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Meeting	<b>LOCAL PLAN COMMITTEE</b>
Time/Day/Date	6.00 pm on Wednesday, 19 November 2025
Location	Forest Room, Stenson House, London Road, Coalville, LE67 3FN
Officer to contact	Democratic Services 01530 454512

### **AGENDA**

<b>Item</b>		<b>Pages</b>
<b>1</b>	<b>APOLOGIES FOR ABSENCE</b>	
<b>2</b>	<b>DECLARATION OF INTERESTS</b>  Under the Code of Conduct members are reminded that in declaring interests you should make clear the nature of that interest and whether it is a disclosable pecuniary interest, registerable interest or other interest.	
<b>3</b>	<b>PUBLIC QUESTION AND ANSWER SESSION</b>  To receive questions from members of the public under rule no.10 of the Council Procedure Rules.	
<b>4</b>	<b>MINUTES</b>  To confirm and sign the minutes of the meeting held on 24 September 2025.	<b>5 - 12</b>
<b>5</b>	<b>TO CONSIDER THE MOTION REFERRED BY COUNCIL ON 4 NOVEMBER 2025</b>  <u>Motion</u> Following the consideration of a petition at Council on 4 November, the following motion was moved by Councillor L Windram and seconded by Councillor T Gillard:  The Local Plan Committee considers the petition and agrees to remove the land off Torrington Avenue, Whitwick, site reference C19a to build 242 houses from the draft local plan.  <u>Petition</u> Petition as considered by Council on 4 November:  <u>Background</u> We emphatically oppose the proposal to build 242 houses on the land off	

Torrington Avenue and Hall Lane – Site Reference C19a. Our reasons are:

**Environmental Impact:** It threatens our green spaces, natural habitats, and biodiversity. Destruction of trees and open land will negatively affect air quality and wildlife. A negative impact on our water drainage and sewage systems.

**Overcrowding and Infrastructure Strain:** Increased traffic causing congestion. Adding a link road to meet with the site C19a from the proposed site C19b (700 Item Pages houses) off Stephenson Way site 19b would further exacerbate traffic congestion. More pressure on already overburdened services, especially healthcare.

**Loss of Community Character:** Development would erode the separation between Whitwick and Coalville. Whitwick risks losing its identity as a distinct village. It diminishes the historical and cultural integrity of the area.

**Noise and Construction Disruption:** Long-term noise, dust, and disruption during construction. Ongoing noise pollution from increased traffic, affecting health and quality of life (stress, sleep issues).

**Inappropriate Location:** The area lacks the infrastructure to support such large-scale development. Housing would be better situated near industrial units and existing road networks that can accommodate an increase in traffic.

Action petitioned for

We, the undersigned, are concerned citizens who urge our leaders to act now to remove the land at Torrington Avenue, Whitwick - Site Reference – C19a – the build of 242 houses from the Draft Local Plan.

**6 NEW LOCAL PLAN - STRATEGIC WAREHOUSING**

The report of the Principal Planning Policy Officer. **13 - 70**

**7 LOCAL PLAN - HOUSING ALLOCATIONS: OUTSTANDING MATTERS**

The report of the Planning Policy and Land Charges Team Manager. **71 - 90**

**8 LOCAL PLAN - POLICIES**

The report of the Planning Policy and Land Charges Team Manager. **91 - 118**

**9 HINCKLEY AND BOSWORTH BOROUGH LOCAL PLAN - REGULATION 18 CONSULTATION**

The report of the Planning Policy and Land Charges Team Manager. **119 - 128**

**10 LONG WHATTON AND DISEWORTH NEIGHBOURHOOD PLAN SUBMISSION VERSION - RESPONSE TO CONSULTATION**

The report of the Planning Policy and Land Charges Team Manager. **129 - 174**

**11 LOCAL PLAN - POTENTIAL AREA OF SEPARATION DISEWORTH**

The report of the Planning Policy and Land Charges Team Manager. **175 - 178**

Circulation:

Councillor J G Simmons (Chair)  
Councillor P Lees  
Councillor M Ball (Deputy Chair)  
Councillor D Bigby  
Councillor S Lambeth  
Councillor J Legrys  
Councillor R L Morris  
Councillor P Moulton  
Councillor C A Sewell  
Councillor L Windram  
Councillor M B Wyatt

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MINUTES of a meeting of the LOCAL PLAN COMMITTEE held in the Forest Room, Stenson House, London Road, Coalville, LE67 3FN on WEDNESDAY, 24 SEPTEMBER 2025

Present: Councillor J G Simmons (Chair)

Councillors M Ball, P Lees, D Bigby, S Lambeth, J Legrys, P Moulton, C A Sewell, L Windram and M B Wyatt

In Attendance: Councillor A Barker

Officers: Mr I Nelson, Ms J Althorpe, Mr J Arnold, Ms A Gibson, Ms E Trilk, Mrs C Hammond and Mr B Dooley

## **1 APOLOGIES FOR ABSENCE**

Apologies were received from Councillor R Morris.

## **2 DECLARATION OF INTERESTS**

All councillors declared they had been lobbied without influence in respect of Site A27 (land south of Burton Road, Ashby de la Zouch) which was included in item 6, New Local Plan – Consideration of the Consultation Responses to Proposed Housing and Employment Allocations.

Councillor P Lees declared that he had been lobbied on item 7, New Local Plan – Outcomes from the Call for General Needs Employment Sites 2025, with relation to site EMP66 in Measham. He was advised that he could speak as ward member, but he would need to leave the meeting prior to any discussion or voting on this item.

## **3 PUBLIC QUESTION AND ANSWER SESSION**

There were five public questions received.

### **Question from Ms A Kingaby**

'The SHELAA entry for Site A27 is out of date and cannot be relied on as decision-level evidence, there is also no plan-level Habitats Regulations Assessment/Appropriate Assessment for the River Mease published with a guaranteed nutrient solution - therefore, will you confirm that A27 will not be advanced to Regulation 19 at this meeting unless officers can point to the exact document and page in tonight's public papers that show, in plain terms, all of the following:

1. River Mease test passed: the legally required Habitats Assessment for the plan concludes no harm to the Mease and the phosphate fix is secured and workable (not just promised or dependent on an unbuilt third-party scheme).
2. Biodiversity: proof of at least 10% Biodiversity Net Gain and a map that legally fixes continuous wildlife corridors, minimum buffer strips next to hedges/woodland/ditch, and a low-light "dark corridor" plan.
3. Road safety and traffic: a Stage-1 road-safety audit and sightline drawings for the Rushey Close/Bishop Hall Road access, and traffic modelling that includes Money Hill/Burton Road (impacts assessed together).
4. Drainage certainty: a Severn Trent letter confirming foul capacity, plus a surface-water/SuDS plan showing how runoff is treated, stored and routed in storms, and any legal consent needed to alter the boundary ditch.

5. Legal right of access: documents proving the developer has the legal right to use the through-estate road, and whether that route is adopted or secured with the highway authority (S38/S278).

If any one of these is missing from the public papers, will you defer A27 to a later meeting and require a full public report before any Reg-19 decision?’

### **Response from the Chair of the Local Plan Committee**

‘The site assessment work will be reviewed and updated to inform the Regulation 19 plan.

A Habitat Regulation Assessment of the plan is not required at this stage, but it will be undertaken for the Regulation 19 plan. There is a nutrient solution which Severn Trent are pursuing which involves pumping out of the River Mease catchment. This is scheduled to be done by the end of March 2027. Severn Trent have reconfirmed this recently.

As part of the Local Plan it will be necessary to demonstrate that there is a scheme in place to address the phosphate issue. However, the securing of any measures is a requirement of the planning application stage, either through conditions or via a legal agreement (Section 106 Agreement).

The requirement for how biodiversity net gain requirements will be addressed are matters for a planning application stage.

In terms of highway design, the County Councils Highway Design Guide advises that road safety audits are required for development of 150 dwellings or the layout contains features not covered by the Leicestershire Highway Design Guidance. This site is below this threshold and the County Highway Authority did not raise any concerns when consulted upon the draft plan.

In terms of drainage Severn Trent Water did not object to the proposed allocation. The exact details of how foul water will be addressed is a matter to be addressed as part of any subsequent planning application.

In response to this question, the site promoter (Richborough) has advised that they “retain all necessary rights to acquire the land required to deliver the connections to Rushey Close for access purposes. Richborough’s client (owner of the A27 allocation) is the same landowner who sold the land to Bellway that comprised the adjacent application boundary (14/00578/OUTM) – Richborough were also the applicant for that outline application.” As outlined in response to question 3, the County Highway Authority has not objected to the proposed allocation.’

### **Supplementary question asked:**

In response to a supplementary question, the Planning Policy and Land Charges Team Manager explained that, as Severn Trent were still committed to the scheme that involved pumping water out of the catchment area, any development would not be allowed to happen at the present time until the scheme was in place. However, as the Local Plan was looking ahead to 2042, this was due to happen in the early part of the plan period.

The Planning Policy and Land Charges Team Manager then noted that nutrient neutrality would be a part of a planning application rather than an allocation.

It was added that transport modelling work covering the District and the areas in the Plan was ongoing and would inform future decisions made by the Council with regards to Regulation 19. Also, estate fees were not a matter for which the Council would be responsible, as they were legal matters between homeowners and developers.

### **Question from Mr J Peck**

Mr J Peck was not in attendance, so his question was not asked.

### **Question from Mr C Taylor**

‘You have justified WWV remaining in the plan because Meadow Lane and Measham have been removed and suggest that the plan will fail if you remove any more sites, despite planning for more than your quota to be built. You have built houses and employment sites allocated to other areas. Have you asked other areas to co-operate and build part of NWLDC’s quota?’

### **Response from the Chair of the Local Plan Committee**

‘It would only be possible to ask other authorities to help meet the Council’s housing requirement if it was able to demonstrate that the need for North West Leicestershire cannot be accommodated within the district. This is not the case. Therefore, the other Leicestershire authorities would decline to take any additional development in the absence of demonstrable evidence.’

In response to a supplementary question, the Planning Policy and Land Charges Team Manager explained that local people would benefit from building houses within the district by ensuring that the housing needs of existing and future residents were met.

### **Question from Ms G Baker**

‘Number 1 of your 11 Plan Objectives is to ‘Enable the Health and Wellbeing of the District’s Population’. The Ivanhoe Way was established to provide people with access to the countryside and crosses through many parts of the proposed West Whitwick Broad Location. It runs from Swannington, through West Whitwick Valley, Grace Dieu woods and onto Osgathorpe and the well-used Worthington Trail. We have suggested that this particularly attractive part of our countryside should form an area of separation between Coalville, West Whitwick and Thringstone. This is in order to protect their village communities and identity, which together with access to the countryside, would enable the health and wellbeing of residents.

How many other sites, currently within your strategy plan, also form such an integral part of the Ivanhoe Way?’

### **Response from the Chair of the Local Plan Committee**

‘No other sites that are proposed for housing or employment in the Local Plan lie on the route of the Ivanhoe Way. Any future development will be required to retain and enhance any public footpaths which cross the site.’

In response to a supplementary question related to Policy EN5, the Planning Policy and Land Charges Team Manager explained that there was currently an area of separation in East Coalville in the adopted Local Plan, and that an area of separation between Whitwick and Thringstone was also recognised.

It was added that, while a proposal had been put forward to devote part of East Coalville to housing development, there was no reason why the rest of the area should not be maintained as an area of separation. Areas surrounded by development, however, were not regarded as countryside.

### **Question from Mr M Elton**

‘Your Plan Objective number 8 states that you will conserve and enhance our heritage. Drone footage over C77, prior to the fields being cut, identified a double-edged circle. Following discussions with a specialist, we have been advised that this is the probable site of a GIN mine. These were the 1<sup>st</sup> mechanical mines which were introduced within North West Leicestershire in the 17<sup>th</sup> century where shallow coal seams were common. This area has a very deep compression with water constantly sleeping through which suggests this could have Subsidence issues. A similar Heritage site exists and is open to the public at Hough Windmill in Swannington.’

Mr M Elton confirmed that the site in the question was incorrect, and that his question was in relation to Site C47.

It was agreed that a response to his amended question would be provided outside of the meeting.

#### **4 MINUTES**

Consideration was given to the minutes of the meeting held on 30 July 2025.

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

RESOLVED THAT:

The minutes of the meeting held on 30 July 2025 be approved and signed by the Chair as an accurate record of proceedings.

#### **5 NEW LOCAL PLAN – CONSIDERATION OF THE CONSULTATION RESPONSES TO POLICIES**

The Planning Policy and Land Charges Team Manager presented the report, who, with the Principal Planning Policy Officer, summarised each of the policies for consideration. Reference was also made to the additional papers that were circulated before the meeting.

The Principal Planning Policy Officer introduced the report by detailing the factors that had influenced the proposed policy changes. It was also noted that some changes may not be required depending on the results of the National Development Management Policies (NDMPs) consultation.

Each chapter was then discussed in turn, and it was agreed that questions would be dealt with at the conclusion of each chapter, with the exception of those asked for clarification.

##### Chapter 5 – Creating Attractive Places

During discussion councillors expressed concern over the proposed changes to Policy AP4 (Reducing Carbon Emissions). It was highlighted that the current policy had the potential to raise funds for the Council’s Zero Carbon ambitions.

It was noted by the Planning Policy and Land Charges Team Manager that developers were becoming increasingly aware of carbon emissions and were therefore becoming more effective at addressing related issues.

The Legal Advisor then informed the Committee of the measures that had been put forward to Parliament relating to the policy which would come into effect on 7 October 2025. It was then proposed by members that any decision which related to this policy should be deferred.

## Chapter 6 – Housing

Councillors expressed their support for Policy H8 (Housing in Multiple Occupation in Kegworth), and it was questioned why this was not a universal policy.

The Planning Policy and Land Charges Team Manager responded that evidence had not been presented that other areas were experiencing issues similar to Kegworth, and that the implementation of a policy that applied across the District could undermine the focus on Kegworth and result in having no policy in place at all.

## Chapter 7 – The Economy

A discussion was had regarding several existing empty sites that were not being used for development, and it was noted by members that local residents were anxious about the use of new sites when there were already sites available. Councillors questioned whether the need to ask developers for new sites could be reduced by using available empty sites.

The Planning Policy and Land Charges Team Manager responded that the goal of the New Local Plan was to ensure that sufficient new land was provided up to 2042.

## Chapter 9 – Infrastructure and Facilities

Councillors expressed their support for this policy.

## Chapter 10 - Environment

Councillors expressed their support for this policy that would work alongside the Council's Zero Carbon ambitions.

Councillor D Bigby moved to defer any decision on Policy AP4 (Reducing Carbon Emissions) pending further investigation into the feasibility of a carbon offset fund. It was seconded by Councillor P Moulton.

RESOLVED THAT:

Policy AP4 (Reducing Carbon Emissions), as amended in Appendix F for inclusion in the Regulation 19 version of the Local Plan, subject to the findings of the Whole Plan Viability Assessment, be deferred.

The remaining recommendations detailed within the report were moved by Councillor J Legrys, seconded by Councillor M Ball and

RESOLVED THAT:

- 1) Policy AP2 (Amenity), as amended in Appendix F for inclusion in the Regulation 19 version of the Local Plan, be agreed.
- 2) Policy AP3 (Renewable Energy), as amended in Appendix F for inclusion in the Regulation 19 version of the Local Plan, be agreed.
- 3) Policy AP5 (Health and Wellbeing, as amended in Appendix F for inclusion in the Regulation 19 version of the Local Plan, be agreed.
- 4) Policy AP6 (Health Impact Assessments), as drafted in Appendix F for inclusion in the Regulation 19 version of the Local Plan, be agreed.

- 5) Policy AP8 (Sustainable Urban Drainage Systems), as amended in Appendix F for inclusion in the Regulation 19 version of the Local Plan, be agreed.
- 6) Policy AP9 (Water Efficiency), as amended in Appendix F for inclusion in the Regulation 19 version of the Local Plan, be agreed subject to the findings of the Whole Plan Viability Assessment.
- 7) The principle of Policy H2 (Housing Commitments), with the wording to be drafted in full in the Regulation 19 version of the Local Plan, be agreed.
- 8) Policy H8 (Houses for Multiple Occupation in Kegworth), as amended in Appendix F for inclusion in the Regulation 19 version of the Local Plan, be agreed.
- 9) The principle of Policy EC2 (Employment Commitments), with the wording to be drafted in full in the Regulation 19 version of the Local Plan, be agreed.
- 10) Policy IF1 (Development and Infrastructure), as amended in Appendix F for inclusion in the Regulation 19 version of the Local Plan, be agreed.
- 11) Policy IF3 (Green and Blue Infrastructure), as amended in Appendix F for inclusion in the Regulation 19 version of the Local Plan, be agreed.
- 12) Policy IF5 (Transport Infrastructure and New Development), as amended in Appendix F for inclusion in the Regulation 19 version of the Local Plan, be agreed.
- 13) Policy EN1 (Nature Conservation/Biodiversity Net Gain), as amended in Appendix F for inclusion in the Regulation 19 version of the Local Plan, be agreed.
- 14) Policy EN3 (The National Forest), as amended in Appendix F for inclusion in the Regulation 19 version of the Local Plan, be agreed.
- 15) Policy EN5 (Area of Separation), as amended in Appendix F for inclusion in the Regulation 19 version of the Local Plan, be agreed.

## **6 NEW LOCAL PLAN – CONSIDERATION OF THE CONSULTATION RESPONSES TO PROPOSED HOUSING AND EMPLOYMENT ALLOCATIONS**

The Planning Policy and Land Charges Team Manager presented the report.

During discussion, the issues raised by residents in relation to Site A27 (land south of Burton Road, Ashby de la Zouch) as detailed in the additional papers, were acknowledged. However, Members were not opposed to keeping the site in the Regulation 19 consultation of the Local Plan.

In response to a question relating to Site K12 (land south of Ashby Road, Kegworth), the Planning Policy and Land Charges Team Manager confirmed that they were still awaiting legal advice.

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

**RESOLVED THAT:**

- 1) The responses at Appendix A of the report be noted.

No changes be made to the proposed housing and employment allocations as detailed within the report.

## **7 NEW LOCAL PLAN – OUTCOMES FROM THE CALL FOR SITES FOR GENERAL EMPLOYMENT SITES 2025**

The Planning Policy and Land Charges Team Manager presented the report.

Following his declaration of interest, Councillor P Lees, as ward member for Measham North, addressed the meeting and praised the employment allocations for being fair and reasonable. The lack of opposition to the allocations was also highlighted. He then left the meeting and did not take part in any discussions or voting on the item.

Councillor J Legrys moved the recommendations in the report.

They were seconded by Councillor M Ball and

**RESOLVED THAT:**

- 1) Subject to there being no opportunity to include the site in a Regulation 18 stage consultation and the outcome of further work including transport modelling, viability assessment and infrastructure requirements, the land east of Carnival Way, Castle Donington (EMP63 (part)) in Appendix A be proposed to be allocated in the Regulation 19 version of the Local Plan.

Subject to there being no opportunity to include the site in a Regulation 18 stage consultation and the outcome of further work including transport modelling, viability assessment and infrastructure requirements, the former site of Measham Colliery, Measham (EMP66) in Appendix A be proposed to be allocated in the Regulation 19 version of the Local Plan.

Councillor P Lees left the meeting at 7:37pm

The meeting commenced at 6.00 pm

The Chairman closed the meeting at 7.38 pm

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## NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

## LOCAL PLAN COMMITTEE – WEDNESDAY 19 NOVEMBER 2025



Title of Report	NEW LOCAL PLAN – STRATEGIC WAREHOUSING	
Presented by	Sarah Lee Principal Planning Policy Officer	
Background Papers	<a href="#">Leicester &amp; Leicestershire Needs Update and Apportionment Study (2025)</a>  <a href="#">Employment Site Assessments;</a>  <a href="#">Additional Employment Site Assessments (2024);</a>  <a href="#">Additional and Updated Employment Site Assessments (2025)</a>  <a href="#">Sustainability Appraisal of Sites (2025)</a>  <a href="#">Landscape Sensitivity Study Part 1 (2019)</a>  <a href="#">Further Landscape Study: Sensitivity Parcel Appraisals (2021)</a>  <a href="#">Landscape Sensitivity Parcel Appraisals (2024)</a>  <a href="#">National Planning Policy Framework</a>  <a href="#">Local Development Scheme (February 2025)</a>	<p><b>Public Report: Yes</b></p>
Financial Implications	The cost of the Local Plan Review is met through existing budgets which are monitored on an ongoing basis.	
	<b>Signed off by the Section 151 Officer: Yes</b>	
Legal Implications	The Local Plan must be based on robust and up to date evidence.	

	<b>Signed off by the Monitoring Officer:</b> Yes
<b>Staffing and Corporate Implications</b>	No staffing implications are associated with the specific content of this report. Links with the Council's Priorities are set out at the end of the report.
	<b>Signed off by the Head of Paid Service:</b> Yes
<b>Purpose of Report</b>	This report presents the key findings from the Leicester and Leicestershire Strategic Warehousing Need and Apportionment Study (2025) and, in response, recommends strategic warehousing sites for allocation in the new Local Plan
<b>Recommendations</b>	<p><b>THAT THE LOCAL PLAN COMMITTEE:</b></p> <ol style="list-style-type: none"> <li><b>1. NOTES THE FINDINGS OF THE LEICESTER &amp; LEICESTERSHIRE STRATEGIC WAREHOUSING NEED AND APPORTIONMENT STUDY (2025) AS SUMMARISED IN SECTION 3 OF THE REPORT.</b></li> <li><b>2. AGREES, IN PRINCIPLE, THE INCLUSION OF LAND SOUTH OF EAST MIDLANDS AIRPORT (EMP90) AS A STRATEGIC WAREHOUSING AND GENERAL NEEDS EMPLOYMENT SITE IN THE REGULATION 19 VERSION OF THE LOCAL PLAN.</b></li> <li><b>3. AGREES, IN PRINCIPLE, THE INCLUSION OF LAND NORTH OF A453 KEGWORTH (EMP73 (PART)) AS A STRATEGIC WAREHOUSING SITE IN THE REGULATION 19 VERSION OF THE LOCAL PLAN.</b></li> <li><b>4. AGREES, IN PRINCIPLE, THE INCLUSION OF LAND SOUTH OF KEGWORTH BYPASS (EMP97) AS A STRATEGIC WAREHOUSING SITE IN THE REGULATION 19 VERSION OF THE LOCAL PLAN.</b></li> <li><b>5. AGREES, IN PRINCIPLE, THE INCLUSION OF LAND AT ELLISTOWN TERRACE ROAD AND WOOD ROAD (EMP98) AS A STRATEGIC WAREHOUSING AND GENERAL NEEDS EMPLOYMENT SITE IN THE REGULATION 19 VERSION OF THE LOCAL PLAN.</b></li> <li><b>6. AGREES, IN PRINCIPLE, THE INCLUSION OF LAND NORTH OF J11 A/M42 (EMP82) AS A STRATEGIC WAREHOUSING SITE IN THE REGULATION 19 VERSION OF THE LOCAL PLAN.</b></li> <li><b>7. AGREES, IN PRINCIPLE, THE INCLUSION OF LAND NORTH EAST OF J11 A/M42 (EMP83/84/94)</b></li> </ol>

	<p><b>AS A STRATEGIC WAREHOUSING SITE IN THE REGULATION 19 VERSION OF THE LOCAL PLAN.</b></p> <p><b>8. AGREES, IN PRINCIPLE, THE INCLUSION OF LAND AT CORKSCREW LANE (EMP80) AS A STRATEGIC WAREHOUSING SITE IN THE REGULATION 19 VERSION OF THE LOCAL PLAN.</b></p> <p><b>9. AGREES THAT THE INCLUSION IN THE REGULATION 19 PLAN OF THE SITES AGREED IN RECOMMENDATIONS 2 TO 8 IS SUBJECT TO THE OUTCOMES OF A) TRANSPORT MODELLING; B) VIABILITY ASSESSMENT; AND C) INFRASTRUCTURE REQUIREMENTS.</b></p> <p><b>10. NOTES THAT SPECIFIC SITE ALLOCATION POLICIES WILL BE PREPARED AS DESCRIBED IN PARAGRAPH 6.2 FOR EACH OF THE SITES AGREED IN RECOMMENDATIONS 2 TO 8 FOR INCLUSION IN THE REGULATION 19 VERSION OF THE LOCAL PLAN.</b></p>
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## 1 INTRODUCTION

1.1 The two primary purposes of this report are:

- To present the key findings from the [Leicester and Leicestershire Strategic Warehousing Need and Apportionment Study](#) (October 2025) ('the Study') and
- To recommend strategic warehousing sites for allocation in the new Local Plan

1.2 The report is structured as follows:

- Section 2 provides a recap and timeline of the Committee's decisions on strategic warehousing to date.
- Section 3 provides an overview of the Study's key findings and describes the implications for the new Local Plan
- Section 3 also deals with the comments to the [Proposed Policies Regulation 18 consultation](#) (January 2024) concerned with strategic warehousing which have not previously been reported to the Committee. Linked Appendix A provides summaries of the comments, the names of the respondents and officer responses to the matters raised.
- Section 4 summarises the findings of the assessment of potential strategic warehousing sites, including Sustainability Appraisal, and recommends a number of sites for allocation in the new Local Plan. Linked Appendix B provides details of the site assessments and maps of the sites.
- Section 5 presents the need/supply balance and recommends a way forward.
- Section 6 explains the approach to site allocation policies.
- Section 7 sets out next steps and discusses consultation options.

## 2 TIMELINE OF PREVIOUS DECISIONS

- 2.1 The list below provides a recap and timeline of the Local Plan consultations and Committee decisions concerning strategic warehousing.

**[Development Strategy and Policy Options Reg 18 Consultation \(January 2022\)](#)**.

Based on the Warehousing and Logistics in Leicester & Leicestershire (2021), this consultation proposed an initial policy option that 50% of the outstanding road-served requirement in Leicester and Leicestershire to be met in North West Leicestershire, equalling approximately 106,000sqm by 2039 (the Plan end date at the time).

**[Local Plan Committee 12 July 2022](#)** considered the consultation responses and decided a working provisional figure for the Plan of 100,700 sqm of strategic warehousing, pending the outcome of any agreement with the other Leicester and Leicestershire authorities in respect of the distribution of the outstanding requirement.

**[Proposed Housing and Employment Allocations for Consultation \(Reg 18\) \(January 2024\)](#)**. At the time of this consultation, a new study was in preparation to advise on how best to distribute the future need for strategic warehousing across the Leicester and Leicestershire area. (This work evolved into the study which is discussed later in this report). The consultation included two Potential Locations for Strategic Warehousing:

- EMP90(part) - Land south of East Midlands Airport (Freeport land)
- EMP82 – Land north of J11 A/M42

**[Local Plan Committee 14 August 2024](#)** considered the consultation responses concerned with overall housing and employment requirements in the **[Proposed Policies Regulation 18 consultation](#)** (January 2024). Comments about the future need for strategic warehousing were deferred from consideration until updated information on requirements was available. These comments are now addressed as part of this report (see Section 3 and Appendix A).

**[Local Plan Committee 13 November 2024](#)**. In the absence of confirmed up to date requirements, the Committee agreed a working figure of 200-250 ha of land for strategic warehousing to inform the transport modelling for the Local Plan.

**[Local Plan Committee 16 December 2024](#)**. This report presented and responded to the matters raised in connection with the two Potential Locations for Strategic Warehousing from the 2024 Reg. 18 consultation. The Committee did not make any specific decisions in relation to these sites. The Committee did agree a) a broad approach to the Freeport in the Local Plan; and b) specific sites for inclusion in the transport modeling to achieve the working figure of 200-250ha agreed at the previous month's meeting.

### 3 LEICESTER AND LEICESTERSHIRE NEEDS UPDATE AND APPORTIONMENT STUDY (2025)

- 3.1 The [Leicester and Leicestershire Needs Update and Apportionment Study \(2025\)](#) ('the Study') was jointly commissioned by the Leicester and Leicestershire authorities. It provides a) an updated assessment of the need for additional strategic warehousing in Leicester and Leicestershire for the period 2024-46; and b) proposes how that need could be distributed ('apportioned') to different locations within the partnership area.
- 3.2 The Study will be part of the evidence base for the Leicester and Leicestershire authorities' respective Local Plans. It does not set the policy for strategic warehousing which is a matter for the Local Plans themselves.

#### Need

- 3.3 The Study finds that there is need for **some 3.06million sqm** of strategic warehousing floorspace in Leicester and Leicestershire for the 22-year period 2024-46. This figure is in addition to sites which already have planning permission.

**Table A: Leicester and Leicestershire Need for Strategic Warehousing 2024-46**  
(additional to sites with planning permission)

Rail-served need	1,349,600 sqm
Road-served need	1,709,600 sqm
<b>Total</b>	<b>3,059,200 sqm</b>

- 3.4 The Study provides an up to date assessment of the need for strategic warehousing. Its predecessor, produced in 2021, informed the Proposed Policies Regulation 18 consultation (January 2024). In overview, the consultation comments received in 2024 made two broad points; a) the 2021 Leicester and Leicestershire Strategic Distribution Study is out of date and its methodology underestimates the need for strategic warehousing; and b) others argued that the need figures are unrealistic (too high) and unjustified.
- 3.5 Summaries of these comments, which have not previously been reported to this Committee, are included in Appendix A.
- 3.6 Matters have moved on with the publication of the new Study. This study provides an up to date assessment of the need for strategic warehousing based on the testing of alternative approaches, including estimation methods advocated by the development industry in their Regulation 18 consultation responses. In the light of this, the 2024 consultation comments, of themselves, do not require any further action or proposed changes to the Plan at this stage.

#### Apportionment

- 3.7 The second purpose of the Study is to recommend how the measured need for strategic warehousing floorspace (in sqm) could be apportioned to locations within Leicester and Leicestershire.
- 3.8 Table B below shows how the Study apportions the floorspace to locations in North West Leicestershire. In Table B officers have additionally; a) adjusted the figures to

correspond with the Local Plan end date of 2042 (18 years rather than 22 years); and b) added an estimate of the amount of land required.

**Table B: NWL apportionment (2024-2042)**

Location	Floorspace	Land (estimate) <sup>1</sup>
M1 J23a/J24; A50 J1	728,673 sqm	209 ha
Bardon (J22)	93,109 sqm	27 ha
A/M42 J11,12,13	269,345 sqm	77 ha
<b>Total</b>	<b>1,091,127 sqm</b>	<b>313 ha</b>

- 3.9 To put this in context, the total amount of floorspace at East Midlands Gateway (EMG) is some 435,000sqm. The apportionment above equates to 2½ times the floorspace at EMG.
- 3.10 The Study apportions some 44% of the total need for Leicester and Leicestershire to North West Leicestershire. This is the highest percentage by some margin; the figures for the other authorities are Blaby (21%), Harborough (18%), Hinckley & Bosworth (14%) and Charnwood (3%).

#### **4 SITE ASSESSMENT**

- 4.1 Local Plans must be positively prepared and seek to meet the area's objectively assessed needs in full (NPPF paragraph 36a). The starting intention must be to identify sufficient suitable sites to meet the Study's recommended requirements in full. Officers have assessed potential sites in this context. The outcomes are presented in three sections to correspond with the locations identified in the Study.

##### **1 - M1J23a/J24; A50 J1**

- 4.2 Sites which could potentially be suitable for strategic warehousing in this location are listed in Table C below. With the exception of Plot 16 at East Midlands Gateway, these have been taken from the Strategic Housing and Employment Land Availability Assessment (SHELAA) and subsequent Call for Sites submissions.

**Table C: Candidate sites at M1 J23a/J24; A50 J1**

Ref	Site	Area
EMP90	Land south of EMA (Freeport) [DCO] <sup>2</sup>	87 ha
n/a	Plot 16 at EMG1 [MCO] <sup>3</sup>	6.4 ha
EMP73 (part)	Land north A453, Kegworth	8.6 ha
EMP73 (part)	Land north of Derby Road, Kegworth	10.2 ha
EMP14	Land south of Sawley Marina	22 ha
EMP97	Land south of Kegworth bypass	39.5 ha
EMP99	Land north of railway line, Hemington	6.8 ha
	<b>Total</b>	<b>180.5 ha</b>

<sup>1</sup> Assumes 1ha of land can accommodate 3,500sqm of floorspace but, in practice, this ratio will vary from site to site.

<sup>2</sup> Development Consent Order application

<sup>3</sup> Material Change Order application

- 4.3 Officers have considered these sites' suitability for strategic warehousing. The outcome of this assessment, including Sustainability Appraisal of the sites, is presented in Appendix B. These outcomes are informed by the findings of the Study and supplement the [site assessments](#) previously published.
- 4.4 Based on this analysis, the sites in Table D are recommended for allocation in the Local Plan.

**Table D: Recommended sites at M1 J23a/J24; A50 J1**

Ref	Site	Area	Floorspace
EMP90	Land south of EMA (Freeport)	87 ha	240,000 sqm
n/a	Plot 16 at EMG1	6.4 ha	26,500 sqm
EMP73 (part)	Land north A453, Kegworth	8.6 ha	33,540 sqm
EMP97	Land south of Kegworth bypass	39.5 ha	98,750 sqm
<b>Total</b>		<b>141.5 ha</b>	<b>398,790 sqm</b>

- 4.5 **Land south of East Midlands Airport (EMP90).** At its meeting on 16 December 2024 the Committee agreed the following approach to the designated Freeport land, including the land parcels within EMG itself:

*"It is recommended that the Local Plan takes the following approach to the designated Freeport land i.e. land south of the airport and the designated Freeport land within the airport boundary and at East Midlands Gateway:*

- Identify key issues and matters of concern which need to be addressed as part of any proposed planning application relating to the proposed development south of the airport (site EMP90). This could form the basis for this Council's Statement of Local Impacts for the DCO inquiry.*
- For the purposes of the plan, it will be assumed that the quantum and type of development on EMP90 will be as currently being proposed i.e. 100Ha/279,000sqm of B2/B8 uses. This is important for the planning of strategic warehousing and general needs employment overall and for considering the cumulative impacts of development in this part of the district (e.g. transport). This does not mean that the Council supports the proposals in their current form. This approach does, however, recognise that the decision on the acceptability of the development will be made through the DCO process and enables the Local Plan to progress.*
- Set out any planning considerations for development on the parts of the airport and East Midlands Gateway which are also part of the designated Freeport."*

*(paragraph 4.8 from [Local Plan Committee 16 December 2024](#))*

- 4.6 Notwithstanding the above, it is now considered that the Local Plan should take a position on the suitability of the site. The reasons for this advice are:
- Whilst it is not a planning designation, the site's Freeport status is a clear signal of the Government's support for advanced logistics development in this

location. It is for the respective planning processes (Local Plan, Development Consent Order, planning application) to determine an acceptable form of development.

- b. The Freeport (including land within EMG1) can make a substantial contribution to the need for strategic warehousing **and** general needs employment. The Local Plan would be relying on it (with other sites) to help deliver the district's development needs. There are no alternative sites which could substitute for the Freeport site in this part of the District. It is logical for the Plan to support its development.
- c. The Freeport designation is unique to this site and the incentives and freedoms it brings will make it highly attractive to occupiers.
- d. "The planning system should be genuinely plan-led" (NPPF paragraph 15). A Local Plan Inspector is likely to expect the plan to take a definitive stance on this site.

- 4.7 Provided there are sufficient policy safeguards in place to address the complex environmental and other impacts identified, it is recommended that Land south of the airport (EMP90) be included as a proposed allocation in the Local Plan.
- 4.8 **Plot 16 at EMG.** In conjunction with the DCO application, there is also a linked Material Change Order (MCO) which, amongst other things, is seeking consent to provide some 26,500sqm of additional storage floorspace at EMG1. The suitability of this site will be determined through the MCO process. Whilst it is not necessary to allocate this site in the Local Plan, it can contribute to the overall supply position.
- 4.9 **Land north A453, Kegworth (EMP73 part).** This site was included in the 2024 Proposed Housing and Employment Allocations Reg. 18 consultation as a site for general needs employment. The Committee subsequently agreed changes to the policy wording for this site at its meeting on 16 December 2024 (recommendation iii) but did not decide on its use until there was more information about the need for strategic warehousing.
- 4.10 In view of the site's location, and in the face of the substantial need for strategic warehousing, it is now considered that the site could be best used for strategic warehousing.
- 4.11 **Land south of Kegworth bypass (EMP97).** This is a large tract of rural land. Development here would 'jump' the clear boundary of the A6 Kegworth bypass and it would result in large scale development in an area of open, agricultural fields divorced from the built-up area of Kegworth. However, [the Landscape Sensitivity Assessment \(2024\)](#) identifies this location is heavily influenced by the strategic road network infrastructure and there are detracting elements in the wider context such as Ratcliffe Power Station and the complex of buildings associated with the airport and EMG1 to the west of the motorway. There are also limited opportunities for unscreened views of the site.
- 4.12 LCC Highways has concerns about the achievability of acceptable access arrangements having regard to the function of the Kegworth bypass. The overall capacity of the strategic road network in this location is a significant unknown in view



of the other large-scale developments proposed in this part of the district. The transport modeling which is underway will provide further evidence on this point.

- 4.13 Subject to these highways concerns being resolved, it is recommended this land south of Kegworth bypass is identified for strategic warehousing.
- 4.14 The site could be seen as a competitor to the Freeport site (EMP90) in view of their proximity to one another. However, the incentives associated with the Freeport means it is more likely that land south of Kegworth bypass will come forward in the longer term, after the Freeport site.
- 4.15 **Supply position at M1 J23a/J24; A50 J1.** Table E below compares the sites' floorspace capacities (i.e. the supply) with the apportionment figures from the Study. Sites with planning permission can also contribute to the supply position. Whilst the permissions at J1 A50 (24/00074/REMM) and Netherfield Lane (22/00954/REMM) have already been accounted for in the Study's findings, the planning permission at land adjacent to the Aldi Regional Distribution Centre at Sawley (24/01200/FULM) has not. Table E shows that the combined floorspace of the recommended sites plus this permitted site. This total does not match the full apportionment figure. The gap is some 270,000 sqm.
- 4.16 Notwithstanding this gap, based on the site assessments, officers do not consider that there are other sites capable of being allocated in this location.

**Table E: Supply at M1 J23a/J24; A50 J1 compared with apportionment figure**

Ref	Site	Area	Floorspace
EMP90	Land south of EMA (Freeport)	87 ha	240,000 sqm
n/a	Plot 16 at EMG1	6.4 ha	26,500 sqm
EMP73 (part)	Land north A453, Kegworth	8.6 ha	33,540 sqm
EMP97	Land south of Kegworth bypass	39.5ha	98,750 sqm
24/01200/FULM	Land adj. to Aldi RDC, Sawley	15 ha	59,910 sqm
<b>Total</b>		<b>156.5 ha</b>	<b>458,700 sqm</b>
		Apportionment	728,673 sqm
		Gap	-269,973 sqm

## **2 - Bardon (M1 J22)**

- 4.17 Sites with access to J22 of M1 which could potentially be suitable for strategic warehousing are listed in Table F below.

**Table F: Candidate sites at Bardon (J22)**

Ref	Site	Area
EMP98 (part)	Land between Ellistown Terrace Road and Wood Road, Battram	7 ha
EMP101	Land north of Wood Road, Battram	11 ha
EMP58	Barralochen Farm, East Lane, Bardon	5.6 ha*
<b>Total</b>		<b>23.6 ha</b>

\* site straddles the boundary with H&B. Ha figure is for land in NWL only.

- 4.18 The outcome of the sites assessments, including Sustainability Appraisal, is presented in Appendix B. Based on this analysis, one site is recommended for allocation.

