

SUMMONS TO ATTEND A MEETING OF THE
NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

Time/Date 6.30 pm on TUESDAY, 15 SEPTEMBER 2015
Location Council Chamber, Council Offices, Coalville
Officer to contact Democratic Services (01530 454512)

Christine E. Fisher

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Chief Executive

All persons present are reminded that the meeting may be recorded and by attending this meeting you are giving your consent to being filmed and your image being used. You are kindly requested to make it known to the Chairman if you intend to film or record this meeting.

The Monitoring Officer would like to remind members that when they are considering whether the following items are exempt information under the relevant paragraph under part 1 of Schedule 12A of the Local Government Act 1972 they must have regard to the public interest test. This means that members must consider, for each item, whether the public interest in maintaining the exemption from disclosure outweighs the public interest in making the item available to the public.

AGENDA

Item	Pages
PRAYERS	
1. APOLOGIES FOR ABSENCE	
2. DECLARATION OF INTERESTS	
Members are reminded that any declaration of interest should be made having regard to the code of conduct. In particular, members must make clear the nature of the interest and whether it is 'pecuniary' or 'non pecuniary'.	
3. CHAIRMAN'S ANNOUNCEMENTS	
4. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS	
Members are reminded that under paragraph 11.1 of part 4 of the Constitution, questions can be asked of the Leader and Cabinet Members without notice about any matter contained in any address. Questions shall be limited to five minutes in total for each announcement.	



5. QUESTION AND ANSWER SESSION

To receive questions from members of the public under procedure rule no.10. The procedure rule provides that members of the public may ask members of the Cabinet any question on any matter in relation to which the Council has powers or duties which affect the District, provided that three clear days' notice in writing has been given to the Head of Legal and Support Services.

6. QUESTIONS FROM COUNCILLORS

To receive members' questions under procedure rule no.11. The procedure rule provides that any member may ask the chairman of a board or group any question on any matter in relation to which the Council has powers or duties which affect the District, provided that three clear days' notice in writing has been given to the Head of Legal and Support Services.

7. MOTIONS

To consider any motions on notice under procedure rule no. 12.

8. PETITIONS

To receive petitions in accordance with the Council's Petition Scheme.

9. MINUTES

To confirm the minutes of the meeting of the Council held on 30 June 2015.

3 - 8

10. UPDATE TO THE COUNCIL'S CONSTITUTION

Report of the Head of Legal and Support Services
Presented by the Corporate Portfolio Holder

9 - 18

11. DRAFT NORTH WEST LEICESTERSHIRE LOCAL PLAN

Report of the Director of Services
Presented by the Regeneration and Planning Portfolio Holder

19 - 208

MINUTES of a meeting of the COUNCIL held in the Council Chamber, Council Offices, Coalville on TUESDAY, 30 JUNE 2015

Present: Councillor J Bridges (Chairman)

Councillors R Adams, G A Allman, R Ashman, R D Bayliss, R Blunt, R Boam, R Canny, J Clarke, J Cotterill, J G Coxon, D Everitt, T Eynon, F Fenning, J Geary, S Gillard, T Gillard, L Goacher, D Harrison, G Hoults, J Hoults, R Johnson, G Jones, J Legrys, S McKendrick, K Merrie MBE, T Neilson, T J Pendleton, P Purver, V Richichi, N J Rushton, N Smith, A V Smith MBE, M Specht, D J Stevenson and M B Wyatt

Officers: Mr S Bambrick, Mr R Bowmer, Ms C E Fisher, Mr D Gill, Mr G Jones, Mrs M Meredith, Mrs M Phillips and Miss E Warhurst

17. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors N Clarke and A C Saffell.

18. DECLARATION OF INTERESTS

The Chairman advised members the item 12 on the agenda, Amendment to Officer Employment Procedure Rules, related to the Statutory Officers, namely the Head of Paid Service, the Monitoring Officer and the Section 151 Officer. He explained that those officers had received external legal advice that they had an interest in the item. As the Head of Paid Service and the Monitoring Officer were in attendance at the meeting, they would therefore leave the room when this item was considered.

During the discussion on Leader's and Portfolio Holders' announcements, Councillor J Legrys declared a non pecuniary interest in any discussions on Picnic in the Park as a volunteer at Hermitage FM, as they had contributed to the event.

19. CHAIRMAN'S ANNOUNCEMENTS

The Chairman thanked all staff involved in organising Proms in the Park and Picnic in the Park over the weekend, adding that both of the events were an overwhelming success with over 1,500 visitors on Saturday night for Proms in the Park and a further 7,000 the following day for Picnic in the Park. He commented that this was great news and showed just how much the people of Coalville appreciated the work of officers. He thanked in particular the Cultural Services team who organised the entire weekend and made sure it went off without a hitch. He also thanked the leisure, street action, community focus and waste services teams for being there to tell residents about the many things the Council was doing for them, including free health checks, advice on recycling, information on new schemes such as Dog Watch and much more. He added that the event was well received and very much appreciated by residents.

The Chairman highlighted some events which he had attended recently, including the Normandy Star, Homestart and various parish council events. He referred again to Picnic in the Park, and reported that the High Sheriff had written to him personally to comment on how well the event had been run and how he had enjoyed it.

The Chairman outlined the charity events that were currently being organised and urged members to attend the magic night which would be taking place on 24 or 25 July.

20. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS

Councillor R Blunt updated members on the progress being made on the proposal for a combined authority. He reported that he met with the district council leaders, the leader of

the county council and the city mayor who had officially agreed in principle to support a bid to Government for a combined authority. He added that this was a cross-party agreement. He explained that discussions had been taking place since the election, and the leaders collectively believe that a combined authority covering four specific areas will help regional growth in Leicester and Leicestershire; those areas being:

- Transport
- Strategic land use and planning
- Skills
- Funding and finance

Councillor R Blunt advised that there would be no change to any North West Leicestershire District Council services as a result of this proposal. He explained that the next step was to await the outcome of the bid. He stated that members would be informed of progress. He advised that it had been decided at the meeting that a Chief Executive to represent the district councils involved in the bid was required. He advised that our own Chief Executive had been put forward and unanimously agreed. He wanted to put this on record, as it was a credit to her.

Councillor T Neilson commented on the amount of detail that had been publicised on this issue since the election. He sought clarification on the next steps in terms of what the Council would have to consider when the bid came back, and the governance arrangements. He added that the Chief Executive was taking on quite a challenge as she was also leading on the Coalville project. He sought assurances that she had sufficient capacity.

Councillor R Blunt stated that there was a huge amount of detail to work out, and governance would be crucial. He added that the bottom line was that the bid needed to progress quickly, because if the Council did not put in a bid, the funding would go elsewhere. He commented that the performance of the Chief Executive was crucial, and he agreed that she was taking on two very big challenges; however in the 11 years she had worked for the Council she had not been found wanting.

In response to a question from Councillor J Clarke, Councillor R Blunt stated that transport was a key issue and the railway line had been a hot topic. He commented that it was crucial to have one voice on this issue for the bid, as differing viewpoints would dilute the message. He added that this would be an issue for discussion.

Councillor N Smith commented that he had worked with the Chief Executive for many years, and he assured members that she would not take on anything that she could not achieve. He felt that it was a tremendous accolade to her that the rest of the county wanted her to represent them in this matter.

Councillor R D Bayliss referred to the Leicestershire Revenues and Benefits Partnership which was established four years ago in conjunction with Harborough District Council and Hinckley and Bosworth Borough Council. He stated that the purpose of establishing the partnership was to make savings, and this had become even more imperative due to the subsequent legislative changes. He advised that significant on-going revenue savings had been made following the review of the staffing structure and increased operating efficiencies. The total savings made in the last year were £315,000, of which the pro rata share for the Council by percentage income was £102,000. He stated that this was a new initiative and the new structure had presented some major challenges, and as such a temporary dip in performance could have been expected. He reported however that this was not the case; benefit turnaround times were met, business rate collection was maintained at the target rate of 99%, and Council Tax collection rates had improved from the previous year. He commented that the Partnership was living up to its expectations.

Councillor R D Bayliss made reference to the successful completion of the Decent Homes Improvement Programme in March 2015 when 100% decency across the housing stock was achieved, and the long term business plan to ensure that the Council's housing stock was maintained to the decent homes standard. He advised that a further 590 properties would receive works this year, and added that there was still ongoing work to be done as decency was determined by the age of the components. He stated that there was a £4.28 million programme of works this year, and the intention was to complete the works in October. He advised that he would report back to Council in September to advise on progress.

Councillor T Neilson thanked the Head of the Leicestershire Revenues and Benefits Partnership for her work. He commented that the policy had not been harmonised across the authorities and he felt that this should have happened by now.

Councillor R D Bayliss advised that in respect of the harmonisation of policies, this was a partnership rather than a single authority, and therefore each authority continued to employ its own staff and the service was administered according to its own policies and procedures.

Councillor T J Pendleton made an announcement about the recent Download Festival on behalf of himself and Councillor A V Smith. He stated that Download was the largest event in the district which was attended by 80,000 people this year, 40,000 of which camped from Wednesday to Monday. He commented that as with any event of this size, there was an impact upon the northern parishes. The impact was positive in some aspects, with increased trade, and negative in others, in terms of increased traffic, noise and litter. He thanked all staff involved from services including environmental health, street action, stronger and safer communities and waste for their excellent hard work. He advised that officers were also involved in helping maintain traffic flow, food hygiene and supporting crown safety. He reported that there was a further huge reduction in crime and disorder at the event. He highlighted that in 2014, crime had decreased by an impressive 70%, and this year there had been a further 35% reduction. He added that this was all the more notable as there were an additional 20,000 people present at the event. He stated that this was due to proactive policing, and the event going cashless for the first time. In terms of noise, he reported that there had been only 4 complaints received throughout the duration of the event, and this was due to pre event planning and on site management. He concluded that there would always be room for improvement, however he was particularly pleased with the lack of noise complaints and the further reduction in crime figures.

Councillor J Legrys welcomed the improvements at Download and commented that such events brought a great deal of goodwill into the district. He thanked the staff involved who had not only provided an excellent service at this event, but also at the events in Coalville this weekend. He commented that the staff worked over and above what they were paid for.

21. QUESTION AND ANSWER SESSION

No questions were received.

Councillor J Legrys declared a non pecuniary interest in any discussions on Picnic in the Park as a volunteer at Hermitage FM, as they had contributed to the event.

22. QUESTIONS FROM COUNCILLORS

Councillor R Adams put the following question to Councillor R D Bayliss:

“The Portfolio holder will be aware that the sheltered housing scheme in the Broom Leys Ward known as Greenacres which contains 22 flats has been empty and decommissioned since September 2011. Will the Portfolio Holder agree that this is an unsatisfactory state of affairs and explain to this Council what he proposes to do about it?”

Councillor R D Bayliss gave the following response:

“The Greenacres sheltered housing scheme has been empty for some time as a result of the design of the flats proving to be unpopular with applicants on our housing register. In response to this changing pattern of demand, Cabinet considered a report regarding the scheme’s future in 2011, and made the decision to decommission it.

A number of alternative future uses for the building have since been explored in detail, including a proposal to develop a community scheme with the local Tenants and Residents Association, and redevelopment opportunities with Housing Association partners. However, these options did not prove to be financially viable at the time.

The site at Greenacres was examined in the feasibility report from the consultancy, Housing Quality Network (referred to below in the reply to Cllr Clarke’s question). I am pleased to report that the future plans for this building will be addressed as part of our Asset Management Strategy which will be presented to Cabinet in September 2015. The Cabinet report will integrate our ambitions with respect to new build Council housing into a wider asset management strategy, and present a positive way forward for the Greenacres site”.

On behalf of Councillor N Clarke, Councillor T Neilson put the following question to Councillor R D Bayliss:

“The approved budget for 2015/16 identified £400k which was to be used to purchase sites for affordable housing developments. Does the portfolio holder believe that the land where the Cocked Hat Public House once stood on Cropston Drive Coalville to be ideal for such a development? If so, what efforts are being made to secure the site for affordable housing and what time scales are involved in this matter?”

Councillor R D Bayliss gave the following response:

“The Housing Service is currently considering the council’s options for the provision of more affordable housing, including new build. A feasibility report on developing several sites across the district from the consultant, Housing Quality Network was received earlier this year.

Officers have identified suitable in-fill sites in and around our existing housing stock, and are currently testing their potential for development with planners. I can confirm that we will actively consider the potential for any suitable site in the district, including privately owned sites such as the former Cocked Hat public house plot that you refer to, as part of this process.

Any recommendations to acquire sites not in the council’s ownership will normally have to be approved by Cabinet in accordance with the council’s Acquisitions Policy approved in February this year”.

23. MOTIONS

No motions were received.

24. PETITIONS

No petitions were received.

25. MINUTES

Consideration was given to the minutes of the meeting held on 26 May 2015.

It was moved by Councillor J Bridges, seconded by Councillor J Cotterill and

RESOLVED THAT:

The minutes of the meeting held on 26 May 2015 be approved and signed by the Chairman as a correct record.

26. LOCAL PLAN ADVISORY COMMITTEE - TERMS OF REFERENCE

Councillor N J Rushton presented the report to members, highlighting the amendments to the Terms of Reference which were required as a result of the change to the political balance of the Council following the elections.

Councillors J Legrys and T Neilson expressed support for the changes.

Councillor T Neilson thanked the members of the Advisory Committee for the work they were doing and he looked forward to seeing the outcome in September.

It was moved by Councillor N J Rushton, seconded by Councillor V Richichi and

RESOLVED THAT:

The amendments to the Terms of Reference for the Local Plan Advisory Committee be noted.

27. ELECTED MEMBER REPRESENTATIVE FOR THE ASSOCIATION FOR PUBLIC SERVICE EXCELLENCE (APSE)

Councillor N J Rushton presented the report to members, outlining the benefits of the group and the nominations as set out in the additional papers.

It was moved by Councillor N J Rushton, seconded by Councillor T Gillard and

RESOLVED THAT:

Councillors D Harrison and M Specht be appointed to the Association for Public Service Excellence.

Due to the Monitoring Officer and the Head of Paid Service having an interest in the following item, they left the room at this point in the meeting.

28. AMENDMENT TO OFFICER EMPLOYMENT PROCEDURE RULES

Councillor N J Rushton presented the report to members, drawing their attention to the revised recommendation and the nominations as set out in the additional papers.

It was moved by Councillor N J Rushton, seconded by Councillor T Gillard and

RESOLVED THAT:

- a) The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 be noted.
- b) The membership of the Investigatory Committee be amended to five members when considering disciplinary matters relating to chief officers who are not Statutory Officers.
- c) The membership of the Investigatory Committee be amended to seven members consisting of five elected members and two co-opted independent persons when considering matters relating to Chief Officers who are Statutory Officers (Head of Paid Service, Monitoring Officer and Section 151 Officer).
- d) The two independent persons have equal voting rights with other committee members.
- e) The terms of reference of the committee be amended to include “and to advise the Council in relation to the proposed dismissal of the Head of Paid Service, Monitoring Officer and Section 151 Officer”.
- f) Council agree to remunerate the independent persons for the conduct of investigatory matters.
- g) Councillor R Blunt be appointed as Chairman of the Investigatory Committee for the municipal year.
- h) Councillor A V Smith MBE be appointed as Deputy Chairman of the Investigatory Committee for the municipal year.
- i) Councillors J Clarke and J G Coxon be appointed to the Investigatory Committee.
- j) The Monitoring Officer be authorised to make the consequential amendments to the Constitution to ensure compliance with the legislative provisions.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 7.10 pm

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**COUNCIL – 15 SEPTEMBER 2015**

Title of report	UPDATE TO THE COUNCIL'S CONSTITUTION
Contacts	<p>Councillor Nicholas Rushton 01530 412059 nicholas.rushton@nwleicestershire.gov.uk</p> <p>Chief Executive 01530 454500 christine.fisher@nwleicestershire.gov.uk</p> <p>Head of Legal and Support Services 01530 454762 elizabeth.warhurst@nwleicestershire.gov.uk</p>
Purpose of report	To seek Council's approval of the proposed amendments to the Constitution.
Council Priorities	The Constitution covers all the priorities.
Implications:	
Financial/Staff	None.
Link to relevant CAT	Not applicable.
Risk Management	A clear and up to date Constitution will minimise the risk of the Authority failing to comply with statutory requirements and assist in delivering its priorities and objectives.
Equalities Impact Assessment	Not applicable.
Human Rights	Not applicable.
Transformational Government	Clear and robust governance arrangements and procedures assist with the effective and efficient delivery of services and proper decision making.
Comments of Head of Paid Service	The report is satisfactory.

Comments of Section 151 Officer	The report is satisfactory.
Comments of Deputy Monitoring Officer	As author, the report is satisfactory.
Consultees	Chief Executive Head of Legal and Support Services Policy Development Group
Background papers	Acquisitions Policy Cabinet 10 February 2015 Disposal Policy – Cabinet - 3 March 2015 Re-designation of Sheltered Schemes - Cabinet- 16 June 2015
Recommendations	<ol style="list-style-type: none"> 1. MEMBERS APPROVE THE AMENDMENTS TO THE CONSTITUTION SET OUT IN PARAGRAPH 3 AND APPENDICES 1-3 OF THE REPORT TO POLICY DEVELOPMENT GROUP. 2. THAT COUNCIL AUTHORISES THE HEAD OF LEGAL AND SUPPORT SERVICES TO MAKE THOSE AGREED AMENDMENTS TO THE CONSTITUTION AND RE-ISSUE THE DOCUMENT.

1.0 INTRODUCTION

- 1.1 The Local Government Act 2000 requires each Local Authority to prepare, keep up to date and publicise the document known as the Constitution.
- 1.2 The Constitution should be logical, integrated and accessible to members, officers, local people and anyone else interested in the way a local authority makes its decisions. There is also a statutory requirement on the Council's Monitoring Officer to keep the Constitution up to date, and accordingly the update of the Constitution is an on-going process.

2.0 BACKGROUND

- 2.1 Full Council regularly considers items relating to updates to the Constitution. The updates are generally required due to legislative and organisational changes or to clarify and improve processes within the Authority to reflect best practice. Members may recall that, in response to comments and suggestions made by members at Council, it was agreed that:
 - (i) the Constitution underwent one main annual review - around the time of Annual Council;
 - (ii) any remaining changes or matters arising after this date would be dealt with by way of one mid year review;

- (iii) further reviews or changes would only be suggested outside this process if legislation or national guidance required it;
- (iv) there was some “scrutiny” of the main annual review report whilst in draft and prior to its publication;
- (v) there would be informal consultation / engagement with members on the mid year and other reviews.

3.0 CHANGES TO THE CONSTITUTION

- 3.1 There are a small number of requests to amend delegations to the Chief Executive and Directors to reflect Cabinet’s decision to adopt an Acquisitions and Disposal Policy on 10 February and 3 March 2015.
- 3.2 The suggested amendments are in the report considered by Policy Development Group on 1 July 2015 and are attached as track changed documents at appendices 1 and 2.
- 3.3 In addition on 16 June 2015 Cabinet considered a report relating to the re-designation of Supporting Housing Properties which recommends that future re-designations are delegated to the Director of Housing in consultation with the Portfolio Holder.
- 3.4 The suggested amendments are attached as track changed documents at appendix 3.

4.0 COMMENTS FROM POLICY DEVELOPMENT GROUP

- 4.1 The draft Council report was considered by Policy Development Group on 1 July 2015. The report is attached at appendix A.
- 4.2 No comments were recieved on the proposed amendments from members of Policy Development Group. A copy of the draft minutes are attached at appendix B.

5.0 FURTHER REVIEW OF THE CONSTITUTION

- 5.1 Members are advised that a further review of the Constitution will be brought to full Council later in the year.

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

POLICY DEVELOPMENT GROUP – 1 JULY 2015

Title of report	UPDATE OF THE COUNCIL'S CONSTITUTION
Contacts	<p>Councillor Nicholas Rushton 01530 412059 nicholas.rushton@nwleicestershire.gov.uk</p> <p>Chief Executive 01530 454500 christine.fisher@nwleicestershire.gov.uk</p> <p>Head of Legal and Support Services 01530 454762 elizabeth.warhurst@nwleicestershire.gov.uk</p>
Purpose of report	To seek Scrutiny's comments on and recommendation to Council on proposed amendments arising from the Annual Review of the Constitution
Reason for Decision	To comply with the Constitutional update procedure agreed by Council
Council Priorities	It covers all the priorities
Implications:	
Financial/Staff	None.
Link to relevant CAT	Not applicable
Risk Management	A clear and up to date Constitution will minimise the risk of the Authority failing to comply with statutory requirements and assist in delivering its priorities and objectives.
Equalities Impact Assessment	Not applicable.
Human Rights	Not applicable.
Transformational Government	Clear and robust governance arrangements and procedures assist with the effective and efficient delivery of services and proper decision making.

Comments of Head of Paid Service	The report is satisfactory
Comments of Section 151 Officer	The report is satisfactory
Comments of Monitoring Officer	The report is satisfactory
Consultees	Statutory Officers. Head of Legal and Support Services.
Background papers	Acquisitions Policy Cabinet 10 February 2015 Disposal Policy – Cabinet - 3 March 2015 Re-designation of Sheltered Schemes - Cabinet- 16 June 2015
Recommendations	THAT POLICY DEVELOPMENT GROUP NOTE AND COMMENT ON THE SUGGESTED AMENDMENTS TO THE CONSTITUTION AND RECOMMEND THEM TO COUNCIL FOR APPROVAL

1.0 BACKGROUND

- 1.1 Full Council regularly considers items relating to updates to the Constitution. The updates are generally required due to legislative and organisational changes or to clarify and improve processes within the Authority to reflect best practice. Members may recall that, in response to comments and suggestions made by members at Council, it was agreed that:
- (i) the Constitution underwent one main annual review - around the time of Annual Council;
 - (ii) any remaining changes or matters arising after this date would be dealt with by way of one mid year review;
 - (iii) further reviews or changes would only be suggested outside this process if legislation or national guidance required it;
 - (iv) there was some “scrutiny” of the main annual review report whilst in draft and prior to its publication;
 - (v) there would be informal consultation / engagement with members on the mid year and other reviews.

2.0 ROLE OF SCRUTINY

- 2.1 Where amendments are identified and proposed Policy Development Group are asked to consider the draft Council report and comment on the suggested amendments.

3.0 PROCESS OF REVIEW

- 3.1 As indicated at 1.1 above updates are generally required due to legislative and organisational changes or to clarify and improve processes within the Authority to reflect best practice.
- 3.2 Each year a survey of Officers is undertaken and they are invited to submit proposed amendments for consideration by the Monitoring Officer which arise from legislative changes, organisational changes or for reasons of business efficiency
- 3.3 In parallel with this process the Legal Services Team review any proposed legislation which is likely to require amendments to the constitution.

4.0 CHANGES TO THE CONSTITUTION – ANNUAL REVIEW 2015

- 4.1 There are a small number of requests to amend delegations to the Chief Executive and Directors to reflect Cabinet's decision to adopt an Acquisitions and Disposal Policy on 10 February and 3 March 2015
- 4.2 The suggested amendments are attached as track changed documents at Appendix 1 and 2.
- 4.3 In addition on 16 June 2015 Cabinet considered a report relating to the Re-designation of Supporting Housing Properties which recommends that future re-designations are delegated to the Director of Housing in consultation with the Portfolio Holder.
- 4.4 The suggested amendments are attached as track changed documents at Appendix 3.

5.0 FURTHER CHANGES TO THE CONSTITUTION

- 5.1 The current constitution was adopted following a review in 2005-2006 since when it has been amended as required in line with the process set out in paragraph 1 and existing delegated authority of the Monitoring Officer to reflect changes in legislation, the organisational structure and changes to delegated powers.
- 5.2 The Monitoring Officer is considering whether it would be opportune to undertake a full review of the constitution (structure and content) to ensure that it reflects best practice.
- 5.3 Should the Monitoring Officer decide that such an approach is appropriate a further report will be brought to Policy Development Group later in the year.

APPENDIX 1

greater subject to it being within the approved budget for that scheme (see paragraph 4, Budget and Policy Framework Procedure Rules for Urgent Decisions outside the Council's Budget and Policy Framework).

- (v) To sign contracts of a value below £50,000 or some other officer authorised by him or her to do so.
- (vi) To approve jointly with the Section 151 Officer acquisitions of land in respect of their service area up to a capital value of £100,000 per site or with a periodic payment of less than £20,000 per annum in consultation with the relevant Portfolio Holder.
- (viii) To approve jointly with the Section 151 Officer disposals of land in respect of their service area up to a capital value of £50,000 per site in consultation with the relevant Portfolio Holder.

4. CHIEF EXECUTIVE

- (i) To exercise the functions of the Authority's Head of Paid Service under Section 4 of the Local Government and Housing Act 1989 and in this role:
 - (a) to exercise overall responsibility for corporate management and operational issues (including overall management responsibility for all staff);
 - (b) to give professional advice to all parties in the decision making process (the Cabinet, Scrutiny Bodies, the Council, Boards and Committees);
 - (c) to ensure that the Authority has a system of record keeping for all key and executive decisions (a key decision is defined at page 26); and
 - (d) to ensure that the Authority achieves and delivers its objectives; and
 - (e) to represent the Authority on partnerships and external bodies (as required by statute or by the Authority).
- (ii) To co-ordinate, direct and monitor the Authority's initiatives to achieve Best Value in the delivery of its functions.
- (iii) To be responsible for performance review issues.
- (iv) To lead the Corporate Leadership Team.
- (v) After consultation with the Leader of the Council, to authorise action and incur expenditure, where urgent action is needed to enable the Authority to fulfil its functions.

