate.**

**2. Planning permission for ‘Exception’ Sites will be subject to conditions, or a planning obligation will be sought, to ensure that all initial and subsequent occupiers of the affordable dwellings will:**

- (a) be local people in housing need; and**
- (b) benefit from the status of the dwellings as affordable housing in perpetuity.**

**3. On sites that are outside of, but well related to, a sustainable village or a small village the inclusion of market housing on ‘Exception’ Sites will be supported where:**

- (a) it is demonstrated that there is insufficient subsidy for the scheme to go ahead without the inclusion of market housing; and**
- (b) it can be demonstrated through detailed financial appraisal that the scale of the market housing component is the minimum necessary for the successful delivery of the development; and**

**(c) the majority of the homes provided are affordable.**

**4 Any development provided for within this policy which discharges wastewater into the Mease catchment will be subject to the provisions of policy En2. Any such development which does not meet these provisions will not be permitted.**

**A Supplementary Planning Document will be produced to aid those submitting applications for rural exception sites for affordable housing.**

- 7.44 The District Council will work with the Leicestershire Rural Housing Partnership Group to facilitate the provision of affordable homes in our rural areas. We have a rolling programme of rural housing need surveys in the district. We will continue to identify the need for affordable housing in our Sustainable and Small Villages as part of the Partnership but by also in consultation with local communities, parish councils or other appropriate partners.

### **HOUSE TYPES AND MIX**

- 7.45 The NPPF requires Local Planning Authorities to plan for a mix of housing to meet the different needs of the community including families with children, older people and people with disabilities. In order to ensure that the housing provision meets local housing needs of our current and future residents, it is important that a range of house types and sizes are provided as part of new developments within the district. We will therefore plan for a mix of housing on the basis of the different types of households that are likely to require housing over the plan period. The policy below relates to open market housing schemes. Affordable housing schemes are covered by Policies H4 and H5.

#### **Policy H6 – House types and mix**

**(1) We will seek a mix of housing types, size and tenures in new housing developments of 10 or more dwellings, in order to meet the identified needs of the whole community.**

**(2) In considering proposals for developments of 10 or more dwellings we will have regard to the following:**

- (a) evidence of housing needs including the most up to date Housing and Economic Development Needs Assessment, Older People's Housings Needs Study, local housing needs surveys, parish plans and other evidence of market demand; and**
- (b) the mix of house types and sizes already built and/or approved when compared to the available evidence; and**
- (c) the size of the proposed development in terms of numbers of dwellings**



<p>proposed; and</p> <p>(d) nature of the local housing sub-market; and</p> <p>(e) needs and demands of all sectors of the community; and</p> <p>(f) character and context of the individual site; and</p> <p>(g) development viability and deliverability.</p> <p>(3) Developments of 50 or more dwellings will provide:</p> <p>(a) A proportion of dwellings that are suitable for occupation by the elderly, including bungalows, having regard to factors (c) and (g) above; and</p> <p>(b) A proportion of dwellings which are suitable for occupation or easily adaptable for people with disabilities in accordance with Part M4 (2) of the Building Regulations.</p>
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7.46 The HEDNA indicates a need for various types and sizes of housing as set out below in Table 3.

**Table 3 – dwelling mix suggested by HEDNA**

Type of Housing	Dwelling size			
	1 bed	2 bed	3 bed	4 bed
<b>Market</b>	<b>0-10%</b>	<b>30-40%</b>	<b>45-55%</b>	<b>10-20%</b>
<b>Affordable</b>	<b>30-35%</b>	<b>35-40%</b>	<b>25-30%</b>	<b>5-10%</b>

7.47 It is recognised that there may be a need for local variations and therefore the above percentages are not intended to be prescriptively applied to every site. Other relevant factors include population profiles, location, balancing recent local delivery, rebalancing the current mix and the turnover of properties at the local level as well as the nature of the development site and the character of the area.

7.48 In respect of local delivery Table 4 below identifies the dwelling sizes permitted (where known, as many dwellings are only approved in outline) since 1 April 2011 within the district, whether in the form of houses, flats or bungalows. This shows that in respect of market housing there are significantly more 4 bed houses with planning permission than the HEDNA suggests is required, less 3 bed and significantly less 2 bed properties. In respect of affordable housing there are more 2 bed and less 1 bed properties than suggested by the HEDNA, although this partly reflects the fact that 1 bed properties are generally not regarded as providing sufficient flexibility for changing household composition and are therefore not considered sustainable in the long term.

**Table 4 – dwelling mix based on current planning permissions**

Type of Housing	Dwelling size				Total
	1 bed	2 bed	3 bed	4+ bed	
<b>Market</b>	<b>105 (2.5%)</b>	<b>466 (11.2%)</b>	<b>1,462 (35%)</b>	<b>2,146 (51.4%)</b>	<b>4,179</b>
<b>Affordable</b>	<b>131 (16.2%)</b>	<b>430 (53.2%)</b>	<b>241 (29.8%)</b>	<b>7 (0.9%)</b>	<b>809</b>

- 7.49 As a result when compared to the HEDNA there is a need now to ensure that future developments, including those sites where only outline planning permission has been granted need to focus on delivering 2 and 3 bedroom properties in order to provide a better balance in the housing market.

#### **PROVISION FOR GYPSIES AND TRAVELLERS AND TRAVELLING SHOWPEOPLE.**

- 7.50 In helping to provide decent housing for all, we must also meet the accommodation needs of Gypsies and Travellers and Travelling Showpeople. The Planning Policy for Traveller Sites (PPTS) August 2015, which relates to Gypsies, Travellers and Travelling Showpeople, sets out the Government's planning policy and should be read in conjunction with the NPPF.

##### **Policy H7 – Provision for Gypsies and Travellers and Travelling Showpeople**

- (1) Provision will be made to meet the accommodation needs of Gypsies and Travellers and Travelling Showpeople between 2012 - 2031 for a minimum of:
  - 2012 – 2017: 27 pitches plus 20 transit pitches
  - 2017 – 2022: 11 pitches plus 3 plots for showpeople
  - 2022 - 2027: 14 pitches plus 3 plots for showpeople
  - 2027 - 2031: 16 pitches plus 3 plots for showpeople
- (2) The required provision will be identified through the production of a Gypsy and Traveller Site Allocations Development Plan Document, taking into account the most-up-to-date Gypsy and Traveller Accommodations Needs Assessment.

- (3) A five year supply of deliverable sites will be identified as well as a supply of developable sites or broad locations for the following years. The following criteria will be used to guide the site allocation process, and for the purposes of considering planning applications for such sites.**
- (4) Proposals for new sites or extensions to existing sites should meet the following requirements:**
  - (a) Be located with reasonable access to a range of services, such as shops, schools, welfare facilities or public transport;**
  - (b) Be proportionate to the scale of the nearest settlement, its local services and infrastructure;**
  - (c) Have suitable highway access, and is not detrimental to public highway safety;**
  - (d) Provides for adequate on-site parking and turning of vehicles as well as appropriate facilities for servicing and storage;**
  - (e) Be capable of being provided with adequate services including water supply, power, drainage, sewage disposal, and waste disposal facilities;**
  - (f) Be compatible with landscape, environment, heritage and biodiversity as well as the physical and visual character of the area;**
  - (g) Be compatible with the amenities of neighbouring properties and land uses.**
- (5) Authorised, existing and new, sites will be safeguarded for Gypsy and Travellers and Travelling Showpeople groups unless they are no longer required to meet an identified need.**
- (6) Any development provided for within this policy which discharges wastewater into the Mease catchment will be subject to the provisions of policy En2. Any such development which does not meet these provisions will not be permitted.**

7.51 The Leicestershire, Leicester and Rutland Gypsy and Traveller's Accommodation Needs Assessment (GTAA) (2007) identified the existing level of provision and provided a reliable estimate of future needs for the period 2006 - 2016. However the PPTS requires the use of a robust evidence base to establish accommodation needs. Local authorities should also provide a five year supply of deliverable sites against these locally set targets, as well as a supply of developable sites or broad locations for years 6 to 10 and where possible years 11 to 15.

7.52 In light of this, and to ensure that evidence is up to date, a 2013 refresh of the original 2007 GTAA Study has been undertaken. This has assessed the need for pitches and plots for Gypsies and Travellers and Travelling Showpeople respectively, up to 2031,

taking into account any unmet need identified in the initial GTAA. These GTAA requirements for the period 2012-2031 are set out in the policy above. This study also identified that a significant proportion of new accommodation provided should be for social rented pitches.

- 7.53 In light of the time that has passed since the 2013 refresh was prepared and published it is considered beneficial for this work to be updated in order to ensure a robust evidence base is maintained. Therefore we, along with Leicester City Council and the majority of the other Leicestershire authorities, have commissioned consultants to complete a new GTAA, for which the policy accommodates.
- 7.54 The amount of accommodation needed for Gypsies, Travellers and Travelling Showpeople may be small in comparison to wider housing needs but the Council has a responsibility to address the need. Permitting new pitches to meet need will help avoid unauthorised encampments and developments.
- 7.55 In order to provide for a range of sites to meet identified need the local authority is committed to producing a Gypsy and Traveller Site Allocations Development Plan. When developing this planning document and its policies the authority, under its duty to co-operate obligations, may need to discuss the distribution of pitch provision with neighbouring local authorities if it is found that the district's need cannot be fully met within its boundaries.

## **8 ECONOMIC**

### **INTRODUCTION**

- 8.1 The NPPF requires that “significant weight should be placed on the need to support economic growth through the planning system”. It goes on to note that “to help achieve economic growth, local planning authorities should plan proactively to meet the development needs of businesses and support an economy fit for the 21<sup>st</sup> century.”
- 8.2 The district benefits from its central location at the heart of England with good motorway connections and has the added benefit of East Midlands Airport which provides international links for both people and freight. There are a number of town and local centres which provide for a range of shopping and other needs, although the proximity of major centres such as Derby, Leicester and Nottingham provides significant competition which affects their performance.
- 8.3 The district lies at the heart of the National Forest with about 55% of the district being within the Forest area. This provides a range of economic opportunities including tourism and leisure, as well as emerging economic opportunities such as the woodland economy.
- 8.4 The District Council is committed to supporting the creation of a sustainable local economy which provides a variety of job opportunities and meets the needs of our communities.
- 8.5 The Leicester and Leicestershire Local Enterprise Partnership Strategic Economic Plan identifies five growth areas across Leicester and Leicestershire, two of which are located in the district; the East Midlands Enterprise Gateway and the Coalville Growth Corridor (see Appendix 4).
- 8.6 The East Midlands Enterprise Gateway is focussed upon a number of existing major economic activities in the north of the district (principally East Midlands Airport, East Midlands Distribution Centre and Donington Park) and potential major employment opportunities associated with the development of a Strategic Rail Freight Interchange (SRFI) west of Junction 24 of the M1 and north of East Midlands Airport (referred to as Roxhill).
- 8.7 The job opportunities associated with these existing and potential developments not only benefits the immediate locality, but also the district and further afield such that the area is of considerable importance to the wider regional economy. We need to ensure that in addition to a significant amount of new housing development already planned for Castle Donington and Kegworth (over 1,500 dwellings) that the area is as accessible as possible by public transport to potential employees from elsewhere, including the Coalville Urban Area and other centres in the district.

- 8.8 The planning system has an important role to play in delivering some aspects of the Enterprise Gateway, for example future growth at East Midlands Airport and Donington Park which are covered by policies Ec4 and Ec7 respectively and a range of infrastructure. However, other measures will be delivered outside of the planning system as they are not directly related to development. These include matters such as training, access to job opportunities at existing places of work and the delivery of Broadband to existing businesses. We are currently working with a range of partners, including the Leicester and Leicestershire Local Enterprise Partnership and East Midlands Airport, to address these issues.
- 8.9 The Coalville Growth Corridor is focussed on the A511 from Junction 22 of the M1 to Junction 13 of the A42. The Growth Corridor recognises the potential for housing and economic opportunities, especially in the Coalville area, many of which already benefit from planning permission. Such development will assist in meeting the Council's aim to revitalise Coalville Town Centre.
- 8.10 However, road improvements along the A511 corridor are required to support this development. The District Council is working with the highway authorities (Highways England and Leicestershire County Council) together with Hinckley and Bosworth Borough Council to prepare a strategy to bring forward these improvements.
- 8.11 We have also developed our own Local Growth Plan to complement the Strategic Economic Plan. This identifies a range of actions to address the Council's growth and investment priorities to 2018. Many of these actions are associated with issues such as training and skills and about how the Council interacts with businesses. In terms of headline outcomes these include:
- the potential to create over 15,000 new jobs within the district,
  - halve youth unemployment by 2019; and
  - increase female participation and wage rates to the regional average.
- 8.12 Other features of our strategy for the economy include seeking to protect key employment areas from non-employment uses, promoting and protecting our town and local centres for shopping and other related uses and supporting the development of other complementary sectors such as the National Forest.

#### **Employment Land provision - current position**

- 8.13 In considering employment land needs we mean those uses falling within Use Classes B1, B2 and B8 of the Use Classes Order 2015.
- 8.14 As noted in policy S1, provision needs to be made for a minimum of 66 Hectares of land for employment purposes during the plan period. As with housing, we are not starting with a blank sheet of paper; a number of developments have taken place since 2011 and there are also a number of sites where planning permission has previously been granted for some form of employment development.

- 8.15 In addition to the existing provision, we need to consider whether some land currently in use for employment purposes could be lost to other uses. For example, older stock which may become not fit for purpose during the plan period. An Assessment of Employment Sites was a comprehensive survey of employment sites in the district that considered which the most suitable sites were to retain in employment use and which might reasonably be considered for other uses. Those sites which were identified as being potentially suitable for release to other uses totalled 25.8ha. Of these 15.4ha has already been (or are being) redeveloped for other uses, principally housing. Therefore, this leaves only 10.4ha as potentially suitable for release to other uses.
- 8.16 Table 5 below identifies what the residual requirement is when taking account of completions since 2011, existing commitments and the loss allowance outlined above.

**Table 5 – Employment land provision as at 1 October 2016**

Requirement 2011-31	66 Ha	A
Starts 2011-16	6.81 Ha	B
Commitments (excluding Class B8 sites over 9,000sqm)	29.86 Ha	C
Residual requirement (A-B-C)	29.33 Ha	D
Allowance for potential loss of employment land	10 Ha	E
Residual requirement (D-E)	39 Ha	

- 8.17 It can be seen that there is a shortfall of about 39 hectares compared to the requirements identified in the HEDNA (including an allowance for the potential loss of existing employment land). This shortfall is addressed at Policy Ec2.
- 8.18 It should be noted that the employment land requirement and provision figures are net of land occupied by major peripheral structural landscaping and main distributor roads. Other on-site infrastructure, such as access roads, ancillary landscaping, car parking and buildings are all included in the net figure

### **EMPLOYMENT PROVISION, PERMISSIONS**

- 8.19 As with housing there are a number of sites where the Council has granted planning permission for some form of employment use but where development has yet to commence. It is possible that some of these permissions could lapse. It is appropriate to indicate the likely response in such circumstances.
- 8.20 In addition to those sites listed below, it should be noted that there are a number of other sites with outstanding planning permission but where development has already commenced and are protected under policy Ec3 (e.g. East Midlands Distribution Centre).

#### **Policy Ec1 – Employment provision: permissions**

The following sites have the benefit of planning permission for employment development and where development has yet to commence. In the event that planning permission lapses on these sites it will be renewed subject to the policies of this Local Plan and any other material considerations including any evidence in respect of deliverability of any particular site.

Any development provided for within this policy which discharges wastewater into the Mease catchment will be subject to the provisions of policy En2. Any such development which does not meet these provisions will not be permitted.

	Site	Site Area (Hectares)	Use Class
EC1a	Former Lounge disposal point, Ashby de la Zouch	25.5	B8
EC1b	Rear of Charnwood Arms, Bardon	1.2	B1
EC1c	Land at Sawley crossroads, Sawley	24.88	B1, B8

Planning permission has also been granted for a Strategic Rail Freight Interchange on land north of East Midlands Airport/west of Junction 24 of the M1 (site EC1d on the policies map). In the event that the permission lapses the Council will support its renewal through the Nationally Significant Infrastructure Project process (or any equivalent replacement process) subject to the policies of this Local Plan and any other material considerations including any evidence in respect of deliverability.

#### **EMPLOYMENT PROVISION, ALLOCATIONS**

- 8.21 As noted at Table 5 there is a shortfall in employment provision of about 39 hectares. In deciding which site (or sites) should be allocated to address this shortfall we have had regard to a range of sites which have previously been notified to the Council as part of an Employment Land Availability Assessment (ELAA) we undertook in 2013/14.
- 8.22 Having regard to the settlement hierarchy this identifies Coalville Urban Area as the Main Town and so was the first place to be looked at. However, no suitable sites were considered to be available in Coalville. In addition, as noted in Policy Ec1 there is a supply of employment land in Coalville.
- 8.23 In accordance with the settlement hierarchy the next places to consider were Ashby de la Zouch and Castle Donington. Whilst the ELAA identifies a number of potential sites in the vicinity of Castle Donington it is considered that in view of the fact that there is already a significant amount of employment in this area, along with the Strategic Rail Freight Interchange, that additional employment would represent an imbalance with housing provision in the locality.



- 8.24 In terms of Ashby de la Zouch two potential sites are included in the ELAA – south of Ashby and north of Ashby. It is considered that land at north of Ashby (Money Hill) would be the more appropriate of the two sites.
- 8.25 An issue in recent years in Ashby de la Zouch has been the loss of employment land to other uses, principally housing. Therefore, it is considered that making further provision in Ashby de la Zouch would help to offset some of these losses. On the basis of this assessment we concluded that it would be appropriate to allocate land north of Ashby de la Zouch as part of a comprehensive, mixed use development involving housing.

**Policy Ec2 – New Employment sites**

- (1) Land north of Ashby de la Zouch (Money Hill) is allocated for employment development for up to 16 Ha subject to the following:**
- (a) The provision of vehicular access to the A511 in conjunction with the adjoining housing development proposed under policy H3a; and**
  - (b) The provision of employment units of varying sizes to meet the needs of a wide range of employers; and**
  - (c) Land adjoining the A511 and Smisby Road will be restricted to those uses falling within the B1 Use Class; and**
  - (d) The provision of appropriate landscaping, planting and other features so as to minimise the impact upon the adjoining housing development proposed under Policy H3a as well as the impacts on the wider landscape and biodiversity; and**
  - (e) Design and layout of the proposed development should have due regard to the protection and enhancement of Heritage Assets including Ashby Castle Scheduled Ancient Monument, the Parish Church of St Helen and Ashby de la Zouch Conservation Area; and**
  - (f) The provision of cycle and walking links to the adjoining housing development proposed under Policy H3a; and**
  - (g) The provision of green infrastructure links, providing both an ecological connectivity and footpath and cycle links, within the development and to the wider area; and**
  - (h) A comprehensive Masterplan prepared in consultation with stakeholders, including both the district and town council and agreed in writing with the local planning authority for the comprehensive development of the site which identifies a range of land uses (including residential, employment and commercial uses, green infrastructure and open spaces, pedestrian and cycle links within and beyond the site and community facilities) and their relationship to each other and existing development in the vicinity of the site and what measures will be put in place to protect amenity of existing**

**residential areas; and**

- (i) Provision for the discharge of wastewater into the Mease catchment in accordance with the provisions of policy En2. Development which does not meet these provisions will not be permitted. In addition, development will not be permitted unless a 'development window' for the Developer Contributions Scheme is current, and there is sufficient capacity to accommodate the proposal in full.**
- (2) Where evidence indicates an immediate need or demand for additional employment land (B1, B2 and B8) in North West Leicestershire that cannot be met from land allocated in this plan, the Council will consider favourably proposals that meet the identified need in appropriate locations subject to the proposal:**
  - (a) Being accessible or will be made accessible by a choice of means of transport, including sustainable transport modes, as a consequence of planning permission being granted for the development; and**
  - (b) Having good access to the strategic highway network (M1, M42/A42 and A50) and an acceptable impact on the capacity of that network, including any junctions; and**
  - (c) Not being detrimental to the amenities of any nearby residential properties or the wider environment.**

- 8.26 The allocated provision will result in a shortfall compared to the HEDNA (excluding an allowance for the potential loss of existing employment land) of about 13 hectares. This will be addressed through the review of the Local Plan committed to in Policy S1 (taking account of any additional employment land which might be redistributed to the district from elsewhere in the HMA) and through the determination, against Ec2 (2) of any planning applications which come forward in the meantime.

#### **EXISTING EMPLOYMENT AREAS**

- 8.27 Objective 5 of the Local Plan seeks to support the continued economic growth of the district. Whilst this can be partly achieved through the provision of new sites, there are already a large number of sites and buildings across the district in use for employment purposes.
- 8.28 It is important to seek to maintain the existing stock of land and buildings in order to provide a basis for the continuing economic prosperity of the area.
- 8.29 Whilst it is important to seek to maintain the existing stock of employment land and buildings, in order to provide a basis for continuing economic prosperity of the area, the NPPF advises against the "long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose".

- 8.30 A qualitative assessment of employment sites was undertaken in 2010 by Roger Tym and Partners working with Lambert Smith Hampton. This looked at sites in terms of a number of factors to assess whether the sites continued to meet market requirements:
- accessibility by road,
  - accessibility by public transport,
  - external environment, and
  - internal environment
- 8.31 The assessment concluded that whilst most sites were still relevant from an employment point of view and should therefore be retained in employment use, there were some sites where this was not the case and so release to another use would be appropriate. Those sites identified in the study as being worthy of retention for employment use are accordingly identified as Primary Employment Areas in policy Ec3.
- 8.32 It should be noted that some of these Primary Employment Areas have yet to be completed. The remaining parts of these sites which have yet to be built are included in the commitments figure set out in table 5.
- 8.33 In respect of other sites not identified as Primary Employment Areas it is recognised that notwithstanding the role they play in the local economy it may sometimes be appropriate to allow their redevelopment for non-employment uses. Often such sites were built some time ago and can no longer meet the needs of modern businesses, or it may be that the site was built for a specific employment use which is no longer appropriate. In other cases it may be that the surrounding area has changed in terms of the predominant use and continuation for employment would be likely to be detrimental to the local amenity. In such cases the Council will want to ensure that the potential for reuse for employment purposes has been fully explored before agreeing to release the site for non-employment use.
- 8.34 Land at Ashby Business Park was originally allocated for the development of a High Quality Business Park in the 2002 North West Leicestershire Local Plan. The initial permission included a condition which sought to restrict the use of the site to B1 and B2 uses only, in order to maintain a Business Park environment. Development commenced in the 1990s but in recent years there has been limited progress in developing the remainder of the site. There have been previous planning applications for other uses including retail, hotel and public houses. These have been resisted for various reasons, including non-compatibility with the original aims of the 2002 Local Plan and design issues which conflict with the original aim of creating a business park environment at this important approach to Ashby de la Zouch. A study undertaken in 2010 of existing and proposed employment areas concluded that whilst the site should continue to be protected for employment use that it would be appropriate to consider allowing some B8 development to the rear of the site so as to add value to the site. In

recognition of this it is proposed to allow for some B8 uses on the site. In order to maintain the original business park appearance of the overall site it is proposed that B8 uses would be allowed on those parts of the site which do not adjoin the A42 or the A511. In terms of other non-employment uses these will be considered against the provisions of Ec3(2).