**Table G: Recommended site at Bardon (J22)**

Ref	Site	Area	Floorspace
EMP98 (part)	Land between Ellistown Terrace Road and Wood Road, Battram	7 ha	30,000 sqm
<b>Total</b>		<b>7 ha</b>	<b>30,000 sqm</b>

- 4.19 **Land between Ellistown Terrace Road and Wood Road Battram EMP98.** This site was included in the [Additional Proposed Housing and Employment Allocations \(March 2025\)](#) Reg 18 consultation. It was noted at the time that the site (16.4ha) could deliver a mix of general needs industry/warehousing units and strategic warehousing units. Local Plan Committee (30 July 2025) subsequently agreed its allocation to deliver 20,000 sqm of general needs floorspace on part of the site (9ha), allowing space for an element of strategic warehousing on the remaining part (7ha) if that should prove necessary and appropriate.
- 4.20 With the findings of the Study, and the significant level of need apportioned to North West Leicestershire, it is recommended that this site does include an element of strategic warehousing. It is estimated that it could deliver some 30,000 sqm.
- 4.21 At the July meeting of this Committee, a Member asked officers to consider whether land between this site and Battram should have some form of additional policy protection in the new Local Plan. Officers will report back on this matter.
- 4.22 **Supply position at Bardon (J22).** The gap between the apportionment figure and the capacity of EMP98 is shown in Table H. Officers do not consider that there are other sites capable of being allocated in this location (see site assessment commentary in Appendix B).

**Table H: Supply at Bardon (J22) compared with apportionment figure**

Ref	Site	Area	Floorspace
EMP98 (part)	Land between Ellistown Terrace Road and Wood Road, Battram	7 ha	30,000 sqm
<b>Total</b>		<b>7 ha</b>	<b>30,000 sqm</b>
		Apportionment	93,109 sqm
		Gap	- 63,109 sqm

### 3 - A/M42 Junctions 11, 12 and 13

- 4.23 Sites which could potentially be suitable for strategic warehousing in this location are listed in Table I below.

**Table I: Candidate sites at A/M42 Junctions 11, 12 & 13**

<b>Junction 11</b>		
EMP82	Land north of J11 (Mercia Park II)	28 ha
EMP83/84/94	Land north-east of J11	45 ha
EMP92	Dingle Farm, south of J11	33.7 ha
<b>Junction 12</b>		
EMP05	Land NE of J12 (part Packington Nook)	25 ha
<b>Junction 13</b>		
EMP87	Land east of Ashby	81 ha
EMP80	Land at Corkscrew Lane	11.5 ha
	<b>Total</b>	<b>224.2 ha</b>

- 4.24 Officers have considered these sites' suitability for strategic warehousing, including Sustainability Appraisal. The outcomes are presented in Appendix B.
- 4.25 Based on this analysis, the sites in Table J are recommended for allocation in the Local Plan.

**Table J: Recommended sites at A/M42 Junctions 11, 12 & 13**

<b>Ref</b>	<b>Site</b>	<b>Area</b>	<b>Floorspace</b>
EMP82	Land north of J11 (Mercia Park II)	28 ha	96,625 sqm
EMP83/84/94	Land north-east of J11	45 ha	125,000 sqm
EMP80	Land at Corkscrew Lane (J13)	11.5 ha	46,451 sqm
	<b>Total</b>	<b>84.5 ha</b>	<b>268,076 sqm</b>

- 4.26 **Land north of J11 EMP82.** The site comprises open arable fields which are attractive in their own right and are also of higher agricultural land quality. The road infrastructure to the east and south and the substantial Mercia Park development to the west does have an urbanising effect and this effect is more pronounced towards the southern end of the site. The A42, A444 and the hedgerows along the northern boundary of the site provide a degree of containment to the site.
- 4.27 This site is the subject of a current planning application (25/00274/FULM). The planning application process so far has not revealed any technical constraints that could not be mitigated. In view of the site's location, and in the face of the substantial need for strategic warehousing, it is considered that the site could be allocated for strategic warehousing.
- 4.28 **Land north-east of J11 EMP83/84/94.** The site comprises open arable fields, also attractive in their own right and of higher agricultural land quality. Although the south western part of the site has some relationship to the commercial development and highway infrastructure at J11A42, overall it is a very open site and development could fundamentally alter the rural approaches to Appleby Magna and Measham from the west. It would also 'jump' the clear and definite boundary that the A42 creates in this location. The land falls away to the north/north west and development

here would be prominent in views from A42 southbound and also for users of the footpath which bisects the site in a north-south direction.

- 4.29 The landscape assessment concludes that the site's landscape sensitivity to new employment development is medium-low and its visual sensitivity is medium. It recommends that the views from the site to the villages of Measham, Oakthorpe and Appleby Magna are considered as part of any development proposals. It also recommends additional buffer planting where the site borders onto roads and identifies that the northern edge of the site is of higher landscape sensitivity.
- 4.30 The cumulative impacts of development at J11 on both the local and strategic highways network is being tested through the transport modelling.
- 4.31 It is possible that some strategic warehousing could be delivered on this site in an acceptable form provided the units were very carefully sited and designed, with substantial structural landscaping, including National Forest planting.
- 4.32 **Land at Corkscrew Lane (J13) EMP80.** The site comprises an arable field which is flat to gently sloping. It is adjacent to G-Park which has planning permission for up to 70,000sqm of strategic-scale warehousing (19/00652/FULM) and is bordered by the A511 to the north and east and the Leicester-Burton railway line to the south west and beyond that coppice woodland. It is not particularly well related to Ashby or any other sustainable settlement. The landscape assessment identifies that this site is of medium-low visual and landscape sensitivity. The assessment reports that there is an area of higher landscape sensitivity around the woodland to the north of the site and it would be appropriate to enhance tree cover and boundary vegetation, particularly fronting A511. This site is the subject of a current planning application (23/0042/OUT). The planning application process so far has not revealed any technical constraints that could not be mitigated.
- 4.33 In view of the site's location, and in the face of the substantial need for strategic warehousing, it is considered that the site could be allocated for strategic warehousing.
- 4.34 **Supply position at A/M42.** The apportionment figure for this location and the potential supply are compared in Table K. This shows that the requirement can be met in this location. The small gap of 1,269 sqm is considered marginal. The planning permission at G-Park, Ashby (19/00652/FULM) has already been taken into account in the Study's fundings and cannot be included as additional supply in Table K.

**Table K: Supply at A/M42 Junctions 11, 12 & 13 compared with apportionment figure**

Ref	Site	Area	Floorspace
EMP82	Land north of J11 (Mercia Park II)	28 ha	96,625 sqm
EMP83/84/94	Land north-east of J11	45 ha	125,000 sqm
EMP80	Land at Corkscrew Lane (J13)	11.5 ha	46,451 sqm
<b>Total</b>		<b>84.5ha</b>	<b>268,076 sqm</b>
		Apportionment	269,345 sqm
		Gap	-1,269 sqm

4.35 To conclude, all the sites recommended for allocation are shown in Table L below.

**Table L: Proposed site allocations**

Ref	Site	Location	Area	Floorspace
EMP90	Land south of EMA (Freeport)	J24	87 ha	240,000 sqm
n/a	Plot 16 at EMG1	J24	6.4 ha	26,500 sqm
EMP73 (part)	Land north A453, Kegworth	J24	8.6 ha	33,540 sqm
EMP97	Land south of Kegworth bypass	J24	39.5 ha	98,750 sqm
EMP98 (part)	Ellistown Terrace/Wood Road	Bardon	7 ha	30,000 sqm
EMP82	Land north of J11 (Mercia Park II)	A/M42	28 ha	96,625 sqm
EMP83/84/94	Land north-east of J11	A/M42	45 ha	125,000 sqm
EMP80	Land at Corkscrew Lane (J13)	A/M42	11.5 ha	46,451 sqm
<b>Total</b>			<b>233 ha</b>	<b>696,866 sqm</b>
24/01200/FUL	Land adj. to Aldi RDC, Sawley	J24	15 ha	59,910 sqm
			<b>248 ha</b>	<b>756,776 sqm</b>

## 5 NEED-SUPPLY BALANCE

- 5.1 There are considered to be sufficient suitable sites to meet the recommended apportionment figure for the A/M42 corridor, but not enough to meet the figures for the J24 area or for Bardon (J22).
- 5.2 **This is a risk to the soundness of the plan.** The NPPF directs that plans should seek to meet development needs in full.
- 5.3 In response, it is important to firstly record that the identified sites would make a major contribution towards the Study's recommendations:
- J24 – 55% of apportionment figure including two very substantial sites at the Freeport (240,000 sqm) and south of Kegworth bypass (98,750 sqm)
  - Bardon – 25% of the apportionment figure
  - A/M42 – 100% of the apportionment figure
- 5.4 In addition, it may be reasonable to treat the Study's findings with a degree of caution.
- Predicting future economic trends is inherently difficult, particularly over an extended time horizon such as a Local Plan period.
  - This is particularly true for the strategic warehousing sector. The sector has

grown rapidly in recent years, in particular post-Brexit and Covid. It is uncertain whether this expansion will continue at a similar rate over the 15+ years of the plan period or plateau to a more modest level. The Study has assumed that demand will continue to grow at broadly the same pace as over the past 12 years (2012/13 to 2023/24) but there is no certainty about this.

- There are some signs that the strategic warehousing units are not being built out promptly, despite applicants advocating that they are required 'immediately' to accord with Policy Ec2(2) of the adopted Local Plan. For example, a reserved matters application for G-Park at Ashby has only just been submitted (25/01411/REMM), nearly 4½ years after the part full/part outline application was approved in May 2021 (19/00652/FULM) [The site was first granted planning permission in 2012]. Land at Netherfield Lane, Sawley received outline consent in October 2021 (20/00316/OUTM) and reserved matters in July 2023 (22/00954/REMM) but the site did not progress beyond a technical start (and as confirmed under 24/00547/CLE, approved in June 2024) and a further application to vary conditions attached to the reserved matters approval was approved in September 2024 (24/00575/VCIM), nearly 3 years after the first approval. Land south of J1 A50 was approved (at appeal) in January 2023. Development has not started following reserved matters approval in March 2025 (24/00074/ REMM).
- The Study, by its nature, assessed locations' overall ability to accommodate new warehousing at a very high level. As the Study makes clear, it is for Local Plans to test whether its recommendations can be achieved:

*"Detailed site allocations are expected to be explored through the preparation of individual Local Plans.....It will be for [Local Planning Authorities] to consider these recommendations in conjunction with their detailed appraisal of sites including localised transport modelling and assessments of landscape, biodiversity, land availability etc., through their Local Plans. This report therefore does not seek to pre-empt or replace ... the Local Plan process .... but is intended to provide strategic guidance on the reasonable spatial distribution of future strategic logistics needs." (paragraph 8.13, emphasis added).*

- 5.5 There are insufficient suitable sites to meet the Study's apportionment for J24 and Bardon (J22) locations. The apportionment for A/M42 corridor can be met although the Study identifies this as a more secondary location compared with the other locations identified in the Study.
- 5.6 In the light of the detailed findings, officers recommend that the sites described above are agreed 'in principle' for allocation in the Local Plan. Officers do not consider that there are other sites at the J24 and Bardon locations which are capable of being allocated at this stage (see Appendix B).
- 5.7 The NPPF states that Local Plans should be reviewed within 5 years of adoption (paragraph 34). The position described above will need to be re-evaluated when the new Plan is reviewed. This would include an assessment of any newly available land at J24 and at Bardon, and also an updated assessment of needs.

## **6 SITE ALLOCATION POLICIES**

- 6.1 Strategic warehousing developments share some common characteristics. The buildings are large scale in both height and bulk, are box-like in shape with minimal fenestration (windows) or other detailing on the elevations. Developments require significant levels of parking for both cars and HGVs resulting in large areas of the site being devoted to hardstanding. Businesses often operate on a shift pattern, some with 24-hour working. Good connectivity to the strategic road network is a key requirement for most operators which generally means that HGVs are diverted away from local roads. However, such locations tend not to be well served by sustainable transport options (cycling, walking and public transport).
- 6.2 Each of the agreed sites will have a specific site allocation policy in the Regulation 19 version of the Plan, tailored to the specific circumstances of the site but the issues above are likely to be common to most. The types of criteria which could be included in the allocation policies are listed below.
- a. require the retention and enhancement of existing landscape features and for significant additional structural landscaping, including earthworks and planting, to be incorporated into the scheme's layout to help moderate the visual impact of large-scale warehouses in this location;
  - b. seek to achieve significant tree planting within and around sites equivalent to at least 30% site coverage, particularly for sites located within or close to the National Forest; stipulate the use of high quality materials and finishes with an overall design approach which also aims to moderate the visual impact of the development;
  - c. significantly upgrade walking and cycling connectivity and public transport links to make sustainable travel a realistic option for some;
  - d. ensure the potential for disturbance of nearby residents (e.g. lighting; noise) is fully addressed as part of the overall scheme design;
- 6.3 There could be value in preparing more specific design guidance for each of the proposed sites, potentially to be incorporated into the Local Plan at a later stage if resources to do this work are identified. In the meantime, Section 9 of the [draft Good Design Guide](#) includes very relevant guidance on the design of industrial sites.

## **7 NEXT STEPS**

- 7.1 The Committee is being asked to agree these sites 'in principle' for inclusion in the Regulation 19 version of the Plan. Recommendation 9 recognises that the inclusion of these sites is subject to the outcomes of further work which is currently in train, namely transport modeling, infrastructure planning and viability assessment.
- 7.2 The sites will be subject to full, formal public consultation at Regulation 19 stage.
- 7.3 Ideally the sites would be published in the interim for 'informal' Regulation 18 consultation. This would help reveal key concerns and issues from residents and parish/town councils, national agencies and stakeholders as well as the development industry which could be considered and addressed before the Regulation 19 version

of the plan is finalised.

- 7.4 However, the resources required to prepare, administer, manage and respond to a consultation at this stage would be substantial. Significant officer time would be diverted from other critical tasks associated with finalising the Regulation 19 Plan for consideration by Council in late Spring 2026. Regrettably, officers do not consider that a further stage of consultation is feasible if the Government's December 2026 submission deadline of is to be met.



<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	<ul style="list-style-type: none"> <li>- Planning and regeneration</li> <li>- Communities and housing</li> <li>- Clean, green and Zero Carbon</li> </ul>
Policy Considerations:	The Local Plan is required to be consistent with the National Planning Policy Framework and other government guidance and requirements.
Safeguarding:	None discernible.
Equalities/Diversity:	An Equalities Impact Assessment of the Local Plan review will be undertaken as part of the Sustainability Appraisal.
Customer Impact:	No issues identified
Economic and Social Impact:	The decision itself will have no specific impact. The new Local Plan as a whole will aim to deliver positive economic and social impacts and these will be recorded through the Sustainability Appraisal.
Environment, Climate Change and zero carbon:	The decision, of itself, will have no specific impact. The new Local Plan as a whole will aim to deliver positive environmental and climate change impacts and these will be recorded through the Sustainability Appraisal.
Consultation/Community/Tenant Engagement:	The Regulation 18 Local Plan has been subject to consultation. Further consultation will be undertaken at Regulation 19 stage.
Risks:	<p>A risk assessment for the Local Plan Review has been prepared and is kept up to date. As far as possible control measures have been put in place to minimise risks, including regular Project Board meetings where risk is reviewed.</p> <p>The report highlights the potential risks associated with the issues considered as part of the report.</p>
Officer Contact	Sarah Lee Principal Planning Policy Officer 01530 454791 <a href="mailto:sarah.lee@nwleicestershire.gov.uk">sarah.lee@nwleicestershire.gov.uk</a>

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# APPENDIX A

## RESPONSES TO PROPOSED POLICIES (2024 Reg 18 consultation)

CHAPTER 4	POLICY S1	POLICY NAME – FUTURE DEVELOPMENT NEEDS re Strategic Warehousing only
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MAIN ISSUES RAISED [Strategic warehousing]	COUNCIL RESPONSE	ACTION	RESPONDENTS ID	RESPONDENTS NAME
We challenge the decision to assume that 50% of the outstanding Leicester and Leicestershire requirement for road-served strategic distribution floorspace needs to be met in this district. This is highly disproportionate and will only lead to yet more warehousing spoiling our countryside.	The proposal to take 50% of the remaining requirement for strategic warehousing was an interim position based on a 2021 strategic warehousing study. This is now superseded by the findings of the Leicester & Leicestershire Strategic Warehousing Need and Apportionment Study (November 2025). This is further explained in the main, covering report for Local Plan Committee 19 November 2025.	No change.	92	Ashby Town Council
1 - There is a lack of any meaningful modelling of an accurate forecast requirement of Strategic B8 warehousing. 2 – The proposal that NWL provides for 50% of the county requirement for strategic distribution is pernicious and unrealistic. This deprives other districts of employment opportunities and overburdens NWLDC with both eyesore	1 & 2 - This is answered by the findings of the Leicester & Leicestershire Strategic Warehousing Need and Apportionment Study (November 2025).	No change.	115	Protect Diseworth

MAIN ISSUES RAISED [Strategic warehousing]	COUNCIL RESPONSE	ACTION	RESPONDENTS ID	RESPONDENTS NAME
and loss of countryside as well as massive over-development. A more realistic and even-handed distribution is required. What is the relationship between the Apportionment Study and this figure? Deferring the requirement of strategic B8 warehousing is unsatisfactory.				
1- a fresh review of strategic B8 need is required, as it is clear that the 2021 study has substantially under-estimated the need for new floorspace, particularly for road-based distribution, and is not reflective of current market demand. The Study was based on research undertaken in 2020 when there was great uncertainty about the economy and market because of the Covid-19 induced lockdown. Since 2020, the market has outperformed expectations to a phenomenal degree, with demand fuelled by growth in e-commerce and structural changes to operating practices in both the industrial and logistics sectors (e.g. 'Just-in- Case' instead of 'Just-in-Time' practices and re-shoring following Brexit). Occupiers are increasingly seeking site proximity to their suppliers/ markets. Whilst the market has steadied, with developers and investors taking a more cautious	The Leicester & Leicestershire Strategic Warehousing Need and Apportionment Study (November 2025) provides an up-to-date assessment of strategic warehousing needs and further explained in the main, covering report for Local Plan Committee 19 November 2025.	No change.	158	The Trustees of Lord Crawshaw 1997 Discretionary Settlement (the Whatton Estate) and Bryan and Colin Jarrom

MAIN ISSUES RAISED [Strategic warehousing]	COUNCIL RESPONSE	ACTION	RESPONDENTS ID	RESPONDENTS NAME
<p>approach because of the hike in interest rates, demand levels from occupiers remains healthy</p> <p>2 - Notional NWL figure of 106,000sqm equates to 1.2 to 1.55 years supply (road-based). Plan makes no allowance for rail based needs despite EMG RFI and the site selection sequence in the 2021 study (para 11.19).</p> <p>3 - In summary, given the strong demand experienced in North West Leicestershire, we would encourage the local authority to update the evidence informing Policy S1(3) and express any employment floorspace targets under Policy S1 as a minimum at the least, so as not to constrain the district's ever burgeoning offer for strategic warehousing distribution sites.</p>				
Strategic B8 sites will not have been scrutinised in the same way as general needs sites. Interim SA doesn't consider strategic employment options	The proposed site allocations will be subject to full scrutiny at Regulation 19 stage. At this stage a Plan will be accompanied by a final Sustainability Appraisal Report.	No change.	186	Wilson Bowden Developments Ltd
We propose that a further Regulation 18 consultation is held to specifically address the options regarding strategic employment land. This will ensure that relevant bodies and persons have had the opportunity to make representations			215	Secretary of State for Transport (HS2)

MAIN ISSUES RAISED [Strategic warehousing]	COUNCIL RESPONSE	ACTION	RESPONDENTS ID	RESPONDENTS NAME
on this matter prior to a preferred approach being decided by the Council.				
<p>1 - 2021 Strategic B8 study substantially underestimates need. 45% of projected rail-served need for 2020-41 has been met in first 4 years. The equivalent figure for road-served is 66%. Since 2020, the market has outperformed expectations to a phenomenal degree, with demand fuelled by growth in e-commerce and structural changes to operating practices in both the industrial and logistics sectors (e.g. 'Just-in- Case' instead of 'Just-in-Time' practices and re-shoring). Whilst the market has steadied, with developers and investors taking a more cautious approach because of the hike in interest rates, demand levels from occupiers remain healthy.</p> <p>2 - Notional NWL figure of 106,000sqm equates to 1.2 to 1.55 years supply (road-based). Plan makes no allowance for rail based needs despite EMG RFI and the site selection sequence in the 2021 study (para 11.19).</p>	1 & 2 - This is answered by the findings of the Leicester & Leicestershire Strategic Warehousing Need and Apportionment Study (November 2025) with further explanation of the Council's proposed approach in the main, covering report for Local Plan Committee 19 November 2025.	No change.	197	Nurton Developments
1 - Take up of industry/warehousing in NWL has been nearly half of that for the county as a whole. Both Stantec and the Strategic B8 study fall grossly short of	The Leicester & Leicestershire Strategic Warehousing Need and Apportionment Study (November 2025) provides an up-to-date	No change.	204	Paul Fovargue

MAIN ISSUES RAISED [Strategic warehousing]	COUNCIL RESPONSE	ACTION	RESPONDENTS ID	RESPONDENTS NAME
<p>historic demand.</p> <p>2 - This shows that there is strong evidence of long term economic demand for industrial and logistics space in NWL and the district holds a predominant position compared to the County at a whole. In light of this, we would encourage the local authority to update the evidence informing Policy S1(2) and (3) and express any employment floorspace targets under Policy S1 as a minimum at the least</p>	<p>assessment of the future need for strategic warehousing. Further explanation of the Council's proposed approach is in the main, covering report for Local Plan Committee 19 November 2025.</p>			
<p>1 - Strategic B8 study also does not assess unconstrained demand. Plot ratios are too high. The rapid and fundamental changes in the logistics sector in recent years (post pandemic; post Brexit; reshoring; stockpiling, e-commerce growth), and the planning and development constraints that have been in place, mean that past performance is not on its own a good guide to future requirements. 5 year flexibility allowance is not justified - should reflect what would actually be needed to address the historic shortfall - and is meant to deal with multiple issues (delays in delivery, uncertainty associated with forecasting, allow for churn/vacancy). The rail/road split is</p>	<p>The Leicester &amp; Leicestershire Strategic Warehousing Need and Apportionment Study (November 2025) provides an up-to-date assessment of the future need for strategic warehousing. Further explanation of the Council's proposed approach is in the main, covering report for Local Plan Committee 19 November 2025.</p>	<p>No change.</p>	<p>225; 229</p>	<p>St Modwen Logistics; P, W, C &amp; R Redfern</p>

MAIN ISSUES RAISED [Strategic warehousing]	COUNCIL RESPONSE	ACTION	RESPONDENTS ID	RESPONDENTS NAME
<p>arbitrary. Savills work has been revised and reissued. It includes as alternative assessment of demand.</p> <p>2 - there are serious concerns with the extent to which the evidence base properly and fully identifies the requirement for employment land. A common theme between the approach to the non-strategic and strategic sectors is the question of suppressed demand.</p>				
<p>Para 4.15: It is important that the Local Plan provides for both general employment land and for the growth and development of economic activity. The district and the East Midlands region have significant sector strengths that are supported by strategic distribution facilities. These activities increasingly rely on the connectivity and the accessibility to EMA and the established global logistics business that are based at the Airport and in the immediate area. It is essential that the Local Plan continues to meet the needs the logistics and the strategic distribution sector, and that it allocates and provides the land for the sustainable development of strategic logistics and distribution activities that are an important strength in North West</p>	Noted.	No change.	230	East Midlands Airport



<b>MAIN ISSUES RAISED</b> [Strategic warehousing]	<b>COUNCIL RESPONSE</b>	<b>ACTION</b>	<b>RESPONDENTS ID</b>	<b>RESPONDENTS NAME</b>
Leicestershire and the wider East Midlands region.				
<p>1 - Review of Strategic Warehousing Needs in North West Leicestershire, that has been prepared by Turley Economics (see Appendix 4). This finds the allocation of additional land towards the southern end of the A/M42 is justified by the need to maintain an appropriate supply across the 'Areas of Opportunity' and where there is an identified under-supply of strategic sites. Based on annual average take up over the past 5 years, Avison Young estimate that the existing built supply of strategic scale floorspace [in AoO5], equates to just 8.25 months-worth of supply. The available supply of land is also limited to just two sites, with only one of these sites being located in Area of Opportunity 5, offering limited scope to satisfy unmet need beyond the next 12 months. The scale of unmet demand also remains exceptionally high with over 5 million sq ft (464,500 sqm) of active enquiries for sites in the A/M42 corridor having been identified by Avison Young. This evidence provides a strong and compelling market justification for the allocation of additional land to meet strategic distribution needs, which in the</p>	<p>The proposal to take 50% of the remaining requirement for strategic warehousing was an interim position based on a 2021 strategic warehousing study. This is now superseded by the findings of the Leicester &amp; Leicestershire Strategic Warehousing Need and Apportionment Study (November 2025). This is further explained in the main, covering report for Local Plan Committee 19 November 2025 which includes proposed site allocations for strategic warehousing.</p>	No change.	234	IM Properties

MAIN ISSUES RAISED [Strategic warehousing]	COUNCIL RESPONSE	ACTION	RESPONDENTS ID	RESPONDENTS NAME
<p>North West Leicestershire context, points strongly in favour of the southern end of the A/M42 and the J11 site (EMP82).</p> <p>2 - The study underestimates need a) novel approach to modelling need which does not comply with NPPG; b) rail/road split is speculative and untested; c) more conventional completions approach would result in a higher requirement;</p> <p>3 - NWL taking at least 50% of remaining requirement should be viewed as a minimum benchmark a) NWL has 30% of large scale warehouses in Leicester &amp; Leicestershire; b) 70% of the large warehouses developed since 2010 in L&amp;L are located in NWL; c) NWL met 50% of industrial demand 2019-2024; d) the industrial space completed in NWL 2012-19 equates to 50% of that provided in L&amp;L in the same period.</p>				
<p>Paras 4.15 to 4.17. The Strategic Distribution requirement is unrealistic. The policy lacks substance as where the warehousing supposedly required should be best located and indeed how much is justifiable.</p>	<p>The Leicester &amp; Leicestershire Strategic Warehousing Need and Apportionment Study (November 2025) provides an up-to-date assessment of the future need for strategic warehousing. Further explanation of the Council's proposed approach is in the main,</p>	<p>No change.</p>	<p>285 503</p>	<p>Garry Needham Helen Warren</p>

MAIN ISSUES RAISED [Strategic warehousing]	COUNCIL RESPONSE	ACTION	RESPONDENTS ID	RESPONDENTS NAME
	covering report for Local Plan Committee 19 November 2025. This includes proposed sites for allocation.			
1 -SEGRO agrees with the strategy for strategic warehousing which aims to accommodate 50% of the outstanding road-served strategic warehousing requirement of the Leicester and Leicestershire area to be met in North West Leicestershire. SEGRO disputes the quantum of employment land that is suggested as being needed and requests this be re-assessed prior to publication of the Regulation 19 Plan. Evidence prepared by Savills suggests the strategic employment land requirement should be almost double the current estimate. In any event, the requirement should be expressed as a minimum. GL Hearn study has a number of methodological issues, in particular that the outcome is that the demand estimation is lower than past completion trends. This is totally out of step with market reality. Other issues highlighted by the Savills report included the lack of consideration of strategic B2 floorspace, the growth build element of the preferred model not taking into account the role of air freight and LGVs associated with	1 - The proposal to take 50% of the remaining requirement for strategic warehousing was an interim position based on a 2021 strategic warehousing study. This is now superseded by the findings of the Leicester & Leicestershire Strategic Warehousing Need and Apportionment Study (November 2025). This is further explained in the main, covering report for Local Plan Committee 19 November 2025 which includes proposed site allocations for strategic warehousing. 2 – Comments noted.	No change.	290	SEGRO

<b>MAIN ISSUES RAISED</b> [Strategic warehousing]	<b>COUNCIL RESPONSE</b>	<b>ACTION</b>	<b>RESPONDENTS ID</b>	<b>RESPONDENTS NAME</b>
<p>industrial and logistics demand, the use of different plot ratios for different demand models and the unrealistic apportionment of rail-served demand. As a result of these shortcomings, it was concluded that the GL Hearn Study significantly underestimates future demand, even suggesting a lower demand than past completion trends.</p> <p>2 - SEGRO generally supports the findings of the ‘Implications of East Midlands Freeport on Housing Need in NW Leicestershire’ study in principle. However, SEGRO considers that the report under-estimates the potential job creation of SEGRO’s proposed EMG2 development on Land south of the Airport which is considered to be 4,000, rather than the current suggestion of 3,078.</p>				
<p>Para 4.15 refers to a requirement for “strategic distribution”. This is being taken in isolation for NWLDC area. Around Castle Donington many of the warehouses already built are still unoccupied. There is also a lot of new warehousing development around the A453 into Nottingham, a proposed development based around the Ratcliffe Power Station Site, and more provision</p>	<p>The Leicester &amp; Leicestershire Strategic Warehousing Need and Apportionment Study (November 2025) provides an up-to-date assessment of the need for strategic warehousing. This Study covers the Leicester and Leicestershire area, taking account of available units.</p>	<p>No change.</p>	<p>336</p>	<p>Kevin Walker</p>

<b>MAIN ISSUES RAISED</b> [Strategic warehousing]	<b>COUNCIL RESPONSE</b>	<b>ACTION</b>	<b>RESPONDENTS ID</b>	<b>RESPONDENTS NAME</b>
north of the A50 around the new Aldi distribution centre. How much strategic distribution does our area need?				
Paras. 4.13 to 4.15 expand on the perceived requirements for industrial employment land and Strategic Distribution warehousing [B8 sheds]. Much of this is speculative. Even so NWLDC is accepting that 104,000 sqm, 50% of the entire County requirement will be built in NWLDC. Having committed to this outrageously disproportionate volume, the issue is then left in the air pending reports from the “Leicester & Leicestershire Apportionment of Strategic Distribution Floorspace study”. This is highly unsatisfactory and must be re-visited by NWLDC.	The proposal to take 50% of the remaining requirement for strategic warehousing was an interim position based on a 2021 strategic warehousing study. This is now superseded by the findings of the Leicester & Leicestershire Strategic Warehousing Need and Apportionment Study (November 2025) which provides an up-to-date assessment of needs. The position is further explained in the main, covering report for Local Plan Committee 19 November 2025 which includes proposed site allocations for strategic warehousing.	No change.	376	Jim Snee

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## M1J23a/J24; A50J1

1. Sites which could potentially be suitable for strategic warehousing in this location are listed below. These have been taken from the SHELAA (2021) and subsequent Call for Sites submissions.

### Sites at M1 J23a/J24; A50 J1

Ref	Site	Area
EMP90	Land south of EMA (Freeport)	87ha
n/a	Plot 16 at EMG1	6.4ha
EMP73 (part)	Land north A453, Kegworth	8.6ha
EMP73 (part)	Land north of Derby Road, Kegworth	10.2ha
EMP14	Land south of Sawley Marina	22ha
EMP97	Land south of Kegworth bypass	42ha
EMP99	Land north of railway line, Hemington	6.8ha

### Sustainability Appraisal Findings

2. The SA scores from the [SA Sites Assessment Findings Report \(September 2025\)](#) are reproduced below. Plot 16 at EMG is not assessed in the SA.

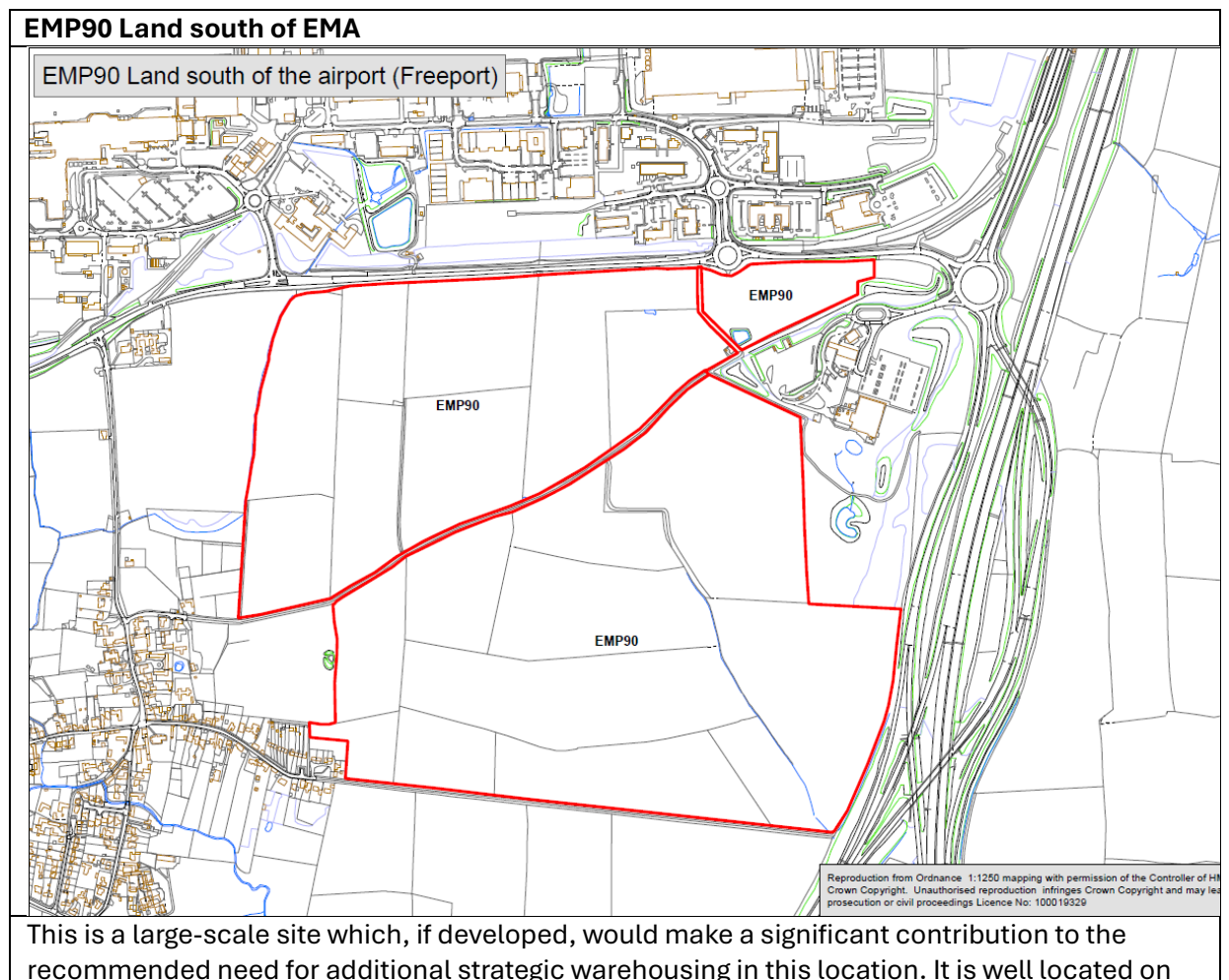
Site	SA Objectives															
	Health and Wellbeing	Inequalities	Community	Housing	Economy	Town/Village centres	Employment	Sustainable travel	Air, Light & Noise Pollution	Climate Resilience	Biodiversity & Geodiversity	Landscape	Land-use efficiency	Historic Environment	Water & Soil	Waste
	SA1	SA2	SA3	SA4	SA5	SA6	SA7	SA8	SA9	SA11	SA12	SA13	SA14	SA15	SA16	SA17
EMP90	0	0	+	0	+	--	++	++	--	0	-	--	--	-	0	0
EMP73	0	0	+	0	+	++	++	--	0	-	0	--	--	0	0	?
EMP14	0	0	0	0	+	--	++	++	--	--	--	--	--	0	0	?
EMP97	0	0	+	0	+	-	++	+	-	0	-	--	+	-	0	0
EMP99	0	0	-	0	+	-	++	++	--	--	--	--	--	0	0	?

3. All the candidate sites in this location score very positively for the provision of diverse employment opportunities (SA7) and positively for supporting economic growth (SA5). The also all receive a significantly adverse score for landscape impacts (SA13) because they are all located outside current settlement boundaries and are wholly or predominantly greenfield sites.

4. Scores for SA3 and SA6 are a function of distance. For SA6 the worst scoring sites, EMP90 and EMP14, are at greatest distance from a local or town centre. EMP73 comprises three land parcels and the SA6 scoring obscures some differences in the attributes of the parcels. The part of EMP73 which is North of Derby Road is adjacent to LtD whereas the parcel north of A453 is a considerable distance from the edge of Kegworth and would score less positively for its ability to support businesses in the village centre.
5. All the sites except EMP73 score positively for sustainable travel (SA8). However, as the detailed assessment below reveals, conditions vary and all sites would benefit from significant upgrades to their access by sustainable modes.
6. In this location, the scoring for SA9 reflects sites' proximity to EMA as a noise generator. EMP11 and EMP14 both have significant negative scores for SA11 because they contain areas at risk of flooding. The same two sites have designated nature conservation sites in or close to their boundaries (SA12).
7. EMP97 is the only site to score positively for land use efficiency (SA14) because there is some existing commercial development within the site boundaries. EMP90 and EMP97 are located near to heritage assets (SA15).

### Site Assessments

8.





the Strategic Road Network and exceptionally well situated for the transportation of freight (EMG1 and EMA). Significant highways upgrades will be necessary; the adequacy of the measures currently proposed by developers will be tested through the DCO process, the current planning application on the MAG-controlled land and the transport modelling for the Local Plan.

Along with other sites in this location, workforce could be drawn from the major urban centres of Derby and Nottingham as well as nearby villages. The DCO scheme proposes a bus interchange and upgraded/new pedestrian routes which would, in principle, enable some employees to get to work by sustainable modes.

The environmental impacts of development are likely to be substantial. The land in its current, undeveloped state creates important separation between Diseworth and the infrastructure-related development to its north and east. Linked to this is the role it has providing a countryside setting to Diseworth Conservation Area and thereby undermining its legibility as a stand-alone village set within its agricultural context. Views from PROW through and close to the site will be fundamentally changed. Further, the scenic long-distance views to the south of the parcel and beyond will be affected, recognising that the airport buildings to the north are an existing detractor. The Landscape Assessment finds that the site has medium landscape and visual sensitivity to employment development.

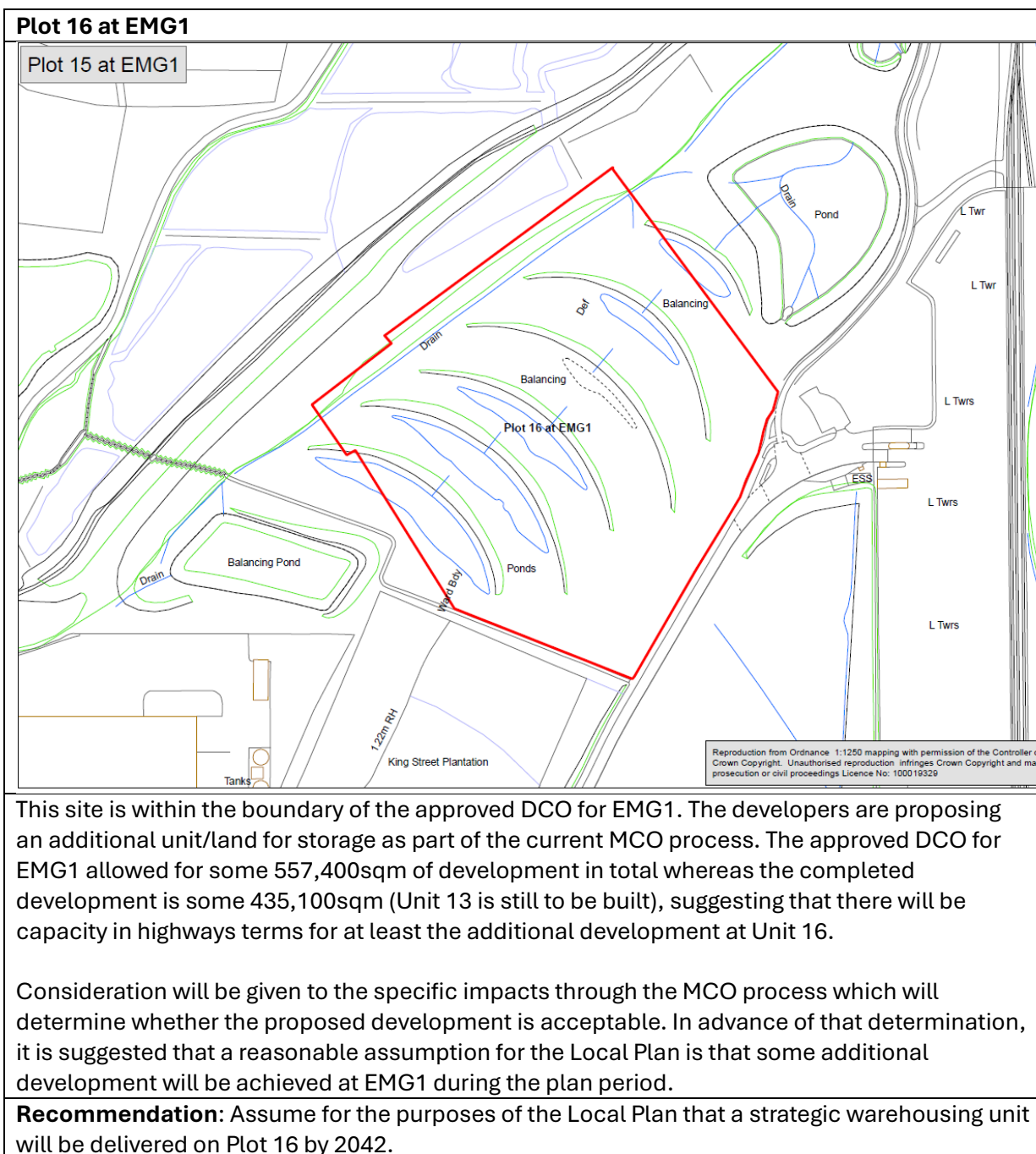
There is also the prospect of significant disturbance to Diseworth residents from 24-hour operations on site, principally from noise (including from traffic) and lighting.