APPENDIX 2

- (vi) To enter into deeds of dedication on such terms as the Chief Executive sees fit.
- (vii) To agree perpetual and fixed term easements and wayleaves on such terms as the Chief Executive sees fit.
- (viii) To determine rent reviews and to instigate and participate in arbitrations.
- (ix) To agree terms for the surrender of leases.
- (x) To authorise action to determine a lease in the event of rent arrears or other breach of covenant.
- (xi) To agree terms for waiving covenants, whether freehold or leasehold.
- (xii) To approve and issue consents for assignments, sub-lettings, alterations, additions and changes of use.
- (xiii) To make and settle claims for dilapidation.
- (xiv) To appropriate land belonging to the Authority at proper value.
- (xv) To agree the grant and renewal of leases of land and buildings where the annual rental does not exceed £40,000.
- ~~(xvi) To dispose of freehold land where the market value does not exceed £30,000.~~
- (xvii) Following consultation with Asset Management Group, to approve the Asset Management Policy.
- (xviii) In exceptional circumstances acting on advice of the Section 151 Officer and in consultation with the Leader of the Council accept offers for land and property for a value in excess of £50,000 per site. Notwithstanding the above to undertake acquisitions and disposals of land up to a value of £10,000 per site in accordance with and to give effect to the Council's policies and programmes (subject to a report being made to the next available Cabinet meeting setting out the reasons for urgency).
- (xix) To determine applications for discretionary non-domestic rural rate relief following consultation with the ward member(s) for the settlement concerned and the portfolio holder.
- (xx) Subject to those matters reserved for decision by the Licensing Committee, the Licensing Sub-committee and the Taxi and Private Hire Sub-committee, to exercise all those functions for which the Council is responsible concerning licensing and registration and the grant of consents and refusals set out in

APPENDIX 3

- vi. To represent the Authority and appear as an advocate on the Authority's behalf in any related legal proceedings.
- vii. To serve notice of seeking possession, notice to quit and applying for possession orders.
- viii. To determine applications by tenants to alter their homes.
- ix. To reimburse tenants for tenants' improvements.
- x. To transfer tenancies into joint names and vice-versa.
- xi. To agree mutual exchange.
- xii. To take immediate action to secure the removal of trespassers from housing land and property.
- xiii. To determine the eligibility of applicants to right to buy.
- xiv. To determine the future use of properties, including the redesignation, disposal or demolition of properties and to take such properties out of debit, in consultation with the Portfolio Holder. ~~subject to the approval by Cabinet of such proposals.~~

7. HEAD OF LEGAL AND SUPPORT SERVICES

(i) Monitoring Officer

To exercise the functions of the Authority's Monitoring Officer under Section 5 of the Local Government and Housing Act 1989.

Whilst changes to the "executive arrangements" within the Constitution may only be changed by resolution of the full Council after consideration of the proposal by the Monitoring Officer, save that the Monitoring Officer is given delegated authority to make changes to the Constitution to reflect changes of fact and law, and decisions of the Council and of the Cabinet.

(ii) Legal Proceedings

Acting on the recommendations of the Chief Executive or the Director (who has been given authority to act on a particular service function in accordance with the Scheme of Delegation) or where it is necessary to give effect to a decision of the Council, to institute, prosecute, defend, conduct, participate in, withdraw or settle any legal proceedings brought by or against the Council, to make any necessary applications and to take steps to enhance or protect the Council's legal position or interest.

APPENDIX B

MINUTE EXTRACT of a meeting of the POLICY DEVELOPMENT GROUP held in the Council Chamber, Council Offices, Coalville on WEDNESDAY, 1 JULY 2015

6. UPDATE OF THE COUNCIL'S CONSTITUTION

The Deputy Monitoring Officer presented the report to Members.

In response to a question from Councillor R Adams, the Deputy Monitoring Officer explained that as part of the full review of the Council's Constitution, the Policy Development Group would receive the report before it was approved by Council and due to the nature of the document, Members would receive a hard copy. The report would be considered by the Policy Development Group in September.

RESOLVED THAT:

The report be noted.

RECOMMENDED THAT:

That Council approve the updates to the Council's Constitution.

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COUNCIL – 15 SEPTEMBER 2015

Title of report	DRAFT NORTH WEST LEICESTERSHIRE LOCAL PLAN
Contacts	<p>Councillor Trevor Pendleton 01509 569746 trevor.pendleton@nwleicestershire.gov.uk</p> <p>Director of Services 01530 454555 steve.bambrick@nwleicestershire.gov.uk</p> <p>Head of Planning and Regeneration 01530 454782 jim.newton@nwleicestershire.gov.uk</p>
Purpose of report	To approve the draft Local Plan for the purposes of public consultation
Council Priorities	<p>Value for Money</p> <p>Business and Jobs</p> <p>Homes and Communities</p> <p>Green Footprints Challenge</p>
Implications:	
Financial/Staff	The cost of preparing the Local Plan to date excluding staff costs is approximately £297,104 and is met from within existing budgets.
Link to relevant CAT	None
Risk Management	A risk assessment of the project has been undertaken. As far as possible control measures have been put in place to minimise these risks, including monthly Project Board meetings where risk is reviewed.
Equalities Impact Assessment	Before the final publication of the Local Plan an assessment of the potential impact of the policies and proposals of the Local Plan from an equalities perspective will need to be undertaken by officers.
Human Rights	None
Transformational Government	Not applicable
Comments of Head of Paid Service	The report is satisfactory.
Comments of Section 151 Officer	The report is satisfactory.

Comments of Deputy Monitoring Officer	On the advice of the external solicitor, the report is satisfactory.
Consultees	Local Plan Project Board includes Malcolm Sharp of Sharp Planning Plus and Simon Stanion of Marrons Shakespears acting as external advisors to the Council.
Background papers	<p>Reports to Local Plan Advisory Committee which can be viewed at http://minutes-1.nwleics.gov.uk/ieListMeetings.aspx?CId=251&Year=0</p> <p>National Planning Policy Framework which can be found at www.gov.uk/government/publications?topics%5B%5D=planning-and-building</p> <p>The Town and Country (Local Planning) England (Regulations) 2012 which can be viewed at The Town and Country Planning (Local Planning) (England) Regulations 2012</p>
Recommendations	<p>THAT COUNCIL:</p> <p>(I) RECEIVES THE MINUTES OF THE LOCAL PLAN ADVISORY COMMITTEE OF 4 MARCH 2015 AND 10 JUNE 2015; AND</p> <p>(II) APPROVES THE DRAFT LOCAL PLAN FOR CONSULTATION</p>

1.0 BACKGROUND

- 1.1 Members will be aware that following the withdrawal of the Core Strategy in October 2013 it was agreed to prepare a new Local Plan. The Local Plan is the Council's key planning document which establishes the Council's planning policies for the district. The National Planning Policy Framework (NPPF) notes that "*Local Plans are the key to delivering sustainable development that reflects the visions and aspirations of local communities*". The Local Plan identifies what the future development needs of the district are, including housing and economic development to meet the needs of a growing population, and facilitates its provision. It sets out what is expected as part of new development as well as what will or will not be permitted and where.
- 1.2 Having an up-to-date Local plan in place is of fundamental importance when determining planning applications. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that "*If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise*".
- 1.3 A cross party Local Plan Advisory Committee (LPAC) was established at the meeting of Council on 25 February 2014 to work with officers on the preparation of a new Local Plan.

- 1.4 All decisions on the Local Plan are reserved for Council. The LPAC has met on a number of occasions, most recently on 15 July 2015 when it considered the proposed draft Local Plan.
- 1.5 This report seeks authorisation from Council for the publication of the draft Local Plan for consultation purposes.
- 1.6 The report first of all outlines the process followed in preparing the draft Local Plan, summarises the Legal factors of relevance to the Local Plan, then summarises the draft plan and concludes by outlining the next steps and timetable.

2.0 PROCESS FOR PREPARING THE DRAFT LOCAL PLAN

- 2.1 Since being established the LPAC has met on ten separate occasions and has considered reports in respect of:
 - Scope of a document to replace the Core Strategy (18 March 2014);
 - Strategic Housing Land Availability Assessment and Statement of Community Involvement (29 April 2014);
 - Local Plan timetable, Strategic Housing Market Assessment (3 June 2014);
 - Strategic Housing Market Assessment (update), Risk Management, Plan Period update and Limits to Development (9 September 2014);
 - Review of Town Centre boundaries (15 October 2014);
 - Development Strategy, Affordable Housing and Statement of Community Involvement (12 November 2014);
 - Town Centre boundaries and Limits to Development updates and recent Local Plan examinations (17 February 2015);
 - Local Plan designations and Local Plan community engagement (4 March 2015);
 - Update on various matters previously considered (10 June 2015); and
 - Consideration of draft Local Plan (15 July 2015).
- 2.2 The minutes of LPAC have previously been reported to meetings of Council, except for those in March, June and July 2015. Those for March and June have been agreed by LPAC and are attached as Appendix A and Appendix B of this report. Council are asked to receive these minutes.
- 2.3 The minutes for the meeting of 15 July 2015 have yet to be agreed by the LPAC and so will be reported to a subsequent Council meeting. However, given that Council is being asked to approve the draft Local Plan today, reference to the discussions which took place at that meeting are included in this report as appropriate.
- 2.4 Project management of the preparation of the Local Plan has been overseen by a Project Board chaired by the Director of Services and which meets on a monthly basis.
- 2.5 Following the withdrawal of the Core Strategy the Council appointed Malcolm Sharp (Sharp Planning Plus Ltd (SPP) *“to advise on the Council’s process and timelines, assist in reporting to, and liaising with, Members and assist with the meeting of core milestones on the Core Strategy”*. Subsequently it also appointed Simon Stanion, a partner in Marrons Shakespeares (MS) to advise on any legal issues appertaining to the emerging replacement document.

- 2.6 Messrs Sharp and Stanion are members of the Project Board.
- 2.7 A key task of the Project Board has been to prepare and regularly review a Risk Register so as to minimise the risks facing the Local Plan as far as possible. A major risk that has been identified relates to changes in government guidance or policies or decisions by Planning Inspectors on other plans affecting our Local plan in some way. As Members will be aware the planning system has been through a period of significant change in the last 5 years. This continues to be the case. Officers monitor government announcements and decisions on other Local Plans on an ongoing basis to reduce this risk as much as possible. However, it remains a risk which Members should be aware of.
- 2.8 A key part of preparing a Local Plan is to undertake consultation to help inform decisions on the contents and approach of the Local Plan.
- 2.9 A consultation inviting representations on 'what the Local plan ought to contain' was undertaken between 20 June and 19 September 2014. In addition, consultation was undertaken with Parish and Town Councils between 17 November 2014 and 9 January 2015 in respect of suggested Limits to Development and Town Centre boundaries.
- 2.10 The Local Plan is supported by a wide ranging evidence base. An initial task for the Project Board was to determine which evidence developed as part of the Core Strategy would potentially be of relevance for the new Local Plan. Some of it was considered to be out of date (for example the Strategic Flood Risk Assessment, Retail Capacity Study) and so updates were commissioned. Other parts of it were considered to still be relevant and so have been used to inform the Local Plan (for example, assessment of employment sites, Water Cycle Study).
- 2.11 The draft Local Plan has been subject to the following independent assessments as required by the Regulations:
- Sustainability Appraisal/Strategic Environmental Assessment;
 - Viability study and;
 - Habitats Regulations Assessment (in respect of the river Mease Special Area of Conservation)
- 2.12 A draft Infrastructure Delivery Plan is being prepared and a final plan will be published when the Local Plan is submitted. The Infrastructure Delivery Plan will show what new infrastructure is required to support development and when it is likely to be provided.
- 2.13 The independent assessments referred to in paragraph 2.11 together with the rest of the evidence base will be published alongside the draft Local Plan for consultation.
- 2.14 The full list of evidence base documents is attached at Appendix C of this report.
- 2.15 The Local Plan also includes a Policies Map which identifies on an ordnance survey base where the various policy areas apply. These are appended to this report.

3.0 LEGAL MATTERS

- 3.1 The preparation of the Local Plan is governed by legislation (The Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011) and also Regulations (The Town and Country Planning (Local Planning) (England) Regulations 2012).
- 3.2 The consultation which it is recommended is undertaken in respect of the draft Local Plan would be under Section 18 of the above Regulations. Representations received in response to the consultation will then be considered and the Council will be asked to agree a 'publication' stage Local Plan (Regulation 19). This will represent the Local Plan which the Council considers should be submitted for examination. Before it can be submitted it must be published for a six-week period for representations to be made.
- 3.3 Once the Local Plan is submitted an independent Planning Inspector will be appointed by the Planning Inspectorate to consider whether the Local Plan is 'sound'.
- 3.4 To be "sound", the Local Plan should be:
- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
 - **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
 - **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
 - **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the [National Planning Policy] Framework.
- 3.5 In respect of the issue of the Local Plan being considered effective, Members will be aware that under the Localism Act 2011 the Council has a Duty to Cooperate.
- 3.6 This places a duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.
- 3.7 The legal duty is complemented by a policy requirement for public bodies to cooperate on planning issues that cross administrative boundaries, particularly relating to strategic policies to deliver homes and jobs needed in the area, the provision of retail, leisure and other commercial development, and the provision of infrastructure.
- 3.8 The first task of an Inspector appointed to hold an Examination is to assess whether the Council has complied with the legal Duty to Cooperate. If the Inspector concludes that this is not the case then the Local Plan automatically fails, it cannot be remedied through retrospective action.

- 3.9 Arrangements are in place amongst all of the local planning authorities in the Leicester and Leicestershire Housing Market Area (HMA) through a Strategic Planning Group (officers) and a Member Advisory Group to ensure that there is cooperation where it is required.
- 3.10 As Members will be aware a Memorandum of Understanding was agreed by all of the HMA authorities in late 2014 which confirmed that each authority could, up to 2028, meet its own housing needs as suggested in the Strategic Housing Market Assessment and that all the authorities would continue to work together to support the preparation of Local Plans post 2028. However, members will note that, it is proposed to adopt a higher housing requirement for North West Leicestershire than that suggested in the Memorandum of Understanding, in order to take account of the higher jobs growth in the district. All of the HMA authorities were invited to attend a meeting with officers on 4 June 2015 to outline the approach it was proposed to take on this matter in the Council's emerging Local Plan and why and to seek their views. Subsequent to the meeting all of the authorities were also provided with written information which provided more detail in respect of the methodology which has been used and they were invited to comment.
- 3.11 A similar meeting and consultation was undertaken with those authorities who adjoin the district but are outside of the HMA (North Warwickshire Borough Council, Lichfield District Council, South Derbyshire District Council, Erewash Borough Council and Rushcliffe District Council) with a meeting held on 10 June 2015.
- 3.12 The responses to this consultation and officer's comments are summarised at Appendix D of this report. Legal advice has been sought and concludes that the responses do raise some technical issues which if not satisfactorily resolved could eventually be a risk to the soundness of the Local Plan and so further, ongoing, discussions with officers and members from within the HMA are required on this matter. However the advice is that the questions raised should not prevent the Council from publishing its draft Local Plan for further consultation and continuing with those discussions as part of the consultation process.
- 3.13 As already noted the Council has retained the services of external advisors to assist the Council in the preparation of the Local Plan by providing a 'critical friend' type role so as to seek to provide some assurance to the Council that its approach is appropriate in the context of the Legal requirements and national advice. The external advisors have prepared a joint statement which sets out their views on whether, at this stage, the Local Plan is moving in the right direction such that it is likely (although not guaranteed) to be found 'sound' in due course. A copy of the statement is attached at Appendix E of this report.
- 3.14 The joint statement identifies that, in terms of soundness, risks have been identified and managed, but that the situation remains changeable and that this process needs to continue. It also identified that by the time of submission an Infrastructure Delivery Plan needs to be completed. This is considered in more detail at paragraphs 4.55 to 4.57 of this report. In terms of the Duty to Cooperate support is drawn from the fact that the Charnwood Borough Local Plan recently passed the legal Duty test and that our approach is closely aligned to that of Charnwood. Overall the joint statement concludes that "*In preparing its emerging Local Plan NWLDC has been proactively managing risk to ensure that it has a good prospect of being found to have complied with the DtC and of the Plan being found 'sound' on examination.*"

4.0 THE DRAFT LOCAL PLAN

- 4.1 The draft Local Plan is attached at Appendix F to this report and is set out in 12 chapters largely based on themes. These are outlined below. There are a series of questions throughout the draft Local Plan which are designed to try and help people respond to the consultation.

Introduction

- 4.2 This chapter provides background information in respect of the purpose and process for preparing Local Plans, including outlining the importance of the Duty to Cooperate and how this has been complied with.

Profile of North West Leicestershire

- 4.3 This section summarises the key findings from the Sustainability Appraisal in terms of the characteristics of the district on a range of issues including population, housing, economy and environmental matters.

Issues and Objectives

- 4.4 The findings from the district profile are then used to identify the key issues which the Local Plan (and planning in general) can help to address. These issues are then used to identify the overall objectives which the Local Plan seeks to address and which provides a framework for the Local Plan policies.

Strategy

- 4.5 This chapter identifies the overall development requirements which the Local Plan needs to make provision for and sets out a settlement hierarchy to guide where development should go. It also includes a policy in respect of a presumption in favour of sustainable development. It is a requirement of the Planning Inspectorate that such a policy be included and the wording is based on a standard model which has been used elsewhere.
- 4.6 In terms of development requirements, policy S2 identifies the following requirements for the plan period (2011 to 2031):
- Housing – 10,700 dwellings
 - Employment – 96 hectares
 - Shopping – 7,300 sq metres (for comparison shopping only)
- 4.7 In respect of the issue of housing numbers, Members will recall that at the meeting of Council on 11 November 2014 it was agreed to sign a Memorandum of Understanding (MOU) with all the Leicester and Leicestershire Housing Market Area (HMA) authorities. The MOU confirmed that each authority could meet its own Objectively Assessed Need (OAN) as identified in the Strategic Housing Market Assessment (SHMA) up to 2028 and that we would continue to work together to support the preparation of Local Plans post 2028.

- 4.8 Whilst the SHMA identified the OAN for each authority it also noted that the OAN figures *“provide a ‘policy off’ assessment of housing need. In translating this into housing targets in development plans, the commissioning local authorities will need to consider whether there is a case for adjusting the level of housing provision to align with their evidence regarding local economic growth potential and to address where relevant any unmet needs from adjoining authorities”*.
- 4.9 For clarification the reference to policy-off means that no account has been taken of any possible policy constraints which could affect the future provision of housing; it represents an objective assessment of future needs based on an analysis of predicted growth only.
- 4.10 The MOU notes that *“In determining their housing target over the relevant plan period each authority will take account of all relevant evidence”*. This reflects the advice at paragraph 158 of the NPPF that local planning authorities should ensure that their assessments of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals.
- 4.11 The employment requirements to be met in the Local Plan are derived from a study undertaken by the Public and Corporate Economic Consultants (PACEC) on behalf of the Leicester and Leicestershire Enterprise Partnership (LLEP) in 2013.
- 4.12 The PACEC study provides a forecast of the likely change in the number of jobs in the B Use Classes (i.e. That is those uses which fall within the B Use Class of the Use Classes Order 2015 – B1 offices, B2 industrial, B8 storage or distribution). 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. In respect of B8 Uses (Storage or distribution) the PACEC study predicts an increase of 3,400 jobs.
- 4.13 Members will be aware that there is currently a proposal for the development of a Strategic Rail Freight Interchange (SRFI) west of Junction 24 of the M1 and north of East Midlands Airport (the East Midlands Gateway Rail Freight Interchange). This envisages the creation of about 7,400 jobs, mostly in the B8 Use Class. The application is due to be determined by the Secretary of State for Transport in January 2016, but as a scheme which is supported by the District Council the Plan is predicated on this development taking place.
- 4.14 Clearly not all of the jobs created by the East Midlands Gateway Rail Freight Interchange would be over and above that forecast by PACEC. Some of the jobs would be included within the PACEC forecast of 3,400 jobs for the B8 Use Class. The question as to how many is clearly open to debate, but it has been assumed that 5,000 of the 7,400 jobs projected for the development (about 66% of all of the jobs) would be additional to that forecast by PACEC.
- 4.15 This is still significantly more jobs in the B8 Use Class than that forecast by PACEC study. It is considered therefore, that whilst permission has not yet been granted for this development (and there is no guarantee that it will be forthcoming), it would be prudent to consider a greater number of jobs in the B8 Use Class than that forecast by the PACEC study when considering future housing requirements particularly as the Council has stated its support for the East Midlands Gateway Rail Freight Interchange proposal.

- 4.16 In view of the above, officers have undertaken further work on this matter and have concluded that in order to ensure a balance between likely jobs growth and population growth the OAN for the Local Plan should be set higher at 10,700 dwellings.
- 4.17 In February 2015 the Department for Communities and Local Government published new household projections based on 2012 data (the SHMA was based on the 2011 interim projections). These suggest that in North West Leicestershire as at 2031 there would be 44,000 households, compared to 44,802 in the 2011 projections and just over 46,000 suggested by the SHMA.
- 4.18 This suggests that the SHMA may have overestimated the future need. However, it should be appreciated that forecasting is not an exact science and it can be seen that forecasts do vary through time. Furthermore, the household projections are merely trend based and do not take account of any local factors which could suggest higher or lower growth than contained in the national household projections. As outlined above there is a potential for the proposed development of the East Midlands Gateway Rail Freight Interchange (if approved) to impact upon future housing requirements to a greater or lesser degree.
- 4.19 Notwithstanding the latest household projections, officers are of the view that it would be prudent in view of the economic growth issues outlined above to propose a higher housing requirement than that suggested in the SHMA and agreed as part of the MOU. Such an approach would also be compatible with Inspector's recommendations on other Local Plans where there is evidence to suggest that a higher housing requirement would be appropriate. Accordingly this is included in the draft Local Plan.
- 4.20 Moving away from the figures recommended in the SHMA raises potential issues under the Duty to Cooperate. This is considered in section 3 of this report. In respect of employment, the evidence for this is based on the findings of the PACEC study as outlined at paragraph 4.13.
- 4.21 In respect of future shopping needs 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 identified 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.
- 4.22 Finally in the strategy chapter is a policy of Design, in view of the fact that the Council has in recent years sought, and continues to seek, improved design as part of new development.

Housing

- 4.23 Policies H1 to H3 set out how the plan's housing requirement will be met. Those sites included in policy H1 already have the benefit of planning permission as at 1 April 2015, whilst those sites in policy H2 were the subject of a resolution to grant planning permission. These sites provide for the vast majority of new development up to 2031. Notwithstanding the fact that they benefit from a permission or resolution it is still necessary to be sure that they can be delivered. In this respect an assessment suggests that it is likely that not all of the new homes will be delivered before 2031 and so there is a need to make further provision.

- 4.24 Policy H3 identifies the sites which it is proposed to allocate to address the residual requirement. It is proposed to allocate land north of Ashby de la Zouch (Policy H3a) for up to 1,750 dwellings. This site comprises of that area known as Money Hill and the site of the former Arla dairy off Smisby Road.
- 4.25 Members will also be aware that the current preferred route for HS2 passes to the west of Measham. This route goes through a site where the council has resolved to grant planning permission for up to 450 dwellings (Measham Waterside). There is uncertainty as to whether this site will be deliverable in the event that the final route for HS2 follows the same route as currently proposed. Therefore, it is proposed to identify a reserve site between Ashby Road and Leicester Road Measham which will only be allowed to be developed in the event that the Measham Waterside site is not deliverable. It is possible that by the time the Council considers the responses to the draft Local Plan in spring 2016 that a decision on the final route for HS2 will have been made. It is possible therefore by that time that matters will be a lot clearer and that there will not be a need for the reserve site.
- 4.26 Policies H4 and H5 are concerned with the issue of affordable housing.
- 4.27 Policy H4 is concerned with the issue of the amount of affordable housing to be secured as part of new development. The Viability Study referred to at paragraph 2.11 considered a number of options for different amounts and thresholds to be used to secure affordable housing. It also tested two market scenarios: current market and a growth scenario with net price growth of 4% over plan period.
- 4.28 On the basis of the findings the study recommends that the following rates would be appropriate

Settlement	Target
Ashby de la Zouch	30%
Castle Donington	30%
Coalville Urban Area	20%
Kegworth and Measham	30%
All other settlements	30%

- 4.29 In terms of the thresholds included in the policy these are based on the governments preferred approach on planning obligations announced in a Ministerial Statement in November 2014 and subsequent government advice.
- 4.30 This has been recently successfully challenged in the High Court by Reading Borough Council and West Berkshire District Council. The impact of this is to revert to the previous approach which would enable smaller developments to be subject to planning obligations. This serves to highlight one of the challenges facing the Council in preparing a Local plan at a time of change in the planning system as already referred to at paragraph 2.7 of this report.