**Policy Ec3 – Existing employment areas**

- (1) The Primary Employment Areas defined on the Policies map will be retained for employment generating uses within the Use Classes B1, B2 and B8.**

**Planning permission will be given for Class B1 (light industrial and office), B2 (General industrial) and B8 (Storage and distribution) uses subject to the proposed development not resulting in:**

- (a) Significant harm to the amenity of any nearby residents; and**
- (b) Significant harm to the general environment.**

**Regard will also be had to its impact on infrastructure requirements and the merits of the proposal in terms of other Local Plan policies.**

- (2) Other uses will only be permitted within the Primary Employment Areas where they:**

- (a) Are small scale or ancillary to the above uses; or**
- (b) Maximise job outputs and are compatible with the character and function of the area and with other nearby uses and policies in this Local Plan.**

- (3) In other employment areas proposals for non-employment development will be supported subject to it being demonstrated that one of the following criteria is satisfied:**

- (a) The property has been vacant for at least 6 months and has been the subject of genuine marketing for commercial (B class) uses for at least that period of time, at reasonable market values, and which has proved unsuccessful, or, where the use is no longer economically viable;**
- (b) The site is no longer capable of meeting the needs of modern businesses;**
- (c) Continuation in employment use would be inappropriate in terms of adjoining uses or the amenity of the wider area.**

- (4) The Council will, notwithstanding previous permissions for B1 and B2 uses commensurate with a high quality Business Park environment, allow some B8 development on land at Ashby Business Park as identified on the Policies map (Policy Ec3(4)), on those parts of the site not adjoining the A42 or A511.**

**(5) Any development provided for within this policy which discharges wastewater into the Mease catchment will be subject to the provisions of policy En2. Any such development which does not meet these provisions will not be permitted. In addition, new development provided for within this policy (i.e. that which does not already have planning permission) will not be permitted unless a 'development window' for the Developer Contributions Scheme is current, and there is sufficient capacity to accommodate the proposal in full."**

## **EAST MIDLANDS AIRPORT**

- 8.35 The NPPF recognises that airports have a role to play in creating a successful economy. It notes that "plans should take account of their [ports, airports and airfields] growth and role in serving business, leisure, training and emergency service needs." National aviation policy is set out in the Aviation Policy Framework (DfT, 2013) that recognises the benefit of aviation and sets out a primary objective to achieve long-term economic growth. As aviation is a major contributor to the economy, its growth is supported within a framework that maintains a balance between its benefits and costs, particularly climate change and noise.
- 8.36 East Midlands Airport, which forms part of the East Midlands Enterprise Gateway, is a nationally important asset providing domestic and international flight connections, a hub for air freight and a vital contribution to the growth of the regional economy. East Midlands Airport is:
- The 11th busiest passenger airport in the UK handling 4.4 million passengers in 2015
  - The UK's largest pure cargo airport handling 320,000 tonnes in 2015 and the 15th largest cargo airport in Europe
  - The UK's major air mail hub
  - The UK's leading airport for express freight, with three of the major global integrated freight airlines based at the airport
  - On-site employment was about 7,100 jobs in 2015
- 8.37 In January 2013 the Government published revised aviation forecasts to inform long-term strategic aviation policy, including the development of its Aviation Policy Framework and the work of the Airports Commission. The central forecasts of passenger numbers in 2030 have been reduced by around 7% from levels forecast in August 2011 reflecting revised forecasts for the UK economy and changed projections of oil prices. Demand for air travel is forecast to grow annually between 1% and 3% over the next 15 years, which is lower than the previous annual growth of 5%.
- 8.38 The Aviation Policy Framework has provided a framework for the East Midlands Airport Sustainable Development Plan prepared by the airport company and which

was finalised in 2015. The Sustainable Development Plan sets out objectives for the growth and development of East Midlands Airport and is supported by four detailed plans that cover:

- Community
- Economy and Surface Access
- Environment
- Land Use

- 8.39 The Land Use Plan identifies the development that is needed to support the growth of the airport so that it is capable of handling 10 million passengers annually and 1.2 million tonnes of cargo. There are no plans for the development of a second runway but the airport has implemented a planning permission that was granted in 2011 for the construction of a 190 metre runway extension. The airport also want to bring forward commercial development proposals associated with the airport, including offices, logistics, general warehousing and hotels at Pegasus Business Park. Pegasus Business Park covers some 26 hectares in the south-west corner of the airport site and there is around 10 hectares still available for development.
- 8.40 The Council wants to support these growth plans but needs to balance the economic benefits they will bring against their local impacts, particularly with regards to noise and transport.
- 8.41 Aircraft and airport operations at East Midlands Airport result in high levels of noise disturbance, particularly at night when background noise is generally lower. As a result of the recent implementation of a permission to extend the runway there are now some restrictions in respect of night time noise associated with planes using the airport. Notwithstanding these restrictions there remain concerns about night time noise issues on local communities and so we will continue to work with the airport to ensure that any impacts are minimised as far as possible.
- 8.42 The airport is very well connected by road, with direct access to the M1 and A42 and very close to the A453, A50 and A52. There is a 24-hour a day, 7 days a week bus network connecting the airport to Derby, Nottingham, Leicester and other centres. There is no direct rail link although the East Midlands Parkway rail station is approximately 6 miles away.
- 8.43 Whilst improving public transport remains a key priority, the need for access to the strategic highway network is important, particularly for cargo and freight distribution. East Midlands Airport is the main UK base for DHL and UPS, along with significant operations by TNT. It is also the major mail airport in the UK. The express freight operators provide an international next-day delivery service that relies on excellent road connectivity along with the ability to operate aircraft at night. There are in the region of 500 HGV movements to and from East Midlands Airport on a typical weekday, but with freight aircraft flying overnight, the vast majority of these vehicle

movements take place very late at night and very early in the morning and as such have no impact on peak motorway traffic levels.

- 8.44 The private car will continue to be the primary mode of airport access, but we want to encourage wider public transport use by developing the network of bus routes and services. We will work with the Airport and its partners to do this.

**Policy Ec4 – East Midlands Airport**

- (1) The growth of East Midlands Airport will be supported provided development that gives rise to a material increase in airport capacity or capability:**
- (a) Is limited to that necessary to support an airport capable of handling up to 10 million passenger and 1.2 million tonnes of cargo per year; and**
  - (b) Incorporates measures that will reduce the number of local residents affected by noise as a result of the airport's operation, as well as the impact of noise on the wider landscape; and**
  - (c) Incorporates measures to ensure that local air quality satisfies relevant standards; and**
  - (d) Is accompanied by improvements in public transport access to the airport and other measures that will reduce the level of airport-generated road traffic (per passenger); and**
  - (e) Will protect and enhance heritage assets within the vicinity of the airport.**
- (2) Within the boundaries of the airport, as defined on the Policies Map, development will be limited to:**
- (a) Operational facilities and infrastructure; and**
  - (b) Passenger and terminal facilities; and**
  - (c) Cargo facilities; and**
  - (d) Airport ancillary infrastructure where the proposed development requires and benefits from an airport location and is of a scale that is appropriate to that relationship; and**
  - (e) Landscape works; and**
  - (f) Internal highways and infrastructure; and**
  - (g) Improvements to public transport and airport customer car**

parking.

#### **East Midlands Airport - Safeguarding**

- 8.45 Major airports, because of their importance to the UK air traffic system are also protected through a process known as aerodrome safeguarding. An officially safeguarded area has been established for East Midlands Airport and we are required to consult the airport operator on those developments that could potentially affect the safety of aircraft and air traffic control operations. These developments can include the construction of tall structures, developments that have the potential to attract birds and wind turbines because they can interfere with radar and navigation systems.
- 8.46 Guidance on aerodrome safeguarding is set out in Circular 1/2003 which details the process and the consultation requirements.

#### **Policy Ec5 – East Midlands Airport: Safeguarding**

- (1) Development which would adversely affect the operation, safety or planned growth of East Midlands Airport will not be permitted.**
- (2) The outer boundary of the Safeguarded Area is shown on the Policies Map and within this area consultation with East Midlands Airport is required on the following proposals:**
- (a) All buildings, structures, erections and works that exceed the height specified on the safeguarding map;**
  - (b) Any proposed development in the vicinity of East Midlands Airport which may have the potential to interfere with the operation of its navigational aids, radio aids and telecommunication systems;**
  - (c) The lighting elements of a development which may have the potential to distract or confuse pilots, particularly in the immediate vicinity of the aerodrome and of the aircraft approach paths;**
  - (d) Any proposal for an aviation use within a 13km circle centred on East Midlands Airport;**
  - (e) Any proposal within a 13km circle centred on East Midlands Airport which has the potential to attract large numbers of birds. Such proposals include:**
    - (i) significant landscaping or tree planting;**



	(ii) minerals extraction or quarrying;
	(iii) waste disposal or management;
	(iv) reservoirs or other significant water bodies;
	(v) land restoration schemes;
	(vi) sewage works;
	(vii) nature reserves;
	(viii) bird sanctuaries.
(f)	Any proposal for a wind turbine development within a 30km circle centred on East Midlands Airport.

#### **East Midlands Airport - Public Safety Zones**

- 8.47 Public Safety Zones are areas of land at the end of runways at the busiest airports in the UK, within which certain planning restrictions apply. These aim to control the number of people on the ground at risk in the unlikely event of an aircraft accident on take-off or landing.
- 8.48 East Midlands Airport's Public Safety Zones extend over part of Donington Park to the west and a small area on the southern edge of Kegworth to the east. The extent of the Public Safety Zones may be reviewed to reflect changes in aircraft technology and changes in the numbers of aircraft movements.

#### **Policy Ec6 – East Midlands Airport Public Safety Zones**

- (1) There will be a general presumption against new or replacement development or changes of use of existing buildings within the designated East Midlands Airport Public Safety Zones identified on the Policies Map. Within those areas of the Public Safety Zones lying outside the identified 1 in 10,000 risk contours, the following developments may be permitted:
- (a) an extension or alteration to a dwelling house which is for the purpose of enlarging or improving the living accommodation for the benefit of the people living in it, such people forming a single household, or which is for the purpose of a 'granny annex';
  - (b) an extension or alteration to a property (not being a single dwelling house or other residential building) which could not reasonably be expected to increase the number of people working or congregating in or at the property beyond the current level, or, if greater, the number authorised by an extant planning

permission;

(c) a change of use of a building or of land which could not reasonably be expected to increase the number of people living, working or congregating in or at the property or land beyond the current level or, if greater, the number authorised by any extant planning permission;

(d) other forms of new or replacement development which would involve a low density of people living, working or congregating within the site, such as:

(i) long stay and employee car parking (where the minimum stay is expected to be in excess of six hours);

(ii) open storage and other forms of storage and distribution use (excluding those, such as distribution centres, sorting depots and retail warehouses) which would result in very few, if any, people being present on a site at any given time, and subject to conditions to prevent the future intensification of the use of the site and limit the number of employees present;

(iii) development likely to introduce very few or no people on to a site on a regular basis, such as unmanned structures, engineering operations, buildings housing plant or machinery, agricultural buildings and operations, buildings and structures in domestic curtilage incidental to dwelling house use, and buildings for storage purposes ancillary to existing industrial development;

(iv) public open space, where there is a reasonable expectation of low intensity use, but excluding such uses as children's playgrounds, playing fields or sports grounds which would be likely to attract significant numbers of people on a regular basis;

(v) golf courses, but not clubhouses; and

(vi) allotments.

(2) Within the identified 1:10,000 risk contours only development which would involve a very low density of people coming and going may be permitted as exceptions to the above general presumption, such as:

(a) long stay and employee car parking (where the minimum stay is expected to be in excess of six hours);

(b) built development for the purpose of housing plant or machinery,

**and which would entail no people on site on a regular basis, such as boiler houses, electricity switching stations or installations associated with the supply or treatment of waste; and**

**(c) golf courses, but not clubhouses.**

## **DONINGTON PARK**

- 8.49 Donington Park racetrack dates back to 1931 and was originally part of the Donington Hall estate. It now hosts a wide range of national and international motorsport events and is used extensively for vehicle testing and by track day operators. The track, associated buildings and infrastructure are contained within a “10 foot wall”. There is also an exhibition centre which is used for a wide range of events.
- 8.50 Complementing the race circuit, Donington Park is used by many different businesses for vehicle related activities. This includes:
- vehicle launches by car manufacturers;
  - driver training for commercial vehicles, cars and motorbikes;
  - various types of off-road and 4x4 use, including a purpose built 4x4 track;
  - operational centre for track day operators; and
  - use of the Western Paddock as the International Head Quarters for a new electrically powered global race championship - FIA Formula E.
- 8.51 Other activities within the estate include a large long-term car park for East Midlands Airport, a plant & machinery auction site and the museum housing the Grand Prix as well as, now, the Wheatcroft Military Collections. In June of each year Donington hosts the Download music festival. There has been a weekly Sunday Market in operation on the tarmac areas to the west of the race track for a number of years.
- 8.52 The ongoing investment required to manage and operate a race circuit to an international standard is significant and without income generation from other uses on site the circuit alone would not be viable. As a consequence, Donington Park Racing’s growth plans include extensions to the west and south of the circuit to provide for motorsport development and related activities. Only the westerly extension is allowed for on the Policies Map, as it is considered that a southerly extension would be injurious to the appearance and character of the local landscape.
- 8.53 As noted already Donington Park lies within the area of the East Midlands Enterprise Gateway and the Council wants to support these growth plans but needs to balance the economic benefits they will bring against their local impacts, particularly with regard to noise, transport and impact on heritage assets.
- 8.54 Motorsport is a noisy activity and this is part of the enjoyment of the sport for many enthusiasts. However, noise from the racetrack has been the source of complaint,

particularly from the communities of Weston on Trent and Aston on Trent in South Derbyshire. Noise from racetrack activity is controlled by the conditions contained in the current planning permissions for the racetrack, and a Noise Abatement Notice issued in 2010. These conditions allow Donington Park Racing to maximise the business opportunities available to the racetrack whilst limiting the number of events per year which are likely to give rise to local annoyance as well as limiting the duration of noisy events and limiting the noise produced by each individual vehicle during an event.

- 8.55 The circuit is located about 4km from Junction 23A of the M1 and is connected to the M1 and the A42 via the A453. At weekends the traffic flows in its vicinity are particularly high due to the combination of visitors attracted to the circuit and East Midlands Airport. From time to time there has been various traffic problems associated with the events at the racetrack. In particular, problems of excessive traffic have affected Castle Donington and, on occasions with very high attendance, there has been severe congestion on the wider network including the A453 and junctions 24 and 23A on the M1. The nearest train station to Donington Park is East Midlands Parkway, through which East Midlands Trains operate regular trains, but there is no regular bus service linking it to Donington Park.

**Policy Ec7 – Donington Park**

- (1) The development of Donington Park as a national and international racing circuit will be supported provided development that gives rise to a material increase in the use of the racetrack or number of visitors:**
  - (a) Incorporates measures to reduce the impact of noise as a result of the racetrack’s operation on local residents and the wider area; and**
  - (b) Ensures that existing mature trees and woodland are retained and incorporated into a landscaping scheme that mitigates the effects of the development on the local landscape; and**
  - (c) Is accompanied by improvements in public transport access to the racetrack and other measures that will reduce the impact of event traffic on the local and strategic road network; and**
  - (d) Conserves or enhances the site’s racing and parkland heritage and heritage assets.**
- (2) Within the boundaries of the Donington Park Racetrack, as defined on the Policies Map, development will be limited to:**
  - (a) Facilities and infrastructure meeting the operational needs of the racetrack including motorsport and spectator facilities; and**

- (b) Facilities and infrastructure for driver training and driving experiences; and**
  - (c) Motorsport and automotive ancillary infrastructure where the proposed development has a clear functional relationship with the racetrack and is of a scale that is appropriate to that relationship. This shall include developments associated with the design, racing, testing and maintenance of motorsport vehicles; and**
  - (d) Landscape works; and**
  - (e) Internal highways and infrastructure**
- subject to:**
- (f) The provision of improvements in public transport accessibility and other measures that will reduce the impact of event traffic on the local and strategic road network; and**
  - (g) Any buildings being located, oriented and designed to reduce the impact of noise, especially for residents living in settlements to the west of Donington Park; and**
  - (h) The incorporation of appropriate landscaping to mitigate the effects of the development on the local landscape; and**
  - (i) The incorporation of appropriate measures to mitigate the effects on heritage assets.**

## **TOWN AND LOCAL CENTRES**

### **INTRODUCTION**

- 8.56 The NPPF identifies that “town centres should be seen as the heart of communities” and where policies should “support their viability and vitality”. It suggests that a network and hierarchy of centres should be defined along with the extent of town centres and primary shopping areas and that policies should set out what uses will be permitted in these locations. It also requires that in considering proposals for development of what are termed main town centre uses (i.e. retail uses, leisure and entertainment facilities) that a sequential test be applied whereby the preference is for developments to be located within town centres, then in edge of centre locations and only if suitable sites are not available in either of these locations should out-of-centre locations be considered.

- 8.57 The retail offer in North West Leicestershire is mainly located in the town and village centres of Coalville, Ashby de la Zouch, Castle Donington, Ibstock, Kegworth and Measham. These centres not only provide important shopping facilities and services, but also provide a focal point for communities and meet the day to day needs of local residents.
- 8.58 Our town centres face competition from other centres as well as other forms of shopping. In particular, shopping from home has grown rapidly and with the continued expansion of superfast broadband to more rural and remote areas, it is suggested that this form of retail offer could continue to grow.
- 8.59 A Retail Capacity Study was undertaken in 2012 which assessed the health and role of the above centres and the contribution they make towards meeting future retail needs, apart from Kegworth due to the size of its centre and the smaller range of shops. In addition, a household survey of shopping habits was undertaken to inform a forecast of future shopping needs. A summary of the main findings in respect of the health of the centres is set out below:

**Table 6 – Summary of main findings of the health of town centres**

<b>Town Centre</b>	<b>Summary of comments</b>
Coalville	<ul style="list-style-type: none"> <li>the district's principal shopping area and should support the convenience and comparison shopping needs of a wider area;</li> <li>struggling with vitality and viability and there is a clear need for improvement particularly if it is to fulfil its role as the district's principal shopping centre and meet the needs of existing residents and an increased population in future years.</li> </ul>
Ashby de la Zouch	<ul style="list-style-type: none"> <li>An historic market town which although smaller in scale than Coalville offers a good variety of retailers, restaurants and service providers and has a good level of diversity of uses and provides for day to day shopping needs.</li> </ul>
Castle Donington	<ul style="list-style-type: none"> <li>A healthy district centre that meets local resident's day-to-day needs well with low vacancy rates and a range of local retail and service uses, including a number of convenience stores, and a good offer of independent retailers, financial services, hairdressers and restaurants.</li> </ul>
Ibstock	<ul style="list-style-type: none"> <li>A local centre that provides day to day goods and services, primarily to meet the local needs of its residents.</li> <li>Retailing is low key as a high proportion of its units are occupied by non-shop uses, in particular take away premises, as well as residential properties.</li> </ul>
Measham	<ul style="list-style-type: none"> <li>A local centre that provides day to day goods and services,</li> </ul>

	<p>primarily to meet the local needs of its residents;</p> <ul style="list-style-type: none"> <li>• Retailing is low key due to a strong residential element and is considered relatively poorly served by food store provision.</li> </ul>
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- 8.60 As noted a healthcheck of Kegworth was not included in the 2012 study. It is the smallest of the centres and its role is of one that serves a more limited range of day-to-day needs. This local centre provides a limited mix of retail uses and only a small number of financial and professional services. Over half of the uses perform a non-retail function with strongest representation from residential properties, contributing to the low key retail character of the centre.
- 8.61 This study was updated in 2014 in terms of assessing future retail requirements. The outcome of this is considered at paragraph 5.11 in respect of Policy S1 (Future housing and economic development needs) which identifies a need for an additional 7,300 sq metres of comparison retail floorspace.
- 8.62 The 2016 assessment of retail operator demand identifies Coalville to be the main focus of interest from national and regional retail operators. New development would assist in the centre's regeneration and help reduce 'leakage' of comparison retail expenditure. However intervention will be needed to improve operator demand and retail representation in the town centre. The Council has initiated the Coalville Project, as set out in paragraph 8.68 to address this need for intervention.
- 8.63 The 2016 assessment also identifies that Ashby receives good levels of interest from local retail operators, as and when units become available. However opportunities for modern retail floorspace development will be limited in this centre.

## **RETAIL HIERARCHY**

- 8.64 Having regard to the advice in the NPPF we have identified a hierarchy of retail centres. For the purposes of town centre policies this identifies both Coalville and Ashby de la Zouch as town centres in view both of their scale and function serving a more than local area. The smaller centres of Castle Donington, Ibstock, Kegworth and Measham are identified as Local Centres.

### **Policy Ec8 – Town and Local Centres: Hierarchy and Management of Development**

**(1) The Council will support retail and main town centre development in accordance with the following hierarchy of centres:**

- **Town Centres: Coalville and Ashby de la Zouch**
- **Local Centres: Castle Donington, Ibstock, Kegworth and Measham**

Proposals for retail and other main town centre uses will be expected to be located within the town and local centres, as defined on the Policies map. Development outside of the defined town and local centres will only be permitted if it can be demonstrated that a sequential approach has been followed which favours sites in a defined centre, then edge of centre and then out-of-centre.

**(2) Coalville is the district's principal shopping area and is the Council's preferred location for additional retail development to ensure that it continues to fulfil this role and to assist in the regeneration of the Town Centre. The Council will work with landowners, developers and businesses to bring forward proposals for up to 7,300 square metres of comparison (non-food) retail floorspace in accordance with the hierarchy set out in this policy. In addition, improvements to the public realm will be sought, either in association with new development or as standalone schemes.**

**(3) New retail and town centre uses development should:**

- (a) Be of a scale appropriate to the role, function and character of the settlement and not undermine the balance of the hierarchy;**
- (b) Conserve and enhance the character and distinctiveness of each centre in terms of design, and protect and enhance the built and historical assets of the centre, and their wider setting.**

8.65 The main Town and Local Centres uses as referred to in the NPPF are those uses listed below (as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended)):

- A1 Shops,
- A2 Financial and Professional,
- A3 Restaurants and Cafes,
- A4 Drinking Establishments,
- A5 Hot Food Takeaways,
- B1 Offices,
- D2 Assembly and Leisure Uses, recreation uses (including nightclubs and casinos) and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

8.66 Notwithstanding the fact that Coalville and Ashby de la Zouch are both identified as Town Centres, our priority for further retail development, as advised in the Retail Capacity Study, is in Coalville Town Centre.

8.67 Coalville is the largest town in the district which is reflected in the number of retail outlets and town centre uses that are located there. However, as noted in the 2012 retail study (paragraph 4.4) *"Whilst the town centre continues to meet day-to-day*



*convenience and comparison goods shopping functions, plus the service needs of local residents, adequately, the overall picture is one of a centre 'getting by', and struggling for vitality and viability in a number of areas".*

- 8.68 The Council has initiated the Coalville Project as a means to address some of these issues. The Coalville Project is being led by the District Council but will involve a wide range of partners to deliver improvements. Some steps have already been undertaken including the redevelopment of the former Pick and Shovel at the corner of the High Street and Belvoir Road and the designation of a conservation area.
- 8.69 A key focus of the Coalville Project is something referred to as the "Four squares proposal"; an aim to link Stenson Square (where the Council Offices are located) with Marlborough Square, Memorial Square and the Belvoir Shopping centre area via vibrant streets, including the regeneration of rundown buildings and areas and new development.
- 8.70 In order to deliver on these aspirations the Council will work with landowners and developers to realise potential opportunities, including new retail floorspace. It is too early in the lifetime of the Coalville Project for any firm proposals for new development to have been progressed and so no specific proposals are included in the Local Plan, but Policy Ec8 (2) sets out the Council's aim to see additional floorspace provision made in Coalville to meet the need identified in Policy S1.
- 8.71 The 2016 retail assessment suggests that the delivery of the identified comparison floorspace requirement could be challenging. It recommends supporting the implementation of existing retail commitments in Coalville, as well as other interventions to promote investment in the centre, such as addressing funding gaps, improvement to accessibility and creating a stronger sense of place.