The Freeport designation is unique to this site and the incentives and freedoms it brings will make it highly attractive to occupiers. Further, whilst it is not a planning designation, the site's Freeport status signals Government support for advanced logistics development in this location. It is for the respective planning processes (Local Plan, DOC and planning application) to determine what is an acceptable form of development.

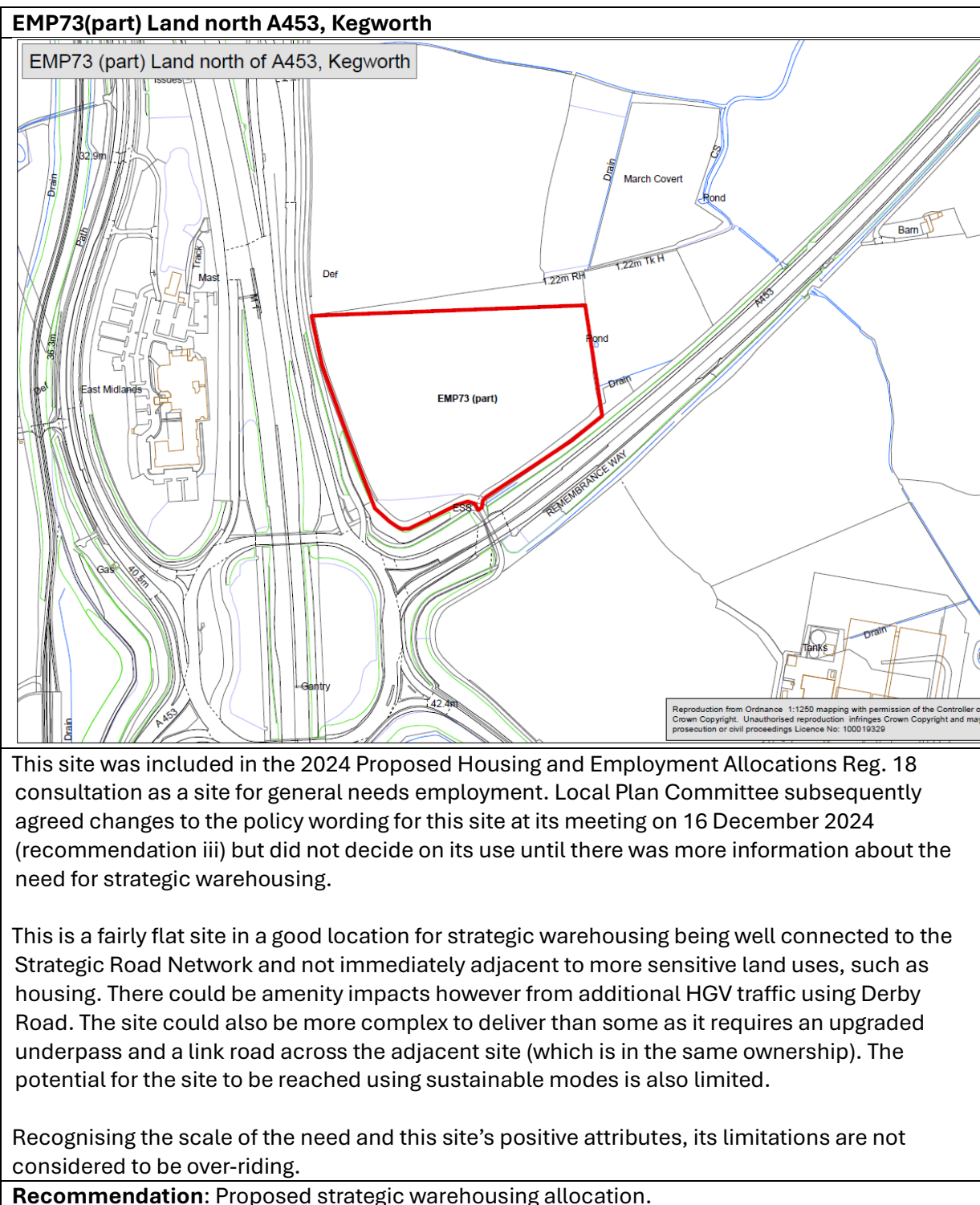
In conclusion, having particular regard for the significant contribution that this site could make to an overall need for strategic warehousing in NWL and to its Freeport status, it is considered that this site can be included as a proposed allocation in the Local Plan **provided** there are sufficient safeguards in place to address the environmental impacts identified (and any others).

**Recommendation:** Proposed strategic warehousing allocation.

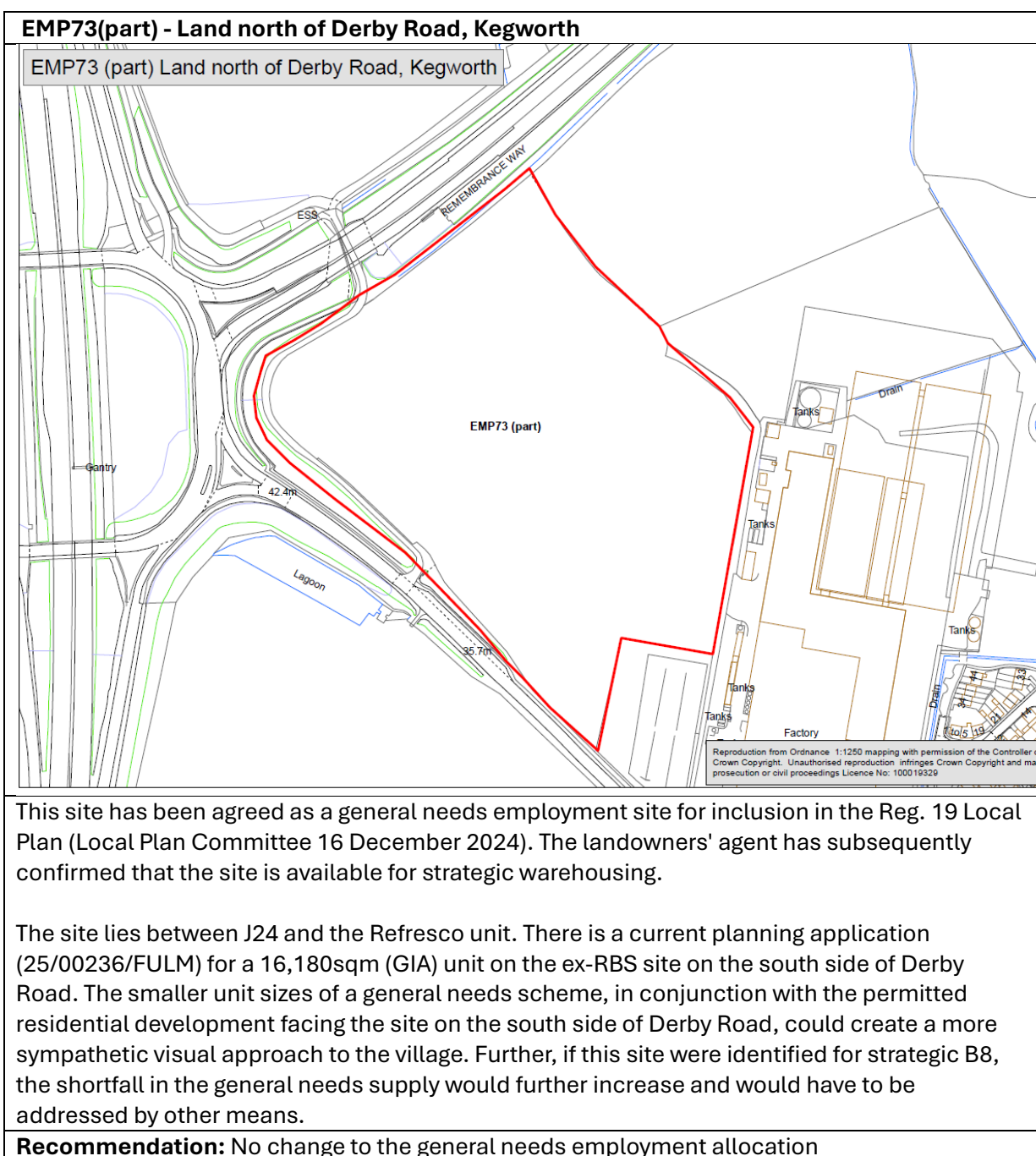
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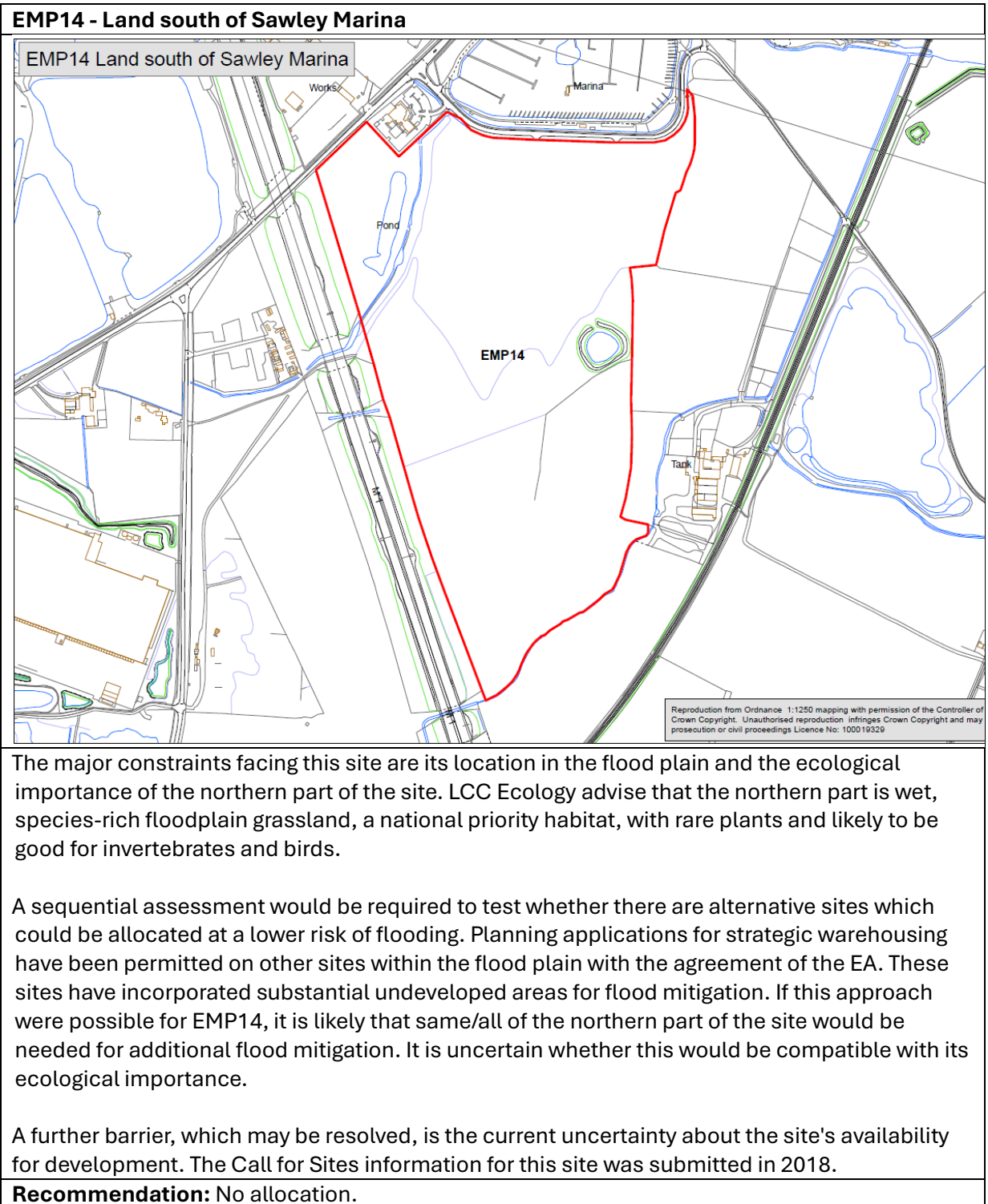
10.



11.

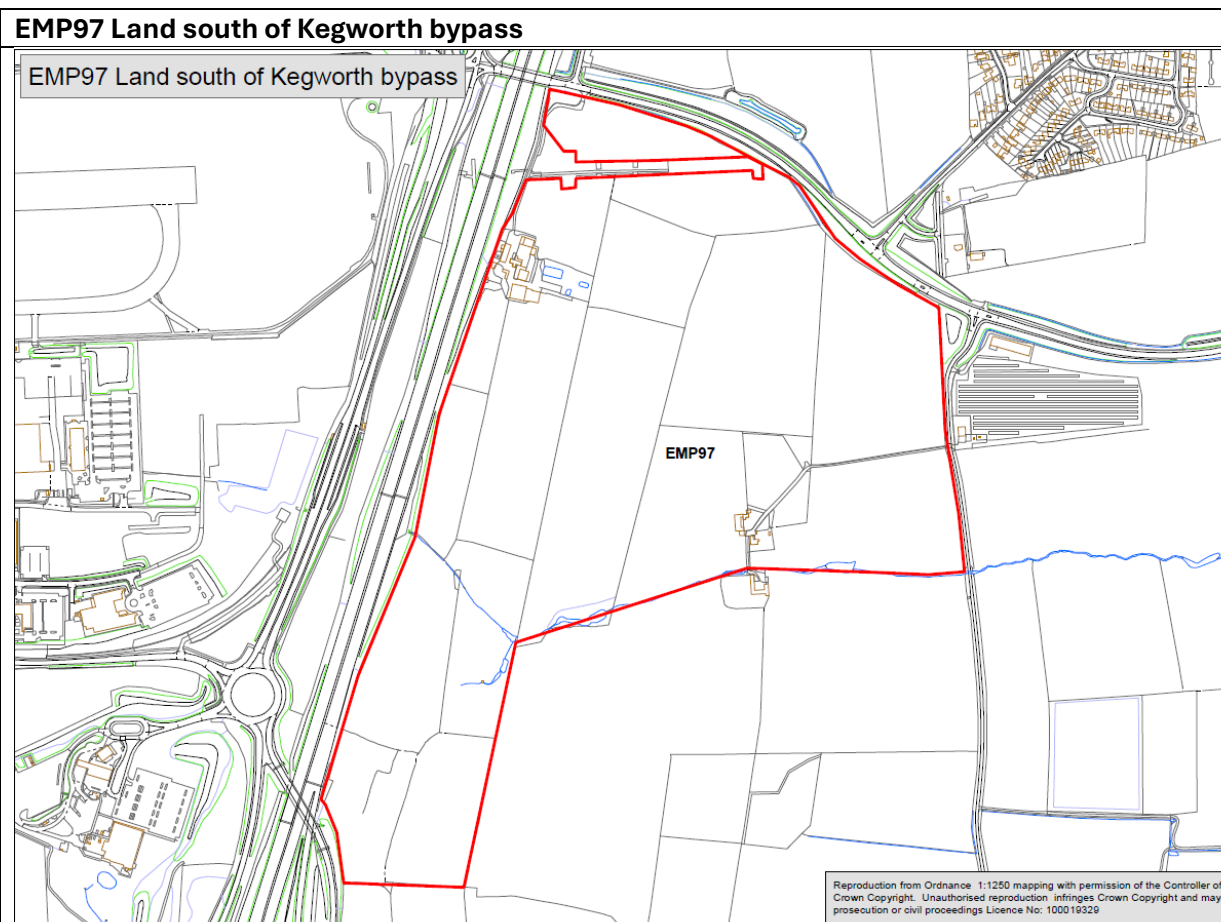


12.





13.



This is a large-scale site comprising agricultural fields lying to the south of A6 and to the east of M1. The Landscape Appraisal identifies this location is heavily influenced by Strategic Road Network infrastructure and there are detracting elements in the wider context such as Ratcliffe Power Station and the complex of buildings associated with the airport and EMG1 to the west of the motorway. There are also limited opportunities for unscreened views of the site. The Landscape Appraisal concludes that the site has medium-low landscape and visual sensitivity to new employment development.

Development on this large site would 'jump' the A6 Kegworth bypass and introduce large scale development to an area of open, agricultural fields divorced from the built-up area of Kegworth. The western approaches to the village could become dominated by large-scale warehousing.

LCC Highways has concerns about the achievability of acceptable access arrangements having regard to the function of the Kegworth bypass. It is feasible that more detailed assessment may reveal a technical solution which LCC could support. The capacity of the Strategic Road Network to accommodate development of this site in addition to the large scale developments proposed nearby (Isley Woodhouse; Land north/south of Park Lane Castle Donington; the Freeport site) is currently unknown and will be tested through the Local Plan transport modelling.

The small part of the site which coincides with the East Midlands Airport Public Safety Zone would be excluded from development. The site's scale means there is scope to incorporate substantial mitigation measures such as substantial additional landscaping to help address

identified impacts. Such measures will reduce the developable area of the site, potentially significantly.

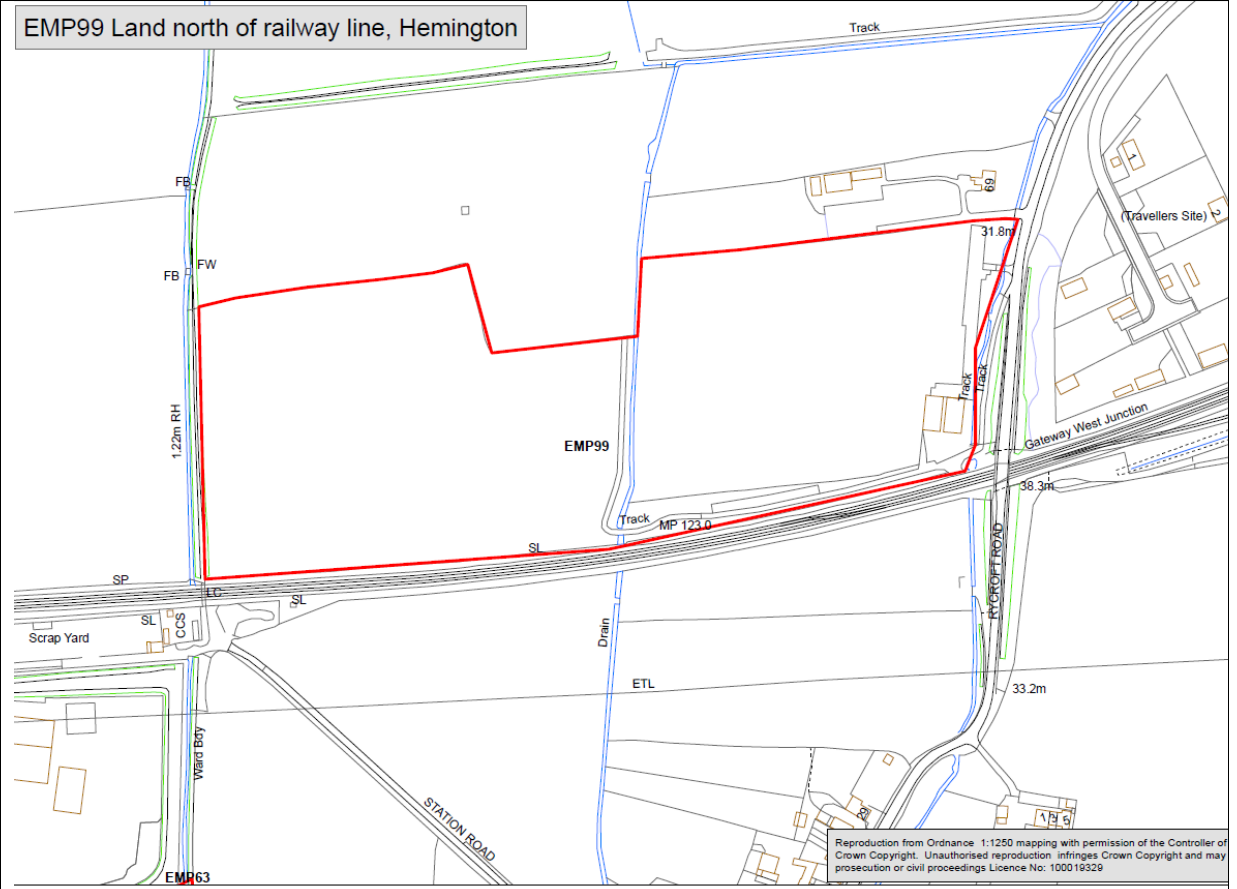
The significance of ecology and heritage impacts are uncertain but are not expected to rule out development.

The site is well located relative to potential workforce. Bus services to EMG1 are good but the walking route between EMG1 and this site is unappealing and likely to be a barrier for some. Achieving a bus service for this site will require additional services and/or significant re-routing.

In conclusion, having particular regard for the significant contribution that this site could make to an overall need for strategic warehousing in NWL and in this location specifically, it is considered that this site can be included as a proposed allocation in the Local Plan provided there are sufficient safeguards in place to address the environmental impacts identified (and any others). In view of the incentives that the Freeport site offers it is expected that this site would come forward later in the Plan period, after the Freeport site is completed.

**Recommendation:** Proposed strategic warehousing allocation.

14.

EMP99 Land north of the railway line, Hemington

<p>The combined effect of the permitted strategic warehousing scheme to the north (19/01496/OUT; 24/00074/REMM) and development on this site would be to further extend development into the gap between Castle Donington and Hemington reducing the physical and visual separation between the two settlements. The western field is within the Local Area of Separation in the made Hemington and Lockington Neighbourhood Plan.</p> <p>The site is well located for access to the Strategic Road Network and also for potential sources of workforce. Whilst the walking distances to bus stops are reasonable, the condition and character of the routes are likely to discourage their use.</p> <p>The whole site is located within either Flood Zone 2 or 3. The NPPF requires a sequential approach to be taken to the allocation of sites through the Local Plan process; identifying sites at lower flood risk first. Nearby sites in the FZ2/3 have been agreed for employment development by the Environment Agency but such sites have been substantially larger than EMP99 with sufficient space to include substantial areas for flood mitigation.</p> <p>A further barrier, which may be resolved, is the current uncertainty regarding the site's deliverability.</p> <p><b>Recommendation:</b> No allocation.</p>



## Bardon (J22)

15. Sites which could potentially be suitable for strategic warehousing in this location are listed below. These have been taken from the SHELAA (2021) and subsequent Call for Sites submissions.

### Sites at Bardon (J22)

Ref	Site	Area
EMP98 (part)	Land between Ellistown Terrace Road and Wood Road, Battram	7 ha
EMP101	Land north of Wood Road, Battram	11 ha
EMP58	Barralochen Farm, East Lane,	5.6 ha

### Sustainability Appraisal Findings

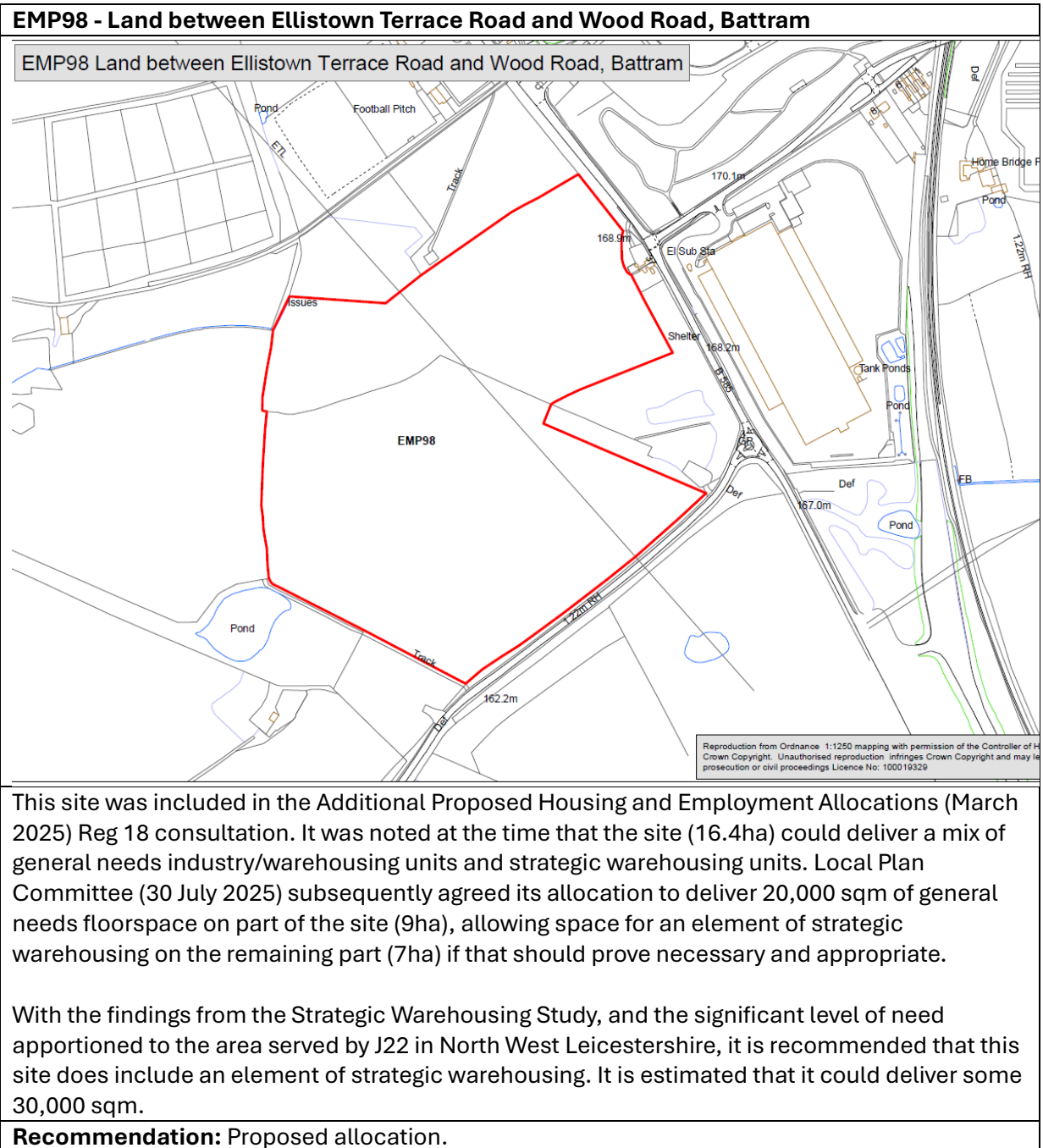
16. The SA scores from the [SA Sites Assessment Findings Report \(September 2025\)](#) are reproduced below.

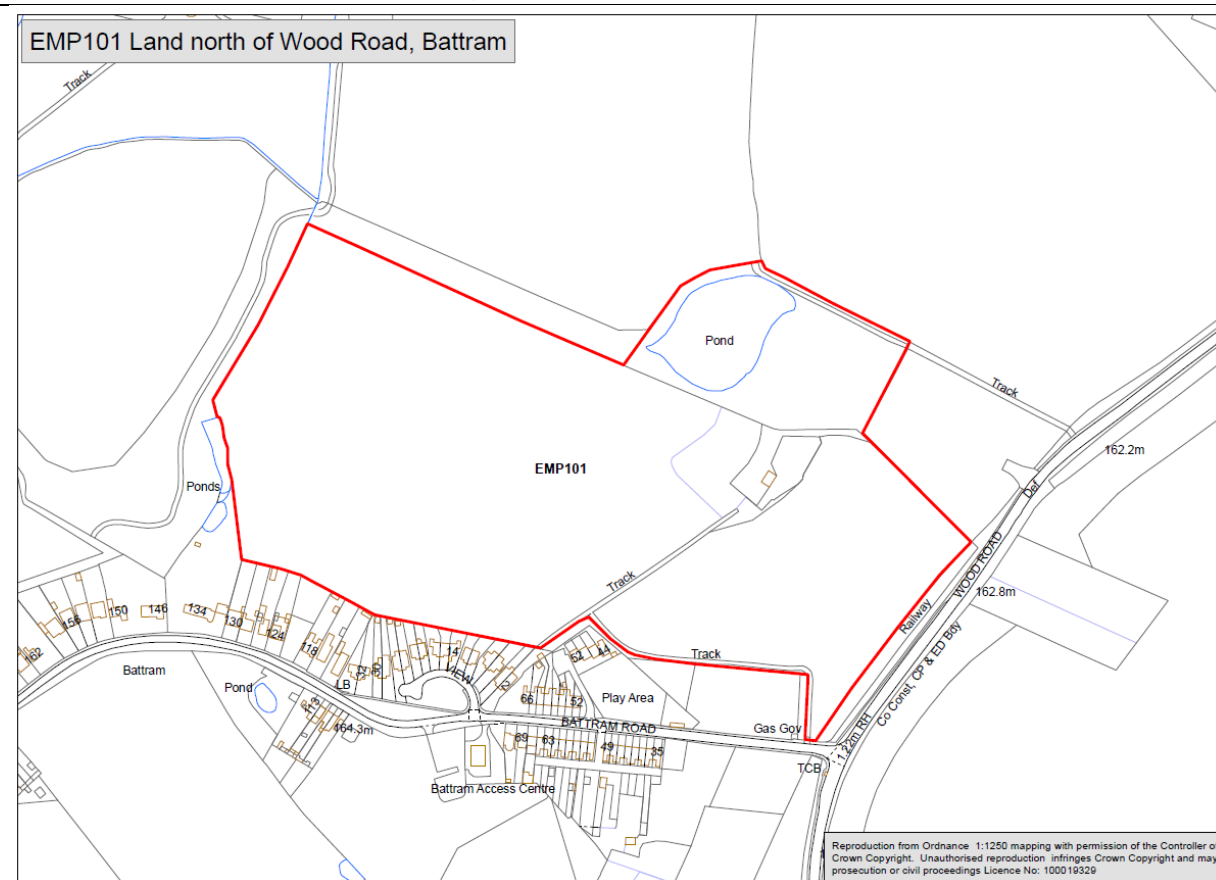
Site	SA Objectives															
	Health and Wellbeing	Inequalities	Community	Housing	Economy	Town/Village centres	Employment	Sustainable travel	Air, Light & Noise Pollution	Climate Resilience	Biodiversity & Geodiversity	Landscape	Land-use efficiency	Historic Environment	Water & Soil	Waste
	SA1	SA2	SA3	SA4	SA5	SA6	SA7	SA8	SA9	SA11	SA12	SA13	SA14	SA15	SA16	SA17
EMP98	0	0	-	0	+	--	++	-	0	0	--	--	--	-	-	?
EMP101	0	0	-	0	+	--	++	-	0	0	--	--	--	-	-	0
EMP58	0	0	+	0	+	-	++	+	-	0	--	--	--	-	0	0

17. All the candidate sites in this location score very positively for the provision of diverse employment opportunities (SA7) and positively for supporting economic growth (SA5). They also all receive a significantly adverse score for biodiversity (SA12) because they are located in the National Forest and for landscape (SA13) and land efficiency because they are greenfield sites located outside existing settlements.
18. Scores for SA3 and SA6 are a function of distance. EMP58 is served by a more frequent bus service than either EMP98 or EMP101 (SA8). Soil quality of these same two sites could be impacted by a small open storage site on adjacent land (SA16). There are heritage assets in the vicinity of each of the three sites (SA15).

## Site Assessments

19.



**EMP101 - Land north of Wood Road, Battram**

The site is rural in character, signified by its predominant agricultural use. The site's immediate surroundings also contribute to this rural character although land to the north east has been provisionally agreed for inclusion in the Regulation 19 version of the Local Plan as an employment site (EMP98). Also, Hinckley & Bosworth Borough Council is considering allocating land to the south of Wood Road as an employment site in a forthcoming draft of its Local Plan.

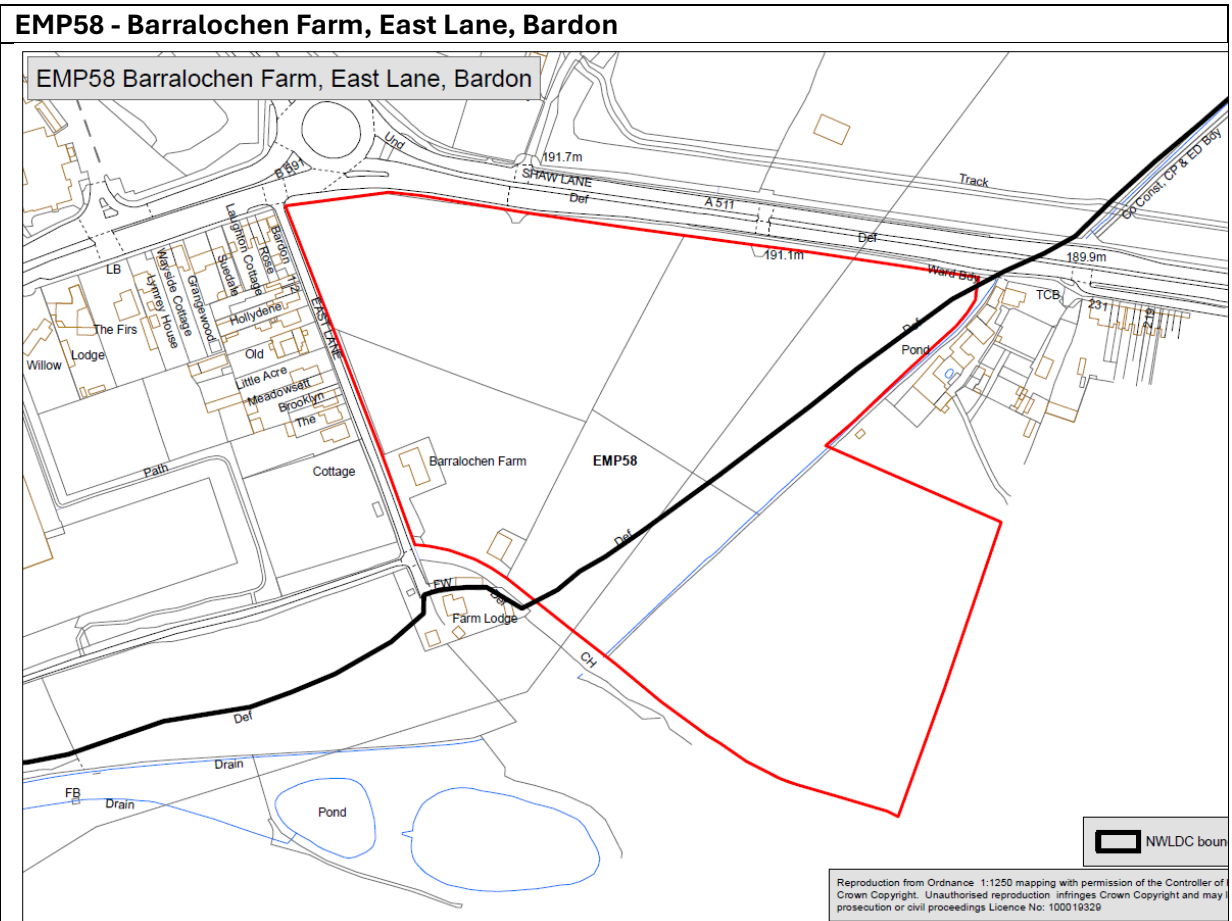
The site has a long boundary which adjoins the back gardens of properties on Battram Road. The orientation of the site and the presence of water bodies within it means that development would need to be located relatively close to this southern boundary with implications for the amenity of the nearby homes and employment development could impact significantly on the amenity of these properties through noise, lighting, over domination due to the scale of the buildings and general disturbance from the operation of the site.

If this site was brought forward in conjunction with EMP98, much of the stretch of open land to the north-west of Wood Road between its junction with Station Road/ Ellistown Terrace Road and Battram would be put to development. This would undermine the identity of Battram as a standalone settlement in a predominantly rural context.

Notwithstanding the findings from the Strategic Warehousing Study, and the significant level of need apportioned to the area served by J22 in North West Leicestershire, this site is not considered suitable for allocation for strategic warehousing.

**Recommendation:** No allocation

21.



This is a fairly flat site and comprises agricultural fields. The site forms the greater part of parcel 15ELL-C in the Landscape Sensitivity Study. Its character is strongly impacted by the nearby roads and industrial uses and the parcel is found to have low landscape and visual sensitivity to new employment development.

The A511/Beveridge Lane roundabout currently marks the limit of the built-up area of Bardon. Development of the site would effectively link Bardon and the ribbon of residential development fronting A511 to the east. Development would also be prominent in views from the PROW which crosses the southern tip of the site and runs close to the southern boundary. Employment development may also have some adverse impact on the amenity of the nearby properties on East Lane.

LCC Highways has stated that access from A511 or B585 (Beveridge Lane) would be unacceptable; South Lane and East Lane are also unsuited to the additional traffic generation.

Bardon Park Chapel (Grade II) lies to the north of the A511. The Conservation Officer advises that the relationship between the chapel and the surrounding countryside is long established and development would harm the setting of the chapel. The significance of harm would need to be further assessed taking account of how the setting is impacted by the dualled A511 which lies between the site and the chapel.

The bus stops on Beveridge Lane are within a reasonable walking distance along a footway. The 29/29A service between Coalville and Leicester runs approximately hourly making it feasible that employees could reach the site by public transport. The site could draw on workforce from

Coalville and also from places further afield such as Leicester and Loughborough in view of its proximity to J22 M1.

A further barrier, which may be resolved, is the current uncertainty regarding the site's deliverability.

Notwithstanding the findings from the Strategic Warehousing Study, and the significant level of need apportioned to the area served by J22 in North West Leicestershire, this site is not considered suitable for allocation for strategic warehousing.