- 4.31 As already noted the previous national approach allowed for sites of less than 10 dwellings to be subject to a planning obligation. The Council's approved Supplementary Planning Document (SPD) on affordable housing seeks the provision of affordable housing on sites of 5 dwellings or more in all settlements except the Coalville urban area, Ashby de la Zouch and Castle Donington (where the threshold is 15 dwellings). Securing the provision of affordable housing on sites as small as 5 dwellings is particularly beneficial for rural areas where new developments tend to be smaller in scale and so would enable more affordable housing to be delivered in these areas.
- 4.32 Therefore, in light of the High Court decision it is now open to the Council to take an approach similar to that included in the SPD. However, such an approach has not been subjected to the Sustainability Appraisal or the viability study. Furthermore, it is understood that the government are considering an appeal against this decision so the situation could change again.
- 4.33 On balance it is considered that at this time it would be appropriate to not make any further changes to the draft Local Plan from that considered by LPAC bearing in mind that all of the independent assessments referred to at paragraph 2.11 have been undertaken on the basis of the draft policy .
- 4.34 When the Local Plan is next reported to Council this matter will be reviewed and appropriate advice on how the Council should proceed will be provided accordingly having regard to the national policy position at that time. A footnote to this effect has been added to the draft Local Plan from that which was considered by the LPAC.
- 4.35 Policy H5 is concerned with allowing affordable housing sites to be brought forward in rural areas and largely carries forward the principles set out in the existing adopted Local Plan (Policy H12).
- 4.36 Policy H6 is concerned with seeking to ensure that new housing development includes an appropriate mix of house sizes and types.
- 4.37 Policy H7 is concerned with the issue of provision of sites for gypsies and travellers and travelling showpeople. The needs of the travelling community have been identified through a needs assessment carried out jointly with the other Leicestershire authorities (except Hinckley and Bosworth) in 2013. It is not proposed to allocate any sites as part of this Local Plan. It is proposed to do this as part of a standalone allocations plan which would then form part of the Local Plan. Instead Policy H6 establishes the criteria to be used in assessing potential sites.
- 4.38 Members should be aware that a similar approach has been accepted elsewhere, but recently a Local Plan proposing a similar approach in Maldon, Essex was considered by the Inspector to be unsound. The Local plan has subsequently been called in by the Secretary of State for him to consider and issue a decision. Depending upon the outcome of this it should be appreciated that this could require the Council to consider a different approach. This matter will be kept under review.
- 4.39 Irrespective of the outcome of the Maldon Local Plan officers are of the view that it is essential that the Council seeks to start to address this issue. It is proposed that this matter be progressed as part of the work of the LPAC.

Economic

- 4.40 This chapter deals with two broad areas of key importance to the economy of the district: employment (policies Ec1 to Ec8) and town centres (Ec9 to Ec15).
- 4.41 In respect of employment issues, policy Ec1 deals with sites which currently have the benefit of planning permission whilst under policy Ec2 it is proposed to allocate land (about 16 hectares) for employment use as part of the development of land north of Ashby de la Zouch.
- 4.42 Policy Ec3 seeks to protect key employment sites whilst policy Ec4 is concerned with protecting a number of existing Brickworks and Pipeworks throughout the district for employment use should the current use cease. This policy is similar to that in the adopted Local Plan (policy M2). It should be stressed that it is not envisaged that these uses will cease during the lifetime of the Local Plan, but in view of the fact that these sites are not covered by any restoration conditions it is considered necessary to give an indication as to how the Council would respond to proposals for redevelopment.
- 4.43 Policies Ec5 to Ec7 are concerned with East Midlands Airport, with Ec6 and Ec7 dealing with issues relating to the public safety zones and safeguarding. Policy Ec5 establishes the broad considerations which will apply in respect of proposed developments at the airport and seeks to strike a balance between the economic advantages associated with the operation of the airport and the environmental impact, especially that on local communities.
- 4.44 Policy Ec8 is concerned with Donington Park. As with the airport the policy seeks to strike a balance between the economic benefits of the racetrack and also the environmental impact. The approach is broadly the same as that in the adopted Local plan (policy L20) but it is proposed to extend the policy boundary of Donington Park to the west subject to certain criteria being met. This extension would, it is considered, help to secure the future of the racetrack.
- 4.45 In respect of town centres policy Ec9 sets out the retail hierarchy and identifies Coalville and Ashby as Town Centres at the top in recognition of their current roles. Underneath this are the Local Centres of Castle Donington, Kegworth, Ibstock and Measham. The boundaries of these town centres are also defined under this policy.
- 4.46 Castle Donington Parish Council has expressed concerns that in its view the boundary proposed is too tight and does not allow for possible expansion of new businesses in to the town centre. Officers have met with representatives of the Parish Council, including a walk around the town centre, to discuss this matter. As a result officers have agreed that it would be appropriate to make some amendments to the boundary and these are included on the policies map. The Parish Council has stated its intention to submit an alternative town centre boundary to the District Council.
- 4.47 Notwithstanding the equal status attributed to Coalville and Ashby Town Centres, policy Ec9 seeks to direct new development to Coalville Town Centre in the first instance. This is consistent with the advice contained in the Retail Capacity study. In terms of the additional retail comparison requirement identified in the Retail Capacity study the draft Local Plan identifies 5 options for how this might be met. Of those 5 options, option 2 which would

involve the identification of land off Wolsey Road/Memorial Square Coalville is the favoured option at this time, but more work will need to be undertaken to establish the feasibility of this option (or other options).

- 4.48 Policy Ec10 establishes the threshold above which proposals for retail, leisure and office development outside of defined town centres will be required to submit an impact assessment. This approach is consistent with the advice in the Retail Capacity Study.
- 4.49 Policies Ec11 to Ec13 set out those policies which will apply in the Town and Local Centres and identify the types of uses which will be considered suitable in the centres and the factors which will be considered when determining proposals which come forward. Policy Ec14 is concerned with the Local Centres and seeks to resist the loss of shops and other town centre uses unless certain criteria can be satisfied.
- 4.50 Policy Ec15 is concerned with realising the districts tourism and cultural opportunities subject to satisfying identified criteria.

Infrastructure and Facilities

- 4.51 The policies in this chapter seeks to secure the provision of new infrastructure as part of new development (IF1, IF2, IF3 and IF4) whilst also protecting existing services and facilities (IF2 and IF3).
- 4.52 The Local Plan will be supported by an Infrastructure Delivery Plan which identifies what infrastructure provision will be made to support new development. This will not be a once-and-for-all document but will be something that is reviewed and added to as permissions are granted (and hence S106 Agreements put in place) and as new infrastructure provision is made by infrastructure providers.
- 4.53 The Infrastructure Delivery Plan will be an important element of the evidence base to show the soundness of the Local Plan by demonstrating the delivery of the proposals in the Local Plan.
- 4.54 The vast majority of new development, particularly housing, already benefits from planning permission or a resolution to grant planning permission. These permissions include (and in the case of resolutions will include) S106 Agreements which specify what infrastructure is to be secured as part of a particular development. The Infrastructure Delivery Plan will identify what infrastructure is to be provided and when. It will also identify what other infrastructure is anticipated to be forthcoming outside of the planning system, for example enhancements to public utilities through any investment programmes planned by the various utility companies.
- 4.55 At the time of drafting this report the preparation of the Infrastructure Delivery Plan was ongoing. It is anticipated that a substantially complete version will be published alongside the draft Local Plan. Officers will continue to work with infrastructure providers to provide a comprehensive overview of anticipated future infrastructure provision as part of the later stages of plan preparation.
- 4.56 On 11 June 2013 the Cabinet agreed an interim policy to prioritise the provision of highway infrastructure contributions above affordable housing in the Coalville area. This was in recognition of the need to support new development in Coalville (within strategic

development areas identified in the then emerging Core Strategy) whilst ensuring that such development remained viable. As members will be aware, a number of major residential proposals have since either been granted planning permission or are subject to resolutions to approve made in accordance with that interim policy. No new housing allocations are proposed for Coalville as part of the draft Local Plan, however, as there is now evidence to support a move away from the interim policy in relation to new development brought forward in accordance with the policies of the emerging local plan, members will note proposed Policy IF1 which provides that all potential infrastructure will be considered on an equal basis.

- 4.57 Policy IF5 sets out the Council's support for the re-opening of the former Leicester-Burton railway for passenger services and to protect the route. A study to investigate the potential for re-opening the Leicester to Burton line, commissioned jointly with the County Council, is currently ongoing and is expected to report shortly. A separate piece of work looking at a rail strategy for Leicestershire is also being undertaken.
- 4.58 Policy IF6 is concerned with protecting the route of the former Ashby Canal so that it can be re-opened.
- 4.59 Policy IF7 sets out the requirements for parking as part of new development.

Natural Environment

- 4.60 This chapter deals with those matters relating to key aspects of the natural environment: Nature Conservation (En1), the river Mease Special Area of Conservation (En2), the National Forest (En3), Charnwood Forest (En4) and land and Air Quality (En6).
- 4.61 Policy En5 identifies that land between Coalville and Whitwick be identified as an Area of Separation where the principal aim is to maintain the integrity of the gap that provides physical separation between Coalville and Whitwick.

Historic Environment

- 4.62 Policy He1 sets out the considerations which the Council will have regard to when determining proposals which may impact upon aspects of the historic environment, including Listed Buildings, Conservation Areas and non-designated heritage assets.

Climate change

- 4.63 The policies in this chapter are concerned with matters which in some way or other can impact upon climate change. Policy Cc1 is concerned with proposals for renewable energy. Members may be aware that the Government has recently announced new guidance in respect of proposals for wind turbines. Whilst policy Cc1 applies to all forms of renewable energy (not just wind) it may be necessary to reconsider this policy when the implications of the new government policy are clearer.
- 4.64 Policies Cc2 to Cc4 are concerned with ensuring that issues which could have an impact upon climate change are adequately addressed as part of new development.

Implementation and Monitoring

- 4.65 This section outlines how the Council will monitor the implementation of the Local Plan. Policy IM1 identifies how the Council will work with a range of organisations and interests to ensure that the Local Plan is implemented and what steps the Council will take in the event that development rates fall behind what is anticipated.
- 4.66 This section also includes text in relation to Neighbourhood Plans and as a separate Appendix includes a list of the draft Local Plan policies and identifies whether they are considered to be strategic or not, as a Neighbourhood plan has to be in general conformity with the strategic policies in a local plan.

5.0 VIEWS OF LOCAL PLAN ADVISORY COMMITTEE ON THE DRAFT LOCAL PLAN

- 5.1 As already noted LPAC considered the draft Local Plan at its meeting on 15 July 2015. As LPAC is not a decision making body it was asked to comment on the draft Local Plan in order that their views could be taken in to account by Council.
- 5.2 Whilst the minutes of LPAC have yet to be agreed, at the next meeting on 20 January 2016, Appendix G of this report summarises the issues and comments made by LPAC together with officers' response.
- 5.3 Overall it is recommended that no changes be made to the draft Local Plan having considered the comments of LPAC.

6.0 NEXT STEPS

- 6.1 Subject to the agreement of Council it is proposed to consult on the draft Local Plan starting on 28 September 2015.
- 6.2 An Engagement Plan has been developed which seeks to use a variety of means to raise the profile of the Local Plan and to encourage representations to be made. A copy of the Engagement Plan is attached at Appendix H of this report.
- 6.3 Representations received will be considered and reported to LPAC on the 20 January 2016 before bringing a revised version back to Council for approval on the 22 March 2016 as the Council's pre-submission Local Plan. A period of public consultation on the publication version (pre-submission) of the Local Plan will be held for six weeks. An indicative timetable is set out below.

Date (Subject to Review)	Stage
28 September 2015 – 30 November 2015	Consultation
20 January 2016	Local Plan Advisory Committee - Summary of responses
22 March 2016	Council agrees publication version
11 April 2016 – 23 May 2016	Publication consultation
June 2016	Submission
September 2016	Examination starts
June 2017	Receipt of Inspector's Report

September 2017	Adoption
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- 6.4 It should be noted that there is still significant uncertainty regarding some aspects of the timetable. For example, the amount of time taken to consider the responses to the consultation will be influenced by the number and complexity of responses received. Whilst there can be some certainty regarding the length of time between Submission and the start of Examination based on experience elsewhere, there is less certainty regarding how long it will take to receive an Inspector's Report. It will be necessary therefore to keep the timetable under review and to provide updates to the Advisory Committee as the plan progresses.
- 6.5 Any changes to the timetable will then be reflected in an update to the Council's Local Development Scheme subject to the approval of the Portfolio Holder for Planning and Regeneration in accordance with the Constitution.

MINUTES of a meeting of the LOCAL PLAN ADVISORY COMMITTEE held in the Council Chamber, Council Offices, Coalville on WEDNESDAY, 4 MARCH 2015

Councillors C Large, J Legrys, V Richichi and S Sheahan

In Attendance: Councillor R Johnson

Officers: Mr S Bambrick, Mr D Gill, Mrs M Meredith, Ms K Mills, Mr I Nelson and Mr J Newton

In the absence of the Chairman, nominations were sought to elect a Chairman for this meeting only.

It was moved by Councillor J Legrys, seconded by Councillor V Richichi and

RESOLVED THAT:

Councillor C Large be elected as Chairman for the remainder of the meeting.

Councillor C Large took the chair.

47. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R D Bayliss and J Bridges. At the meeting, Councillor J Legrys gave apologies on behalf of Councillor D De Lacy.

48. DECLARATION OF INTERESTS

There were no interests declared.

49. MINUTES OF PREVIOUS MEETING

Consideration was given to the minutes of the meeting held on 17 February 2015.

It was moved by Councillor J Legrys, seconded by Councillor S Sheahan and

RESOLVED THAT:

The minutes of the meeting held on 17 February 2015 be approved and signed by the Chairman as a correct record.

50. COMMITTEE TERMS OF REFERENCE

RESOLVED THAT:

The Terms of Reference be noted.

51. LOCAL PLAN DESIGNATIONS

The Director of Services presented the report to members. He explained that this was the starting point for discussions about the designations that the Advisory Committee were going to be recommending to Council as part of the Local Plan.

The Planning Policy Team Manager gave a presentation to members outlining the likely designations in the Local Plan.

Councillor S Sheahan commented that he felt bamboozled by the bland glossary of terms and limited explanation. He expressed dissatisfaction with the way in which the report had been put together.

Councillor J Legrys stated that from his point of view, 99.9% of the issues highlighted were fairly uncontroversial. He expressed some concerns in respect of the area of separation, and he agreed that this needed to be defined at the neighbourhood plan stage. He stated that he could not agree to the definition of the area of separation, particularly in respect of paragraph 2.5 of the report. He commented that this was a highly contentious issue and questioned whether this should be discussed at this time within weeks of an election. He felt that these points needed to be discussed with the new Council in May. He stated that he had been lobbied hard in respect of the area of separation at Packington. He expressed concern that there was no proper area of separation between Albert Village and Woodville. He added that the issues at Hugglescote and Ellistown required discussion with local people. He stated that he could not support paragraphs 2.3 and 2.5 of the report as there needed to be discussions at a much more local level with parish and other councils. He felt that areas of separation needed to be defined. He stated that he would take the professional advice from officers, but felt that Councillors needed to discuss this in detail and he felt the report was particularly premature.

The Planning Policy Team Manager advised that the issues surrounding the areas of separation could be addressed through neighbourhood plans, and it was not necessary to define them in the Local Plan. The advice from officers was that it was not considered necessary to do so at district level, with the exception of the Coalville/Whitwick area of separation. He added that neighbourhood plan groups could consider this if they wished to.

In response to a question from Councillor S Sheahan, the Planning Policy Team Manager advised that a neighbourhood plan group would need to be established in the area concerned to have an input on the areas of separation. He advised that there were only 2 groups currently set up, however more could be established.

Councillor V Richichi asked what strength would be afforded to the neighbourhood plan. The Planning Policy Team Manager advised that once approved, it would become part of the development plan.

Councillor J Legrys referred to a particular appeal where the inspector had said the neighbourhood plan could be ignored; the Secretary of State threw this out on appeal.

Councillor C Large echoed many of the previous comments made. She stated that she was personally unhappy with completely removing the area of separation policy. She added that she had not appreciated the neighbourhood plan option. She felt that defining the area of separation in the neighbourhood plan would remove another hurdle and would not afford the same level of protection and she could see no reason why the policy could not also be retained. She felt that this would leave the door open for developers.

The Planning Policy Team Manager advised that identifying all the areas of separation would make the Local Plan more detailed.

Councillor J Legrys stated that he was happy to retain the area of separation policy. He added that he could not agree with the proposal at paragraph 2.5 of the report, as he felt this was best left for the new Council to consider after the elections in May.

Councillor C Large stated that she would like to see a specific policy in respect of Donington Park Race Circuit alluding to the activities there being mostly related to racing.

She commented that she would not like to see its use watered down, particularly in light of the recent application regarding auctions being held at the site.

The Planning Policy Team Manager advised that the aim would be to retain a policy similar to what was currently in place.

Members discussed the recommendations before them and particularly expressed concerns regarding paragraph 2.5 of the report. It was considered that more detail was needed on this issue.

The Director of Services highlighted the recommendations were to note and comment on the designations. He suggested that further information in respect of areas of separation be brought before the Advisory Committee at a future meeting after the elections in May.

RESOLVED THAT:

The suggested designations to be included in the Local Plan be noted.

52. LOCAL PLAN - COMMUNITY ENGAGEMENT

The Director of Services presented the report to members. He referred to the report at a previous meeting on the Statement of Community Involvement (SCI), which this report expanded upon.

The Planning Policy Team Manager added that the SCI was the starting point, but as this was a generic document, it was necessary to go into more detail in the Local Plan. He advised that this was still work in progress and would be updated as work on the Local Plan progressed. He advised that the document attempted to set out who would be targeted and how they would be engaged. He added that options were also being investigated as to how young people could be engaged.

Councillor S Sheahan asked if the plan had been drawn up with consideration being given to the Council's Community Engagement Strategy. The Planning Policy Team Manager advised that he would be working in conjunction with the Community Focus Team who had drawn up the Community Engagement Strategy.

Councillor S Sheahan moved that the recommendation be amended to add the words 'taking into account any relevant considerations from the Community Engagement Strategy'. This was seconded by Councillor J Legrys.

Councillor J Legrys commented that whatever the policy said, it would always be wrong for somebody. He stated that he was happy to go along with the proposals as a starter for ten; however he felt that the policy needed to be member led given his experience with the Core Strategy. He felt that members needed to put their heads on the block, explain the proposals and be accountable. He added that he took exception to officers taking the blame. He also expressed dissatisfaction with the emphasis being placed on web based communication, as there were a number of his constituents who had no access to the internet and they were being excluded. He felt that alternative methods of communication needed to be devised to engage with people who could not access the internet. He added that this was why the strategy should be Councillor led, as they would be the community leaders within their wards. He welcomed the inclusion of the students at Stephenson College, however he would like to see the pupils included at King Edward VII and other relevant schools, as he would like to hear their views.

Councillor S Sheahan endorsed the comments regarding members taking full responsibility in their community leadership roles. He added that he felt there was still work to be done on partnership working with officers.

Councillor C Large echoed the comments regarding community leadership. She stated that she attended Parish Council meetings to give updates on the Local Plan and felt that all members should be willing to do so and answer questions. She also agreed that the next generation should be involved in the consultation.

The Director of Services advised that members' comments had been noted and would be taken into account and developed.

RESOLVED THAT:

The proposed Community Engagement Plan in respect of the draft Local Plan be noted.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 7.11 pm

MINUTES of a meeting of the LOCAL PLAN ADVISORY COMMITTEE held in the Council Chamber, Council Offices, Coalville on WEDNESDAY, 10 JUNE 2015

Present: Councillor

Councillors R D Bayliss, J Bridges, J Cotterill, R Johnson, J Legrys, V Richichi and M Specht

In Attendance: Councillors S McKendrick and A C Saffell

Officers: Mrs M Meredith, Mr I Nelson, Mr J Newton and Mr S Stanion

1. ELECTION OF CHAIRMAN

It was moved by Councillor J Legrys, seconded by Councillor R Johnson and

RESOLVED THAT:

Councillor J Bridges be elected as Chairman for the forthcoming municipal year.

Councillor J Bridges took the chair.

2. ELECTION OF DEPUTY CHAIRMAN

It was moved by Councillor J Bridges, seconded by Councillor V Richichi and

RESOLVED THAT:

Councillor J Legrys be elected as Deputy Chairman for the forthcoming municipal year.

3. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

4. DECLARATION OF INTERESTS

Councillor J Legrys declared a non-pecuniary interest in item 7 – Local Plan – Update, in respect of the Coalville town centre boundaries, as a volunteer at Hermitage FM.

Councillor V Richichi sought advice on declaring interests relating to his land ownership. The Legal Advisor explained that his current interest would remain until the Local Plan was adopted and the limits to development were defined.

Councillor V Richichi declared a non-pecuniary interest in item 7 – Local Plan – Update, as an owner of land in Packington which could be affected by possible changes to the limits to development.

5. MINUTES OF PREVIOUS MEETING

Consideration was given to the minutes of the meeting held on 4 March 2015.

RESOLVED THAT:

The minutes of the meeting held on 4 March 2015 be approved and signed by the Chairman as a correct record.

6. COMMITTEE TERMS OF REFERENCE

The Head of Planning and Regeneration advised that the Terms of Reference would require an amendment at the next Council meeting to reflect the changes to the political balance of the Council.

RESOLVED THAT:

The Terms of Reference be noted.

7. LOCAL PLAN – UPDATE

The Planning Policy Team Manager presented the report to members. He explained that the Council had signed a Memorandum of Understanding with other Leicestershire authorities and had agreed to the provision of 7,000 dwellings up to 2031. He advised that employment need in particular had been looked at and it was considered that this was a reasonable and robust piece of work. However he advised that the forecast figures had not necessarily taken into account the Roxhill proposals and there may be a need to allocate an additional 1500 dwellings. He explained that the assessment of employment need was a theoretical exercise.

In response to questions from the Chairman, the Head of Planning and Regeneration advised that the National Planning Policy Framework required the Council to take account of the projected economic growth in setting the figure in respect of housing need. He advised that ONS figures were utilised as a baseline.

Councillor J Legrys commented that the Memorandum of Understanding only focussed on Leicestershire and there had been a lack of consultation. He stated that people travelling to work in Castle Donington may not live within North West Leicestershire. He added that he was deeply critical of this methodology. He felt that to assume a large number of additional dwellings would be required to accommodate the Roxhill, DHL and Aldi developments, which may not take place, was fanciful and farcical, and many of the employees would live in Long Eaton, which was outside of Leicestershire. He stated that this would encourage the market to grow in other neighbouring authorities outside of Leicestershire, and nothing had been done to engage with those local authorities. He expressed criticism of the direction of travel and the Memorandum of Understanding as the demographics of neighbouring authorities outside of the East Midlands was being completely ignored.

The Head of Planning and Regeneration advised that Housing Market Areas were a best fit. He added that he had been meeting his counterparts for those districts with a view to finding a way forward and to ensure that all were content with the plans. He stated that the direction of travel was quite clear, and that it was necessary to increase the amount of growth the district was planning to accommodate.

Councillor J Legrys made reference to the previous housing figures allocated under the Regional Spatial Strategy and commented that he was now inclined to say that those figures were in fact the true figures. He expressed concerns that the Council was being blinkered by the strategy for Leicestershire, and stated that if this work was done on a regional basis, he was convinced that the figures would be completely different.

Councillor R D Bayliss stated that he was not going to be critical as this was informed guesswork, and ultimately the market would decide.

Councillor J Bridges expressed concerns about how flexible the Council could be to react to any changes. He commented that there were developments in the district that would never be completed.

The Planning Policy Team Manager advised that officers had considered the ongoing developments, and had come to the conclusion that all of them would not be completed within the plan period. He stated that flexibility therefore needed to be built in by adding more land into the Local Plan. He added that identifying development sites would allow the Council to take control.

In response to a question from Councillor R Johnson, the Planning Policy Team Manager advised that the figure of 10,700 homes was the generic need, therefore inclusive of private and social housing.

Councillor R Johnson requested an update on the Roxhill proposals. The Planning Policy Team Manager advised that it was his understanding that there would be a decision by the end of January next year, and therefore by the time the Council considered the final Local Plan, the application should be determined.

In response to a question from the Chairman, the Planning Policy Team Manager advised that agreeing to a housing need figure of 10,700 would give the Council more control of the land, and would give the plan a much better chance at the examination stage. He added that without a Local Plan, there would be no control.

Councillor V Richichi asked whether there could be a timescale imposed within which developers must start work on approved applications.

The Chairman stated that he had noticed certain developers were reducing their timescales and he supported this.

The Planning Policy Team Manager commented that the build rate in the previous year was significantly higher than previous years and he could not recall a recent application for an extension of time due to a lapsed permission.

The Head of Planning and Regeneration added that this was more actively managed than it used to be in order to maintain a robust position in respect of the five year housing land supply.

The Legal Advisor commented the failure rate for local plans at examination pre-election was particularly high with many plans foundering or at the very least examinations being suspended (e.g. in relation to Charnwood) on an insufficient supply of housing land, and the failure of Councils to comply with the duty to co-operate. He added whether the Government could continue to tolerate such a failure rate going forward given the focus on 'delivery' of development through the plan process, was debatable, and the possibility of inspectors being 'reined in' could not be discounted.

Councillor J Legrys commented that he had noticed a sea change since the Council had secured a five year housing land supply. He asked how the figure of 10,700 dwellings would affect the housing land supply.