#### **IMPACT ASSESSMENT THRESHOLD**

- 8.72 Proposals for main town centre uses that are not in a centre should be assessed having regard to their impact on centres. The NPPF requires such an assessment particularly for developments over 2,500 square metres gross but does allow for us to set a local threshold for the scale of development which should be subject to an impact assessment. The 2012 Retail Study advised that the thresholds set out below in Ec9 should be used to require proposals outside of the defined centres to provide an impact assessment.

#### **Policy Ec9 – Town and Local Centres: Thresholds for Impact Assessments**

For retail, leisure and office development proposed outside of the town and local centres as defined on the Policies map, an impact assessment will be required based on the following thresholds.

<b><u>Centre where development proposed</u></b>	<b><u>Development Threshold</u></b>
<b>Coalville and Ashby de la Zouch</b>	<b>1,000 sqm gross</b>
<b>Castle Donington, Ibstock, Kegworth and Measham</b>	<b>500 sqm gross</b>

#### **PRIMARY SHOPPING AREAS**

- 8.73 The NPPF suggests that in addition to defining its town centres, local planning authorities should identify primary shopping areas. These are an area where shopping development is principally concentrated. This area can also include those adjoining and closely related areas where a more diverse range of other main town centre uses, such as restaurants, public houses and businesses, can be found.
- 8.74 We have researched the type and spread of uses within and around the various town and local centres. Having regard to this and the NPPF definitions, a Primary Shopping Area is proposed within the centres of Coalville and Ashby de la Zouch and the totality of our Local Centres. These Primary Shopping Areas are defined on the Policies map.

#### **Policy Ec10 – Town and Local Centres: Primary Shopping Areas – Non-Shopping Uses**

**(1) Shops (Use Class A1) will be the predominant ground floor use within the defined Primary Shopping Areas of our Town and Local Centres, as identified on the Policies map. Development for other main town centre uses within the Primary Shopping Area will be acceptable where all the following criteria are met at the time that an application is determined;**

- (a) They make a positive contribution to the diversity of uses on offer; and**
- (b) The proposal, along with any committed planning permission, does not undermine the shopping element within the immediate area of the site; and**
- (c) It would not result in a cluster or over-concentration of non-shop uses; and**
- (d) It would not lead to a negative impact on the retail character and vitality and viability of the Primary Shopping Area.**

**(2) The residential use of the upper floors of properties within these defined**

**Primary Shopping Area will be supported subject to parking and amenity considerations.**

- 8.75 Whilst the predominant use within the primary shopping area will be shopping it is recognised that residential development within our centres can provide a range of economic, environmental, social and financial benefits. It can assist with a centre's regeneration and add to its vitality, especially at night. However residential development within the Primary Shopping Area should be restricted to the upper floors of premises, so as not to undermine the shopping function.
- 8.76 In considering applications for a change of use from shopping to non-shopping regard will be had to various factors including:
- The need to maintain an appropriate balance between shopping and non-shopping uses;
  - The type and characteristics of other uses within proximity of the application site;
  - Where the property is vacant the length of time that the premises have been vacant and marketed for retail purposes.

#### **HOT FOOD TAKEAWAY USES**

- 8.77 Takeaway uses can serve the needs of local communities and contribute to the diversity of uses that a centre can offer, as well as provide an active frontage during the evening. However harmful impacts, particularly if a number of these uses are sited within close proximity to one another, can include noise and disturbance, negative impact on amenity, anti-social behaviour and undermining the shopping function of a centre.
- 8.78 Specific issues exist in Ashby de La Zouch with reference to the clustering of hot food take away uses within parts of its Primary Shopping Area whilst in Ibstock there is a high number of hot food takeaways located within the local centre.

#### **Policy Ec11 – Town and Local Centres: Primary Shopping Areas – Hot Food Takeaway Balance**

- (1) In considering applications for a proposed hot food takeaway use, within the defined Primary Shopping Areas of our Town and Local Centres, as identified on the Policies map, regard will be had to the following factors at the time that an application is determined:**
- (a) The number of existing takeaway establishments in the immediate area as related to the application site and their proximity to each other, in order to avoid clusters of takeaway uses;**

- (b) Impact on the amenity of the immediate area (including smells, fumes and noise), traffic or safety issues arising from the proposal itself or cumulatively with the existing uses in the area;
  - (c) The potential impact upon the health of local residents where it can be demonstrated that the proposal will raise health issues.
- (2) Proposals for a hot food takeaway use should also include the provision of a litterbin on land within the premises, of which the property will be responsible for its maintenance, emptying on a regular basis and for the area adjacent to the premise to be kept clear. Where a litterbin cannot be provided within the curtilage of the premises, a commuted sum will be sought towards the provision of a litterbin within the locality.
  - (3) Within the Market Street frontage of Ashby de la Zouch, Nos 67 to 89 and Nos 76 to 108, the Council will resist applications for new hot food takeaway uses over and above those in existence, or permitted, at the time of the adoption of this Local Plan.
  - (4) The concentration of hot food takeaway uses within the defined local centre of Ibstock, as identified on the policies map, will not be permitted to increase above the existing number of those in existence, or permitted, at the time of the adoption of this Local Plan.

## **LOCAL CENTRES**

- 8.79 Castle Donington, Ibstock, Kegworth and Measham are local centres providing a valuable service in providing for day-to-day needs. These local centres, as defined on the Policies map, also comprise their defined Primary Shopping Area and this policy should be read in conjunction with Policies Ec9 and Ec10. It is important that the shopping and services function that these local centres provide is protected. It is also recognised these local centres have a comparatively stronger residential character.

### **Policy Ec12 – Local Centres**

Planning permission will only be granted for the loss of shopping and other main town centres uses within the defined local centre if the premises have been vacant for at least 6 months with evidence of marketing. The following factors will also be taken into account:

- (a) The need to maintain an appropriate balance between main town centre and non-main town centre uses; and
- (b) The contribution the unit makes to the function of the centre in terms of

- its size and location within the centre; and
- (c) The nature and characteristics of the proposed use and the type and characteristics of other uses within proximity of the application site; and
  - (d) The impact of the proposal on the shopping and service character and function of the local centre - for example, would it create an active frontage, would the use bring visitors to the centre?

**The residential use of the upper floors of properties within these defined Local Centres will be supported subject to parking and amenity considerations.**

## **TOURISM DEVELOPMENT**

- 8.80 As a district which benefits from a number of established tourist attractions, the tourism industry forms an important part of the local economy and can support the provision of local services and facilities.
- 8.81 The district has a range of attractions aimed at those attending specific events or day visits. These include Ashby de la Zouch Castle, the Ashby Canal and Donington Park and Grand Prix Collection as well as a number of destinations located within the National Forest including Moira Furnace, Sence Valley Country Park and the award winning Conkers Visitors Centre. The National Forest is overseen by the National Forest Company, and is a growing tourist destination. The National Forest Strategy 2014 – 2024 seeks to improve the visitor experience and future plans are being developed for further development in the district through the National Forest Company's Destination Development Plan. This seeks to advance the profile of the National Forest as a tourist destination, encourage the development of overnight visitor accommodation and attract high profile events to the National Forest.
- 8.82 Business travel also makes a contribution to the local visitor economy with hotels in the north of the district catering for business travellers, supported by the presence of conference and exhibition space, as well as those visiting the district for leisure purposes.
- 8.83 The Council will continue to work with other organisations to best promote the tourism that is on offer in the district. We will continue to be actively engaged with bodies representing the National Forest as well as retain a working relationship with the Leicestershire Promotions Ltd and any Tourism Strategy for Leicester and Leicestershire.
- 8.84 The North West Leicestershire: Local Growth Plan 2014-2018 supports the development and enhancement of the local tourism offer in the district, and seeks to increase the number of visitors as well as the number of overnight stays, alongside increased private investment and employment opportunities in visitor related facilities.

**Policy Ec13 – Tourism development**

- (1) We will maximise the potential of tourism in the district and increase tourist opportunities for visitors by supporting the:**
  - (a) Retention of existing tourist attractions and accommodation which contribute to the local economy;**
  - (b) Enhancement of existing tourist attractions and accommodation, including their expansion, where it accords with the principles of sustainable development and is not detrimental to the surrounding area;**
  - (c) Development of new tourist attractions, including the provision of new accommodation to facilitate the opportunity for overnight stays;**
  - (d) Development of attractions and accommodation that are well connected to other tourist destinations and amenities, particularly by public transport, walking and cycling;**
  - (e) Enhancement of the environment and local distinctiveness, including heritage and landscapes, which will increase the attractiveness of the district to visitors.**
- (2) New tourist attractions and accommodation will be directed to the Limits to Development where it can make use of existing infrastructure. It is recognised however there may be instances where an initiative requires a countryside location or setting or is directly related to a specific tourist destination. Outside of the Limits to Development preference would be for tourism and tourism related development to re-use land and / or buildings.**
- (3) Tourism in rural areas, which benefits business, communities and visitors, and respects the character of the countryside, will be supported. Its scale should be appropriate to the local landscape and its surrounding environment and not adversely affect local transport infrastructure.**
- (4) When assessing new provision for rural tourism or the expansion of facilities, consideration will be given to whether needs can be met by existing facilities.**
- (5) The Council will work with the National Forest Company and other tourist organisations to maximise the opportunities for tourism and cultural development within the district.**

## 9 INFRASTRUCTURE AND FACILITIES

### INTRODUCTION

- 9.1 When development takes place it makes additional demands on infrastructure, including water and energy supply, wastewater disposal, transport, education and health care as well as open space, and green infrastructure. Therefore it is important to ensure that appropriate levels of infrastructure are provided to support the growth required in this Local Plan.
- 9.2 This chapter sets out our general approach to securing the provision of infrastructure and more specific requirements for different types of infrastructure.

### DEVELOPMENT AND INFRASTRUCTURE

- 9.3 Infrastructure is critical to support the provision of all development. Whether transport infrastructure, Information Communication Technology (particularly superfast Broadband), utilities such as water supply or sewerage (wastewater) systems, or energy generation, such supporting infrastructure must be in place for new development. This is not only to ensure that the new development is properly served in respect of essential day-to-day infrastructure required by the occupants of any new development (for example superfast Broadband which many businesses rely on) but also to minimise the impact upon existing infrastructure.
- 9.4 In accordance with the NPPF the need for infrastructure as part of new development needs to have regard to the viability of development.
- 9.5 Policy IF1 sets out how we will ensure that new development includes the provision of new infrastructure.

#### **Policy IF1 – Development and Infrastructure**

**Development will be supported by, and make contributions to as appropriate, the provision of new physical, social and green infrastructure in order to mitigate its impact upon the environment and communities. Contributions may be secured by means of planning obligations and/or a Community Infrastructure Levy charge, in the event that the Council brings a Charging schedule in to effect.**

**The type of infrastructure required to support new development includes, but is not limited to:**

- (a) Affordable housing; and**
- (b) Community Infrastructure including education, health, cultural facilities and other public services; and**
- (c) Transport including highways, footpaths and cycleways, public transport and associated facilities; and**

- (d) Green infrastructure including open space, sport and recreation, National Forest planting (either new provision or enhancement of existing sites) and provision of or improvements to sites of nature conservation value; and**
- (e) The provision of superfast broadband communications; and**
- (f) Utilities and waste; and**
- (g) Flood prevention and sustainable drainage.**

**The infrastructure secured (on or off-site) will be provided either as part of the development or through a financial contribution to the appropriate service provider and may include the long-term management and maintenance of the infrastructure.**

**In negotiating the provision of infrastructure the Council will have due regard to viability issues and where appropriate will require that the applicant provide viability information to the Council which will then be subject to independent verification.**

**The District Council will work closely with infrastructure providers to ensure inclusion of infrastructure schemes within their programmes, plans and strategies, and delivery of specific infrastructure requirements in conjunction with individual development schemes and the expected timing of development coming forward. The Council will also work with partners and other stakeholders to secure public funding towards infrastructure, where possible.**

- 9.6 As noted elsewhere the majority of new development that the district requires is already committed as a result of planning permissions. These permissions include for the provision of infrastructure to mitigate the impact of development and support future residents and users of the proposed developments, where appropriate and necessary. However, any further development which comes forward will still need to ensure that the impact on existing infrastructure is acceptable and where it is not additional infrastructure will need to be provided.
- 9.7 The planning system and in particular the policies set by this Local Plan, will play a key role in helping to ensure that key strategic, local and site-specific infrastructure is provided at the right time and in the right place to absorb the impact of and provide for new development. The provision of such infrastructure will require the involvement of a wide range of other organisations and mechanisms. The Council will co-ordinate this activity.
- 9.8 An Infrastructure Delivery Plan has been prepared which highlights the key infrastructure which is proposed or required. This will be kept up to date and added to as new requirements or needs are identified and will be used to inform negotiations



on proposed developments as well as discussions with other organisations in respect of funding and delivery of infrastructure. It is also recognised that the consideration of infrastructure contributions early on in the planning application process can be beneficial for all parties involved.

- 9.9 The provision of new infrastructure is currently secured using a legal agreement (referred to as planning obligations or Section 106 Agreement). This agreement will be signed by the Council and the applicant, together with any other parties who may be involved in the delivery of specific infrastructure. Contributions agreed as part of the S106 Agreement can only be spent on the services and facilities specified in the S106 Agreement. Monies cannot be diverted to other facilities or areas. For the foreseeable future this is how we will continue to secure infrastructure provision. However, another option is for the Council to introduce a Community Infrastructure Levy (or CIL), whereby the Council would specify the amount of money which would be charged for different types and sizes of development. This money would then be used to pay for identified new infrastructure. A CIL would have to go through a separate, detailed process including a public examination. We will consider whether to adopt a CIL approach once this Local Plan is adopted.

## **COMMUNITY AND CULTURAL FACILITIES**

- 9.10 Local shops, community facilities, pubs, cultural buildings, places of worship and other services provide the infrastructure required to meet the everyday needs of communities, which reduces the need to travel and provides opportunities for social interaction helping to maintain active and socially inclusive communities. Generally a community facility is a building or space where community led facilities for community benefit is the primary use. They can include cultural facilities such as public libraries and museums. It is also viewed that community safety is a form of community infrastructure.
- 9.11 Access to community facilities is important for both urban and rural communities. Community facility provision needs to reflect the needs of the population both existing and new and also reflect how the population will change over time. This is particularly important given the ageing population of the district.

### **Policy IF2 – Community and Cultural Facilities**

**The loss of key services and facilities will be resisted unless an appropriate alternative is provided, or there is demonstrable evidence that the facility is no longer required and/or viable and that suitable alternative community uses have been considered.**

**Community and cultural services and facilities should be retained and wherever possible improvements facilitated to the quality, accessibility and levels of provision by:**

- a) Supporting the development of new community and cultural services and facilities where deficiencies in provision would be addressed, provided that adverse impacts on the environment and the settlement concerned can be avoided or mitigated;**
- b) Allowing the expansion or enhancement of existing community and cultural facilities to assist continuing viability, particularly in areas where new development will increase the demand for facilities;**
- c) Guarding against the loss of land or buildings belonging to existing facilities wherever possible to ensure sites are retained for other forms of community or cultural use. Should the loss of a facility result in an equally beneficial replacement or enhanced existing facility for the local community consideration will be given to this matter.**

**New development will be required to provide or contribute to community facilities and other local services to enhance communities and the residential environment, as part of the development, or if appropriate off-site, where no facilities exist or where existing facilities are deficient.**

- 9.12 The loss of local services or facilities can have a serious impact upon people's quality of life and the overall vitality and sustainability of communities. With an ageing population access to locally based services will become increasingly important. The council will require that proposals demonstrate that a particular facility or service is no longer viable and explain the options that have been investigated to maintain the facility or service. In relation to commercial services, such as public houses and shops, marketing of the property for a minimum of 6 months with an appropriate price will be required. For other types of facilities, appropriate forms of evidence may be the internal processes that have been undertaken by the disposal bodies when identifying the future role of the facility.
- 9.13 The Localism Act 2011 introduced the Community Right to Bid; this allows communities and parish councils to nominate a facility or land for listing as an asset of community value. An asset can be listed if its principal use furthers their communities' social well-being or social interests and is likely to do so in the future. If a listed asset comes to be sold, a moratorium on the sale of up to six months may be invoked providing the local community with a better chance to raise finance, develop a business and to make a bid to buy the asset on the open market, in order to save the asset that they value. However it should be noted that the seller doesn't have to sell to the local community. The register of community assets can be viewed on the council's website.

## **OPEN SPACES AND SPORT AND RECREATION**

- 9.14 It is important that local communities have access to high quality open spaces and opportunities for sport and recreation as this makes an important contribution to the health and well-being of communities. Open spaces can provide benefits for recreation and biodiversity and contribute to the wider network of Green Infrastructure. Open space can provide for a range of users and uses, and can comprise for example, parks and gardens, informal recreation areas, outdoor sports facilities, and equipped play areas and allotments. It is therefore important to both protect our existing open spaces and sport and recreational facilities but to also improve provision, either through new or enhanced facilities.
- 9.15 There are various national standards of provision which relate to the different types of open space. For example, the National Society of Allotment and Leisure Gardeners (NSALG) has produced a national allotment standard for a minimum provision of 20 standard plots of 250 square metres per 1,000 households or 0.5 ha per 1,000 households.
- 9.16 The Fields in Trust (FIT) recommend benchmark standards for playing fields as part of the 'Planning and Design for Outdoor Sport and Play' concludes that the total recommended standard for outdoor sport is 1.6 ha per 1,000 population. In addition to the quality standards the document also recommends standards for children's playing space - 0.8 ha of children's play space is recommended per 1,000 population. This is then split into 0.25 ha of designated equipped play space and a further 0.55 ha of informal playing space.
- 9.17 In addition work undertaken on a Playing Pitch Strategy and Sports Facility Modelling will be used to inform and understand the need for indoor and outdoor sports facilities for our local communities.

### **Policy IF3 – Open Space, Sport and Recreation facilities**

- (1) In order to meet the needs of the community, provision of open space, sport and recreation facilities will be sought as part of new housing development of 50 or more dwellings having regard to:**
- (a) The scale of the proposed development and the mix and type of dwellings to be provided;**
  - (b) The nature and scale of existing open space, sport and recreation provision within the locality of the proposed site;**
  - (c) The likely population characteristics resulting from the proposed development as well as that of the existing population in the locality;**
  - (d) Local evidence of need, including (but not limited to) a Playing Pitch**

**Strategy, open space assessment of need or equivalent sources.**

- (2) Any open space, sport and recreation provision should be designed as an integral part of the proposed development in accordance with Policy S5 in respect of Design.**
- (3) Provision of open space, sports and recreation facilities should be located on-site unless an off-site or partial off-site contribution would result in an equally beneficial enhancement to an existing open space, sports and /or recreation facility which is of benefit to the local community.**

**Loss of Open Space**

- (4) In assessing the appropriateness of development which would result in the loss of a site which at the time the development proposal is considered, is an open space, sports or recreation facility within the Limits to Development, the following principles will be taken into consideration:**
  - (a) The developer / applicant will need to provide clear evidence that the open space, sports or recreation facility is surplus to the applicable quantitative standard;**
  - (b) The loss of the open space, sports or recreation facility results in an equally beneficial replacement or enhanced existing facility for the local community;**
  - (c) The loss of the open space, sports and recreation facility is for the purpose of providing an ancillary development which improves the functioning, usability or viability of the open space, sport and recreation uses e.g. changing rooms, toilets, assembly and function uses;**
  - (d) The loss of the open space, sports or recreation facility will not result in the fragmentation or isolation of a site which is part of a green infrastructure corridor.**
- (5) Proposals involving the potential loss of an open space, sports or recreation facility outside of the limits to development will be considered under the provisions of the Countryside policy (Policy S3).**
- (6) Any proposals resulting in a loss of an open space, sports or recreation facility should be able to clearly demonstrate that the facility is not only currently surplus to requirements, but taking into account the population needs of the community over the plan period.**

**Further guidance will be set out within a Supplementary Planning Document to be prepared by the Council.**

- 9.18 We will have regard to the national standards referred to above when assessing the need for new or enhanced provision as part of new housing proposals. However, we also need to have regard to a range of other factors as it is not a case of 'one size fits all'. For example, the size and type of properties being provided will influence the type and amount of open space which may be needed; family homes are more likely to require more open space than developments aimed at more elderly people. Similarly there may already be sufficient provision in the locality such that further provision is not required or is limited.

## **TRANSPORT INFRASTRUCTURE**

- 9.19 Economic growth relies on an effective and efficient transport system to move goods and people from one place to another. Land use and transport must be planned together to give people genuine choice of travel and so reduce the number of journeys using private cars. New and improved transport infrastructure, and making the best use of existing infrastructure, is vital to achieving the objective of sustainable development.

### **Policy IF4 – Transport Infrastructure and new development**

- (1) The Council, working with the highway authorities, will ensure that development takes account of the impact upon the highway network and the environment, including climate change, and incorporates safe and accessible connections to the transport network to enable travel choice, including by non-car modes, for residents, businesses and employees. In assessing proposals regard will be had to any Transport Assessment/Statement and Travel Plan prepared to support the application.**
- (2) New development will be expected to maximise accessibility by sustainable modes of transport, having regard to the nature and location of the development site, and contribute towards improvement of the following where there is a demonstrable impact as a result of the proposed development:**
  - (a) The provision of cycle links within and beyond sites so as to create a network of cycleways across the district, including linkages to key Green Infrastructure;**
  - (b) The provision of public footpath links within and beyond sites so as to enhance the network of footpaths across the district, including linkages to key Green Infrastructure;**
  - (c) The provision of new public transport services, or the enhancement of existing services, to serve new developments so that accessibility by non-car modes to essential services and facilities, such as shops, schools and employment, is maximised.**
- (3) Where new development has a demonstrable impact upon the highway network contributions towards improvements will be sought commensurate with the impact. The following specific highway improvements are identified**

**as priorities:**

**(a) Strategic road improvements**

- J22 of M1
- J13 of A42

**(b) Local road improvements**

- the A511 corridor between J22 of the M1 and J13 of the A42

- 9.20 The NPPF places considerable emphasis upon ensuring that new development is “located where the need to travel is minimised and the use of sustainable transport modes can be maximised”. Our settlement hierarchy (Policy S2) seeks to reduce the need to travel by locating development in the most sustainable locations. The policy above seeks to ensure that new development considers and makes provision for access by all modes of transport.
- 9.21 The provision of cycling and walking links within and beyond a development should be an important element in the design of the development and so should be an integral part of the design process.
- 9.22 It is recognised that access to new development by private car will remain essential. Whilst the District Council is not the highway authority, the impact of development upon the highway network is an important consideration in determining proposals for new development. For motorways and trunk roads the highway authority is Highways England, whilst for all other roads Leicestershire County Council is the highway authority. As part of the preparation of this Local Plan and in determining planning applications we consult and work with the two authorities.
- 9.23 Leicestershire County Council’s third Local Transport Plan (LTP3) provides the transport policy framework for North West Leicestershire. This sets out how they will seek to ensure that transport continues to play its important role in helping Leicestershire to continue to be a prosperous, safe and attractive County and covers the period 2011-2026.
- 9.24 The LTP3 is made up of a long-term transport strategy supported by a rolling three year Implementation Plan, the second of which runs from 2014-2017. This identifies a range of actions that impact upon North West Leicestershire, including:
- Various low cost schemes to deal with congestion and parking issues around Coalville Town Centre;
  - Implementation of schemes around Coalville as part of the Government’s Local Sustainable Transport Fund; and
  - Various schemes to resolve safety issues or as routine maintenance.