**Recommendation:** No allocation

## A/M42

22. Sites which could potentially be suitable for strategic warehousing in this location are listed below.

### Sites at A/M42

Junction 11		
EMP82	Land north of J11 (Mercia Park II)	28ha
EMP83/84/94	Land north east of J11	80.8ha
EMP92	Part of Dingle Farm, south of J11	33.7ha
Junction 12		
EMP05	Land NE of J12 (part Packington Nook)	25ha
Junction 13		
EMP87 (3 parts)	Land east of Ashby	81ha
EMP80	Land at Corkscrew Lane	11.5ha

### Sustainability Appraisal Findings

23. The SA scores from the [SA Sites Assessment Findings Report \(September 2025\)](#) are reproduced below.

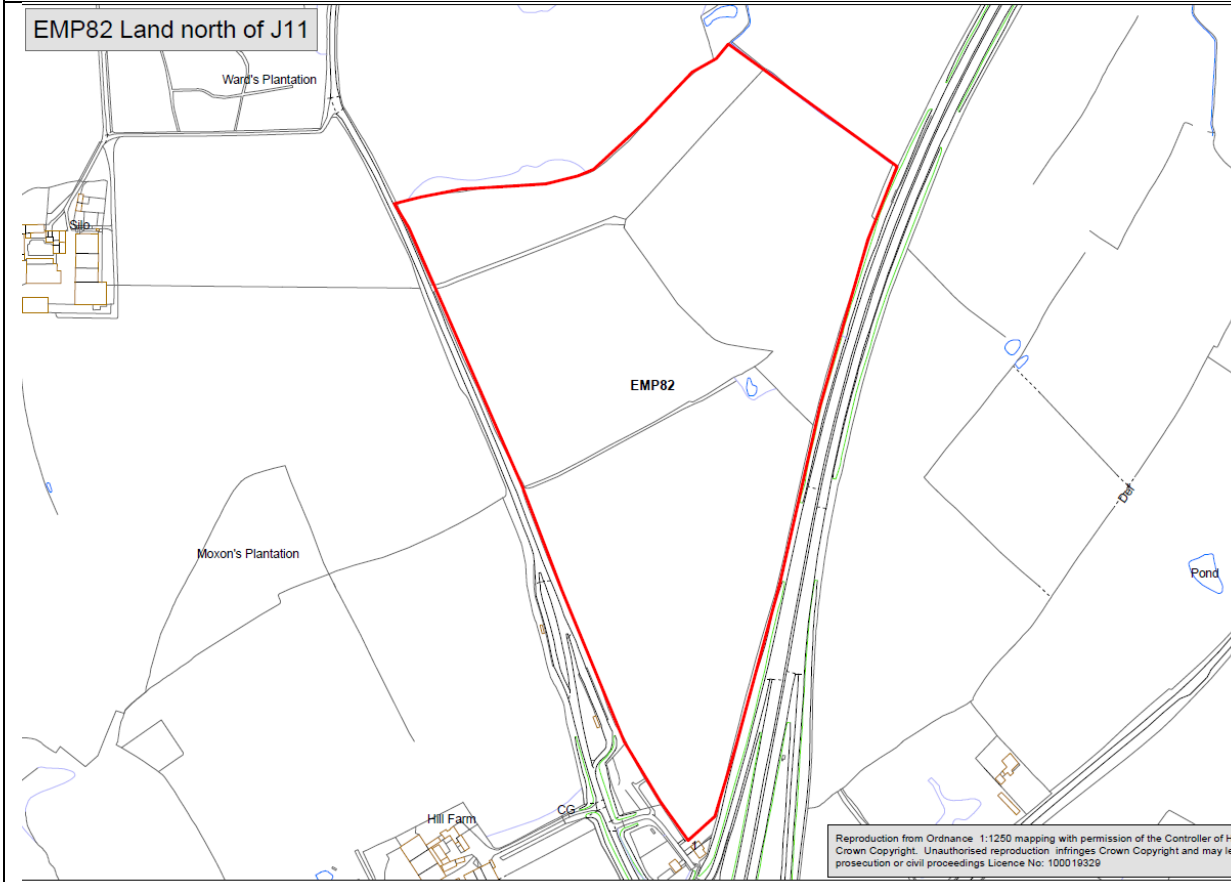
Site	SA Objectives															
	Health and Wellbeing	Inequalities	Community	Housing	Economy	Town/Village centres	Employment	Sustainable travel	Air, Light & Noise Pollution	Climate Resilience	Biodiversity & Geodiversity	Landscape	Land-use efficiency	Historic Environment	Water & Soil	Waste
	SA1	SA2	SA3	SA4	SA5	SA6	SA7	SA8	SA9	SA11	SA12	SA13	SA14	SA15	SA16	SA17
EMP82	0	0	?	0	+	--	++	--	0	0	--	--	--	0	0	0
EMP83	0	0	?	0	+	--	++	--	0	0	--	--	--	0	0	0
EMP84	0	0	?	0	+	-	++	--	0	-	--	--	--	0	0	0
EMP94	0	0	?	0	+	--	++	--	0	0	--	--	+	0	0	0
EMP92	-	--	?	++	?	--	?	--	-	0	--	--	--	-	0	0
EMP05	-	--	?	0	+	--	++	--	0	0	--	--	-	0	0	?
EMP87 Area 1	0	0	?	0	+	-	++	--	?	0	--	--	--	-	0	?
EMP87 Area 2	0	0	?	0	+	--	++	--	?	0	--	--	--	-	0	?

Site	SA Objectives															
EMP80	0	0	?	0	+	--	++	--	0	0	--	--	--	0	0	?

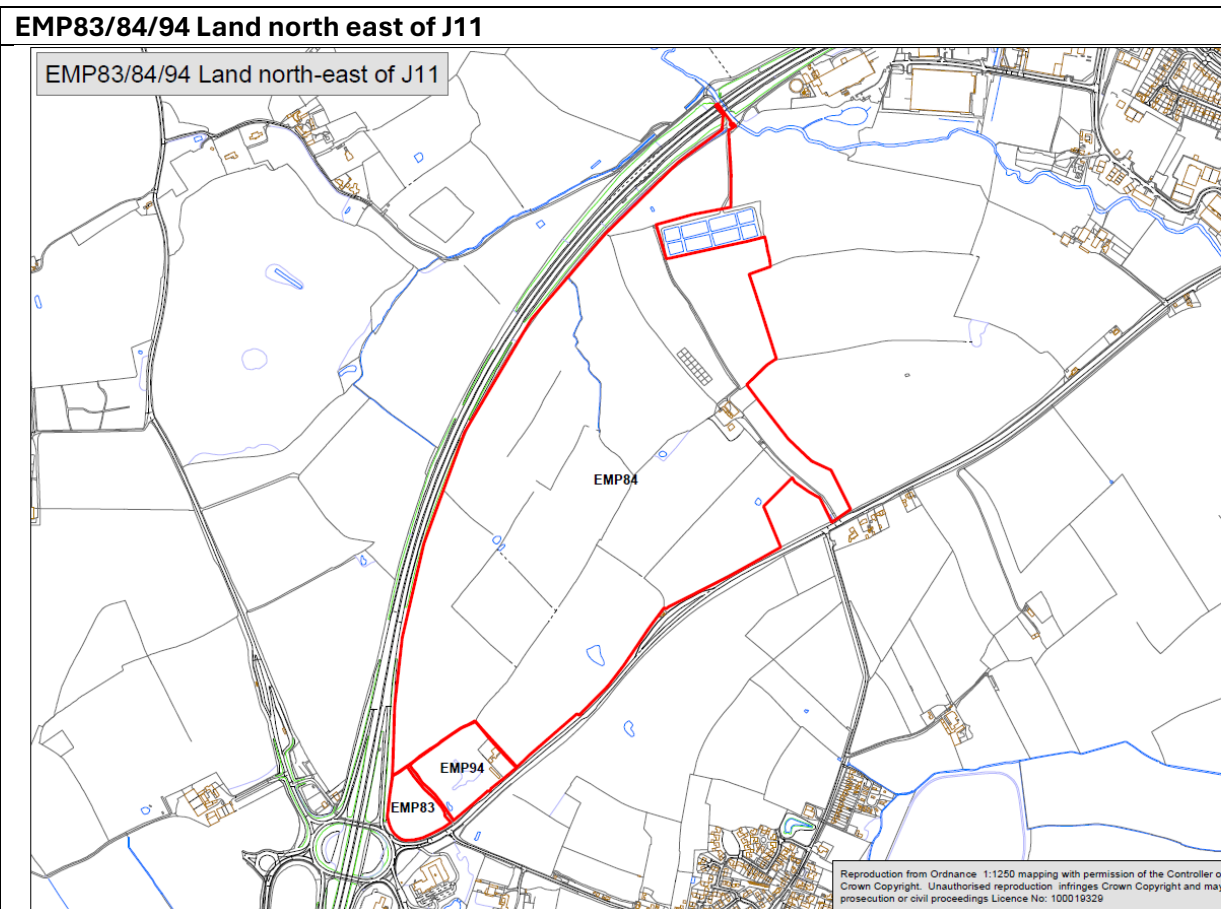
24. The SA has assessed sites EMP83, 84 and 94 as individual sites but the planning assessment below considers the combined area for strategic warehousing. Similarly, EMP87 areas 1 and 2 have been assessed individually in the SA and collectively in the planning assessment below.
25. Also to note is that the SA does not test employment sites against the objectives SA1 and SA2. Sites EMP92 and EMP05 have been scored for these objectives in the table above. This is because EMP92 was originally submitted as a housing and/or mixed use and/or employment site and EMP05 is part of a wider area also being promoted for housing/mixed use.
26. With the exception of EMP92, all the candidate sites in this location score very positively for the provision of diverse employment opportunities (SA7) and positively for supporting economic growth (SA5). All the sites score poorly for sustainable transport opportunities (SA8), for biodiversity (SA9) because they are all located within the National Forest and the catchment of the River Mease SAC and for landscape impacts (SA13) because they are all located outside current settlement boundaries and are wholly or predominantly greenfield.
27. The 100% greenfield sites in the table above receive a significant negative score for land use efficiency (SA14). EMP94 is an exception because the site includes some existing buildings. It is not immediately obvious why EMP05 has received a minor rather than a significant negative score for this factor as it is a greenfield site of more than 1ha. EMP92 and EMP87 (areas 1 and 2) are located near to heritage assets (SA15).

## Site Assessments

28.

EMP82 Land north of J11 (Mercia Park II)

<p>The site comprises open arable fields which are attractive in their own right and are also of higher agricultural land quality. The A/M42 road infrastructure to the east and south and the substantial Mercia Park development to the west has an urbanising effect and this effect is more pronounced towards the southern end of the site resulting in the Landscape Assessment recording a medium-low level of landscape sensitivity and a medium level of visual sensitivity.</p> <p>The A42, A444 and the hedgerows along the northern boundary of the site collectively provide a degree of containment to the site.</p> <p>The residential amenity of Hill Top Cottage immediately to the south of the site would need to be carefully considered in the scheme design if this site were developed.</p> <p>This site is the subject of a current planning application for strategic warehousing and potentially industrial uses (25/00274/FULM). The planning application process has not revealed any technical constraints, including with respect to highways, ecology, surface water flooding and heritage, which cannot be overcome through mitigation measures.</p> <p><b>Recommendation:</b> Proposed allocation.</p>





This site comprises three parcels of land in the control of three different parties. The two smaller parcels (EMP83 and 94) lie closest to the J11 A/M42. The larger parcel (EMP84) comprises a substantial tract of agricultural land contained by A42 to the north west and Tamworth Road (which connects Junction 11 and Measham) to the south east. The eastern boundary follows field edges but this part of the site is not particularly well contained.

These open fields are attractive in their own right and are also of higher agricultural land quality. The landscape assessment finds that the overall landscape sensitivity to change is medium-low and visual sensitivity is medium. It recommends that the views from the site to the villages of Measham, Oakthorpe and Appleby Magna are considered as part of any development proposals. It also recommends additional buffer planting where the site borders onto roads and identifies that the northern edge of the site is of higher landscape sensitivity.

Overall, this is a very open site and development could fundamentally alter the rural approaches to Appleby Magna and Measham from the west. It would also 'jump' the clear and definite boundary that A42 creates in this location. The land falls away to the north/north west and development here would be prominent in views from A42 southbound and also for users of the PROW which bisects the site in a north-south direction.

Heath Lodge (EMP94) and Manor House Farm are within the site and a small number of residential properties face the site on the south side of Tamworth Road. Noise, vibration external lighting and visual impacts could all affect these properties and would need to be addressed as part of any scheme design.

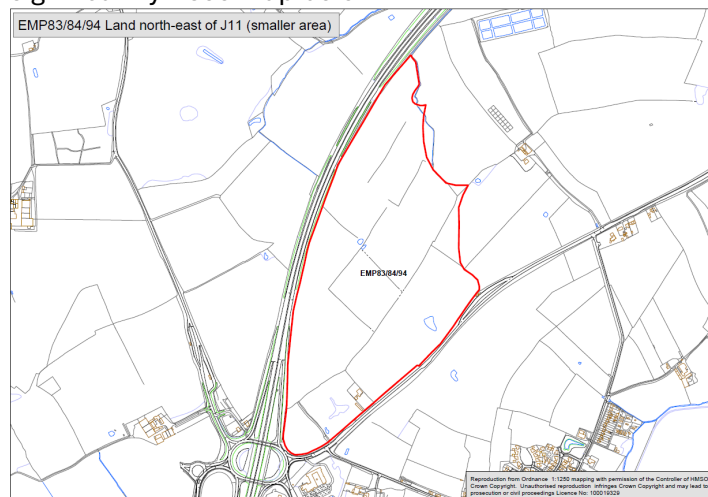
The River Mease SSSI runs along the very northern tip of the site. Natural England has advised that significant buffering to the river would be required, along with screening, habitat creation/enhancement, SuDS with components to treat surface water before it enters the river, construction management plan to prevent adverse impacts from construction, sensitive lighting design/mitigation, sensitive noise design/mitigation and more. Development could be possible if a substantial proportion of this and adjacent land (EMP85; now withdrawn) were dedicated to ecological enhancement to help restore the condition of the SAC. This would require extensive discussion with Natural England and others.

LCC Highways reports that access via Tamworth Road appears feasible. The site has good connections to the Strategic Road Network (A/M42 and then onwards to M1/M6) but public transport connections are poor and would need to be significantly upgraded. Road capacity, including at J11, will be tested through the Local Plan transport modelling.

The site is reasonably well located for workforce in Tamworth, Burton, Swadlincote, Ashby, and Coalville.

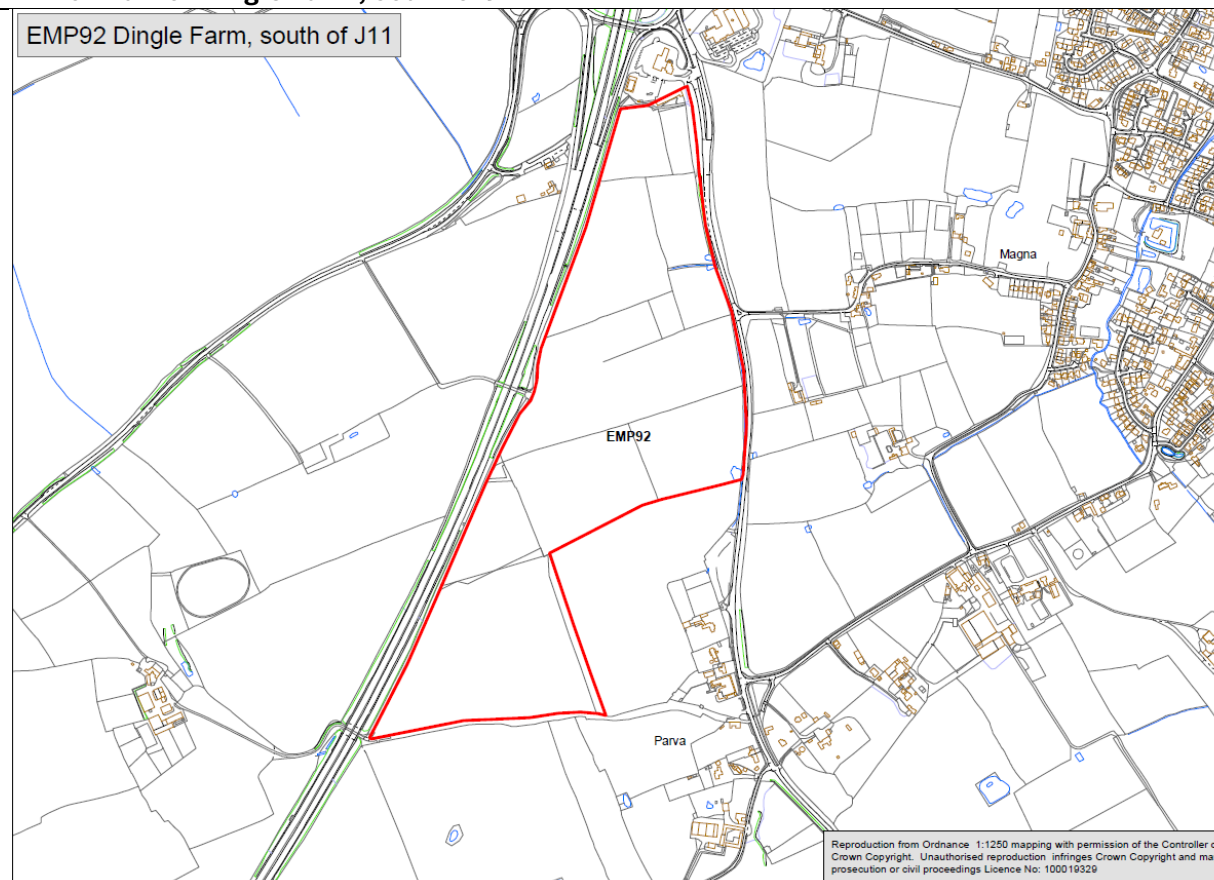
It is unclear at this point whether the three parties will work together to bring the combined site forward. The larger parcel (EMP84) could come forward in isolation although this is not favoured.

The Strategic Warehousing Study apports a significant level of future need to NWL and to A/M42 corridor specifically. This site could make a substantial contribution to the identified need in a single location (up to 125,000sqm). Its scale also means there is scope to incorporate substantial mitigation measures to help address identified impacts, including for landscape and ecology. Such measures will reduce the developable area of the site, potentially significantly – see map below.



In conclusion, it is considered that this site can be included as a proposed allocation in the Local Plan provided there are sufficient safeguards in place to address the environmental impacts identified (and any others).

**Recommendation:** Proposed allocation

**EMP92 Part of Dingle Farm, south of J11**

This wedge-shaped site (33.7ha) comprises a series of fields of higher agricultural quality located to the south of J11 of A/M42. The site is bordered by the M42 to the west and the A444 to the east and the motorway services at J11 to the north. The southern edge follows field boundaries. The site is fairly flat, becoming slightly more undulating towards the west.

The site has a rural character overall with the northern fields more impacted by the urbanising features of the motorway services and highways infrastructure at the junction and to the west by M42 itself. The site is assessed in the Landscape Sensitivity Study as part of a wider parcel (parcel 08APP-D) which concludes that the overall landscape and visual sensitivity of the wider parcel to change arising from new employment development is medium-low.

There are open views towards Appleby Magna from the site. A bridleway runs alongside its southern boundary providing extensive views over the site. Development here would fundamentally alter the rural approach to Appleby Magna from the west. It would 'jump' the clear and definite boundary that A42 creates in this location.

The site does not have a current satisfactory vehicular access to serve the development. LCC Highways has stated that it would not support the creation on a new access on to Atherstone Road (A444) but this advice pre-dates the publication of its revised Highways Design Guide. It is feasible that more detailed assessment may reveal a technical solution which LCC could support. The site has good connections to the Strategic Road Network (A/M42 and then onwards to M1/M6) but public transport connections are poor and would need to be significantly upgraded. Road capacity, including at J11, will be tested through the Local Plan transport modelling.

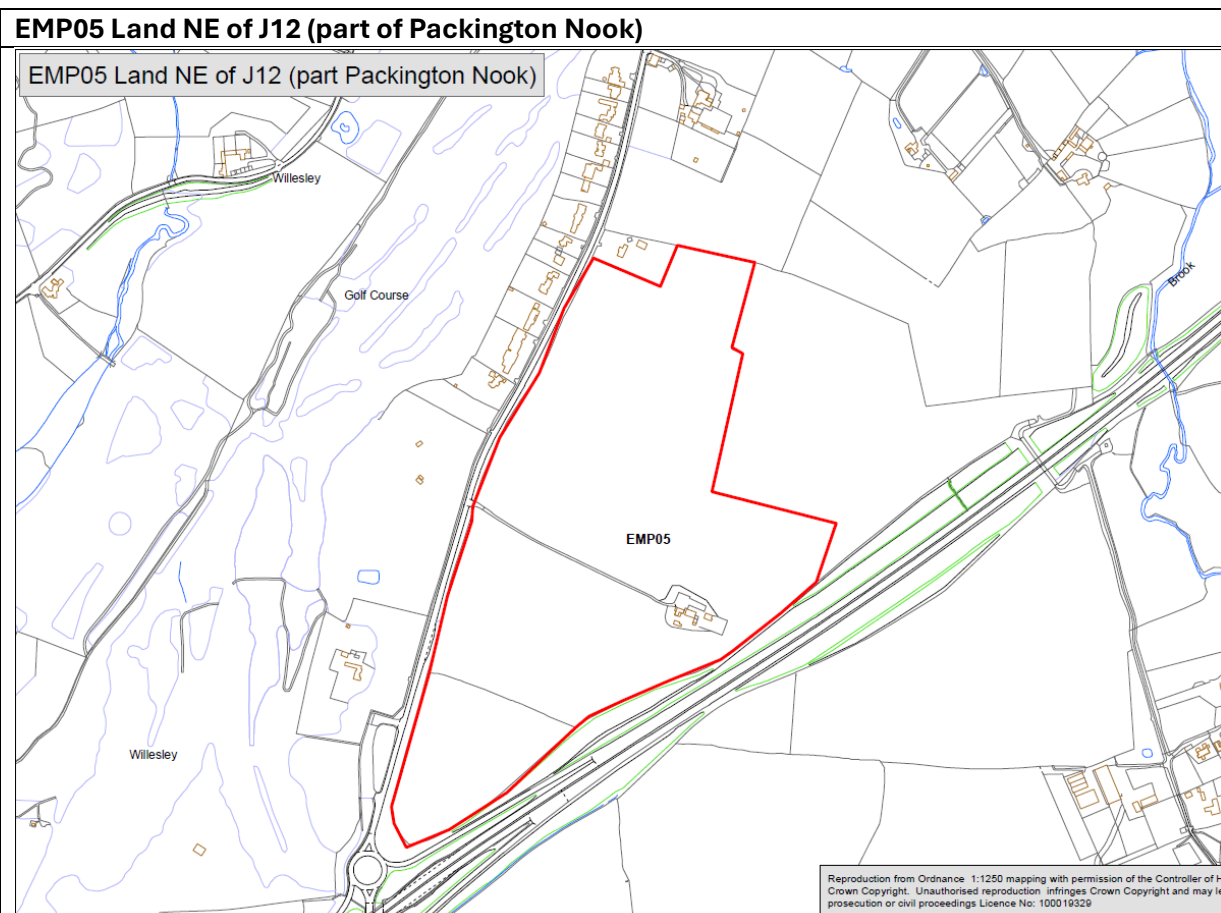
The significance of ecology and heritage impacts are uncertain but are not expected to rule out development.

The site is reasonably well located for workforce in Tamworth, Burton, Swadlincote, Ashby, and Coalville.

The site was promoted to the Council for residential and/or employment development in 2020 and there is uncertainty about whether the entire site is still available for development. Last year the northern portion was put up for sale and it is understood that this smaller parcel may now be available for development.

This reduced area (9.7ha) could have capacity for some 37,800sqm of strategic warehousing. More land would need to be allocated in addition to achieve the A/M42 apportionment recommended in the Strategic Warehousing Study. An alternative approach would be to concentrate development on larger sites in fewer locations along the A42 corridor and, on balance, this approach is favoured.

**Recommendation:** No allocation.



Packington Nook (site A7) was included in the 2025 Additional Proposed Allocations Reg 18. Consultation as potential reserve housing site incorporating an element of general needs employment. Subsequently, Local Plan Committee decided not to allocate the site at its meeting on 30 July 2025.

Site EMP05 sits within A7 and comprises the wedge-shaped tract of higher quality agricultural land of some 25ha adjoining J12 and separated from the main built-up area of Ashby itself. The southernmost 2 fields (approximately 9ha) were earmarked for general needs employment as part of the reserve housing site proposal described above.

EMP05 is bound by A42 to the south east and Measham Road (B5006) to the north west. The site itself is fairly flat with limited field boundaries and there are open views across it from Measham Road. If the site were developed, its countryside character would be lost and the attractive, rural nature of the approach into Ashby from the south would be diminished.

Valley Farm House is situated within EMP05 and there is another house to the immediate north and residential properties facing the site on the west side of Measham Road. There could be an adverse impact on the residential amenity of these properties from general disturbance, noise, vibration and external lighting and this would need to be addressed as part of any scheme design

The Landscape Sensitivity Assessment 2021 provides an assessment of a wider parcel of land south of Ashby (02ASH-C), within which EMP05 sits. This wider parcel is found to have medium-high landscape and visual sensitivity to new employment development. However,

there will be some variation within the wider parcel. EMP05 does not share the woodland and recreational attributes of the land on the opposite side of Measham Road. The assessment notes that traffic using the A42 and Measham affect the overall tranquillity of the assessed area and this will be most noticeable in the locations closest to these roads, notably the most southerly 2 arable fields which are on a lower plateau and closest to these roads. The A42 is also identified as a visual distractor.

The site has good access to the Strategic Road Network via J12. LCC Highways has commented that a safe and appropriate form of access has not, as yet, been demonstrated. It is feasible that more detailed assessment could result in an access solution which would satisfy the Local Highways Authority.

Workforce could come from Ashby, Coalville, Burton and Swadlincote for example. The site is not served by public transport meaning sustainable options are limited to walking (there is a narrow footway along Measham Road) and, possibly, cycling although there are no dedicated cycle connections. Significant sustainable transport upgrades would be required if this site were to be developed.

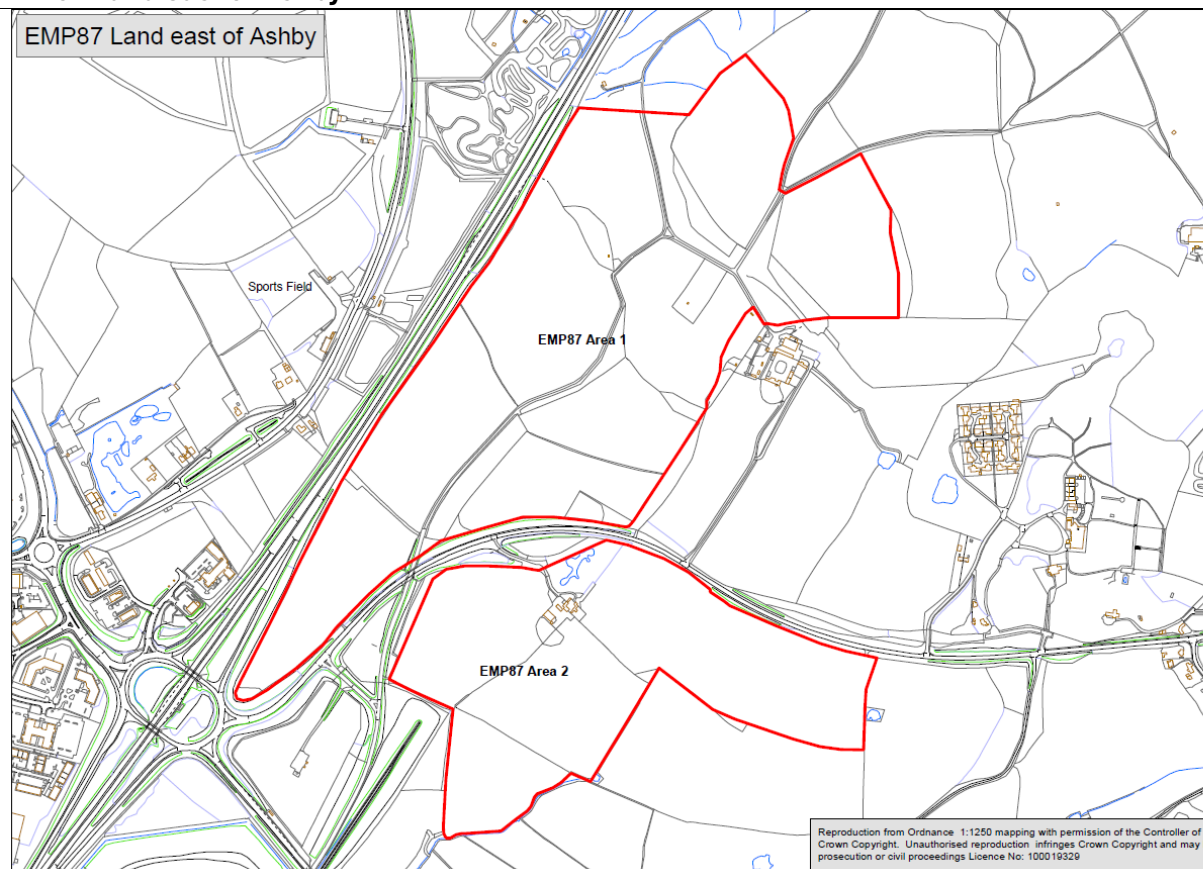
As described above, developers' most recent proposals are for a comprehensive, residential-led scheme for the wider Packington Nook site (site A7) incorporating some associated general needs employment. Allocating EMP05 for strategic warehousing would constrain residential options for the wider Packington Nook area as part of a future Local Plan.

Limiting strategic warehousing to the two southernmost fields (9.4ha) would direct development to the least sensitive parts of the site in landscape terms and would limit amenity impacts. A small part of this site adjacent to the A42 is at higher risk of surface water flooding and this could impact on site layout and overall development capacity. Limiting development to the two fields would correspond with the area which would have been earmarked for general needs employment in the scheme described above. The two fields could deliver in the order of 36,600sqm of strategic warehousing. Nonetheless, such an approach could still inhibit future options for a comprehensive approach to the wider Packington Nook area.

Further, if the southernmost fields were recommended for allocation, more land would need to be allocated in addition to achieve the A/M42 apportionment recommended in the Strategic Warehousing Study. An alternative approach would be to concentrate development on larger sites in fewer locations along the A42 corridor. On balance, this latter approach is favoured.

**Recommendation:** No allocation



**EMP87 Land east of Ashby**

There are two parcels of land in this location; (1) land north of A512 Ashby Road; and (2) land south of A512 Ashby Road.

The area covered by parcels 1 and 2 is rural in character and large-scale development here would represent a significant incursion into the countryside. The A42 provides a strong boundary edge to Ashby to the west and the parcels are not well related to the built-up area. Parcel 1 north of A512 comprises a substantial wedge of land bordered by A42 to the north west and A512 to the south east. The southernmost field that forms the 'point' of this parcel falls within a much larger tract of land (ref 02-ASH-B) assessed in the Landscape Sensitivity Study. The assessment finds that the 02-ASH-B area is impacted by the presence of existing development and infrastructure and has a medium-low landscape and visual sensitivity to new employment development.

The remaining part of the parcel north of A512 and the whole of the parcel south of A512 are assessed as part of a different wider area in the landscape work (02-ASH-E). There are variations within the assessed area but overall this finds that the wider area has medium landscape and visual sensitivity. The study finds that that south and north extents where there are hedgerows, rolling topography, and areas of woodland form more susceptible elements of the landscape and define the rural character. Tranquillity is greatly reduced in proximity to the A42 and the A512.

This analysis points to excluding development from parcel 2 and also from the northern parts of parcel 1. The less sensitive parts of Parcel 1 are considered to be the three lower lying fields adjacent to A42 and to the west of the PROW which runs NW-SE. The shape and size of the

southern field would lend itself to smaller, general needs units (c 14,000sqm) and this could help to address the current shortfall in the new Local Plan's provision for smaller scale employment premises. The remaining 2 fields could deliver in the order of 25,800sqm of strategic warehousing.

Hall Farmhouse (Grade II) is adjacent to parcel 1 to the east and development here could impact on its setting and the relationship between the farmhouse and its farmland. The significance of this impact is currently uncertain but are not expected to rule out development completely.

LCC Highways has expressed 'in principle' concerns about creating a new access onto A512 although this position predates the latest iteration of the LCC Highways Design Guide. The site's proximity to A42 J13 gives it good connectivity to the Strategic Road Network but public transport links are limited.

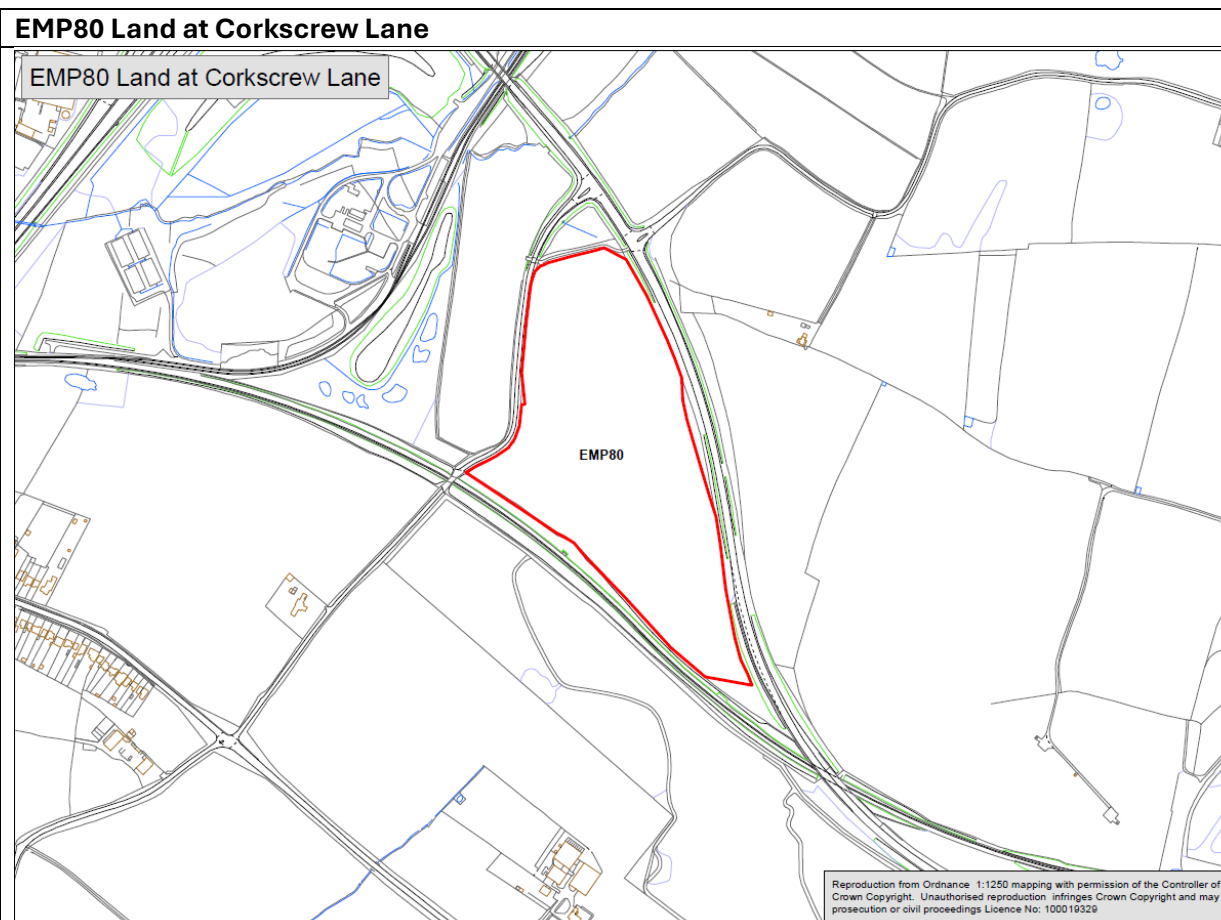
The site has reasonable proximity to workforce from Ashby, Coalville and Swadlincote for example.

In conclusion, focusing development on the least sensitive parts of these land parcels would deliver a relatively modest amount of strategic warehousing. More land would need to be allocated in addition to achieve the A/M42 apportionment recommended in the Strategic Warehousing Study. An alternative approach would be to concentrate development on larger sites in fewer locations along the A42 corridor and, on balance, this approach is favoured.

**Recommendation:** No allocation



33.



The site comprises an arable field which is flat to gently sloping. It is adjacent to G-Park which has planning permission for up to 70,000sqm of strategic-scale warehousing (19/00652/FULM) and is bordered by A511 to the north and east and the Leicester-Burton railway line to the south west and beyond that coppice woodland. It is not particularly well related to Ashby or any other sustainable settlement. The landscape assessment identifies that this site is of medium-low visual and landscape sensitivity. The assessment reports that there is an area of higher landscape sensitivity around the woodland to the north of the site and it would be appropriate to enhance tree cover and boundary vegetation, particularly fronting A511.

The site is well connected to the Strategic Road Network via J13 A42 and could be reasonably accessible for workforce from Ashby, Coalville and Swadlincote for example. The 29/29A bus route (hourly) serving Ashby and Coalville passes the site but there are no nearby bus stops.

This site is the subject of a current planning application (23/00427/OUTM). The planning application process has not revealed any technical constraints, including highways, landscape and ecology impacts, which cannot be sufficiently mitigated.

**Recommendation:** Proposed allocation.

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**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**  
**LOCAL PLAN COMMITTEE – WEDNESDAY 19 NOVEMBER 2025**



Title of Report	LOCAL PLAN – HOUSING ALLOCATIONS: OUTSTANDING MATTERS	
<b>Presented by</b>	Ian Nelson Planning Policy and Land Charges Team Manager	
<b>Background Papers</b>	<a href="#"><u>Draft North West Leicestershire Local Plan 2024-2042 – Additional Proposed Housing and Employment Allocations for Consultation (March 2025)</u></a>  <a href="#"><u>Report to Local Plan Committee – 30 July 2025 (Additional Proposed Housing Allocations: Consideration of Consultation Responses)</u></a>  <a href="#"><u>National Planning Policy Framework (publishing.service.gov.uk)</u></a>  <a href="#"><u>Strategic Housing and Economic Land Availability Assessment (2021)</u></a>  <a href="#"><u>Site Assessment of P5 and P8 (Land at Spring Lane and Normanton Road, Packington)</u></a>  <a href="#"><u>Site Proforma for P5 and P8 (Land at Spring Lane and Normanton Road, Packington)</u></a>  <a href="#"><u>Sustainability Appraisal of P5 and P8 (Land at Spring Lane and Normanton Road, Packington)</u></a>	<b>Public Report:</b> Yes
		<b>Key Decision:</b> No
<b>Financial Implications</b>	The cost of the Local Plan Review is met through existing budgets which are monitored on an ongoing basis.	

	<b>Signed off by the Section 151 Officer:</b> Yes
<b>Legal Implications</b>	The Local Plan must be based on robust and up to date evidence.
	<b>Signed off by the Monitoring Officer:</b> Yes
<b>Staffing and Corporate Implications</b>	No staffing implications are associated with the specific content of this report. Links with the Council's Priorities are set out at the end of the report.
	<b>Signed off by the Head of Paid Service:</b> Yes
<b>Purpose of Report</b>	<ul style="list-style-type: none"> <li>• To agree the policy wording for the Strategic Development Area policy for inclusion in the Regulation 19 plan</li> <li>• To agree housing sites to take forward for allocation in the Regulation 19 plan</li> </ul>
<b>Recommendations</b>	<p><b>SUBJECT TO THE OUTCOME OF FURTHER WORK INCLUDING TRANSPORT MODELLING, VIABILITY ASSESSMENT AND INFRASTRUCTURE REQUIREMENTS, THE LOCAL PLAN COMMITTEE AGREES THAT:</b></p> <ol style="list-style-type: none"> <li>1. THE PROPOSED POLICY FOR THE COVILLE URBAN AREA STRATEGIC DEVELOPMENT AREA BE AS SET OUT AT APPENDIX A OF THIS REPORT</li> <li>2. LAND SOUTH OF ASHBY ROAD, KEGWORTH (K12) BE ALLOCATED FOR AROUND 140 DWELLINGS IN THE REGULATION 19 LOCAL PLAN SUBJECT TO NOT RECEIVING ANY ADVERSE LEGAL ADVICE AS OUTLINED AT PARAGRAPHS 4.6 AND 4.7 OF THIS REPORT.</li> <li>3. LAND WEST OF REDBURROW LANE, PACKINGTON (P7) IS ALLOCATED FOR AROUND 30 DWELLINGS IN THE REGULATION 19 LOCAL PLAN</li> <li>4. HOUSING ALLOCATION LAND SOUTH OF NORMANTON ROAD, PACKINGTON (P4) INCLUDES AN ADDITIONAL POLICY REQUIREMENT TO FACILITATE VEHICULAR ACCESS TO P7</li> <li>5. LAND AT SPRING LANE AND REAR OF 55 NORMANTON ROAD, PACKINGTON (P5 &amp; P8) IS NOT ALLOCATED IN THE REGULATION 19 LOCAL PLAN.</li> </ol>

## **1 INTRODUCTION**

- 1.1 A report to the Local Plan Committee of 30 July 2025 provided an overview of the responses received as part of the [Draft North West Leicestershire Local Plan 2024 to 2042 – Additional Proposed Housing and Employment Allocations](#) consultation.
- 1.2 At that meeting, the Local Plan Committee agreed to allocate Land off Hall Lane and Torrington Avenue (C19a), Land off Stephenson Way (C19b) and Broom Leys Farm (C46) as a single Strategic Development Area, with the specific policy wording to be presented at a future meeting.
- 1.3 In addition, the following sites were deferred for consideration at a future meeting of the Local Plan Committee: -
- Land south of Ashby Road, Kegworth (K12)
  - Land west of Redburrow Lane, Packington (P7)
  - Land at Spring Lane and rear of 55 Normanton Road, Packington (P5 & P8)
- 1.4 The purpose of this report is to agree the proposed policy wording for the Coalville Urban Area Strategic Development Area and provide a recommendation on the deferred sites.