The Planning Policy Team Manager advised that this was currently being assessed.

Councillor M Specht commented that there were certain areas in the district were not progressing with plans for sites allocated for housing. He asked how this could be addressed.

The Head of Planning and Regeneration advised that the Local Plan was tested at the point of publication, and the public could object. He added that the Council needed to demonstrate that there was a reasonable chance that sites could be developed. He advised that both landowners and developers put forward sites for inclusion in the Local Plan, but no one could guarantee deliverability.

The Planning Policy Team Manager referred to section 3 of the report in respect of affordable housing. He advised that the possible options had to be tested, and sought the view of the Advisory Committee on which of the options they would support, should they all be viable.

Councillor J Legrys stated that the Labour Group did not support any of the options outlined. He argued that 40% affordable housing was needed in Coalville, and at this stage, none of these options were acceptable.

The Chairman sought clarification on how flexible the affordable housing percentage was, and asked hypothetically what the position would be should a site come forward which members considered required 40% affordable housing.

The Head of Planning and Regeneration advised that if it could be demonstrated to be viable, then it could be passed through the examination process. He suggested that the Planning authority would need to make a decision to compromise.

The Chairman sought clarification on what the position would be if there was a site with higher infrastructure costs and a lower affordable housing percentage. He asked whether monies could be taken from the Section 106 Agreement in such cases and be allocated to another site that was viable.

The Head of Planning and Regeneration advised that this could be done by way of a commuted sum.

The Chairman invited Councillor A C Saffell to speak.

Councillor A C Saffell stated that the previous Core Strategy had an affordable housing requirement of 30% in Castle Donington, and some permissions had already been granted with as little as 8%.

Councillor J Legrys felt that a policy which determined the affordable housing requirement on a site by site or ward by ward basis would be a better approach.

The Chairman added that he would be happy with a guide on the figures, as long as this was purely a guide and the percentage could be altered depending on the circumstances.

Councillor R Johnson commented that developers were there to make money, and affordable housing was needed. He felt that there should be a process in place to control developers.

The Chairman requested that the concerns raised by members about flexibility be noted and asked that it be made clearer in the report.

Councillor R D Bayliss agreed with the comments made by Councillor J Legrys and felt that a figure of 20% in Coalville and 30% in Castle Donington was the wrong way round.

The Chairman encouraged local members to come forward with proposals for their own areas and provide input.

The Planning Policy Team Manager referred to the concerns raised at the previous meeting, and highlighted the proposed changes to the boundaries in Ashby de la Zouch and Castle Donington.

Councillor J Legrys stated that he remained concerned about a small group of shops between James Street and Vaughan Street that had not been included within the town

centre envelope. He added that he would like to lobby hard for them to be included. He stated that there were quite a lot of well used profitable shops that would not be protected and he would like to see the boundary moved.

The Planning Policy Team Manager advised that officers had considered this matter, and whilst there were some town centre uses in that area, it was predominantly residential.

Councillor J Legrys requested that it be minuted that he would like that part of the boundary moving to Vaughan Street.

The Chairman invited Councillor A C Saffell to speak on the issues relating to Castle Donington.

Councillor A C Saffell outlined his concerns that Castle Donington was growing quickly and there was not a single empty shop unit. He felt that more flexibility was needed to encourage natural growth and he wanted to be able to encourage people to set up business in Castle Donington. He stated that it would be useful for officers to walk around Castle Donington and see the issues for themselves.

The Planning Policy Team Manager advised that this had already been discussed with the Parish Council and this would be arranged.

Councillor M Specht requested an explanation on why the town centre boundaries appeared to be shrinking.

The Planning Policy Team Manager advised that the boundaries were originally drawn up 20 years ago and there was more guidance available now. He added that previously, there was more flexibility in terms of the national approach. He stated that the main reason that most town centres were shrinking was due to the growth in out of town shopping. He added that widening the town centre boundary would dilute the town centre and it would be better to manage this and retain the town centre uses. He explained that just because a unit was excluded from the town centre, this did not mean that an application would be refused, as the sequential approach would be taken. He gave the example of the supermarket in Castle Donington, which had been permitted although it was well outside of the town centre boundary.

Councillor M Specht asked if there were any shops on Clapgun Street.

The Planning Policy Team Manager advised that this area was predominantly residential.

Councillor A C Saffell stated that there was a guest house and some housing, however this was an area where he would expect more units to revert to shops.

The Planning Policy Team Manager referred to the Limits to Development and the decisions made on the applications at the previous evenings Planning Committee. He highlighted the amended map which had been circulated to take account of the decisions made at the meeting.

The Chairman felt that discussing this matter was premature. He felt that this should be duly noted but not incorporated at this stage.

The Legal Advisor stated that this was an evolving process, and the draft Local Plan would be considered in September. He added that if this site had permission at the stage of adopting the Local Plan, members may want to include it.

The Planning Policy Team Manager highlighted the next steps and suggested an additional meeting be arranged on 29 July to allow the Advisory Committee to feed in their comments on the full draft Local Plan.

Councillor J Legrys concurred with this suggestion and stated that he was happy with recommendations 1 – 6. He stated that he believed there should be local member input when officers were out in the district giving presentations. He asked that members be informed of the dates.

The Planning Policy Team Manager advised that the dates could be communicated in the members' bulletin.

In response to a question from Councillor R Johnson, the Head of Planning and Regeneration advise that HPIG were a strategic planning group comprised of directors of the Leicestershire planning authorities and was chaired by our Chief Executive.

The Chairman requested that members be provided with further information on who the group was, and where the minutes could be found.

It was then

RESOLVED THAT:

- a) The Advisory Committee agrees to an additional meeting on 29 July 2015 to consider the draft Local Plan.

The Advisory Committee agrees to cancel the meetings scheduled for 16 September 2015 and 18 November 2015.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 8.10 pm

Evidence Base Documents

Evidence	Date
Previous Consultations	
Local Plan Regulation 18 consultation	July 2014
Summary of Regulation 18 consultation	November 2014
Local Plan Advisory Committee Reports	
18 th March 2014	March 2014
29 th April 2014	April 2014
3 rd June 2014	June 2014
9 th September 2014	September 2014
15 th October 2014	October 2014
12 th November 2014	November 2014
20 th January 2015	January 2015
17 th February 2015	February 2015
4 th March 2015	March 2015
10 th June 2015	June 2015
29 th July 2015	July 2015
Cabinet Reports	
14 th January 2014	January 2014
18 th November 2014	November 2014
21 st October 2014	October 2014
Full Council Reports	
25 th February 2014	February 2014
11 th November 2014	November 2014
24 th March 2015	March 2015
Sustainability Appraisal	
SA Scoping Report	February 2015
SA of Draft Local Plan	July 2015
Viability	
Viability Assessment	July 2015
Habitats Regulations Assessment	
Habitats Regulation Assessment	June 2015
Supporting Documents	
Memorandum of Understanding November 2014	November 2014
Local Development Scheme June 2015	June 2015
Statement of Community Involvement 2015	January 2015
NWL Sustainable Community Strategy 2008	July 2008
Hydrology	
Detailed Water Cycle Study	July 2012
Scoping and Outline Water Cycle Study	March 2010
Strategic Flood Risk Assessment 2015	February 2015
Climate Change	
Climate Change Study 2008	May 2008
Transport	
North West Leicestershire Cycling Strategy Part 1 Final Draft	April 2012
2009 PTOLEMY: Strategic Housing Growth Scenarios in North West Leicestershire Study	June 2009

Core Strategy Litm Report March 2013	March 2013
East Midlands Airport Sustainable Development Plan 2015	2015
UK Aviation Forecasts 2013	January 2013
UK Aviation Policy Framework	March 2013
High Speed Rail : Investing in Britain's Future – Phase Two: The Route to Leeds, Manchester and beyond	January 2013
Connecting Communities: Expanding Access to the Rail Network	June 2009
Strategic Distribution Site Assessment Study for the Three Cities sub- Area of the East Midlands	May 2010
2013 Further Assessment of Coalville AQMA Final	2013
Leicestershire Local Transport Plan (LTP3)	April 2011
Housing	
Leicester and Leicestershire Strategic Housing Market Assessment	June 2014
Strategic Housing Land Availability Schedule of Sites 2014	2014
Leicester, Leicestershire and Rutland Gypsy and Traveller Assessment Refresh	May 2013
Employment	
North West Leicestershire Local Growth Plan 2014 -2018	February 2015
Leicester and Leicestershire Strategic Distribution Study 2014	November 2014
Leicester and Leicestershire Economic Partnership Economic Growth Plan 2014-2020	2014
Leicester and Leicestershire HMA Employment Land Study (PACEC) 2013	January 2013
Assessment of Employment Sites – August 2010	August 2010
Strategic Distribution Site Assessment Study for the Three Cities sub- Area of the East Midlands	2010
Employment Land Availability Assessment	April 2014
Retail	
North West Leicestershire Retail Study -2012 Update	March 2013
North West Leicestershire Retail Study Update 2015	February 2015
Tourism	
Tourism Strategy Leicester and Leicestershire 2011-2016	2011
Recreation and Environment	
River Mease Special Area of Conservation Water Quality Management Plan Developer Contribution Scheme Final Version 1.0	October 2012
Appendix 1 : Measures to be funded through Developer Contributions Scheme Final Version 1.0	October 2012
River Mease SAC Water Quality (Phosphate) Management Plans	June 2011
River Mease SSSI/SAC Restoration Plan	May 2012
Charnwood Forest Regional Park – Topic Paper 2: The Planning Process	October 2010
Revised Vision Statement for a Charnwood Forest Regional Park	June 2009
Charnwood Forest Landscape - Character Assessment	October 2008

The National Forest Strategy 2014-2024	2014
National Forest Guide for Planners and Developers	November 2012
National Forest Biodiversity Action Plan 2011	2011
Leicester Leicestershire and Rutland Biodiversity Action Plan 2010-2015	2010
Conservation Area Appraisals and Management Plans	Various dates
North West Leicestershire Index of Listed Buildings	
Green Wedge Background Paper	May 2012
National Society of Allotment and Leisure Gardens	
Fields in Trust ' Planning and Design for Outdoor Sport and Play' 2012	2012
6 C's GI Strategy July 2010	July 2010
Phase 1 Habitats Survey 2006-2009	2006
Design	
NWL 'Our Place'	
Leicestershire County Council 6 C's Design Guide 2013	2013
Settlement Fringe Assessment	August 2010
Settlement Fringe Assessment	August 2010

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Summary of responses to consultation on housing requirements methodology – HMA authorities

Local authority	Summary of response	Comments
Blaby District Council	The approach taken in the attached paper does not cause officers at Blaby District Council any particular concerns at present.	Noted
Charnwood Borough Council	No response to date	
Harborough District Council	<p>Note that it is proposed to adjust the housing figures from those in the SHMA to take account of the impact of the proposed Strategic Rail Freight Interchange. Given the location of the proposed SFRI close to many other local authorities it will provide jobs for residents outside North West Leicestershire.</p> <p>Would expect that the Local Plan would be accompanied by more evidence about the likely impact of the SFRI on housing demand across Leicester and Leicestershire and in Nottinghamshire / Derbyshire to ensure the assumptions made are appropriate.</p>	<p>Each local authority in the HMA will, as set out in the SHMA and the MOU, need to have regard to local circumstances in determining their respective housing requirements. In the event that the SFRI was to be approved then this is just one such factor which would need to be considered.</p> <p>It is accepted that the SFRI will provide jobs beyond North West Leicestershire and the approach taken reflects this as it does not assume that all of the jobs created at the SFRI would result in an additional household.</p> <p>It is proposed to undertake further discussions on this matter.</p>
Hinckley & Bosworth Borough Council	Consider that the Strategic Planning Group (SPG) and Members Advisory Group (MAG) should be fully involved in the decision making process regarding any move away from the agreed MOU to inform local plan making processes.	Concerns regarding the process are noted and it is agreed that the HMA as a whole should agree the overall total and distribution of housing. Work is ongoing to align local plans and the evidence bases as much as possible.
Leicester City	No significant comments or concerns with the methodology used which it is noted seek to rationalise the potential interplay of housing and employment growth through increased housing provision	Noted

	<p>over and above the agreed SHMA distribution in the proposals.</p> <p>The City Council does however wish to reserve its position in the light of wider work planned to be undertaken at a HMA wide level which could inform the Local Plan.</p>	
Melton Borough Council	No response to date	
Oadby and Wigston Borough Council	<p>Concerned with the use of a methodology to derive a housing requirement that has not been applied to anywhere else in the HMA. In particular, need to understand what the implications would be for other authorities in the HMA/the HMA as a whole using this methodology in order to determine the reasonableness of the suggested approach.</p>	<p>Both the SHMA and the Memorandum of Understanding note that each local authority needs to have regard to any local factors in determining its housing requirements as part of a local plan. The approach taken has sought to do this.</p> <p>It is proposed to undertake further discussions on this matter.</p>

Summary of responses to consultation on housing requirements methodology – non-HMA authorities

Local authority	Summary of response	Comments
Erewash Borough Council	No response to date	
Lichfield District Council	No response to date	
North Warwickshire Borough Council	No response to date	
Rushcliffe Borough Council	No response to date	
South Derbyshire District Council	Consider that the approach taken is reasonable.	Noted

North West Leicestershire Emerging Local Plan

Prospects for 'soundness'

1. INTRODUCTION

- 1.1 In order for Local Development Documents (LDD) to be adopted they must first be found 'sound' by an Inspector appointed by the Secretary of State. In October 2013 North West Leicestershire District Council (NWLDC/the Council) withdrew its emerging Core Strategy (CS), (a LDDⁱ, which had been intended to replace the strategic element of the existing Local Plan, including an indication of directions of growth). For the purposes of this report it is worth emphasising the conclusions of the appointed Inspector who commented on the submitted CS following an exploratory meeting. He invited the Council to withdraw the CS as it was very likely to be found 'unsound' for two principal reasons set out below.
- 1.2 Firstly, the housing numbers which were being used in the CS were below the numbers set out in the previous Regional Planⁱⁱ and were based on an interim housing needs assessment which was undertaken by consultants GL Hearn.ⁱⁱⁱ The housing requirements in the GL Hearn study had been accepted at previous appeals but the NWL Inspector concluded the evidence base for housing numbers was not up to date nor was it a Strategic Housing Market Assessment (SHMA) and a new housing assessment needed to be undertaken before the Plan could proceed.
- 1.3 Secondly, the CS did not contain any 'allocated' sites. This meant that whilst the CS showed the broad directions for growth in each area of the District, it did not show the detailed, allocated sites. The Council had argued that most of the sites in the plan now had planning permission and therefore allocating sites was not necessary. The Inspector did not accept this as the Council was not able to demonstrate it had a 5 year supply of housing land, and therefore asked the sites to be allocated in the Plan before proceeding.
- 1.4 Having a 5 year supply of housing land is very important. The National Planning Policy Framework (NPPF) makes it clear that Local Planning Authorities (LPAs) should plan for a 5 year housing land supply^{iv}, where this is not the case the 'presumption in favour of sustainable development' will apply and applications for planning permission should normally be approved^v.

1.5 In addition to these two issues, the Inspector also raised concerns regarding the 'Duty to Co-operate'^{vi} (DtC). Whilst he said this was not a fundamental concern the Inspector was not convinced that the Council had adequately engaged with neighbouring councils, particularly on the setting of housing requirements. The DtC is a legal requirement as well as a 'soundness' issue, and if an Inspector is not satisfied it has been met a plan cannot proceed. In the case of NWLDC's Core Strategy, the Inspector raised concerns but in the end he did not draw any conclusions, as the other two issues above meant the plan should, in his view, be withdrawn in any case.

1.6 Following the withdrawal of the emerging Core Strategy the Council appointed Sharp Planning Plus Ltd (SPP) in respect of the Core Strategy:

"to advise on the Council's process and timelines, assist in reporting to, and liaising with, Members and assist with the meeting of core milestones on the Core Strategy"^{vii}

Subsequently it also appointed Marrons Shakespeares (MS) to advise on any legal issues appertaining to the emerging replacement document.

1.7 SPP made a number of recommendations in the light of the Core Strategy Inspector's findings and in order for the risks regarding soundness to be minimised. Principal amongst these was to produce a more comprehensive Local Plan, rather than a Core Strategy containing only the strategic elements, which would, in any case, need in due course to be followed by detailed allocations and policies. A further key recommendation was that the Council ought to work urgently with its neighbours to complete an up to date and robust evidence base, work on which had already begun, especially concerning objectively assessed housing and employment needs (OAN). Recommendations were made concerning governance and project management of the process. SPP has also been tracking emerging policy and practice in respect of the preparation, submission and adoption of Local Plans nationally.

1.8 The Council resolved to prepare a new Local Plan, and refreshed project management and governance structures were put in place as recommended. Extensive new and updated studies have been undertaken and critically these have included a new Strategic Housing Market Assessment (SHMA), carried out in partnership with all LPAs in Leicestershire and resulting in a 'Memorandum of Understanding' (MoU) concerning the distribution of growth throughout the SHMA area. The Council has consulted key stakeholders and has involved Councillors through a formal Advisory Committee. The Council has also adopted a flexible approach in response to the learning that has emerged from practice nationally.

- 1.9 The emerging Local Plan has now reached the stage for the Council to consider if it is in a form in respect of which it wishes to undertake a formal round of consultation and potential amendment, prior to it being submitted to the Secretary of State for examination. SPP and MS have been asked to comment on the prospects for the Plan being found 'sound' and to be legally compliant with the 'DtC'

2. REQUIREMENTS FOR SOUNDNESS AND THE DUTY TO CO-OPERATE

- 2.1 The four policy tests as to whether a plan can be found sound are set out in NPPF^{viii} as follows:

"Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework."

- 2.2 As mentioned above the DtC is a legal requirement as well as a 'soundness' issue. The legal requirement, introduced by the Localism Act 2011^{ix}, which amended the Planning and Compulsory Purchase Act 2004^x, places a duty on LPAs, county councils in England and public bodies, to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.

- 2.3 The legal duty is complemented by a policy requirement for public bodies to co-operate on planning issues that cross administrative boundaries, particularly relating to strategic policies to deliver homes and jobs needed in the area, the provision of retail, leisure and other commercial development, and the provision of infrastructure. The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities^{xi}.

2.4 The DtC is not a duty to agree. But LPAs should make every effort to secure the necessary co-operation on strategic cross boundary matters before they submit their Local Plans for examination.

2.5 LPAs must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a LPA cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in examination.

2.6 Clearly, whether a plan is found 'sound' is a matter for interpretation against the above criteria. It is also the case that government planning policy continues to evolve and this can have a distinct bearing on that interpretation, this is all the more significant given the length of time that it takes to assemble a robust evidence base, engage stakeholders, consider alternatives and produce a final plan. Indeed, since embarking on the production of this Plan there have been examples of amended policy and interpretation of requirements as the 'new' planning arrangements have been applied in practice and subject to legal challenge.

2.7 Recent research has been undertaken^{xii} to assess the progress in terms of local plan production nationally. It found, based on information published by the Planning Inspectorate, that of the 126 Plans examined since the publication of NPPF in 2012, 62 have now been found sound and 21 withdrawn. Even then, 32% of the adopted plans have been found to require an early review. The research also found one third of the 43 on-going examinations had been suspended in relation to OAN issues. The report also noted variation in the application of soundness tests for example in relation to OAN and economic aspirations. It concluded:

"There does not appear to be any firm pattern as to which components are considered by Inspectors when arriving at conclusions on OAN".

LPAs have been finding getting their plans found sound in this new environment challenging. This remains the case for this Plan a situation likely to continue.

2.8 It is therefore important that throughout the period of plan preparation a LPA seeks to manage risk. In preparing this Local Plan the Council has been following best practice in keeping and regularly reviewing a risk register. It is in this evolving context and identified risks that the prospects for soundness and compliance with the DtC in later paragraphs are made.

3. SOUNDNESS

- 3.1 Undoubtedly a key element of minimising the risk of being found unsound is the extensive collaborative work that has been undertaken by the Leicestershire SHMA authorities in assessing objectively assessed housing need (OAN). Moreover the authorities have indicated that up until 2031 they are each individually capable of meeting their own OAN in a sustainable manner and have therefore signed a Memorandum of Understanding (MoU) as to the sustainable distribution of housing development throughout the SHMA area. It is worth noting that, this has already been tested at the resumed hearings into the emerging Charnwood Plan and although it must be acknowledged that each case will be considered on its own merits the Inspector in that case has indicated that, with some modification, the Plan is capable of being found sound based on that evidence base.
- 3.2 There is a recent example where an inspector has challenged an agreed distribution between authorities in Cambridgeshire, but assuming any Inspector finds that the proposed distribution of development in Leicestershire is based on sustainable principles (as was the case at Charnwood) it should give confidence that the MoU together with the SHMA will be strong evidence under pinning the NWL Local Plan.
- 3.3 In presenting the Local Plan, officers have also given attention to emerging employment strategy and prospects and as a result are recommending the allocation of sufficient additional development to meet that locally assessed need over and above the terms of the MoU, indicating a flexible, proportionate and positive approach which will assist minimising risk. This is in line with emerging national policy and practice - including as interpreted through Inspector's reports.
- 3.3 Given the period where the Council has neither had a up to date plan in place nor, for much of that time, been able to demonstrate a five year housing supply, much of the need going forward to 2031 has/ is being satisfied through ad hoc planning permissions granted in light of the 'presumption in favour of sustainable development' as judged against policies in NPPF rather than through new allocations. The 'room for manoeuvre' therefore, in terms of alternative strategies for the distribution of growth across the District in the emerging Local Plan, is limited. Nevertheless, the Local Plan does consider alternatives against the evidence base.
- 3.4 In terms of deliverability the fact that significant permissions have already been granted is only part of the story, since it is important that the Council can demonstrate that these and other allocations are capable of delivery within the plan period^{xiii}. Here risk has been minimised by adopting the recommendation, by SPP, to take expert advice concerning viability. Another key aspect of deliverability is the availability of appropriate

infrastructure^{xiv}. The Council has been consulting with a variety of infrastructure providers. This is work in progress and whilst it need not delay this stage of consultation, by the time the Plan is submitted it will need to be supported by an Infrastructure Delivery Plan.

3.5 Accepting the caveats in paragraphs 2.6 – 2.8 above, the risks relating to compliance with NPPF have been identified and managed, and this will need to be on-going. For example, recently an Inspector challenged the way an emerging Plan at Maldon in Essex was approaching issues relating to Gypsies and Traveller housing need. The approach was similar to that adopted in the emerging NWD Local Plan. However, the Maldon Plan has now been called in by the Secretary of State, on the request of that Council, to review the Inspector's position. This situation will need to be kept under review along with other developments in national policy and practice.

4. DUTY TO COOPERATE

- 4.1 Reference has already been made to the Charnwood Core Strategy Examination, where, in relation to the DtC, the Inspector noted that whilst there were a number of cross-boundary issues, the overall provision for housing was of particular significance given patterns of commuting and migration interrelationships in housing markets and the role that Charnwood Borough had in accommodating growth on a sub-regional level. The same could undoubtedly be said of North West Leicestershire District.
- 4.2 The Inspector was satisfied that Charnwood Borough Council (CBC) had demonstrated a history of co-operation and joint working with the other authorities in the Leicestershire HMA in relation to strategic housing matters, notable examples of this being the 2008 Leicester and Leicestershire Strategic Housing Market Assessment (SHMA) and the 2011 Leicester and Leicestershire Housing Requirements Project (HRP).
- 4.3 He found that there had been clear and ongoing mechanisms for co-operation between authorities at both member and officer level, and was satisfied that during the preparation of the Core Strategy, CBC had also shown a continued willingness, in principle, to plan positively for the housing needs of the wider HMA, illustrated by the fact that in June 2013 it had joined with the other authorities in the HMA to commission a new SHMA.
- 4.4 The Inspector was, therefore, satisfied that CBC had engaged constructively, actively, and on an ongoing basis in terms of overall housing provision, and indeed other strategic matters, and concluded that CBC had complied with the DtC.

4.5 The approach of NWLDC towards the DtC is closely aligned to that of CBC inasmuch as it has also participated in the 2008 joint SHMA, the 2011 HRP, and the 2013 SHMA, which was published after the Charnwood Inspector's above conclusions in relation to the DtC, and as already referred to above, NWLDC has also signed up to the MoU.

4.6 Given that the Council's approach towards the DtC is so demonstrably consistent with that of a neighbouring authority that has been found by an independent Inspector to have complied with the duty, there should be a reasonable expectation of the Council similarly being found to have so complied in preparing the draft LP.

5. CONCLUSIONS

5.1 In preparing its emerging Local Plan NWLDC has been proactively managing risk to ensure that it has a good prospect of being found to have complied with the DtC and of the Plan being found 'sound' on examination.

5.2 The Council is recommended to continue to keep its Local Plan risk register under regular review and monitor national policy, guidance and practice in respect of Local Plans.

5.3 The Council should complete an Infrastructure Delivery Plan to accompany the emerging Local Plan when it is submitted to the Secretary of State.

5.4 The Council would be advised to satisfy itself that the emerging Local Plan continues to follow good practice by the application of the Planning Advisory Service 'soundness checklist'^{xv} prior to formal submission.



