

Meeting	LOCAL PLAN ADVISORY COMMITTEE
Time/Day/Date	6.30 pm on Tuesday, 20 June 2017
Location	Boardroom, Council Offices, Coalville
Officer to contact	Democratic Services (01530 454512)

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
1. ELECTION OF CHAIRMAN	
To elect a Chairman for the ensuing municipal year.	
2. ELECTION OF DEPUTY CHAIRMAN	
To elect a Deputy Chairman for the ensuing municipal year.	
3. APOLOGIES FOR ABSENCE	
To receive and note any apologies for absence.	
4. DECLARATION OF INTERESTS	
Under the Code of Conduct members are reminded that in declaring disclosable interests you should make clear the nature of that interest and whether it is pecuniary or non-pecuniary.	
5. MINUTES OF PREVIOUS MEETING	
To approve the minutes of the meeting held on 21 February 2017.	3 - 6



6. COMMITTEE TERMS OF REFERENCE

Terms of Reference attached. **7 - 8**

7. LOCAL PLAN PROGRESS UPDATE: MODIFICATIONS AND NEXT STEPS

Report of the Director of Services. **9 - 50**

8. LOCAL PLAN - RISK MANAGEMENT

Report of the Director of Services. **51 - 60**

Circulation:

Councillor R D Bayliss
Councillor J Bridges
Councillor J Cotterill
Councillor R Johnson
Councillor J Legrys
Councillor V Richichi
Councillor M Specht

MINUTES of a meeting of the LOCAL PLAN ADVISORY COMMITTEE held in the Council Chamber, Council Offices, Coalville on TUESDAY, 21 FEBRUARY 2017

Present: Councillor J Legrys (in the Chair)

Councillors J Cotterill, J Hout (Substitute for Councillor J Bridges), R Johnson, G Jones (Substitute for Councillor J Bridges), V Richichi and M Specht

In Attendance: Councillors T J Pendleton

Officers: Mr S Bambrick, Mrs C Hammond, Mr I Nelson, Mr J Newton and Mr S Stanion

14. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R D Bayliss and Councillor J Bridges.

15. DECLARATION OF INTERESTS

There were no interests declared.

16. MINUTES OF PREVIOUS MEETING

Consideration was given to the minutes of the meeting held on 6 October 2016.

It was moved by Councillor J Cotterill seconded by Councillor V Richichi and

RESOLVED THAT:

The minutes of the meeting held on 6 October 2016 be approved and signed by the Chairman as a correct record.

17. COMMITTEE TERMS OF REFERENCE

Noted.

18. LOCAL PLAN PROGRESS UPDATE: EXAMINATION, HEDNA AND NEXT STEPS

The Head of Planning and Regeneration presented the report to Members. He advised Members that the HEDNA had been published in January and it replaced the SHMA, and assessed the housing and employment requirements for the whole of the Leicester and Leicestershire area between 2011 and 2036, adding that it was a big piece of work that had been carried out by G L Hearn over the past 18 months. He highlighted to Members that the HEDNA assessed a housing need for the district of 481 dwellings per year, the submitted Local Plan allowed for 520 dwellings per year, and a requirement of an additional 65 – 66 ha of employment land, which was significantly higher than what was originally suggested. Members were informed that the authority had provided further information to the Inspector stating that it did not think that it needed to make any further provision for housing land as it had over provided ensuring that if some developments did not progress, the authority would still meet the needs. He also informed Members that North West Leicestershire also had an obligation to ensure that the needs of the whole housing market area were met should other authorities be unable to meet their requirements.

In relation to the employment land, the Director of Services advised Members that the authority recognised that there was an under provision of land in the plan in accordance to the figures in the HEDNA based on certain categories, but it was felt that the over

provision of land for logistics purposes that would be provided at the Roxhill development could be seen as meeting the requirements in a different way, however other agencies may have other views. Members were informed that the Inspector would consider the new figures and additional information on the 21 March 2017 and form a view with a report expected around May.

Councillor M Specht stated that having seen the figures in the report he was 95% certain that the Local Plan would be accepted and he felt that there could be a possibility of more land being found for employment. He supported the report and recommendations.

In response to a question from Councillor V Richichi, the Director of Services stated that he was confident that the authority had done all it could to ensure that the submitted plan was sound but it was now in the hands of the Inspector, however now that the HEDNA figures had been produced in relation to housing the authority was in a better position, but it could be the employment land that raised further issues for the plan.

Councillor G Jones was reassured about the housing figures, but expressed concerns over the employment land.

The Director of Services advised Members of the different employment land categories and that there appeared to be a shortfall on B1 sites but the amount of B8 land that was available at the Roxhill site would hopefully go towards making up the shortfall.

Councillor G Jones felt that the authority was concentrating on the northern parishes and asked about the land availability for the Ashby/Coalville areas.

The Director of Services stated that where there was a shortfall of B8 land in some parts of the district but there was more than enough B8 sites across the district as a whole.

Councillor G Jones stated it was up to the authority to ensure that there was a good mix employment land, but felt that Ashby was running out.

It was moved by Councillor M Specht, seconded by Councillor J Legrys and

RESOLVED THAT:

- (i) The main issues arising out of the Local Plan Examination Hearing Sessions held so far be noted,
- (ii) The main findings of the HEDNA and the resulting implications for the Local Plan be noted and
- (iii) The Inspector's proposed next steps and revised timetable be noted.

19. GYPSY AND TRAVELLER SITE ALLOCATION DPD: UPDATE

The Planning Policy Team Manager presented the report to Members. He advised that the needs assessment was still ongoing and once complete would provide the authority with a definitive answer to the number of pitches required. He informed Members that when the consultation in February 2016 on the emerging DPD had been carried out representations had been submitted via the Council's consultation hub which officers had considered, responded to and reported to the Committee in July 2016. However it had been brought to officers' attention that a number of representations had been made via email that had not been picked up for the July meeting and these were included for Members information. He highlighted to Members that the next stage would be to prepare the Allocation Development Plan once the Gypsy and Traveller Accommodation Needs Assessment had been published but that may not be until after the County elections in May.

In response to questions from Councillor V Richichi, officers advised that the risks highlighted in the report referred to the Local Plan not progressing and that these risks would be greater to the authority if it was seen as not even trying to address the need of sites, that the assessment would identify the figures for the County and that there was no reason to believe the authority would fail. He was also advised that residents at any sites would be subject to Council Tax and depending on the tenor, rent.

Councillor M Specht stated that he was waiting to see the full assessment of the provision required and noted that it was not expected until after the elections in May but felt that issues could arise as the figures were unknown as to how many pitches were needed and assurances had been given that the Allocations Development Plan would run parallel to the Local Plan. He expressed disappointment that there had been no response from either the Gypsy and Traveller community or the Multi Agency Traveller Unit Co-ordinator from Leicestershire County Council. He advised that he was happy with the update.

It was moved by Councillor M Specht, seconded by Councillor R Johnson and

RESOLVED THAT:

The Gypsy and Traveller Site Allocation DPD update be noted.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 7.05 pm

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LOCAL PLAN ADVISORY COMMITTEE TERMS OF REFERENCE

Purpose of the Local Plan Advisory Committee

To enable cross-party discussion, guidance and support for the development of the North West Leicestershire Local Plan.

Role of the Local Plan Advisory Committee

- To consider and comment on documents that relate to the North West Leicestershire Local Plan including (but not restricted to) policy options, draft policies and evidence prepared to support the Plan.
- To make recommendations as required to Council in respect of the North West Leicestershire Local Plan.
- To monitor progress on the preparation of the North West Leicestershire Local Plan.
- To provide updates to other Members who do not sit on the Local Plan Advisory Committee.
- To consider and comment on responses to plans being prepared by other local planning authorities as part of the Duty to Cooperate.

Membership of the Local Plan Advisory Committee

- The Advisory Committee will be constituted in accordance with the proportionality provisions contained within The Local Government and Housing Act 1989.
- The Council's Substitution Scheme will apply.
- The Advisory Committee will select a Chair at its first meeting of each civic year.
- Other members may be invited to attend and participate in meetings of the Advisory Committee in a non-voting capacity at the discretion of the Chair.
- The Advisory Committee meetings must have at least 3 members to be quorate.

Operation of the Local Plan Advisory Committee

- Council Procedure Rule 4 will apply to the Local Plan Advisory Committee
- The Advisory Committee will meet at least once every two months, but will meet more frequently where necessary to enable continued progress on the North West Leicestershire Local Plan.
- The Advisory Committee will have no direct decision-making powers but will consider documents and information relating to the Local Plan and make recommendations to Council. Any such report will include specific comments and issues raised by the minority group.
- The Advisory Committee will be supported by the Director of Services and officers in the Planning Policy Team.
- Meetings will be organised, administered and minuted by Democratic Services with agendas and minutes being made available on the Council's website.
- The Portfolio Holder may attend as an observer.

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LOCAL PLAN ADVISORY COMMITTEE – TUESDAY, 20 JUNE 2017

Title of report	LOCAL PLAN PROGRESS UPDATE: MODIFICATIONS AND NEXT STEPS
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 & Regeneration 01530 454782 jim.newton@nwleicestershire.gov.uk</p> <p>Planning Policy Team Manager 01530 454677 ian.nelson@nwleicestershire.gov.uk</p>
Purpose of report	<p>To update members on :</p> <ul style="list-style-type: none"> i) the outcomes of the Local Plan Examination Hearing sessions undertaken so far; and ii) the consultation on the Main Modifications
Council priorities	<p>Value for Money Business and Jobs Homes and Communities Green Footprints Challenge</p>
<p>Implications:</p> <p>Financial/Staff</p> <p>Link to relevant CAT</p> <p>Risk Management</p>	<p>None</p> <p>None</p> <p>A risk assessment of the project has been undertaken. As far as reasonably possible control measures have been put in place to minimise any risks identified, including monthly Project Board meetings where risks are reviewed.</p>
Equalities Impact Screening	An Equalities Impact Assessment of the Local Plan has been undertaken

Human Rights	None discernible
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 Monitoring Officer	The Report is Satisfactory
Consultees	Local Plan Project Board Agreement of the Portfolio Holder for Planning and Regeneration was sought in respect of both Main Modifications and minor Modifications in accordance with the resolution of Council on 28 June 2016.
Background papers	Local Plan Examination website: http://www.nwleics.gov.uk/pages/local_plan_examination
Recommendations	THAT THE ADVISORY COMMITTEE: (i) NOTES THE MAIN MODIFICATIONS PUBLISHED FOLLOWING THE LOCAL PLAN EXAMINATION HEARING SESSIONS; AND (ii) NOTES THE ADDITIONAL MODIFICATIONS PUBLISHED FOLLOWING THE LOCAL PLAN EXAMINATION HEARING SESSIONS; AND (iii) NOTES THE NEXT STEPS

1.0 BACKGROUND

- 1.1 Members will be aware that the North West Leicestershire Local Plan was submitted for examination on 6 October 2016. A number of examination hearing sessions were held by the Planning Inspector in January and March 2017.
- 1.2 It should be noted that whilst the hearing sessions have concluded the examination is ongoing until such time as the Inspector issues his final report. It is possible that further hearing sessions may be required by the Inspector.
- 1.3 This report provides an update for Members and outlines the anticipated timetable for the remainder of the Local Plan process.