## **2 STRUCTURE OF THIS REPORT**

- 2.1 This report is structured as follows:
- Section 3 – addresses the need for policy wording in respect of the Strategic Development Area in the Coalville Urban Area
  - Section 4 – addresses comments made in respect of land south of Ashby Road Kegworth
  - Section 5 – updates on the Packington housing sites
  - Section 6 – outlines the next steps
- 2.2 The appendices are included separately to enable members to be able to have easy access to both the report and the appendices at the same time. For clarity, the complete list of appendices is:
- Appendix A: Proposed policy for the Strategic Development Area
  - Appendix B: Plan showing the area subject to the Strategic Development Area policy
  - Appendix C: Proposed changes to Area of Separation Policy (En5)
  - Appendix D Map 1: Location Plan of P4 (Normanton Road) and P7 (Land west of Redburrow Lane)
  - Appendix E: Draft policy for Housing Allocation P7 (Lane west of Redburrow Lane)

### 3 COALVILLE URBAN AREA STRATEGIC DEVELOPMENT AREA

- 3.1 The Strategic Development Area comprises of three parcels of land which have been promoted for development separately, but all of which are located within the current Area of Separation between Coalville and Whitwick. Whilst the three parcels will be developed separately (and presumably by different housebuilders) it is important to ensure that this is done in a co-ordinated manner in terms of the overall design and layout of any development, as well infrastructure provision including securing the retention of the undeveloped areas as part of a reduced Area of Separation.
- 3.2 The draft policy seeks to achieve these aims and is included as **Appendix A** to this report. It will be for the three site promoters to lead on the preparation of a land use framework to show how the three housing areas and associated infrastructure will be delivered in a co-ordinated manner. This will need to be done in consultation with not only the District Council and Whitwick Parish Council, but also the local community to ensure that there is a shared understanding of what is proposed.
- 3.3 A plan which identifies the three parcels, together with those areas of land that are to be retained as undeveloped is identified on the plan at **Appendix B** of this report.
- 3.4 At the 24 September 2025 meeting of this committee, it was agreed to make some amendments to the Area of Separation policy (Policy En5). Having reviewed the policy in the light of the proposed housing development, it is considered that a further change is required so as to allow the provision of any necessary road connections between the three development areas. The proposed change is set out at **Appendix C** of this report

### 4 LAND TO THE SOUTH OF ASHBY ROAD, KEGWORTH (K12)

- 4.1 At the 30 July 2025 Local Plan Committee, it was resolved that (**officer's emphasis**):
- “Land south of Ashby Road, Kegworth (K12) is allocated for around 140 dwellings in the Regulation 19 Local Plan, **subject to confirmation that the site is acceptably located in relation to the East Midlands Airport Public Safety Zone.**”*
- 4.2 The recommendation was framed to enable the Council to obtain legal advice on representations made to the March 2025 Regulation 18 consultation. These representations claimed that there are foreseeable safety, health and environmental risks associated with allocating site K12, which would potentially expose the Council and its officers to “scrutiny under the principles of public liability and professional negligence.” Specific reference was made to a potential future aviation incident, which is understandably a sensitive subject in Kegworth and the surrounding area.
- 4.3 The legal advice was received on 9 October 2025. Firstly, the advice considered the representations were premature in nature. Inclusion of K12 at this stage of the Local Plan does not guarantee its inclusion in the adopted Local Plan or that development will occur. Any proposed development will also be subject to a planning application

and the associated specialist and technical considerations.

- 4.4 In terms of the liability of the Council and its officers in proposing the allocation of K12 at this stage of the plan making process:
- Officers are indemnified by the Council in performing their duties, where they have acted diligently and in good faith. In this regard, the site is located outside the Public Safety Zone for East Midlands Airport; the boundary for which is the responsibility of the airport operator.
  - The Council is performing its statutory duty under the Town and Country Planning (Local Planning) (England) Regulations 2012 to provide and maintain an up-to-date Local Plan. The 2012 Regulations contains specific provision for the review and revision of the draft Plan by the Secretary of State/Planning Inspectorate.
  - Case law confirms that councils are not liable to third parties for negligence when carrying out their statutory *planning* functions, as the Planning Acts provide a regulatory system for the public, not a private law benefit on individuals.
  - It is possible for aggrieved persons to challenge the Council's conduct in the preparation of the Local Plan in the High Court via judicial review.
- 4.5 The legal advice concludes that the statements made in the representations are incorrect and premature and that it would be difficult to establish a cause of liability for allocation in a draft plan *"given that there are still several steps to take in the local plan process, and even if included in the final plan, the site would require planning permission and therefore appropriate consideration and assessment at such a time."*
- 4.6 Since the advice was received, a further letter has been received from the representor in the light of an air crash in the United States of America on 4 November 2025. Whilst most of the comments are similar to those previously raised they do also raise additional points. Further legal advice has been sought and members will be updated at the meeting should this advice be received.
- 4.7 In the meantime, it is considered that this site is acceptable and should be allocated as part of the Local Plan, subject to the outcome from the additional legal advice not raising any issues about the suitability of the site.

## 5 PROPOSED HOUSING ALLOCATIONS IN PACKINGTON

- 5.1 The [Draft North West Leicestershire Local Plan 2024 to 2042 – Additional Proposed Housing and Employment Allocations](#) proposed the allocation of Land west of Redburrow Lane, Packington (P7), for around 30 homes. However, as a number of highway matters remained unresolved for this site, views were also sought on Land at Spring Lane and Normanton Road (P5/P8). The consultation document made clear that P5/P8 *"will only be considered as a potential allocation to P7 in the event that highways issues at [P7] cannot be resolved."*
- 5.2 The report to the Local Plan Committee on 30 July 2025 provided a summary of, and a response to, all representations made in relation to P7 and P5/P8. However, as there was no clarity on whether the highways matters at P7 could be resolved, a decision on

the Packington sites was deferred for consideration at a future meeting of the Local Plan Committee.

- 5.3 The consultation document included a proposed policy requirement for Land west of Redburrow Lane (P7) to provide a safe and suitable access from Normanton Road. However, the local highways authority has now advised that the required visibility to the east of the proposed access cannot be achieved and therefore a safe and suitable site access onto Normanton Road cannot be provided. This conclusion is based on *existing* vehicle speeds, a necessary approach to ensure the visibility achievable will be suitable for the actual speed of traffic.
- 5.4 The site promoter has engaged with the local highway authority to seek a solution to concerns raised and has proposed what they consider to be suitable measures, to reduce vehicle speed. This includes the relocation of the 30mph speed zone to the east and the provision of gateway traffic calming features. The local Packington Traffic Calming Group are themselves investigating the potential use of measures to reduce vehicle speeds in the village, including along Normanton Road.
- 5.5 Notwithstanding these measures, the local highway authority remains of the opinion that it is existing vehicles speeds that are of relevance when assessing the suitability of a site. The potential for speeds to be reduced through proposed traffic calming or speed reduction measures cannot be relied upon. Furthermore, the highway authority also advises that the specific scheme presented by the site promoter is not acceptable. Therefore, as their concerns cannot be overcome, they are unable to support this allocation with the proposed access off Normanton Road.
- 5.6 Other options to access the site have now been considered. Redburrow Lane is a single-track road requiring significant widening with substandard visibility at its junction with Normanton Road. Access from the existing development at Century Drive would necessitate redesignated private drives and there are numerous land ownership issues needing to be addressed. Neither option is considered suitable.
- 5.7 However, the site could be accessed from the adjacent proposed housing allocation at Land south of Normanton Road (P4). Map 1 (**Appendix D**) shows the location of these two sites. Site P4 is currently the subject of a planning application for residential development. Details of this scheme propose a carriageway with a width of 4.8m. The local highway authority has confirmed that this access road could serve up to 50 dwellings and would therefore have the capacity to serve both site P4 (for around 10 dwellings) and P7 (for around 30 dwellings). Peveril Homes, who have submitted the planning application at P4, confirm they are content to provide access through their land to serve P7.
- 5.8 On this basis, it is considered that a safe and suitable access for P7 can be provided. The proposed policy requirements for site P7 have been amended to address this change (**Appendix E**). This will also require an additional policy requirement for site P4, as detailed below, to ensure that the layout of development on this site facilitates the provision of vehicular access to P7:  
*‘A satisfactory layout which facilitates the provision of a safe and suitable access to serve Land west of Redburrow Lane, Packington (P7)’*



- 5.9 Land at Spring Lane and rear of 55 Normanton Road, Packington (P5/P8) was only identified as a possible alternative allocation if access issues at P7 could not be resolved. A [site proforma](#) and a detailed site assessment have been prepared for site P5/P8 and the site has also been subject to a [Sustainability Appraisal](#). However, in light of the highway issues being resolved at P7 it is no longer proposed to allocate this reserved allocation.
- 5.10 To address the potential shortfall of housing in Packington, other sites in Packington have been revisited and considered and it is recommended that P7 is the preferred additional allocation. The site is a logical extension to the village, considering the recently constructed development, as well as the proposed housing allocation, on land to the west. A scheme could be designed to respect the local character of development and the area. The site is well screened and contained by landscaping on four sides, and there is a clearly defined physical boundary to the east. Retention of landscaping would reduce the visual impact of development on the wider countryside, and a development of around 30 dwellings would allow for the on-site provision of SUDS, BNG, National Forest Planting and public open. It is recommended that Land west of Redburrow Lane, Packington (P7) is allocated for around 30 dwellings in the Regulation 19 Local Plan.
- 5.11 It is recommended that Land at Spring Lane and rear of 55 Normanton Road, Packington (P5 & P8) is not allocated in the Regulation 19 Local Plan.

## **6 NEXT STEPS**

- 6.1 The above housing sites and policies will, subject to the agreement of Council, progress to the Regulation 19 version of the Local Plan to be consulted upon in 2026 in order to meet the Government's deadline for Local plans to be submitted by December 2026.

Policies and other considerations, as appropriate	
Council Priorities:	<ul style="list-style-type: none"> <li>- Planning and regeneration</li> <li>- Communities and housing</li> <li>- Clean, green and zero carbon</li> </ul>
Policy Considerations:	The Local Plan is required to be consistent with the National Planning Policy Framework and other government guidance and requirements.
Safeguarding:	None discernible.
Equalities/Diversity:	An Equalities Impact Assessment of the Local Plan review will be undertaken as part of the Sustainability Appraisal.
Customer Impact:	No issues identified
Economic and Social Impact:	The decision itself will have no specific impact. The new Local Plan as a whole will aim to deliver positive economic and social impacts and these will be recorded through the Sustainability Appraisal.
Environment, Climate Change and zero carbon:	The decision, of itself, will have no specific impact. The new Local Plan as a whole will aim to deliver positive environmental and climate change impacts and these will be recorded through the Sustainability Appraisal.
Consultation/Community/Tenant Engagement:	The Regulation 18 Local Plan has been subject to consultation. Further targeted consultation is proposed. Further consultation will be undertaken at Regulation 19 stage.
Risks:	<p>A risk assessment for the Local Plan Review has been prepared and is kept up to date. As far as possible control measures have been put in place to minimise risks, including regular Project Board meetings where risk is reviewed.</p> <p>The report highlights the potential risks associated with the issues considered as part of the report.</p>
Officer Contact	<p>Ian Nelson Planning Policy Team Manager 01530 454677 <a href="mailto:ian.nelson@nwleicestershire.gov.uk">ian.nelson@nwleicestershire.gov.uk</a></p> <p>Joanne Althorpe Principal Planning Policy Officer 01530 454767 <a href="mailto:joanne.althorpe@nwleicestershire.gov.uk">joanne.althorpe@nwleicestershire.gov.uk</a></p>



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## APPENDIX A

### COALVILLE URBAN AREA STRATEGIC DEVELOPMENT AREA

- (1) Land between Stephenson Way, Broom Leys Road, Hall Lane and Hermitage Road as identified on the policies map is allocated for around 1,216 homes and an Area of Separation.
- (2) Housing will be provided in three distinct areas as identified on the policies map:
  - Land off Hall Lane and Torrington Avenue, Whitwick (C19a)– around 250 homes
  - Land off Stephenson Way, Coalville (C19b) – around 700 homes
  - Land at Broom Leys Farm, Broom Leys Road, Coalville (C46) - around 266 homes
- (3) The land between each housing area will remain undeveloped and identified as an Area of Separation consistent with the provisions of policy Env5[NB need to amend policy Env5 to include roads]. This provision will be secured in perpetuity by a S106 Agreement or other similar legal agreement.
- (4) Development will be subject to the following requirements:
  - (a) The production of a land use framework plan which demonstrates how the three housing areas and associated infrastructure will be developed in a way which addresses the requirements outlined in this policy. The framework will need to be the subject of consultation with the Whitwick Parish Council, the local community and the District Council and will need to be approved by the District Council as local planning authority.
  - (b) Safe and suitable linked vehicular access will be provided from Stephenson Way, Hall Lane and Broom Leys Road.
  - (c) A secondary vehicular access off Torrington Avenue to serve a limited amount of development will only be allowed where it is demonstrated to the satisfaction of the highway authority to be acceptable.
  - (d) The provision of access by sustainable modes of transport, including footpath and cycleway links within both the proposed housing areas and within those parts designated as an Area of Separation.
  - (e) The provision of recreation and leisure opportunities, tree planting and enhancements to biodiversity, particularly within those parts designated as an Area of Separation.
  - (f) The design and layout of the proposed housing development being designed such that there would be no adverse impact upon the operation of Coalville Rugby Club as a result of the proximity of any proposed dwellings.
  - (g) The design and layout taking account of any areas at risk of surface water flooding.
  - (h) The design and layout of the proposed housing should respect the amenity of adjoining residential properties on Hall Lane, Tiverton Avenue, Perran Avenue, Stainsdale Green and Broom Leys Road.
  - (i) Retention and enhancement of public rights of way O3 and O6.
  - (j) Incorporation of landscaping to the boundary with Stephenson Way so as to minimise any noise; and
  - (k) The design and layout having regard to the separate identities of Coalville and Whitwick

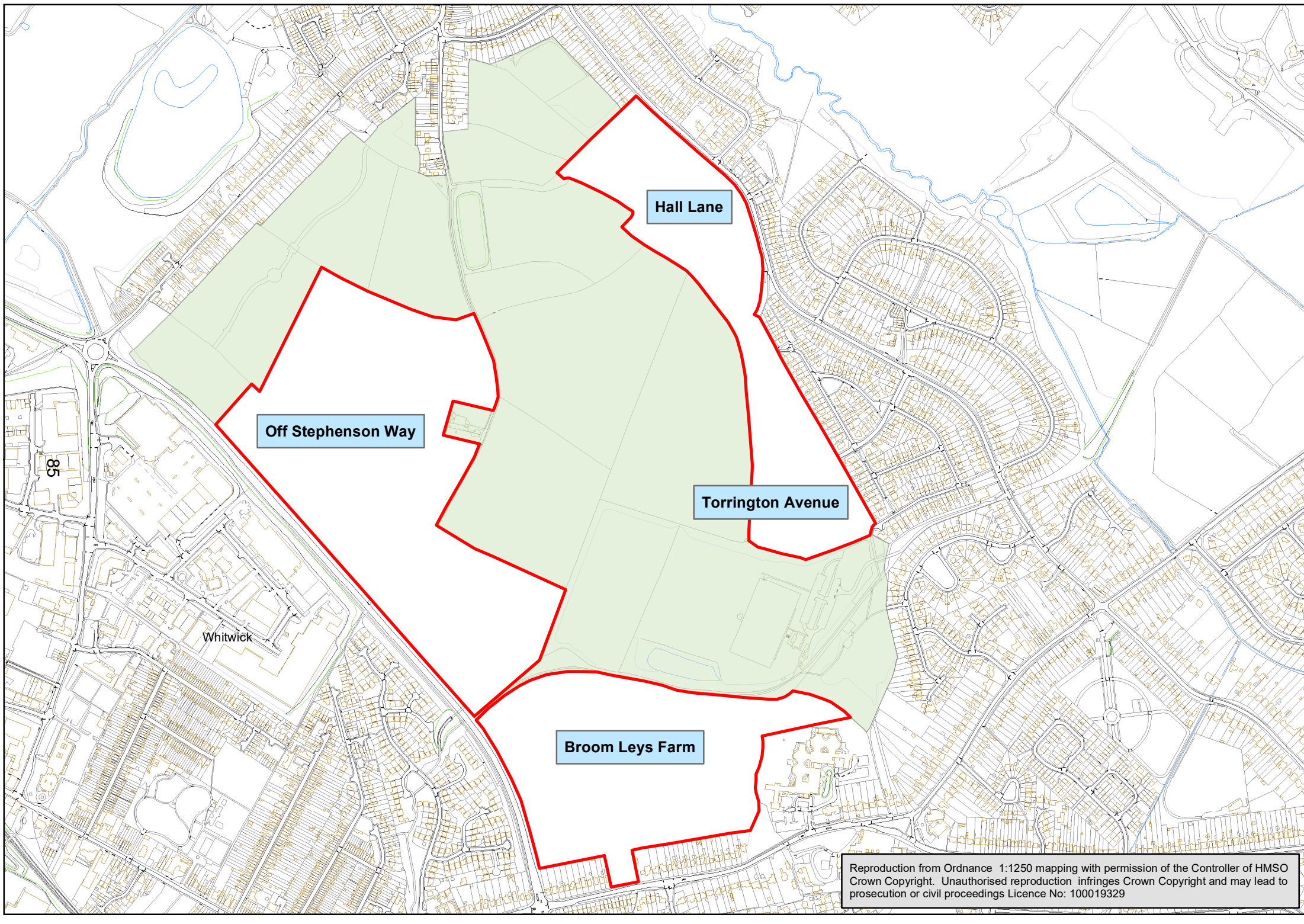
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**Policy En5 – Areas of Separation**

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

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Hall Lane

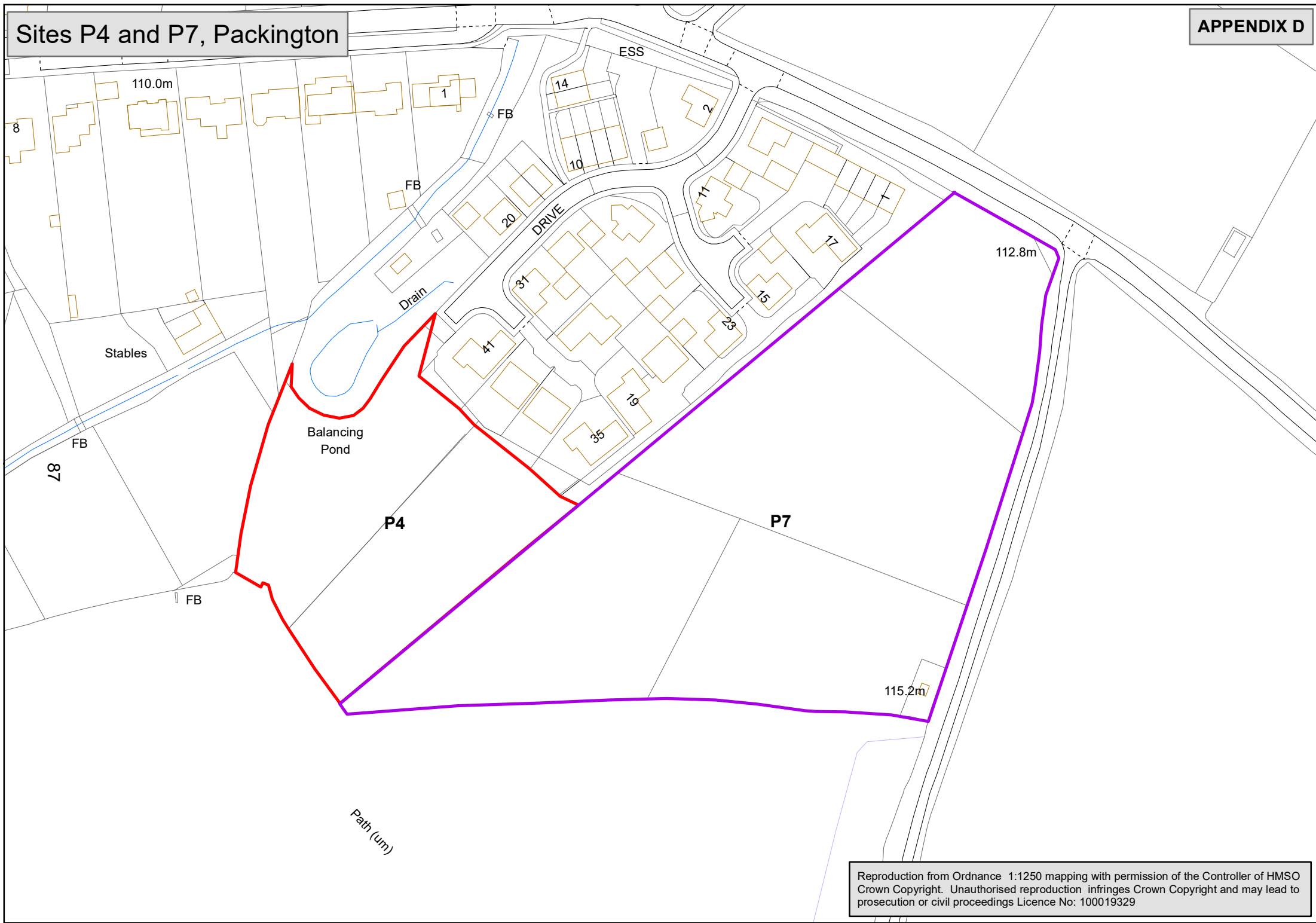
Off Stephenson Way

Torrington Avenue

Whitwick

Broom Leys Farm

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**Land west of Redburrow Lane, Packington (P7)**

**Land west of Redburrow Lane, Packington (P7)**

- (1) Land west of Redburrow Lane, Packington (P7), as shown on the Policies Map, is allocated for:
  - (a) Around 30 homes
- (2) Development of this site will be subject to the following requirements:
  - (a) Provision of a safe and suitable access via the adjoining housing allocation, Land south of Normanton Road (P4);
  - (b) Retention of existing trees and hedgerows (except where removal is required to accommodate access) within a five metre buffer of natural vegetation, outside of gardens, to ensure habitat continuity and retain connectivity;
  - (c) A design which respects the amenity of adjoining residential properties on Century Drive; and
  - (d) Provision of a Mineral Assessment for sand, gravel and coal

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**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**  
**LOCAL PLAN COMMITTEE – 19 NOVEMBER 2025**



Title of Report	NEW LOCAL PLAN – CONSIDERATION OF THE CONSULTATION RESPONSES TO POLICIES	
Presented by	Ian Nelson Planning Policy and Land Charges Team Manager	
Background Papers	<p>Report to Local Plan Committee 24 September 2025 – consideration of the consultation responses to policies  <a href="#">New Local Plan consideration of the consultation responses to policies.pdf</a></p> <p>Report to Local Plan Committee 18 October 2023  <a href="#">Draft Local Plan – Policies</a></p> <p><a href="#">Draft North West Leicestershire Local Plan 2020 - 2040 Proposed Policies for Consultation (January 2024)</a></p> <p>Report to Local Plan Committee 22 May 2024  <a href="#">Local Plan Regulation 18 Consultation</a></p> <p>Report to Local Plan Committee 14 August 2024  <a href="#">New Local Plan – Strategy Policies: Consultation Responses</a></p> <p>Report to Local Plan Committee 11 June 2025  <a href="#">New Local Plan – Consideration of responses to policies</a></p> <p><a href="#">Draft Sustainability Appraisal of Policies (May 2025)</a></p> <p><a href="#">National Planning Policy Framework Local Development Scheme (February 2025)</a></p> <p>91  <a href="#">National Planning Policy</a></p>	Public Report: Yes



	<a href="#">Framework (2024)</a>	
<b>Financial Implications</b>	The cost of the Local Plan Review is met through existing budgets which are monitored on an ongoing basis.	
	<b>Signed off by the Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	The Local Plan must be based on robust and up to date evidence.	
	<b>Signed off by the Monitoring Officer:</b> Yes	
<b>Staffing and Corporate Implications</b>	No staffing implications are associated with the specific content of this report. Links with the Council's Priorities are set out at the end of the report.	
	<b>Signed off by the Head of Paid Service:</b> Yes	
<b>Purpose of Report</b>	To consider the comments made in respect of a number of the development management-style policies from the draft Regulation 18 Plan (2024), and to agree changes for incorporation into the Regulation 19 pre-submission version of the Plan.	
<b>Recommendations</b>	<p><b>1. NOTES THE COMMENTS RECEIVED IN RESPECT OF THE POLICIES.</b></p> <p><b>2. AGREES TO POLICY AP4 (REDUCING CARBON EMISSIONS) AS AMENDED IN APPENDIX B FOR INCLUSION IN THE REGULATION 19 VERSION OF THE LOCAL PLAN, SUBJECT TO THE FINDINGS OF THE WHOLE PLAN VIABILITY ASSESSMENT.</b></p> <p><b>3. AGREES POLICY AP7 (FLOOD RISK) AS AMENDED IN APPENDIX B FOR INCLUSION IN THE REGULATION 19 VERSION OF THE LOCAL PLAN, SUBJECT TO THE FINDINGS OF THE WHOLE PLAN VIABILITY ASSESSMENT.</b></p>	

## 1 INTRODUCTION

- 1.1 A number of previous reports to the Local Plan Committee have considered responses in respect of the policies set out in the draft Local Plan published in February 2024. This report complements these previous reports and is concerned with two development management-style policies, one of which has been reported previously. The policies included in this report and the number of responses each received are listed below.

Table 1 – Policies included in this report

<b>Chapter 5 - Creating Attractive Places</b>	
Policy AP4 – Reducing Carbon Emissions	38
Policy AP7 – Flood Risk	18

- 1.2 The purpose of this report is to consider the representations received and to recommend changes to the policies in response. In addition, the policies have been subject to a Sustainability Appraisal (SA) by the Council's consultants, although this is currently in draft and will be subject to change. The [draft SA findings](#) are broadly supportive of the proposed policies with mitigation measures and other potential improvements put forward in some cases (but not all). These suggestions are considered under the relevant sections of this report.



- 1.3 The policies were originally written in the context of the September 2023 version of the National Planning Policy Framework (NPPF). The NPPF has been updated twice since then, most recently in December 2024. Officers have considered the implications of these changes in making their recommendations on individual policies
- 1.4 As noted in the report to this Committee on 24 September 2025 the Government has announced that its consultation on new national development management policies is delayed until later in the year. Therefore, it is possible that some of the policies considered in this report, or earlier reports, may not need to be included in the Local Plan. For the time being, and to minimise risk, it is recommended that the new local plan continue to include its suite of development management policies. If and when the new national policies are confirmed, officers will advise on any implications for these local policies.
- 1.5 It should also be noted that all of the policies in the plan will need to be subject to a Viability Assessment. This could result in the need for further changes to the policies when the plan is taken to Council for agreement of the Regulation 19 plan.
- 1.6 For completeness, listed below are the remaining policies which will be reported to future meetings of the Committee.

**Table 2 – Policies which will be reported to future meetings**

Policy AP1 – Design of New Development
Policy H1 – Housing Strategy
Policy H3 – Housing Provision – New Allocations
Policy H4 – Housing Types and Mix
Policy H5 – Affordable Housing
Policy H9 – Provision for Gypsies & Travellers and Travelling Showpeople
Policy Ec1 – Economic Strategy
Policy Ec3 – New Employment Allocations
Policy IF4 – Open Space, Sport and Recreation Facilities

## **2. STRUCTURE OF THIS REPORT**

- 2.1 Both policies being considered in this report are from Local Plan Chapter 5 (Creating Attractive Places). Appendix A provides a summary of the representations received in respect of Policy AP7 (Flood Risk). The report to this Committee of 24 September 2025 included a summary of comments made in respect of policy AP4 (Reducing Carbon Emissions).
- 2.2 Appendix B contains revised versions of the policies.

## **3. CREATING ATTRACTIVE PLACE (CHAPTER 5)**

### **Policy AP4 – Reducing Carbon Emissions**

- 3.1 This policy was considered at the 24 September 2025 meeting of this committee. At that meeting Members considered that the policy should be deferred to a future meeting to allow officers to obtain independent advice in relation to whether it would be feasible to set up a carbon offset fund.
- 3.2 Officers have sought advice on this matter from AECOM who undertook the Renewable and Local Carbon Energy Study (2021). They have identified a number of significant issues with the setting up of a carbon offset fund as set out at Appendix C of this report. In summary these concerns are:

- Carbon offset funds only relate to those emissions that are covered by building regulations and matters within the direct control of developers. The introduction of new building regulations (as part of the Future Homes Standard) will require new homes to be net zero ready. This means new homes will produce 75-80% less regulated carbon emissions than currently required, with a similar standard to be introduced for non-domestic buildings.
- The new standards will provide less of a case for local policies to go beyond the requirements. Previous government statements have said there is no expectation that local plans should go beyond building regulations requirements.
- Any residual carbon emissions will be small and the benefit of a fund would be limited unless the price per tonne was set much higher, which would then potentially result in viability issues.
- Extending carbon offset funds to cover unregulated emissions (for example, to include how an occupier uses energy) would be costly and resource intensive but would also raise issues in terms of what is the legitimate responsibility of a developer.
- The significant practical issues and complexities associated with not only setting up and operating an offset fund, but also implementing it (for example, delivering projects).

3.3 Having regard to this advice, officers recommend that a requirement for a carbon offset fund is not included in the Local Plan.

#### **4. Policy AP7 – Flood Risk**

- 4.1 The Committee is yet to consider the responses to the Flood Risk policy as an updated Strategic Flood Risk Assessment (SFRA) has been commissioned to take account of changes to the National Planning Policy Framework (NPPF). This update to the SFRA is progressing and will provide an overview of the planning context in relation to flood risk and development within North West Leicestershire.
- 4.2 In terms of the responses to the 2024 Local Plan consultation there is support for the policy from the Environment Agency (EA) and support from the development industry and the EA for an updated Strategic Flood Risk Assessment (SFRA) to ensure up to date evidence informs the Local Plan.
- 4.3 Since the policy was drafted, the NPPF has been revised and now contains detailed requirements in relation to flood risk. As such, it is proposed that Part (1) of the Policy be amended to require applications to be consistent with the requirements of the NPPF in relation to flood risk.
- 4.4 Part (2)(a) of the policy identifies a number of sources of flooding that should be assessed as part of site-specific Flood Risk Assessments (FRAs). As the NPPF has been revised, it is proposed that Part (2)(a) of the policy be amended to reflect the NPPF to refer to flooding from 'all sources'.
- 4.5 Several respondents referred to the risk of flooding from minewater rising. The 2024 SFRA identifies that the Coal Authority is responsible for monitoring rising groundwater. Leicestershire County Council as the Lead Local Flood Authority (LLFA) have advised that they are aware of the associated risks with the Coalfield minewater rising, specifically within Oakthorpe and Donisthorpe although they have not received any reports of associated flooding. The SFRA advises that the potential risk from this source should be considered during the design phases of associated development proposals. As such, it is proposed to retain the reference to flooding from minewater rising in the policy as this is a locally specific issue. Given this issue we will consider adding a policy requirement relating to minewater rising to the policies for sites allocated for development within Oakthorpe and

Donisthorpe.

- 4.6 Long Whatton and Diseworth Flood Working Group request additional wording be added to Part (2)(c) of the policy to include reference to development not placing itself or existing land or buildings 'within the water catchment area' at increased risk of flooding. This is primarily in relation to the proposed developments in the northern part of the district and to ensure that any associated flood risk in Diseworth is adequately considered as part of these developments. The EA also considers that additional wording should be added to Part (2) of the policy that requires development, where possible, to reduce flood risk elsewhere, 'for example, downstream of the development site'. The proposed additions are broadly similar; it is proposed to add the suggested wording from the EA to Part (2)(c) of the policy.
- 4.7 Leicestershire County Council, as the LLFA made representations requesting additional text be added to Part (c) of the policy to require betterment in relation to existing runoff rates. Since the consultation, the LLFA has provided further advice stating that they are hoping to impose a requirement that all new development limit surface water runoff to the Qbar greenfield rate minus 20%. This would ensure that new development has the effect of reducing flood risk overall by limiting the rate of runoff during heavy rainfall to less than the site was prior to development. The LLFA advises that this requirement has already been included or requested to be included in several other Local Plans in Leicestershire.
- 4.8 It is proposed that the last section of Part (c) of the Policy be moved to a new Part (d) and this addresses the runoff requirements for both greenfield and brownfield sites.
- 4.9 In terms of the Sustainability Appraisal (SA) the policy scores a significant positive against SA11 (ensure the district is resilient to the impacts of climate change) and a minor positive against SA12 (protect and enhance the districts biodiversity and protect areas identified for their nature conservation and geological importance). The SA suggests the policy could be further enhanced by adding more explicit links between the policy and further requirements of the NPPF. As the NPPF has been revised since the consultation document was drafted, it is proposed that Part (1) of the policy is amended as detailed above in para. 4.3 to reflect the changes to the NPPF. The supporting text will also be updated to reflect the changes to the NPPF.

## **5. NEXT STEPS**

- 5.1 The consultation responses to the remaining policies (Table 2 above) will be brought to future meetings of the Committee over the coming months. All of the policies will, subject to the agreement of Council, progress to the Regulation 19 version of the Local Plan to be consulted upon in 2026 in order to meet the Government's deadline for Local plans to be submitted by December 2026.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	<ul style="list-style-type: none"> <li>- Planning and regeneration</li> <li>- Communities and housing</li> <li>- Clean, green and Zero Carbon</li> </ul>
Policy Considerations:	The Local Plan is required to be consistent with the National Planning Policy Framework and other government guidance and requirements.
Safeguarding:	None discernible.
Equalities/Diversity:	An Equalities Impact Assessment of the Local Plan review will be undertaken as part of the Sustainability Appraisal.
Customer Impact:	No issues identified
Economic and Social Impact:	The decision itself will have no specific impact. The new Local Plan as a whole will aim to deliver positive economic and social impacts and these will be recorded through the Sustainability Appraisal.
Environment, Climate Change and zero carbon:	The decision, of itself, will have no specific impact. The new Local Plan as a whole will aim to deliver positive environmental and climate change impacts and these will be recorded through the Sustainability Appraisal.
Consultation/Community/Tenant Engagement:	The Regulation 18 Local Plan has been subject to consultation. Further consultation will be undertaken at Regulation 19 stage.
Risks:	<p>A risk assessment for the Local Plan Review has been prepared and is kept up to date. As far as possible control measures have been put in place to minimise risks, including regular Project Board meetings where risk is reviewed.</p> <p>The report highlights the potential risks associated with the issues considered as part of the report.</p>
Officer Contact	<p>Ian Nelson  Planning Policy and Land Charges Team Manager  01530 454677  <a href="mailto:ian.nelson@nwleicestershire.gov.uk">ian.nelson@nwleicestershire.gov.uk</a></p>



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## RESPONSES TO PROPOSED POLICIES

CHAPTER: 5		POLICY NUMBER: AP7	POLICY NAME: Flood Risk		
MAIN ISSUES RAISED		COUNCIL RESPONSE	ACTION	RESPONDENTS ID	RESPONDENTS NAME
<b>Support Policy</b>					
We welcome the inclusion of this section, including the Draft Policy.		Noted.	No change.	404	Environment Agency
The requirements of Paragraphs 157 and 159 of the NPPF are outlined. Overall, it is considered that this Draft Policy is in broad accordance with the requirements set out in the NPPF.		Noted.	No change.	214	Scarlett Lambeth (Bloor Homes Midlands and Taylor Wimpey Strategic Land)
<b>(1) Flood risk will be managed by directing development to areas with the lowest probability of flooding with reference to the Environment Agency flood risk maps and the Council's Strategic Flood Risk Assessment (SFRA) unless a Sequential Test and, if necessary, an Exception Test demonstrates the development is acceptable.</b>					
Support the policy approach to ensure development is located in areas at the lowest risk of potential flooding, and relevant mitigation is in place to protect the longer-term risks.		Noted.	No change.	188	Chris Green obo The Cadwallader Family
No comment on the paragraphs preceding the policy test. Part 1 of the policy mimics national policy.		Noted. Since the Policy was drafted the NPPF has been updated, as such it is proposed the policy wording is amended to require applications to be consistent with the requirements of the NPPF rather than repeating the NPPF.	Proposed to reword Part (1) of the Policy to read: <b>Wherever possible development should take place within Flood Zone 1, the area of land deemed at least risk of flooding. Flood risk will be managed by directing development to areas with the</b>	341	Leicestershire County Council

		lowest probability of flooding with reference to the Environment Agency flood risk maps and the Council's Strategic Flood Risk Assessment (SFRA). In terms of Flood Risk applications should be consistent with the requirements of the National Planning Policy Framework, or its successor. Unless a Sequential Test and if necessary, an Exceptions Test demonstrates the development is acceptable.		
<b>(2) Proposals will be supported where: (a) A site-specific Flood Risk Assessment (if required), fully considers the issues of flooding from sewers, canal infrastructure failure, groundwater rising from former coal mining areas, and watercourses;</b>				
NWLDC's Detailed Water Cycle study 2012 referred to ground water issues arising from disused coal working highlighting the mining areas that are in the River Mease catchment. Perhaps these concerns should now be considered.  With regards to part 2a, it is considered that the 'groundwater risk from former coal mining areas' is a very specific	The 2024 SFRA identifies that the Coal Authority is responsible for monitoring rising groundwater. Monitoring has indicated that minewater is still rising and rebound is incomplete across the Coalfield. The Local Lead Flood Authority (LLFA) are aware of the associated risks with the Coalfield minewater rising, specifically within	Add a section to the supporting text relating to minewater rising in former coal mining areas.	199, 214	Louis Della-Porter (Long Whatton and Diseworth Flooding working Group), Scarlett Lambeth (Bloor Homes Midlands and Taylor Wimpey Strategic Land),



<p>requirement and it is unclear within the Draft Policy as to how this would be specifically addressed without a detailed site investigation / ground investigation being completed at the same time as a FRA. As such, it is considered that further clarification should be provided on this matter.</p>	<p>Oakthorpe and Donisthorpe although they have not received any reports of associated flooding. The SFRA sets out that potential risk from this source should be considered during the design phases of associated development proposals. As such consideration will be given to adding a policy requirement relating to minewater rising to site allocation policies for development sites within Donisthorpe and Oakthorpe.</p> <p>Part (a) of this Policy already requires site specific Flood Risk Assessments (if required) to fully consider the issues of flooding from, where relevant, minewater rising. It is considered that additional supporting text could be added to provide further information on this matter.</p>			
<p>Part 2a - The listed source of flood risk should include surface water and be worded to state that all potential sources should be considered.</p>	<p>To reflect the NPPF the Policy needs updating to refer to all sources of flooding, this would include surface water flooding.</p>	<p>Reword Part (2)(a) to read: A site-specific Flood Risk Assessment (if required), fully considers the issues of flooding from <b>all sources, including, where relevant, from sewers, canal infrastructure failure,</b></p>	<p>341</p>	<p>Leicestershire County Council</p>