Malcolm Sharp

For Sharp Planning Plus



Simon Stanion

For Marrons Shakespeares

SHARP PLANNING PLUS

People & Places



**MARRONS
SHAKESPEARES**

Endnotes

- ⁱ Report to Full Council October 2103
- ⁱⁱ East Midland Regional Plan Mar 2009 (now revoked)
- ⁱⁱⁱ Leicester and Leicestershire Housing Requirements GL Hearn and Partners with j g consulting Sept 2011
- ^{iv} NPPF para 49
- ^v NPPF para 14
- ^{vi} Localism Act 2011 Sec 110
- ^{vii} Agreement Jan 2014
- ^{viii} NPPF para 182
- ^{ix} Section 110
- ^x Section 33A
- ^{xi} NPPF paras 178-181
- ^{xii} Nathaniel Lichfield and Partners Signal Failure? 2015
- ^{xiii} NPPF paras 47 & 173
- ^{xiv} NPPF para 177
- ^{xv} PAS Local Plan Soundness checklist Jan 2013

NORTH WEST LEICESTERSHIRE LOCAL PLAN

DRAFT

COUNCIL

15 SEPTEMBER 2015

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1 INTRODUCTION

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 A Local Plan is a key part of securing sustainable development by identifying how much new development is required and where it should go. This draft 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.

What is the process for preparing a Local Plan?

- 1.3 This draft Local Plan has been prepared under the provisions of regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012 and is published to seek the views of anybody with an interest in the future planning of the district. THIS IS NOT THE FINAL PLAN. When we have considered the responses received the Council will agree a publication Local Plan (Regulation 19). After a further consultation the plan 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:
- Positively prepared;
 - Justified;
 - Effective; and
 - Consistent with national policy
- 1.4 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.
- 1.5 Once adopted this Local Plan together with the Minerals and Waste Local plan prepared by Leicestershire County Council will be the Development Plan for North

West Leicestershire. The Development Plan provides the basis for determining planning applications.

What other matters must we have regard to in preparing the Local Plan?

- 1.6 The Local Plan is not prepared in isolation. As noted above the Local Plan 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 also have to comply with various European level regulations. In particular we have to undertake a Strategic Environmental Assessment (SEA) of the plan to assess its environmental impacts. We also have to undertake 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.
- 1.9 The requirement for a SEA has been taken further by the Government which requires that a Sustainability Appraisal (SA) be carried out to assess not only the environmental effect of the plan, but also the economic and social effects.
- 1.10 This draft Local Plan is accompanied by a Sustainability Appraisal/Strategic Environmental Assessment and a Habitats Regulations Assessment.

Duty to Cooperate

- 1.11 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.
- 1.12 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.

- 1.13 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.
- 1.14 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 requirements – 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.
 - 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.
 - 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.
- 1.15 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.
- 1.16 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.

- 1.17 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.
- 1.18 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.
- 1.19 We will continue to cooperate with these various bodies throughout the development of this Local Plan.

Evidence base

- 1.20 A wide ranging evidence base has been used to inform this Local Plan. This can be viewed on the Council's website (www.nwleics.gov.uk).

Structure of Document

- 1.21 The draft 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.
- 1.22 Following each policy is then a question upon which we welcome your comments. You can respond to as many or as few of the questions as you wish. **You do not have to answer every question.**
- 1.23 Where, as part of preparing the Local Plan, we have considered possible alternative approaches these are set out in an orange box.
- 1.24 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.
- 1.25 In addition to the draft 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 responding to any of the questions please refer to these where appropriate.
- 1.26 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.

- 1.27 All of the supporting documents can be viewed on the Council's website at www.nwleics.gov.uk

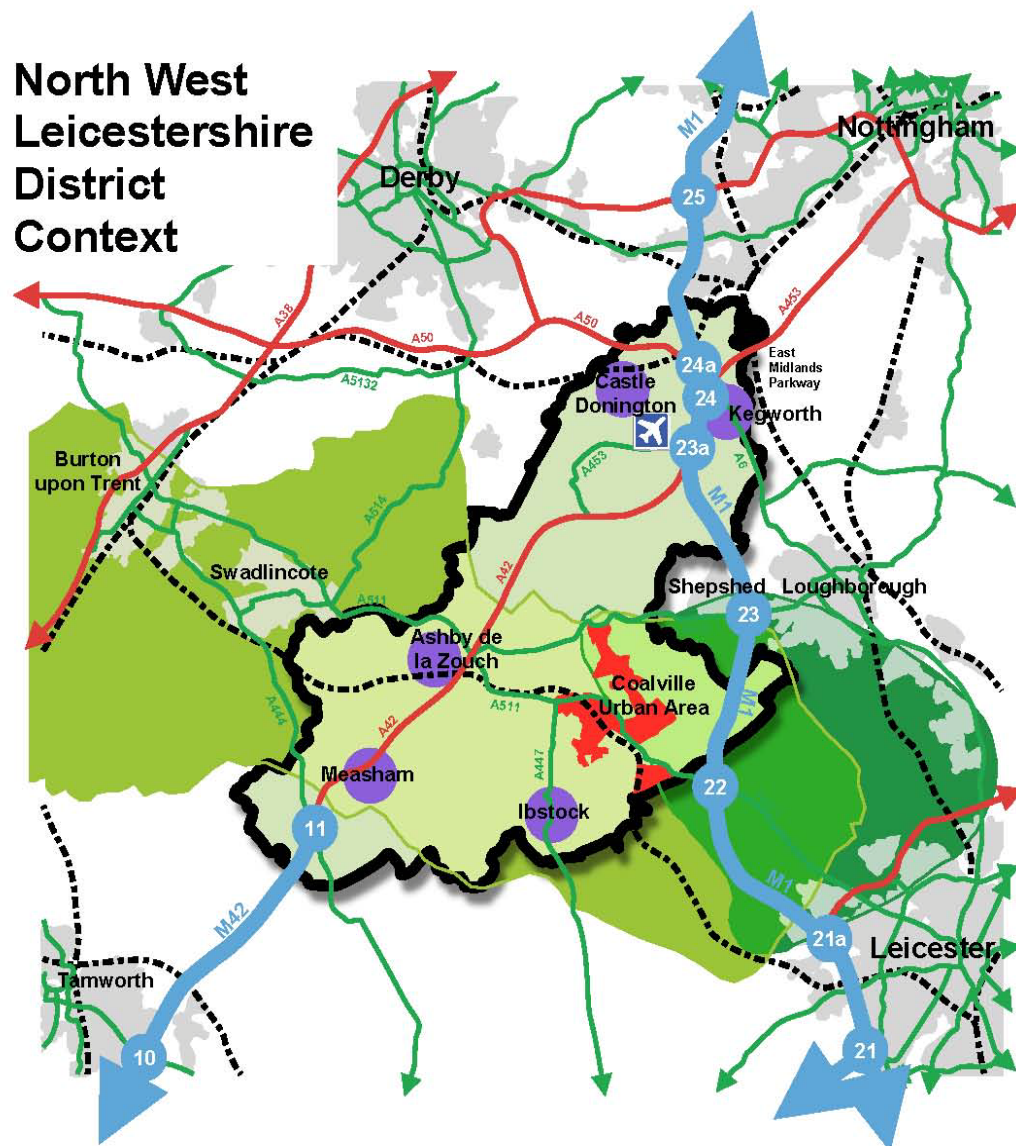
IT IS IMPORTANT TO NOTE THAT WHEN USING THE LOCAL PLAN TO FORM A VIEW ON A PROPOSED DEVELOPMENT ALL OF THE POLICIES CONTAINED IN THE PLAN MUST BE CONSIDERED TOGETHER WHEN FORMING A VIEW.

Please note that any comments submitted are made publically available.

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 200th 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 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 motorways 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 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 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 CO₂ per capita in the district has steadily declined from 2005 to 2011 in the district (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 CO₂ per capita compared to England at 5.6 tonnes CO₂ 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 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 1990s 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.

4.0 WHAT ARE THE ISSUES?

- 4.1 Based on the findings outlined above, the Scoping Report identifies a broad range of issues across the district.
- 4.2 The following list summarises the key issues 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 community, 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 [and location?]
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	Healthchecks 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	Need to avoid further deterioration of 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.

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 assets of heritage value.

- 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.

Question 1

Are there any other issues which the Local Plan has not identified? If so what are these and what is the evidence to support it?

OBJECTIVES

- 4.4 Having regard to the issues identified 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 districts 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 - Deliver high quality developments that meet national standards and are of high architectural quality.

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, communication networks, health and social care.

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

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 - Consider the issue of community safety.

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

Objective 9 - New developments need to be designed to use water efficiently, to reduce 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 districts built, industrial and historic heritage.

Objective 11 - Protect and enhance the natural environment including the districts biodiversity and geodiversity areas identified for their importance.

Objective 12 - Conserve and enhance the quality of the districts landscape character including the National Forest and Charnwood Forest.

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

Objective 14 - Seek to deliver the infrastructure needs of the area, including Green Infrastructure, where reasonable to do so and where consistent with delivering sustainable development.

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

Question 2

Do you agree that the identified strategic objectives are appropriate for North West Leicestershire?

Should any changes be made? If so, please identify what changes should be made.

5 STRATEGY

INTRODUCTION

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

PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

- 5.2 The National Planning Policy Framework (NPPF) states that planning should 'proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs'.

At the heart of national planning policy is a 'presumption in favour of sustainable development' which should be seen as a golden thread running through both plan-making and decision-taking. This requires that local authorities positively seek opportunities to meet the development needs of their areas. In particular, Local Plans should meet objectively assessed needs for both housing and employment development, with sufficient flexibility to adapt to rapid change.

Policy S1 sets out the presumption in favour of sustainable development.

Policy S1: Presumption In Favour of Sustainable Development

When considering development proposals North West Leicestershire District Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

In addition, North West Leicestershire District Council will seek to involve local communities in shaping development proposals when they are forthcoming.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- (a) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole;**

or

(b) Specific policies in that Framework indicate that development should be restricted.

- 5.3 National planning policy also identifies that notwithstanding the general presumption, that there are areas where development should be restricted. These include sites protected under the Birds and Habitats Directives and/or sites designated as Sites of Special Scientific Interest or sites designated under European legislation (such as the river Mease Special Area of Conservation), designated heritage assets; and locations at risk of flooding. These factors will be weighed alongside other considerations in reaching decisions on proposed developments.

Question 3

**Do you agree that the preferred approach provides a good basis for applying the presumption in favour of sustainable development?
If not, what changes do you suggest?**

HOW MUCH NEW DEVELOPMENT IS REQUIRED?

- 5.4 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.
- 5.5 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

- 5.6 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.

Housing Needs

- 5.7 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 this identified an

Objectively Assessed Need (OAN) of 285 to 350 dwellings each year for the period 2011-2031. This equates to a total of between 5,700 and 7,000 dwellings.

- 5.8 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. We have had regard to the evidence in respect of future employment creation (the PACEC study referred to above). Whilst we consider this is appropriate in terms of employment needs, we concluded that it does not provide a balance with the number of new homes needed. In particular, it does not make sufficient allowance for jobs in the B8 sector. A proposal for a Strategic Rail Freight Interchange (SRFI) near to East Midlands Airport/junction 24 could create 7,400 jobs. Whilst it would be unreasonable to expect all the people employed at the SRFI to live in North West Leicestershire, we consider that additional housing needs to be provided to maintain the balance between jobs and homes.
- 5.9 Therefore, we propose to make provision for 10,700 dwellings between 2011 and 2031 (535 dwellings each year).

Shopping Needs

- 5.10 As the population grows it is necessary to ensure that as much of the shopping needs of local people can be met within the district.
- 5.11 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.
- 5.12 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.

Policy S2 – Future housing and economic development needs

Over the plan period to 2031 provision is made for a minimum of 10,700 dwellings (535 dwellings each year), 96 hectares¹ of land for employment purposes and 7,300 sq meters for shopping purposes.

¹ This does not include land for the Strategic Rail Freight Interchange.

Question 4

Do you agree with the amount of housing development we propose to make provision for? If not what changes do you suggest?

Question 5

Do you agree with the amount of employment development we propose to make provision for? If not what changes do you suggest?

Question 6

Do you agree with the amount of retail development we propose to make provision for? If not what changes do you suggest?

WHERE SHOULD DEVELOPMENT GO?

- 5.12 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 S3 – 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)
Principal Town 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 public transport from surrounding areas and to other large settlements outside the district. The largest amount of new development will be directed here,	Coalville Urban Area which comprises of Coalville, Donington-le-Heath, Greenhill, Hugglescote, Snibston, Thringstone and Whitwick as well as the

	including retail development, to support the regeneration of Coalville Town Centre.	Bardon employment area.
	<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 public 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>
	<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 and so are suitable for a limited amount of growth, including infilling and/or physical extension of the settlement.</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,</i></p>

		<i>Snarestone, Sweptstone, Spring Cottage, Tonge, Wilson.</i>
	Hamlets Small groups of dwellings with no services and facilities and where development will be considered in the context of the countryside policy (Policy S4).	
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.		

- 5.13 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.
- 5.14 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
- 5.15 Therefore, these six settlements form the central part of our settlement hierarchy and will accommodate the vast majority of new development.
- 5.16 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 physical extensions. 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.

- 5.17 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.

- 5.18 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).

Other options considered

In defining a settlement hierarchy we considered the following options.

Option A	Option B
Coalville (Principal Town)	Coalville (Principal Town)
Ashby/Castle Donington/Ibstock/Kegworth/Measham (Rural Centres)	Ashby/Castle Donington (Main Towns)
Sustainable Villages	Ibstock/Kegworth/Measham (Rural Centres)
Rural Villages	Sustainable Villages
	Rural Villages

Option A

This option recognises the fact that Coalville is the largest settlement in the district with the greatest range of services and facilities. It also recognises that the Rural Centres do perform a different role to other settlements across the district. However, it can be argued that it fails to adequately reflect the role and function that some of the other larger settlements outside of Coalville play in meeting the needs of

local communities whilst also over emphasising Coalville's role and function. This is illustrated by the fact that a significant amount of housing has already been built and is committed outside of the Coalville Urban Area. Whilst part of the role of the Local Plan is to influence future development patterns so as to be more sustainable, it has to be recognised that the settlement hierarchy also needs to be realistic in terms of likely delivery of new development.

Option B

This option recognises the important role played by Coalville, but also recognises that Ashby and Castle Donington are different to the other larger settlements outside Coalville in terms of population size (Ashby has the second highest population after the Coalville Urban Area whilst Castle Donington is the third largest in population terms) and the range of services and facilities available. For example, the retail capacity study demonstrates that Ashby has a strong town centre with a hinterland that covers a large part of the south-west of the district whilst Castle Donington provides significant employment within and close by which draws people from a wide area that goes beyond the district.

As with option A this option recognises that the Rural Centres perform a different role to other settlements.

Option B is our preferred approach as it more closely reflects the role and functions of the various settlements and it will contribute to creating a sustainable pattern of development.

We also gave consideration to the possibility of creating a new settlement. However in view of the fact that most new development is already committed there would be insufficient new development required to justify a new settlement and nor would it be likely to be viable.

Question 7

Do you agree with our suggested settlement hierarchy? If not what changes do you suggest?

COUNTRYSIDE

- 5.19 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 S4: Countryside

- (1) Land outside the Limits to Development is identified as countryside 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.**
- (2) In areas designated as Countryside on the Policies Map, development will be limited to that which requires a rural location and is for one or more of the following:**
 - (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 S3);**
 - (e) The redevelopment of previously developed land for housing in a Small Village in accordance with the Settlement Hierarchy (Policy S3)**
 - (f) Flood protection;**
 - (g) Affordable housing in accordance with Policy H5;**
 - (h) The extension and replacement of dwellings;**
 - (i) Extensions to existing businesses;**
 - (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) Mineral extraction; and**
 - (t) Waste management facilities.**
- (3) Development in the Countryside will only be approved where:**
 - (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; and**
 - (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**

- | | |
|--|---|
| | <p>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>(d) built development is well integrated with existing development and existing buildings, including the re-use of existing buildings, where appropriate; and</p> <p>(e) the development will not seriously undermine the vitality and viability of existing town and local centres.</p> |
|--|---|

- 5.20 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.
- 5.21 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.
- 5.22 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.
- 5.23 Natural England has defined National Character Areas across the whole country. There are five National Character Areas, within North West Leicestershire these are:
- Trent Valley Washlands (Area 69)
 - Melbourne Parklands (Area 70)
 - Leicestershire and South Derbyshire Coalfield (Area 71)
 - Mease/Sence Lowlands (Area 72)
 - Charnwood (Area 73)
- 5.24 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 when considering proposals in a countryside location.

Question 8

Do you agree with our suggested approach to development in the countryside? If not what changes do you suggest?

DESIGN OF NEW DEVELOPMENT

- 5.25 Good design is indivisible from good planning. Good design in the built environment is about the way a place functions, its appearance and its relationship to its immediate and wider surroundings; creatively responding to opportunities and constraints. Well designed, safe and attractive new developments can help to raise the quality of the built environment and the quality of the lives of those who live and work there. Poorly designed buildings and spaces are known to affect the quality of people's lives – their health, happiness and overall sense of wellbeing.
- 5.26 The Council uses design quality indicators to avoid subjective assessments of design quality. Within North West Leicestershire we use two design quality indicators to determine the design quality of applications:
- North West Leicestershire Place Making Principles
 - Building for Life 12 (also known as Built for Life) - for residential led developments.
- 5.27 Those applying for planning permission are encouraged to use the design quality indicator appropriate to their proposals, i.e. Building for Life 12 for residential led development and the place making principles for all other forms of development. Both design quality indicators require all proposals to be based upon a thorough appreciation of the site and its wider context; responding positively to both opportunities and constraints.
- 5.28 A National Forest Design Charter has been developed for the National Forest. Our Place making principles reflect this and reinforce design orientated policies within the NPPF.
- 5.29 Where there is no local or distinctive architectural or landscape character within the immediate vicinity, proposals must seek to draw inspiration from either the older and more distinctive parts of the settlement (where these exist) or from the District's close relationship with The National Forest. The National Forest can be reflected imaginatively in the use of natural materials such as wood in a structural and non-structural manner, the environmental performance of buildings and spaces and the use of green and blue infrastructure.

Policy S5: Design of new development

Development will be supported where:

- a) A good standard of design is achieved as measured against either the North West Leicestershire Place Making Principles or the Building for Life 12 design quality indicator (or subsequent equivalent standards which may be in place at the time an application is determined); and

- b) Existing neighbour amenity is safeguarded; and**
- c) Intended occupants of the proposed development would not be negatively affected (or harmed) by neighbouring uses (existing or proposed); and**
- d) Future growth of a settlement is not compromised, in particular the ability to connect various developments together over a short or long period of time.**

All new development will have to demonstrate how it satisfies the Council's place-making principles and should include the use of Master Plans to demonstrate how a site will be developed.

In considering design regard should also be had to the provisions of Policy Cc2 (Sustainable Design and Construction)

The Council will prepare a Supplementary Planning Document to provide further guidance on design.

- 5.30 The Supplementary Planning Document referred to above will include more detail on all aspects of design including each of the North West Leicestershire Place making principles summarised below:

National Forest- or locally-inspired identity: The National Forest provides 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 strong and identifiable architectural identity.

Streets and spaces shaped by buildings: The most successful streets and spaces are those where the careful placement of buildings creates well defined and enclosed streets and spaces. Yet successful streets and spaces require more than physical (spatial) qualities, they require life (people) to make them succeed. Therefore the relationship between buildings and the public realm is of critical importance.

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 given practical and attractive opportunities to rely less on private cars), are suitable for future adaptation, conversion or expansion, and as such designed to stand the test of time will be encouraged.

Vibrant and mixed-use communities: By mixing uses we can create places that are more socially and culturally stimulating and where there are greater opportunities to carry out day to day activities on foot or by bicycle.

Responsive to context: New development must respond positively 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.

Connected places: Offering as many connections as possible will help 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.

Easy to get around: Routes should 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 fast movement of vehicles. Streets within settlements, town and village centres should seek to limit vehicle speeds to 20mph or less.

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.

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 orientation and adjacent buildings, streets and spaces with which they will have a relationship.

Question 9

Do you agree with our suggested approach to the design of new development? If not what changes do you suggest?

6 HOUSING

INTRODUCTION

- 6.1 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.
- 6.2 In accordance with policy S2 provision needs to be made for a minimum of 10,700 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

- 6.3 As already noted some development has taken place since 2011 and there 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'.
- 6.4 Table 2 below, summarises the position in terms of the various components of housing supply.

Table 2– Housing provision as at 1 April 2015

	Number of dwellings
Completions 1 April 2011- 31March 2015 (A)	1,706
Under construction (B)	428
Planning permission (C)	4,442
Resolution to grant planning permission (D)	4,178
Total provision (A+B+C+D)	10,754

- 6.5 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.

- 6.6 A significant number of the committed dwellings (3,500) are on sites which are collectively referred to as south-east Coalville. Of these 3,500 dwellings there is permission for 800 dwellings on land north of Grange Road (site H1h) and there is a resolution to grant planning permission on one site, North and South of Grange Road Hugglescote (Site H2g) for 2,700 dwellings.
- 6.7 It is estimated that during the plan period that only 1,900 of these 3,500 dwellings are likely to be built.
- 6.8 As a result we think it is likely that only about 9,100 dwellings will be built up to 2031 in total across the district. Therefore, we need to make provision for an additional 1,600 dwellings to ensure that the required number of dwellings (10,700) will be achieved.
- 6.9 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.

PROVISION FOR HOUSING

- 6.10 Policies H1, H2 and H3 set out how we will ensure that the overall housing requirement is met over the plan period. There are three types of provision which we identify – permissions, resolutions and allocations.
- 6.11 It should be noted that those sites listed under Policies H1 and H2 are only those sites of 10 or more dwellings. The number of dwellings with planning permission or the subject of a resolution in Table 2 includes all dwellings on all sites irrespective of size.

HOUSING PROVISION: PLANNING PERMISSIONS

- 6.12 In respect of sites with planning permission the sites listed in Policy H1 are those sites with planning permission but 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.

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	Off Measham Road, Appleby Magna	39 dwellings
H1b	Off Top Street, Appleby Magna	29 dwellings
H1c	Tudor Motors site, New Packington, Ashby de la Zouch	14 dwellings
H1d	Holywell Spring Farm, Burton Road Ashby de la Zouch	400 dwellings
H1e	Holywell Mill, Ashby de la Zouch	44 dwellings
H1f	Off Leicester Road, Ashby de la Zouch	101 dwellings
H1g	South of Park Lane, Castle Donington	895 dwellings
H1h	Rear of 138 Bardon Road, Coalville	132 dwellings
H1i	Rear of 164-222 Bardon Road, Coalville	90 dwellings
H1j	Former Forest Way School, Waterworks Road, Coalville	24 dwellings
H1k	Former Pick & Shovel, High Street, Coalville	14 dwellings
H1l	North of Greenhill Road /East of Agar Nook Land Coalville	79 dwellings
H1m	The Farm, Manor Road, Donington-le-Heath	14 dwellings
H1n	Land north of Grange Road , Hugglescote	800 dwellings
H1o	Castle Inn, Dennis Street, Hugglescote	10 dwellings
H1p	Station Road, Ibstock	142 dwellings
H1q	Ashby Road, Kegworth	110 dwellings
H1r	New Street, Measham	20 dwellings
H1s	Off Measham Road, Moira	80 dwellings
H1t	Cresswells Coaches, Shortheath Road, Moira	24 dwellings
H1u	166 Spring cottage Road, Overseal	11 dwellings
H1v	Ibstock Road, Ravenstone	65 dwellings
H1w	Heather Lane, Ravenstone	50 dwellings
H1x	Church Lane, Ravenstone	27 dwellings
H1y	Fox Inn, Main Street, Thringstone	23 dwellings
H1z	61-65 Grace Dieu Road, Whitwick	12 dwellings

Question 10

Do you agree with our suggested approach in respect of housing sites with planning

permission? If not what changes do you suggest?

HOUSING PROVISION: RESOLUTIONS

- 6.13 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.

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.

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	South of Burton Road, Ashby de la Zouch	275 dwellings
H2b	Standard Hill/West of Highfield Street, Coalville	400 dwellings
H2c	Off Jackson Street, Coalville	129 dwellings
H2d	Off Kane Close, Coalville	21dwellings
H2e	Rear of Frearson Road, Hugglescote	188 dwellings
H2f	South of Grange Road, Hugglescote	105 dwellings
H2g	North and south of Grange Road, Hugglescote	2,700 dwellings
H2h	Slack & Parr, Long Lane, Kegworth	181 dwellings
H2i	West of High Street, Measham	450 dwellings
H2j	Land at Blackfordby Lane, Moira	18 dwellings
H2k	Home Farm, Main Street, Oakthorpe	29 dwellings
H2l	Loughborough Road, Thringstone	85 dwellings

Question 11

Do you agree with our suggested approach in respect of housing sites with a resolution to grant planning permission? If not what changes do you suggest?