2.0 OUTCOME FROM EXAMINATION HEARING SESSIONS

- 2.1 Following the hearing sessions in March the Inspector asked the Council to prepare a Schedule of Main Modifications for public consultation. It should be noted that this was on a without prejudice basis to the Inspector's ultimate conclusions and recommendations.
- 2.2 Officers had previously suggested a number of possible Main Modifications as part of the various position statements submitted as part of the examination and in response to requests from the Inspector (as highlighted in a report to the this Committee on 21 February 2017), and these formed the basis of debate in the hearing sessions. Following the Inspector's request, a draft Schedule of Main Modifications was prepared and agreed with the Inspector.
- 2.3 The Main Modifications were subject to a Sustainability Appraisal, the results of which were relayed to the Inspector before the Inspector gave his final agreement to publication for consultation of the Main Modifications.

3.0 THE CONSULTATION

- 3.1 The Main Modifications were published for consultation on 12 June 2017. The closing date for comments to be made is 24 July 2017.
- 3.2 As well as consultation on the the Main Modifications consultation is also taking place on a series of Additional (Minor) Modifications, a revised Sustainability Appraisal and additional evidence published since the Local Plan was submitted, including the Housing and Economic Needs Development Assessment (HEDNA) which was published just after the initial hearing sessions in January 2017, the implications of which were considered by this Committee on 21 February 2017. This is necessary because although these issues have been debated at the examination they have not been the subject of any public consultation.

4.0 THE MAIN MODIFICATIONS

- 4.1 "Main Modifications" are required to resolve issues that make the Local Plan 'unsound' or where it would not be legally compliant. They involve changes to policies and/or text that are essential to enable the Local Plan to be adopted. Main Modifications are therefore significant changes that have an impact on the implementation of a policy.
- 4.2 A copy of the schedule of Main Modifications is attached at Appendix A of this report.
- 4.3 In total there are some 50 Main Modifications. Of these 16 relate to changes to policies and the remainder to the supporting text or subsequent changes to the Policies Map.
- 4.4 This section highlights some of the important Main Modifications and the reasons for these.

- 4.5 Main Modification 9 is the most significant modification and relates to Policy S1 (Future housing and economic development needs).
- 4.6 As noted the HEDNA was published after the conclusion of the initial hearing sessions in January. The two additional days of hearing sessions in March concentrated on the HEDNA and what it means for the Local Plan.
- 4.7 As reported to the 21 February 2017 meeting of this Committee, the HEDNA identified an Objectively Assessed Need of 481 dwellings for housing and a total need of 66 hectares of employment land (excluding strategic B8 (distribution) uses) to 2031.
- 4.8 Prior to the hearing sessions, Leicester City Council advised the Leicester and Leicestershire Housing Market Area authorities (HMA) that it was unable to accommodate all of the city's needs within the city boundaries, although they were unable to identify the exact scale of unmet need or when it would be likely to occur. In addition, Oadby and Wigston Borough Council also identified that they would be unlikely to be able to accommodate their needs, although the scale was quite small at 161 dwellings up to 2031 (the end date for the Local Plan).
- 4.9 The issue of unmet need elsewhere is not one which this Council can address on its own. Instead, as part of the Duty to Cooperate, there is a need to reach agreement across the HMA as to how this unmet need can be accommodated. To this end, as Members are aware, the HMA authorities are currently working on the preparation of a Strategic Growth Plan which, amongst other matters, will agree the distribution of new housing and employment development with the HEDNA providing the starting point. This is due to be finalised by early 2018.
- 4.10 At the hearing sessions in March officers put forward the view that in terms of the housing requirement, this should reflect the findings of the HEDNA and be set at 481 dwellings each year compared to the 520 dwellings proposed in the submitted Local Plan. Similarly in terms of employment land the Council's position was that the HEDNA figure of 66 hectares should provide the basis for the plan, although it was accepted by the Council that the Local Plan as submitted did not meet these full requirements. This issue could be addressed through an early review of the Local Plan.
- 4.11 There was, therefore, considerable debate at the March hearing sessions around the issue of a need for a review of the Local Plan to address both the possible need for additional housing as a result of any redistribution from Leicester City, and the acknowledged employment land shortfall. The Inspector was particularly keen to ensure that any such review requirement was worded such that it was clear what would happen and within what timescale.
- 4.12 Main Modification 9 therefore provides a commitment to commence a review of the Local Plan in January 2018 or within 3 months of the adoption of the Local Plan (whichever is the later). It also identifies housing and employment land requirements consistent with the findings of the HEDNA.
- 4.13 A large number of Main Modifications are concerned with changes to the supporting text to reflect the impact of the HEDNA and Main Modification 9, or to provide more up-to-date information, for example in respect of progress against housing and employment requirements.

- 4.14 Main Modification 10 proposes changes to Policy S2 (Settlement Hierarchy) to clarify the Council's approach in respect of proposals on previously developed land as the Inspector had identified this as a gap.
- 4.15 Main Modification 12 proposes changes to Policy S3 (Countryside) and links to changes to Policy S2 and Ec2 (New employment sites).
- 4.16 Members will recall that the major housing allocation proposed in the Local Plan is on land at Money Hill Ashby de la Zouch (Policy H3 (a)). Main Modification 25 proposes an increase in capacity of the site for housing from 1,750 dwellings to 2,050 dwellings. This reflects the inclusion of additional land at the Ivanhoe Equestrian Centre which had been made when the Council agreed the publication Local Plan in June 2016, but a commensurate increase in capacity had inadvertently not been made at the same time. Main Modification 27 also proposes a number of changes to the policy to provide greater clarity and to address concerns raised by representatives of the local community in terms of the need for some certainty regarding how the site would be developed out. To this end an additional requirement is now proposed for the preparation and agreement of a comprehensive masterplan for the site.
- 4.17 The submitted Local Plan identified a reserve housing allocation at Ashby Road/Leicester Road Measham (Policy H3(c)). The site was a reserve in the event that land to the west of High Street Measham (known as Measham Waterside) was not able to be developed due to the impact of the proposed route of HS2. Main Modification 26 proposes to retain this as a reserve site but the policy is reworded to clarify the circumstances in which the site would be allowed to be developed to address the Inspector's concerns.
- 4.18 After the Local Plan was submitted in October 2016 the government published revised proposals for HS2 which impacted upon two housing sites on the western side of Kegworth. To offset this impact on the overall housing provision, Main Modification 27 proposes the identification of a reserve housing allocation on land south of Ashby Road Kegworth for about 110 dwellings. The Main Modification again makes clear the circumstances in which this site will be allowed to be developed.
- 4.19 During the hearing sessions the Inspector had raised concerns regarding the potential impact of the requirements for affordable housing on sites which utilised previously developed land. Therefore, Main Modification 30 proposes different thresholds (above which affordable housing will be sought) and targets on previously developed land to overcome these concerns. In addition, it also proposes a consistent threshold on all other sites. Main Modification 31 proposes additional text to explain the Council's approach.
- 4.20 Main Modification 40 (New Employment Sites) proposes changes to the policy in respect of the allocation as part of the Money Hill development similar to those for the housing policy outlined above at paragraph 4.16 above. In addition, Main Modification 43 also sets out the criteria to be used for considering applications for new employment sites which might come forward in advance of a review of the Local Plan. This is particularly important in view of the acknowledged shortfall in the employment land provision.
- 4.21 Main Modification 43 proposes changes to Policy IF4 (Transport Infrastructure and New Development) to address concerns raised by the Inspector regarding the need for

additional policy to help address the climate change impact associated with emissions from transport.

- 4.22 Main Modification 44 proposes changes to Policy En2 (River Mease Special Area of Conservation) to provide clarity in respect of the Developer Contributions Scheme.
- 4.23 Main Modifications 45 and 46 propose changes to Policy He1 (Conservation and enhancement of North West Leicestershire's historic environment) and Cc1 (Renewable Energy) to address concerns raised by Historic England.

5.0 THE ADDITIONAL MODIFICATIONS

- 5.1 "Additional Modifications" are of a more minor nature than Main Modifications and do not materially affect the policies set out in the Local Plan. Additional Modifications mainly relate to points where a need has been identified to clarify the text, include updated facts, or make typographical or grammatical revisions which improve the readability of the Local Plan.
- 5.2 A copy of the Additional Modifications can be viewed on the Council's website.

6.0 THE NEXT STEPS

- 6.1 As noted the consultation on the Main Modifications and associated documents closes on 24 July 2017.
- 6.2 Following this officers will go through the comments and set out suggested responses, all of which will then be forwarded to the Inspector for his consideration. The results of the consultation will be taken into account by the Inspector before he completes his report. However, it should be appreciated that the Inspector could conclude that further modifications are required as a result of comments made or that there is even a need for additional hearing sessions.
- 6.3 In the event that the Inspector moves to issuing his final report without the need for further modifications or hearing sessions, then it is likely that the earliest that the Local Plan could be considered by Council for adoption would be at its meeting on 21 November 2017.

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

June 2017

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

“Main Modifications” are required to resolve issues that make the Local Plan unsound (see paragraph 182 of the National Planning Policy Framework) or where it is not legally compliant. They involve changes or insertions to policies and text that are essential to enable the Plan to be adopted. Main Modifications are therefore significant changes that have an impact on the implementation of a policy.

The Main Modifications have been the subject of Sustainability Appraisal, the results of which can be viewed in a separate Sustainability Appraisal Addendum published for consultation alongside the Main Modifications.