		<del>ground-minewater</del> rising from former coal mining areas, and <del>watercourses,</del>		
Considering the level of existing flooding a flood risk assessment should be mandatory and not 'if required'.	The National Planning Policy Framework (NPPF) sets out the requirements for when a Flood Risk Assessment is necessary. The Local Plan needs to be consistent with the requirements of the NPPF, it is proposed that Part (1) of the Policy is amended to reflect the revised NPPF that was published after the policy was drafted.	See above proposed change to Part (1) of the Policy.	597	Sue Bull
<b>(2) Proposals will be supported where: (b) Flood protection / mitigation measures appropriate to the level and nature of flood risk and are agreed and secured and measures put in place for their implementation and maintenance;</b>				
Support option 2 (to retain a food risk policy but to amend the policy wording). However, Para 2b of the proposed policy needs amending as the first clause currently contains no verb. Maybe it just needs the deletion of "and".	Noted and agree the wording needs amending.	Delete 'and' between 'risk' and 'are' in Part (2)(b) of the policy.	92	Ashby de la Zouch Town Council
Part 2b - No comment	Noted.	No change.	341	Leicestershire County Council
<b>(2) Proposals will be supported where: (c) The development does not place itself or existing land or buildings at increased risk of flooding. For a greenfield site the rate of runoff from the developed site should be no greater than the existing rate of runoff from the site. For a development on previously developed (brownfield) land, the rate of runoff should not exceed the runoff from the site in its previously developed condition</b>				
Demand the policy is tightened up and the wording in bold be included in part (2)(c) of the policy: <i>"The development does not place itself or existing land or buildings <b>within the water catchment area</b> at increased risk of flooding..."</i>	Noted, see response below.	See suggested policy amendment below.	199	Louis Della-Porter obo Long Whatton and Diseworth Flooding working Group

The proposed developments in the north of the district will lead to overdevelopment which will bring long term structural and environmental difficulties to this rural region, which will have to be rectified in the future.				
We consider that an additional point under (2) of the Draft Policy should be included and which states the following: “(d) Wherever possible the development helps to reduce flood risk elsewhere, for example downstream of the development site”.	Noted and consider that the suggested text could be added to Part (c) of the policy.	Amend Part (c) to read: The development does not place itself or existing land or buildings at increased risk of flooding. <b>Where possible the development should help to reduce flood risk elsewhere, for example downstream of the development site.</b>	404	Environment Agency
NWLDC should consider the opportunity to require that development offers betterment on existing runoff rates. NWLDC may be able to request that all, or large-scale development must provide a betterment (e.g. 20% reduction or more on greenfield discharge rates).  Part 2c does not consider the volume of discharge in relation to greenfield sites. In regard to brownfield sites, it is unclear whether the run-off rate is as it's predeveloped (greenfield) state, or pre-developed as in the existing rate before redevelopment? The Policy should be	Since the consultation NWLDC have received further advice from the Local Lead Flood Authority advising that they are hoping to impose a requirement that all new development limit surface water runoff to the Qbar greenfield rate minus 20%. This would ensure that new development has the effect of reducing flood risk overall by limiting the rate of runoff during heavy rainfall to less than the site was prior to development. This requirement will mitigate against	Create a new Part (d) that reads: <b>For all development (including brownfield), demonstrate that the peak surface water runoff rate is limited to the Qbar greenfield rate (minus 20%) (or equivalent), or to a rate which mitigates the risk of blockage, whichever is greater.</b>	341	Leicestershire County Council (Lead Local Flood Authority)

<p>amended to require all development to discharge at greenfield rates and volumes where viable (in line with the DEFRA Non-statutory technical standards for sustainable drainage systems (March 2015)). Where reduced discharge volumes to the existing rate are not possible to maintain, mitigation in line with national industry guidance should be provided (for example DEFRA Rainfall runoff management for developments Report SC030219 and the SuDS Manual CIRIA C753). Where it is not viable to reduce discharge volumes to greenfield rates, the runoff volume must be discharged at a rate that does not adversely affect flood risk.</p>	<p>future climate change and go some way to offsetting the impacts of existing development.</p> <p>This requirement has already been included or requested to be included in a number of other Leicestershire Authorities Local Plans. As such it is considered that the policy should include the recommended wording from the LLFA.</p>	<p><del>For a greenfield site, the rate of runoff from the developed site should be no greater than the existing runoff rate from the site. For a development on previously developed (brownfield) land, the rate of runoff should not exceed the runoff from the site in its previously developed condition.</del></p>		
<p>While policy S1 mentions climate change, consideration should be given to including climate change within Policy AP7 Part 2c.</p>	<p>Noted, as part of the Regulation 19 Local Plan consideration will be given to how to show linkages between policies.</p>	<p>No change.</p>	<p>341</p>	<p>Leicestershire County Council</p>
<b>OTHER COMMENTS</b>				
<b>Oppose building on flood plain</b>				
<p>Strongly in favour of not building on flood plains. However, the water must go somewhere creating concerns over subsidence with the potential for houses sinking and sink holes opening. Developers also need to heed local existing advice with regard to flood risk and the effect any new builds might have on the water table and existing properties. There are examples advice</p>	<p>Noted. National Planning Policy sets out strict tests to protect people and property from flooding. The sequential risk-based approach to development and flood risk applies at all levels of the planning process whether allocating land or when considering planning applications, meaning new development should be steered</p>	<p>No change.</p>	<p>175 + 180</p>	<p>Oakthorpe, Donisthorpe and Acresford Parish Council + Ashby Wouds Town Council</p>

has gone unheeded, with unfortunate and undesired consequences.	towards areas with the lowest probability of flooding and must not exacerbate flood risk elsewhere.			
<b>Strategic Flood Risk Assessment</b>				
Support the Council's intention to undertake an updated Strategic Flood Risk Assessment. This evidence used to inform Local Plan policy will be the most up to date data and modelling. Also support directing development to areas with the lowest probability of flooding in line with national policy.	Noted. A revised SFRA was published in March 2024. We have since commissioned an update to the SFRA which is underway and will consider the changes made to the NPPF. We will take the updated SFRA into account at the next stage of the Local Plan.	No change.	185, 186	Marie Stacy obo Clowes Developments (UK) Ltd, Marie Stacey (Pegasus) obo Wilson Bowden Developments Ltd
Concerned that the Strategic Flood Risk Assessment (SFRA) (2015) has considerable shortcomings and welcomes the proposal to commission a new SFRA in conjunction with the New Local Plan. The Parish Council expects NWLDC to have full regard to Paragraph 165 of the NPPF (2023 Edition), especially regarding development not increasing flood risk elsewhere.	Noted. A revised SFRA was published in March 2024. We have since commissioned an update to the SFRA which is underway and will consider changes made to the NPPF. We will take the updated SFRA into account at the next stage of the Local Plan. Part (2)(c) of the policy requires that development does not place itself or existing land or buildings at increased risk of flooding.	No change.	389	Clifton Campville with Thorpe Constantine Parish Council
Welcome and support the decision to commission a new Strategic Flood Risk Assessment (SFRA). Information and guidance on writing SFRAs can be found in the Adept SFRA guidance. As part of their representation the Environment Agency provided the latest fluvial flood model data it holds for the district.	Noted.	No change.	404	Environment Agency

<p>NWLDC previous SFRA failed to acknowledge the consequences of development within its District. The upper catchment area for the River Mease is wholly within NWL District and is considerably impacted by development, yet adverse consequences to the River Mease occur outside the District within the Parishes of Clifton Campville, Harlaston and Edingale. The 'average level' of the River in the winter months has increased in recent years which have been causing significant disruption within the Parishes referred to above.</p>	<p>Any development permitted within the district would have had to accord with advice from the Environment Agency in regard to its potential impact on the River Mease.</p>	<p>No change.</p>	<p>389</p>	<p>Clifton Campville with Thorpe Constantine Parish Council</p>
<p><b>Mitigation of the cumulative effects of multiple developments</b></p>				
<p>Long Whatton &amp; Diseworth Flood Working Group (FWG) outline the frequency and severity of flooding in Diseworth primarily, but also in Long Whatton. The FWG raise deep concerns regarding the allocation of Isley Woodhouse and large scale B8 developments (EMAGIC/SEGRO) and the unintended increased flood risk to both villages. As the proposed developments are so disproportionate in scale to the locale, it is imperative that in planning consultation and decision-making that all developments around the village need to be considered in their totality to understand and mitigate the cumulative effect to flood risk. Developers underestimate the scale of mitigation required as such demand NWLD planners commission</p>	<p>Noted. National Planning Policy sets out strict tests to protect people and property from flooding. The sequential risk-based approach to development and flood risk applies at all levels of the planning process whether allocating land or when considering planning applications, meaning new development should be steered towards areas with the lowest probability of flooding and must not exacerbate flood risk elsewhere.</p> <p>The need for flood mitigation measures will be determined at the application stage.</p>	<p>No change.</p>	<p>199</p>	<p>Louis Della-Porter (Long Whatton and Diseworth Flooding working Group)</p>

107	independent baselines audits to ensure impacts are not underestimated. As a minimum, all water runoffs should be measured over a full yearly cycle both on site and directly in Diseworth. To comply with [Reg 18 5.61], the Local Plan should clearly set out a policy framework to assess, model and manage the cumulative effects of multiple large-scale developments and support a single system level water catchment evaluation, as defined by SCIMAP from which any single or separate planning application must be impact assessed against.				
	Diseworth already suffers from repeated flooding due to land run-off from a large catchment area plus discharges from East Midland Airport holding ponds. This is already well documented with LCC Flood Management team. Any proposed development in the catchment area (not just the village boundary) should help eliminate this risk by design.		No change.	336	Kevin Walker
	<b>Groundwater/surface water flooding</b>				
	Para 5.57. With the exception of the northern most area, large parts of the district lie within Flood Zone 1 and are not at particular risk of fluvial flooding but may instead be at greater risk from surface water flooding.	Noted. Paragraph 5.60 of the supporting text acknowledges the increasing risk from surface water flooding.	No change.	404	Environment Agency
	The consideration of flood risk seems to apply for the risk of new developments flooding. Little consideration of how flood risk increases for others as new	Noted. National Planning Policy sets out strict tests to protect people and property from flooding. The sequential risk-	No change.	651	Amanda Hack

<p>developments remove protections for existing homes. There are so many flood risk areas in NWL, the impact on current homes/businesses has to figure.</p>	<p>based approach to development and flood risk applies at all levels of the planning process whether allocating land or when considering planning applications, meaning new development should be steered towards areas with the lowest probability of flooding and must not exacerbate flood risk elsewhere.</p> <p>Part (2)(c) of the policy requires that development does not place itself or existing land or buildings at increased risk of flooding.</p>			
<p>Assured by planning staff at different times at the Local Plan Consultation events that new development, particularly large-scale new development, should improve or at least not make worse surface water runoff and that new sites should keep the absorption and drainage characteristics of a "Greenfield" site acting the same as before the development. Being local we are particularly interested who and how this is calculated and checked that it has worked and who and how they continue to check and how they can change the situation to meet the no worse water runoff rule.</p>	<p>Noted. The adopted Local Plan (Policy Cc2) requires the runoff for development on greenfield sites to be no greater than the existing (undeveloped) runoff rates. Draft Policy AP7 is proposed to be amended in respect of the requirement relating to runoff rates.</p> <p>Leicestershire County Council are the Lead Local Flood Authority (LLFA), responsible for the coordination and management of flood risk across Leicestershire. Their duties include acting as a statutory consultee for planning which includes reviewing surface water drainage for developments.</p>	<p>Create a new Part (d) that reads:  <b>For all development (including brownfield), demonstrate that the peak surface water runoff rate is limited to the Qbar greenfield rate (minus 20%) (or equivalent), or to a rate which mitigates the risk of blockage, whichever is greater.</b></p> <p><del>For a greenfield site, the rate of runoff from the developed site should be no greater</del></p>	381	Robert Adey



		than the existing runoff rate from the site. For a development on previously developed (brownfield) land, the rate of runoff should not exceed the runoff from the site in its previously developed condition.		
Query what the water drainage pathways are for development near Junction 11 of the M42 and close by villages. South Derbyshire and Lichfield District councils should satisfy themselves that the proposals meet the "Greenfield" drainage test as these districts are very close and landscape and topography lead to local concerns. What has been the process for developments recently and what are the results and follow up to ensure the aims were met.	In regard to the Mercia Park development at J11 of the A42 the requirements relating to water drainage were dealt with as part of the planning application (reference 18/01443/FULM). As part of the planning application process all relevant stakeholders were consulted.	No change.	381	Robert Adey
<b>General comments</b>				
Representation relates to how site CD10 will adhere to Policy AP7. The landowners intend to integrate surface water attenuation into the scheme to reduce the risk of flooding from surface water generated by the proposed development. During extreme storm events, attenuation basins will hold additional volumes of water and reduce the flow from the site to the equivalent greenfield run-off rate.	Noted. The need for flood attenuation measures will be determined at the application stage.	No change.	183	Philip Ivory (Clowes Developments (Ltd), Redrow Homes Ltd and Wilson Enterprises Ltd)

The allocation at Money Hill has carried out all necessary evidence in relation to flood risk demonstrating that the site is not at risk of flooding and will not increase the risk of flooding elsewhere.	Noted.	No change.	214	Scarlett Lambeth (Bloor Homes Midlands and Taylor Wimpey Strategic Land)
Overwhelmed sewers is a regular occurrence in River Sence.	Water companies are responsible for maintaining public sewers. Utilities companies have a statutory duty to provide water and sewage to all new developments. It is their responsibility to ensure that there is sufficient capacity in the system to accommodate new development, even if this involves having to undertake improvements to existing infrastructure. The inclusion of Sustainable Urban Drainage Systems in new developments will control and manage surface water run-off.	No change.	487	Mary Lorimer
Building on all our Green Spaces increases the chances of major flooding in the area.	National Planning Policy sets out strict tests to protect people and property from flooding. The sequential risk-based approach to development and flood risk applies at all levels of the planning process whether allocating land or when considering planning applications, meaning new development should be steered towards areas with the lowest probability of flooding and must	No change.	578	Ronald Ingall

	not exacerbate flood risk elsewhere.			
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**Draft Policy AP4 – Reducing Carbon Emissions (Strategic Policy)**

- (1) Development is required to contribute to the Council's aim for a carbon neutral district by 2050. To achieve this, all new development will be required to demonstrate that :
- (a) On-site renewable energy generation is maximised as much as possible;
  - (b) Energy efficiency targets in line with the latest national standards at the time a planning application is determined, will be achieved ~~as set by national policies~~ (including any transitional arrangements); and
  - (c) That measures have been taken to minimise energy consumption by following the steps in the energy hierarchy.
- (2) Major developments will be required to demonstrate that measures have been taken to reduce lifecycle carbon emissions and maximise opportunities for the reuse of materials.
- ~~(2) Renewable energy generation should be maximised as much as possible on-site. Where the use of on-site renewables to match the total energy consumption of the development/site is demonstrated not to be technically feasible or economically viable, a financial contribution will be required to the council's carbon offset fund to enable residual carbon emissions to be offset by other local initiatives.~~

**Draft Policy AP7 – Flood Risk (Strategic Policy)**

- (1) Wherever possible development should take place within Flood Zone 1, the area of land deemed at least risk of flooding. . In terms of Flood Risk,

applications should be consistent with the requirements of the National Planning Policy Framework, or its successor..

(2) Proposals will be supported where:

- (a) A site-specific Flood Risk Assessment (if required), fully considers the issues of flooding from all sources, including, where relevant, minewater rising;; and
- (b) Flood protection / mitigation measures appropriate to the level and nature of flood risk are agreed and secured and measures put in place for their implementation and maintenance; and
- (c) The development does not place itself or existing land or buildings at increased risk of flooding. Where possible the development should help to reduce flood risk elsewhere, for example downstream of the development site.

(d)

For all development (including brownfield),, demonstrate that the peak surface water runoff rate is limited to the  $Q_{bar}$  greenfield rate (minus 20%) (or equivalent) or to a rate which mitigates the risk of blockage, whichever is greater. .

### **Carbon offsetting**

#### **Purpose of this note**

This note has been prepared to provide more evidence to support the position being proposed not to include a mechanism for carbon offsetting in the local plan.

#### **Use of carbon offsets**

Carbon offsets have been used by planning authorities to provide a mechanism for developers to achieve standards on carbon emissions in new developments that go beyond the those in the Building Regulations. The carbon offset mechanism provides an alternative way of meeting the targets to address issues such as technical challenges for certain building types, particular sites or around viability. The money collected from the carbon offset payments is then used to deliver carbon reductions elsewhere, such as through retrofitting existing buildings.

It is important to note that existing carbon offset schemes relate to only regulated emissions. These are the emissions covered by building regulations and related to the elements of the building that the developer is in control of through the design and construction of the building i.e. space heating, cooling, hot water, lighting and ventilation. There are a number of reasons for this which include the level of responsibility and control that the developer has over these as well as the standardised calculation methodologies and third-party checks on those. These are an existing requirement under the building regulations, and therefore make assessment much simpler, resulting in less resource and cost implications for both the developer and the local planning authority.

#### **Basis for the proposal not to use carbon offsets**

##### **1. General criticisms**

There have been concerns that carbon offset schemes could, if not set at the correct value or not implemented correctly, create a cheaper way for developers to meet planning targets, thereby reducing what is delivered on-site. Also, in terms of actually operating these schemes, there have been concerns around how the money is spent, particularly the overall success in using the funding to deliver projects, the effectiveness of the funding (in terms of cost per tonne saved), the cost and complexity of running the schemes and the additionality of those projects<sup>1</sup>.

##### **2. Reduced case for offsets due to the forthcoming changes building regulations**

The introduction of new building regulations standards are likely to limit the need and role for carbon offset schemes in the way they have been used to date. The Future Homes Standard (FHS) is expected to be published soon and when in place will require all new homes to be net zero ready. This means new homes will produce 75–80% less regulated carbon emissions than those built under current standards through both further fabric and energy efficiency measures as well as requiring low carbon heating systems. A

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<sup>1</sup> <https://www.theguardian.com/environment/2025/apr/26/london-councils-yet-to-spend-130m-in-local-climate-funds>

similar standard will also be introduced for non-domestic buildings (the Future Buildings Standard), although there will be some variation in this to reflect the wider variety of building types.

The implication of the new standards is that there will be less case for local policies to require developers to go beyond this (and therefore less case for an offset scheme to provide a mechanism for compliance with those higher standards). In a Written Ministerial Statement in December 2023 the Government stated that in the context of the forthcoming standards “the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations”<sup>2</sup>. Even if a requirement was set to go further, because the residual carbon emissions associated with regulated emissions would be so small, any further reduction would be limited and the benefit of a carbon offset scheme would be marginal unless the price per tonne was set much higher, which could result in viability issues for limited gains.

### 3. Complications associated with changing the scope of the offsets

As described above, the current carbon offset schemes are limited to regulated emissions. There are other sources of carbon emissions associated with new developments including unregulated emissions associated with occupant energy use from appliances etc and process loads in non-domestic buildings as well as embodied carbon emissions associated with the materials and manufacturing or assembly processes used in construction. These could potentially be brought into a carbon offset scheme but there would be significant issues associated with this. Fundamentally there is the issue of responsibility and control on the part of the developer that is less clear in those other areas but perhaps more complicated is the practical aspect of calculating and assessing these in the absence of the same standardised methodologies and verification processes that exist for regulated emissions. This could result in significant cost and resource implications for both developers and LPAs associated with the calculations, reporting and assessment against these additional requirements. Where some LPAs are looking into or actively assessing these areas it is generally for reporting purposes only and we are not aware of any that currently require offset payments.

### 4. Complications associated with operating an offset scheme

Lastly there are significant practical issues and complexities associated with operating an offset scheme so there needs to be a strong case for and clear benefits associated with creating a scheme to justify the cost, resources and implications that would follow. These implications include the work required to develop a scheme including the work on an evidence base and assessments of the impact on viability; the cost and resources involved in implementing an offset scheme; and perhaps most complicated, the implications of delivering the projects using the funds collected. The latter has been a challenge for many of the local planning authorities that have set up funds. The complications include identifying practical projects, making effective use of the funding, ensuring additionality (which might preclude the lower cost and simpler projects) and delivering equivalent carbon savings in practice. There is a significant amount of resource, experience and knowledge required for all of this that would need to be made available to ensure such a scheme was successful and didn't result in issues later down the line, which could have potential political consequences.

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<sup>2</sup> <https://questions-statements.parliament.uk/written-statements/detail/2023-12-13/hlws120>



## **Conclusion**

Based on the issues described above, with the current understanding of the upcoming changes to regulations and the impact this will have on the benefit and relevance of a carbon offset compared to the costs, resource implications, challenges and risks associated with creating one, a carbon offset scheme is not being proposed for inclusion in the local plan.

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## LOCAL PLAN COMMITTEE – 19 NOVEMBER 2025

<b>Title of Report</b>	<b>DRAFT HINCKLEY AND BOSWORTH LOCAL PLAN 2024-2045 (REGULATION 18) - CONSULTATION</b>	
<b>Presented by</b>	Ian Nelson Planning Policy and Land Charges Team Manager	
<b>Background Papers</b>	<a href="#"><u>Hinckley &amp; Bosworth Local Plan (2024-2045) – consultation document Autumn 2025</u></a>	<b>Public Report:</b> Yes
	<a href="#"><u>Local Plan Committee – 26 September 2024</u></a>	<b>Key Decision:</b> No
<b>Financial Implications</b>	None identified.	
	<b>Signed off by the Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	The District Council is a consultee. Any objections made by the Council will be considered as part of the subsequent Local Plan Examination.	
	<b>Signed off by the Monitoring Officer:</b> Yes	
<b>Staffing and Corporate Implications</b>	None identified.	
	<b>Signed off by the Head of Paid Service:</b> Yes	
<b>Purpose of Report</b>	The purpose of this report is to advise members on the content of the Draft Hinckley & Bosworth Local Plan (Regulation 18) and to determine the Council's response.	
<b>Recommendations</b>	<b>THAT THIS COUNCIL:</b>  <b>(I) THANKS HINCKLEY AND BOSWORTH BOROUGH COUNCIL FOR CONSULTING THIS COUNCIL ON THE REGULATION 18 LOCAL PLAN;</b>  <b>(II) SUPPORTS THE PROPOSED HOUSING REQUIREMENT OF 743 DWELLINGS EACH YEAR;</b>  <b>(III) OBJECTS TO THE PLAN'S PROPOSAL FOR A NEW SETTLEMENT AT NORTON JUXTA TWYCROSS IN VIEW OF THE LACK OF DEMONSTRABLE EVIDENCE IN RESPECT OF THE IMPACT UPON THIS DISTRICT, INCLUDING TRANSPORT, INFRASTRUCTURE AND LANDSCAPE</b>	

## 1. BACKGROUND

- 1.1 Hinckley and Bosworth Borough Council (HBBC) is currently consulting on a Regulation 18 (draft) version of its new Local Plan.

- 1.2 HBBC previously undertook a Regulation 18 stage consultation (ie draft plan) in July 2021 and a Regulation 19 consultation (ie pre-submission plan) in February 2022. This Council's comments at each of these stages are summarised at Appendix A of this report.
- 1.3 A further Regulation 18 plan was consulted upon in September 2024 and was the subject of a report to this committee on 26 September 2024. The Council's response is also set out at Appendix A of this report.
- 1.4 The draft plan is subject to consultation between 17 October and 28 November 2025.
- 1.5 This report considers those matters which are of direct relevance to this Council, including any implications for this Council's emerging Local Plan.

## **2 CURRENT CONSULTATION**

- 2.1 HBBC has decided to undertake further Regulation 18 consultation rather than proceeding to a preferred plan (Regulation 19) as a direct response to the following:
- Changes to the national planning system brought about by a new National Planning Policy Framework (NPPF) published in December 2024;
  - To address an increase in the borough wide housing target as a consequence to changes in the Standard Housing Method calculation published in December 2024; and
  - Proposes potential employment land for allocation to meet identified need once quantified.
- 2.2 The consultation plan contains proposals for:
- Extending the plan period from 2042 to 2045;
  - An additional 3,700 dwellings on 12 additional housing sites, including a new settlement at Norton Juxta Twycross;
  - Potential employment sites; and
  - Addresses policy gaps on matters such as climate change, hot food takeaways, safeguarding land for future development and open space, sport and recreation.
- 2.3 The consultation document is not a complete draft plan, but rather it only includes additional matters not previously consulted upon, including additional housing and employment sites. The document notes that those matters previously consulted upon will be carried forward for consideration in the Regulation 19 version of the plan.
- 2.4 There are no specific consultation questions, rather respondents are invited to provide feedback to relevant policies/sections of the consultation document. Suggested responses are outlined in the following section to this report.

## **3 Plan Period**

- 3.1 The September 2024 version of the Local Plan was proposed to cover the period up to 2041. In view of the need to ensure that new Local Plan has a time horizon of at least 15 years from adoption as required by the NPPF (paragraph 22), it will need to be adopted by April 2030.

### Comment

- 3.2 Whilst extending the plan period to 2045 will mean that there is inconsistency with this Council's Local Plan which goes to 2042, in itself this is not a reason to object.

## 4 The Spatial Strategy (Chapter 7)

### Policy NEW02: Provision of Overall Development.

- 4.1 This policy proposes to make provision for 15,603 dwellings over the plan period, which equates to 743 dwellings each year. In addition, it is proposed to make provision for “*in excess of 110 hectares of employment land*”.
- 4.2 In setting the housing requirement, the plan notes that the Local Housing Need arising from the use of the government’s Standard Method is 663 dwellings per annum. No further increase is required due to either economic circumstances or to take account of the need for affordable housing. However, the plan notes that as a result of ongoing joint working with other Leicester and Leicestershire authorities on a Housing and Economic Needs Assessment (HENA) that the housing requirement for the Borough would increase to 708 dwellings each year. The plan proposes this as the housing requirement. In addition, it is proposed to add in a buffer of 5% to increase the overall requirement to 743 dwellings each year.
- 4.3 In respect of general employment land requirements (i.e. excluding large-scale distribution uses), a previous local study went up to 2041. On the basis of this no further land needed to be identified. However, as the plan now goes to 2045 further work is underway to review the previous findings. In terms of large-scale distribution uses the plan notes that joint working on a Leicester & Leicestershire: Strategic Distribution Floorspace Needs Update and Apportionment Study is underway. Whilst not completed in time for the publication of the draft plan, the consultation sets out a number of potential sites in order to seek views on their suitability.

### Comment

- 4.4 The proposed housing requirement of 743 dwellings each year is greater than the emerging joint working with all Leicester and Leicestershire authorities and is to be welcomed. The Borough Council might like to consider whether a buffer greater than 5% should be included, but this is essentially a local matter.
- 4.5 Until such time as the evidence regarding general employment land is available no comments are offered. The potential sites for strategic distribution uses are considered at 4.21 and 4.22 of this report.

### NEW03: Housing Development Sites

- 4.6 In view of the increased housing requirements and a longer plan period, the plan makes provision for a number of housing sites additional to those proposed in the earlier plan. Sites are categorized based on their size:
- Strategic Sites: sites of 500 new homes or more, including mixed-use new settlements;
  - Non-strategic major development sites: sites of between 101–499 homes; and
  - Small non-strategic development sites: sites of between 11-100 homes.
- 4.7 The following sites are proposed which may have implications for this Council, including the emerging Local Plan.
- Strategic sites: New Settlement: Land off Atherstone Road (A444) and Ashby Road (B4116) ‘Norton Heath’ (LPR231 -in part, HBBC only);
  - Small non-strategic major development sites: Land West of Station Road, Bagworth (LPR221): 46 homes and Land South of London Road and West of Ratby Lane (Parcel B), Markfield (LPR94 B): up to 95 homes

- 4.8 In terms of the proposed new settlement the plan notes that whilst the site lies predominantly within Hinckley and Bosworth borough it also includes land in North West Leicestershire. The proposed site is identified on the plan at Appendix B to this report.
- 4.9 The site is proposed to be allocated for a minimum of 7,500 homes (circa 2,250 to be delivered in the plan period) and 20ha of employment land (7 ha within the plan period), as well as facilities for primary and secondary education, sports, leisure and community facilities, district and local centres. The site will also include significant public open space together with a suitable buffer to adjoining land uses including Twycross Zoo.
- 4.10 No further information is provided in respect of any of the proposed housing sites in terms of any specific policy or infrastructure requirements that will apply to them. However, further information regarding the proposed new settlement is available via the promoters website that can be viewed at [About us - Norton Heath](#). The website notes that in total the proposal could accommodate 10,000 new homes, of which 2,000 would be in North West Leicestershire, of which 500 dwellings would be up to 2042 (the end date for this Council's emerging Local Plan).
- 4.11 In terms of the small non-strategic sites the site at Bagworth is proposed to be for 46 dwellings, whilst that at Markfield is proposed for up to 95 homes.

#### Comments

- 4.12 The potential for a new settlement at Norton Juxta Twycross was initially referred to in the HBBC Regulation 18 consultation in July 2021 (as noted at Appendix A of this report). It was not then included in the subsequent Regulation 19 consultation in 2022 nor the Regulation 18 consultation in September 2024. Therefore, this is the first time that HBBC has formally proposed to allocate land for the new settlement.
- 4.13 Before considering this Council's response, it should be noted that officers have been made aware of concerns about this proposal by Appleby Magna Parish Council and also a number of residents, although some of these may be residents of Hinckley and Bosworth Borough. Notwithstanding any concerns, this Council has to agree what its response is and this is done in the following paragraphs.
- 4.14 In its response to the July 2021 consultation this Council's specifically noted that:
- "...it is essential that an assessment should be undertaken of the highways impacts on routes to the north in particular A444 Atherstone Road and B4116 towards Snarestone and Measham as well as the implications for the capacity of J11 A42 itself.*
- Also, an assessment should be undertaken of the potential impact upon the River Mease SAC as confirmed in the habitats survey.*
- If this is likely to be a favoured location, NWLDC would welcome detailed discussions to ensure any impacts on NWL including cumulative impacts in association with development which may occur on the NWL side of the boundary, are fully considered and addressed. This will be necessary for both authorities to be able to demonstrate effective working on cross-boundary matters as part of the Duty to Co-operate."*
- 4.15 From a review of the HBBC website there is limited information available that would address these points. For example, there is no indication as to what the impact of development would be on the highway network, both local and strategic, other than an addendum to an Infrastructure Capacity Study. This includes a specific section regarding the new settlement and does note that *"The development of Norton Juxta Twycross would significantly affect the A42 and A444 corridors"*. However, there is nothing included in the plan as published which would show how these issues will be addressed. There is also

nothing about how any impact upon the River Mease Special Area of Conservation will be addressed.

- 4.16 Development would also be contrary to a Landscape Character Assessment (2017) undertaken to support the HBBC plan. This sets out a Landscape Strategy to “*Retain this area of remoteness, rural character and dark night skies, ensuring that development respects the rural context*”. It is not clear as to how this has been taken into account in preparing the Regulation 18 plan.
- 4.17 Whilst it is understood that the Regulation 19 plan will set out detailed policies for the site, presumably including any infrastructure requirements, this is somewhat late in the plan making process. In the absence of such information this is a cause for concern as the scale of any development is such that it would potentially impact upon parts of North West Leicestershire, in respect of highways and other infrastructure, as well as landscape and other sensitive features, such as the River Mease Special Area of Conservation.
- 4.18 Representations were made to this Council’s emerging Local Plan from the promoters of the new settlement near to Norton Juxta Twycross. The representations were reported to the meeting of this Committee on [14 August 2024](#). The Council’s response were set out at [Appendix B](#) of the report.
- 4.19 From the point of view of this Council’s emerging Local Plan sufficient provision has been made to address the housing needs of North West Leicestershire. There is no need to allocate additional housing land for the 500 dwellings that lie within this district as suggested in the draft HBBC plan. Whilst it would be open to this Council to remove an allocation elsewhere in the district, it is very late in the process to be doing so and would be likely to result in delays. As members are aware, the government requires that plans have to be submitted for Examination by December 2026. A change to the plan at such a late stage would represent a risk in terms of being able to meet this deadline. Furthermore, as outlined above, there is currently a lack of sufficient evidence to demonstrate that the wider development would be likely to be acceptable and deliverable in respect of matters such as impact upon the highway network and infrastructure generally. Therefore, if the Council were minded to replace any existing allocations for that part of the proposed new settlement that lies within North West Leicestershire, this would represent a risk to the soundness of this Council’s plan on the basis of current evidence.
- 4.20 Having regard to the above, it is considered that this Council should object to the HBBC Regulation 18 plan as published in respect of the proposed new settlement at Norton Juxta Twycross.
- 4.21 In respect of the proposed sites at Bagworth and Markfield these are relatively small and any impact is likely to be very localised. However, together with other sites that are likely to be proposed in the plan any infrastructure capacity work undertaken by HBBC should a) take into account the emerging proposals in the emerging North West Leicestershire Local Plan to enable a proper, effective assessment of cumulative impacts; and b) assess and address any resulting impacts within North West Leicestershire.

#### NEW04: Employment development Sites

- 4.22 A number of sites are proposed for employment development. Of these the only one which potentially impacts this district is the provision of 7ha as part of the proposed new settlement. Unlike housing, all of this is proposed to be located within the HBBC area.

#### Comment

- 4.23 The comments made above in respect of housing equally apply to the employment element. In particular, there is a lack of understanding at this stage of how employment related traffic will impact upon the A444 and junction 11 of the A42. Without such an understanding there is potential for there to be a detrimental impact upon this Council’s

emerging Local Plan. As set out elsewhere on this agenda, junction 11 of the A42 is considered suitable for future employment development and which is subject to ongoing transport modelling work.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	- Planning and Regeneration
Policy Considerations:	None
Safeguarding:	No issues identified
Equalities/Diversity:	No issues identified
Customer Impact:	No issues identified
Economic and Social Impact:	Proposals in the draft HBBC Local Plan have the potential to impact upon parts of this district as highlighted in the report
Environment and Climate Change:	Proposals in the draft HBBC Local Plan have the potential to impact upon parts of this district as highlighted in the report
Consultation/Community Engagement:	Portfolio Holder for Planning
Risks:	The District Council is a consultee on the HBBC Local Plan. It is important that the District Council engage in the process to ensure that any concerns are raised to protect the Council's interests.
Officer Contact	Ian Nelson Planning Policy and Land Charges Team Manager 01530 454677 <a href="mailto:ian.nelson@nwleicestershire.gov.uk">ian.nelson@nwleicestershire.gov.uk</a>



### July 2021: Regulation 18 consultation

- ☐ Welcomes HBBC's intention to meet its Local Housing Need figure + 10%.
- ☐ Consideration should be given to any cross-boundary impacts, particularly on the highway network in North West Leicestershire and potentially on the River Mease catchment.
- ☐ Note the potential for a new settlement at Norton Juxta, Twycross. North West Leicestershire District Council would welcome detailed discussions to ensure any impacts on the district, including cumulative impacts, are fully considered and addressed.
- ☐ Welcomes the commitment in the plan to work with the other Leicester and Leicestershire authorities to address unmet employment land need emanating from Leicester City.
- ☐ Welcomes HBBC's intention to include a specific Local Plan policy dealing with strategic distribution.

### February 2022: Regulation 19 consultation

- ☐ Policy HO07 – Gypsies and Travellers. Object to the absence of provision for Gypsies and Travellers and lack of evidence to support the assertion that HBBC cannot accommodate its needs within the borough.
- ☐ Object to the lack of provision for strategic warehousing.
- ☐ Object to the lack of clarity in the wording of the proposed trigger policy in respect of employment requirements.
- ☐ Consider that there is insufficient transport evidence to understand the impacts of the development proposals on North West Leicestershire.

**Section 4 - 'SP02 Development Strategy':** North West Leicestershire District Council (NWLDC) welcomes HBBC's intention to plan on the basis of the current SoCG housing requirement in full (659dpa).

It is also recognised that discussions are on-going with respect to the implications of the proposed revised standard method announced by the Government, that requirements are liable to change and that revisions to the SoCG are expected to be necessary. It is noted that HBBC's requirement using the revised (2024) standard method would be 689dpa before any redistribution from unmet need elsewhere is factored in.

NWL notes and welcomes the absence of a new settlement proposal in the vicinity of Twycross. If this position changes, NWL would welcome detailed discussions to ensure any impacts on the district, including cumulative impacts, are fully considered and addressed.

Also of note is that 170 dwellings are planned on land south of Markfield (site ref LPR94A) and 128 dwellings are planned to the west of Barlestone (ref AS455). Highways modelling and other infrastructure capacity work undertaken by HBBC should a) take into account the emerging proposals in the emerging North West Leicestershire Local Plan to enable a proper, effective assessment of cumulative impacts; and b) assess and address any resulting impacts within North West Leicestershire.

The current uncertainty with respect to strategic warehousing requirements is recognised and HBBC is requested to address this issue in full at the next stage. For clarity, it would also be helpful for strategic warehousing requirements and sites to be set out in a separate section of Policy SP02 (even if some sites could contribute towards both requirements).

The proposed employment sites include the following:  
Wiggs Farm, Wood Lane/Station Road, Bagworth (11Ha). This site adjoins the district boundary at Wood Road (B585), to the south of Ellistown. The site is proposed for general needs

employment but the plan identifies that it also has the potential to contribute to strategic warehousing requirements.

Land at Cliff Hall Farm, immediately to the north east of J22M1 (28.3Ha) This land is proposed for general needs employment but the plan identifies that it also has the potential to contribute to strategic warehousing requirements.

The Wiggs Farm site immediately abuts the borough-district boundary and it is important that impacts on North West Leicestershire be fully explored, in particular in respect of transport movements.

In addition, land on the North West Leicestershire side of the boundary is also being promoted for employment development, namely SHELAA site EMP91 – Land north of Wood Road (10.3Ha) and SHELAA site EMP96 – Land west of Ellistown Road (6 Ha). The latter site was promoted in a representation to our Regulation 18 plan (representation 186). Most recently, agents acting on behalf of the landowners have suggested the sites could be combined into a single site (EMP98). NWL will need to find additional general needs employment land following a recent update to its evidence base (see paragraphs 4.42-4.48 of the 14 August 2024 NWL Local Plan Committee report. Without prejudice to this Council's further consideration of sites, if land is proposed on both sides of the boundary, the respective local plans should aim to take a comprehensive and coordinated approach to development in this area.

With respect to the site at J22M1, it is important that potential highways impacts within North West Leicestershire and impacts on the capacity of J22 are assessed and addressed. The site is within the Charnwood Forest so possible landscape issues could arise.