Travel Plans, Transport Assessments and Statements also form part of the decision-making process.

- 9.25 A number of key highway improvement schemes have been identified (through the LTP3 and work in preparing this Local Plan) which both impact on and are impacted by new development, particularly in the Coalville Urban Area and Ashby de la Zouch. These include Junction 22 of the M1 and junction 13 of the A42 as well as junctions along the A511 corridor between these two junctions. In addition, it is recognised that the Hugglescote crossroads requires improvements. A further significant piece of transport infrastructure in the district is the construction of the Kegworth Bypass that will accompany the East Midlands Gateway – Strategic Rail Freight Interchange (SRFI).

## **RAIL INFRASTRUCTURE**

- 9.26 There are no passenger rail services in North West Leicestershire although a freight-only rail line connects Leicester with Burton-on-Trent via Coalville and another runs from Long Eaton to Willington, passing through the district north of Castle Donington.
- 9.27 The Government believes that a national high speed rail network offers a once-in-a-generation opportunity to transform the way we travel in Britain. An initial preferred route was published on 28 January 2013 for the Birmingham to Leeds leg of HS2. This passed through North West Leicestershire mainly following the A42 corridor and then through a tunnel under the East Midlands Airport and across the M1 and River Trent Valley to a new station at Toton near Long Eaton. On 15 November 2016 revised proposals were published. Whilst most of the route through North West Leicestershire was unchanged the revised route is now proposed to go east of Measham rather than to the west, whilst it is no longer proposed to have a tunnel under East Midlands Airport. Instead the route follows the A42 and then follows the M1 to the west of Kegworth.
- 9.28 Alongside the revised proposals a Safeguarding Direction was published which has the effect of requiring the Council to consult with HS2 on planning applications which fall within the safeguarded area. A decision on the final route of HS2 is expected in 2017.

### **Policy IF5 – Leicester to Burton rail line**

**The Council will support the provision of public transport services on the Leicester to Burton rail line.**

**New development will not be permitted which would prejudice the route of the Leicester to Burton rail line.**

**The provision of stations, together with ancillary car parking and facilities such as platforms and shelters, at appropriate locations, including Coalville and Ashby de la Zouch, will be supported.**

**Any development provided for within this policy which discharges wastewater into the Mease catchment will be subject to the provisions of policy En2. Any such development which does not meet these provisions will not be permitted. In addition, development will not be permitted unless a 'development window' for the Developer Contributions Scheme is current, and there is sufficient capacity to accommodate the proposal in full.**

- 9.29 The Leicester to Burton rail line closed to passenger traffic in the 1960s. In the early 1990s it was proposed to re-open the line to passenger services (initially promoted as the Ivanhoe Line) linking Loughborough to Derby via Leicester and Burton on Trent. The project was split into two stages and Ivanhoe Stage I was implemented in May 1994 running between Loughborough and Leicester. The Stage II section between Leicester and Burton on Trent was not progressed partially due to rail privatisation in the mid-1990s, and structural alterations in the make-up of the UK rail industry. Following a scheme re-appraisal in October 1996, which concluded there would be an annual operating deficit of £0.8 million, the project was not progressed any further.
- 9.30 In response to planned housing growth west of Leicester and the potential to increase passenger traffic on the line, Leicestershire County Council commissioned a study in 2009 to give an indication of the impact of growth on the viability of a reopened line (now referred to as the National Forest Line). The re-appraisal concluded that the scheme would not be good value for money and that the project would be unlikely to cover its operating costs without some form of ongoing subsidy.
- 9.31 In view of the time that had elapsed since this study the District Council together with the County Council commissioned further work in 2015 to look at the potential for the re-introduction of a passenger rail service along the former route. The study once again concluded that such a service would not be viable without significant public subsidy. Nevertheless, the re-instatement of passenger services on the National Forest Line has been a long-term ambition of North West Leicestershire District Council and remains as such, although it is recognised that this may need to take the form of some other form of public transport rather than traditional rail.
- 9.32 As part of the Council's response to the proposals for HS2 the Council has requested that consideration be given to the potential for re-opening the Leicester to Burton line. Even if the current route is confirmed and it is agreed to re-open the Leicester-Burton railway to passenger traffic it is likely that it would be some time before it became operational.

#### **ASHBY CANAL**

- 9.33 The Ashby Canal is a 31-mile (50 km) long canal which connected the mining district around Moira with the Coventry Canal at Bedworth in Warwickshire. It was opened in 1804 to convey coal and limestone from the extensive deposits in the Ashby Wolds.



The canal suffered from mining subsidence during the first half of the 20th century, and was progressively closed to the current terminus at Snarestone in 1966.

- 9.34 Leicestershire County Council is now leading the restoration of the Ashby Canal from its current terminus at Snarestone to the Heart of the National Forest at Moira.

**Policy IF6 – Ashby Canal**

**Development which would prejudice the restoration of the Ashby Canal and its historic route, as identified on the policies map, or the provision of canal side facilities will not be permitted.**

**The reconstruction of the Ashby Canal from Snarestone to Measham, to include the construction of a new canal wharf at Measham, is supported.**

**The principle of the provision of an alternative route for the Ashby Canal will be supported where it can be demonstrated that the existing historic route is no longer appropriate.**

- 9.35 To date the northern section of the canal has been restored from Moira to Donisthorpe and links Conkers, Moira Furnace and Donisthorpe Country Park in an area that is developing as a tourist destination.
- 9.36 Restoration is now focused on extending the current terminus of the canal from Snarestone northwards for a distance of 4.5km to a new canal wharf at Measham. The power to acquire the necessary land and to construct and maintain the canal was provided in October 2005 when the Secretary of State for the Environment, Food and Rural Affairs confirmed the Leicestershire County Council (Ashby de la Zouch Canal Extension) Order made under the powers of the Transport and Works Act 1992. In making the Order, the Secretary of State noted that “the scheme is consistent with national, regional and local policies, would contribute significantly to regeneration objectives and would produce considerable economic, environmental and social benefits.”
- 9.37 The main objectives of the next phase of restoration are to:
- Advance and accelerate continuing economic regeneration of the area and contribute to rural diversification and social inclusion through opportunities for employment, leisure, recreation, learning and skills;
  - Provide a green gateway to the National Forest and develop and link the recreational tourism facilities;
  - Improve the environmental quality of the area;
  - Provide a recreational, cultural and social resource for the local community; and
  - Connect Measham, and ultimately Moira, to the national waterways network.

- 9.38 Since the Transport and Works Order was made in 2005 a great deal has been achieved; the necessary site investigations and studies have been carried out, planning requirements have been met, land acquisition has been secured and development proposals have been prepared. The first phase of construction, the Snarestone connection and the first of three nature reserves was completed in August 2009. The restored section has since been extended to 600 metres with a new bridge and temporary terminus completed in 2015. The canal is proposed to be constructed in further phases northwards to Ilott Wharf and then to Measham. Ultimately it is proposed to extend the canal further north from Measham to connect to the restored canal at Donisthorpe.
- 9.39 The Ashby Canal Trust has since proposed an alternative route option for the Ashby Canal between Measham and Donisthorpe. Advantages of this alternative route include a shorter route, a lot of which is on Leicestershire County Council land, as well as avoiding most of the areas where there is uncertainty over mining subsidence. Detailed work, such as consultation and feasibility, has not been carried out on this option, and it has not been identified as the chosen route. However the above policy has been worded to allow for the support of an alternative route to the existing historic and identified route, should this be an option that is ultimately pursued further by the Ashby Canal Trust.

#### **PARKING AND NEW DEVELOPMENT**

- 9.40 The availability of car parking can have a significant effect on people's choice of transport. It is important to ensure that parking provision in new developments is designed to meet expected demand whilst making the most efficient use of land and maintaining the principles of sustainable development.
- 9.41 Given the rural nature of the district and the limited availability of public transport in parts of the district, it is considered inappropriate to under-provide for parking. Insufficient parking associated with new development can lead to inappropriate parking on streets and verges creating highway safety problems and unsightly environments.
- 9.42 The promotion of cycling as a travel opportunity is part of the drive to promote alternatives to the private car and encourage more sustainable means of travel. Therefore the needs of cyclists should be fully taken into account in the development process through improvements to the provision, safety, convenience and general environment for cycling. To help promote cycle use the amount of good quality cycle parking needs to be increased. It is important therefore that secure cycle parking is provided as an integral part of new development.

**Policy IF7 – Parking provision and new development**

- (1) Development should incorporate adequate parking provision for vehicles and cycles in order to avoid highway safety problems and to minimise the impact upon the local environment. This should be designed so that it is an integral part of the development and does not dominate the public realm;**
- (2) In considering the provision of parking, both vehicles and cycling, as part of new development the Council will:**
  - (a) Have regard to local highway and parking conditions;**
  - (b) Have regard to the most up-to-date 6C's Design Guidance or equivalent issued by the County Highway Authority in respect of parking standards;**
  - (c) Have regard to any transport assessment/statement and travel plan associated with a proposed development and, in appropriate circumstances, agree to reduce the required car parking provision where the proposed development has, or is, proposed to have good access to other modes of transport;**
  - (d) In terms of cycle parking seek the minimum requirements specified in the 6C's Design Guidance (or equivalent issued by the County Highway Authority). Where it is not possible to provide cycle parking on-site a financial requirement will normally be sought towards providing public facilities where such provision is possible.**

- 9.43 The 6C's Design Guide provides the starting point for proposals which affect transport in the district and includes car parking standards to be applied in new developments, as well as advice on cycle parking provision.
- 9.44 In respect of housing developments developers are required to assess the likely demand for parking using a research method published by the Department for Communities and Local Government. In assessing demand regard is to be had to various factors including car ownership levels and the size and type of housing to be provided.
- 9.45 Given the car ownership levels in the district as well as the low level of public transport and instances in the past where new developments have been dominated by cars parked on roads, due to the lack of off-street parking, the Council wish to ensure that new development creates attractive places to live and work and is not dominated by parked cars. Therefore, to ensure that car parking provision is adequate the provision of 2 car parking spaces per dwelling, increasing to 3 spaces per dwelling for four or more bed properties will be appropriate in many instances.
- 9.46 In respect of non-housing development the 6C's Guidance sets out the normal parking requirements for those developments over identified thresholds. This is set out at Appendix 5 of the Local Plan for information purposes. For developments

below the threshold, the standards contained in the document Highway Requirements for Development (HRfD) will continue to be applied as the normal maximum standards.

- 9.47 We will seek to improve the quality of car parking in the district's town centres to ensure it is convenient, safe and secure. To enable us to do this there is currently a review underway of town centre car parking provision. We will use the results of the review to identify where and what improvements are required.
- 9.48 In any new development it is important that car parking is sensitively designed in order to not be obtrusive or damaging to the character of an area or the development and should be an integral part of the design process.

## **10 ENVIRONMENT**

### **INTRODUCTION**

- 10.1 The NPPF recognises the need to ensure that planning contributes to conserving and enhancing the natural environment, including valued landscapes and areas of biodiversity and geological importance.

### **GREEN INFRASTRUCTURE**

- 10.2 Different types of high quality green spaces and connections between them are known as 'Green Infrastructure'. Green Infrastructure is used for recreation and leisure, provides routes for walking and cycling, supports wildlife and helps us to manage flooding.

- 10.3 Green Infrastructure is important because it can provide many social, economic and environmental benefits close to where people live and work including:

- Places for outdoor relaxation and play;
- Space and habitat for wildlife with access to nature for people;
- Climate change adaptation – for example flood alleviation. They also counter the 'heat island' effect in urban areas by cooling the heat retained in buildings and streets;
- Improving air quality;
- Environmental education;
- Local food production – in allotments, gardens and agriculture;
- Improved health and well-being – lowering stress levels and providing opportunities for exercise;
- Attract economic investment.

- 10.4 It is therefore important that Green Infrastructure is upgraded and expanded in line with any growth, in the same way that grey infrastructure (e.g. roads and sewers) is required to be developed or enhanced in line with the community's needs. This is allowed for in policies IF1 and IF3. Policies En1 to En6 set out our approach in respect of specific aspects of the Green Infrastructure network.

- 10.5 The Government has declared its intention to give local communities the power to designate green spaces valued by local people; Local Green Spaces are a way to provide special protection against development.

- 10.6 Local Green Spaces can be designated through either local or neighbourhood plans, providing that they meet the criteria set out within paragraph 77 of the National Planning Policy Framework. We do not propose to designate any Local Green Spaces as part of this Local Plan but instead leave such designations to be considered as part of Neighbourhood Plans.

## **NATURE CONSERVATION**

- 10.7 The 2011 White Paper 'The Natural Choice' highlighted the important role a healthy, properly functioning natural environment has in sustained economic growth, prosperous communities and personal wellbeing. This is recognised in the NPPF, which seeks to minimise the potential impacts of development on areas of biodiversity importance and, where possible, achieve net gains in biodiversity.

### **Policy En1 – Nature Conservation**

- (1) Proposals for development will be supported which conserve, restore or enhance the biodiversity in the district.**
- (2) Where a proposal for development would result in significant harm to one of the following and which cannot be avoided, or mitigated or compensated for, then planning permission will be refused:**
  - (a) Special Areas of Conservation (SAC);**
  - (b) Sites of Special Scientific Interest (SSSI);**
  - (c) Local and Regionally Important Geodiversity Sites (RIGS) and candidate Regionally Important Geodiversity Sites (cRIGS);**
  - (d) Local Wildlife Sites (LWSs), Local Nature Reserves (LNRs) and candidate Local Wildlife Sites (cLWSs) which meet the Leicester, Leicestershire and Rutland LWS criteria;**
  - (e) Local and National Biodiversity Action Plan-related (BAP) priority habitats;**
  - (f) River corridors;**
  - (g) Irreplaceable habitats (defined as Ancient woodlands; Mature plantation or secondary woodland; Species-rich ancient hedgerows; Aged or veteran trees; Species-rich neutral grassland; Acid grassland and heath grassland; Dry and wet heathland; Bogs and Sphagnum pools and Rock outcrops).**
- (3) New development will be expected to maintain existing ecological networks, hotspots and landscape features (such as water courses and waterways, disused railway lines, trees and hedgerows) for biodiversity, as well as for other green infrastructure and recreational uses.**
- (4) Where a proposed development would attract additional visitors to an area or facility it should be demonstrated how any potential impact upon an area or feature of biodiversity interest will be managed as part of the new development.**
- (5) The use of Sustainable Urban Drainage Systems (SuDS) to create wetland and**

**marshland habitats will be encouraged subject to the provisions of Policy Cc4.**

**(6) We will prepare a Supplementary Planning Document to provide more guidance on this issue.**

- 10.8 Biodiversity information about the district is available from the Leicestershire and Rutland Environmental Records Centre (LRERC). LRERC can also provide information about the status of protected species in the district.
- 10.9 There are 17 Sites of Special Scientific Interest (SSSIs) within the district, of which 2 have further designations; Charnwood Lodge, which is also a National Nature Reserve, and the river Mease, which is also a Special Area of Conservation.
- 10.10 New sites are still being identified and this will continue; especially post-industrial and former mineral land, which can naturally regenerate very quickly after activity ceases.
- 10.11 An Ecological Network report for North West Leicestershire has also been prepared. This was a comprehensive survey of the area, attempting to categorise all land parcels. This also revealed clusters and groups of designated sites in areas of high biodiversity value and low intensity management. These clusters form the 'hotspots' and 'stepping stones', which are the main areas for priority nature conservation and are linked to a variety of wildlife corridors such as hedges, watercourses, canals, railways and roads.
- 10.12 It is important to look beyond the boundaries of the development site to identify corridors that link habitats in the site, to those outside. The priority for retention of hedges and other habitats within the site should be:
- Those that have connectivity beyond the site;
  - Those that link to important habitats within for foraging bats and birds;
  - Those that are species rich and/or meet the local wildlife criteria.
- 10.13 The geological interest in the district includes unique pre- Cambrian volcanic rocks, Carboniferous limestones, coal-bearing rocks, fossils and rare minerals. The Charnwood Lodge is designated as a National Nature Reserve due to its geodiversity. In addition, the district has eleven Regionally Important Geodiversity Sites (RIGS) and candidate RIGS (cRIGS). RIGS and cRIGS do not have statutory protection but are encouraged to be protected in the planning process.

#### **RIVER MEASE SPECIAL AREA OF CONSERVATION**

- 10.14 Special Areas of Conservation (SACs) are areas which have been given special protection under the European Union's Habitats Directive. They provide protection to a variety of wild animals, plants and habitats and are a vital part of global efforts to conserve the world's biodiversity.

- 10.15 The river Mease SAC includes the river Mease and its tributaries, parts of which are in North West Leicestershire (although it also encompasses parts of Staffordshire and Derbyshire as well). The North West Leicestershire Parishes wholly located within the River Mease Catchment include Ashby Woulds, Oakthorpe and Donisthorpe, Chilcote, Stretton en le Field, Appleby, Measham, Packington and Snarestone. The following Parishes are partly located within the catchment – Ashby Town, Coleorton, Heather, Normanton le Heath, Ravenstone and Swepstone.
- 10.16 The SAC is also a Site of Special Scientific Interest (SSSI).
- 10.17 Survey work carried out by the Environment Agency revealed that the quality of the water in the river was poor, mainly due to high phosphorous levels. Agriculture contributes to the phosphate issues from organic (farm yard manure) and inorganic (manmade fertilisers) sources. These can directly end up in watercourses via different pathways or when soil with phosphate and other nutrients bound to it are washed into a watercourse.
- 10.18 We have worked with a range of partner organisations (The Environment Agency; Natural England; Severn Trent; South Derbyshire District Council; and Lichfield District Council) to address this problem, including plans and strategies which will allow development to take place within the river Mease catchment area whilst ensuring that the integrity of the river Mease is protected. The policy below reflects the approach we have agreed together.

**Policy En2 – River Mease Special Area of Conservation**

- (1) The Council will work with Natural England, the Environment Agency, Severn Trent Water, other local authorities and the development industry to improve the water quality of the river Mease Special Area of Conservation.**
- (2) In order to achieve this, new development within the River Mease catchment will be allowed where:**
  - (a) There is sufficient headroom capacity available at the Wastewater Treatment Works to which it is proposed that flows from the development will go; and**
  - (b) The proposed development is in accordance with the provisions of the Water Quality Management Plan including, where appropriate, the provision of infrastructure or water quality improvements proposed in the Developer Contributions Scheme.**
- (3) In the event that there is no headroom capacity available at the appropriate wastewater treatment works, or there is no capacity available within the Developer Contributions Scheme in operation at the time that an application is determined, or exceptionally where as part of the development it is proposed to use a non-mains drainage solution for the disposal of foul water**



**and this is supported by the Environment Agency, development will only be allowed where it can be demonstrated that the proposed development, on its own and cumulatively with other development, will not have an adverse impact, directly or indirectly, upon the integrity of the river Mease Special Area of Conservation.**

- 10.19 Under the Habitats Directive we are responsible for ensuring that proposals for new development will have no significant adverse impact upon the SAC. This is done through a Habitats Regulations Assessment (referred to as an Appropriate Assessment). To help with this process, people applying for permission for new development need to include detailed information about drainage (both surface and foul water).
- 10.20 Unless an applicant can demonstrate no adverse impact on the River Mease SAC, a planning application must be refused.
- 10.21 A Water Quality Management Plan (WQMP) identifies a range of measures designed to ensure that the status of the River Mease SAC achieves the Conservation Objectives and is brought back into favourable condition.
- 10.22 In addition, a Developer Contribution Scheme (DCS1) was adopted by the District Council on 22 November 2012. This sets out the level of financial contribution expected from new developments within the river Mease catchment. Due to the capacity in DCS1 being taken up, the Council approved DCS2 in September 2016. The contributions required under DCS1 and DCS2 (together with any subsequent DCS) are to be used to implement measures in the WQMP designed to reduce phosphorous levels thereby ensuring that new development does not lead to deterioration in water quality, or cause a net increase in phosphorous levels.
- 10.23 The DCS estimates the amount of phosphorous likely to be generated by new development. This is used to create a 'Development Window' – the total amount of phosphorous which will need to be removed from the river Mease via a range of measures to ensure that new development will not adversely impact upon the SAC. These measures are to be funded by contributions from new development. The contribution will depend on the number of properties built, their size and the water efficiency of each new home. Commercial developments will also be expected to pay a contribution dependent on the size and scale of the development proposed.
- 10.24 As noted in DCS2 there is now agreement by Severn Trent, the Environment Agency and Natural England that in order to meet the conservation objectives the most effective long term solution is that all sewage effluent derived from developments within North West Leicestershire which currently discharge to the Waste Water Treatment Works at Packington and Measham will be pumped out of the catchment. This will not be funded by new development and will need to be included in Severn

Trent's period review in 2019. This will need to be approved by OFWAT. When pumping out has been achieved this will mean that future development will not need to be restricted in terms of numbers as has been the case over the last few years.

- 10.25 The implementation of the DCS and the WQMP are overseen by a Programme Board comprising of representatives from the partner organisations who will also be responsible for subsequent reviews and amendments as deemed necessary.

## **THE NATIONAL FOREST**

- 10.26 The National Forest covers 52,000 hectares of the Midlands and includes parts of Derbyshire, Leicestershire and Staffordshire. It was established in the 1990s to transform the landscape and link two ancient woodlands - Charnwood Forest on its eastern fringe and Needwood Forest to its west. At December 2014 there was some 20% woodland cover, but the aim is to increase cover to about a third of all the land within the National Forest boundary.
- 10.27 The creation of the National Forest is overseen by The National Forest Company which is responsible for the production, implementation and monitoring of the National Forest Strategy.
- 10.28 About 56% of North West Leicestershire lies within The National Forest; this includes the Coalville Urban Area, and the Rural Centres of Ashby de la Zouch, Ibstock and Measham.
- 10.29 In addition to enhancing the physical appearance of the landscape, The National Forest also provides a range of other benefits including enhanced biodiversity; recreation, leisure, tourism and economic opportunities. It also provides a "carbon sink" which helps store CO<sub>2</sub>; forest carbon sinks are considered the best natural mitigation measure against global warming. There is also evidence that woodland creation and woodland management can help in reducing flood flows, particularly in smaller catchments.
- 10.30 One of the main ways of increasing woodland cover across the National Forest has been to include tree planting as part of new developments, both on - and off-site in accordance with National Forest Planting Guidelines. This helps to create an attractive forest setting for the development as well as green space for the local community. We will continue with this approach and applicants are advised to discuss their proposals with the National Forest Company as part of their pre-application preparations. Furthermore the National Forest is not just about planting woodlands but increasing tree cover within urban areas; large trees with space to grow are required for community wellbeing and health as well as for their intrinsic beauty and cultural heritage. We will also work with The National Forest Company and others to exploit other ways of providing additional planting and to help deliver The National Forest Strategy 2014-24.

- 10.31 The National Forest Charitable Trust is a charity which aims to create a vibrant heart in the midst of The National Forest. This will include a 400 hectare woodland park, in which Conkers has already been created, with opportunities for walking, cycling and discovery in the emerging woodland environment.