Changes that the Council are proposing to policies/supporting text are shown as **bold** and underlined, and proposed deleted text is shown as ~~strikethrough~~. The Document Page number referred to in the schedule is the ‘tracked changes’ version which can be viewed separately.

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Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text	Reasons for modification
MM1	23	New paragraph 5.4	<u>A Housing and Economic Needs Development Assessment (HEDNA) has been undertaken for the Leicester and Leicestershire Housing Market Area (HMA) which identifies the future housing and employment needs for the district. Whilst the HEDNA was completed towards the end of the process of preparing this Plan it was considered and subjected to public consultation as part of the evidence base and provides the basis for the housing and employment provision made in this plan.</u>	To provide update
MM2	23	Paragraph 5.4 (new paragraph)	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	To provide update

Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text	Reasons for modification
		5.5)	<p>for employment. This is the basis upon which the employment land needs of the plan are based.</p> <p><u>The HEDNA has identified a need for 66 hectares of employment land (comprising those uses which fall within Class B1, B2 and B8 of less than 9,000sq metres (as defined by the Use Classes Order 2015). A study¹ in respect of the need for additional provision for distribution uses (Class B8) of more than 9,000 sq metres has identified a need for both additional road and rail connected sites across the HMA but it does not identify any specific requirements for individual districts/boroughs. Within North West Leicestershire such provision has already been made through a Strategic Rail Fright Interchange (SRFI) near to East Midlands Airport/junction 24 (referred to as Roxhill), which was approved by the Secretary of State in January 2016.</u></p>	
MM3	24	Paragraph 5.5 (new paragraph 5.6)	<p>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 the HEDNA this identified an Objectively Assessed Need (OAN) of 285 to 350 481 dwellings each year for the period 2011-2031. This equates to a total of between 5,700 and 7,000 9,620 dwellings.</p>	To provide update
MM4	24	Paragraph 5.6	<p>However, we also have to have regard to other evidence before we can confirm whether this is the appropriate level of development to plan for. The Planning Practice Guidance advises that in identifying housing need account should be taken of "<i>the likely change in job numbers....</i>". A Strategic Rail Freight Interchange (SRFI) near to East Midlands Airport/junction 24 (referred to</p>	To provide update

¹ Leicester and Leicestershire Strategic Distribution Study

Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text	Reasons for modification
			as Roxhill), was approved by the Secretary of State in January 2016. It is estimated that it will create 7,400 jobs. In contrast the PACEC study referred to above forecast an increase in the number of jobs in the B8 Use Class (Storage or distribution) (which the vast majority of the new jobs at Roxhill would comprise of) of only 3,400. Therefore, the PACEC study does not does not make sufficient allowance for jobs in the B8 sector.	
MM5	24	Paragraph 5.7	We commissioned a study (Review of Housing Requirements 2011-31 by JG Consulting) to look at what the potential impact of the SRFI with its projected additional 7,400 jobs would be in terms of housing needs. This work also updated the demographic data used to inform the SHMA. It found that the most significant impact of the SRFI would be on North West Leicestershire as just over 50% of all employees at the SRFI could be expected to be resident in the district. The study concluded by recommending that an Objectively Assessed Need for North West Leicestershire of 520 dwellings each year (or 10,400 dwellings over the plan period would be appropriate). This is slightly less than the figure we had proposed in our draft Local Plan in September 2015 (535 dwellings per annum).	To provide update
MM6	24	Paragraph 5.8 (New paragraph 5.7)	Having regard to this evidence this Local Plan makes provision sufficient to seeks to ensure that a minimum of 10,400 9,620 dwellings will be delivered over the plan period 2011-31.	To provide update
MM7	24/25	Paragraph 5.9	As noted at paragraph 1.14 we have, together with the other HMA authorities, commissioned a Housing and Economic Development Needs Assessment (HEDNA) which will identify new housing and employment requirements. This work is currently scheduled to be completed in	To provide update

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

Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text	Reasons for modification
			<p><u>district as identified in the Leicester and Leicestershire Housing and Economic Development Needs Assessment (January 2017).</u></p> <p><u>This means that:</u></p> <ul style="list-style-type: none"> • <u>provision will be made for the development of a minimum of 9,620 dwellings (481 dwellings per annum) which is the Objectively Assessed Need (OAN) and Housing Requirement for the district;</u> • <u>provision will be made for 66 hectares of land for employment purposes (B1, B2 and B8 of less than 9,000sq metres)</u> <p><u>Provision will also be made for 7,300sq metres for shopping purposes.</u></p> <p>The Council will continue working collaboratively with other Authorities, including those in Leicester & Leicestershire to establish through a Housing and Economic Development Needs Assessment, objectively, the level of long term housing and economic growth required including testing options for, and agreeing, its scale and distribution amongst the authorities concerned.</p> <p>In the event that this work indicates an additional need in North West Leicestershire, the Council commits to bringing forward an early review of this Plan (either partial or otherwise) unless there is sufficient flexibility within the Local Plan.</p> <p><u>The Council will continue to work collaboratively with the Leicester & Leicestershire Housing Market Area (HMA) authorities to establish the scale and distribution of any additional provision that may be necessary in North West Leicestershire and elsewhere in the HMA as a result of the inability of one or more authority to accommodate its own needs as identified</u></p>	<p>requirement is and to clarify that an early review of the plan will be undertaken and the timescales for such a review.</p>

Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text	Reasons for modification						
			<p><u>in the Leicester and Leicestershire Housing and Economic Development Needs Assessment.</u></p> <p><u>The District Council will commence a review of this Local Plan (defined as being publication of an invitation to make representations in accordance with Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012) by the end of January 2018 or within 3 months of the adoption of this Local Plan (whichever is the later). The Plan Review will be submitted for examination within two years from the commencement of the review. In the event that the reviewed plan is not submitted within two years then this Local Plan will be deemed to be out of date.</u></p>							
MM10	27/28	Policy S2	<p><u>Policy S2 – Settlement Hierarchy</u></p> <p>The following Settlement Hierarchy will be used when assessing the suitability of a settlement for new development, with the general principle being that those settlements higher up the hierarchy will take more growth than those lower down and that the type of development proposed is appropriate to the scale and character of the settlement and its place in the hierarchy.</p> <table border="1"> <thead> <tr> <th>Settlement Classification</th> <th>Settlement(s)</th> </tr> </thead> <tbody> <tr> <td>Principal Town</td> <td></td> </tr> <tr> <td>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 sustainable transport from surrounding areas and to other large settlements outside the district. The largest amount of new</td> <td>Coalville Urban Area which comprises of Coalville, Donington-le-Heath, Greenhill, Hugglescote, Snibston, Thringstone and Whitwick as well as the Bardon employment</td> </tr> </tbody> </table>	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 sustainable transport from surrounding areas and to other large settlements outside the district. The largest amount of new	Coalville Urban Area which comprises of Coalville, Donington-le-Heath, Greenhill, Hugglescote, Snibston, Thringstone and Whitwick as well as the Bardon employment	To provide clarity in respect of proposals for the redevelopment of suitable brownfield sites situated outside defined settlement limits.
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			<p>development will be directed here, including retail development, to support the regeneration of Coalville Town Centre.</p>	<p>area.</p>	
			<p>Key Service Centre</p> <p>Smaller than the Principal Town in terms of population and also the range of services and facilities they provide, they play an important role providing services and facilities to the surrounding area and are accessible by some public sustainable 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 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 Kegworth Measham</p>	
			<p>Sustainable Villages</p> <p>Settlements which have a limited range of services and facilities where a limited amount of growth will</p>	<p>Albert Village, Appleby Magna, Belton, Blackfordby, Breedon on the Hill, Coleorton (the Lower Moor Road area only), Diseworth, Donisthorpe,</p>	

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			<p>take place within the defined Limits to Development.</p>	<p>Ellistown, Heather, Long Whatton, Moira (including Norris Hill), Oakthorpe, Packington, Ravenstone, Swannington, Worthington.</p>	
			<p>Small Village</p> <p>Settlements with very limited services and where development will be restricted to conversions of existing buildings or the redevelopment of previously developed land (as defined in the National Planning Policy Framework) or affordable housing in accordance with Policy H5 (Rural Exceptions Sites for Affordable Housing).</p>	<p><i>Battram, Coleorton (the part not considered to be a Sustainable Village), Griffydam, Hemington, Lockington, Lount, Newbold, Newton Burgoland, Osgathorpe, Peggs Green, Sinope, Snarestone, Sweptstone, Spring Cottage, Tonge, Wilson.</i></p>	
			<p>Hamlets</p> <p>Small groups of dwellings with no services and facilities and where development will be considered in the context of the countryside policy (Policy S3 S4).</p>		
			<p><u>The re-use of previously developed land (as defined in the National Planning Policy Framework) will be supported where it is compatible with the settlement hierarchy set out above. The redevelopment of previously developed land for housing should be</u></p>		

Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text	Reasons for modification
			<p><u>within or well-related to the Principal Town, a Key Service Centre, Local Service Centre, Sustainable Village or Small Village.</u></p> <p>Any development provided for within this policy which discharges wastewater into the Mease catchment will be subject to the provisions of policy En2. Any such development which does not meet these provisions will not be permitted.</p>	
MM11	29	Paragraph 5.20 (new paragraph 5.18)	<p>... Any further development in such settlements will be restricted to either infilling or physical extensions <u>previously developed land which is well related to the settlement concerned.</u>" ...</p>	To be consistent with Policy S2
MM12	30/31	Policy S3	<p><u>Policy S3: Countryside</u></p> <p>(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 <u>where those uses listed (a) to (s) below will be supported, subject to those considerations set out in criteria (i) to (vi) below.</u></p> <p>(2) In areas designated as Countryside on the Policies Map, development for the following uses will be supported:</p> <ul style="list-style-type: none"> (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 	To provide clarity in respect of proposals for the redevelopment of suitable brownfield situated outside defined settlement limits and to cross refer to policy Ec2.

Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text	Reasons for modification
			<p>housing in accordance with the Settlement Hierarchy (Policy S3S2);</p> <p>(e) The redevelopment of previously developed land for housing in a Small Village in accordance with Policy S2 the Settlement Hierarchy (Policy S3)</p> <p>(f) Flood protection;</p> <p>(g) Affordable housing in accordance with Policy H5;</p> <p>(h) The extension and replacement of dwellings;</p> <p>(i) Expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;</p> <p>(j) Sites for Gypsies and Travellers and Travelling Showpeople in accordance with Policy H7;</p> <p>(k) Small-scale employment generating development or farm diversification;</p> <p>(l) Community services and facilities meeting a proven local need;</p> <p>(m) Development by statutory undertakers or public utility providers;</p> <p>(n) Recreation and tourism;</p> <p>(o) Renewable energy;</p> <p>(p) Development at East Midlands Airport in accordance with Policy Ec5;</p> <p>(q) Development at Donington Park Racetrack in accordance with Policy Ec8;</p> <p>(r) Transport infrastructure;</p> <p>(s) <u>Employment land in accordance with the provisions of Policy Ec2</u></p> <p>(3) Developments in accordance with (2) (a) to (s) above will be supported where:</p> <p>(ai) the appearance and character of the landscape, including its historic character and features such as biodiversity, views, settlement pattern, rivers, watercourses, field patterns, industrial heritage and local distinctiveness is safeguarded and enhanced. Decisions in respect of impact on landscape character and appearance will be informed by the Leicester, Leicestershire and Rutland Historic Landscape Characterisation Study, National Character Areas</p>	

Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text	Reasons for modification										
			<p>and any subsequent pieces of evidence ; and</p> <p>(bii) it does not undermine, either individually or cumulatively with existing or proposed development, the physical and perceived separation and open undeveloped character between nearby settlements either through contiguous extensions to existing settlements or through development on isolated sites on land divorced from settlement boundaries; and</p> <p>(eiii) it does not create or exacerbate ribbon development; and</p> <p>(div) built development is well integrated with existing development and existing buildings, including the re-use of existing buildings, where appropriate; and</p> <p>(ev) the development will not seriously undermine the vitality and viability of existing town and local centres and;</p> <p>(vi) <u>The proposed development is accessible, or will be made accessible, by a range of sustainable transport.</u></p>											
MM13	41	Table 2	<p>Table 2– Housing provision as at 1 October 20152016</p> <table border="1"> <thead> <tr> <th></th> <th>Number of dwellings</th> </tr> </thead> <tbody> <tr> <td>Completions 1 April 2011- 31 September 2015 2016(A)</td> <td>2,1722,690</td> </tr> <tr> <td>Under construction (B)</td> <td>322 471</td> </tr> <tr> <td>Planning permission (C)</td> <td>5,207 8,851</td> </tr> <tr> <td>Resolution to grant planning permission (D)</td> <td>3,506541</td> </tr> </tbody> </table>		Number of dwellings	Completions 1 April 2011- 31 September 2015 2016(A)	2,172 2,690	Under construction (B)	322 471	Planning permission (C)	5,207 8,851	Resolution to grant planning permission (D)	3,506 541	To provide up-to-date information
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Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text		Reasons for modification
			Total provision (A+B+C+D)	11,207 12,553	
MM14	41/42	New paragraph 7.5	<p><u>The figures above include dwellings on sites of less than 10 dwellings. We have considered whether we should make an allowance for unidentified sites which may come forward over the plan period. These can either be small sites (usually those of less than 10 dwellings) or larger sites (for example perhaps a former factory site). Whilst historically such sites have provided an important part of the supply, the provision of such sites is, by its nature, very uncertain. Therefore, for the purposes of estimating housing supply we have not made any allowance for such sites coming forward. However, should such sites come forward and planning permission be granted then they would count towards the housing supply at that point in time just as those which currently have planning permission are included in the figures at Table 2.</u></p>		For clarity
MM15	42	7.8	<p>As a result of these considerations we think it is likely that only about 9,600 dwellings in total will be built up to 2031 across the district (11,207 committed dwellings less 1,600 dwellings at south east Coalville that are not expected to be built by 2031). Therefore, we need to make provision for an additional 800 dwellings to ensure that the required number of dwellings (10,400) will be achieved.</p>		To provide up-to-date information
MM16	42	7.9	<p>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</p>		Paragraph moved for clarity

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			point in time just as those which currently have planning permission are included in the figures at Table 2.										
MM17	42	New paragraph 7.8	<u>In addition, two of the sites with permission at Kegworth for 260 dwellings (Ashby Road Kegworth and south of A6, Derby Road, Kegworth) are both potentially affected by the route of HS2. There is, therefore, considerable doubt as to whether these sites will be able to be built during the plan period.</u>	To ensure that the housing requirement will be met									
MM18	42/43	New paragraph 7.9	<u>Allowing for the sites referred to above, together with uncertainties in respect of a small number of other sites with planning permission, it is estimated that about 9,000 dwellings (including those already built) will be built in the plan period. Therefore, we need to make provision for at least a further 600 dwellings.</u>	To ensure that the housing requirement will be met									
MM19	43/44	Policy H1	<p><u>Policy H1 – Housing provision : planning permissions</u></p> <p>The following sites have the benefit of planning permission for housing development. In the event that planning permission lapses on these sites it will be renewed subject to the policies of this Local Plan and any other material considerations including any evidence in respect of deliverability of any particular site.</p> <p>Any development provided for within this policy which discharges wastewater into the Mease catchment will be subject to the provisions of policy En2. Any such development which does not meet these provisions will not be permitted.</p> <table border="1"> <thead> <tr> <th></th> <th>Site</th> <th>Capacity</th> </tr> </thead> <tbody> <tr> <td>H1a</td> <td>Off Measham Road, Appleby Magna</td> <td>39 dwellings</td> </tr> <tr> <td>H1b</td> <td>Off Top Street, Appleby Magna</td> <td>29 dwellings</td> </tr> </tbody> </table>		Site	Capacity	H1a	Off Measham Road, Appleby Magna	39 dwellings	H1b	Off Top Street, Appleby Magna	29 dwellings	To provide up-to-date information
	Site	Capacity											
H1a	Off Measham Road, Appleby Magna	39 dwellings											
H1b	Off Top Street, Appleby Magna	29 dwellings											

Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text			Reasons for modification
			H1c	3 Top Street, Appleby Magna	12 dwellings	
			H1d	Holywell Spring Farm, Burton Road Ashby de la Zouch	400 dwellings	
			H1ea	Holywell Mill, Ashby de la Zouch	44 dwellings	
			H1b	Land north of Ashby de la Zouch	605 dwellings	
			H1f	Off Leicester Road, Ashby de la Zouch	101 dwellings	
			H1g	South of Burton road, Ashby de la Zouch	275 dwellings	
			H1h	Former depot Kilwardby Street, Ashby de la Zouch	32 dwellings	
			H1ic	South of Park Lane, Castle Donington	895 dwellings	
			H1j	Rear of 138 Bardon Road, Coalville	132 dwellings	
			H1k	Rear of 164-222 Bardon Road, Coalville	77 dwellings	
			H1l	Former depot Highfield Street, Coalville	28 dwellings	
			H1m	Land off North Avenue, Coalville	17 dwellings	
			H1nd	Standard Hill/West of Highfield Street, Coalville	400 dwellings	
			H1e	Off Jackson Street Coalville	129 dwellings	
			H1f	Off Kane Close Coalville	21 dwellings	
			H1o	The Farm, Manor Road, Donington-le-Heath	14 dwellings	
			H1pg	Acresford Road, Donisthorpe	36 dwellings	
			H1qh	Land north and south of Grange Road , Hugglescote	800-3,500 dwellings	
			H1r	Castle Inn, Dennis Street, Hugglescote	10 dwellings	
			H1s	Rear of Frearson Road, Hugglescote	188 dwellings	
			H1ti	South of Grange Road, Hugglescote	105 dwellings	
			H1uj	Station Road, Ibstock	142 dwellings	
			H1vk	Ashby Road, Kegworth	110 dwellings	
			H1l	Slack & Parr , Long Lane, Kegworth	188 dwellings	
			H1m	Land south of A6, Derby Road, Kegworth	150 dwellings	
			H1w	New Street, Measham	20 dwellings	
			H1x	Atherstone Road, Measham	77 dwellings	

Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text			Reasons for modification						
			H1y	Off Measham Road, Moira	80 dwellings							
			H1zn	Cresswells Coaches, Shortheath Road, Moira	24 dwellings							
			H1ao	Home Farm, Main Street, Oakthorpe	29 dwellings							
			H1ab	166 Spring cottage Road, Overseal	11 dwellings							
			H1ap	Dawsons Road, Osgathorpe	16 dwellings							
			H1aq	South of Normanton Road, Packington	30 dwellings							
			H1ar	Heather Lane, Ravenstone	50 dwellings							
			H1af	Loughborough Road, Thringstone	85 dwellings							
			H1ag	61-65 Grace Dieu Road, Whitwick	12 dwellings							
MM20	44/45	Policy H2	<p><u>Policy H2 – Housing provision: resolutions</u></p> <p>The Council has resolved to grant planning permission for housing development on the sites listed below. The Council will work with developers and applicants to ensure that the legal agreements associated with these developments are completed as efficiently as possible so that permission can be issued. Once planning permission is granted it will be subject to the provisions of Policy H1.</p> <p>Where there has been a delay in the signing of a legal agreement and a planning permission not granted, it may be necessary for the application to be referred back to Planning Committee for account to be taken of any material change in circumstances since the initial resolution to grant permission.</p> <p>Any development provided for within this policy which discharges wastewater into the Mease catchment will be subject to the provisions of policy En2. Any such development which does not meet these provisions will not be permitted.</p> <table border="1" data-bbox="757 1329 1731 1366"> <thead> <tr> <th data-bbox="757 1329 853 1366"></th> <th data-bbox="864 1329 1491 1366">Site</th> <th data-bbox="1503 1329 1731 1366">Capacity</th> </tr> </thead> <tbody> <tr> <td data-bbox="757 1366 853 1366"></td> <td data-bbox="864 1366 1491 1366"></td> <td data-bbox="1503 1366 1731 1366"></td> </tr> </tbody> </table>				Site	Capacity				To provide up-to-date information
	Site	Capacity										

Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text				Reasons for modification
			H2a	Off Jackson Street, Coalville	129 dwellings		
			H2b	Off Kane Close, Coalville	21 dwellings		
			H2c	North and south of Grange Road, Hugglescote	2,700 dwellings		
			H2d	Slack & Parr, Long Lane, Kegworth	188 dwellings		
			H2ea	West of High Street, Measham	450 dwellings		
			H2fb	Land at Blackfordby Lane, Moira	18 dwellings		
MM21	45	Paragraph 7.13	As outlined at paragraph 7.8 it is necessary to identify additional sites to ensure that the overall provision of housing will be sufficient to meet the housing requirement of 10,400 9,620 dwellings.				Factual update
MM22	45	Paragraph 7.15	We have considered a range of potential locations and sites to make this provision and have concluded that the most appropriate allocation would be is north of Ashby de la Zouch (more details about this assessment can be found in the supporting Background Paper and the Sustainability Appraisal). This area comprises two sites which are identified in our Strategic Housing Land Availability Assessment Site A5 (Land north of Ashby, Money Hill) and Site A22 (Former Arla dairy, Smisby Road). Part of site A5 has planning permission for 605 dwellings (H1b). They remainder of A5 together with the whole of A22 adjoin each other and are proposed included as a single allocation. The overall scale of development that could be realised on the site (including that part which has planning permission) is about 2,050 dwellings.				For clarity and to provide up-to-date information
MM23	46	Paragraph 7.18	Land west of High Street Measham (H2ea) is potentially affected by the currently preferred proposed route for HS2. In order to provide flexibility in the event that the final route of HS2 does impact upon the site 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 it is proposed to make alternative provision to ensure that the overall requirement is still met. Our preference would be to make this provision elsewhere in Measham. We have assessed the various sites				For clarity

Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text	Reasons for modification
			identified in the SHLAA. Whilst a number of the sites are quite small and or now have planning permission there are two large areas identified in the SHLAA; one off Atherstone Road (sites M6 and M7) and one off Ashby Road/ Leicester Road (sites M11 and M12). The site off Atherstone Road is largely in use as a brick and pipe manufacturing works. Our preference, therefore, is to identify land off Ashby Road/Leicester Road as a reserve site should the route of HS2 prohibit the development of land west of High Street.	
MM24	46	New paragraph 7.20	<u>As noted at paragraphs 7.8 two sites at Kegworth are also potentially affected by the route of HS2. Land south of Ashby Road, Kegworth is therefore, proposed as an alternative to these sites in the event that the route of HS2 does prohibit their development. The site is capable of accommodating about 110 dwellings so it will not make up all the shortfall that would result from the loss of these two sites.</u>	To ensure that the housing requirement will be met
MM25	47	Policy H3	<p><u>Policy H3 – Housing provision: new allocations</u></p> <p>The following sites are allocated for housing development, subject to meeting the specified requirements set out below. These sites will be subject to a Section 106 Agreement to secure the provision of any specific requirements including on and off-site infrastructure.</p> <p>H3a - Land north of Ashby de la Zouch (<u>about 2,050</u> 1,750 dwellings in total)</p> <p>Development will be subject to the following requirements:</p> <p>(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</p>	To provide clarity as to the overall scale of development

Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text	Reasons for modification
			<p>(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</p> <p>(iii) provision of suitable and safe walking and cycling connections from the site to Ashby town centre, and adjoining employment areas (existing and proposed) <u>and the wider countryside</u>; and</p> <p>(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</p> <p>(v) design and layout of the proposed development should <u>have due regard to the protection and enhancement of Heritage Assets including</u> minimise the impact upon the setting of Ashby de la Zouch Conservation Area and the Ashby Castle Scheduled Ancient Monument, <u>Parish Church of St Helen and Ashby de la Zouch Conservation Area</u>; and</p> <p>(vi) provision for the discharge of wastewater into the Mease catchment in accordance with the provisions of policy En2. Development which does not meet these provisions will not be permitted. In addition, development will not be permitted until a second 'development window' for the Developer Contributions Scheme has been agreed and no more than 600 dwellings will be allowed to be built until provision is made for pumping wastewater from the sewage treatment works at Packington out of the river Mease catchment; and</p> <p>(vii) provision of a mineral assessment identifying the potential effect of the proposed</p>	<p>To provide clarity</p> <p>To provide clarity</p>

Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text	Reasons for modification
			<p>development on the mineral resources beneath and adjacent to the site; and</p> <p><u>(viii) A comprehensive Masterplan prepared in consultation with stakeholders, including both the district and town council and agreed in writing with the local planning authority for the comprehensive development of the site which identifies a range of land uses (including residential, employment and commercial uses, green infrastructure and open spaces, pedestrian and cycle links within and beyond the site and community facilities) and their relationship to each other and existing development in the vicinity of the site and what measures will be put in place to protect amenity of existing residential areas.</u></p>	<p>To reflect discussions at the examination regarding the need for a masterplan to provide certainty as to the likely future development of the site</p>
MM26	48/49	Policy H3c	<p>H3c - Land off Ashby Road/Leicester Road, Measham (about 420 300 dwellings)</p> <p>Development of this site will be supported in the event that the proposed route of HS2, when confirmed, prohibits the development of land west of High Street Measham (Policy H2e).</p> <p><u>Development of this site will be supported when:</u></p>	<p>To reflect the most up-to-date information</p>

Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text	Reasons for modification
			<p>(a) <u>The Government confirms the line of HS2 in the vicinity of Measham; and</u></p> <p>(b) <u>The confirmed route passes through land West of High Street Measham (H2a); and</u></p> <p>(c) <u>The site West of High Street Measham is not capable of being developed in its entirety as a result of the alignment of HS2.</u></p>	To provide clarity as to the circumstances in which the development of the site would be supported.
MM27	49	New policy H3d	<p><u>H3d - Land south of Ashby Road, Kegworth (about 110 dwellings)</u></p> <p><u>Development of this site will be supported when:</u></p> <p>(d) <u>The Government confirms the line of HS2 in the vicinity of Kegworth; and</u></p> <p>(e) <u>The confirmed route passes through those sites north of Ashby Road Kegworth and/or south of Derby Road Kegworth which currently benefit from planning permission for housing development; and</u></p> <p>(f) <u>Either of the two sites is not capable of being developed in their entirety as a result of the alignment of HS2.</u></p> <p><u>Development will be subject to the following:</u></p> <p>(i) <u>Provision of vehicular access from Ashby Road; and</u></p> <p>(ii) <u>The proposed development being compatible with the route of the proposed Kegworth bypass; and</u></p> <p>(iii) <u>Provision of walking and cycling connections from the site to Kegworth centre;</u></p>	To ensure that sufficient provision is made to meet the housing requirement and to establish the circumstances in which the development of the site would be supported.

Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text	Reasons for modification
			<p>and</p> <p>(iv) <u>Provision of a range of infrastructure including contributions towards education provision, affordable housing, open spaces, green infrastructure and community facilities and enhanced public transport provision; and</u></p> <p>(v) <u>The incorporation of appropriate measures to mitigate the impact of any noise issues associated with the M1, HS2 or East Midlands Airport.</u></p>	
MM28	50	Paragraph 7.22 (now paragraph 7.23)	The NPPF requires that the Council maintain a 5 year supply of housing sites. As at 1 October 2015 2016 for the 5 year period to October 2020 1 and based on the projected completions in the trajectory there is a supply of between 5.4 6.34 years (with a 20% buffer) and 7.24 years (with a 5% buffer) . More details about this are set out in the Housing Background Paper published alongside this Local Plan.	To provide up-to-date information
MM29	50	Paragraph 7.23 (now paragraph) 7.24	The trajectory identifies that 8,597 7,902 dwellings will be developed by 2031, in addition to the 2,172 2,690 which were built from April 2011 to 1 October 2015 6 . Therefore, it is projected that 10,769 10,592 dwellings will be developed over the plan period. This is more than the identified requirement of 10,400 9,620 dwellings by about 1,000 dwellings. This additional provision in supply will provide a degree of flexibility in the unforeseen event that some of the identified sites do not come forward as predicted. In addition, as already noted there may be a need to accommodate additional housing development from elsewhere in the Housing Market Area. Therefore, this level of supply will help to make an immediate contribution to any additional provision required and so will ensure that supply continues to be made whilst the review of the Plan which is committed to in Policy S1 takes place.	To provide up-to-date information and to provide clarity
MM30	51/52/53	Policy H4	<p><u>Policy H4: Affordable Housing</u></p> <p>(1) To support the provision of mixed, sustainable communities the Council will seek the</p>	

Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text	Reasons for modification																								
			<p>provision of affordable housing on new housing developments. The provision of affordable housing will be subject to the following thresholds above which provision will be sought and the level of contributions will be sought:</p> <p><u>Greenfield Sites</u></p> <table border="1" data-bbox="801 603 1722 1369"> <thead> <tr> <th>Settlement</th> <th>Minimum Affordable Housing Contribution</th> <th>Threshold</th> </tr> </thead> <tbody> <tr> <td>Ashby de la Zouch</td> <td>30%</td> <td>15 or more dwellings <u>11 or more dwellings OR 1,000sqm (gross floor space)</u></td> </tr> <tr> <td>Castle Donington</td> <td>30%</td> <td>15 or more dwellings <u>11 or more dwellings OR 1,000sqm (gross floor space)</u></td> </tr> <tr> <td>Coalville Urban Area</td> <td>20%</td> <td>15 or more dwellings <u>11 or more dwellings OR 1,000sqm (gross floor space)</u></td> </tr> <tr> <td>Ibstock</td> <td>20%</td> <td>11 or more dwellings OR 1,000 (gross) floor space</td> </tr> <tr> <td>Kegworth</td> <td>30%</td> <td>11 or more dwellings OR 1,000 (gross) floor space</td> </tr> <tr> <td>Measham</td> <td>30%</td> <td>11 or more dwellings OR 1,000 (gross) floor space</td> </tr> <tr> <td>All other settlements</td> <td>30%</td> <td>11 or more dwellings OR</td> </tr> </tbody> </table>	Settlement	Minimum Affordable Housing Contribution	Threshold	Ashby de la Zouch	30%	15 or more dwellings <u>11 or more dwellings OR 1,000sqm (gross floor space)</u>	Castle Donington	30%	15 or more dwellings <u>11 or more dwellings OR 1,000sqm (gross floor space)</u>	Coalville Urban Area	20%	15 or more dwellings <u>11 or more dwellings OR 1,000sqm (gross floor space)</u>	Ibstock	20%	11 or more dwellings OR 1,000 (gross) floor space	Kegworth	30%	11 or more dwellings OR 1,000 (gross) floor space	Measham	30%	11 or more dwellings OR 1,000 (gross) floor space	All other settlements	30%	11 or more dwellings OR	<p>To provide a consistent threshold above which affordable housing will be required.</p>
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			<table border="1" data-bbox="801 344 1724 384"> <tr> <td></td> <td></td> <td>1,000 (gross) floor space</td> </tr> </table> <p data-bbox="801 467 1131 496"><u>Previously Developed Land</u></p> <table border="1" data-bbox="801 539 1724 1161"> <thead> <tr> <th data-bbox="801 539 1081 651"><u>Settlement</u></th> <th data-bbox="1081 539 1368 651"><u>Minimum Affordable Housing Contribution</u></th> <th data-bbox="1368 539 1724 651"><u>Threshold</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="801 651 1081 722"><u>Ashby de la Zouch</u></td> <td data-bbox="1081 651 1368 722"><u>15%</u></td> <td data-bbox="1368 651 1724 722"><u>30 or more dwellings OR sites of 1Ha or more</u></td> </tr> <tr> <td data-bbox="801 722 1081 794"><u>Castle Donington</u></td> <td data-bbox="1081 722 1368 794"><u>5%</u></td> <td data-bbox="1368 722 1724 794"><u>30 or more dwellings OR sites of 1Ha or more</u></td> </tr> <tr> <td data-bbox="801 794 1081 866"><u>Coalville Urban Area</u></td> <td data-bbox="1081 794 1368 866"><u>5%</u></td> <td data-bbox="1368 794 1724 866"><u>30 or more dwellings OR sites of 1Ha or more</u></td> </tr> <tr> <td data-bbox="801 866 1081 938"><u>lbstock</u></td> <td data-bbox="1081 866 1368 938"><u>5%</u></td> <td data-bbox="1368 866 1724 938"><u>30 or more dwellings OR sites of 1Ha or more</u></td> </tr> <tr> <td data-bbox="801 938 1081 1010"><u>Kegworth</u></td> <td data-bbox="1081 938 1368 1010"><u>5%</u></td> <td data-bbox="1368 938 1724 1010"><u>30 or more dwellings OR sites of 1Ha or more</u></td> </tr> <tr> <td data-bbox="801 1010 1081 1082"><u>Measham</u></td> <td data-bbox="1081 1010 1368 1082"><u>15%</u></td> <td data-bbox="1368 1010 1724 1082"><u>30 or more dwellings OR sites of 1Ha or more</u></td> </tr> <tr> <td data-bbox="801 1082 1081 1161"><u>All other settlements</u></td> <td data-bbox="1081 1082 1368 1161"><u>5%</u></td> <td data-bbox="1368 1082 1724 1161"><u>30 or more dwellings OR sites of 1Ha or more</u></td> </tr> </tbody> </table> <p data-bbox="752 1230 1659 1259">(2) In agreeing the provision of affordable housing account will be taken of:</p> <ul data-bbox="848 1294 1783 1361" style="list-style-type: none"> • site size and site constraints; and • financial viability, having regard to the individual circumstances of the site. 			1,000 (gross) floor space	<u>Settlement</u>	<u>Minimum Affordable Housing Contribution</u>	<u>Threshold</u>	<u>Ashby de la Zouch</u>	<u>15%</u>	<u>30 or more dwellings OR sites of 1Ha or more</u>	<u>Castle Donington</u>	<u>5%</u>	<u>30 or more dwellings OR sites of 1Ha or more</u>	<u>Coalville Urban Area</u>	<u>5%</u>	<u>30 or more dwellings OR sites of 1Ha or more</u>	<u>lbstock</u>	<u>5%</u>	<u>30 or more dwellings OR sites of 1Ha or more</u>	<u>Kegworth</u>	<u>5%</u>	<u>30 or more dwellings OR sites of 1Ha or more</u>	<u>Measham</u>	<u>15%</u>	<u>30 or more dwellings OR sites of 1Ha or more</u>	<u>All other settlements</u>	<u>5%</u>	<u>30 or more dwellings OR sites of 1Ha or more</u>	To support the development of previously developed land for housing by applying less onerous requirements.
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			<p>Where it can be demonstrated that the full affordable housing requirement would adversely affect the viability of a proposed development then the Council will agree to look at other measures to increase viability in accordance with Policy IM1 (Implementation and Monitoring of the Local Plan) before agreeing to a lesser amount of affordable housing subject to the provision of part (4) below.</p> <p>(3) The Council's preference is for on-site affordable housing provision which should:</p> <ul style="list-style-type: none"> • include a mix of types and tenure that reflects the type and nature of any need at the time the application is determined; and • be integrated within the design and layout of a development such that they are externally indistinguishable from market housing on the same site. <p>(4) Planning permission will be subject to a legal agreement to secure the provision of the agreed amount of affordable housing. Where a site is likely to be developed in phases over the longer term the agreement will include a suitable mechanism to review the amount of affordable housing provided over time as viability improves.</p> <p>(5) The Council will encourage the provision of affordable homes to meet the need of elderly people. Where bungalow provision is made the Council will consider reducing the overall level of affordable housing contribution, having regard to the type and size of other affordable housing provided across the site.</p>	
MM31	54	New paragraphs 7.35 to	<p><u>In regards to previously developed land, the Viability Study tested a range of scenarios to assess the viability of affordable housing on both greenfield and brownfield sites. The Study identified that affordable housing viability on brownfield sites is generally more constrained</u></p>	To provide clarity as to the

Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text	Reasons for modification
		7.38	<p><u>compared to greenfield sites.</u></p> <p><u>The Viability Study identifies that brownfield sites in areas such as Coalville and Castle Donington, for example, have a higher value for employment land compared to residential.</u></p> <p><u>The generally higher development costs of previously developed land (compared to greenfield sites) can impact upon site viability and so will require a different approach in respect of associated development costs, including affordable housing.</u></p> <p><u>Therefore, to ensure the Local Plan responds to this evidence and to assist the viability and therefore delivery of brownfield sites Policy H4 provides for different affordable housing requirements for greenfield and brownfield sites.</u></p>	justification for the approach taken to affordable housing on previously developed land.
MM32	63	8.16	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.	To provide up-to-date information
MM33	64	Paragraph 8.17 (new paragraph 8.14)	As noted in policy S2, provision needs to be made for a minimum of 9666 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.	To provide up-to-date information

Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text	Reasons for modification
MM34	64	Paragraph 8.18 (new paragraph 8.15)	In addition to the existing provision, we need to consider whether some land currently in use for employment purposes could be lost to other uses. For example, older stock which may become not-fit-for purpose during the plan period. 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. <u>An Assessment of Employment Sites study was a comprehensive survey of employment sites in the district which considered which the most suitable sites were to retain in employment use and which might reasonably be considered for other uses. Those sites which were identified as being potentially suitable for release to other uses totalled 25.8ha. Of these 15.4ha has already been (or are being) redeveloped for other uses, principally housing. Therefore, this leaves only 10.4ha as potentially suitable for release to other uses.</u>	To provide up-to-date information
MM35	64	8.19	It is not possible to predict with any great certainty as to how much existing employment land might be lost in the future. The fact that the average figure for 2011-14 is higher than the previous 20 years possibly reflects the state of the economy (i.e. limited demand for employment space) and the governments stated aim of boosting housing supply (i.e. competing alternative uses which are more commercially viable). The average figure for 2011-14 may, therefore, be considered too high. However, we have only considered employment land lost to housing. It is likely that employment land will be lost other uses as well. Whilst these uses may generate jobs in their own right, they would be non-employment uses.	Issue now considered in new paragraph 8.15
MM36	64	8.20	Having considered these factors it would be prudent to be cautious and so a figure of 45 hectares of employment land lost to other uses is assumed for the purpose of calculating the need for additional employment land.	Issue now considered in new paragraph

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MM37	65	Table 5	<p>Table 5 – Employment land provision as at 1 October 20152016</p> <table border="1"> <tr> <td>Requirement 2011-31</td> <td>9666 Ha</td> <td>A</td> </tr> <tr> <td>Starts 2011-1516</td> <td>7.756.81 Ha</td> <td>B</td> </tr> <tr> <td>Commitments</td> <td>127.04 29.86Ha</td> <td>C</td> </tr> <tr> <td>Residual requirement (A-B-C)</td> <td>- 38.7929.33Ha</td> <td>D</td> </tr> <tr> <td>Allowance for potential loss of employment land</td> <td>4510Ha</td> <td>E</td> </tr> <tr> <td>Residual requirement (D-E)</td> <td>-6.2139Ha</td> <td></td> </tr> </table>	Requirement 2011-31	9666 Ha	A	Starts 2011- 15 16	7.75 6.81 Ha	B	Commitments	127.04 29.86Ha	C	Residual requirement (A-B-C)	- 38.79 29.33Ha	D	Allowance for potential loss of employment land	45 10Ha	E	Residual requirement (D-E)	-6.21 39Ha		To provide up-to-date information
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MM38	65	Paragraph 8.22 (new paragraph 8.17)	It can be seen that the effect of this allowance is that there is a small shortfall of about 6 39 hectares compared to the requirements identified in the HEDNA (including an allowance for the potential loss of existing employment land) . This shortfall is addressed at Policy Ec2.	To provide up-to-date information																		
MM39	64/65	Policy Ec1	<p><u>Policy Ec1 - Employment provision: permissions</u></p> <p>The following sites have the benefit of planning permission for employment development and</p>	To provide up-to-date																		