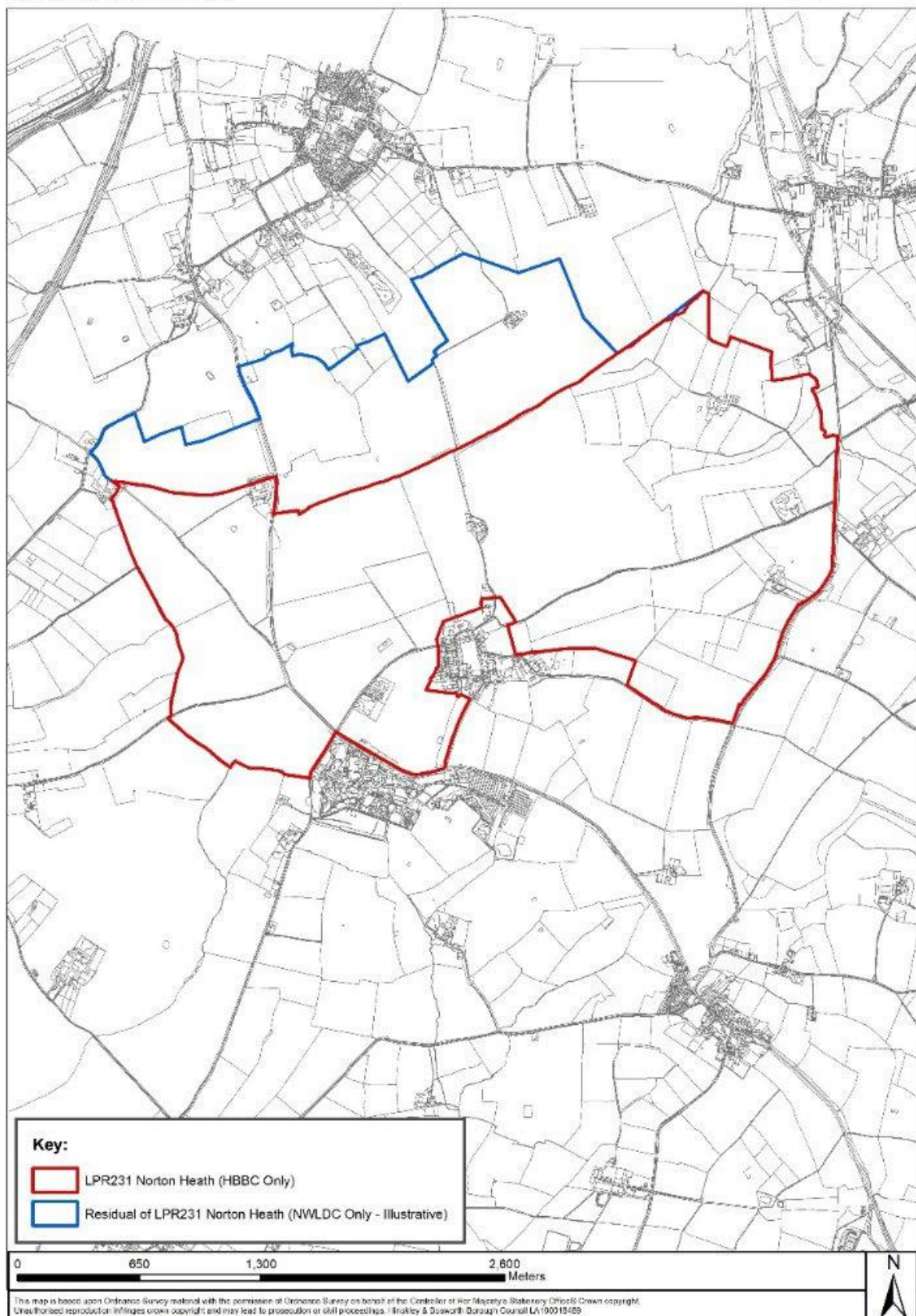
**Section 7 - 'SP13 Gypsies, Travellers and Travelling Showpeople':** With respect to Gypsies and Travellers, the draft plan reports that there is a sufficient supply of pitches for the period 2024 – 29 and that any additional needs arising from the updated GTAA will be met on windfall sites by applying the draft criteria-based Policy SP13. A call for sites will be carried out as part of the monitoring of the land supply if required.

This approach is noted and HBBC is encouraged to allocate specific sites for Gypsies and Travellers where possible.

## APPENDIX B

Site Reference: LPR231 (In Part, HBBC Only)  
Settlement: Norton Heath

HBBC Local Plan 2024 - 2045 (Regulation 18)



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**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**  
**LOCAL PLAN COMMITTEE – 19 NOVEMBER 2025**



<b>Title of Report</b>	<b>LONG WHATTON AND DISEWORTH NEIGHBOURHOOD PLAN SUBMISSION (REGULATION 16) CONSULTATION</b>	
<b>Presented by</b>	Ian Nelson Planning Policy and Land Charges Team Manager	
<b>Background Papers</b>	<a href="#">National Planning Policy Framework (2024)</a>  <a href="#">Planning Practice Guidance (PPG)</a>  Long Whatton and Diseworth Neighbourhood Plan Submission Version (2024)  <a href="#">Submission Version v3b.pdf</a>  <a href="#">Long Whatton &amp; Diseworth Neighbourhood Plan - North West Leicestershire District Council</a>	<b>Public Report:</b> Yes
<b>Financial Implications</b>	<p>The Long Whatton and Diseworth Neighbourhood Plan will incur direct costs to the Council to support an independent examination of the plan and then a local referendum, should the examination be successful. Grant funding from central government (£30,000 per neighbourhood plan) is payable to the Council to support this agenda but is unlikely to meet the costs in full.</p> <p>Once the neighbourhood plan is made it will form part of the Development Plan for North West Leicestershire. Should the document be subject to legal challenge, the Council will be responsible for meeting such costs. Any such costs would need to be met from the contingency budget held by the Planning Service.</p>	
	<b>Signed off by the Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	None from the specific content of this report.	
	<b>Signed off by the Monitoring Officer:</b> Yes	
<b>Staffing and Corporate Implications</b>	<p>The report highlights the staff resources required to support neighbourhood planning in the district. Much of this work is done within the Planning Policy team, which is also responsible for the delivery of the new Local Plan.</p> <p>Links with the Council's Priorities are set out at the end of the report.</p>	

	<b>Signed off by the Head of Paid Service: Yes</b>
<b>Purpose of Report</b>	To determine the Council's response to the submission draft of the Long Whatton and Diseworth Neighbourhood Plan.
<b>Recommendations</b>	<ol style="list-style-type: none"> <li><b>1. THAT THE LOCAL PLAN COMMITTEE AGREES THE PROPOSED RESPONSE TO THE SUBMISSION DRAFT OF THE LONG WHATTON AND DISEWORTH NEIGHBOURHOOD PLAN AS SET OUT IN APPENDIX A.</b></li> <li><b>2. THAT THE COMMITTEE NOTES THE CONSULTATION PERIOD FOR THE LONG WHATTON AND DISEWORTH NEIGHBOURHOOD PLAN.</b></li> <li><b>3. THAT THE COMMITTEE NOTES THAT FOLLOWING RECEIPT OF THE INDEPENDENT EXAMINER'S REPORT, THE STRATEGIC DIRECTOR OF PLACE IN CONSULTATION WITH THE PORTFOLIO HOLDER FOR INFRASTRUCTURE WILL DETERMINE WHETHER THE CONDITIONS HAVE BEEN MET FOR THE NEIGHBOURHOOD PLAN TO PROCEED TO REFERENDUM.</b></li> <li><b>4. THAT THE COMMITTEE NOTES THAT FOLLOWING THE REFERENDUM AND IF TIME DOES NOT ALLOW FOR A REPORT TO THIS COMMITTEE, THE STRATEGIC DIRECTOR OF PLACE IN CONSULTATION WITH THE PORTFOLIO HOLDER FOR INFRASTRUCTURE WILL DETERMINE WHETHER THE NEIGHBOURHOOD PLAN SHOULD BE 'MADE'.</b></li> </ol>

## **1 BACKGROUND**

- 1.1 Neighbourhood planning was introduced under the Localism Act 2011 to give local communities a more hands-on role in the planning of their neighbourhoods. It introduced new rights and powers to allow local communities to shape new development in their local area. Neighbourhood Plans can be prepared by a parish or town council (or neighbourhood forums in areas not covered by a parish or town council) once they have been designated as a neighbourhood area by the district council.
- 1.2 Neighbourhood Plans should consider local and not strategic issues and must have regard to national and local planning policy. A Neighbourhood Plan can be detailed or general, depending on what local people want. The Plan's policies must meet a set of ['basic conditions'](#) which include:
  - having regard to national planning policies and guidance;
  - contributing to the achievement of sustainable development;
  - being in general conformity with the strategic policies of the development plan; and
  - being in line with EU obligations and human rights requirements.
- 1.3 As the Local Planning Authority (LPA), the Council has an important role to play in the neighbourhood plan process even though it is not responsible for its preparation. The key stages in producing a neighbourhood plan, as governed by The Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (General) (Amendment) Regulations 2015, are:

Regulation	Stage
Reg 6A	Designate a neighbourhood area
	Prepare a draft neighbourhood plan
Reg 14	Pre-submission publicity and consultation
Reg 15	Submit the neighbourhood plan to the LPA
<b>Reg 16</b>	<b>Publicise the draft neighbourhood plan (six week consultation)</b>
Reg 17	Submit the draft plan for independent examination
Reg 18	Publish the Examiner's Report and decide if the plan can proceed to referendum
Para 12, Sch 4B TCPA 1990	Referendum
Reg 19	Decision to 'make' the neighbourhood plan
Reg 20	Publicise the made neighbourhood plan

- 1.4 The Long Whatton and Diseworth Neighbourhood Plan has reached the Regulation 16 stage. This report sets out a proposed consultation response for members to consider (see **Appendix A**).

## 2. LONG WHATTON AND DISEWORTH NEIGHBOURHOOD PLAN

- 2.1 The Long Whatton and Diseworth Neighbourhood Plan Area covers the whole of the parish and was designated on 14 October 2020 (Regulation 6A). Long Whatton and Diseworth Parish Council consulted on a pre-submission version of the plan between 12 February and 25 March 2024 (Regulation 14). As there was no available Local Plan Committee, due to the timescale of the consultation period, the Council's consultation response was agreed in consultation with the Portfolio Holder for Planning before being submitted to the Parish Council.
- 2.2 The Parish Council considered all the comments it received, amended the plan and it has now requested that the Council organise formal consultation on the submission draft version to the plan and then submit it for Examination (Regulations 15, 16 and 17). This consultation has been arranged for a six-week period from **Monday 20 October to Monday 1 December 2025**. The submission version of the plan and the supporting documentation can be viewed on the Council's [website](#).
- 2.3 In overview, the neighbourhood plan policies cover the following broad areas:
- the protection of the countryside, the landscape and locally important views
  - policies to protect the heritage and ecology and biodiversity of the parish, including the designation of Local Green Spaces
  - the design of new development
  - the management of water and flood risk
  - the protection of, and support for, community facilities
  - the provision of new or improved infrastructure, including financial contributions where appropriate
  - transport, including the improvement of roadside services at Donington Park Services and nuisance parking
  - the impact of noise arising from new developments and requirements for Construction Method Statements
  - the location of new development including the allocation of around 90 homes at Hathern Road, Long Whatton (outside the existing Limits to Development) and the allocation of around 13 homes at Tea Kettle Hall, Diseworth
  - designation of new Limits to Development at Long Whatton and Diseworth
  - housing mix, affordable housing, Self-Build and Custom-Build housing and windfall development
  - policies to support the development of rural housing, the residential conversion of rural buildings, rural worker accommodation and replacement dwellings



- policies to support the retention of employment generating uses at the Harlow site at Long Whatton, employment development in the countryside, the business conversion of rural building and development to facilitate working from home

2.4 As a point of clarification:

- the proposed new Limits to Development for both Long Whatton and Diseworth are intended to replace those within the currently adopted Local Plan. The proposed boundaries take account of new development that has been permitted since the adoption of the Local Plan as well as some minor changes to reflect existing curtilages as well as incorporating the two proposed housing allocations into the Limits to Development. These changes will also be picked up by the ongoing work on the new Local Plan and the proposed changes to Limits to Development.

2.5 Officers have reviewed the submission version of the plan, taking account of the comments that were made by this Council at the previous stage. The schedule in **Appendix A** sets out those previous comments and identifies where changes have been made in response. The final column in the schedule identifies the outstanding matters which officers recommend should form the Council's response to the submission draft plan and which, in due course, will be considered by the examiner. These matters are categorised as either an 'objection' or as a 'comment':

- an **objection** is made where an aspect of the plan is considered to conflict with one of basic conditions listed in paragraph 1.2 above.
- a **comment** relates to a less fundamental aspect but which, if it were addressed, could improve the application of the plan's policies. It will be at the examiner's discretion whether they choose to take account of these points.

2.6 The Committee is invited to consider these objections and comments and, with amendments as appropriate, to agree them as the Council's response to the submission plan.

### 3. LEGAL ADVICE

3.1 Long Whatton and Diseworth Parish Council submitted the Submission Version of the Long Whatton and Diseworth Neighbourhood Plan (NP) to the District Council on 4 March 2025. Once submitted the District Council assessed the NP against a legal checklist to ensure it met the basic conditions of neighbourhood planning.

3.2 One of the legal requirements is "Does the 'Neighbourhood Development Plan' (as defined under Section 38A) include any provision relating to 'excluded development' as defined by Section 61k of the Town and Country Planning Act, 1990?". The meaning of excluded development (Part (d) of 61K) states "development that consists (whether wholly or partly) of a significant infrastructure project".

3.3 The East Midlands Gateway Phase 2 (often referred to as The Freeport) has been identified as a Nationally Significant Infrastructure Project (NSIP) and is wholly within the Long Whatton and Diseworth NP Area.

3.4 The Planning and Compulsory Purchase Act 2004, Section 38B (1)(b) states that "A neighbourhood development plan may not include provision about development that is excluded development".

3.5 The Long Whatton and Diseworth NP Policy LW+D30: Employment Development in the Countryside, specifically Criteria B, refers to landscape sensitivity and cross refers to the map in Appendix 1 of the NP which shows the landscape sensitivity of different areas (including the Freeport site).

3.6 The map in Appendix 1 identifies the Freeport site as being of medium-high sensitivity to employment development. Criteria B of Policy LW+D30 does not support employment developments containing buildings or structures higher than 7m and/or greater than 2 hectares in size within areas of medium-high sensitivity to employment development.



- 3.7 In this instance, whilst we acknowledge that the NP does not allocate a site for excluded development, it does contain a policy that would restrict/constrain the physical form of the development that is proposed as part of the Freeport.
- 3.8 Given the uncertainty as to whether the NP Policy would meet the basic conditions legal advice on the matter was sought.
- 3.9 Internal legal advice suggested that the policy was seeking to control development on the Freeport site, contrary to the intentions of section 38 despite its general application across the NP area. This legal advice was shared with the Parish Council (on 8 May 2025), and it was suggested that the Submission NP could be amended to include an exception to the application of the policy to the Freeport Site which would resolve the policy conflict.
- 3.10 The Parish Council sought their own advice which stated the following:
- "While I understand the reasoning process behind the Council's decision, I do not agree it is legally correct. My conclusion is that the Council has interpreted s.38B(1)(b) of the PCPA (and s.61K of the TCPA) too broadly.*
- The facts are particularly stark here, because it is known that a nationally significant infrastructure project will be proposed on land covered by policy LW&D30, and so it would be affected by the terms of that policy. However, the legal question is purely focussed on interpreting the policy on its own terms objectively. Objectively, it does not contain a provision about a nationally significant infrastructure project, whether wholly or partly. Thus, it is not contrary to s.38B(1)(b) of the PCPA."*
- 3.11 Given the legal advice they had received, The Parish Council requested that the NP be submitted for independent examination without further delay.
- 3.12 However, officers still had concerns in relation to the potential for NP to contravene the requirements of the legal checklist and so additional legal advice was sought. The additional legal advice requested related to the initial query, the Parish Council's response and whether it would be advisable for the NP progress as currently drafted.
- 3.13 Additional legal advice was received on 9 October 2025. The advice concluded:
- That the concerns of the District Council in relation to the condition in the Submission NP and in turn the Submission NPs compliance with the legal checklist are entirely valid.
  - That the response from the Parish Council would benefit from further explanation
  - That the Council as decision maker needs to consider the extent to which the plan fails the legal requirements, and it would be prudent for the Council to notify the Parish Council and the independent examiner as to their concerns regarding the Submission NP.
  - That the Parish Council considers amending the Submission NP to contain a 'carve-out' in relation to the application of the policy in relation to the Freeport to remove ambiguity.
- 3.14 The Parish Council were informed of the findings of the additional Legal Advice on 10 October 2025. Officers advised the Parish Council that in their view the most appropriate step would be to amend the plan to avoid the potential for conflict. On 15 October 2025 the Parish Council advised that they wished to proceed on the basis of the plan as submitted to the Council. Therefore, it is on this basis that the plan has been published for consultation.

#### **4. Next Steps**

- 4.1 Subject to the Committee's decision, the Council's response will need to be submitted for consideration as part of the Examination. Officers will be appointing an independent examiner to conduct the neighbourhood plan examination. The appointment process will be done in consultation with Long Whatton and Diseworth Parish Council.
- 4.2 At the close of the consultation, the neighbourhood plan documentation and any representations received will be sent to the examiner. Neighbourhood Plan examinations are usually undertaken by means of written representations, but the examiner could decide to hold hearings if the matters at issue are more complex. The examiner will set out conclusions on the plan in an Examiner's Report.
- 4.3 Following receipt of the independent Examiner's Report, the Council must formally decide whether to send the plan to referendum (with or without modifications proposed by the examiner or NWLDC). Regulation 17A(5) of the 2016 Regulations gives the Council five weeks from receipt of the Examiner's Report to decide whether or not to proceed with the referendum. Given the short timescale, the Strategic Director of Place, in consultation with the Portfolio Holder for Infrastructure will exercise the executive power of making this decision as delegated to them in the Constitution (Section G1 of Part 2, paragraph 11). This is allowed for in the recommendations.
- 4.4 Should the plan be sent to referendum, and residents vote in favour of the Neighbourhood Plan, then the District Council is required to 'make' (i.e. adopt) the plan within eight weeks of the referendum (Reg 18A(1) of the 2016 Regs). The decision to adopt is an executive decision. If time permits, then a report will be brought to a future meeting of this Committee first. However, in view of the timescales required to make such a decision, it is likely that this would be done by the Strategic Director of Place, in consultation with the Portfolio Holder for Infrastructure under the Scheme of Delegation.

Policies and other considerations, as appropriate	
Council Priorities:	<p>The preparation of neighbourhood plans can impact on any and all of the Council priorities:</p> <ul style="list-style-type: none"> <li>• Our communities are safe, healthy and connected</li> <li>• Local people live in high quality, affordable homes</li> <li>• Supporting businesses and helping people into local jobs</li> <li>• Developing a clean and green district</li> </ul>
Policy Considerations:	Adopted North West Leicestershire Local Plan National Planning Policy Framework.
Safeguarding:	None specific.
Equalities/Diversity:	None specific.
Customer Impact:	None specific.
Economic and Social Impact:	Neighbourhood plans in general can deliver positive economic and social impacts for local communities as part of their wider objective to achieve sustainable development. The Long Whatton and Diseworth Neighbourhood Plan specifically contains policies that will help support the local economy, local community facilities and the provision of affordable housing amongst other things.
Environment, Climate Change and zero carbon:	Neighbourhood plans can also deliver positive environmental and climate change benefits as part of their wider objective to achieve sustainable development. The Long Whatton and Diseworth Neighbourhood Plan specifically contains policies that seek to conserve biodiversity and heritage assets in the parish and will potentially enable additional EV charging points.
Consultation/Community/Tenant Engagement:	Neighbourhood plans are subject to at least two stages of public consultation.
Risks:	<p>The proposed response at Appendix A concludes that in a limited number of instances, the neighbourhood plan is considered to be in conflict with policies in the adopted Local Plan. Bringing this to the attention of the independent examiner enables them to assess these matters and to reach a reasoned conclusion.</p> <p>This will bring clarity for all users of the plan in the future.</p>
Officer Contact	<p>Ian Nelson Planning Policy and Land Charges Team Manager 01530 454677 <a href="mailto:ian.nelson@nwleicestershire.gov.uk">ian.nelson@nwleicestershire.gov.uk</a></p> <p>Emma Trilk Senior Planning Policy Officer 01530 454726 <a href="mailto:emma.trilk@nwleicestershire.gov.uk">emma.trilk@nwleicestershire.gov.uk</a></p>



## APPENDIX A: OFFICER RESPONSE TO LONG WHATTON AND DISEWORTH NEIGHBOURHOOD PLAN SUBMISSION VERSION

Reg 14 Plan: Section/Policy Number/Page Number	Reg 14 Plan: NWLDC Response	Reg 15 Plan: Section/Policy Number/Page Number and commentary	Reg 15 Plan: Objections/ Comments
Paragraph 1.6	Last sentence needs amending as the plan period of the new Local Plan is to 2040 (not 2039).	<b>Para 1.6</b> Plan period has been amended to 2040.	<b>Comment</b> The plan period for the new Local Plan now goes to 2042.
Paragraph 1.8	The NPPF was revised in September and December 2023.	<b>Para 1.8</b> The revision dates of the NPPF are detailed in para 1.8, including the update in December 2024.	None.
Paragraph 1.13	Last sentence needs amending as the plan period of the new Local Plan is to 2040 (not 2039).	<b>Para 1.13</b> Plan period has been amended to 2040.	<b>Comment</b> The plan period for the new Local Plan now goes to 2042.
Paragraph 2.13	Consider removing reference to the HS2 station at East Midlands Parkway.	<b>Para 2.13</b> Reference to the HS2 station at East Midlands Parkway has been removed.	None.
Map 2	Consider removing the now cancelled route of HS2 from the map.	<b>Map 2 (page 9)</b> The proposed route of HS2 has been removed from Map 2.	None.
Paragraph 2.17	Last sentence needs amending as the plan period of the new Local Plan is to 2040 (not 2039).	<b>Para 2.17</b> Plan period has been amended to 2040.	<b>Comment</b> The plan period for the new Local Plan now goes to 2042.
Paragraph 2.18	As part of the recent consultation on the new Local Plan the information set out in paragraph 2.18 could as set out below.	<b>Para 2.18</b>	None.

	<p>The Local Plan Review is seeking to identify land for a minimum of 5,700 dwellings. Therefore, suggest replacing 'provide for' with 'identify land for' in the following sentence:</p> <p><i>Having regard to the Leicester and Leicestershire Strategic Growth Plan, the Local Plan Review is looking to <u>identify land for</u> an additional minimum of 5,700 houses.</i></p>	Amendments have been made in accordance with these comments.	
Paragraph 2.24	<p>Last sentence needs to be reworded to remove 'to us'. Suggest the following:</p> <p><i>...the District Council invited landowners, developers and their agents to submit information about sites within the district...</i></p>	<p><b>Para 2.24</b></p> <p>The section on the Strategic Economic and Housing Land Availability Assessment (SHELAA) has been taken out of the Submission version of the NP.</p>	None.
Paragraph 2.27	Is import in the first sentence supposed to be important? Or is there a word missing before 'import'?	<p><b>Para 2.25</b></p> <p>Wording amended too 'important'.</p>	None.
Paragraph 2.31	East Midland Airport – needs an 's' on Midlands.	<p><b>Para 2.28</b></p> <p>An 's' has been added to Midland.</p>	None.
Paragraph 2.33	Need to remove 'and' after 100ha.	<p><b>Para 2.34</b></p> <p>Parts of the introductory 'Profile' section have been rewritten. This change is no longer required as the text has been amended.</p>	None.
Paragraphs 2.37 + 2.38	Consider deleting these paragraphs or adding some additional wording the reflect the government's decision to cancel the northern leg of HS2.	The section on HS2 has been removed from the Submission NP.	None.

LW&D1: Countryside (Page 21)	<p><u>Comment from the Development Management Team</u></p> <p>It may help the user of the document if the individual settlements maps showing the Limits to Development followed this policy rather than being in the housing chapter, particularly as they relate to more than just housing?</p>	Individual settlement maps are still located in the housing requirement section of the NP.	<p><b>Comment (from the Development Management Team)</b></p> <p>A more detailed plan is needed to show the extent of the limits to development for the two villages. Map 3 is at too large a scale and the line is very thick, even with a closer scale it will be difficult to accurately work out whether a site is in or outside limits or whether the boundary of the limits is the outer or inner extent of the line. This will make it difficult to properly assess applications that are close to the line of the limits to development. There may be situations where we have to approve schemes on sites that the parish council intended to be outside the limits and subject to countryside policies or refusing schemes that the parish council intended to be within the limits. This could result in appeals that are not easy to defend due to the lack of clarity with the line of the limits.</p>
Paragraph 4.14	Last sentence 'here' needs to be 'where'.	<p><b>Para 4.14</b></p> <p>Amendments have been made in accordance with these comments.</p>	None.
Paragraph 4.19	Should the second sentence refer to the 'two' previous studies not 'three'.	<b>Para 4.19</b>	None.

		The wording of this para. has been changed and no longer refers to the number of previous studies.	
Policy LW&D2: Long Whatton and Hathern Area of Separation (Page 26)	<p>Retaining the separation between settlements is a strategic matter which is covered in criterion (ii) of adopted Local Plan Policy S3 – Countryside “it does not undermine....the physical and perceived separation and undeveloped character between nearby settlements...”.</p> <p>New Local Plan Draft Policy S4 (countryside) echoes the sentiment of criterion (ii) of the adopted Local Plan. Criterion (b) of the draft policy states that “it does not undermine...the physical and perceived separation and open undeveloped character between nearby settlements...”.</p> <p>Whilst we understand the concerns around potential coalescence, Areas of Separation are usually designated between two built up areas. The proposed Area of Separation does not adjoin a built-up area to the east. Furthermore, there is no evidence that we are aware of to suggest the settlement of Hathern will extend so close to Long Whatton. As such it is unclear why there is a need for an Area of Separation in this location.</p>	This Policy has been removed from the Submission NP. The supporting text is retained which makes reference to the fragile countryside gap between Long Whatton and Hathern.	None.
LW&D2 Landscape Sensitivity (Page 28)		A new policy has been added: <b>Policy LW&amp;D2: Landscape Sensitivity (page 28).</b>	<p><b>Objection</b> Object to the inclusion of footnotes 5 and 6.</p> <p><b>Reason</b></p>



		<p>This policy requires development to be located and designed in a way that is sensitive to the open landscape, natural and historic features that characterise the Neighbourhood Area having regard to landscape sensitivity (Appendix 1).</p> <p>Supporting Para 4.24 States that large-scale employment development should be directed to the areas of lowest landscape sensitivity in accordance with Policy LW&amp;D30. Footnote 5 sets out the site size, density and maximum height requirements for residential development. Footnote 6 sets out the site size, density, developable area and maximum height of proposed employment development.</p>	<p>It is not clear how the footnotes would be applied when determining planning applications as they are not part of the policy. It is only policies that can be used to assess proposals for development.</p> <p>There is a lack of clarity and as such the Council objects to the inclusion of the footnotes.</p>
Policy LW&D3: Locally Important Views (Page 27)	<p>Appendix 1 sets out the justification for the viewpoints. Whilst paragraph 4.23 provides a short explanation of the difference between the different viewpoints it would be useful if the supporting text could provide further clarification on the difference between a representative viewpoint and a key viewpoint.</p> <p>Appendix 1 – The key for the Long Whatton Map needs amending the 'Key Viewpoint Locations'</p>	<p><b>Policy LW&amp;D3: Locally Important Views (page 28).</b></p> <p>The Policy wording has been updated so rather than a Landscape and Visual Impact Assessment (LVIA) (or similar study) being required where development would have a significant visual impact on</p>	<p><b>Objection</b></p> <p>There are a large number of Representative Viewpoints identified on Maps 4 and 5. The user would benefit from more detail about the difference between Representative and Key Viewpoints.</p> <p><b>Reason</b></p>

	<p>need re-labelling as 'Representative Viewpoint Locations' in line with the wording in the Policy and with the Diseworth Map in Appendix 1.</p>	<p>Representative Viewpoints the Policy now requires a LVIA for development that would have a significant visual impact on the Representative and Key Viewpoints.</p> <p>There is some limited explanation of the application of representative and key viewpoints in regard to the Landscape Sensitivity Study in Para 4.21. However, there is no explanation of the difference between representative and key viewpoints.</p> <p>The maps are now in Appendix 2. The Long Whatton Map has not been amended.</p>	<p>More information is needed to aid the decision maker in understanding how the viewpoints differ, which is more important, how proposals could potentially impact them and the appropriate mitigation that would be required.</p> <p>There is a lack of clarity and as such the Council objects.</p> <p><b>Appendix 2</b> The key for the Long Whatton Map needs amending; the top label for 'Key Viewpoint Locations' need re-labelling as 'Representative Viewpoint Locations' in line with the wording in the Policy and with the Diseworth Map in Appendix 2.</p>
LW&D4: Protecting Valued Landscapes (Page 27)	<p>The vulnerable landscapes identified on Maps 4 and 5 cover large areas around both settlements.</p> <p>It is unclear how the boundaries of the vulnerable landscapes have been derived from the sites that were assessed in the Long Whatton and Diseworth Landscape Study. The Landscape Study considers 4 parcels of land around Diseworth and 5 parcels around Long Whatton. The vulnerable landscapes do not seem to follow the boundaries of any of the parcels considered in the study.</p>	<p>This Policy has been removed from the Submission version.</p>	<p>None.</p>

	Maps 4 and 5 – some of the numbering for the viewpoints is obscured by the yellow dots.		
Policy LW&D5: Countryside Access (Page 29)	No comments.	<p><b>Policy renumbered to LW&amp;D4: Countryside Access (page 31).</b></p> <p>The wording of the policy has been amended from:  <i>“Development should protect Rights of Way”</i> to  <i>“Development should protect Rights of Way or reinstate or replace with enhanced provision”.</i></p>	None.
Policy LW&D6: Ecology and Biodiversity (Page 34)	<p>Having checked our records of LWS against Map 7 of the Neighbourhood Plan we can advise of the following:</p> <ul style="list-style-type: none"> <li>• It is difficult to see the extent of and label for site 90368 on Map 7.</li> <li>• Site 90368 appears to be on Map 7 and also on the Policies Map but it is not listed in Appendix 2: Local Wildlife Sites.</li> <li>• It is difficult to see the extent of and label for 90367 on Map 7.</li> <li>• Should the label for site 72850 be above the label for 73764 as site 72850 is north of site 73764.</li> </ul>	<p><b>Policy renumbered to LW&amp;D5: Ecology and Biodiversity (page 35).</b></p> <p>Map 7 has been amended where possible however, some sites are still difficult to distinguish. Although it is acknowledged that some of the LWS are very close together and as such it is difficult for them all to be shown.</p> <p>Site 90368 has also now been listed in Appendix 3: Local Wildlife Sites</p>	<p><b>Comment</b>  The inclusion of maps showing more detail would benefit the user.</p> <p>Footnote 7 (page 33) identifies that  The Local Wildlife Sites and Historic Wildlife Sites (shown on Map 7 and listed in Appendix 3) are <i>“known to have had important wildlife value in the past but have not been surveyed since 1980/90s but aerial photographs suggest that they are still present”</i>. It would be useful to clarify their current wildlife value.</p>

	<ul style="list-style-type: none"> <li>Sites or labels not visible for sites 72662, 72635, 73488, 72760.</li> <li>There is a cluster of four circles to the west of the M1, given these are so close together it is difficult to see which site the labels relate to on Map 7.</li> <li>There are a number of site labels that overlap the Neighbourhood Area boundary and are difficult to read.</li> </ul> <p>For accuracy, the Council recommends that the NP Group checks these discrepancies with the LCC Ecology team.</p> <p>It would be useful to clarify if historic Local Wildlife Sites are still designated sites. If they are no longer designated this would suggest that they are not included.</p>		
Paragraph 4.44	<p>Our data suggests there are 7 confirmed TPOs in Diseworth, 31 confirmed TPOs in Long Whatton and 1 TPO to the south of East Midlands Airport.</p> <p>A spreadsheet detailing the TPOs referred to above has been submitted alongside these comments.</p>	<p><b>Para 4.49</b> Changes have been made as suggested.</p>	None.
Policy LW&D7: Trees and Hedgerows (Page 36)	<p>Unsure how Development Management colleagues would determine whether trees or hedgerows were of 'good' arboricultural and amenity value?</p>	<p><b>Policy renumbered to LW&amp;D6: Trees and Hedgerows (page 36).</b></p> <p>Additional text has been added to the policy which replaces</p>	None.

		'good' arboricultural value with a specific standard: BS 5837 retention categories A and B.	
Policy LW&D8: Local Green Spaces (Page 37)	<p>For context, it would be useful to highlight the tests which need to be met for a piece of land to be able to be designated as Local Green Space (paragraph 102 of the NPPF) and that this is cross referenced to Appendix 3:</p> <p><i>a) in reasonably close proximity to the community it serves;</i>  <i>b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and</i>  <i>c) local in character and is not an extensive tract of land.</i></p> <p>Suggest that evidence/justification is provided to supports the various statements at Appendix 3 and how each sites meets the relevant criteria.</p> <p>Specific comments relate to sites 9, 17, 18 and 19 in Diseworth.</p> <p>Site 9 (Hallfield, Diseworth) is significant in size. Whilst there is a public footpath that runs diagonally across the area the site is larger than local in character and so we would suggest that this is an extensive tract of land contrary to the requirements set out in the NPPF.</p>	<p><b>Policy renumbered to LW&amp;D7: Local Green Spaces (page 37).</b></p> <p>Additional text has been added to para. 5.2 about the designation of Local Green Space.</p> <p>Appendix 4 (Local Green Spaces) sets out the NPPF criteria for the designation of Local Green Space.</p> <p>Appendix 4 includes a table that shows the Local Green Space assessment against the criteria in Para. 107 of the NPPF. However, not all of the NPPF criteria are included in the table. For example, criteria a) relating to the proximity of a site to the community it serves and criteria c) whether the space is local in character and not an extensive tract of land do not appear in the table. It is noted that the detailed site appraisals of each Local Green Space on the Parish Councils website do assess each site against all of the</p>	<p><b>Objection</b>  Previous comments would still apply in relation to sites 9, 17, 18 and 19. Having regard to the NPPF criteria some of the areas are more than local in character and could be considered extensive tracts of land.</p> <p><b>Reason</b>  The table in Appendix 4 only appears to assess sites against criterion b) of Para.107 of the NPPF. The sites should also be assessed against criteria a) in reasonably close proximity to the community it serves and criteria c) local in character and is not an extensive tract of land.</p> <p>It is unclear whether the sites have been assessed against all of the criteria set out in Para.107 of the NPPF.</p> <p>In relation to the newly added site (Site 21) this needs adding onto Map 9.</p> <p><b>Appendix 4</b>  Appendix 4 states that the criteria for Local Green Space are</p>

	<p>Sites 17 (Clement's Gate Crofts, Diseworth) and 18 (Clement's Gate Orchard, Diseworth) these sites individually and more so collectively represent large areas of land contrary to the criteria set out in the NPPF. In addition, neither site appears to be publicly accessible.</p> <p>Site 19 (Millenium Meadow, Diseworth) we note that this was provided by and is maintained by the Parish Council and is therefore already public open space. However, given its distance from Diseworth itself, it is questionable as to whether it meets the criteria for designation set out the NPPF paragraph 102, sub paragraph a).</p>	<p>criteria in Para. 107 of the NPPF, but this is not included in the actual NP itself.</p> <p>Sites 9, 17, 18 and 19 have been retained as a designated Local Green Space in the Submission NP.</p> <p>An additional site has been added to the list in the Policy: Site 21 Historic Verges, Diseworth. However, this site has not been added to Map 9.</p>	<p>contained in Para. 106 of the NPPF, this should be Para 107.</p>
Para 6.27	<p><u>Comments from the council's Senior Conservation Officer</u></p> <p>At paragraph 6.27 the draft neighbourhood plan records 64 listed buildings. The listed buildings are recorded in an inaccessible manner (they are arranged in order of their Historic England serial number). The record would be more accessible if it was arranged by location, thus distinguishing between listed buildings at Diseworth (23), Long Whatton (17), Whatton House (19) and further afield (5). This would reflect the distinction made between maps 10 and 11.</p>	<p><b>Para 6.27</b></p> <p>The list of Listed Building has been reordered so those in Diseworth are grouped together and then those In Long Whatton, Long Whatton House and those elsewhere within the NP area.</p>	<p>None.</p>
		<p><b>Para 6.14</b></p> <p>The word Monument needs and 's' at the end.</p>	<p><b>Comment</b></p> <p>New spelling error identified.</p>
LW&D9: Non-designated Heritage Assets	<p><u>Comments from the council's Senior Conservation Officer</u></p>	<p><b>Policy renumbered to LW&amp;D8: Non-designated Heritage Assets (page 60).</b></p>	<p>None.</p>

<p>(Page 54)</p>	<p>The neighbourhood plan records 'features of local heritage interest'. The record includes 20 buildings and 48 'known archaeological remains' taken from the County Council's historic environment record and an undetermined number of 'ridge and furrow areas'. The record also includes 'Diseworth's Crofts'. I refer to maps 12 to 15 and appendix 4.</p> <p>The District Council has adopted five lists of local heritage assets, including a list of places of worship. We said that "as a general rule nonconformist chapels built after c1870 are not suitable for inclusion on the local list". For this reason, our list of local heritage assets does not include the former Wesleyan Methodist chapel on Hall Gate (1887).</p> <p>Ridge-and-furrow may be significant "in association with settlement remains" (i.e. where the relationship between the ridge-and-furrow and the settlement may be easily demonstrated) (<a href="#">link</a>). The neighbourhood plan should select parcels of ridge-and-furrow according to this advice (hence perhaps it should select parcels of ridge-and-furrow that would correspond with the 'vulnerable landscapes' identified on maps 4 and 5).</p> <p>The extent of ridge-and-furrow indicated on map 15 appears to conflict with the extent of settlement earthworks at Diseworth (MLE4759) and Long Whatton (MLE4726ff).</p>	<p>There have been several changes to the number of, and the features listed in the Policy. There are 15 heritage assets that remain the same as those in the Pre-Submission version of the NP, 11 sites have been removed and 7 new sites added.</p> <p>In response to comments received on the Pre-Submission NP the Consultation Statement recommends that <i>"a new appendix be added to include more details of the Features of Local Heritage Interest. This will provide an opportunity to review sites for inclusion"</i>.</p> <p>It is assumed that the changes to the features listed in the policy has come about following the review of sites for inclusion.</p>	
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	<p>The record of 'known archaeological remains' includes sites that are scheduled (MLE4726ff and MLE4742), sites that are listed (MLE4740) and sites that are registered (MLE4753). MLE21362 reflects the 16 listed buildings in the Chinese Garden. MLE5936 and MLE5937 reflect the conservation areas at Diseworth and Long Whatton. MLE20698 ('Old Rectory') and MLE23383 ('Finger Farm') refer to post-medieval buildings that have been destroyed.</p> <p>MLE4543 ('Diseworth Grange') refers to an unidentified site. Fisher (2016) refers to Diseworth Grange, "an unknown property and perhaps [an] alternative name for Wartoft Grange".</p> <p>Map 9 indicates crofts at Grimes Gate (14) and Clements Gate (17). Area 14 is not an historic croft; it is outside the extent of the settlement c.1795. It may have value as a local green space, but it has no heritage value. To the immediate south of area 14, however, there is an area of authentic historic crofts that the neighbourhood plan should recognise</p>		
LW&D10: Design (Page 59)	No comment.	<b>Policy renumbered to LW&amp;D9: Design (page 63).</b>	None.
Paragraph 7.5	The end of the first sentence refers to 'all three communities' query whether this should refer to two communities i.e. Long Whatton and Diseworth.	Wording has been amended to 'both' communities.	None.
		<b>Para 7.7</b> The word 'as' needs adding between 'identified' and 'being'	<b>Comment</b> New wording amendment suggested.



		in the last sentence of the paragraph.	
LW&D11: Water Management (Page 62)	<p>Para 175 (NPPF, December 2023) requires that major developments (defined as residential development of 10 or more homes, or the site has an area of 0.5 hectares or more, whilst non-residential development is defined as additional floorspace of 1,000m<sup>2</sup> or more, or a site of 1 hectare or more) should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The NP requirement for development to incorporate SuDs where the construction area is of 100sqm is much more stringent than the NPPF requirement, unless there is any local evidence to demonstrate that such a requirement is justified.</p> <p>Draft Local Plan (Policy Ap8) requires 'all major development proposals will include Sustainable Drainage Systems (SuDS) for the management of surface water run-off unless it can be clearly demonstrated that: (a) SuDS are not technically, operationally or financially deliverable or viable and that surface water drainage issues from the development can be mitigated in an alternative way; or (b) The SuDS scheme will itself adversely affect the environment or safety and that surface water drainage issues from the development can be mitigated in an alternative way'.</p> <p>The supporting text in the Draft Local Plan acknowledges the government's intention to make SuDS mandatory for most new</p>	<p><b>Policy renumbered to LW&amp;D10: Water Management (page 68).</b></p> <p>The policy has been amended to refer to developments being 'designed' rather than built' to manage surface water sustainably.</p>	<p><b>Objection</b> The NP includes a requirement for all new development where the construction area is of 100sqm or more should incorporate SuDS.</p> <p>The NPPF was revised in December 2024 and Para.182 of the NPPF requires that SuDS, proportionate to the scale and nature of the proposal, should be incorporated by any application that could affect drainage on or around a site.</p> <p><b>Reason</b> The NP requirement for all new development where the construction area is of 100sqm or more to incorporate SuDS is not consistent with National Policy. There does not appear to be any justification for the 100sqm requirement.</p>

	<p>development in England and once SuDS become a legislative requirement there may be no need for a Local Plan policy.</p> <p>The Neighbourhood Plan needs to be consistent with the requirements of the NPPF. As currently drafted the Neighbourhood Plan Policy goes beyond national and local policy requirements.</p> <p>However, as the requirements for SuDS is dealt with at a national and local level we would query whether the policy is required at all.</p> <p>Should the first sentence of the third section refer to developments being 'designed' rather than 'built' to manage surface water sustainably?</p>		
Policy LW&D12: Retention of Community Services and Facilities (Page 68)	No comments.	<p><b>Policy renumbered to LW&amp;D11: Retention of Community Services and Facilities (page 75).</b></p> <p>No comments.</p>	None.
		<p><b>Para 8.23</b> The paragraph refers to the site allocation policy for Hathern Road, Long Whatton as Policy L22. The Policy reference should be LW&amp;D20.</p>	<p><b>Comment</b> New wording amendment suggested.</p>
LW&D13: New Long Whatton Community Centre (Page 70)	Adopted Local Plan Policy IF2 (Community and Cultural Facilities) seeks to resist the loss of key services and facilities unless an appropriate alternative is provided, or there is demonstrable evidence that the facility is no longer required	<p><b>Policy renumbered to LW&amp;D12: New Long Whatton Community Centre (page 77).</b></p>	<p><b>Comment</b> We note that the site area for the proposed community centre has been increased but the reasons for this are not clear.</p>

and/or viable and that suitable alternative community uses have been considered.