**Policy En3 – The National Forest**

**(1) Within the area of the National Forest, as defined on the Policies map, North West Leicestershire District Council will work with the National Forest Company, other local authorities and partners to:**

- (a) Provide opportunities for diversification of the economy, especially in relation to the woodland economy and tourism, including overnight accommodation;**
- (b) Create an attractive, sustainable environment;**
- (c) Enhance its role as a natural carbon sink;**
- (d) Provide a range of leisure opportunities for local communities and visitors; and**
- (e) Achieve the National Forest Company's woodland cover target.**

**(2) New developments within the National Forest will contribute towards the creation of the forest by including provision of tree planting and other landscape areas within them and /or elsewhere within the National Forest in accordance with National Forest Planting Guidelines in place at the time an application is determined. Landscaping will generally involve resilient woodland planting, but can also include the creation and management of other appropriate habitats, open space provision associated with woodland and the provision of new recreational facilities. Landscaping does not just include woodland planting and the appropriate mix of landscaping features will depend upon the setting and the opportunities that the site presents.**

**(3) In exceptional circumstances, a commuted sum may be agreed where planting and landscaping cannot be accommodated within or close to the development site. This will be used to purchase land for planting, create new woodland, provide public access to it and maintain the site for at least 5 years.**

**(4) Within the National Forest new development should ensure that:**

- (a) The siting and scale of the proposed development is appropriately related to its setting within the Forest; and**
- (b) The proposed development respects and does not adversely affect the character and appearance of the National Forest or the wider**

**countryside; and**

**(c) The character of the National Forest is enhanced through incorporating a National Forest or locally inspired identity.**

**(5) The area between Ashby de la Zouch, Measham and Swadlincote will be recognised as ‘The Heart of the National Forest’ where there will be a concentration of tourism and leisure activities associated with the National Forest, and economic opportunities based on the woodland and environmental economy. Linkages to nearby urban areas will be strengthened and new development will be exemplars of sustainable design and construction, with an emphasis upon the use of Forest-themed construction materials where appropriate.**

## **CHARNWOOD FOREST**

- 10.32 Charnwood Forest is a distinctive area of rugged upland landscape towards the north-west of Leicester. It is valued for its geological importance, rich biodiversity, landscape beauty, historical importance, and recreational role. It is also a traditional working landscape with a high proportion of land in agricultural use and, in some parts of the area, mineral working.
- 10.33 About 8% of it lies in North West Leicestershire. The area is surrounded by growing urban centres such as Leicester, Loughborough and Coalville, as well as by other smaller settlements. It is therefore exposed to the pressures which this growth brings. However, development could also provide opportunities to improve parts of the area and develop stronger green links to the surrounding towns, villages and landscapes, and linkages beyond this to other green areas such as the National Forest.
- 10.34 Previous strategic plans and the 2002 Local Plan all have recognised the importance of the area due its unique character and appearance. The former East Midlands Regional Plan recognised the importance of the Charnwood Forest as a key Green Infrastructure asset and proposed the creation of a Charnwood Forest Regional Park.
- 10.35 A Charnwood Forest Regional Park Steering Group has been established comprising of North West Leicestershire District Council, Leicestershire County Council, Charnwood Borough Council, Hinckley & Bosworth Borough Council and other key stakeholders such as the National Forest Company, Natural England and the Leicestershire Local Access Forum. The Steering Group has agreed a vision for the Charnwood Forest Regional Park. The agreed vision is that “The unique natural and cultural heritage features of the Charnwood Forest will be managed and promoted through the Charnwood Forest Regional Park. The Regional Park will be recognised as an essential part of the growing communities in the Derby, Leicester and Nottingham area, now and in the future.”

- 10.36 To achieve the Vision, the overall aim is the retention, enhancement and, where necessary, protection of the resource and its important landscape, ecological, geological and historical features, to maintain the integrity of the Charnwood Forest.
- 10.37 A detailed landscape appraisal has been undertaken to define the extent of the Regional Park in landscape terms. The boundary results in some parts of the Coalville Urban Area being within the Regional Park.
- 10.38 The Charnwood area is recognised as one of a number of National Character Areas which cover North West Leicestershire. The National Character Area profile for the Charnwood Forest recognises that “There is great scope to build on and support the partnership work of the Charnwood Forest Regional Park to protect and enhance this area, and the work of The National Forest in promoting sustainable woodland management and extending woodland (where appropriate)”.
- 10.39 It is not the intention that the Charnwood Forest Regional Park should be a barrier to new development in its own right. Therefore, the provisions of the policy below have to be read in conjunction with the countryside policy (Policy S3). Instead we want to maintain the traditional working landscape of the Charnwood Forest while supporting rural diversification that encourages sustainable tourism. In some areas mineral workings are a part of this landscape (for example at Bardon Quarry) and can provide biodiversity, geodiversity and access opportunities.
- 10.40 It is important that the design and construction of any new development which is considered to be appropriate should pay particular attention to the need to maintain and enhance the character and appearance of the area.
- 10.41 The part of the Charnwood Forest which is in North West Leicestershire is also within the National Forest. The aim of increasing woodland coverage across The National Forest may not always be appropriate within the Charnwood Forest having regard to landscape character and biodiversity. In these instances, the provision of alternative habitats or the protection / enhancement of existing habitats will be expected in lieu of the woodland creation expected by Policy En3.

**Policy En4 – Charnwood Forest Regional Park**

- (1) Within the Charnwood Forest, the Council will work in partnership with Leicestershire County Council, Charnwood Borough Council, Hinckley and Bosworth Borough Council and other partners to protect and enhance the landscape, biodiversity, natural history and cultural heritage of the Charnwood Forest Regional Park (CFRP).**
- (2) Priority will be given to those proposals that:**
- (a) Maintain the traditional working landscape of the forest, particularly those which involve farming or rural diversification or tourism, including green tourism initiatives; and**

- (b) Enhance the biodiversity of the CFRP, consistent with the aims of the Charnwood National Character Area profile (SEO3); and
  - (c) Provide new recreation facilities appropriate to the character of the area; and
  - (d) Provide access to and from the rural areas into and within the Regional Park by non-vehicular means.
- (3) Any new development within the CFRP will be expected to respect the character and appearance of area in terms of design and materials used.

## AREAS OF SEPARATION

- 10.42 It is important to ensure that individual settlements retain their own character and identity. This is recognised in the Countryside policy (policy S3) where the potential impact upon the separation between settlements is an important consideration in determining proposals for development. However, in the Coalville Urban Area there are two large, open, undeveloped areas of land which are within the Limits to Development and not subject to the countryside policies, as they are surrounded by built development, but which perform a very important role in maintaining the physical separation between Coalville and Whitwick. Development in this area, if permitted, would result in the physical coalescence of Coalville and Whitwick and the loss of the separate identity of the two settlements. Therefore, these open areas are identified as Areas of Separation and subject to the policy below.

### Policy En5 – Areas of Separation

- (1) Land between Coalville and Whitwick, as identified on the Policies Map, is designated as an Area of Separation where only agricultural, forestry, nature conservation, leisure and sport and recreation uses will be allowed. Any other proposed uses will need to demonstrate why they cannot be accommodated elsewhere within the district.
- (2) Development will not be permitted which, either individually or cumulatively, would demonstrably adversely affect or diminish the present open and undeveloped character of the area.

## LAND AND AIR QUALITY

- 10.43 The NPPF advises that in meeting development needs planning should “prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.”
- 10.44 Policy En6 sets out our approach to ensure that the aim of the NPPF is achieved.

**Policy En6 – Land and air quality**

**Proposals for development on land that is (or is suspected of being) subject to land instability issues or contamination, or is located within the defined Development High Risk Area or within or close to an Air Quality Management Area or close to a known source of noise will be supported where:**

- (a) A planning application is accompanied by a detailed investigation and assessment of the issues; and**
- (b) Appropriate mitigation measures are identified which avoid any unacceptably adverse impacts upon the site or adjacent areas, including groundwater quality.**

**Development should avoid any unacceptably adverse impact upon soils of high environmental value (for example wetland and other specific soils) and ensure that soil resources are conserved and managed in a sustainable way.**

- 10.45 North West Leicestershire has a long history of coal mining and heavy industry. This has left a legacy of potential land instability and contamination issues. The Coal Authority has defined a 'Development High Risk Area' that covers most of the district. In this area the potential land instability and other safety risks associated with former coal mining activities are likely to be greatest. They include, for example, areas of known or suspected shallow coal mining, recorded mine entries and areas of former surface mining. Other than householder developments and those exceptions as identified on the Coal Authority's exemptions list, all new development proposals within the defined Development High Risk Area must be supported by a Coal Mining Risk Assessment, or equivalent, in order to identify any potential risks to the new development and any required remediation measures. These assessments must be carried out by a suitably qualified person to the current British Standards and approved guidance.
- 10.46 The responsibility for determining the extent and effects of such constraints lies with the developer.
- 10.47 Groundwater provides a third of our drinking water in England and Wales, and it also maintains the flow in many of our rivers. It is crucial that we look after these sources and ensure that water is completely safe to drink.
- 10.48 Sometimes a proposed development may be located near to a known source of noise. Such noise could potentially impact upon the users of a proposed development, particularly residential development. It is important therefore to ensure that the likely impact is fully understood and, where necessary, mitigated to protect the future occupiers. Furthermore, implementing appropriate mitigation should ensure that an

existing use is not subject to complaints in the future which could require the implementation of measures by the existing user at their expense.

10.49 The Council has a duty to assess the present and future air quality of the area in relation to the requirements of the National Air Quality Strategy and to identify the main sources of the pollutants affecting air quality. Within the district there are five Air Quality Management Areas (AQMAs):

- M1 Mole Hill Kegworth;
- High Street Kegworth;
- Stephenson Way/Bardon Road Coalville;
- High Street/Bondgate Castle Donington; and
- Copt Oak Road Copt Oak.

10.50 An annual assessment and review of the AQMAs is undertaken and published. The planning system has an important role to play by ensuring that new development does not contribute to or exacerbate existing air quality issues.



## **11 HISTORIC ENVIRONMENT**

### **INTRODUCTION**

- 11.1 The Council is committed to conserving the significance of designated and non – designated heritage assets, and the important contribution that they make to the quality of the environment so that they can be enjoyed by future generations. Once a heritage asset is lost it cannot be replaced.
- 11.2 Heritage assets are the valued components of the historic environment which have been identified as having a degree of ‘significance’ i.e. archaeological, architectural, artistic or historic. They can include for example buildings, monuments, sites, places, areas or landscapes. Designated Heritage assets include listed buildings, conservation areas, World Heritage Sites, registered parks and gardens and scheduled monuments. The term heritage assets also covers those assets that have not been designated and afforded protection by separate legislation. The significance of these ‘non-designated heritage assets’ is a material consideration in determining planning applications as identified in the NPPF.
- 11.3 The NPPF defines significance as ‘the value’ of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset’s physical presence, but also from its setting.

### **HISTORIC ENVIRONMENT NORTH WEST LEICESTERSHIRE**

- 11.4 The heritage of North West Leicestershire is characterised by pre-industrial settlements that range in size from hamlets to market towns; about twenty of these settlements have been designated as conservation areas. The conservation areas are mainly representative of rural, agricultural areas with traditional houses, cottages and farm buildings. Also represented are areas characterised by the industrial revolution (Measham Canal) Georgian Architecture (Ashby de la Zouch and Castle Donington) and country homes (Staunton Harold and Coleorton Hall). For example the district still shows signs of its industrial heritage including the Midland Railway signal box, former collieries, bridges and cottages.

There is also evidence of earlier settlement in the area, including an Iron Age hill fort at Breedon-on-the-Hill (‘The Bulwarks’) and a Roman villa near Lockington.

- 11.5 The landscapes at Coleorton Hall, Staunton Harold Hall and Whatton House are included on the national register of parks and gardens. The remains of farming practices on the landscape with evidence of ridge and furrow within Appleby Magna also make the local landscape an important heritage asset.
- 11.6 Ashby de la Zouch is the primary historic settlement in the district. The settlement core is a designated conservation area; it covers about 35ha and contains to date about 140 listed buildings, including six grade II\* listed buildings. Castle Donington is

the secondary historic settlement in the district. The settlement core is a designated conservation area; it covers about 35ha and contains to date about 50 listed buildings.

- 11.7 North West Leicestershire is recognised for the survival of castles and moated sites, including the castles at Ashby-de-la-Zouch, Castle Donington and Whitwick and the moated manor houses at Appleby Magna and Hemington. It is also significant for the survival of religious houses including Grace Dieu Priory, Langley Priory and the Priory Church of St Mary and St Hardulph at Breedon-on-the-Hill.
- 11.8 Coal was mined in North West Leicestershire from the medieval period; early coal mining remains at Coleorton and Lount have been designated as scheduled monuments. North West Leicestershire is recognised for the survival of industrial structures including the Ashby Canal, Moira Blast Furnace and Snibston Colliery. The conservation of assets which reflect the district's industrial and coal mining heritage will be a particular priority for the Council.
- 11.9 There are also other key heritage assets that have not been designated that are still of significance to the architectural, social and cultural history of the district. A number of these important assets are listed on the Leicestershire Historic Environment Record (HER). The identification of these buildings or features of local importance is often supported by parish councils, civic societies and historic interest groups as part of the preparation of a local list. They are also set out within Conservation Area Appraisals.
- 11.10 There will be a particular focus on Coalville town centre as Historic England described Coalville in response to the consultation on the designation of the Coalville conservation area 'as a good example of the type of commercial and industrial settlement that grew up rapidly in the nineteenth century following the discovery of coal, but which in Leicestershire is somewhat unusual. Its value is also an ensemble; it is more than the sum of its parts due to the extent of survival. This significance has in certain areas been masked by later alterations to buildings, but this provides a rich seam of enhancement opportunities would help to facilitate'.
- 11.11 When looking to protect and enhance the historic environment and heritage assets there is the opportunity to help deliver on other objectives, such as economic development and tourism. Conservation and sustainable economic growth are complementary objectives and should not generally be in conflict with one another. Conservation can play a key part in promoting economic prosperity by ensuring that an area offers attractive living and working conditions that will encourage inward investment.
- 11.12 The Council has a key role to play in the protection, conservation and enhancement of the heritage assets that exist throughout the district by:
- Supporting proposals for planning permission and listed building consent where the historic environment and heritage assets are conserved and enhanced in line with their significance;

- The use of planning obligations to secure the enhancement of the significance of any heritage asset, where development might impact on that significance;
- Adopting a Local List;
- Undertaking and Implementing Conservation Area Appraisals and Management Plans and using up to date evidence when determining planning applications. The most up to date evidence can be viewed at [http://www.nwleics.gov.uk/pages/conservation\\_information](http://www.nwleics.gov.uk/pages/conservation_information);
- Making use of Article 4 Directions and Local Development Orders where appropriate;
- The use of grant schemes, as resources permit, to safeguard heritage assets at risk and encourage sympathetic maintenance and restoration of listed buildings and historic shop fronts; and
- Strengthening the distinctive character of the district including:
  - a) Conserving and enhancing the character and appearance of the historic market towns of Ashby de la Zouch and Castle Donington as well as its rural settlements such as Snarestone.
  - b) Recognising and protecting the district's industrial, transport and recreational heritage such as coalmining heritage, canals and spa heritage.
  - c) Protecting the rural character and landscape including historic landscape features such as ancient or mature woodland, and ridge and furrow field patterns.

**Policy He1 – Conservation and enhancement of North West Leicestershire's historic environment**

- (1) To ensure the conservation and enhancement of North West Leicestershire's historic environment, proposals for development, including those designed to improve the environmental performance of a heritage asset, should:
  - a) Conserve or enhance the significance of heritage assets within the district, their setting, for instance significant views within and in and out of Conservation Areas;
  - b) Retain buildings, settlement patterns, features and spaces, which form part of the significance of the heritage asset and its setting;
  - c) Contribute to the local distinctiveness, built form and scale of heritage assets through the use of appropriate design, materials and workmanship;
  - d) Demonstrate a clear understanding of the significance of the heritage asset and of the wider context in which the heritage asset sits.
- (2) There will be a presumption against development that will lead to substantial harm to, or total loss of significance of a designated heritage asset. Proposals will be refused consent, unless it can be demonstrated that the substantial

**harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss or all of the following apply:**

- **The nature of the heritage asset prevents all reasonable uses of the site; and**
- **no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and**
- **conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and**
- **The harm or loss is outweighed by the benefit of bringing the site back into use.**

**Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.**

- (3) Where permission is granted, where relevant the Council will secure appropriate conditions and / or seek to negotiate a Section 106 Obligation to ensure that all heritage assets are appropriately managed and conserved.**
- (4) The District Council will support development that conserves the significance of non-designated heritage assets including archaeological remains.**

11.13 The Council will continue to produce and revise Conservation Area Appraisals for all designated conservation areas within the district. Conservation Area Appraisals offer an opportunity to identify ways in which their significance can be reinforced and strengthened. Such appraisals can help assist the removal of elements within the built environment which have a negative impact on surrounding heritage assets.

11.14 In certain areas including Staunton Harold conservation area and Lockington conservation area Article 4 directions to remove permitted development rights are adopted. A Local Development Order is in place for Coalville Town Centre to help facilitate the Coalville shop front improvement scheme, by streamlining the planning process.

11.15 At October 2015 there were 6 heritage assets listed on the Historic England Heritage at Risk Register. We will continue to monitor these and work with Historic England and other stakeholders to address the future of these buildings. The Risk Register includes grade I, grade II\* and grade II places of worship - therefore a comprehensive survey of grade II listed buildings will be required at a district level.

11.16 The reuse of historic buildings for a use other than their original use represents a sustainable use of resources. However, it will be necessary to ensure that any physical changes to the fabric of the building do not detract from the heritage asset. Similarly,

physical changes to a building designed to improve the buildings energy efficiency will also require careful attention in order to not detract from the quality of the heritage asset. There are opportunities in most historic buildings to improve energy conservation without causing harm through measures such as secondary glazing, improved loft insulation using natural materials, low energy lighting and the use of fuel efficient boilers.

- 11.17 Where conflict is unavoidable the benefits of energy conservation measures should be weighed against the extent of harm to the significance.

## **SHOP FRONTS**

- 11.18 The towns and villages of North West Leicestershire also have some very good examples of old shop fronts, a shop front serves a number of purposes to provide an attractive frame for goods displayed, to advertise the presence of the shop, and to project an image for the business inside.
- 11.19 The shop fronts within Ashby de la Zouch and Castle Donington town centres are predominately of late nineteenth century, often inserted into former dwellings of an earlier date. They typically have a stall riser below their display window along with architrave and cornice above. Many premises also have pilasters which frame the overall shop frontage and a number retain elaborate consoles.
- 11.20 With regard to advertisement signage to traditional shop frontages, the introduction of signs which project beyond fascias, the installation of internally illuminated box and fascia signs and the use and means of illumination such as cowl lamps or projecting strip lighting are all considered to have been detrimental to the streetscape.
- 11.21 Due to the overall character and historic interest of the core shopping areas within Ashby de la Zouch and Castle Donington it is important to conserve, protect and enhance where appropriate the historic shop fronts.

### **Policy He2 – Shopfront Design**

**Shop front design, signage and proposals to improve shop front security should:**

- a) Retain existing historic shop fronts and features of architectural and historic interest; and**
- b) Respect the scale, proportions, character and materials of the whole building and where appropriate, adjoining buildings and the wider street scene; and**
- c) Incorporate materials appropriate to the age and character of the building; and**
- d) Have regard to the guidance on shop fronts and signage.**

## **12 CLIMATE CHANGE**

### **INTRODUCTION**

- 12.1 The NPPF notes that planning has a key role to play in helping to minimise vulnerability and providing resilience to the impacts of climate change. It also calls for planning to support a low carbon future. Low carbon living means reducing the carbon emitted as a result of our lifestyles and to achieve this requires wide ranging changes to people's behaviour and the economy. The NPPF provides clear national guidance on how planning policy should be implemented and decisions taken to ensure a sustainable, low carbon future.

### **BACKGROUND**

- 12.2 The overwhelming scientific consensus is that the planet is warming, and that this warming is largely a result of increasing concentrations of "greenhouse gases" in the atmosphere which trap solar radiation in the atmosphere. These "greenhouse gases" are largely attributed to human activities linked to the use of fossil fuels.
- 12.3 To help reduce the impacts of climate change we must:
- Mitigate: reducing greenhouse gas emissions; and
  - Adapt: helping the built and natural environment to be resilient to future climatic conditions, including extreme weather events and periods of water shortage.
- 12.4 This Local Plan includes a number of policies which are designed to help tackle climate change including:
- Ensuring a sustainable pattern of development, including improvements to the self-containment levels of the principal town, key service centres and local service centres and a reduction in the need to travel (see Policy S2);
  - Supporting the supply of energy and heat from renewable and low carbon sources (Policy Cc1);
  - Ensuring that new development incorporates sustainable building practices and where possible will contribute to improving the existing building stock (Policy Cc2);
  - Ensuring that new development incorporates water efficiency measures (Policy Cc2);
  - Ensuring the incorporation of high energy efficiency into new development;
  - Ensuring that new developments incorporate appropriate adaptation and mitigation for climate change, particularly risk from flooding and rising sea levels (Policy Cc3).

## RENEWABLE ENERGY

- 12.5 The NPPF notes that all communities have a responsibility to “contribute to energy generation from renewable or low carbon sources.” A Ministerial Statement of 9 April 2014 states that the need for renewable energy does not automatically override environmental protections and the planning concerns of local communities and this will also be a consideration in determining any proposals. A further Ministerial Statement of 28 June 2015 states that proposals for wind energy development should only be granted planning permission if the development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and following consultation it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.
- 12.6 Proposals for wind energy development will be supported in principle, cumulative impacts of existing operational, consented and proposed developments must be assessed, and suitable mitigation measures proposed, to minimise the impacts on biodiversity and landscape character. Developers must demonstrate that cumulative impacts do not become significant or defining characteristics of the wider landscape, including across administrative boundaries and different landscape character types.
- 12.7 Pre-application consultation must be undertaken in accordance with national legislation. Detailed technical assessments will be expected to demonstrate that the proposed siting is appropriate and does not result in any unacceptable impacts in terms of, for example, noise, highway safety, bats and shadow flicker when assessed against relevant standing advice.

### **Policy Cc1 – Renewable Energy**

- (1) Planning applications for renewable energy including any new grid connection lines and any ancillary infrastructure and buildings associated with the development will be supported where:**
- (a) There is no unacceptable impact on residential amenity in terms of noise, shadow flicker, vibration and visual dominance; and**
  - (b) There is no adverse impact on the landscape character taking account of the special qualities set out within the individual National Character Areas; and**
  - (c) All impacts on biodiversity have been adequately mitigated or enhanced; and**
  - (d) Heritage assets and their settings are conserved or enhanced; and**
  - (e) Proposals take account of the cumulative effect that would result from the proposal in conjunction with permitted and existing renewable**

energy schemes; and

- (f) **Proposals are accompanied by details to demonstrate how the site will be decommissioned to ensure the restoration of the site following cessation; and**
- (g) **Proposals for large scale renewable energy should demonstrate that the economic, social and environmental benefits are for those communities closest to the proposed facility.**

**We will consider the preparation of a Supplementary Planning Document to provide further guidance on this issue.**

- (2) In addition to the above considerations, proposals for one or more wind turbines will be supported where:**
  - (a) The site lies within the 'Area Identified as potentially suitable for large or small scale turbines' as defined on the policies map; and**
  - (b) It can be demonstrated there is support from the local community or is set out within an area defined as being suitable for wind energy development within an adopted Neighbourhood Plan; and**
  - (c) All impacts on air traffic safety as referred to in local plan policy Ec6 and radar and communications have been assessed and consulted upon.**

12.8 Government guidance sets out that:

- The need for renewable energy does not automatically override environmental protections and the planning concerns of local communities;
- Decisions should take into account the cumulative impact of wind turbines and properly reflect the increasing impact on (a) the landscape and (b) local amenity as the number of turbines in an area increases;
- Local topography should be a factor in assessing whether wind turbines have a damaging impact on the landscape (i.e. recognise that the impact on predominately flat landscapes can be as great or greater than as on hilly or mountainous ones);
- Great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of any proposal on views important to their setting.