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			<p>where development has yet to commence. In the event that planning permission lapses on these sites it will be renewed subject to the policies of this Local Plan and any other material considerations including any evidence in respect of deliverability of any particular site.</p> <p>Any development provided for within this policy which discharges wastewater into the Mease catchment will be subject to the provisions of policy En2. Any such development which does not meet these provisions will not be permitted.</p> <table border="1"> <thead> <tr> <th></th> <th>Site</th> <th>Site Area (Hectares)</th> <th>Use Class</th> </tr> </thead> <tbody> <tr> <td>EC1a</td> <td>Former Lounge disposal point, Ashby de la Zouch</td> <td>25.5</td> <td>B8</td> </tr> <tr> <td>EC1b</td> <td>Rear of Charnwood Arms, Bardon</td> <td>1.2</td> <td>B1</td> </tr> <tr> <td>EC1c</td> <td>Off Beveridge Lane/South Lane, Bardon</td> <td>3.9</td> <td>B1, 2.8</td> </tr> <tr> <td>EC1d</td> <td>Off Beveridge Lane, Ellistown</td> <td>25.0</td> <td>B2,8</td> </tr> <tr> <td>EC1e</td> <td>Land at Sawley crossroads, Sawley</td> <td>24.88</td> <td>B1, B8</td> </tr> </tbody> </table> <p>Planning permission has also been granted for a Strategic Rail Freight Interchange on land north of East Midlands Airport/west of Junction 24 of the M1 (site EC1d on the policies map). In the event that the permission lapses the Council will support its renewal through the Nationally Significant Infrastructure Project process (or any equivalent replacement process) subject to the policies of this Local Plan and any other material considerations including any evidence in respect of deliverability.</p>		Site	Site Area (Hectares)	Use Class	EC1a	Former Lounge disposal point, Ashby de la Zouch	25.5	B8	EC1b	Rear of Charnwood Arms, Bardon	1.2	B1	EC1c	Off Beveridge Lane/South Lane, Bardon	3.9	B1, 2.8	EC1d	Off Beveridge Lane, Ellistown	25.0	B2,8	EC1e	Land at Sawley crossroads, Sawley	24.88	B1, B8	information
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MM40	67/68	Policy Ec2	<p>Policy Ec2 – Employment allocations: new allocations New Employment sites</p> <p>(1) Land north of Ashby de la Zouch (Money Hill) is allocated for employment</p>																									

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			<p>development for up to 16 Ha subject to the following:</p> <ul style="list-style-type: none"> (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) <u>Land adjoining the A511 and Smisby Road will be restricted to those uses falling within the B1 Use Class; and</u> (d) The provision of appropriate landscaping, planting and other features so as to minimise the impact upon the adjoining housing development proposed under Policy H3a as well as the impacts on the wider landscape and biodiversity; and (e) Design and layout of the proposed development should <u>have due regard to the protection and enhancement of Heritage Assets including Ashby Castle Scheduled Ancient Monument, Parish Church of St Helen and Ashby de la Zouch Conservation Area</u>; minimise the impact upon the setting of Ashby de la Zouch Conservation Area and the Ashby Castle Scheduled Ancient Monument; and (f) The provision of cycle and walking links to the adjoining housing development proposed under Policy H3a; and (g) The provision of green infrastructure links, providing both <u>an</u> ecological connectivity and footpath and cycle links, within the development and to the wider area; and (h) <u>A comprehensive Masterplan prepared in consultation with stakeholders, including both the district and town council and agreed in writing with the local planning authority for the comprehensive development of the site which identifies a range of land uses (including residential, employment and</u> 	<p>To ensure that the amenity of residential properties in the vicinity is protected</p> <p>To provide clarity</p> <p>To reflect</p>

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			<p><u>commercial uses, green infrastructure and open spaces, pedestrian and cycle links within and beyond the site and community facilities) and their relationship to each other and existing development in the vicinity of the site and what measures will be put in place to protect amenity of existing residential areas; and</u></p> <p>(i) Provision for the discharge of wastewater into the Mease catchment in accordance with the provisions of policy En2. Development which does not meet these provisions will not be permitted. In addition, development will not be permitted until a second 'development window' for the Developer Contributions Scheme has been agreed.</p> <p><u>(2) Where evidence indicates an immediate need or demand for additional employment land (B1, B2 and B8) in North West Leicestershire that cannot be met from land allocated in this plan, the Council will consider favourably proposals that meet the identified need in appropriate locations subject to the proposal:</u></p> <p><u>(a) Being accessible or will be made accessible by a choice of means of transport, including sustainable transport modes, as a consequence of planning permission being granted for the development; and</u></p> <p><u>(b) Having good access to the strategic highway network (M1, M42/A42 and A50) and an acceptable impact on the capacity of that network, including any junctions; and</u></p> <p><u>(c) Not being detrimental to the amenities of any nearby residential properties or the wider environment.</u></p>	<p>discussions at the examination regarding the need for a masterplan to provide certainty as to the likely future development of the site.</p> <p>To establish criteria for considering proposals for employment land not specifically</p>

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				allowed for in the plan.
MM41	68	New paragraph 8.26	<u>The provision of this site will result in a shortfall compared to the HEDNA (excluding an allowance for the potential loss of existing employment land) of about 13 hectares. This will be addressed through the review of the Local Plan committed to in Policy S1 (taking account of any additional employment land which might be redistribution to the district from elsewhere in the HMA) and through the determination, against Ec2 (2) of any planning applications which come forward in the meantime.</u>	To provide up-to-date information and for clarity
MM42	73/74	Policy Ec4	<p><u>Policy Ec4: East Midlands Airport</u></p> <p>(1) The growth of East Midlands Airport will be supported provided development that gives rise to a material increase in airport capacity <u>or capability</u>:</p> <p>(a) Is limited to that necessary to support an airport capable of handling up to 10 million passenger and 1.2 million tonnes of cargo per year; and</p> <p>(b) Incorporates measures that will reduce the number of local residents affected by noise as a result of the airport's operation, as well as the impact of noise on the wider landscape; and</p> <p>(c) Incorporates measures to ensure that local air quality satisfies relevant standards; and</p> <p>(d) Is accompanied by improvements in public transport access to the airport and other measures that will reduce the level of airport-generated road traffic (per passenger); and</p> <p>(e) Will protect and enhance heritage assets within the vicinity of the airport.</p>	For clarification

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			<p>(2) Within the boundaries of the airport, as defined on the Policies Map, development will be limited to:</p> <ul style="list-style-type: none"> (a) Operational facilities and infrastructure; and (b) Passenger and terminal facilities; and (c) Cargo facilities; and (d) Airport ancillary infrastructure where the proposed development requires and benefits from an airport location and is of a scale that is appropriate to that relationship; and (e) Landscape works; and (f) Internal highways and infrastructure; and (g) Improvements to public transport and airport customer car parking. 	
MM43	96/97	Policy IF4	<p><u>Policy IF4: Transport Infrastructure and new development</u></p> <p>(1) The Council, working with the highway authorities, will ensure that development takes account of the impact upon the highway network and the environment, <u>including climate change,</u> and incorporates safe and accessible connections to the transport network to enable travel choice, <u>including by non-car modes,</u> for residents and commuters, <u>businesses and employees.</u> In assessing proposals regard will be had to any Transport Assessment/Statement and Travel Plan prepared to support the application.</p> <p>(2) New development will be expected to <u>maximise accessibility by sustainable modes of transport, having regard to the nature and location of the development site and</u> contribute towards improvement of the following where there is a demonstrable impact as a result of the proposed development:</p> <ul style="list-style-type: none"> (a) The provision of cycle links within and beyond sites so as to create a network of 	To ensure that new development takes full account of the need to minimise its impact on climate change

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			<p>cycleways across the district, including linkages to key Green Infrastructure;</p> <p>(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;</p> <p>(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 <u>to essential services and facilities, such as shops, schools and employment</u>, is maximised.</p> <p><u>(3) Where new development has a demonstrable impact upon the highway network contributions towards improvements will be sought commensurate with the impact. The following specific highway improvements are identified as priorities:</u></p> <p>(d) Strategic road improvements</p> <ul style="list-style-type: none"> • J22 of M1 • J13 of A42 <p>(e) Local road improvements</p> <ul style="list-style-type: none"> • the A511 corridor between J22 of the M1 and J13 of the A42 	factors..
MM44	107/108	Policy En2	<p><u>Amend part 3 to state:</u></p> <p>In the event that there is no headroom capacity available at the appropriate wastewater treatment works, or there is no capacity available within the Developer Contributions Scheme in operation at the time that an application is determined or exceptionally where as</p>	To provide clarity

Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text	Reasons for modification
			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.	
MM45	118/119	Policy He1	<p>(2) There will be a presumption against development that will lead to substantial harm to, or total loss of significance of a designated heritage asset. Proposals will be refused consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss or all of the following apply:</p> <ul style="list-style-type: none"> • The nature of the heritage asset prevents all reasonable uses of the site; and • no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and • conservation by grant funding or some form of charitable or public ownership is demonstrably not possible; and • The harm or loss is outweighed by the benefit of bringing the site back into use. <p>Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.</p> <p>(2) <u>There will be a presumption in favour of development that would conserve the</u></p>	As agreed with Historic

Modification Reference	Document Page Number	Policy/ Paragraph/ Table	Modified Text	Reasons for modification
			<p><u>significance of a heritage asset and its setting. Any development proposal which would cause harm to a heritage asset will not be supported unless the works are justified, there are overriding public benefits and mitigation measures are secured.</u></p>	England so as to provide clarity
MM46	123/124	Policy Cc1	<p>(1) Planning applications for renewable energy including any new grid connection lines and any ancillary infrastructure and buildings associated with the development will be supported where:</p> <ul style="list-style-type: none"> (a) There is no unacceptable impact on residential amenity in terms of noise, shadow flicker, vibration and visual dominance; and (b) There is no adverse impact on the landscape character taking account of the special qualities set out within the individual National Character Areas; and (c) All impacts on, biodiversity have been adequately mitigated or enhanced; and (d) The special qualities of all heritage designations including their settings are conserved or enhanced; <u>Heritage assets and their settings are conserved or enhanced;</u> and (e) Proposals take account of the cumulative effect that would result from the proposal in conjunction with permitted and existing renewable energy schemes; and 	As agreed with Historic England so as to provide clarity

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LOCAL PLAN ADVISORY COMMITTEE – 20 JUNE 2017

Title of report	LOCAL PLAN – RISK MANAGEMENT
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> <p>Planning Policy Team Manager 01530 454677 ian.nelson@nwleicestershire.gov.uk</p>
Purpose of report	To advise members of the approach taken in respect of the management of risk associated with the Local Plan.
Council Priorities	<p>These are taken from the Council Delivery Plan:</p> <p>Value for Money Business and Jobs Homes and Communities Green Footprints Challenge</p>
<p>Implications:</p> <p>Financial/Staff</p> <p>Link to relevant CAT</p> <p>Risk Management</p> <p>Equalities Impact Assessment</p> <p>Human Rights</p>	<p>None</p> <p>None</p> <p>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</p> <p>None</p> <p>None</p>