HOUSING PROVISION: NEW ALLOCATIONS

- 6.14 As outlined at paragraph 6.8 it is necessary to identify additional sites to ensure that the overall provision of housing will be sufficient to meet the housing requirement of 10,700 dwellings.
- 6.15 In our existing Local Plan there are 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 1970's. There is no evidence to suggest that this site will come forward for development and therefore it is not proposed to retain this 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, we propose that this site be 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.
- 6.16 We have considered a range of potential locations and sites to make this provision and have concluded that the most appropriate allocation would be north of Ashby de la Zouch (more details about this assessment can be found in the supporting Background Paper). 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 A 22 (Former Arla dairy, Smisby Road). They adjoin each other and are proposed as a single allocation. The overall scale of development that could be realised (1,750 dwellings) is slightly more than that required to make up the identified shortfall (1,600).
- 6.17 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 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.
- 6.18 Land west of High Street Measham (H2m) is potentially affected by the currently preferred proposed route for HS2. 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 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.

- 6.19 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 (1,750 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;
- (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 minimise the impact upon the setting of 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 until a second 'development window' for the Developer Contributions Scheme has been agreed.

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 of Ashby road/Leicester Road, Measham (about 420 dwellings)

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 H2i).

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) 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.

Question 12

Do you agree with our proposed housing allocations? If not what change would you suggest?

HOW MANY DWELLINGS WILL BE BUILT AND WHEN?

- 6.20 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 out in the housing trajectory in Appendix 2

PROVISION OF AFFORDABLE HOUSING

- 6.21 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.

6.22 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.

6.23 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 subject to the following thresholds² above which provision will be sought and the level of contributions:

Settlement	Minimum Affordable Housing Contribution	Threshold
Ashby de la Zouch	30%	15 or more dwellings
Castle Donington	30%	15 or more dwellings
Coalville Urban Area	20%	15 or more dwellings
Ibstock	20%	11 or more dwellings OR 1,000sqm (gross) floor space
Kegworth	30%	11 or more dwellings OR

² The National Planning Guidance upon which the thresholds are based has, at the time of publication of this draft plan, been quashed (and removed from the Government web-site) and the decision is likely to be subject of appeal. This policy will be reviewed in the light of further legal developments as the Local plan progresses.

			1,000sqm (gross) floor space
	Measham	30%	11 or more dwellings OR 1,000sqm (gross) floor space
	All other settlements	30%	11 or more dwellings OR 1,000sqm (gross) floor space

(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 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 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.

- 6.24 The need for affordable housing was one of the issues considered in the SHMA. This identified that in North West Leicestershire the estimated level of annual need for affordable housing over the period 2011-2031 was 212 dwellings. This equates to about 60% of the highest Objectively Assessed Need (OAN) identified in the SHMA for

the same period (350 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).

- 6.25 It is important to note that the affordable housing need figure identified in the SHMA 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.
- 6.26 A significant amount of affordable housing has already been built since 2011 or is already committed. In the period April 2011 to April 2014 some 258 affordable dwellings were built out of an overall total of 1,028 which equates to 25% of all new builds.
- 6.27 The percentage of affordable housing achieved since 2011 is less than either of the percentages 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.
- 6.28 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 this considered a number of options (see box below) and concluded that Option1 was the best fit with the results of the modelling undertaken. More details about this can be found in the Viability Study report.
- 6.29 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.

- 6.30 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).
- 6.31 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.
- 6.32 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.

The following options have been considered in respect of the target and thresholds to be applied

Option 1 - A standard rate across the district

Option 1a

A standard rate across the District of 0% based on 10 or more dwellings

Option 1b

A standard rate across the District of 20% based on 10 or more dwellings

Option 1c

A standard rate across the District of 25% based on 10 or more dwellings

Option 1d

A standard rate across the District of 30% based on 10 or more dwellings

Option 1e

A standard rate across the District of 60% based on 10 or more dwellings

Option 2 – A variable rate and threshold across the district

Option 2a

Settlement	Minimum Affordable Housing Contribution	Threshold
Ashby de la Zouch	30%	15 or more
Castle Donington	30%	15 or more
Coalville Urban Area	20%	15 or more
Ibstock	20%	11 or more OR 1,000sqm (gross) floor space
Kegworth	30%	11 or more OR 1,000sqm (gross) floor space
Measham	30%	11 or more OR 1,000sqm (gross) floor space
All other settlements	30%	11 or more OR 1,000sqm (gross) floor space

Option 2b

Settlement	Minimum Affordable Housing Contribution	Threshold
Ashby de la Zouch	25%	15 or more
Castle Donington	25%	15 or more
Coalville Urban Area	15%	15 or more
Ibstock	15%	11 or more OR 1,000sqm (gross) floor space
Kegworth	25%	11 or more OR 1,000sqm (gross) floor space

Measham	25%	11 or more OR 1,000sqm (gross) floor space
All other settlements	25%	11 or more OR 1,000sqm (gross) floor space
Option 2c		
Settlement	Minimum Affordable Housing Contribution	Threshold
Ashby de la Zouch	40%	15 or more
Castle Donington	30%	15 or more
Coalville Urban Area	20%	15 or more
Ibstock	20%	11 or more OR 1,000sqm (gross) floor space
Kegworth	30%	11 or more OR 1,000sqm (gross) floor space
Measham	30%	11 or more OR 1,000sqm (gross) floor space
All other settlements	25%	11 or more OR 1,000sqm (gross) floor space

Question 13

Do you agree with our suggested approach to the issue of affordable housing? If not what changes do you suggest?

RURAL 'EXCEPTION' SITES FOR AFFORDABLE HOUSING

- 6.33 We need to secure the provision of more affordable housing in rural areas to meet the needs of local communities, as identified in the SHMA. 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.

- 6.34 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.
- 6.35 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. In Sustainable Villages and Small Villages 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.

- 6.36 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.

Question 14

Do you agree with our suggested approach to the issue of rural exceptions sites for affordable housing? If not what changes do you suggest?

HOUSE TYPES AND MIX

- 6.37 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 all new housing developments 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 Strategic Housing Market Assessment, Older People's Housing Needs Study, local housing needs surveys and parish plans;**
 - (b) the mix of house types and sizes already approved when compared to the**

<p>available evidence;</p> <p>(c) the size of the proposed development in terms of numbers of dwellings proposed;</p> <p>(d) nature of the local housing sub-market;</p> <p>(e) needs and demands of all sectors of the community</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; 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>

6.38 The Leicester and Leicestershire Strategic Housing Market Assessment (SHMA) indicates a need for various types and sizes of housing, 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.

Table 3 – dwelling mix suggested by SHMA

Type of Housing	Dwelling size			
	1 bed	2 bed	3 bed	4 bed
Market	5-10%	35-40%	45-50%	10-15%
Affordable	33.3%	35.2%	28.9%	2.5%

6.39 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.

6.40 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 SHMA 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 SHMA, 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	
Market	182(5.2%)	588(16.9%)	1167(33.5%)	1546(44.4%)	3483
Affordable	90(14.3%)	339(53.7%)	195(31%)	7(1 %)	631

- 6.41 As a result when compared to the SHMA there is a need now to ensure that future developments, including those sites where only outline planning permission has been granted (on which there are 7,210 dwellings), need to focus on delivering 2 and 3 bedroom properties in order to provide a better balance in the housing market.

Question 15

Do you agree with our suggested approach to the issue of house types and mix ? If not what changes do you suggest?

PROVISION FOR GYPSIES AND TRAVELLERS AND TRAVELLING SHOWPEOPLE.

- 6.42 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) (March 2012), 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 in or near an existing settlement which has access to a range of services, such as shops, schools, welfare facilities and 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 serviced by adequate essential services including water supply, power, drainage sewage disposal, and waste disposal facilities
 - (f) Be compatible with landscape, environment and biodiversity as well 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.

6.43 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.

- 6.44 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.
- 6.45 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.
- 6.46 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.

Question 16

Do you agree with our suggested approach to the issue of making provision for gypsies and travellers? If not what changes do you suggest?

7 ECONOMIC

INTRODUCTION

- 7.1 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 21st century”.
- 7.2 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.
- 7.3 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.
- 7.4 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.
- 7.5 A key feature of our strategy for economic growth is the concept of an East Midlands Enterprise Gateway 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). The job opportunities associated with these existing and potential developments not only benefit 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. We are currently working with a range of partners to try and address this issue.
- 7.6 The Leicester and Leicestershire Local Enterprise Partnership Strategic Economic Plan identifies five growth areas across Leicester and Leicestershire. One of these is the East Midlands Enterprise Gateway, signifying its importance to the economy of the wider area. A further growth area identified is the Coalville Growth Corridor along the A511 from Junction 22 of the M1 to Junction 13 of the A42. This is primarily concerned

with road improvements along the A511 corridor to enable development of both housing and employment opportunities, especially in the Coalville area. The District Council is working with the highway authorities (Highways England and Leicestershire County Council) together with Hinckley and Bosworth Borough Council to bring forward these improvements.

7.7 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.

7.8 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.

7.9 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 tourism. Other aspects, such as the National Forest are considered elsewhere in this plan, but their links and contributions to the local economy is recognised and supported.

Employment Land provision - current position

7.10 In considering employment land needs we mean those uses falling within Use Classes B1, B2 and B8 of the Use Classes Order 2015.

7.11 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.

7.12 As noted in policy S2, provision needs to be made for a minimum of 96 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.

7.13 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. 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.

7.14 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.

7.15 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.

7.16 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 requirements

Requirement 2011-31	96 Ha	A
Starts 2011-14	1.48Ha	B
Commitments	126.26	C
Residual requirement (A-B-C)	+31.74	D
Allowance for potential loss of employment land	45	E
Residual requirement (D-E)	-13.26	

7.17 It can be seen that the effect of this allowance is that there is a small shortfall of 13.26 hectares. This shortfall is addressed at Policy Ec2.

EMPLOYMENT PROVISION, PERMISSIONS

7.18 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.

- 7.19 In addition to those sites listed below, it should be noted that there are a number of other sites with outstanding planning permission. However, these are sites which form part of a larger site 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	Off Beveridge Lane/South Lane, Bardon	3.9	B1, 2.8
EC1d	Off Beveridge Lane, Ellistown	36.0	B2,8

Question 17

Do you agree with our suggested approach in respect of employment sites with planning permission? If not what changes do you suggest?

EMPLOYMENT PROVISION, ALLOCATIONS

- 7.20 As noted at paragraph 7.17 there is a shortfall in employment provision of just over 13 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 as part of an Employment Land Availability Assessment (ELAA) we undertook in 2013/14.
- 7.21 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.
- 7.22 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 potential Strategic Rail Freight Interchange that additional employment would represent an imbalance with housing provision in the locality.

- 7.23 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.
- 7.24 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 development involving housing.

Policy Ec2 – Employment allocations: new allocations

Land north of Ashby de la Zouch (Money Hill) is allocated for employment development 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) The provision of appropriate landscaping and other features so as to minimise the impact upon the adjoining housing development proposed under Policy H3a and ;**
- (d) The provision of cycle and walking links to the adjoining housing development proposed under Policy H3a and;**
- (e) 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.’**

Question 18

Do you agree with our proposed employment allocations? If not what change would you suggest?

EXISTING EMPLOYMENT AREAS

- 7.25 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.
- 7.26 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.
- 7.27 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”.
- 7.28 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
- 7.29 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.
- 7.30 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.
- 7.31 In respect of other sites not identified as Primary Employment Areas it is recognised that notwithstanding 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.

- 7.32 Land at Ashby Business Park was originally allocated for the development of a High Quality Business Park in the adopted 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 1990's 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 adopted Local Plan. 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.

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.**

- (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:**

- (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;**
- (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 until a second 'development window' for the Developer Contributions Scheme has been agreed.'

Question 19

Do you agree with our suggested approach in respect of existing employment areas? If not what changes do you suggest?

BRICKWORKS AND PIPEWORKS

7.33 There are a number of sites such as brickworks and pipeworks which are either currently in use, or were last used, for the production of various minerals related products. These sites are:

- Ibstock Brickworks;
- Ellistown Brickworks and Pipeworks;
- Hanson (formerly Redbank) Brickworks, Measham
- Former site of Heather Brickworks
- Site of Wavin Forest Works, Blackfordby

7.34 Production and employment at Heather Brickworks has ceased leaving behind a brownfield site. The sites at Ibstock, Ellistown, Measham and Blackfordby provide a source of employment that is important to local communities and to the wider economy. These sites also have planning permissions associated with them for the extraction of minerals on adjacent land or on land nearby. With the exception of the Measham site there are not any restoration conditions in place in the event that the use ceases. The site at Measham is the subject of a restoration condition requiring the restoration of the manufacturing area within two years of the cessation of minerals extraction. Therefore, policy Ec 4 will not apply to the Measham site.

7.35 Current evidence suggests that these sites will continue to be used for the production of bricks and pipes for the foreseeable future, especially as all have mineral reserves which are estimated to last beyond the end of the plan period. Notwithstanding the above, it is considered that it would be prudent to indicate what the Council's priority is for the future of these sites should production cease and they become available during the plan period. In view of the nature of the use of these sites the preference is that they should be redeveloped for business, industrial or storage and distribution use. However, other forms of development which involve the creation of jobs will also

be considered where redevelopment for the aforementioned uses would not be possible.

Policy Ec4 –Brickworks and Pipeworks

- (1) Redevelopment of the brick and pipe manufacturing works identified on the Policies map for employment uses (as defined in the Use Classes Order 2015) will be supported where it:**
- (a) Can be demonstrated that the site is not viable in the longer term for its current use;**
 - (b) Redevelopment would not sterilise any known mineral reserves;**
 - (c) Conforms to an agreed masterplan for the whole site, setting out the extent, type and form of development which ensures that development and landscape treatments will be well integrated with existing and/or potential future development, both within the site and with adjoining land;**
 - (d) Would provide clear environmental and/or community benefit;**
 - (e) Is satisfactory in terms of vehicular access arrangements, and its impact on the local and wider road network, including the need for highway improvements;**
 - (f) Is satisfactory in terms of its effect on the amenities enjoyed by the occupiers of adjacent residential properties; and**
 - (g) Incorporates substantial on and off site tree planting in accordance with the National Forest policies on this Local Plan.**
- (2) Where redevelopment for employment use is shown to be not viable, or appropriate, or there is evidence that long term employment needs in the District have been addressed by existing and planned commitments then favourable consideration will be given to other uses which provide employment opportunities.**
- (3) 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 until a second ‘development window’ for the Developer Contributions Scheme has been agreed.’**

Question 20

Do you agree with our suggested approach in respect of brickworks and pipeworks? If not what changes do you suggest?

EAST MIDLANDS ENTERPRISE GATEWAY

- 7.36 As already noted the concept of an East Midlands Enterprise Gateway focussed upon key economic activities in the northern part of the district is a key part of our strategy for future economic growth.
- 7.37 Whilst 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, others measures will be delivered outside of the planning system as they are not directly related to development. This includes matters such as training, access to job opportunities at existing places of work and the delivery of Broadband to existing businesses.
- 7.38 We have set out policies as they relate to East Midlands Airport and Donington Park. We have not included a policy in respect of the proposed Strategic Rail Freight Interchange as an application for this development is currently being considered by the Planning Inspectorate. The District Council is a consultee in this process and we have already indicated our support in principle for the proposal. Later versions of the Local Plan will need to take account of any changes in circumstance in respect of this proposal.

EAST MIDLANDS AIRPORT

- 7.39 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”.
- 7.40 East Midlands Airport 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 4,332,000 passengers in 2013
 - The UK’s largest pure cargo airport handling 300,000 tonnes in 2013 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
- 7.41 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 be between 1% and 3% over the next 15 years, which is lower than the previous annual growth of 5%.

- 7.42 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
- 7.43 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 of passengers annually and 1.2 million tonnes of cargo. There are no plans for the development of a second runway but the airport does want to extend the life of the 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.
- 7.44 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 and transport.
- 7.45 Aircraft and airport operations at East Midlands Airport result in high levels of noise disturbance, particularly at night when background noise is generally lower. There are no restrictions on night flights even though we have asked the Government to introduce restrictions. We consider the current noise climate at night to be unacceptable and better noise protection to local residents is required, particularly for those living in areas above noise thresholds who would suffer sleep disruption at night. As part of the approval of the planning application to extend the airport's runway, the airport entered into an agreement that details the provisions of a Sound Insulation Grant Scheme for local communities. In addition the planning consent for the runway development includes a condition that an Environmental Management Plan be agreed that sets out the airport's environmental controls, mitigation measures and the extent of the airport's night noise contour.
- 7.46 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 East Midlands Parkway rail station is approximately 6 miles away.

- 7.47 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.
- 7.48 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 Ec5: 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:**
- (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;**
 - (b) incorporates measures that will reduce the number of local residents affected by noise as a result of the airport's operation;**
 - (c) incorporates measures to ensure that local air quality will be below the 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).**
- (2) Within the boundaries of the airport, as defined on the Policies Map, development will be limited to:**
- (a) Operational facilities and infrastructure;**
 - (b) Passenger and terminal facilities;**
 - (c) Cargo facilities;**
 - (d) Airport ancillary infrastructure where the proposed development has a clear functional relationship with the airport and is of a scale that is appropriate to that relationship;**
 - (e) Landscape works; and**

(f) Internal highways and infrastructure

Question 21

Do you agree with our suggested approach in respect of East Midlands Airport? If not what changes do you suggest?

East Midlands Airport - Safeguarding

- 7.49 The Aviation Policy Framework requires that land outside existing airports that may be required for airport development in the future needs to be protected against incompatible development until the Government has established any relevant policies and proposals in response to the findings of the Airports Commission.
- 7.50 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.
- 7.51 Guidance on aerodrome safeguarding is set out in Circular 1/2003 that details the process and the consultation requirements.

Policy Ec6: 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: <ul style="list-style-type: none"> (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; and (viii) bird sanctuaries; and
(f)	any proposal for a wind turbine development within a 30km circle centred on East Midlands Airport.

Question 22

Do you agree with our suggested approach in respect of safeguarding at East Midlands Airport? If not what changes do you suggest?

East Midlands Airport - Public Safety Zones

- 7.52 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.
- 7.53 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. 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 Ec7: 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:**
 - (e) long stay and employee car parking (where the minimum stay is expected to be in excess of six hours);**
 - (f) 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;**
 - (g) 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;**

- (h) 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;
 - (i) golf courses, but not clubhouses; and
 - (j) 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.

Question 23

Do you agree with our suggested approach in respect of Public safety Zones at East Midlands Airport? If not what changes do you suggest?

DONINGTON PARK

- 7.54 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.
- 7.55 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 trucks, cars and HGV's;
 - various types of off-road and 4x4 use, including a purpose built 4x4 track and
 - Use of the Western Paddock as the International Head Quarters for a new electrically powered global race championship- FIA Formula E.

- 7.56 Other activities within the estate include a large long-term car park for East Midlands Airport and a plant & machinery auction site. 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.
- 7.57 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 extension to the racetrack area to provide for motorsport development and related activities such as research.
- 7.58 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.
- 7.59 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.
- 7.60 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 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 Ec8: 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 that will reduce the number of local residents affected by noise as a result of the racetrack's operation;**
 - (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;
- (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.
- (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;
 - (b) facilities and infrastructure for driver training and driving experiences;
 - (c) motorsport 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;
 - (d) landscape works; and
 - (e) Internal highways and infrastructure
- (3) A western extension to Donington Park will be permitted provided:
- (a) The development is for facilities and infrastructure for the activities set out above;
 - (b) Within the site there is no outside racing or testing of vehicles or components;
 - (c) Buildings are located, oriented and designed to reduce the impact of noise, especially for residents living in settlements to the west of Donington Park; and
 - (d) There is a landscaping scheme that mitigates the effects of the development on the local landscape.

Question 24

Do you agree with our suggested approach in respect of Donington Park? If not what changes do you suggest?

TOWN AND LOCAL CENTRES

INTRODUCTION

- 7.61 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.
- 7.62 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.
- 7.63 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.
- 7.64 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

Town Centre	Summary of comments
Coalville	<ul style="list-style-type: none">• the district’s principal shopping area and should support the convenience and comparison shopping needs of a wider area;• 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.

Ashby de la Zouch	<ul style="list-style-type: none"> • 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.
Castle Donington	<ul style="list-style-type: none"> • 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.
Ibstock	<ul style="list-style-type: none"> • A local centre that provides day to day goods and services, primarily to meet the local needs of its residents. • Retailing is low key due a high proportion of its units are occupied by non-shop uses, in particular take away premises, as well as residential properties.
Measham	<ul style="list-style-type: none"> • A local centre that provides day to day goods and services, primarily to meet the local needs of its residents; • Retailing is low key due to a strong residential element and is considered relatively poorly served by food store provision.

7.65 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.

7.66 This study was updated in 2014 in terms of assessing future retail requirements. The outcome of this is considered at paragraph 5.12 in respect of Policy S2.

RETAIL HIERARCHY

7.67 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 Ec9– 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 to ensure it continues to fulfil this role it is the preferred location for new retail and main town centre uses. Provision will be made for an additional 7,300 sq metres (net) of retail floorspace for comparison goods.

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

- **be of a scale appropriate to the role, function and character of the settlement and not undermine the balance of the hierarchy;**
- **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.**

7.68 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).

7.69 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. In terms of the additional comparison floorspace requirement identified in the Retail Capacity Study (7,300 sq metres) we have identified a number of options for how we might meet this requirement at this time. These are set out below.

Options considered for additional comparison retail provision

In terms of making additional provision for the comparison shopping identified in the 2015 Retail Capacity Study update, there are a number of possible options which we have identified and which we are considering and upon which we will make a decision for the next version of the Local Plan. The options we have identified are:

- Option 1 - identify an extension to the Belvoir Shopping Centre, Coalville;
- Option 2 - identify a site to the west of Memorial Square, off Wolsey Road, Coalville;
- Option 3 - identify a series of smaller sites across Coalville including the former Emporium nightclub on Marlborough Square, Coalville and the former bus depot on Ashby Road, Coalville;
- Option 4 - not identify any specific site but express a preference for such a development to be located in Coalville and to apply the sequential approach to any proposals which come forward;
- Option 5 - not identify any site or express a preference for which town centre and to apply the sequential approach to any proposals which come forward

In terms of these options, an extension of the Belvoir Shopping Centre would be the most sequentially preferable option, but as already noted planning permission has previously been granted for similar development but it has not taken place. The 2015 Retail Capacity Study update has advised that for the purposes of assessing need it would be appropriate to assume that this development does not happen and so therefore it would be inappropriate to allocate this site at this time without clear, demonstrable evidence that it would be likely to be implemented.

Option 4 and 5 would not satisfy the requirements of the NPPF to “allocate a range of suitable sites to meet the scale and type of retail development needed in town centres” and would not provide any certainty. Furthermore, Option 5 would not accord with the recommendation of the 2015 Retail Capacity Study which suggests additional development should be directed towards Coalville.

Option 2 would be an edge of centre site and has previously been the subject of a proposal for a foodstore. This was rejected as there was another sequentially preferable site and because it was considered that the proposed highway improvements would have been detrimental to the setting of the War Memorial which is a Listed Building. This could still be a potential issue and is something which needs to be investigated further.

Option 3 would also be edge of centre sites but may be difficult to achieve in terms of viability if the developments were not of a size to be commercially attractive. This is something we need to investigate further.

Whilst we have not made a final decision, our preference at this time would be Option 2 but for the reasons outlined we need to consider this possibility further. We would welcome views on which of these options is considered to be most appropriate and whether there are any other options we should consider.

Question 25

Do you agree with our suggested Town Centre hierarchy and our approach to main town centre developments? If not what changes do you suggest?

IMPACT ASSESSMENT THRESHOLD

- 7.70 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 Policy Ec10 should, be used to require proposals outside of the defined centres.

Policy Ec10 – 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.

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

Question 26

Do you agree with our suggested thresholds? If not what changes do you suggest?

PRIMARY SHOPPING AREAS

- 7.71 The NPPF suggest 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.
- 7.72 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 Ec11 – 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:

- they make a positive contribution to the diversity of uses on offer;
- the proposal, along with any committed planning permission, does not undermine the shopping element within the immediate area of the site
- it would not result in a cluster of non-shop uses

(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.

- 7.73 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.
- 7.74 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. It should normally be demonstrated that marketing attempts have been made for a minimum period of 6 months.

Question 27

Do you agree with our suggested approach to Primary Shopping Areas? If not what changes do you suggest?

HOT FOOD TAKEAWAY USES

- 7.75 Take away 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.
- 7.76 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 Ec12 – Town and Local Centres: Primary Shopping Areas – Hot Food Takeaway Balance

- (1) Hot food takeaway uses should be located within defined town or local centres or within an established parade of shops.
- (2) 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:
 - The number of existing take away 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;
 - 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;
 - The potential impact upon the health of local residents where it can be demonstrated that the proposal will raise health issues.
- (3) 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.

- (4) 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.
- (5) 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.

Question 28

Do you agree with our suggested approach to Hot Food Takeaways? If not what changes do you suggest?

PRIMARY AND SECONDARY FRONTAGES

7.77 The NPPF refers to the identification of primary and secondary shopping frontages, in addition to Primary Shopping Areas. The NPPF suggests that:

- Primary frontages are those which principally contain a high proportion of shop uses.
- Secondary frontages are those which provide a greater opportunity for a diversity and range of other main town centre uses, such as food and drink uses, businesses and leisure uses.

7.78 Having regard to the research undertaken of the type and spread of uses within and around the various town and local centres and the definitions above, a number of defined primary and secondary shopping frontages are identified for Coalville and Ashby de la Zouch. In respect of the local centres it was considered that their scale, together with the lack of any clearly defined differences across the individual centres, was such that the identification of primary and secondary frontages was not justified.