12.9 A Planning for Climate Change report which considered sources of potential renewable energy across Leicestershire (except Charnwood Borough) was published in 2008. The report considered three specific sources of renewable energy - wind, water and biomass and made an assessment as to the potential for these to be harnessed.



12.10 The areas around the six main settlements in North West Leicestershire (Ashby de la Zouch, Castle Donington, Coalville, Ibstock, Kegworth and Measham) all performed well in terms of availability of wind resource and accessibility to woodland, and therefore the report considered that the opportunity for harnessing these resources is high. In addition, it identified the potential for hydro-power generation from two sites near Kegworth.

12.11 In order to determine potentially suitable areas for wind energy development, a further study has been prepared based upon the Department for Energy and Climate Change's guidance "Renewable and Low Carbon Energy Capacity Methodology for the English Regions." This identifies three key planning constraints:

- Wind Speed;
- Environmental and Landscape Designations; and
- Proximity to Residential Properties.

The areas identified as potentially suitable would require a detailed assessment during the planning process and will be assessed on a site by site basis.

12.12 The study referred to above addresses the issues of wind speed and proximity to residential properties and the areas identified as potentially suitable on the policies map reflect the study's conclusions. In respect of heritage assets (and their settings) and landscape designations, this will require a detailed assessment during the planning process and will be assessed on a site by site basis. In respect of landscape designations these will have regard to the National Character Area profiles; more information about these can be found at paragraph 5.27 of this Local Plan.

12.13 Large scale renewable energy technologies can be contentious as they are often land – hungry and visually imposing. Early consultation with the local community, and pre-application discussions, will be necessary to help ensure large-scale renewable energy installations are appropriately designed and located.

12.14 Micro renewable energy installations (such as solar panels) typically at the level of households are often permitted development and do not require a specific policy.

## **WATER – FLOOD RISK**

12.15 Increased rainfall, which is one of the predicted consequences of climate change, will result in increasing the risk of flooding from rivers. A Strategic Flood Risk Assessment (SFRA) has been undertaken which identifies those parts of the district most at risk from flooding. In accordance with the NPPF we will apply a sequential, risk based approach to the location of development to avoid flood risk to people and property

where possible, and manage residual risk, taking into account the impacts of climate change.

- 12.16 Our approach is to use a Sequential Test to steer new development to areas with the lowest probability of flooding.
- 12.17 Where development needs to be in locations where there is a risk of flooding and alternative sites are not available, we will need to ensure that development is appropriately flood resilient and resistant, safe for all of its users for the developments lifetime, and will not increase flood risk overall.

**Policy Cc2 – Flood Risk**

**(1) The risk and impact of flooding will be minimised through:**

- (a) Directing new development to areas with the lowest probability of flooding; and**
- (b) Ensuring that all new development addresses the effective management of all sources of flood risk; and**
- (c) Ensuring that development does not increase the risk of flooding elsewhere; and**
- (d) Ensuring wider environmental benefits of development in relation to flood risk.**

**(2) A proposal will be supported where:**

- (a) It is located in an area that is not at risk of flooding with reference to the Environment Agency flood risk maps and the Council's Strategic Flood Risk Assessment (SFRA), unless a Sequential Test, and if necessary an Exception Test, as set out in the National Planning Practice Guidance on flood risk, proves the development is acceptable; and**
- (b) Site-specific Flood Risk Assessments should consider the issues of flooding from sewers, canal infrastructure failure, groundwater rising from former coal mining areas, and watercourses; and**
- (c) Suitable flood protection / mitigation measures can be agreed as appropriate to the level and nature of flood risk and satisfactorily implemented and maintained; and**
- (d) There will be no increase in the risk of flooding for properties elsewhere. For previously undeveloped sites the rate of runoff from the development sites should be no greater than the existing (greenfield) rate of runoff from the site. For developments on previously developed (brownfield) sites the rate of runoff should not exceed the runoff of the site in its previously developed condition.**

## **WATER - SUSTAINABLE DRAINAGE SYSTEMS**

- 12.18 Sustainable Drainage Systems (SuDS) aim to mimic the natural drainage process whilst also removing pollutants from urban runoff at the source before entering a watercourse. There are a wide range of SuDS techniques available, including green roofs, permeable paving swales, detention basins, ponds and wetlands. In addition to controlling run-off they also offer opportunities to enhance the biodiversity in an area, reduce flood risk and improve water quality.
- 12.19 Different solutions will call for different types of SuDS, according to their effectiveness and efficiency depending upon the local geology – a solution in one place may not be suitable somewhere else. Due to the variation of permeability across the district we propose to prepare an SPD to give greater detail on the delivery of SuDS within different areas within the district.
- 12.20 Leicestershire County Council is now the Lead Local Flood Authority and is the lead organisation for providing advice and guidance on surface water runoff and run off rates.
- 12.21 It is the intention to prepare an SPD to support the policy on the delivery of SuDS and other mitigation mechanisms.

### **Policy Cc3 – Sustainable Drainage Systems**

- (1) When assessing development proposals where it is necessary to manage surface water drainage, Sustainable Drainage Systems (SuDS) should be incorporated into developments in accordance with national and local standards unless it can be clearly demonstrated;**
- a) That SuDS are not technically, operationally or financially deliverable or viable and that surface water drainage issues from the development can be alternatively mitigated; or**
- b) That the SuDS scheme will itself adversely affect the environment or safety.**
- (2) Where appropriate, every effort should be made to link SuDS into wider initiatives to enhance green infrastructure, improve water quality and benefit wildlife or contribute to the provision of the ecosystem service.**
- (3) Arrangements in accordance with national policy will need to be put in place for the management and maintenance of the SuDS over the whole period during which they are needed.**

## 13 IMPLEMENTATION AND MONITORING

- 13.1 The primary responsibility for implementing the policies in this Local Plan largely rests with the District Council as the Local Planning Authority. The Council will use the policies in the Local Plan, alongside any national policies and guidance to determine any planning application submitted. In addition, it is proposed to review and update the existing suite of Supplementary Planning Documents (SPD) as well as producing new ones where appropriate.
- 13.2 There will be other people and organisations that will have a key part to play in the implementation of the Local Plan, including developers, landowners, public utilities (e.g. water, gas, electricity, and broadband) and other public sector agencies such as the Environment Agency, English Heritage and Natural England and the respective highway authorities. The private sector will be mainly responsible for the delivery of individual developments, whether for housing, employment, retail or other forms of development. The Council is committed to working in partnership with these various organisations to ensure that the aims and objectives of the Local Plan are delivered.
- 13.3 A key aspect to ensure the implementation of the Local Plan is through regular and robust monitoring. The Council will regularly assess the performance of individual policies and overall progress in delivering the strategic objectives of the Local Plan. This will be done through the production of an Annual Monitoring Report (AMR). Results of monitoring will be used to inform any change to policies or additional actions considered to be required.
- 13.4 A Monitoring Framework has been prepared to outline how policies in the Local Plan will be monitored (see Appendix 6). The monitoring framework will provide the basis for the annual monitoring report. The majority of indicators will be monitored annually however where the District Council will need to rely on data from other organisations this will be monitored once the relevant data is made available. It is the intention to monitor the districts town and local centres on a bi –annual basis.

### **Policy IM1 – Implementation and monitoring of the Local Plan**

- (1) The Council will implement the policies and proposals of the Local Plan by:**
- working with a range of organisations and individuals through various working arrangements;
  - the preparation of Supplementary Planning Documents as required to provide additional guidance in respect of specific policies in the Local Plan;
  - utilising development management powers, including pre-application discussions and involving other organisations where appropriate;
  - considering how the council can use its resources, including funding, to help implement and support the provisions of the Local Plan and

**seeking other monies for projects which support the Local Plan.**

- (2) The Council will monitor the policies of this Local Plan annually (as at 31<sup>st</sup> March of each year). An Annual Monitoring Report (AMR) will be published by 31 December of each year.**
- (3) Where it is apparent that delivery rates are falling short of what was anticipated then the Council will take the necessary action to address any shortfall. Such actions may include (but are not limited to):**
- working with developers and site promoters to review the requirements and phasing of infrastructure provision, where such re-phasing would assist with viability; or**
  - working with developers, site promoters and other interested parties to help unlock potential sources of funding for identified infrastructure; or**
  - considering the use of Compulsory Purchase Powers to help address known land acquisition issues; or**
  - bringing forward additional sites where it can be demonstrated that such sites will assist with delivery to address short term needs; or**
  - engaging with statutory consultees.**
- (4) Where additional housing sites need to be brought forward initial priority will be given to those sites identified within the most recent Strategic Housing Land Availability Assessment (SHLAA) and having regard to the settlement hierarchy set out in Policy S2. Sites not included in the SHLAA will only be supported where there are no sites within the SHLAA which are capable of contributing to supply in the next 5 year period and which accord with the settlement hierarchy.**

## **NEIGHBOURHOOD PLANS**

- 13.5 Neighbourhood planning was introduced by the Localism Act 2011. Through producing a Neighbourhood Plan communities can take the lead on developing planning policies. However, any plans and policies must be in general conformity with the strategic policies contained in the adopted Local Plan in place at the time a Neighbourhood Plan is prepared. The policies in this Local Plan are the strategic policies that Neighbourhood Plans will be required to be in conformity with.
- 13.6 Neighbourhood Plans attain the same legal status as the Local Plan once it has been agreed at a referendum and is made by North West Leicestershire District Council. Applications for planning permission must then be determined in accordance with the development plan, including the neighbourhood plan, unless material considerations indicate otherwise.

13.7 There are currently two designated neighbourhood areas within the district:

- Ashby de la Zouch
- Ellistown

13.8 North West Leicestershire District Council will work with these communities and other communities wishing to prepare Neighbourhood Plans to ensure timetables, aspirations and evidence are aligned.

## GLOSSARY

<b>Affordable Housing</b>	<p>Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provision to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.</p> <p>Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above. As agreed with the local authority or with the Homes and Communities Agency.</p> <p>Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent income of no more than 80% of the local market rent (including service charges, where applicable).</p> <p>Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but no affordable housing.</p> <p>Homes that do not meet the above definition of affordable housing, such as “low cost market” housing, may not be considered as affordable housing for planning purposes.</p>
<b>Air Quality Management Areas (AQMA)</b>	Areas designated by local authorities because they are not likely to achieve national air quality objectives by the relevant deadlines.
<b>Ancient Woodland</b>	An area of woodland that has been wooded consistently since at least 1600 AD.

<b>Annual Monitoring Report (AMR)</b>	A report that reviews the progress on plan preparation compared to the targets and milestones set out in the Local Development Scheme. The AMR also reviews the impact of policies contained in the Local Plan.
<b>Appropriate Assessment (AA)</b>	Habitat Regulations Assessment is commonly referred to as Appropriate Assessment (AA).
<b>Area of Separation</b>	An area of land that is not covered by the countryside policy, whose main purpose is preserving the separation between two or more settlements so as to preserve a settlement's identity.
<b>Article 4 Direction</b>	A direction which withdraws automatic planning permission granted by the General Permitted Development Order.
<b>Biodiversity</b>	'Biodiversity' is a term commonly used to describe the variety of life on earth which encompasses the whole of the natural world and all living things which share the planet. It includes plants, animals even invisible micro organisms and bacteria which, together, interact in complex ways with the inanimate environment to create ecosystems.
<b>Biodiversity Action Plan (BAP)</b>	A Biodiversity Action Plan addresses threatened species and habitats and is designed to protect and restore biological systems.
<b>Building for Life 12</b>	Building for Life 12 is the industry standard, endorsed by Government, for well-designed homes and neighbourhoods so that new development can be attractive, functional and be a sustainable place.
<b>Building Research Establishment Environmental Assessment Method (BREEAM)</b>	BREEAM sets out the standard for best practice in sustainable building design, construction and operation and has become one of the most comprehensive and widely recognised measures of a building's environmental performance.
<b>Brownfield (Previously Developed Land)</b>	See Previously Developed Land (PDL).
<b>Coalville Urban Area</b>	Coalville Urban Area comprises of Coalville, Donington-le-Heath, Greenhill, Hugglescote, Snibston, Thringstone and Whitwick as well as the Bardon employment area.
<b>Conservation Areas</b>	Areas of special architectural or historic interest. Conservation Area designations do not prevent change but it does help preserve and enhance the character and appearance of an area.
<b>Climate Change</b>	The changes in the Earth's global or regional climate over time.



<b>Coal Mining Development Referral Area</b>	An area which contains a range of specific mining legacy risks to the surface and a Coal Mining Risk Assessment is required for non-householder planning applications. The Coal Authority will be consulted on all planning applications in these areas.
<b>Community and Cultural Facilities.</b>	A building or space where community led facilities for community benefit is the primary use. They can provide for the health and well-being, social education, spiritual, recreational, leisure and cultural needs of the community. For example, public libraries, museums and places of worship.
<b>Community Infrastructure Levy</b>	A levy allowing local authorities to raise funds from owners or developers of land undertaking new building projects in their area.
<b>Countryside</b>	Countryside is the largely undeveloped area beyond the defined limits of our towns and villages. It is home to farms, isolated and small groups of homes, including our smallest villages, and other rural enterprises.
<b>Development Management</b>	The management or control of development proposals through the planning system.
<b>Development Plan</b>	Comprises of Development Plan Documents (DPD) which form the legal basis for all future planning decisions in the district.
<b>Development Plan Document (DPD)</b>	Documents prepared by the local planning authority (including the Local Plan) setting out the main spatial planning strategy, policies and proposals for the area. These documents will be statutory documents and subject to an independent examination by an inspector. DPDs must be consistent with and have regard to national planning policy.
<b>Duty to Cooperate</b>	Introduced by the Localism Act 2011. It places a legal duty on all local planning authorities to engage constructively, actively and on an ongoing basis with certain specified bodies to maximize the effectiveness of Local Plan preparation relating to strategic cross boundary issues.

<b>Edge of Centre</b>	For retail purposes, a location that is well connected and is up to 300 metres from the primary shopping area. For all other main town and local centre uses, a location within 300m of a town centre boundary. For office development, this includes locations outside the town centre but within 500 metres of a public transport interchange. In determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances.
<b>Employment Land Availability Assessment (ELAA)</b>	An assessment of employment land potential within North West Leicestershire.
<b>Examination</b>	An independent assessment of a Local Plan held by a Planning Inspector. The purpose of the Examination is to consider if the development plan is sound and is an opportunity for interested parties to put forward their views. The majority of representations made at Examination will usually be 'written representations'. However, in some instances a Planning Inspector may allow representations to be examined by way of oral hearings, for example round table discussions, informal hearing sessions and formal hearing sessions.
<b>Floodplain</b>	Generally low-lying areas adjacent to a watercourse, tidal lengths of a river, where water flows in times of flood or would flow but for the presence of flood defences.
<b>Flood Zones</b>	All land is split into different flood zones to indicate the likelihood of flooding occurring. There is a low probability of flooding in Flood Zone 1 and a medium probability of flooding in Flood Zone 2. There is a high probability that flooding will occur in land designated as part of Flood Zone 3a and Flood Zone 3b is the Functional Floodplain.
<b>Functional Economic Market Area (FEMA)</b>	The geography of commercial property markets should be thought of in terms of the requirements of the market in terms of the location of premises, and the spatial factors used in analysing demand and supply - often referred to as the functional economic market area.
<b>Geodiversity</b>	The range of rocks, minerals, fossils, soils and landforms.
<b>Greenfield Land</b>	Greenfield land is land that has never been built on or landforms where the remains of any structure have blended into the landscape overtime, Greenfield land also includes gardens. Greenfield land shouldn't be confused with Green Belt which is a term used for specifically designated land.

<b>Green Infrastructure</b>	The physical environment within and between our cities, towns and villages. It is a network of multi-functional green spaces, including formal parks, gardens, woodlands, green corridors, waterways, street trees and open countryside. This green space can be either urban or rural, and is capable of delivering a wide range of environmental and quality of life benefits for local communities.
<b>Gypsy and Traveller Accommodation Needs Assessment (GTAA)</b>	An assessment of gypsy and traveller accommodation needs of the Gypsy and Traveller communities.
<b>Hamlets</b>	Small groups of dwellings with no services or facilities.
<b>Heat Island</b>	The heating effect of urban areas upon air and surface temperatures. During periods of hot weather, heat islands increase the effects of heat stress and damage to infrastructure.
<b>Housing and Economic Development Needs Assessment (HEDNA)</b>	The purpose of the HEDNA is to assess future development needs for housing (both market and affordable) and economic development uses (which includes employment land and main town centre uses). The HEDNA provides evidence concerning future development needs – for housing, employment land and retail floorspace. It does not make policy decisions regarding what levels of development should be planned for.
<b>Housing Market Area (HMA)</b>	<p>A housing market area is a geographical area defined by household demand and preferences for all types of housing, reflecting the key functional linkages between places where people live and work. It might be the case that housing markets overlap.</p> <p>The extent of the housing market areas identified will vary and many, as in the case for Leicestershire, cut across various local planning authority boundaries.</p>
<b>Intermediate Housing</b>	Housing that is neither Market Housing nor Social Rented, but is available at a rent/cost falling between the two. Intermediate housing could comprise shared ownership accommodation for example.
<b>Infrastructure</b>	The basic requirements for the satisfactory development of an area and include roads, footpaths, sewers, schools, open space and other community facilities.
<b>Infrastructure Delivery Plan</b>	The purpose of an Infrastructure Delivery Plan is to set out the infrastructure requirements to support planned new development in the district.

<b>Key Service Centre</b>	Smaller than the principal town in terms of population and with a lesser range of services and facilities however they play an important role providing services and facilities to the surrounding area and are accessible by some public transport.
<b>Leicester and Leicestershire Enterprise Partnership (LLEP)</b>	The Leicester and Leicestershire Enterprise Partnership (LLEP) was formed in 2011 by public, private and third sector partners to lead sustainable economic growth.
<b>Limits to Development</b>	Limits to Development provide clear, defensible boundaries around settlements within which development will normally be confined.  Limits to Development distinguish between areas of development and development potential and areas of restraint, such as countryside.
<b>Listed Building</b>	Statutory Listed Buildings are protected for their architectural and historic value as part of the nation's heritage.
<b>Local Centre</b>	Local centres include a range of small shops of a local nature, serving a small catchment. Typically, local centres might include, amongst other shops, a small supermarket, a newsagent, a sub-post office and a pharmacy. Other facilities could include hot food takeaways and eating establishments.
<b>Local Development Document (LDD)</b>	The collective term covering Development Plan Documents and Supplementary Planning Documents.
<b>Local Development Scheme (LDS)</b>	The Local Development Scheme is a document which sets out the local planning authority's programme for the production of Local Development Documents.
<b>Local Nature Reserve (LNR)</b>	Local Nature Reserves are places with wildlife or geological features of special interest locally. They are designated by local authorities.
<b>Local Plan</b>	The Local Plan sets out the future development of the area, drawn up by the local planning authority in consultation with the community.
<b>Local Planning Authority (LPA)</b>	The Local Planning Authority, in this case North West Leicestershire District Council, undertakes the town planning function at the local level (except minerals and waste planning which is undertaken at a County Council level).
<b>Local Service Centre</b>	Settlements which provide some services and facilities primarily of a local nature meeting day-to-day needs and where a reasonable amount of new development will take place.

<b>Local Transport Plan (LTP)</b>	Local transport plans, divided into full local transport plans (LTP) and local implementation plans for transport (LIP) are an important part of transport planning in England. They are prepared by strategic transport authorities – in our case Leicestershire County Council.
<b>Local Wildlife Sites</b>	Local Wildlife Sites are defined areas identified and selected locally for their nature conservation value.
<b>Low-Carbon Energy/Technologies</b>	Energy derived from sources that produce fewer greenhouse gases than traditional means of power generation. Includes zero carbon power generation sources as well as sources with lower-level emissions such as natural gas, and technologies that prevent carbon dioxide from being emitted into the atmosphere, such as carbon capture and storage.
<b>Masterplan</b>	A strategic plan setting out the overall framework and key principles for the development of a site.
<b>National Character Areas</b>	National Character Areas are defined by Natural England and they are a natural subdivision of England based on a combination of landscape, biodiversity, geodiversity and economic activity. They follow natural, rather than administrative, boundaries.
<b>National Nature Reserve</b>	Many of the finest sites in England for wildlife and geology are National Nature Reserves. Almost all are accessible and provide opportunities for people to experience nature.
<b>National Planning Policy Framework (NPPF)</b>	Sets out the government's national planning requirements, policies and objectives. It is a material consideration in the preparation of Local Plan documents and when considering planning applications.
<b>Neighbourhood Plan</b>	A plan for the neighbourhood area which is prepared by an authorised community group. The plan must be in general agreement with the overall plan for the local authority area and can include general planning policies and allocations for new development.
<b>Older people</b>	People over retirement age, including the active, newly retired through to very frail elderly, whose housing needs can encompass accessible, adaptable general needs housing for those looking to downsize from family housing and the full range of retirement and specialized housing for those with support or care needs.
<b>Open Space</b>	Open space should be taken to mean all open space of public value which offers important opportunities for sport and recreation and can also act as a visual amenity.

<b>Out of Centre</b>	A location which is not in or on the edge of a town or local centre but not necessarily outside the urban area.
<b>Planning Condition</b>	A condition imposed on a grant of planning permission, for example, restricting what you can do on the premises, or requiring you to get specific approval for aspects of the development, such as the materials to be used, before you can proceed.
<b>Planning Practice Guidance</b>	An online resource and tool that sets out the government's planning guidance on a range of issues.
<b>Photovoltaic/Photovoltaic Cells</b>	Conversion of solar radiation (the sun's rays) to electricity by the effect of photons (tiny packets of light) on the electrons in a solar cell.
<b>The Planning Inspectorate</b>	The Planning Inspectorate is an executive agency for the Department of Communities and Local Government. It deals with planning appeals, national infrastructure planning applications and examination of local plans.
<b>Policies Map</b>	This illustrates, on an Ordnance Survey Base Map, designations and proposals contained in the Local Plan.
<b>Previously Developed Land</b>	Also known as Brownfield Land. Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for mineral extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.
<b>Primary Employment Land</b>	Sites identified, within the 'Qualitative Assessment of Employment Sites' undertaken by consultants in 2012, as being worthy of retention for employment use.
<b>Primary Frontage</b>	Primary frontages are located within town and local centres are likely to include a high proportion of retail uses which may include food, drinks, clothing and household goods.

<b>Primary Shopping Area</b>	Defined area where retail development is concentrated (generally comprising the primary and those secondary frontage which are adjoining and closely related to the primary shopping frontage).
<b>Principal Town</b>	The principal settlement in the district which provides an extensive range of services and facilities and which is accessible by public transport from surrounding areas and to other large settlements in the district.
<b>Public Safety Zones</b>	Areas of land at the end of runways at the busiest airports in the UK, within which certain planning restrictions apply.
<b>Regionally Important Geodiversity Sites</b>	Sites selected for their geological or geomorphologic value and their interpretive use for earth science as well as cultural, educational, historical and aesthetic reasons.
<b>Renewable Energy</b>	Renewable energy is energy flows that occur naturally and repeatedly in the environment, for example from the wind, water flow, tides or the sun.
<b>Rural 'Exception' Sites</b>	Land which is identified as countryside that would not normally be released for housing but where an exception is made for affordable housing. These sites are usually managed by a housing association and can provide homes for existing residents or those with a family or employment connection to the local community.
<b>Secondary Frontage</b>	Secondary frontages are located within town and local centres and provide greater opportunities than primary shopping frontages for a diversity of uses such as restaurants and businesses.
<b>Sites of Special Scientific Interest (SSSI)</b>	Sites designated by Natural England under the Wildlife and Countryside Act 1981. SSSIs are the country's very best wildlife and geological sites. They include some of the most spectacular and beautiful habitats: wetlands teeming with wading birds, winding chalk rivers, flower-rich meadows, windswept shingle beaches and remote upland peat bogs.
<b>Small Village</b>	Settlements with very limited services and where development will be restricted to the conversions of existing buildings or the redevelopment of previously developed land.
<b>Special Area of Conservation (SACs)</b>	Areas given special protection under the European Union's Habitats Directive, which is transposed into UK law by the Habitats and Conservation of Species Regulations 2010. They provide increased protection to a variety of wild animals, plants and habitats and are a vital part of global efforts to conserve the world's biodiversity.