Transformational Government	Not applicable
Comments of Deputy Chief Executive	The report is satisfactory
Comments of Deputy Section 151 Officer	The report is satisfactory
Comments of Monitoring Officer	The report is satisfactory
Consultees	Local Plan Project Board
Background papers	None
Recommendations	THAT THE ADVISORY COMMITTEE NOTES AND COMMENTS ON THE CURRENT RISK ASSESSMENT

1.0 RISK MANAGEMENT

- 1.1 There are a number of potential risks associated with producing the Local Plan. It is important that such risks are managed as far as possible. To help with this a Risk Assessment was undertaken at the outset of producing the Local Plan and it is reviewed at every monthly officer Project Board meeting.
- 1.2 In accordance with the Council's agreed Risk Management Strategy all potential risks are assessed in terms of both the likelihood of the risk materialising and its potential impact with and without any mitigating controls. Each risk is given a score with those scoring 8 or more (after allowing for mitigation controls) representing the highest risk. There are a number of identified risks in regards to the Local Plan which fall in to this category.
- 1.3 Risks can be categorised in terms of whether they are external or internal to the Council (i.e. is the risk one which the Council can control entirely on its own or is it dependent upon the decisions and actions of external organisations) or are subject to local factors (i.e. something specific to a locality – for example the volume of responses to a consultation).
- 1.4 The current Risk Assessment is attached at Appendix A to this report.
- 1.5 In summary, the Risk Assessment identifies 23 specific potential risks at this current time. Of the risks identified there are 4 which are considered to be high risk. These are:
- Loss of staff Internal
 - Members unwilling to adopt the Local Plan Internal
 - Deliverability issues on potential allocations, delay, preparation and adoption of Local Plan Local Factors
 - Housing growth considered too high or too low External

- 1.6 The level of risks are expected to decrease as a project progresses. This is reflected in the Risk Assessment as the number of risks which are considered to be high is less than the last time this issue was considered by LPAC (September 2014).
- 1.7 Throughout the lifetime of the project new risks may emerge and so these will need to be added to the risk register which will assist with identifying risks to the delivery of the Local Plan. These risks will be kept under review to ensure that risks are addressed quickly should they arise.

APPENDIX A

Risk number	Risk Identified	Likelihood	Impact	Risk rating	Countermeasures	Likelihood	Impact	Risk rating
1	Loss of staff during preparation of Local Plan thus resulting in lack of resources to deliver to agreed timetable.	3	4	12	In the event of a vacancy it will be vital to ensure that it is filled as soon as possible, although this will conflict with vacancy savings built in to the budget. Taking a flexible approach to how vacancies are filled (for example by the employment of consultants/temporary staff to deal with specific tasks rather than a full time replacement) would also help although this will require careful management and would need to stay within budget.	3	3	9
2	New government guidance or decisions of PINs in respect of other Local Plans which affects approach being taken thus requiring additional work and hence delays.	3	3	9	Ensure that all Planning Policy team is aware of any emerging issues and guidance and immediately assess potential impact upon Local Plan.	3	2	6
3	Volume and nature of responses to any consultations results in need for additional work.	3	3	9	Generally the interest and expectations of public, developers and landowners in the Local Plan process is high. Consider the employment of temporary staff or redeployment of resources from elsewhere in the Planning and Regeneration department to assist with any capacity issues arising from consultations, particularly in respect of administrative duties so as to free up experienced planning officers.	3	2	6

Risk number	Risk Identified	Likelihood	Impact	Risk rating	Countermeasures	Likelihood	Impact	Risk rating
4	Insufficient budgetary resource available to undertake work necessary to support the Local Plan, including background studies and evidence gathering.	4	4	16	Local Plan a key corporate priority to which budgetary provision is attached.	1	1	3
5	Number of significant planning applications submitted and /or appeals which require input from Planning Policy staff.	3	3	9	Need to ensure that Local Plan work is prioritised and that this is communicated to staff in both Planning Policy and Development. Management to consider use of external consultants to provide assistance where appropriate. This will be managed on a case by case basis by the Head of Regeneration and Planning.	3	2	6
6	Un-prioritised corporate or external requirements impinge upon the resources available within the Planning Policy team.	2	3	6	Ensure that appropriate priority attached corporately and politically to Local Plan. Ensure that issues such as progress on HS2 are monitored and any potential implications for work of Planning Policy team are identified as early as possible. It is currently anticipated that final government decision will be towards the end of 2017 so any impact is likely to be after this date.	1	2	2
7	Local politics undermines the Local Plan process and confidence in the outcomes, and results in failure to adopt Local Plan.	4	4	16	The final decision to adopt the Local Plan rests with the Full Council. Previous experience suggests that large numbers of members have felt disenfranchised as they have not been involved in the preparation process. To help overcome this a Local Plan Advisory Committee has been	3	4	12

Risk number	Risk Identified	Likelihood	Impact	Risk rating	Countermeasures	Likelihood	Impact	Risk rating
					<p>established to oversee the preparation of the Local Plan. This provides an opportunity to engage with more Members and for those Members on the Advisory Committee to act as champions for the Local Plan and to discuss issues within their respective groups so as to minimise the potential for lack of support when the Local Plan goes before Full Council.</p> <p>Ensure that Members are made aware of the importance of having an up-to-date Local plan in place.</p>			
8	Deliverability issues on development sites delay preparation and adoption of Local Plan.	3	4	12	Work with site promoters to identify issues early on and ensure that evidence base is comprehensive and robust. All allocations in the draft Local Plan have been subject to viability testing.	2	4	8
9	Challenge by third party that definition of the housing market area is not appropriate.	1	2	2	Ensure that HEDNA addresses issue of appropriateness of the HMA.	1	2	2
10	New household projections published by DCLG which are significantly different to current projections.	1	1	1	Officers to review projections when published and advise of any implications.	1	1	1
11	Housing growth aspirations in Local Plan challenged as either being too high or too low.	4	4	16	Ensure that in defining housing requirements that regard is had to advice in Planning Policy Guidance and to any emerging decisions from PINs elsewhere.	3	4	12

Risk number	Risk Identified	Likelihood	Impact	Risk rating	Countermeasures	Likelihood	Impact	Risk rating
					<p>Review any evidence submitted which suggests different housing requirements, including use of consultants if required.</p> <p>Engage consultants to help defend HEDNA at examination hearing.</p>			
57 12	<p>Infrastructure Development Plan not developed sufficiently to provide robust evidence.</p> <p>At worst could result in soundness issue if Inspector has concerns regarding deliverability of proposals.</p>	3	4	12	<p>Ensure that sufficient resource is made available, including use of consultants if required.</p> <p>Seek input from development industry to ensure that they are supportive.</p> <p>Seek views and information from public utility companies.</p>	2	3	6
13	Failure to comply with the Duty to Cooperate.	3	4	12	<p>Ensure that all HMA authorities are consulted throughout process of preparing the Local Plan.</p> <p>Strategic Planning Group in place which provides forum for sharing information and agreeing way forward on key issues.</p> <p>Maintain a Duty To Cooperate log to demonstrate compliance with duty.</p>	2	3	6
14	HMA authorities raise objections to housing requirements being over and above those set out in the SHMA and the Memorandum Of Understanding.	4	4	16	<p>Ensure that all HMA authorities are consulted throughout process of preparing the Local Plan.</p> <p>Meet with authorities who raise concerns to understand nature of those concerns and explore how these can be addressed, whilst recognising</p>	2	3	6

Risk number	Risk Identified	Likelihood	Impact	Risk rating	Countermeasures	Likelihood	Impact	Risk rating
					that the Council has to make adequate provision for new housing.			
15	Failure to progress the preparation of the Gypsy and Traveller DPD has consequences for Local Plan at examination whereby Inspector considers that Local plan is not sound.	3	4	12	Ensure that Members are fully aware of the need to progress the Gypsy and Traveller DPD and get support from LPAC. Develop Project Plan for preparation of Gypsy and Traveller DPD.	1	3	3
16	Inconsistencies between Local Plan and Neighbourhood Plans puts one or both plans at risk and/or results in delays.	4	3	12	Provide advice to Neighbourhood Plan groups where requested. Keep Neighbourhood Plan group informed of progress on Local Plan. Seek regular updates on progress from Neighbourhood Plan groups.	2	2	4
58								
17	Coalville Project and Local Plan not aligned resulting in confusion and inconsistency.	3	3	9	Kay Greenbank to become part of Local Plan Project Board. Standing item on Project Board agendas.	1	3	3
18	The Leisure Centre Project identifies a preferred site to replace the Hermitage Leisure Centre but which is not specifically allocated in the emerging Local Plan for that purpose.	4	3	12	Standing item on Project Board agendas. Director of Services (and in his absence the Head of Economic Development) to oversee Leisure Project and to provide updates to Local Plan Project Board as study progresses.	3	3	9
19	Issues in respect of river	3	4	12	Work with Natural England,	2	3	6

Risk number	Risk Identified	Likelihood	Impact	Risk rating	Countermeasures	Likelihood	Impact	Risk rating
	Mease including timing of pumping out of catchment option may impact upon delivery of proposals in the Local Plan.				Environment Agency, Severn Trent Water and other local authorities to ensure that up-to-date information is available in respect of water quality and available capacity. Work with Natural England, Environment Agency, Severn Trent Water and other local authorities to identify potential schemes which can be implemented as part of a Developer Contributions Scheme and to develop proposals for pumping out of catchment to be implemented as early as possible.			
69 20	Possible legal challenge post adoption.	4	4	16	Ensure that Project Board is aware of any emerging issues and guidance and immediately assess potential impact upon Local Plan. Take external legal advice through work of Project Board.	3	2	6
21	The impact of the outcome of EU referendum.	1	1	1	To ensure the Project Board are aware of any emerging issues and assess the impact on the Local Plan.	1	1	1
22	Inconsistency between emerging HEDNA and PACEC study in respect of employment land.	3	4	12	Challenge consultants to explain fully how they have arrived at figures. Review methodologies of the two studies to identify where discrepancies are and assess how this impacts on results.	3	3	9

Risk number	Risk Identified	Likelihood	Impact	Risk rating	Countermeasures	Likelihood	Impact	Risk rating
23	Results from HEDNA which identify need for additional and different make up of employment land compared to that planned for results in delay to adoption of plan.	3	4	12	Demonstrate to Inspector that current level of supply is adequate for the immediate future so issue can be addressed as part of review. Provide commitment to undertake early review of plan irrespective of outcome from MOU.	2	4	8