Policy Ec13 – Primary and Secondary Frontages

- (1) Within the primary frontages, as identified on the Policies map, the ground floor uses should be predominantly shop use in nature. Other complementary A Class uses will only be permitted where it can be demonstrated that the proposed use would not lead to an overconcentration

of non shopping uses and it would not lead to a negative impact on the retail character and vitality and viability of the overall Primary Shopping Area. Non A-Class uses will not be permitted at ground floor level.

- (2) In secondary frontages, the Council will support a range of other main town centre uses especially where they make a positive contribution to the choice of uses on offer and not have a negative impact on the shopping function and character of the overall Primary Shopping Area.
- (3) The residential use of the upper of floors of properties within these defined primary and secondary frontages will be supported subject to parking and amenity considerations.

Question 29

Do you agree with our suggested approach to Primary and Secondary Frontages? If not what changes do you suggest?

LOCAL CENTRES

- 7.79 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 Ec14 – 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:

- **The need to maintain an appropriate balance between main town centre and non-main town centre uses;**
- **The contribution the unit makes to the function of the centre in terms of its size and location within the centre;**
- **The nature and characteristics of the proposed use and the type and characteristics of other uses within proximity of the application site and**
- **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.

Question 30

Do you agree with our suggested approach to Local Centres? If not what changes do you suggest?

TOURISM AND CULTURE DEVELOPMENT

- 7.80 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.
- 7.81 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, 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.
- 7.82 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.
- 7.83 The Council will continue to work with other organisations to best provide 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 its Tourism Strategy for Leicester and Leicestershire 2011-2016.
- 7.84 The emerging North West Leicestershire: Local Growth Plan 2014-2018, supports the development and enhancement of the local tourism and cultural 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 Ec15: Tourism and cultural 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.**
- (3) Sustainable 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 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.**

Question 31

**Do you agree with our suggested approach to Tourism and Cultural development?
If not what changes do you suggest?**

8 INFRASTRUCTURE AND FACILITIES

INTRODUCTION

- 8.1 When development takes place it makes additional demands on infrastructure, including water and energy supply, wastewater disposal, roads, 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.
- 8.2 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

- 8.3 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.
- 8.4 In accordance with the NPPF the need for infrastructure as part of new development needs to have regard to the viability of development
- 8.5 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:

- **Affordable housing;**
- **Community Infrastructure including education, health and other public services;**
- **Transport including highways, footpaths and cycleways, public transport**

and associated facilities;

- **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;**
- **The provision of superfast broadband communications;**
- **Utilities and waste and;**
- **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

- 8.6 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.
- 8.7 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.
- 8.8 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.

- 8.9 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. For the foreseeable future this 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.

Question 32

Do you agree with our suggested approach to securing infrastructure as part of new development? If not what changes do you suggest?

Question 33

Are there any other general items of infrastructure we should be seeking to secure?

Question 34

Is there a lack of any infrastructure in specific parts of the district? If so what are these and what evidence is there to demonstrate this?

COMMUNITY FACILITIES

- 8.10 Local shops, community facilities, pubs 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.
- 8.11 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 particularly important giving the ageing population of the district.

Policy IF2: Community 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 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 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) Ensuring that, where community facilities are listed as an asset of community value, this will be regarded as a material consideration.**
- d) Guarding against the loss of land or buildings belonging to existing facilities wherever possible to ensure sites are retained for other form of community use.**

New development will be required to provide or contribute to community facilities as part of the development, or if appropriate off-site, where no facilities exist or where existing facilities are deficient.

8.12 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. Marketing of the property for a minimum of 6 months with an appropriate price will be required.

8.13 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 maybe 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.

Question 35

Do you agree with our suggested approach to Community Facilities? If not what changes do you suggest?

OPEN SPACES AND SPORT AND RECREATION

- 8.14 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. 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.
- 8.15 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 (NSLAG) has produced a national allotment standard for a minimum provision of 20 standard plots of 250 square meters per 1,000 households or 0.5 ha per 1,000 household.
- 8.16 The Fields in Trust (FIT) recommend benchmark standards for playing fields as part of the 'Planning and Design for Outdoor Sport and Play', which concludes that the total recommended standard for outdoor sport is 1.6ha per 1,000 population. In addition to the quality standards the document also recommends standards for children's playing space, for 0.8ha 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.

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) The scale of provision for different types of open space, sport and recreation compared to recognised national standards as set out below**

Open Space Type	National Standard
Children's Playing Space	FIT: 0.8 ha per 1,000 people of which 0.25ha should be designated equipped playing space.

	Outdoor Sports	FIT : 1.6 ha per 1,000 people
	Allotments	NSALG: 20 standard plots of 250 square metres per 1,000 households
<p>(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</p> <p>(3) Provision of open space, sports and recreation facilities should be located on-site unless 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.</p> <p>Loss of Open Space</p> <p>(4) In assessing the appropriateness of development which results in the loss of an open space, sports or recreation facility within the Limits to Development, the following principles will be taken into consideration:</p> <p>(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;</p> <p>(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;</p> <p>(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.</p> <p>(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.</p> <p>(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 S4).</p> <p>(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.</p>		

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

- 8.17 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 one where the development is aimed at more elderly people. Similarly there may already sufficient provision in the locality such that further provision is not required or is limited.

Question 36

Do you agree with our suggested approach to Open Space, Sport and Recreation facilities? If not what changes do you suggest?

TRANSPORT INFRASTRUCTURE

- 8.18 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 and incorporates safe and accessible connections to the transport network to enable travel choice for residents and commuters. In assessing proposals regard will be had to any Transport Assessment and Travel Plan prepared to support the application.**
- (2) Where appropriate new development will be expected to contribute towards improvements, including the following:**
 - (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 is maximised
(d)	Strategic road improvements <ul style="list-style-type: none"> • M1 SMART motorway working • J22 of M1 • J13 of A42
(e)	Local road improvements <ul style="list-style-type: none"> • the A511 corridor between J22 of the M1 and J13 of the A42 • Hugglescote crossroads

- 8.19 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 S3) 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 to new development by all modes of transport.
- 8.20 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.
- 8.21 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 the Highways Agency, 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.
- 8.22 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.
- 8.23 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

8.24 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 junctions along the A511 corridor between these two junctions. In addition, it is recognised that the Hugglescote crossroads requires improvements.

Question 37

Do you agree with our suggested approach to Transport Infrastructure and new development? If not what changes do you suggest?

RAIL INFRASTRUCTURE

- 8.25 There are no passenger rail services in North West Leicestershire although a freight-only rail line connects Leicester with Burton-on-Trent via Coalville.
- 8.26 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. 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 passes through North West Leicestershire. It mainly follows 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.
- 8.27 A decision on HS2 is expected later in 2015. At the present time it does not have any formal planning status.

Policy IF5: Leicester to Burton rail line

The Council will support the reinstatement of passenger 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 until a second 'development window' for the Developer Contributions Scheme has been agreed.'

- 8.28 The Leicester to Burton rail line closed to passenger traffic in the 1960's. In the early 1990's 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 1990's, 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 £0.8million, the project was not progressed any further.
- 8.29 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. 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 other councils along the proposed line.
- 8.30 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. A decision on HS2 is expected later in 2015. 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 came operational.

Question 38

Do you agree with our suggested approach to the Leicester to Burton rail line? If not what changes do you suggest?

ASHBY CANAL

- 8.31 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.

- 8.32 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, as identified on the policies map, or the provision of canalside 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.

- 8.33 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.
- 8.34 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 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”.
- 8.35 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.
 - Connect Measham, and ultimately Moira, to the national waterways network.
- 8.36 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 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.

Question 39

Do you agree with our suggested approach to the Ashby Canal? If not what changes do you suggest?

PARKING AND NEW DEVELOPMENT

- 8.37 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.
- 8.38 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.
- 8.39 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 improvements to the provision, safety, convenience and general environment for cycling by ensuring that the needs of cyclists are fully taken into account in the development process. 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 and 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 vehicle and cycling, as part of new development the Council will:**
- (a) normally seek the provision of 2 car parking spaces per dwelling increasing to 3 spaces for four or more bed properties;**
 - (b) have regard to the most up-to-date 6C's Design Guidance in respect of non-residential proposals;**
 - (c) have regard to any transport assessment and travel plan associated**

with a development proposal and, in appropriate circumstances, agree to reduced car parking provision where the proposed development has, or is proposed to have, good access to other modes of transport.

- 8.40 Leicestershire County Council 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.
- 8.41 In respect of housing developments this requires developers to assess the likely demand for parking using a research method published by the Department for Local communities and 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. Notwithstanding this approach, the Council is of the view that it is beneficial to provide more certainty and so we have identified our preferred level of parking provision.
- 8.42 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 3 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.
- 8.43 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.

Question 40

Do you agree with our suggested approach to parking provision as part of new development? If not what changes do you suggest?

9 ENVIRONMENT

INTRODUCTION

- 9.1 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

- 9.2 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.

- 9.3 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
- 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

- 9.4 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.

- 9.5 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.

- 9.6 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

- 9.7 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:**
 - **Special Areas of Conservation (SAC);**
 - **Sites of Special Scientific Interest (SSSI)**
 - **Local and Regionally Important Geodiversity Sites (RIGS) and candidate Regionally Important Geodiversity Sites (cRIGS)**
 - **Local Wildlife Sites (LWSs), Local Nature Reserves (LNRs) and candidate Local Wildlife Sites (cLWSs) which meet the Leicester, Leicestershire and Rutland LWS criteria;**
 - **Local and National Biodiversity Action Plan-related (BAP) priority habitats;**
 - **River corridors;**
 - **Irreplaceable habits (defined as Ancient woodlands; Mature plantation or secondary woodland; Species –rich ancient hedgerows; Ancient 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, hedgerows and tree lines) 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.

- 9.8 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.
- 9.9 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.
- 9.10 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.
- 9.11 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.
- 9.12 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
- 9.13 The geological interest in the District ranges 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.

Question 41

Do you agree with our suggested approach to Nature Conservation issues? If not what changes do you suggest?

RIVER MEASE SPECIAL AREA OF CONSERVATION

- 9.14 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.
- 9.15 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.
- 9.16 The SAC is also a Site of Special Scientific Interest (SSSI).
- 9.17 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. These were as a result of the use of pesticides in farming and discharges from waste water treatment works within the catchment.
- 9.18 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 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.

- 9.19 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).
- 9.20 Unless an applicant can demonstrate no adverse impact on the River Mease SAC, a planning application must be refused.
- 9.21 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 for the SAC and is brought back into favourable condition.
- 9.22 In addition, a Developer Contribution Scheme (DCS) sets out the level of financial contribution expected from new developments within the river Mease catchment. These contributions 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.
- 9.23 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.
- 9.24 The first Development Window was set at 700 grams of phosphorous per day which equates to 2,400 3 bed dwellings. When the amount of phosphorous from new development is approaching the capacity of the Development Window, a second Development Window will need to be considered based upon additional mitigation measures.
- 9.25 The DCS was adopted by the District Council on 22 November 2012.
- 9.26 The implementation of the DCS and the WQMP are overseen by a Programme Board who will also be responsible for subsequent reviews and amendments as deemed necessary comprising of representatives from the partner organisations.

Question 42

Do you agree with our suggested approach to the river Mease Special Area of Conservation? If not what changes do you suggest?

THE NATIONAL FOREST

- 9.27 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.
- 9.28 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.
- 9.29 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.
- 9.30 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 CO₂; forest carbon sinks are considered the best natural mitigation measure against global warming.
- 9.31 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. 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.
- 9.32 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 33% woodland cover in the National Forest.**
- (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 applications is determined. Landscaping will generally involve woodland planting, but can also include the creation and management of other appropriate habitats, open space provision and the provision of new recreational facilities. 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 wider countryside.**
- (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.

Question 43

Do you agree with our suggested approach to the National Forest? If not what changes do you suggest?

CHARNWOOD FOREST

- 9.33 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.
- 9.34 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.
- 9.35 Previous strategic plans and the existing 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 key Green Infrastructure asset and proposed the creation of a Charnwood Forest Regional Park.
- 9.36 A Charnwood Forest Regional Park Steering Group has been established comprising of the 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. This 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”.
- 9.37 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.
- 9.38 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.

- 9.39 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)”.
- 9.40 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 S4). Instead we want to maintain the traditional working landscape of 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.
- 9.41 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.
- 9.42 That 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 sustainable tourism, including green tourism initiatives;**
 - (b) Enhance the biodiversity of the CFRP, consistent with the aims of the Charnwood National Character Area profile (SEO3);**
 - (c) Provide new recreation facilities ~~around the fringes of the area~~ 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.

Question 44

Do you agree with our suggested approach to the Charnwood Forest? If not what changes do you suggest?

AREAS OF SEPARATION

- 9.43 It is important to ensure that individual settlements retain their own character and identity. This is recognised in the Countryside policy (policy S4) 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 significantly adversely affect or diminish the present open and undeveloped character of the area.**

Question 45

Do you agree with our suggested approach to protect the open and undeveloped area between Coalville and Whitwick? If not what changes do you suggest?

LAND AND AIR QUALITY

- 9.44 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”.
- 9.45 Policy En 6 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 suspected of being) subject to land instability issues or contamination, or is located within the Coal Mining Development Referral 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 adverse impacts upon the site or adjacent areas, including groundwater quality.**

Development should avoid any 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.

- 9.46 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 ‘Coal Mining Development Referral Areas’ 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, for all new development proposals within the Coal Mining Development Referral Area we expect a Coal Mining Risk Assessment to be prepared and submitted with the planning application.
- 9.47 The responsibility for determining the extent and effects of such constraints lies with the developer.
- 9.48 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.
- 9.49 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.

9.50 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.

9.51 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 or exacerbate existing air quality issues.

Question 46

Do you agree with our suggested approach to Land and Air Quality issues? If not what changes do you suggest?

10 HISTORIC ENVIRONMENT

INTRODUCTION

- 10.1 The NPPF attaches great weight to conserving the historic aspects of the environment so that they can be enjoyed by future generations.
- 10.2 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, area or landscapes. Designated Heritage assets include listed buildings, conservation areas, World Heritage Sites, historic 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 assets' is a material consideration in determining planning applications as identified in the NPPF
- 10.3 Once a heritage asset is lost it cannot be replaced.
- 10.4 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 assets physical presence, but also from its setting.
- 10.5 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. The care of our historic environment has to be carefully balanced with current economic and social needs. Carefully managed change can help preserve the significance of the heritage asset and also deliver viable uses consistent with conservation objectives.
- 10.6 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.
- 10.7 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
 - Implementing Conservation Area Appraisals and Management Plans and using up to date information when determining planning applications.
 - Making use of Article 4 Directions, where appropriate, to prevent unsympathetic alterations to buildings in Conservation Areas.

- 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
- 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, including views into and out of conservation areas;
- b) Retain buildings, 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 asset and of the wider context in which the heritage asset sits, alongside assessment of the potential impact of the development on the heritage assets and its setting; and

Provide clear justification for any works that would lead to harm to a heritage assets

(2) There will be a presumption against development, alteration, advertising or demolition that will be harmful to the significance of a heritage asset and their setting. Any development proposal that would cause harm to a heritage asset will be refused permission, unless the works are justified, there are overriding public benefits and mitigation measures are secured.

(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.

- 10.8 In North West Leicestershire there are many designated heritage assets including:
- 640 Listed Buildings
 - 3 Registered Parks and Gardens (Staunton Harold, Coleorton Hall and Whatton House)
 - 23 Scheduled Monuments
 - 22 Conservation Areas
- 10.9 There are currently 6 heritage assets listed on the Historic England Buildings at Risk Register. We will continue to monitor these and work with Historic England and other stakeholders to address the future of these buildings.
- 10.10 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 (Ashby Canal and Measham) Georgian Architecture (Ashby de la Zouch and Castle Donington) and country homes (Staunton Harold and Coleorton Hall).
- 10.11 There are also a number of important, but, non designated assets which are listed on the Leicestershire Historic Environment Records (HER) or within Conservation Area Appraisals. Such non designated assets include signs of the areas industrial heritage (for example the former Ashby canal) or the remains of farming practices such as ridge and furrow (for example at Appleby Magna).
- 10.12 The conservation of assets which reflect the districts industrial and coalmining heritage will be a particular priority for the Council.
- 10.13 The Council will expect all proposals that have the potential to impact upon heritage assets to be of the highest design quality to help preserve and enhance the character and significance of assets. Detailed consideration will need to be given to the appropriate siting, alignment, use of materials, mass, scale in order to ensure that assets are protected and enhanced.
- 10.14 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 historic 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.

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

Question 47

Do you agree with our suggested approach to the Historic Environment? If not what changes do you suggest?

11 CLIMATE CHANGE

INTRODUCTION

- 11.1 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

- 11.2 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.
- 11.3 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
- 11.4 This Local Plan includes a number of policies which are designed to help tackle climate change including:
- Ensuring a sustainable pattern of development, including 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 S3);
 - 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

- 11.5 The NPPF notes that all communities have a responsibility to "contribute to energy generation from renewable or low carbon sources". It is accepted, however, that some renewable energy installations have the potential to have adverse effects on the environment, for example potential visual intrusion associated seeking to harness wind power. There is therefore a need to balance the principle of support for renewable energy developments with the need to avoid any significant adverse impacts on the environment.

Policy Cc1: Renewable Energy

- (1) To enable the District of North West Leicestershire to contribute towards the government's target for CO2 reductions, the Council will support schemes for renewable energy where they are suitable in all other respects.**
- (2) Planning applications for renewable and low carbon energy generation, including any new grid connection lines and any ancillary infrastructure and buildings associated with the development, will be supported provided that they do not as a result of the development itself or any noise, flicker or other potential harmful emissions cause a significantly adverse effect to the following:**
 - (a) Landscape;**
 - (b) Biodiversity, including protected habitats and species;**
 - (c) The historic environment, both designated and non-designated assets, and their setting and has limited adverse effects on the surrounding landscape and townscape character;**
 - (d) The visual amenity and openness of the countryside;**
 - (e) Local residential amenity;**
 - (f) the integrity of the water environment, or locally and nationally designated sites;**
- (3) Proposals should take account of the cumulative effect that would result from the proposal in conjunction with existing renewable energy schemes.**
- (4) Proposal should be accompanied by details to demonstrate how the site will be decommissioned to ensure the restoration of the site following cessation of energy production.**
- (5) As part of proposals for large scale renewable energy it should be demonstrated what the economic, social and environmental benefits are for those communities closest to the proposed facility.**
- (6) We will consider the preparation of a Supplementary Planning Document to**

provide further guidance on this issue.

11.6 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 mountain ones)
- Great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of their proposal on views important to their setting.

11.7 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.

11.8 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.

11.9 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.

11.10 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.

Question 48

Do you agree with our suggested approach to Renewable Energy issues? If not what changes do you suggest?

SUSTAINABLE DESIGN AND CONSTRUCTION

- 11.11 The sustainable design and construction of new building and extensions to existing buildings has an important role to play in reducing running costs and improving energy efficiency and so reducing greenhouse gas emissions (notably CO₂). 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 emission come from domestic (27%) and non domestic buildings (17%)
- 11.12 A Housing Standards Review has indicated that the Government will set standards for the sustainability of new development through Building Regulations rather than the Code for Sustainable Homes which had previously been favoured, although there is currently no indication as to when this will happen. However, it is still appropriate for the Council to indicate as part of this Local Plan that it wishes to apply the highest possible standards to new development.
- 11.13 We propose to use the 'Building Research Establishment Environmental Assessment Method' (BREEAM)(or equivalent) as a standard and guidance for major new non – residential buildings.
- 11.14 A key aspect of mitigating against the impact of climate change is to reduce water usage. Our Water Cycle Study recommended that the Council should seek Code for Sustainable Homes level 3/4 in respect of water efficiency measures. This is equivalent to a water usage of 105 litres per day. The Government has announced that it no longer proposes to use the Code for Sustainable Homes but the National Planning Practice Guidance suggests that where evidence is available the revised rate of 110 litres per day included in Document G of the Building Regulations as an optional requirement can be sought. In view of what our Water Cycle study advises we propose to do so.

Policy Cc2: Sustainable design and construction

- (1) All new development, including building conversions, refurbishments and extensions, should seek to incorporate climate change and adaptation and design measures to combat the effects of changing weather patterns and to secure energy efficiency performance. Wherever practicable, measures to provide resilience against higher temperatures and intense rainfall should be used and their application to the development outlined in the Design and Access Statement which accompanies an application.**
- (2) Development should incorporate water efficiency measures compliant with Optional Higher requirements of 110 litres/person/day Document G of the Building Regulations.**
- (3) The Council will expect the policy requirement to be met unless it can be demonstrated that it would not be viable or appropriate to do so (for**

example in respect of an historic asset).

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

11.15 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 use of cool building materials and green roofs and walls and using flood resilient materials ;
- Increasing natural ventilation and removing 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;
- Incorporating waste reduction and recycling measures through 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;
- Connect to an existing or approved district energy scheme where available. Major development proposals should utilise opportunities to incorporate a district energy network

Question 49

Do you agree with our suggested approach to achieve sustainable Design and construction as part of new development? If not what changes do you suggest?

WATER – FLOOD RISK

11.16 Increased rainfall, which is one of the predicted consequences of climate change, will result in more flooding of 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.

- 11.17 Our approach is to use a Sequential Test so as to steer new development to areas with the lowest probability of flooding.
- 11.18 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 Cc3: Flood Risk

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

- Directing new development to areas with the lowest probability of flooding
- Ensuring that all new development addresses the effective management of all sources of flood risk
- Ensuring that development does not increase the risk of flooding elsewhere, and
- Ensuring wider environmental benefits of development in relation to flood risk

(2) A proposal will be supported where:

- It is located in an area that is not at risk of flooding with reference to the Environment Agency flood risk maps and the Councils 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;
- Site –specific Flood Risk Assessments should consider the issues of flooding from sewers, canal infrastructure failure and groundwater rising from former coal mining areas.
- Suitable flood protection/mitigation measures can be agreed as appropriate to the level and nature of flood risk and satisfactorily implemented and maintained; and
- There will be no increase in the risk of flooding for properties elsewhere, on previously developed sites; surface water run-off should be attenuated by 20% on the site.

Question 50

Do you agree with our suggested approach to dealing with flood risk as part of new development? If not what changes do you suggest?

WATER - SUSTAINABLE URBAN DRAINAGE SYSTEMS

- 11.19 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.
- 11.20 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.
- 11.21 In considering suitable runoff rates we will have regard to advice issued by the Environment Agency.

Policy Cc4: Water: 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 schemes will itself adversely affect the environment of safety.**
- (2) Where appropriate, every effort should be made to link SuDS into wider initiative 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.**

Question 51

Do you agree with our suggested approach to Sustainable Urban Drainage Systems? If not what changes do you suggest?

12 IMPLEMENTATION AND MONITORING

- 12.1 The primary responsibility for implementing the policies in this Local Plan largely rest 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.
- 12.2 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 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.
- 12.3 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.
- 12.4 A Monitoring Framework will be prepared to outline how policies in the Local Plan will be monitored.

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 31st 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.
- (4) Where additional housing sites need to be brought forward these will be from those sites identified within the most recent Strategic Housing Land Availability Assessment (SHLAA) and having regard to the settlement hierarchy set out in Policy S3. 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.

Question 52

Do you agree with our suggested approach to Implementation and monitoring? If not what changes do you suggest?

NEIGHBOURHOOD PLANS

- 12.5 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 this Local Plan.
- 12.6 The list at Appendix 4 identifies whether policies are considered be strategic or not. A number of the policies in the Local Plan are of strategic importance in terms of their purpose but their application involves locally specific site(s) (e.g. policy H1 Housing Provision: planning permissions). Such policies are considered to be both local and strategic.

- 12.7 It is important to note that even where a policy is not considered to be strategic but the Neighbourhood Plan proposes a different approach, it will still be necessary to ensure that appropriate evidence is available to justify a different approach in order to avoid further conflict between the Local Plan and the Neighbourhood Plan.
- 12.8 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 neighbourhood plan, unless, material considerations indicate otherwise.
- 12.9 There are currently two designated neighbourhood areas within the district:
- Ashby de la Zouch
 - Ellistown
- 12.10 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.

Question 53

Do you agree with our suggested distinction between strategic and local policies? If not, please explain why.