<b>Statement of Community Involvement (SCI)</b>	Outlines the approach of the authority to involving the community in preparing the Local Plan and planning applications.
<b>Strategic Environmental Assessment (SEA)</b>	A process for assessing environmental implications of the plans and policies in the Local Plan to ensure that all decisions are made with the objective of securing sustainable development.
<b>Strategic Flood Risk Assessment (SFRA)</b>	A Strategic Flood Risk Assessment (SFRA) provides information on the probability of flooding, such as that from rivers, groundwater sources and sewers. It also takes into account the impacts of climate change.
<b>Strategic Housing Land Availability Assessment (SHLAA)</b>	An assessment of housing supply potential within North West Leicestershire required by government policy. The SHLAA is updated on an annual basis.
<b>Strategic Rail Freight Interchanges (SRFI)</b>	A Strategic Rail Freight Interchange (SRFI) is a large multi-purpose rail freight interchange and distribution centre linked into both the rail and trunk road system. It has rail-connected warehousing and container handling facilities and may also include manufacturing and processing activities.
<b>Supplementary Planning Document (SPD)</b>	Documents which add further detail to the policies within the Local Plan. They can provide further guidance for development or on particular issues such as design. Supplementary Planning Documents are capable of being material consideration in planning decisions but are not part of the development plan.
<b>Sustainability Appraisal (SA)</b>	Sustainability Appraisal involves an assessment of the social, economic and environmental implications of the plans and policies in the Local Plan to ensure that all decisions are made with the objective of sustainable development in mind. The SA incorporates the requirements of the SEA.
<b>Sustainability Appraisal Scoping Report</b>	This is the first stage of the Sustainability Appraisal / Strategic Environmental Assessment. It sets out the context and objectives, establishes the baseline data, key sustainability issues and sets the framework by which Development Plan Documents will be appraised.
<b>Sustainable Villages</b>	Settlements which have a limited range of services and facilities and so are suitable for a limited amount of growth.

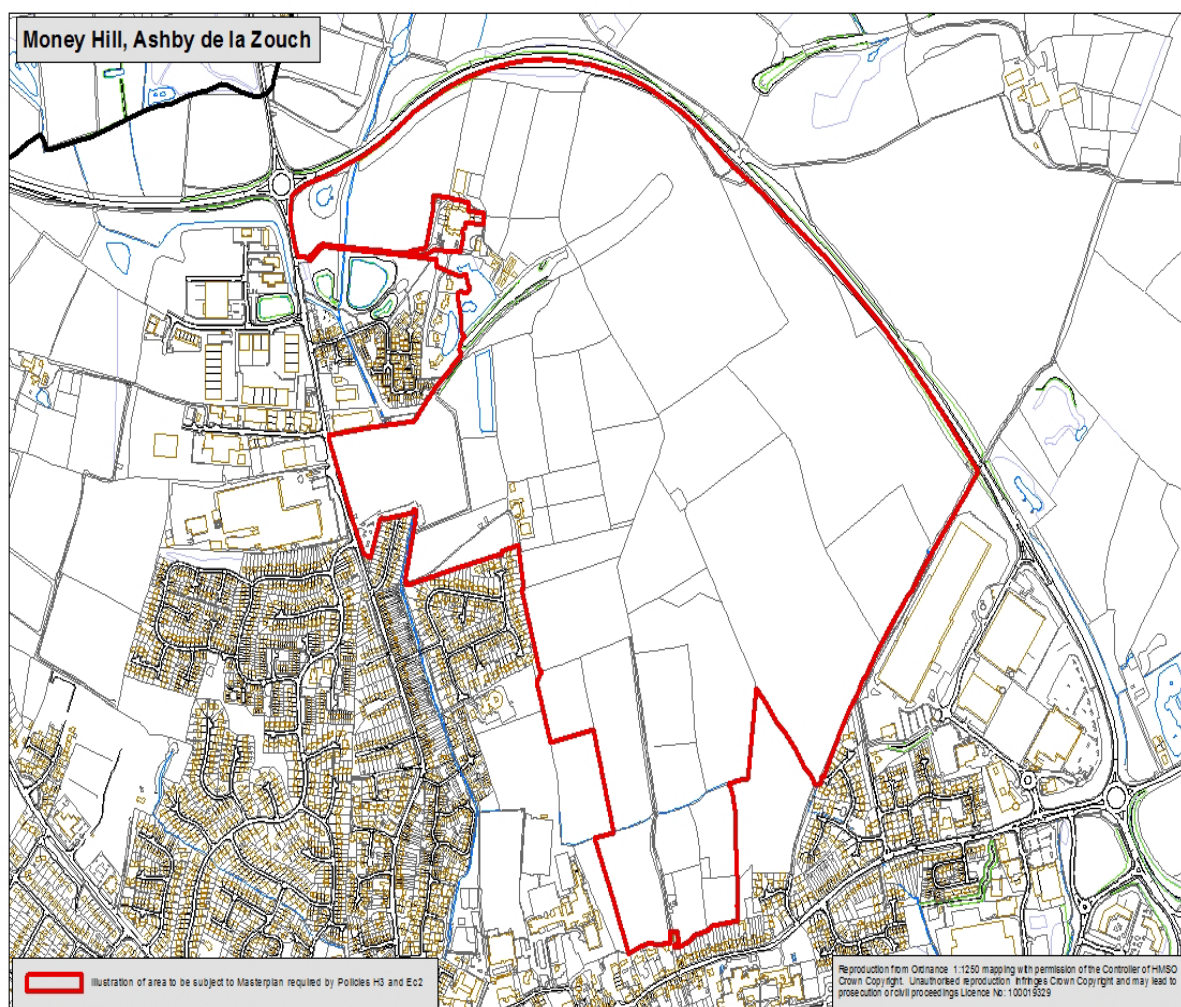


<b>Sustainable Drainage Systems (SuDS)</b>	Surface water drainage methods that take account of water quantity, water quality and amenity issues are collectively referred to as Sustainable Drainage Systems (SuDS).
<b>Town Centre Boundary</b>	Town Centre boundaries are a way in which we seek to control the types of uses that would be permitted in these specific areas.
<b>Town and Local Centre Uses</b>	The main Town and Local Centre Uses are A1 Shops; A2 Financial and Professional Services; A3 Restaurants and Cafes; A4 Drinking Establishments; A5 Hot Food Takeaways; D2 Assembly and Leisure uses, arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities). As defined by the Town and Country Planning (Use Classes) Order 1987 (as amended).
<b>Town Centre</b>	Defined area, including the primary shopping area and areas of predominantly leisure, business and other main town centre uses within or adjacent to the primary shopping area.
<b>Travel Plans</b>	A travel plan aims to promote sustainable travel choices (for example, cycling) as an alternative to single occupancy car journeys that may impact negatively on the environment, congestion and road safety. Travel plans can be required when granting planning permission for new developments.
<b>Use Classes Order</b>	The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes'.
<b>Water Quality Management Plan (WQMP)</b>	The primary purpose of the Water Quality Management Plan (WQMP) is to reduce the levels of phosphate within the River Mease SAC, to enable the Conservation Objectives for the SAC to be met, and an adverse effect upon the SAC avoided.
<b>Windfall sites</b>	Sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available.
<b>Zero Carbon Development</b>	A building or set of buildings with a net energy consumption of zero over a typical year.

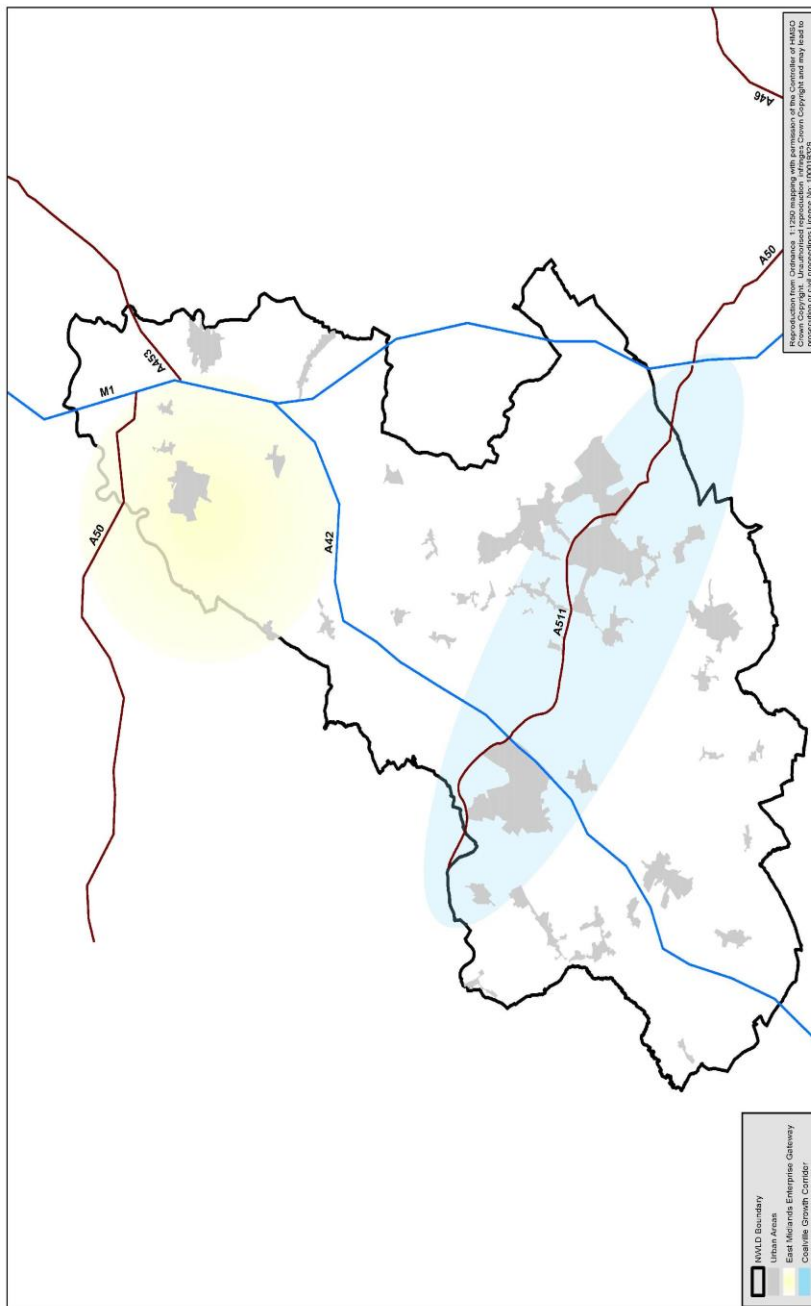
## HOUSING TRAJECTORY AS AT 1 OCTOBER 2016

		Projected completions																
SITE	COMPLETIONS (NET) 1 APRIL 2011- 30 SEPTEMBER 2016	2016/ 17	2017/ 18	2018/ 19	2019/ 20	2020/ 21	2021/ 22	2022/ 23	2023/ 24	2024/ 25	2025/ 26	2026/ 27	2027/ 28	2028/29	2029/30	2030/31	TOTAL TO 2031	POST 2031
Ashby de la Zouch- all sites	575	125	189	272	220	170	120	120	108	100	130	130	130	130	130	65	2,694	675
Ashby de la Zouch- affordable housing		0	76	84	50	50	41	21	21	30	39	39	39	39	39	20	588	202
Castle Donington - all sites	313	18	0	20	50	70	80	80	80	80	80	80	80	80	80	35	1,214	0
Castle Donington - affordable housing		10	0	0	6	8	10	10	10	10	10	10	10	10	10	3	117	0
Coalville urban area - all sites	577	271	319	314	326	301	306	250	189	180	180	180	130	130	130	65	3,725	1,830
Coalville urban area - affordable housing		56	19	40	34	40	44	18	19	18	19	16	13	12	13	6	367	190
Ilstock - all sites	496	50	12	30	30	30	30	22	0	0	0	0	0	0	0	0	673	0
Ilstock - affordable housing		7	0	0	10	12	21	0	0	0	0	0	0	0	0	0	50	0
Kegworth - all sites	187	10	6	0	0	30	46	30	30	30	38	0	0	0	0	0	395	0
Kegworth - affordable housing		0	0	0	0	0	0	0	9	0	0	0	0	0	0	0	9	0
Measham - all sites	124	20	10	0	30	30	40	40	50	50	50	50	50	50	10	0	598	0
Measham - affordable housing		0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	4	0
Rest of the district - all sites	418	185	173	129	111	40	37	0	0	0	0	0	0	0	0	0	960	0
Rest of the district - affordable housing		53	43	20	25	20	7	0	0	0	0	0	0	0	0	0	168	0
District - all sites	2,690	679	709	765	767	671	659	542	457	440	478	440	390	390	350	165	10,592	2,505
District - affordable housing		126	142	144	125	130	123	49	59	58	68	65	62	61	62	29	1,303	392
Projected completions (annual)		679	709	765	767	671	659	542	457	440	478	440	390	390	350	165		
Projected Completions (cumulative)		3,369	4,078	4,843	5,610	6,281	6,940	7,482	7,939	8,379	8,857	9,297	9,687	10,077	10,427	10,592		
Annual requirement		481	481	481	481	481	481	481	481	481	481	481	481	481	481	481		
Cumulative requirement		2,886	3,367	3,848	4,329	4,810	5,291	5,772	6,253	6,734	7,215	7,696	8,177	8,658	9,139	9,620		
Monitor - number of dwellings above or below cumulative requirement																		
Monitor - annual requirement taking account of past/projected completions		483	711	995	1,281	1,471	1,649	1,710	1,686	1,645	1,642	1,601	1,510	1,419	1,288	972		

AREA TO BE SUBJECT OF MASTERPLAN REQUIRED BY POLICIES H3 AND Ec2



MAP OF COALVILLE GROWTH CORRIDOR AND EAST MIDLANDS ENTERPRISE GATEWAY



**Off Street Parking Standards (excluding residential)****6C's Design Guide Table DG11: Normal Maximum Parking Standards**

For developments below the threshold, the standards contained in the Leicestershire County Council document Highway Requirements for Development (HRfD) will continue to be applied as the normal maximum standards.

<b>Use</b>	<b>Normal maximum parking standard based on one space for every square Metre (m<sup>2</sup>) of gross floorspace unless otherwise stated</b>	<b>Threshold for applying the standard (gross floorspace)</b>
Food retail	One space for every 14m <sup>2</sup>	1000m <sup>2</sup>
Non food retail	One space for every 20m <sup>2</sup>	1000m <sup>2</sup>
B1 offices	Urban town centre or edge of centre; One space for every 60m <sup>2</sup>  Rural town centre or edge of centre; One space for every 40m <sup>2</sup>  Rest of rural town; One space for every 30m <sup>2</sup>  Out of any town; One space for every 30m <sup>2</sup>	2500m <sup>2</sup>
B1 Non-office and B2 General industry	Urban town centre or edge of centre; One space for every 130m <sup>2</sup>  Rest of urban town; One space for every 80m <sup>2</sup>  Rural town centre or edge of centre; One space for every 90m <sup>2</sup>  Rest of rural town; One space for every 65m <sup>2</sup>  Out of any town; One space for every 55m <sup>2</sup>	2500m <sup>2</sup>
B8 Warehousing	Urban town centre or edge of centre; One space for every 300m <sup>2</sup>  Rest of urban town; One space for every 180m <sup>2</sup>  Rural town centre/edge of centre; One	2500m <sup>2</sup>

	space for every 200m <sup>2</sup>  Rest of rural town; One space for every 150m <sup>2</sup>  Out of any town; One space for every 120m <sup>2</sup>	
Cinemas and conference facilities	One space for every five seats	1000m <sup>2</sup>
D2 (other than cinemas, conference facilities and stadia)	One space for every 22m <sup>2</sup>	1000m <sup>2</sup>
Higher and further education	One space for every two staff plus one space for every 15 students	2500m <sup>2</sup>
Stadia	One space for every 15 seats	1500 seats

# MONITORING FRAMEWORK

# APPENDIX 6

Policy	Objectives	Indicator	Target
<b>S1 – Future Housing and Economic Development Needs</b>	2, 5	<p>Number of years housing supply.</p> <p>Number of net dwellings completed over plan period.</p> <p>Number of net dwellings completed in current monitoring year.</p> <p>Sustained high level of applications approved contrary to policy.</p> <p>Type and amount of net employment floor space delivered from planning permissions in the current year and plan period.</p> <p>Amount of new retail floor space developed for the current monitoring year.</p> <p>Amount of new retail floor space developed for the plan period.</p> <p>Number of dwellings under construction.</p>	<p>A minimum of 9620 dwellings to be built by 2031 (equates to 481 dwellings per year).</p> <p>A five year supply of deliverable housing land can be demonstrated.</p> <p>66 hectares of employment land to be developed by 2031.</p> <p>7,300sqm of comparison retail floor space to be developed by 2031.</p>

<b>S2 – Settlement Hierarchy</b>	4	<p>Number and percentage of net dwelling completions and permissions in the:</p> <ul style="list-style-type: none"> <li>• Principal Town (Coalville Urban Area);</li> <li>• Key Service Centres;</li> <li>• Local Service Centres;</li> <li>• Sustainable Villages;</li> <li>• Small Villages</li> </ul> <p>for the monitoring year and plan period.</p> <p>Percentage of new and converted dwellings on previously developed land.</p>	To direct the majority of new development to the most sustainable settlements within the district (Principal Town, Key Service Centre and Local Service Centre), in accordance with the Settlement Hierarchy.
<b>S3 – Countryside</b>	12	<p>Number of applications approved contrary to policy within the monitoring and plan period.</p> <p>Number of applications supported at appeal when citing this policy within a reason for refusal.</p>	100% of relevant planning applications determined in accordance with this policy.
<b>D1 – Design of New Development</b>	3, 7, 9	<p>Number of new residential developments scoring a 'green or amber rating using the 'Building for Life Assessment'.</p> <p>Number of non - residential schemes that meet the District Council's place making principles.</p> <p>Adoption of a Design Supplementary Planning Document.</p>	<p>All new residential developments scoring green or amber using the Building for Life Assessment or its successor.</p> <p>All new non-residential developments scoring positively against the district councils place making principles.</p> <p>To adopt a Design Supplementary Planning Document.</p>
<b>D2 – Amenity</b>	1, 3	<p>Adoption of development guidelines.</p> <p>Number of applications supported at appeal when citing this policy within a reason for refusal.</p>	<p>To adopt development guidelines as part of the Design Supplementary Planning Document.</p> <p>100% of relevant planning applications determined in</p>



			accordance with this policy.
<b>D3 – Telecommunications</b>	3, 10, 11, 12	Number/proportion of applications granted that would not involve mast sharing or utilise existing telecommunications structures.	Majority of new development to be in the form of mast sharing or other existing structures.
<b>H1 – Housing Provision : Planning Permissions</b>	2	Number of dwellings with planning permission  Number of Dwellings Under Construction.	Meet the projected completions (for each approved development) as set out in the housing trajectory as set out in policy S1.  A five year supply of deliverable housing land can be demonstrated.
<b>H2 – Housing Provision: Resolutions</b>	2	Number of dwellings that are subject of an outstanding planning resolution in the current monitoring period.	Meet the projected completions (for each approved development) as set out in the housing trajectory. As set out within policy S1.  A five year supply of deliverable housing land can be demonstrated.
<b>H3 – Housing Provision: New Allocations</b>	2	Number of net dwellings remaining on allocated sites for the monitoring period and plan period.  Progress on delivery of infrastructure identified in policy H3.	Meet the projected completions as set out in the housing trajectory. As set out within policy S1.  A five year supply of deliverable housing land can be demonstrated.  Delivery of supporting infrastructure as set out within policy H3.
<b>H4 – Affordable Housing</b>	1, 2, 3	The number of net affordable homes completed in the monitoring year.  The number of net affordable homes completed within the plan period.	Deliver affordable housing dwellings in the district, in accordance with the specified minimum affordable housing contribution for each of its settlements, as detailed in Policy H4

		<p>The number of additional affordable homes provided, including bringing empty homes back into use, conversions and new builds.</p> <p>Number of people on the housing waiting list, in the monitoring period.</p> <p>Number of affordable homes granted planning permissions through:</p> <p><u>Greenfield Sites</u></p> <p>(Applies to sites of 11 or more or 1000sqm (gross) floor space)</p> <p>Coalville Urban Area, Ibstock – Minimum 20% affordable housing contribution</p> <p>Ashby de la Zouch, Castle Donington, Kegworth, Measham and all other settlements – Minimum 30% affordable housing contribution</p> <p><u>Previously Developed Land</u></p> <p>(Applies to sites of 30 or more or sites of 1ha or more)</p> <p>Ashby de la Zouch and Measham – Minimum 15% affordable housing contribution</p> <p>Coalville Urban Area, Ibstock, Castle Donington, Kegworth and all other settlements – Minimum 5% affordable housing contribution</p>	
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H5 – Rural Exceptions Sites for Affordable Housing	2, 3	<p>Number of Rural Exception sites completions within the current monitoring year and plan period.</p> <p>Number of schemes permitted that support Policy H5 over the plan and monitoring periods.</p> <p>Amount of market housing provided on Rural Exception Sites.</p> <p>The number of people on the housing register, by settlement.</p>	<p>Deliver rural exception sites in appropriate locations in accordance with policy H5.</p> <p>Rural Exception Sites to comprise 100% affordable housing unless there is a satisfactory financial justification to provide an element of market housing.</p> <p>The number of people on the councils housing register reduces.</p>																			
H6 – House types and mix	2, 3	<p>Completions by house type, size and tenure within the current monitoring period and plan period.</p> <p>Number of dwellings with planning permission by house type, size and tenure.</p> <p>Number of bungalows, or other accommodation suitable for occupation by the elderly, delivered on sites of 50 dwellings or more.</p> <p>Number of dwellings, suitable for occupation or easily adaptable for people with disabilities, delivered on sites of 50 dwellings or more.</p> <p>Number of specific care facilities and special care units delivered over the monitoring and plan period.</p>	<p>The majority of all new housing developments to provide a mix of different types and tenures delivered consistent with the findings from the HEDNA.</p> <table><tr><th rowspan="2">Type of Housing</th><th colspan="4">Dwelling size</th></tr><tr><th>1 bed</th><th>2 bed</th><th>3 bed</th><th>4 bed</th></tr><tr><td>Market</td><td>0-10%</td><td>30-40%</td><td>45-55%</td><td>10-20%</td></tr><tr><td>Affordable</td><td>30-35%</td><td>35-40%</td><td>25-30%</td><td>5-10%</td></tr></table>	Type of Housing	Dwelling size				1 bed	2 bed	3 bed	4 bed	Market	0-10%	30-40%	45-55%	10-20%	Affordable	30-35%	35-40%	25-30%	5-10%
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<b>H7 – Provision for Gypsies and Travellers and Travelling Showpeople</b>	2	<p>Number of Gypsy and Traveller pitches provided over the monitoring and plan period.</p> <p>Number of Show People plots provided over the monitoring and plan period.</p> <p>Number of unauthorised developments in the monitoring year and plan period.</p> <p>Number of Gypsy and Traveller and Show People Transit sites delivered.</p> <p>A five year supply of deliverable sites.</p> <p>Adoption of a Gypsy and Traveller Development Plan Document.</p>	<p>Delivery of the following provision:-</p> <p>Gypsy and Traveller pitches – 27 pitches by 2012-2017, 11 pitches by 2017-2022, 14 pitches by 2022-2027 and 16 pitches by 2027-2031.</p> <p>Travelling Showpeople plots – 3 plots by 2017-2022, 3 plots by 2022-2027 and 3 plots by 2027-2031.</p> <p>Transit Plots – 20 plots by 2021-2017.</p> <p>Net increase in number of pitches and plots.</p> <p>A five year supply of Gypsy and Traveller and Travelling Showpeople sites based on an assessed need.</p> <p>To adopt a Gypsy and Traveller Development Plan Document.</p>
<b>Ec1 – Employment Provision: Permissions</b>	5	<p>Number of expired planning permissions in the current monitoring year.</p> <p>Outstanding supply of permitted employment sites.</p> <p>Type and amount of employment land with planning permission (Ha) (net).</p> <p>Amount and type of floorspace under construction for the monitoring period.</p> <p>Floorspace developed for employment use by use class and size.</p>	<p>Delivery of each of the Employment allocations that have permission in accordance with local plan policy S1.</p> <p>Maintain a supply of employment land.</p>

<b>Ec2 – New Employment Sites</b>	5	<p>Amount of employment floor space remaining on allocated sites for the monitoring period and plan period.</p> <p>Amount of floor space provided on non-allocated sites over the monitoring and plan period.</p> <p>Amount of employment land developed on unallocated sites (Ha).</p>	Provision of 16 Hectares of employment by 2031.
<b>Ec3 – Existing employment areas</b>	5	<p>Amount of primary employment land lost to other uses (Ha).</p> <p>Amount of primary employment floorspace lost to other uses (Ha).</p> <p>Amount of primary employment land with planning permission for alternative use (Ha).</p> <p>Amount of primary employment floorspace with planning permission for alternative use.</p> <p>Amount of employment land delivered on non-allocated sites, within the monitoring period and plan period.</p> <p>Number of Vacant Units.</p>	Prevent loss of existing Primary Employment Areas.
<b>Ec4 – East Midlands Airport</b>	5	<p>The number and type of permission granted contrary to policy.</p> <p>The number of people using public transport to access the airport.</p>	<p>Improvements made to public transport.</p> <p>Air quality associated with East Midlands Airport improves using the base date of 2011.</p> <p>The number of noise complaints does not increase,</p>

		<p>Number of jobs provided at the airport.</p> <p>Amount of cargo using the airport.</p> <p>Number of passengers using East Midlands Airport increases from 2011.</p> <p>Number of noise complaints made in relation to the airport.</p>	<p>using the base date of 2011.</p> <p>Growth of passenger and freight services at East Midlands Airport from 2011.</p> <p>The East Midlands Airport Masterplan states the airport could achieve a passenger throughput of 10 million passengers per year between 2030 and 2040.</p> <p>The East Midlands Airport Master plan states that the forecast for future cargo tonnage is for some 618,000 tonnes in 2035 and some 700,000 tonnes in 2040.</p>
<b>Ec5 – East Midlands Airport: Safeguarding</b>	7	<p>Number of applications within the safeguarding area approved contrary to advice.</p>	<p>No inappropriate form of development permitted contrary to airport operator's advice.</p>
<b>Ec6 – East Midlands Airport: Public Safety Zones</b>	7	<p>Number of applications within Public Safety Zone.</p> <p>Number of applications approved contrary to policy.</p>	<p>No applications approved contrary to policy Ec6.</p>
<b>Ec7 – Donington Park</b>	5	<p>Public transport links to Donington Park.</p> <p>Number of motor racing events held each year.</p> <p>Number of noise complaints made in relation to Donington Park.</p> <p>Amount of ancillary employment floor space developed.</p>	<p>Improved public transport to Donington Park.</p> <p>Motor sports events continue at Donington Park racetrack.</p> <p>The number of noise complaints from does not increase, using the base date 2011.</p>
<b>Ec8 – Town and Local Centres: Hierarchy and Management of Development</b>	6	<p>Amount of comparison floor space delivered in Town and Local Centres, on the edge of a defined town and local centre and out of town and local centres.</p>	<p>7,300 sqm of net retail floor space for comparison goods is delivered to 2031.</p> <p>Town Centre uses remain the focus for town centres.</p>

		<p>Amount of convenience floor space delivered in Town and Local Centres.</p> <p>Amount of comparison or convenience floor space with permission.</p> <p>Vacancy rates by town and local centres.</p> <p>Mix of uses at ground floor level by town and local centres.</p> <p>Number of shop front improvement schemes within the monitoring year.</p> <p>Number of public realm improvements.</p> <p>Number of car park tickets issued within Ashby de la Zouch and Coalville Town Centres.</p>	<p>Most new retail floor space for Town Centre Uses takes place in Coalville.</p> <p>The hierarchy of centres is maintained.</p> <p>The performance of our Town and Local Centres improve against a range of indicators including vacancy rates.</p> <p>New retail floor space created.</p>
<b>Ec9 – Town and Local Centres: Thresholds for Impact Assessments</b>	6	<p>Number of applications above the threshold.</p> <p>Number of applications which include an impact assessment.</p>	<p>All applications above the threshold include an impact assessment.</p>
<b>Ec10 – Town and Local Centre: Primary Shopping Areas - Non Shopping Uses</b>	6	<p>Permissions approved within town centre boundaries in monitoring and plan period by use class.</p> <p>Permissions implemented within town centre boundaries by use class in monitoring and plan period.</p> <p>Number of vacant units.</p>	<p>Shops are the predominant ground floor use within the defined Primary Shopping Areas of our Town and Local Centres.</p> <p>A reduction in vacant units in town centres based on the annual retail survey.</p>

<b>Ec11 – Town and Local Centres: Primary Shopping Areas - Hot Food Takeaway Balance</b>	6	<p>Number of takeaway uses permitted within Primary Shopping Areas.</p> <p>Number of Takeaways in Ibstock local centre.</p> <p>Number of takeaways in Ashby at 67-89 and 76-108 Market Street.</p>	<p>No additional clustering of take away use.</p> <p>No percentage increase in take away uses with the defined Frontage of Numbers 67 -89 and Numbers 76-108 Market Street, Ashby de la Zouch.</p> <p>No percentage increase of take away uses within the defined local centre of Ibstock.</p>
<b>Ec12 – Local Centres</b>	6	<p>Loss of retail units in the Local Centres.</p> <p>Number of vacant Units in the Local Centres.</p>	<p>Maintain an appropriate balance of shop and other main town centres uses within our local centres.</p> <p>A reduction in vacant units in Local Centres based on the annual retail surveys.</p>
<b>Ec13 – Tourism development</b>	4, 5	<p>Amount of floorspace gained.</p> <p>Loss of Tourism floorspace.</p> <p>Location of new tourism facilities.</p> <p>New Tourism accommodation i.e. hotels and other overnight accommodation.</p>	<p>Increased amount of tourism floorspace and facilities.</p> <p>No loss of tourism floorspace or facilities.</p> <p>Opportunities to enhance existing facilities.</p> <p>Increase the amount of accommodation.</p>
<b>IF1 – Development and Infrastructure</b>	14	<p>Amount and type of infrastructure delivered over the monitoring and plan period.</p>	<p>New infrastructure is provided as part of new development.</p>
<b>IF2 – Community and Cultural Facilities</b>	14	<p>New development resulting in the loss of community facilities.</p> <p>New development resulting in the loss of cultural facilities.</p>	<p>No net reduction of cultural facilities or community facilities.</p> <p>Provision of new community or cultural facilities increases.</p>



		<p>Net gain of cultural facilities or floor space.</p> <p>Net gain of community facilities or floor space.</p>	Expansion and enhancement of community and cultural facilities.
<b>IF3 – Open Space, Sport and Recreation facilities</b>	14	<p>New development resulting in the loss of existing areas of sport and recreation space.</p> <p>Provision of new sport and recreation facilities.</p> <p>Local standards adopted.</p>	<p>New housing development incorporates provision of formal and / or informal open space.</p> <p>No loss of open space, sports or recreation facilities contrary to policy.</p> <p>To adopt local standards.</p>
<b>IF4 – Transport Infrastructure and new development</b>	4,14	<p>Identified Infrastructure Improvements delivered.</p> <p>The number of new services and facilities delivered by new development that is accessible by public transport.</p> <p>The number and length walkways delivered as part of new development.</p> <p>Number and length of cycle routes delivered in monitoring and plan period.</p>	Delivery of new infrastructure as set out within policy IF4 as part of new development.
<b>IF5 – Leicester to Burton rail line</b>	14	The reinstatement of the Leicester to Burton Line for public transport.	The Leicester to Burton Rail line is protected from development.
<b>IF6 – Ashby Canal</b>	14	The reinstatement of the Ashby Canal.	The Ashby Canal route is protected.

<b>IF7 – Parking provision and new development</b>	3	<p>Number of spaces per type of dwelling and by type of dwelling .e.g. 4 bedroom dwelling should provide 3 parking spaces.</p> <p>Number of permissions which include parking provisions in accordance with policy IF7.</p> <p>Number of planning permissions approved to the 6C's standard.</p> <p>Number of car parking spaces provided on non-residential schemes compared to the maximum standards set out within the 6Cs design guidance or equivalent.</p>	Ensure that development incorporates adequate parking provision.
<b>En1 – Nature Conservation</b>	11	<p>Creation of new wildlife sites.</p> <p>Number of Local wildlife sites.</p> <p>Number of candidate wildlife sites.</p> <p>Number of SSSIs.</p> <p>Number of Local Nature Reserves.</p> <p>Condition of SSSIs.</p> <p>Adoption of supporting Supplementary Planning Document.</p>	<p>Condition of SSSIs improves.</p> <p>To adopt the supporting supplementary planning document.</p> <p>No net reduction in local wildlife sites from the beginning of the plan period.</p>
<b>En2 – River Mease Special Area of Conservation</b>	11	<p>Amount of Employment Land approved within the River Mease SAC catchment.</p>	<p>Water quality and volume targets are met.</p> <p>Condition of SAC improves.</p>

		<p>Number of dwellings approved within the River Mease SAC catchment.</p> <p>Condition of the SAC</p> <p>Water quality status</p> <p>Amount of money secured through S106 agreements for DCS.</p>	Developer Contribution Schemes Implemented.
<b>En3 – The National Forest</b>	11, 12, 14	<p>Amount of funding received for National Forest Planting.</p> <p>Amount of land within the National Forest Planted within the monitoring period and plan period.</p>	Increase amount of National Forest planting across the district.
<b>En4 – Charnwood Forest Regional Park</b>	11, 12, 14	<p>Number of approved applications for diversification.</p> <p>Creation of new biodiversity sites.</p>	<p>Charnwood Forest is recognised as a tourism and leisure destination.</p> <p>No net loss of biodiversity within the CFRP</p>
<b>En5 – Areas of Separation</b>	11	<p>The number and type of applications submitted within AOS.</p> <p>The type and number of developments permitted or refused within the Area of Separation.</p>	No permissions granted in the Area of Separation which undermine the function of the Area of Separation.
<b>En6 – Land and Air Quality</b>	11	<p>Number of permissions granted in coal mining areas.</p> <p>Number of Permissions granted within Air Quality Management Areas.</p> <p>Number of properties within AQMA.</p> <p>Number permissions impacting on Air Quality Management Areas.</p>	<p>New developments permitted are subject to appropriate conditions where required.</p> <p>No new development impacts on the quality of existing Air Quality Management Areas or results in the creation of new ones.</p>

		<p>Number of Permissions in Noise Zones.</p> <p>Number of Air Quality Management Areas.</p>	
<b>He1 – Conservation and enhancement of North West Leicestershire's historic environment</b>	10	<p>Number of applications approved that are contrary to policy.</p> <p>Number of applications approved contrary to the advice of English Heritage.</p> <p>Number of Buildings on the Historic England at Risk Register.</p> <p>Number of Listed Buildings.</p> <p>Number of Conservation Areas and Conservation Area Appraisals.</p> <p>Number of Historic Parks and Gardens.</p> <p>Number of Scheduled Ancient Monuments.</p> <p>Adoption of a local list.</p>	<p>No loss of heritage assets.</p> <p>No net increase in the number of Heritage Assets at Risk.</p> <p>Restoration of all heritage assets and monuments identified as at risk.</p> <p>No net increase in the number heritage assets on the local heritage at risk register.</p> <p>Increase and adoption of Conservation Area Appraisals, Conservation Areas and Management Plans.</p> <p>To adopt a local list.</p>
<b>He2 – Shopfront Design</b>	3, 10	<p>Number of applications that are approved contrary to policy He2.</p> <p>Adoption of SPD for Shop Fronts.</p> <p>Number of Shop Front Improvement Schemes that have been taken up on a heritage asset or within a Conservation Area.</p>	<p>Restoration of shop fronts.</p> <p>To adopt a Supplementary Planning Document for Shop Fronts.</p>

<b>Cc1 – Renewable Energy</b>	8	<p>Number and type of permissions granted for renewable energy in monitoring period.</p> <p>Type and amount (MWe) of renewable energy that is delivered within the monitoring and plan period.</p> <p>Amount of MWe energy which has permission for the monitoring period.</p>	<p>The districts CO2 emissions reduce over the plan period.</p> <p>The amount of energy generated from renewable energy sources increases.</p>
<b>Cc2 – Flood Risk</b>	9	<p>Number of planning permission granted contrary to Environment Agency objections on water quality and flood risk grounds.</p>	<p>No permissions granted contrary to Environment Agency and Local Flood Authority advice.</p> <p>No development permitted for vulnerable uses in areas that are likely to flood (zones 3a and 3b) or that would result in flooding downstream of vulnerable developments.</p>
<b>Cc3 – Sustainable Drainage Systems</b>	9	<p>Number of sites incorporating SUDS.</p> <p>Type of SUDs delivered.</p> <p>Adoption of Sustainable Drainage System Supplementary Planning Document.</p>	<p>All major residential and commercial developments need to incorporate SUDs schemes.</p> <p>To adopt a Sustainable Drainage System Supplementary Planning Document.</p>

## SCHEDULE OF SAVED LOCAL PLAN POLICIES REPLACED BY POLICIES IN THIS LOCAL PLAN

Saved Local Plan Policy	Title	Replacement Local Plan Policy
Strategy		
S2	Limits To Development	Policy S3 – Countryside
S3	Countryside	Policy S3 – Countryside Policy EN3 – The National Forest
Environment		
E1	Sensitive Areas	No equivalent replacement policy
E2	Landscaped amenity open space	Policy D1 – Design of New Development
E3	Residential Amenities	Policy D2 – Amenity
E4	Design	Policy D1 – Design of New Development
E6	Comprehensive Development	Policy D1 – Design of New Development
E7	Landscaping	Policy D1 – Design of New Development
E8	Crime Prevention	Policy D1 – Design of New Development
E9	Mobility	No equivalent replacement policy
E17	Historic Byways	No equivalent replacement policy
E20	Green Wedge	Policy S3 – Countryside – applies to the western part of what was defined as Green Wedge  Policy En5 – Areas of Separation – applies to the remainder of land that was defined as Green Wedge
E21	Separation of Settlements	Policy S3 – Countryside
E22 (a)	Areas of Particularly Attractive Countryside	Policy En4 – Charnwood Forest
E22(b) & (c)	Areas of Particularly Attractive Countryside	No equivalent replacement policy.
E24	Re-Use and Adaptation of Rural Buildings	Policy S3 – Countryside
E26	Sites of County or District Ecological or Geological Interest	Policy En1 – Nature Conservation
E30	Floodplains	Policy Cc2 – Flood Risk
E36	Derelict Land	No equivalent replacement policy.
E37	Derelict Sites	No equivalent replacement policy.
National Forest		
F1	General Policy	Policy D1 – Design of New Development  Policy Ec13 – Tourism Development

		Policy IF1 – Development and Infrastructure  Policy EN3 – The National Forest
F2	Tree planting	Policy EN3 – The National Forest
F3	Landscaping and Planting	Policy EN3 – The National Forest
F5	Forest Related Development	Policy EN3 – The National Forest
Transport		
T2	Road improvements	Policy IF4 – Transport Infrastructure and New Development
T3	Highway Standards	Policy IF4 – Transport Infrastructure and New Development
T4	Road Related Services	No equivalent replacement policy.
T5	Road Related Services at A50. /B6540 Junction	No equivalent replacement policy.
T8	Parking	Policy IF7 – Parking Provision and New Development
T10	Public Transport	Policy IF1 – Development and Infrastructure  Policy IF4 – Transport Infrastructure and New Development
T13	Cycle Parking	Policy IF7 – Parking Provision and New Development
T14	Former Transport Routes	No equivalent replacement policy
T15	Moira-Measham Trail	No equivalent replacement policy
T16	Ashby Canal	Policy Ec13 – Tourism Development  Policy IF6 – Ashby Canal
T17	Ashby Canal	Policy IF6 – Ashby Canal
T18	East Midlands Airport	Policy Ec4 – East Midlands Airport
T19	East Midlands Airport – Public Safety Zones	Policy Ec6 – East Midlands Airport Public Safety Zones
T20	East Midlands – Airport Safeguarding	Policy Ec5 – East Midlands Airport: Safeguarding
Housing		
H4	Housing Allocations	
H4(a)	Leicester Road, Ashby de la Zouch	In part replaced by Policy H1 – Housing provision: planning permissions
H4(b)	East of Leicester Road, Ashby de la Zouch	In part replaced by Policy H1 – Housing provision: planning permissions
H4(c)	Nottingham Road, Ashby de la Zouch	Site has been developed and there is no equivalent replacement policy

H4 (d)	Broom Leys Road, Coalville	Policy H3 – Housing provisions: new allocations
H4(e)	Wentworth Road, Coalville	Site has been developed and there is no equivalent replacement policy
H4(f)	East of Whitehill Road, Ellistown	Site has been developed and there is no equivalent replacement policy
H4 (g)	Grange Road, Hugglescote	Policy H1 – Housing provision: planning permissions  Policy H2 – Housing provision: resolutions
H4(h)	Brooks Lane, Whitwick	Site has been developed and there is no equivalent replacement policy
H4(i)	North of Park Lane, Castle Donington	Site has been developed and there is no equivalent replacement policy
H4 (j)	Station Road, Castle Donington	Site has been developed and there is no equivalent replacement policy
H4 (k)	High Street, Ibstock	Site has been developed and there is no equivalent replacement policy
H4 (l)	South of High Street, Ibstock	Site has not been developed. However there are outstanding issues regarding its deliverability. No equivalent replacement policy
H4 (m)	Leicester Road, Ibstock	Site has been developed and there is no equivalent replacement policy
H4 (n)	The Vicarage, Newbold	Site has been developed and there is no equivalent replacement policy
H4 (o)	Main Street, Oakthorpe	Policy H2 – Housing Provision: resolutions
H4 (p)	East of Heather Road, Ravenstone	Site has been developed and there is no equivalent replacement policy
H4/1	Housing Land Release	Policy S3 – Settlement Hierarchy
H6	Housing Density	No equivalent replacement policy
H7	Housing Design	Policy D1 – Design of New Development
H8	Affordable housing	Policy H4 – Affordable Housing
H10	Agricultural and Forestry Workers' accommodation	Policy S3 – Countryside
H11	Replacement Dwellings	Policy S3 – Countryside
H12	Exceptional Affordable Housing Sites	Policy H5 – Rural exception sites for affordable housing
H13	Mobile Homes	No equivalent replacement policy
<b>Employment</b>		
J3	Employment Allocations	Policy Ec3 – Existing Employment Areas
J3(a)	Land adjacent to Swainspark Industrial Estate, Ashby Woulds	Policy Ec3 – Existing Employment Areas
J3(b)	Smisby Road, Ashby de la Zouch	Policy Ec3 – Existing Employment Areas
J3 (c)	Extension to Hilltop Industrial estate, Bardon	Policy Ec3 – Existing Employment Areas



J3 (d)	South of Coalville Brickworks	Policy Ec3 – Existing Employment Areas
J3 (e)	Former Ellistown Colliery	Policy Ec3 – Existing Employment Areas
J3 (f)	South of Trent Lane, Castle Donington	Policy Ec3 – Existing Employment Areas
J3 (g)	Extension to Warminster Estate, Burton road, Measham	Policy Ec3 – Existing Employment Areas
J3 (h)	Former Walton Way Drift Mine, Burton Road, Oakthorpe	Policy S3 – Countryside
J4	High quality employment site at Finger Farm	Policy Ec3 – Existing employment Area Policy Ec4 – East Midlands Airport
J5	High Quality Employment Site at Flagstaff	Policy Ec3 – Existing Employment Areas
J8	ADT Car Auctions Site	No equivalent replacement policy
J14	Expansion and Existing Firms	No equivalent replacement policy
Central Areas and Retailing		
R1	Central Areas Shopping	Policy Ec8 – Town and Local Centres: Hierarchy and Management of Development
R2	Belvoir Shopping Centre	No equivalent replacement policy
R4	Acceptable Uses in Town Centre Core Areas	Policy Ec10 – Town and Local Centres: Primary Shopping Areas – Non-Shopping Uses  Policy Ec11 – Town and Local Centres: Primary Shopping Areas – Hot Food takeaway Balance
R5	Financial and Professional Services in Core Areas	Policy Ec10 – Town and Local Centres: Primary Shopping Areas – Non-Shopping Uses
R6	Windows Display Frontages in North Street and South Street, Ashby de la Zouch	No equivalent replacement policy
R7	Other retail uses	No equivalent replacement policy
R8	Potential Redevelopment Areas	Policy Ec10 – Town and Local Centres: Primary Shopping Areas – Non-Shopping Uses
R9	Pedestrian Facilities	No equivalent replacement policy
R10	Bridge Road Link	No equivalent replacement policy

R11	Outer Area of Coalville Town Centre	No equivalent replacement policy
R12	Town Centre Services	No equivalent replacement policy
R13	Town Centre Services	No equivalent replacement policy
R14	Town Centre Services	No equivalent replacement policy
R15	Town Centre Services	No equivalent replacement policy
R16	Use of Upper Floors	Policy Ec10 – Town and Local Centres: Primary Shopping Areas – Non-Shopping Uses  Policy Ec12 – Local Centres
R19	Acceptable Uses in Local Centres	Policy Ec12 – Local Centres
R20	Individual Shops	No equivalent replacement policy
R21	Village Shops	No equivalent replacement policy
<b>Leisure and Tourism</b>		
L2	Informal Recreation Facilities	No equivalent replacement policy
L3	Built Development of Recreational Sites Outside Limits to Development	Policy IF3 – Open Space, Sport and Recreation facilities
L5	Tourist Accommodation	Policy Ec13 – Tourism Development
L6	New Rural Recreation Facilities to Relieve Charnwood Forest	No equivalent replacement policy
L7	Land adjoining Hermitage Leisure Centres	Policy En5 – Areas of Separation
L8	Snibston Colliery	No equivalent replacement policy
L9	Land north of Snibston Heritage Museum	No equivalent replacement policy
L10	Former Measham Railway Station	No equivalent replacement policy
L11	Moirs Furnace	No equivalent replacement policy
L12	Sawley Marina	No equivalent replacement policy
L13	Swannington Incline	No equivalent replacement policy
L20	Donington Park Race Circuit	Policy Ec7 – Donington Park
L21	Children's Play Area	Policy IF3 – Open Space, Sport and Recreation Facilities
L22	Formal Recreation Provision	Policy IF3 – Open Space, Sport and Recreation Facilities
<b>Minerals</b>		
M2	Redevelopment Potential	No equivalent replacement policy