GLOSSARY

Affordable Housing	<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>
Air Quality Management Areas (AQMA) Ancient Woodland	<p>Areas designated by local authorities because they are not likely to achieve national air quality objectives by the relevant deadlines.</p> <p>An area of woodland that has been wooded consistently since at least 1600 AD.</p>
Annual Monitoring Report (AMR):	<p>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.</p>

<p>Appropriate Assessment (AA)</p> <p>Area of Separation</p> <p>Article 4 Direction</p> <p>Biodiversity</p>	<p>Habitat Regulations Assessment is commonly referred to as Appropriate Assessment (AA)</p> <p>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 settlements identity.</p> <p>A direction which withdraws automatic planning permission granted by the General Permitted Development Order.</p> <p>‘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 with which share the planet. It includes plants, animal’s even invisible micro organisms and bacteria which, together interact in complex ways with the inanimate environment to create ecosystems.</p>
<p>Biodiversity Action Plan (BAP):</p> <p>Building for Life</p>	<p>A Biodiversity Action Plan addresses threatened species and habitats and is designed to protect and restore biological systems.</p> <p>Building for Life 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.</p>
<p>Building Research Establishment Environmental Assessment Method (BREEAM)</p>	<p>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.</p>
<p>Brownfield (Previously Developed Land)</p>	<p>See Previously Developed Land (PDL)</p>
<p>Coalville Urban Area</p> <p>Conservation Area</p>	<p>Coalville Urban Area comprises of Coalville, Donington-le-Heath, Greenhill, Hugglescote, Snibston, Thringstone and Whitwick as well as the Bardon employment area.</p> <p>Areas of special architectural or historic interest. Conservation Areas designations do not prevent change but it does help preserve and enhance the character and appearance of an area.</p>
<p>Climate Change</p>	<p>The changes in the Earth's global or regional climate over time.</p>
<p>Coal Mining Development Referral Area</p>	<p>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</p>

	Coal Authority will be consulted on all planning applications in these areas.
Community Infrastructure Levy	A levy allowing local authorities to raise funds from owners or developers of land undertaking new building projects in their area.
Development Management	The management or control of development proposals through the planning system.
Development Plan	Comprises of Development Plan Documents (DPD) which form the legal basis for all future planning decisions in the district.
Development Plan Document (DPD)	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.
Duty to Cooperate	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.
Edge of Centre	For retail purposes, a location that is well connected and up to 300 metres of the primary shopping area. For all other main town and local centers 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.
Employment Land Availability Assessment (ELAA)	An assessment of employment land potential within North West Leicestershire.
Examination	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.

Floodplain	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.
Flood Zones	All land is spilt into different flood zones to indicate as to 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 <i>Floodplain</i> .
Functional Economic Market Area (FEMA)	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 analyzing demand and supply- often referred to as the functional economic market area.
Geodiversity	The range of rocks, minerals fossils, soils and landforms
Greenfield Land	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 include gardens. Greenfield land shouldn't be confused with Green Belt which is a term used for specifically designated land.
Green Infrastructure	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.
Gypsy and Traveller Accommodation Needs Assessment (GTAA)	An assessment of gypsy and traveller accommodation needs and wider demand of the Gypsy and Traveller communities.
Hamlets	Small groups of dwellings with no services or facilities.
Heat Island	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.
Housing Market Area (HMA)	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

	<p>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>
Intermediate Housing	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.
Infrastructure	The basic requirements for the satisfactory development of an area and include roads, footpaths, sewers, schools, open space and other community facilities.
Infrastructure Delivery Plan	The purpose of an Infrastructure Delivery Plan is to set out the infrastructure requirements to support planned new development in the district.
Key Service Centre	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.
Leicester and Leicestershire Enterprise Partnership (LLEP) Limits to Development Listed Building	<p>The Leicester and Leicestershire Enterprise Partnership (LLEP) was formed in 2011 by public, private and third sector partners to lead sustainable economic growth.</p> <p>Limits to Development provide clear, defensible boundaries around settlements within which development will normally be confined.</p> <p>Limits to Development distinguish between areas of development and development potential and areas of restraint, such as countryside.</p> <p>Statutory Listed Buildings are protected for their architectural and historic value as part of the nation's heritage.</p>
Local Centre	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 include hot food takeaway and eating establishments.
Local Development Document (LDD)	The collective term covering Development Plan Documents and Supplementary Planning Documents.
Local Development Scheme	The Local Development Scheme is a document which sets

(LDS)	out the local planning authority's programme for the production of Local Development Documents.
Local Nature Reserve (LNR)	Local Nature Reserves are places with wildlife or geological features of special interest locally. They are designated by local authorities.
Local Plan	The Local Plan sets out the future development of the area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004.
Local Planning Authority (LPA)	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).
Local Service Centre	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.
Local Transport Plan (LTP)	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.
Local Wildlife Sites	Local Wildlife Sites are defined areas identified and selected locally for their nature conservation value.
Low-Carbon energy/technologies	Energy which derives from sources that produce fewer greenhouse gases than do 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.
Masterplan	A strategic plan setting out the overall framework and key principles for the development of a site.
National Character Areas	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.
National Nature Reserve	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.
National planning Policy Framework (NPPF)	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.
Neighbourhood Plan	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.
Older people	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.
Open Space	Open space should be taken to mean all open space of public value, including not just land, but also areas of water such as rivers, canals, lakes and reservoirs which offer important opportunities for sport and recreation and can also act as a visual amenity.
Out of Centre	A location which is not in or on the edge of a town or local centre but not necessarily outside the urban area.
Planning Condition	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.
Planning Practice Guidance	An online resource and tool that sets out the government's planning guidance on a range of issues.
Photovoltaic/photovoltaic cells	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.
The Planning Inspectorate	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.
Policies Map	This will illustrate, on an Ordnance Survey Base Map, designations and proposals contained in the Development Plan Documents and Saved Policies. The Proposal Map is referred to as a policies map.
Previously Developed Land	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 of 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.
Primary Employment Land	Sites identified, within the 'Qualitative Assessment of Employment Sites' undertaken by consultants in 2012, as being worthy of retention for employment use.
Primary Frontage	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.
Primary Shopping Area	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).
Principal Town	The principle 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.
Public Safety Zones	Areas of land at the end of runways at the busiest airports in the UK, within which certain planning restrictions apply.
Regionally Important Geodiversity Sites	Sites selected for their geological or geomorphologic value and their interpretive use for earth science as well as cultural, educational, historical and aesthetic reasons.
Renewable Energy	Renewable energy is energy flows that occur naturally and repeatedly in the environment, for example from the wind, water flow, tides or the sun.
Rural 'Exception' Sites	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.

Secondary Frontage	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.
Sites of Special Scientific Interest (SSSI)	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.
Small Village	Settlements with very limited services and where development will be restricted to the conversions of existing buildings or the redevelopment of previously developed land.
Special Area of Conservation (SACs)	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.
Statement of Community Involvement (SCI)	Outlines the approach of the authority to involving the community in preparing the Local Plan and planning applications.
Strategic Environmental Assessment (SEA)	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.
Strategic Flood Risk Assessment (SFRA)	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.
Strategic Housing Land Availability Assessment (SHLAA)	An assessment of housing supply potential within North West Leicestershire required by government policy. The SHLAA is updated on an annual basis.
Strategic Housing Market Assessment (SHMA)	An assessment of housing need and demand based on a Housing Market Area. The SHMA often defines the type of housing (including size, tenure and affordability) that is required to meet local needs.
Strategic Rail Freight Interchanges (SRFI)	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.
Supplementary Planning Document (SPD)	Documents which add further detail to the policies in the Local Plan. They can be used to provide 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.
Sustainability Appraisal (SA)	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.
Sustainability Appraisal Scoping Report	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.
Sustainable Villages	Settlements which have a limited range of services and facilities and so are suitable for a limited amount of growth.
Sustainable Drainage Systems (SuDS) Town Centre Boundary	Surface water drainage methods that take account of water quantity, water quality and amenity issues are collectively referred to as Sustainable Drainage Systems (SuDS). Town Centre boundaries are away in which we seek to control the types of uses that would be permitted in these specific areas.
Town and Local Centre Uses	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 (as defined by the Town and Country planning (Use Classes) order 1987 (as amended), arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).
Town Centre	Defined area, including the primary shopping area and areas of predominantly leisure, business and other main town centers uses within or adjacent to the primary shopping area.

Travel Plans	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.
Use Classes Order	The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes'.
Water Quality Management Plan (WQMP)	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.
Windfall sites	Sites which have not be specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available.
Zero Carbon Development	A building or set of buildings with a net energy consumption of zero over a typical year.

SITE	2011/12	2012/13	2013/14	2013/14	2015/16	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
Past Completions (all sites)	234	365	429	678																	
Projected completions																					1,706
Ashby total					122	104	155	189	251	240	240	190	215	215	165	140	140	140	140	95	2,741
Castle Donington total					40	35	20	30	40	50	80	80	80	80	80	80	80	80	80	35	970
Coalville urban area total					87	168	332	386	333	258	200	200	225	225	225	160	150	150	150	150	3,399
Ilstock total					74	90	90	61	30	30	22	0	0	0	0	0	0	0	0	0	397
Kegworth total					16	10	30	50	60	56	30	30	30	11	0	0	0	0	0	0	323
Measham total					20	10	25	35	97	100	100	110	0	0	0	0	0	0	0	0	497
Rest of the district total					56	153	171	163	32	0	0	0	0	0	0	0	0	0	0	0	575
Projected completions (annual)					415	570	823	914	843	734	672	610	550	531	470	380	370	370	370	280	8,902
Projected Completions (cumulative)	234	599	1,028	1,706	2,121	2,691	3,514	4,428	5,271	6,005	6,677	7,287	7,837	8,368	8,838	9,218	9,588	9,958	10,328	10,608	
Annual requirement	535	535	535	535	535	535	535	535	535	535	535	535	535	535	535	535	535	535	535	535	
Cumulative requirement	535	1070	1605	2140	2675	3210	3745	4280	4815	5350	5885	6420	6955	7490	8025	8560	9095	9630	10165	10700	
Monitor - number of dwellings above or below cumulative requirement	-301	-471	-577	-434	-554	-519	-231	148	456	655	792	867	882	878	813	658	493	328	163	-92	
Monitor - annual requirement taking account of past/projected completions	535	551	561	569	562	572	572	553	523	494	470	447	427	409	389	372	371	371	371	372	

APPENDIX 3

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 document Highway Requirements for Development (HRfD) will continue to be applied as the normal maximum standards.

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

	<p>Urban town centre or edge of centre; One space for every 300m²</p> <p>Rest of urban town; One space for every 180m²</p> <p>Rural town centre/edge of centre; One space for every 200m²</p> <p>Rest of rural town; One space for every 150m²</p> <p>Out of any town; One space for every 120m²</p>	
Cinemas and conference facilities	One space for every five seats	1000m ²
D2 (other than cinemas, conference facilities and stadia)	One space for every 22m ²	1000m ²
Higher and further education	One space for every two staff plus one space for every 15 students ^(g)	2500m ²
Stadia	One space for every 15 seats ^(h)	1500 seats

STATUS OF LOCAL PLAN POLICIES FOR NEIGHBOURHOOD PLANS

Policy ref:	Policy title	Strategic/ Local	Comment
S1	Presumption In Favour of Sustainable Development	Strategic	The application of the presumption will have implications for how communities engage in neighbourhood planning.
S2	Amount of new housing and economic provision	Strategic	Neighbourhood plans should support the strategic development needs set out in the Local Plan, including policies for housing and economic development.
S3	Settlement Hierarchy	Strategic	The policy sets out the overarching direction of development.
S4	Countryside	Both	The policy sets out the overarching direction of development. Neighbourhood Plans may modify the Countryside designation shown on the Policies Map.
S5	Design of new development	Both	Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. A Neighbourhood Plan can consider matters of local significance which would not be applicable in a Local Plan policy.
H1	Housing provision: planning permissions	Both	A neighbourhood plan can propose allocating alternative sites to those in a Local Plan but should not be used to constrain the delivery of a strategic site allocated for development in the Local Plan. This policy includes both strategic and non-strategic sites. The following is a strategic site because it is essential to achieving the wider vision and aspirations in the Local Plan: H1j Land north of Grange Road , Hugglescote
H2	Housing provision: resolutions	Both	A neighbourhood plan can propose allocating alternative sites to those in a Local Plan but should not be used to constrain the delivery of a strategic site allocated for development in the Local Plan. This policy includes both strategic and non-strategic sites. The following are strategic sites because they are essential to achieving the wider vision

			and aspirations in the Local Plan: H2d South of Park Lane, Castle Donington H2k North and south of Grange Road, Hugglescote
H3	Housing provision: new allocations	Both	A neighbourhood plan can propose allocating alternative sites to those in a Local Plan but should not be used to constrain the delivery of a strategic site allocated for development in the Local Plan. The following is a strategic site because it is essential to achieving the wider vision and aspirations in the Local Plan: Site H3a - land north of Ashby de la Zouch
H4	Affordable Housing requirements	Both	The policy sets standard and other requirements that are essential to achieving the wider vision and aspirations in the Local Plan. Neighbourhood plans should seek to address the housing needs of the local community. More local evidence than that used to inform the Local Plan may suggest a different approach in a Neighbourhood Plan.
H5	Rural Exceptions Sites for Affordable housing	Local	Rural exception sites seek to address the housing needs of the local community.
H6	House types and mix	Both	The policy sets a standard and other requirements that are essential to achieving the wider vision and aspirations in the Local Plan. Neighbourhood Plans should seek to address the housing needs of the local community. More local evidence than that used to inform the Local Plan may suggest a different approach in a Neighbourhood Plan.
H7	Provision for Gypsies and Travellers and Travelling Showpeople	Strategic	The policy sets a requirements and approach that are essential to achieving the wider vision and aspirations in the Local Plan.
Ec1	Employment allocations: permissions	Both	A neighbourhood plan can propose allocating alternative sites to those in a Local Plan but should not be used to constrain the delivery of a strategic site allocated for development in the Local Plan. This policy includes both strategic and non-strategic sites. The following

			are strategic sites because they are essential to achieving the wider vision and aspirations in the Local Plan: Ec1a – Former Lounge Disposal point, Ashby de la Zouch Ec1d – Off Beveridge Lane Ellistown
Ec2	Employment allocations: new allocations	Strategic	Land north of Ashby de la Zouch (Money Hill) is essential to achieving the wider vision and aspirations in the Local Plan.
Ec3	Existing employment areas	Strategic	The policy sets requirements that are essential to achieving the wider vision and aspirations in the Local Plan.
Ec4	Existing Brickworks and Pipeworks	Local	Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community.
Ec5	East Midlands Airport	Strategic	Strategic infrastructure of more than local importance.
Ec6	Safeguarding	Strategic	Protection of strategic infrastructure of more than local importance. Strategic cross boundary matter.
Ec7	East Midlands Airport Public Safety Zones	Strategic	This policy is in the interests of public safety.
Ec8	Donington Park	Strategic	Strategic site of more than local importance.
Ec9	Town and Local Centres: Hierarchy and Management of Development	Strategic	The policy sets out the overarching direction of development.
Ec10	Town and Local Centres: Thresholds for Impact Assessments	Local	The policy is intended to operate at the local level. More local evidence than that used to inform the Local Plan may suggest a different approach in a Neighbourhood Plan.
Ec11	Town and Local Centres: Primary Shopping Areas – Non-Shopping Uses	Local	The policy is intended to operate at the local level. More local evidence than that used to inform the Local Plan may suggest a different approach in a Neighbourhood Plan.
Ec12	Town and Local Centres: Primary Shopping Areas - Takeaway Balance	Local	The policy is intended to operate at the local level. More local evidence than that used to inform the Local Plan may suggest a different approach in a Neighbourhood Plan.
Ec13	Primary and Secondary Frontages	Local	The policy is intended to operate at the local level. More local evidence than that used to inform the Local Plan may suggest a different approach in a Neighbourhood Plan.
Ec14	Local Centres	Local	The policy is intended to operate at the

			local level. More local evidence than that used to inform the Local Plan may suggest a different approach in a Neighbourhood Plan.
Ec15	Tourism and cultural development	Both	Local and neighbourhood plans should support sustainable rural tourism and leisure developments.
IF1	Development and Infrastructure	Both	The Local Plan includes policies to deliver strategic infrastructure. Infrastructure is also needed to support development and ensure that a neighbourhood can grow in a sustainable way. More local evidence than that used to inform the Local Plan may suggest additional or different infrastructure to serve a local need.
IF2	Community Facilities	Both	Local and neighbourhood plans should promote the retention and development of local services and community facilities. More local evidence than that used to inform the Local Plan may suggest different approach infrastructure in a Neighbourhood Plan.
IF3	Open Space, Sport and Recreation facilities	Both	Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. More local evidence than that used to inform the Local Plan may suggest different approach infrastructure in a Neighbourhood Plan.
IF4	Transport Infrastructure and new development	Both	The Local Plan includes policies to deliver strategic infrastructure. Infrastructure is also needed to support development and ensure that a neighbourhood can grow in a sustainable way. More local evidence than that used to inform the Local Plan may suggest additional or different infrastructure to serve a local need.
IF5	The National Forest line	Strategic	Strategic infrastructure of more than local importance. Strategic cross boundary matter.
IF6	Ashby Canal	Strategic	Strategic infrastructure of more than local importance. Strategic cross boundary matter.
IF7	Parking provision and new development	Both	Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of

			development that will be expected for the area.
En1	Nature Conservation	Both	Sites of international or national status cannot be overruled by Neighbourhood Plan. Local designations need to be justified by appropriate evidence.
En2	River Mease Special Area of Conservation	Strategic	Strategic ecological asset of more than local importance. Strategic cross boundary matter.
En3	The National Forest	Strategic	Strategic issue of more than local importance. Strategic cross boundary matter.
En4	Charnwood Forest Regional Park	Strategic	Strategic landscape of more than local importance. Strategic cross boundary matter.
En5	Area of Separation	Local	Area is of importance locally.
En6	Land and air quality	Strategic	Strategic cross boundary matter. Public safety.
He1	Conservation and enhancement of North West Leicestershire's historic environment	Both	Local Plan should have a positive strategy for the conservation and enjoyment of the historic environment. Neighbourhood Plans can help protect those areas which are valued locally.
Cc1	Renewable Energy	Both	Community-led initiatives for renewable and low carbon energy can be taken forward through neighbourhood planning.
Cc2	Sustainable design and construction	Both	Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area.
Cc3	Flood Risk	Strategic	Strategic cross boundary matter. Public safety.
Cc4	Sustainable Urban Drainage Systems	Local	The policy is intended to operate at the individual site level.
IM1	Implementation and monitoring of the Local Plan	Strategic	The policy is intended to operate at the district level.

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APPENDIX G

Comments of LPAC	Officers response	Recommendation
Suggest the inclusion of a policy on self build housing in accordance with thrust of government policy.	<p>Self build housing tends to be small plots, usually one bespoke designed dwelling, which it would not be appropriate for the Local Plan to seek to identify having regard to the need to demonstrate deliverability and resource availability.</p> <p>Proposals for self build housing will fall to be considered against all policies in the Local Plan as with any proposals for housing.</p> <p>The Council is required to maintain a register of those interested in self build opportunities in accordance with the Self Build and Custom Housebuilding Act 2015. Officers are in the process of setting up such a list.</p>	No change to the draft Local Plan
Land at Waterworks Road Coalville which is proposed for housing (policy H3b) was the subject of a petition to retain it as open space.	This matter has been investigated and the site will remain allocated in the Local Plan.	No change to the draft Local Plan
Support the provision of bungalows	Noted and Policy H6 seeks to ensure the provision of a range of house types and sizes.	No change to the draft Local Plan
Support reference to meeting the needs of gypsies, travellers and travelling showpeople (policy H7)	Support is welcomed	No change to the draft Local Plan
No objection to the principle of development at Moneyhill Ashby (policy H3a), but are concerned about access from Nottingham Road.	Any access from Nottingham Road would be limited in number and is primarily to facilitate access by sustainable modes of transport, including public transport.	No change to the draft Local Plan
Design of development at Moneyhill Ashby	Noted. Policy S5 of the draft Local Plan sets out the	No change to the draft Local Plan

(policy H3a) needs to be creative so as to create an attractive development. This could possibly include the relocation of Ivanhoe School.	Council's approach to securing high quality design in all developments.	
Are three points of access to Moneyhill Ashby (policy H3a) sufficient?	In preparing this policy discussions have been held with the highway authority who have not identified the need for any further access points to the proposed development.	No change to the draft Local Plan
There is a need for a car park as part of the proposed development at Moneyhill Ashby (policy H3a) to serve the town centre.	Policy H3a includes a requirement for the provision of appropriate infrastructure. It would be necessary to demonstrate that additional car parking was required as a result of the proposed development itself in order to comply with the CIL Regulations. The Council is about to commission work on a car parking strategy for the district and this will help inform any future decisions about car parking provision in Ashby.	No change to the draft Local Plan

Draft Local Plan – Engagement Plan

Date	Activity	Method of Engagement	Resources needed
	<u>Parish Councils</u>		
9.9.15	<ul style="list-style-type: none"> Attendance at the Parish Council liaison meeting to inform them that the local plan is going to Full Council. This event will also allow Parish Councils to express an interest in holding their own consultation drop in event. 	Face to Face	Planning Policy Officer Community Focus
8.9.15	<ul style="list-style-type: none"> Email Parish Councils when the Full Council papers are published 	Written	Planning Policy Community Focus
16.9.15	<ul style="list-style-type: none"> Email Parish Councils the outcome of Full Council 	Written	Planning Policy Community Focus
28 th September - 19 th October	<ul style="list-style-type: none"> Hold an event in each of the Community Forum Areas for Parish Councils and Neighbourhood Plan groups. This event will consist of a presentation on the local plan setting out the key highlights and how to get involved in the consultation. Following attending the event Parish Councils will be able to hold their own events if they wish to do so. 	Face to Face	1x Planning Policy 1x Community Focus
	<u>Local Plan Specific Events</u>		
	The trailer/gazebo events are designed to promote the key messages of the Local Plan, the council trailer will be parked in high footfall locations. At these events members of the public will be able gain information on where they can view the plan and how to make representation.	Face to Face	1 x Planning Policy Officer 1x Community Focus Officer

5 th -26 th October	<p>Events are planned for the following locations:</p> <ul style="list-style-type: none"> • Coalville Marlborough Square • Coalville Morrisons • Ashby Tesco- within the store (11-7) • Measham – Gazebo outside of the Tesco's store • Ibstock- Event within the Co-op Foyer • Kegworth – Town Centre the same Saturday as the Parish Council holds event. • Castle Donington Display within the Co-op entrance hall. • Ashby – Trailer event on Market Street (on the same day as the farmers market) <p>The events will be held approx 11-3 to cover lunch times except leisure centres which will be late afternoon/early evening.</p>		
WC 28 th September – Ongoing	<p><u>Residents</u></p> <ul style="list-style-type: none"> • Those on the local plan database to be informed of the consultation via an email/ letter. • Articles placed within community magazines mid October following the outcome of Full Council. • Hard copies of draft plan placed at libraries and parish/town council offices where possible • Posters promoting the Local Plan placed in variety of locations including libraries, Post Offices, leisure centres, doctor's surgeries, Village Halls and Parish 	<p>Written</p> <p>Written</p> <p>Written</p> <p>Written</p>	<p>Planning Policy</p> <p>Planning Policy Communications</p> <p>Planning Policy</p> <p>Planning Policy</p>

	<p>Offices and notice boards</p> <ul style="list-style-type: none"> • Electronic leaflet on the Local Plan to be emailed to secondary schools that can be emailed to students. • Social Media • Press Releases 	Written	<p>Planning Policy</p> <p>Communications</p>
August	<p><u>Businesses</u></p> <ul style="list-style-type: none"> • Articles published within the Business Focus newsletter setting out the role of the local plan, where to view the local plan and how to respond. 	Written	Planning Policy; Communications
WC 28 th September Start of the consultation.	<ul style="list-style-type: none"> • Letter / email to all businesses on the business focus database, alerting them of the local plan consultation. 	Written	Planning Policy; Business Focus
WC 28 th September	<ul style="list-style-type: none"> • Email to large organisations e.g. East Midlands Airport of the consultation and asking them to inform staff via the intranet and other organisation on site 	Written	<p>1x Planning Policy</p> <p>1X Business Focus</p>
WC 28 th September	<ul style="list-style-type: none"> • Meet with both the Ashby and Coalville Town Teams as a follow up to the town centre boundary consultation. 	Face to Face	<p>1x Planning Policy Officer</p> <p>1x Business Focus Officer</p>
October- November	<ul style="list-style-type: none"> • Meet with the Chamber of Commerce 	Face to Face	<p>1x Planning Policy Officer</p> <p>1x Business Focus</p>
	<p><u>Landowners and Developers</u></p>		
WC 28 th	<ul style="list-style-type: none"> • Email / Letter everyone on the Local Plan database 	Written	Planning Policy

September 21.10.15	<ul style="list-style-type: none"> Hosting of Landowners and Developers drop in event – this will allow landowners, developers and agents to drop in and have a discussion on the local plan with officers 	Face to Face Face to Face	2x Planning Policy Officer
WC 28 th September	<u>Statutory Consultees</u> <ul style="list-style-type: none"> Letter /Email informing statutory consultees of the Local Plan consultation and inviting them to meet if they wish to do so. 	Written	Planning Policy Officer
WC 28 th September	<u>Infrastructure Providers</u> <ul style="list-style-type: none"> Letter/ Email informing infrastructure providers of the Local Plan consultation and how to respond and there will also an invitation to have a one to one meeting with the authority. Meeting with infrastructure providers if requested 	Written Face to Face	Planning Policy 2x Planning Policy Officer
WC 28 th September	<u>Elected Members</u> <ul style="list-style-type: none"> Presentation at Group meetings prior to Council date TBC Each member will receive a narrative and consultation pack containing hard copies of the plan; SA and leaflets. 	Face to Face Written	Director/Planning Policy Officer Planning Policy / Communications
WC 28 th September	<ul style="list-style-type: none"> Members will be invited to attend their local community trailer or drop in events throughout the district. 	Face to Face	Planning Policy

WC 28 th September	<u>Young People</u> <ul style="list-style-type: none">Email schools electronic leaflets of the Local Plan to distribute electronically to students	Written	Planning Policy
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