Draft Local Plan Policy IF2 (Community Facilities) supports proposals for new, extended or improved community facilities. The policy requires that for such facilities that are located in areas identified as the countryside, it must be demonstrated that the proposal will address a proven local need for the facility. The loss of a facility needs to accord with the criteria set out in the Draft Policy. Part (3) of the Draft Policy requires major residential/residential-led development to make provision for new community facilities where no facilities exist, or facilities are insufficient for the demand likely to be generated from the new development.

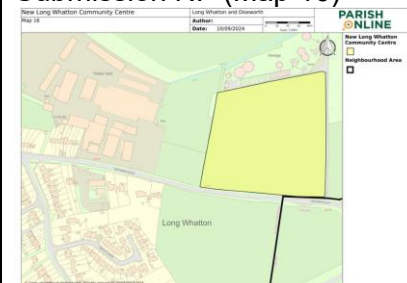
The issues with the current community centre are noted and these would support the provision of a new community centre.

The site shown on Map 16 of the Submission NP is a much larger site than shown on Map 16 of the Pre-Submission NP (as shown below).

#### Pre-Submission NP (Map 16)



#### Submission NP (Map 16)



The Submission NP does not provide any justification for the larger site area. However, the Consultation Statement includes a recommendation that: *“Map 16 be modified to show the full extent of the*

		<p><i>proposed location of the new community centre”.</i></p> <p>It is not clear why the full extent of the site for the community centre was not included in the Pre-Submission version.</p> <p>Policy LW&amp;D13 in the Pre-Submission NP included a size requirement for the community centre of a 18m x 10m hall. This size requirement has been replaced with a requirement for the design of the building to have regard to Sport England’s guidance notes on village and community halls.</p> <p>The Pre-Submission NP Policy included a requirement for the building to be located closest to the main part of the village. This requirement has been removed from the Submission NP Policy.</p>	
Policy LW&D14: Internet (Page 71)	No comments.	<p>This policy has been removed from the Submission NP. The supporting text has been retained and updated.</p>	None.

Policy LW&D15: Infrastructure (Page 71)	No comments.	<b>Policy renumbered to LW&amp;D13: Infrastructure (page 78).</b>  No comments.	None.
Paragraphs 9.5, 9.6 and 9.7 and Map 17	Query whether it is worth deleting this paragraph now that the government has announced that it will no longer proceed with the eastern leg of HS2 which would have passed through the district.	The paragraphs relating to HS2 have been taken out of the Submission NP and the route of the HS2 is no longer shown on Map 17.	None.
Policy LW&D16 Donington Park Services (Page 76)	No comments.	<b>Policy renumbered to LW&amp;D14: Donington Park Services (page 84).</b>  No comments.	None.
		<b>Para 9.10</b> An 'r' is missing from the first 'Kegworth' in the second sentence.	<b>Comment</b> New spelling error identified.
Paragraph 9.16	Remove word 'of' in first part of the first sentence.	<b>Para 9.13</b> This change has been made.	None.
Policy LW&D17: Nuisance Parking (Page 79)	No comments.	<b>Policy renumbered to LW&amp;D15: Nuisance Parking (page 86).</b>  No comments.	None
		<b>Section 9 (Transport) Active Travel (page 87).</b>	<b>Comment (From NWLDC Health and Wellbeing Team)</b> It would be beneficial for the Neighbourhood Plan to refer to NWLDC Local Cycling and Walking Infrastructure Plan (LCWIP) in the Active Travel section. The LCWIP identifies

			improvements to cycling infrastructure through Diseworth and Long Whatton – route CD-C08 of the LCWIP.
		<b>Para 9.24</b> In the fourth sentence the word ‘and’ is spelt incorrectly.	<b>Comment</b> New spelling error identified.
Policy LW&D18: Noise Impact (Page 83)	<p>Adopted Local Plan Policy D2 (Amenity) requires proposals for development to be designed to minimise their impact on the amenity and quiet enjoyment of both existing and future residents within the development and close to it.</p> <p>Development proposals will be supported where they do not generate a level of activity, noise, vibration, pollution or unpleasant odour emission, which cannot be mitigated to an appropriate standard and so, would have an adverse impact on amenity and living conditions.</p> <p>These requirements are also set out in Draft Local Plan Policy AP2 – Amenity. As such we query whether this policy is necessary.</p>	<p><b>Policy renumbered to LW&amp;D16: Noise Impact (page 90).</b></p> <p>The Policy is unchanged apart from the last sentence which has been changed from <i>“Development that is likely to reduce local quality of life as result of change to the acoustic character of the area will not be supported”</i> to <i>“Development should mitigate and reduce to a minimum potential adverse noise impacts and avoid noise giving rise to significant adverse impacts on health and the quality of life”</i> in the Submission version of the NP.</p>	<p><b>Comment</b> As the policy is largely unchanged the previous comments would still apply.</p> <p>As worded it would appear the requirement for a Noise Impact Assessment could apply to a single new dwelling or conversion and change of use, this requirement could be potentially onerous.</p> <p>The last part of the NP policy has been revised to read: <i>“Development should mitigate and reduce to a minimum potential adverse noise impacts and avoid noise giving rise to significant adverse impacts on health and the quality of life.”</i> It is queried whether this could be worded differently.</p>
Policy LW&D19: Construction	Query what the definition of minor development means – is it the same as the NPPF? It may just need some clarification in the text.	<b>Policy renumbered to LW&amp;D17: Construction</b>	<b>Comment</b> It would be beneficial to the user to clarify whether the definition of

Method Statements (Page 83)		<b>Method Statements (page 91).</b>  The policy wording has been amended from ' <i>other than for minor development</i> ' to ' <i>prior to the commencement of major development a construction method statement...</i> '	major development is the same as that set out in the NPPF.
Paragraphs 11.2 and 11.3	The redevelopment of previously developed land for housing should be within or well related to the settlement boundary. This should be reflected in the text for clarity.	<b>Para 11.3</b> This change has been made.	None.
Paragraph 11.4	Second sentence needs amending as the plan period of the new Local Plan is to 2040 (not 2039).	<b>Para 11.4</b> The change has been made.	<b>Comment</b> The plan period for the new Local Plan now goes to 2042.
Paragraph 11.5	Last sentence needs amending as the 686 dwelling per annum requirement over the equates to 13,720 over the plan period 2020-2040 (not 2021 to 2039).  Also the plan period of the new Local Plan is 2020 to 2040 (not 2021 to 2039).	<b>Para 11.5</b> The text has been amended to 2040.	<b>Comment</b> The plan period for the new Local Plan now goes to 2042.
Paragraph 11.7	Last sentence needs amending as the plan period of the new Local Plan is to 2040 (not 2039).  The reference to the potential for the new Local Plan to include a proposal for a new settlement is noted, as is the response to the questionnaire survey undertaken.	<b>Para 11.7</b> The text has been amended.	<b>Comment</b> The plan period for the new Local Plan now goes to 2042.

Paragraphs 11.7 to 11.9 New Settlement	It is not clear whether the reference at paragraph 11.7 to 30 years should be 20 years?		
Paragraph 11.11	Query whether the plan period for the NP should be 2020-2040 to align with the new LP or whether the NPs plan period is as stated (2021-2039).	<b>Para 11.9</b> The NP period has been changed to 2020-2040.	<b>Comment</b> The plan period for the new Local Plan now goes to 2042.
Paragraph 11.12	This paragraph also reference the NP's plan period to 2039 (see comment above).	<b>Para 11.10</b> The NP period has been changed to 2040.	<b>Comment</b> The plan period for the new Local Plan now goes to 2042.
Policy LW&D20: Housing Requirement (Page 87)	Query whether the NPs plan period should align with the new Local Plan's plan period?	<b>Policy renumbered to LW&amp;D18: Housing Requirement (page 94).</b>  The plan period of the NP has been changed to 2020-2040.	<b>Comment</b> The NP period has been changed to 2020-2040.
Policy LW&D21: Windfall Housing Development (Page 90) (Maps 19 and 20)	<p>It is noted that the proposed Limits to Development for both Long Whatton and Diseworth do not fully accord with the Limits to Development in the adopted Local Plan.</p> <p>The Council have undertaken a review of the Limits to Development. Public consultation on this review took place from 05 February to 17 March 2024. The proposed Limits to Development for Long Whatton and Diseworth in the Neighbourhood plan do not fully accord with the proposed Limits to Development as set out in the Local Plan consultation document.</p> <p>The differences between the NP and draft LP in Long Whatton are:</p>	<p><b>Policy renumbered to LW&amp;D19: Windfall Housing Development (page 97).</b></p> <p>NWLDC have met with the NP group and have agreed some potential changes to the Limits to Development in the new Local Plan. These changes will be included on the Local Plan Policies Map once the NP has been Made.</p>	None.



	<ul style="list-style-type: none"> <li>• Rear of No.2 West End (property curtilage included in LP not in NP).</li> <li>• All Saints Church and two large properties accessed of Mill Lane (excluded from LtD in NP).</li> <li>• Land to east of Harlow Bros Ltd (included in NP as expansion land).</li> </ul> <p>The differences between the NP and draft LP in Diseworth are:</p> <ul style="list-style-type: none"> <li>• Garden land north of nos. 9 to 15 Clements Gate (included in draft LP excluded in NP).</li> <li>• Slight difference around new housing at Avocet Close.</li> <li>• Land north of no. 9 Hall Gate (Draft LP includes more land than the NP).</li> <li>• Triangular parcel of land north of Hall Gate (include in draft LP not in NP).</li> <li>• Land rear of the Plough Inn (parcel of land included in draft LP but not in NP).</li> </ul> <p>We would welcome a meeting to discuss this matter further.</p>		
Policy LW&D22: Hathern Road, Long Whatton (Page 90)	Given that there is no housing requirement for Long Whatton or Diseworth in the adopted Local Plan, planning policy officers have provided the Parish Council with indicative housing figures. Having tested various housing growth and distribution scenarios a final figure was determined of 13 dwellings for both Long Whatton and Diseworth for the plan period.	<p><b>Policy renumbered to LW&amp;D20: Hathern Road, Long Whatton (page 97).</b></p> <p>The policy has been updated and requires the provision of 5-7 self-build plots in accordance with Policy LW&amp;D22.</p>	<p><b>Objection</b></p> <p>The Policy wording has been amended from the Pre-Submission Version. Revised policy criteria E. refers to the provision of a new community centre unless it is demonstrated that it is “<i>beyond the scope of the relevant regulations or is</i></p>

	<p>Officers welcome the Parish Council's proposal to allocate a site for housing as it represents positive planning which is based on evidence. However, the proposed site in Long Whatton is for approximately 90 dwellings which greatly exceeds the 13-dwelling requirement.</p> <p>It is noted that the Housing Allocation was further informed by a 'Call for Sites' and Site Appraisal process. The proposed allocation site appears to be a logical extension to Long Whatton.</p> <p>Although query whether it would be possible for the housing and the community centre to be provided on the same site.</p> <p>Criteria C of the Policy refers to the provision of a community centre - it is unclear if this refers to the land or the building itself. We would also query whether the size of the site is sufficient to justify a requirement to provide a community centre in terms of the CIL test. The Policy could, however, refer to the allocated housing site contributing towards a community centre.</p>	<p>The Pre-Submission NP Policy LW&amp;D 22 required (at Part C) <i>"The development shall make provision for a new community centre in accordance with Policy LW&amp;D13"</i>.</p> <p>The requirement for the provision of a community centre in the Submission NP has been moved to criteria E. which states that: <i>"The development shall make provision for a new community centre in accordance with Policy LW&amp;D12 unless this is demonstrated to be beyond the scope of the relevant regulations or is unnecessary or not viable"</i>.</p> <p>This revised policy criteria makes it possible for development to go ahead without the provision of a new community centre.</p> <p>The requirement in the Pre-Submission NP (Part E) for the development to incorporate a Local Area for Play has been removed from the policy.</p>	<p><i>unnecessary"</i>. It is unclear what regulations are being referred to or why the provision of a community centre would be deemed unnecessary when land is allocated in the NP for a new community centre and the provision of a new community centre is subject to Policy LW&amp;D12 (New Long Whatton Community Centre).</p> <p><b>Reason</b> There is a lack of clarity and as such the Council objects to the wording of Part E. of the Policy.</p>
Policy LW&D22: Hathern Road, Long Whatton	<u>Comments from the council's Senior Conservation Officer</u>	<b>Landscape Sensitivity (page 24)</b>	None.

(Page 90)	<p><b>August 2023</b></p> <p>It is proposed to develop about 90 dwellings on a 3.8ha site to the south of Hathern Road. It is proposed to develop a community centre and playing field on land to the north of Hathern Road.</p> <p>The housing site to the south of Hathern Road is the preferred option of “four housing site options at Long Whatton” (see paragraph 11.17). I do not know what other site options were considered. I do not know what selection methodology was used. I do not know whether (or to what extent) heritage considerations formed part of the selection methodology. I do not know whether other site options would have been preferable in heritage terms.</p> <p>The draft neighbourhood plan identifies key viewpoints containing “landscape and visual features important to the identities of the settlements” (see appendix 1). Key viewpoints around Diseworth are indicated on a map (see page 110), but there is no corresponding map for Long Whatton. Viewpoint VP21 is situated on Hathern Road and illustrates the “heavily treed ridgeline ... to the north”. That ridgeline forms part of the registered landscape at Whatton House.</p> <p>The draft neighbourhood plan says that “a landscape and visual impact assessment (LVIA) will be required for major developments and proposals that are likely to impact on locally important views” (appendix 1 refers to “key</p>	<p>Additional supporting text has been added Paras. 4.20 to 4.24 regarding the Parish Councils Landscape Sensitivity Study regarding how the study was undertaken.</p>	
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	<p>viewpoints”, while policy 3 refers to “locally important views”).</p> <p>The attached map indicates a line of intervisibility between the registered landscape and the housing site. The attached ‘street view’ photograph illustrates the view from the housing site toward Whatton House and its landscape (note the parkland tree to the left of the photograph). The attached photograph 103050 illustrates the view from the landscape toward the housing site (i.e. beyond the distinctive white bargeboards of 13 Mill Lane).</p> <p>The proposed housing development would be visible from the registered landscape at Whatton House. However, based on the limited information in the draft neighbourhood plan, I cannot determine the degree of harm to the landscape (e.g. I cannot determine from which parts of the landscape the proposed development would be visible).</p> <p>Considering the draft neighbourhood plan’s own advice about the need for an LVIA, the next step should be to identify a zone of theoretical visibility (ZTV) for the proposed housing development, to inform further discussion and potentially to inform the preparation of an LVIA.</p> <p>Re the proposed community centre: The draft neighbourhood plan refers obliquely to the “limited opportunities in the centre of the village”. The former Methodist chapel is established in use class F (‘local community and learning’), but</p>		
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	<p>it does not appear under policy 12 'retention of community services and facilities'. In January 2022 the parish council proposed to purchase the chapel for community use; I do not know what became of this proposal.</p> <p>Finally, considering the risk of flooding from surface water, I do not know whether (or to what extent) it would be feasible to redevelop the friendship centre as proposed at paragraph 8.22.</p> <p><b>October 2023</b> I offered supplementary advice. The draft neighbourhood plan does not reflect that advice.</p> <p><i>Some form of visual impact assessment should be carried out prior to adoption of the neighbourhood plan. If that assessment identifies an unacceptable harmful impact, then it may be necessary to consider an alternative allocation. If no assessment is made prior to adoption, then there is a risk that permission would not be granted for development of the allocated site.</i></p> <p><i>One acceptable form of visual impact assessment would be for the advisory committee to erect some form of visual markers on the allocation site (e.g. balloons or flags) and for the LPA to visit the registered landscape to assess the visibility of those markers from key viewpoints.</i></p>		
Policy LW&D23: Tea Kettle Hall, Diseworth	Given that there is no housing requirement for Long Whatton or Diseworth in the adopted Local Plan, planning policy officers have provided the	<b>Policy renumbered to LW&amp;D21: Tea Kettle Hall, Diseworth (page 99).</b>	<b>Objection</b> Previous comments still apply in relation to the site being

(Page 92)	<p>Parish Council with indicative housing figures. Having tested various housing growth and distribution scenarios a final figure was determined of 13 dwellings for both Long Whatton and Diseworth for the plan period.</p> <p>Officers welcome the Parish Council's proposal to allocate a site for housing as it represents positive planning which is based on evidence. The site at Tea Kettle Hall, Diseworth is allocated for approximately 13 dwellings which would meet the housing requirement.</p> <p>The site at Tea kettle Hall lies to the south of the settlement of Diseworth and is somewhat isolated from the rest of the settlement, with a road in between. As such it is not an ideal location for housing development, but as the site is previously developed land, it is considered that this weighs in favour of the site and so no objection is raised.</p> <p>It is noted that para 11.18 refers to the site being previously developed. However, Policy LW&amp;D23 (criteria C) refers to the site being considered as greenfield for the purposes of the affordable housing requirement. The affordable housing requirement should reflect the status of the site as previously developed land. As such, and in accordance with the affordable housing requirement in the Local Plan no affordable housing would be required unless there is local evidence to suggest otherwise.</p>	<p>Policy now includes a criterion (Part B) for the provision of 2-5 self-build plots in accordance with Policy LW&amp;D22.</p> <p>The Policy still includes (Part D) that for the purposes of affordable housing; the site shall be considered as greenfield.</p>	<p>considered as greenfield for the purposes of the affordable housing requirement. The affordable housing requirement should reflect the status of the site as previously developed land.</p> <p><b>Reason</b> There is a lack of consistency between supporting text para 11.16 which states the site is previously developed and the Policy requirement (at criteria D.) which states that the site will be considered as greenfield for the purposes of affordable housing.</p>
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<p>Policy LW&amp;D22: Self-Build and Custom-Build Housing</p>		<p><b>New Policy LW&amp;D22: Self-Build and Custom-Build Housing (page 100).</b></p> <p>This is a new policy that was not included in the Pre-Submission version of the NP.</p> <p>The adopted Local Plan does not contain a policy on self-build and custom build housing. However, the draft Local Plan does include a draft policy and the requirements set out the NP Policy (LW&amp;D22) are broadly in line with draft Local Plan Policy.</p> <p>The requirements for self and custom build housing in the draft Local Plan Policy are 5% on sites of 30 or more dwellings. As such, the NP allocation at Tea Kettle Hall (13 dwellings) would fall below the threshold proposed in the draft Local Plan policy although the policy relating to Tea Kettle Hall in the NP (LW&amp;D21) does include a requirement for 2-5 self-build plots. The NP allocation at Hathern Road, Long Whatton (90 dwellings) would be required to provide 5 (rounded) self or custom build</p>	<p><b>Objection</b></p> <p>Object to the wording of Part iv of the Policy which states that “<i>Plots can be used to discount the affordable housing (Policy LW&amp;D24) and housing mix (LW&amp;D23) requirements</i>”.</p> <p><b>Reason</b></p> <p>Whilst the supporting text sets out the demand for self-build and custom housebuilding plots and that to encourage self-build and custom housebuilding plots may be discounted against the affordable and housing mix requirements it is unclear how it would be determined as part of a planning application or which requirement (affordable housing, housing mix or self-build) would be take precedence.</p> <p>Part iv of the policy introduces a degree of uncertainty and potential conflict with the Affordable Housing and Housing Mix policies of the NP.</p>
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		<p>dwelling against the draft Local Plan policy. Policy LW&amp;D20 (Hathern Road, Long Whatton) requires the provision of 5-7 self-build plots which is in line with the draft Local Plan policy.</p> <p>The supporting text in the NP sets out the demand for self-build and custom build housing and Para. 11.23 details that to encourage self-build and custom build housing, plots <b>may</b> [emphasis added] be discounted against the affordable housing and housing mix requirements.</p> <p>Part iv of the Policy states that <i>“Plots <b>can</b> [emphasis added] be used to discount the affordable housing (Policy LW&amp;D24) and housing mix (LW&amp;D23) requirements”</i>.</p>	
		<p><b>Para 11.26</b> The link in the paragraph takes you to the Breedon on the Hill Housing Needs Assessment rather than the Long Whatton and Diseworth Housing Needs Assessment.</p>	<p><b>Comment</b> Link needs amending.</p>
Policy LW&D24: Housing Mix (Page 95)	Policy LW&D24 identifies a housing mix that developments of 10 or more dwellings should broadly reflect, unless informed by a more up to	<b>Policy renumbered to LW&amp;D23: Housing Mix (page 104).</b>	None.



	<p>date evidence of housing need. This is justified having regard to the housing profile of the Parish as well as a 2021 Housing Needs Assessment.</p> <p>This is in line with Local Plan Policy H6 which also applies to developments of 10 or more dwellings.</p>	No comment.	
Paragraph 11.34	This refers to the North West Leicestershire Core Strategy – this needs to be amended to the adopted Local Plan.	<b>Para 11.37</b> This change has been made.	None.
Policy LW&D25: Affordable Housing (Page 98)	<p>The provision of affordable housing is a strategic policy matter. The quantum/tenure of affordable housing provision therefore needs to be in accordance with the requirements of Local Plan Policy H4.</p> <p>It is proposed that the requirement for a local connection should be deleted from this policy for the following reasons; a) it does not accord with the affordable housing eligibility criteria applied by the district council's Housing team. The criteria require a connection to the district, not to the local area; and b) it is not in general conformity with NWLLP Policy H4 which includes no such local connection requirement.</p> <p>On a practical level, a consequence of a local connection requirement is that people in housing need who come from places with no/limited new development would never have their needs met. Local connection requirements can also constrain Registered Providers' ability to secure funding for new affordable housing schemes.</p>	<p><b>Policy renumbered to LW&amp;D24: Affordable Housing.</b></p> <p>LW&amp;D24: Affordable Housing The last part of the Policy has been changed from: <i>"Unless informed by more up to date evidence of local affordable housing need, 25% of affordable housing shall be rented with the remainder providing a subsidised route to home ownership (which shall include at least 25% First Homes)."</i> To: <i>"Unless informed by more up to date evidence of local affordable housing need, 80% of affordable housing shall be rented with the remainder providing a subsidised route to home ownership."</i></p>	<p><b>Objection</b> NWLDC objects to this policy for the reasons given at the pre-submission (Regulation 14) stage. The requirement for a local connection should be deleted from this policy for the following reasons; a) it does not accord with the affordable housing eligibility criteria applied by the district council's Housing team. The criteria require a connection to the district, not to the local area; and b) it is not in general conformity with NWLLP Policy H4 which includes no such local connection requirement.</p> <p>On a practical level, a consequence of a local connection requirement is that people in housing need who come from places with no/limited new development would never have</p>

	<p>A similar approach has been advocated in other Neighbourhood Plans in the district and has not been supported by Examiners. Supporting such an approach would be inconsistent.</p> <p><u>Summary of the comments made by The NWLDC Strategic Housing Team.</u></p> <p>It is the view of the Strategic Housing Team that the NP has sought to deliver a report that supports a desire to maximise delivery of affordable home ownership over investigating a full picture of affordable housing needs. Existing evidence has only been used where this supports this goal and any evidence to the contrary has been disregarded. The data sources used are in the main out of date and have been superseded (housing register, SHMA/HEDNA) and only specific elements of the findings have been included. The Strategic Housing Team have serious concerns that the findings from the NP differ completely from the evidenced need identified historically and from the HEDNA report</p> <p>The NP produced does not reflect the Councils adopted Allocation Policy or Local Plan Policies and could conflict with new policies being considered under the Local Plan refresh process. The Strategic Housing Team does not consider this report to provide a full unbiased assessment of affordable housing need in the settlements and strongly urge the LPA to indicate that this report is unacceptable in its current format.</p>	<p>The Policy still includes priority to be given to people with a local connection to the Long Whatton and Diseworth Neighbourhood Area.</p> <p>The Strategic Housing Team wish to reiterate the point previously made. This policy does not align with the affordable housing eligibility criteria applied by the Council's Housing Service and is not in general conformity with the adopted Local Plan Policy H4 which includes no such local connection requirement. Policy LW&amp;D24 would disadvantage those people in housing need coming from places with no/limited new development, as they would never have their needs met. It would also appear or comments relating to the methodology/findings of the Housing Needs Assessment have not been addressed or responded to.</p> <p>For the avoidance of doubt, these comments relate to the earlier version of the plan. However, these comments would also apply to the</p>	<p>their needs met. Local connection requirements can also constrain Registered Providers' ability to secure funding for new affordable housing schemes. This objection has been supported at other Neighbourhood Plan Examinations, including for the Blackfordby NP and Swannington NP. The examiner for the Ashby NP also concluded that the allocation of affordable housing was not a matter for a Neighbourhood Plan. The examiner considered the local connections element of the policy strayed too far beyond land use planning matters and into housing policy that is a matter for the Council. This element of the policy was recommended for removal.</p> <p><b>Reason</b></p> <p>The policy would be contrary to Local Plan Policy H4. The policy is not in general conformity with the strategic policies of the Local Plan and the NPPF. It should be noted that at paragraph 13.5 of the adopted Local Plan (2017) it is confirmed that "The policies in this Local Plan are the strategic policies that Neighbourhood Plans will be required to be in conformity with."</p>
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		Submission Version of the Neighbourhood Plan, as such the earlier comments will be submitted to the Examiner alongside the Council's response to the Submission Version of the Neighbourhood Plan. This will help provide context to this objection.	
Policy LW&D26: Rural Housing (Page 98)	The existing Local Plan and the new Local Plan are silent on the issue of subdivision of an existing residential dwelling. However, the NPPF allows for the development of isolated homes in the Countryside if the development would involve the subdivision of an existing residential dwelling.	<b>Policy renumbered to LW&amp;D25: Rural Housing.</b>  The draft wording for new Local Plan Policy S4 (Countryside) has been amended and supports the subdivision of existing dwellings. This revised wording has been agreed at Local Plan Committee for inclusion in the Regulation 19 version of the Local Plan.	None.
Policy LW&D27: Residential Conversion of Rural Buildings (Page 100)	Query is raised over the application of this policy. For example, would the residential conversion of a rural building not be supported if a building is not of architectural and historic interest. This approach would be odds with national and local policy.	<b>Policy renumbered to LW&amp;D26: Residential Conversion of Rural Buildings.</b>  The requirement for the building to be of architectural and historical interest has been removed from the policy.	None.
Policy LW&D28: Rural Worker Accommodation (Page 101)	In line with the policy in the new Local Plan.	<b>Policy renumbered to LW&amp;D27: Rural Working Accommodation.</b>	None.

Policy LW&D29: Replacement Dwellings (Page 102)	<p>Are we correct in our understanding that the prevention of the loss of 2 or 3 bedroom accommodation is linked to the local housing profile.</p> <p>We appreciate the desire to resist the loss of a 2- or 3-bedroom property, but such properties could still be lost through an extension to an existing 2 or 3 bedroom property, so will the policy achieve its objective? In addition, if Criteria C is complied with, how likely is it that the new build would have more bedrooms than was previously the case?</p>	<p><b>Policy renumbered to LW&amp;D28: Replacement Dwellings.</b></p> <p>The policy is unchanged.</p>	<p><b>Comment</b></p> <p>As the policy is unchanged the previous comments regarding the effectiveness of this policy would apply.</p>
Paragraph 12.3	First sentence consider deleting 'lie' to ensure the sentence makes sense.	<p><b>Para 12.3</b></p> <p>The word 'lie' has been removed from the first sentence of this paragraph.</p>	None.
Paragraph 12.7	Consider deleting the word 'any' from the second sentence to ensure the sentence makes sense.	<p><b>Para 12.7</b></p> <p>This change has been made.</p>	None.
Policy LW&D30: Harlow (Page 107)	<p>Neither the supporting text nor the policy make reference to the additional land that has been included to the east of the current Harlow site to allow the business to expand.</p> <p>It is unclear whether the policy relates to Harlow expanding or whether any other local business could use the site. The policy needs to be clearer as to whether the additional land is for use by Harlow or whether another business could use the site. Is there any local need for additional employment land?</p> <p>Query whether there should in fact be 2 separate policies - one relating to the retention of existing</p>	<p><b>Policy renumbered to LW&amp;D29; Harlow.</b></p> <p>The Policy in the Submission NP has been amended and includes a limit for small-scale B8 units up to 9,000sqm. There was no size limit set out in the Policy in the Pre-Submission version.</p> <p>Policy wording has been amended from <i>'Proposals for the extension of business activities will be supported</i></p>	<p><b>Objection</b></p> <p>Object to the inclusion of land to the east of the Harlow site being included in the Limits to Development as shown on Map 19 (Long Whatton Limits to Development) and Map 21 (Harlow).</p> <p><b>Reason</b></p> <p>The only justification for the land to the east of Harlow being included within the Limits to Development appears to be supporting text in para.12.8 that</p>

	<p>site and its use and an additional policy that refers to the new site/additional land extension of the existing site.</p>	<p><i>where...</i> to <i>'Proposals for the intensification of existing business activities within the site will be supported where...'</i>.</p> <p>The Policy wording is clearer as it refers to the intensification of existing business activities on the site. Although it is still considered that it would be clearer if there were 2 separate policies as per our previous comments.</p>	<p>states that as part of the 2021 questionnaire survey 56% of respondents were prepared to support small-scale extensions to the business (Harlow).</p> <p>Planning permission (15/00575/FULM) has been previously granted to extend the site into land to the east and the two pre-commencement conditions which needed to be discharged before development commenced (nos. 11 – construction traffic management plan and 17 – surface water drainage scheme) were discharged on the 18<sup>th</sup> September 2018.</p> <p>An enforcement investigation, under reference E/20/00235/UDNDOM, established that part of the access had been formed to 'implement' the planning permission granted under application reference 15/00575/FULM. However, by June 2023 these works appear to have been 'reassimilated' into the natural environment</p> <p>On this basis it is unclear whether the planning permission granted under 15/00575/FULM has been</p>
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			<p>'lawfully' implemented and the Development Management Team at NWLDC advise that it would be for the applicant to demonstrate that it had by the submission of a Certificate of Lawfulness application.</p> <p>Part of the site (adjoining Hathern Road) has been extended eastwards and the Development Management team advise that this would not be in compliance with the planning permission granted under 15/00575/FULM as such these works would not result in the planning permission being implemented. Based on Google Earth Pro maps such works became established between 2019 and 2021 so would appear to be unauthorised.</p> <p>In view of the above there is insufficient justification in the NP for land to the east of the Harlow site to be included within the Limits to Development.</p>
		<p><b>Para 12.11</b> This paragraph refers to landscape sensitivity and the first sentence refers to criterion c of Policy LW&amp;D30. However, criterion c of the Policy is</p>	<p><b>Comment</b> Amend the reference to criterion c of the Policy to criterion b.</p>

		concerned with Public Rights of Way. The reference in the paragraph should be to criterion b of Policy LW&D30.	
Policy LW&D31: Employment Development in the Countryside (Page 108)	In terms of criteria c of the policy would it be worth adding a reference to maps 4 and 5 that show the Vulnerable Landscapes.	<p><b>Policy has been renumbered to LW&amp;D30: Employment Development in the Countryside.</b></p> <p>The Planning and Compulsory Purchase Act 2004, Section 38B (1) (b) states that “A <i>neighbourhood development plan may not include development that is excluded development</i>”. The test that is used to determine this criteria states: Does the ‘Neighbourhood Development Plan’ (as defined under Section 38A) include any provision relating to ‘excluded development’ as defined by Section 61k of the Town and Country Planning Act, 1990?</p> <p>The Town and Country Planning Act 1990 61K sets out the meaning of excluded development for the purposes of 61J. Part (d) of 61K states that “development that consists (whether wholly or partly) of a significant infrastructure project</p>	<p><b>Objection</b></p> <p>Whilst the Long Whatton and Diseworth Neighbourhood Plan does not allocate a site for excluded development it does contain a policy (LW&amp;D30: Employment Development in the Countryside) that would restrict/constrain the physical form of the Freeport which is a Nationally Significant Infrastructure Project (excluded development) that is wholly within the Neighbourhood Plan area.</p> <p><b>Reason</b></p> <p>The inclusion of the criteria B. in Policy LW&amp;D30 is contrary to The Planning and Compulsory Purchase Act 2004, Section 38B (1)(b).</p>

		<p>(within the meaning of the Planning Act 2008).</p> <p>The Freeport site is wholly within the Long Whatton and Diseworth Neighbourhood Plan (NP) Area and has been identified as being an NSIP – referred to as East Midlands Gateway Phase 2 <a href="#">East Midlands Gateway Phase 2 - Project information</a> (often referred to as The Freeport).</p> <p>The policy in the NP on 'Employment Development in the Countryside' has been amended between the Pre-Submission Version and the Submission Version. This is partly due to landscape evidence that has been produced between the two versions of the NP. The policy in the Submission NP (specifically criteria B) seeks to direct development away from areas of higher and medium-high sensitivity to employment development (the Freeport site is within an area identified as medium-high sensitivity).</p>	
Policy LW&D32: Business	No comment	<b>Policy renumbered to LW&amp;D31: Business</b>	None.



Conversion of Rural Buildings (Page 109)		<b>Conversion of Rural Buildings.</b>  Policy wording unchanged.	
Policy LW&D33: Working from Home (Page 110)	No comment	<b>Policy renumbered to LW&amp;D32: Working from Home.</b>  Policy wording unchanged.	None.

### Long Whatton and Diseworth Neighbourhood Plan Design Code 2023

Plan Section/Policy Number (Page Number in Brackets)	Officer Response	Comments on the Long Whatton and Diseworth Neighbourhood Plan Design Code 2024
Page 12 Para 2.1	Design code refers to the 'North West Leicestershire District Council Local Plan 2011-2031 (Adopted November 2017)'  It should be the 'North West Leicestershire Local Plan (as amended by the Partial Review) adopted March 2021'	This change has been made.
Section 7 Page 66	First sentence refers to Breedon on the Hill Neighbourhood Plan – this needs changing to Long Whatton and Diseworth Neighbourhood Plan.	This change has been made.

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Title of Report		Local Plan – Potential Area of Separation, Diseworth	
Presented by		Ian Nelson Planning Policy and Land Charges Team Manager	
Background Papers		Diseworth Separation Study <a href="#">New Local Plan - Evidence Base - North West Leicestershire District Council</a>	Public Report: Yes
			Key Decision: No
Financial Implications		The Diseworth Separation Study has been paid for from existing budgets.	
		Signed off by the Section 151 Officer: Yes	
Legal Implications		The Local Plan must be based on robust and up to date evidence.	
		Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications		No staffing implications associated with the specific content of this report.	
		Signed off by the Head of Paid Service: Yes	
Purpose of Report		The purpose of this report is to consider whether an Area of Separation or similar be identified at Diseworth as part of the new Local Plan.	
Recommendations		<b>THAT AN AREA OF SEPARATION AT DISEWORTH NOT BE IDENTIFIED AS PART OF THE LOCAL PLAN</b>	

## 1. BACKGROUND

- 1.1 As members will be aware as part of the emerging Local Plan it is proposed to identify land for a new settlement to the south of Isley Walton and the A453. In addition, land to the south-west of J23a of the M1 is the subject of an application to the Planning Inspectorate for large scale employment, referred to as “the Freeport”.
- 1.2 Lying in between these two areas is the village of Diseworth. Officers met with representatives of the Parish Council in August 2024 to discuss the Parish Council’s concerns regarding the scale of the two proposals and in particular the potential impact arising from the new settlement upon the village and whether there was a way to protect Diseworth from any further development in the future.
- 1.3 Following this meeting officers commissioned a study from the consultants who undertook the Area of Separation study between Coalville and Whitwick. They were asked to consider whether there was any merit in considering the designation of an Area of Separation or similar policy approach. The study can be viewed from the links above.
- 1.4 Elsewhere on this agenda consideration is given to the Long Whatton and Diseworth Neighbourhood Plan. At paragraph 4.30 of the Neighbourhood Plan it is stated that “If the proposed new settlement is taken forward, the Parish Council will try to ensure that an area of separation between Diseworth and the new settlement is addressed by the emerging Local Plan”

## 2 THE STUDY

### 2.1 The study is split into seven sections:

- Section 1 provides a general introduction to Diseworth and proposals included in the emerging Local Plan and the purpose of the commission.
- Section 2 outlines the outcome from various landscape assessments from national to countywide.
- Section 3 sets out some general considerations
- Section 4 outlines the methodology used to assess the landscape around Diseworth.
- Section 5 provides an overview of the 'candidate' Area of Separation.
- Section 6 provides a detailed assessment of the land around Diseworth which are divided into different parcels (referred to as units).
- Section 7 sets out a summary of the contribution to separation of the different parcels.

### 2.2 The study identifies nine parcels to the north, south and west of Diseworth and identifies the contribution they make to separation as being primary, secondary or tertiary. Figure 09 of Appendix 01 of the study on page 10 shows the results.

### 2.3 Only one parcel (parcel B) is identified as making a primary contribution, whilst five are identified as making a secondary contribution and three are identified as being of tertiary importance.

### 2.4 Section 3 of the report considers the following specific questions:

- Is a separation policy justified?
- Would a separation policy be effective?
- Is a separation policy too restrictive?
- Would a Separation Area be effective in this case?

### 2.5 Section 3.6 of the report considers the questions outlined above in coming to a recommendation. The report notes that the issue of separation is currently explicitly addressed in proposed policy S3 (Countryside) where it is specifically stated that development will only be supported where:

*"it does not undermine, either individually or cumulatively with existing or proposed development, the physical and perceived separation and open undeveloped character"*

### 2.6 The report goes on to state (Paragraph 3.6.2) that:

*"This policy wording [as referred to above] ensures that the issue of separation would be taken into consideration in future planning decisions. It is therefore difficult to envisage what greater protection a specific separation policy could provide."*

### 2.7 At paragraph 3.6.5 the report recommends that:

*"NWLDC continues to rely on the provisions of the existing countryside policy(S3)"*

## 3 SHOULD THE PLAN INCLUDE AN AREA OF SEPARATION?

### 3.1 Notwithstanding the recommendation in the study, it is still open to the Council to identify an Area of Separation at Diseworth. Officers are of the view that if an Area of Separation was to be identified then it is considered that it should be restricted to parcel B which is identified as being of primary importance as it encompasses the narrowest section of open land between Diseworth and the new settlement.

### 3.2 As members will be aware an Area of Separation is currently identified in respect of the open and undeveloped land between Coalville and Whitwick. That area is very different to that around Diseworth as the open areas are surrounded by built development. The land

between Diseworth and the proposed new settlement is very different as it is open and undeveloped. Whilst accepting that the new settlement will change this to some degree, it is considered that a countryside designation remains appropriate. As set out in the study, the issue of separation would still be a legitimate consideration under proposed policy S3 in the event of any planning application being submitted on the land covered by the study. As such, identifying an Area of Separation would not add anything to the proposed policy in respect of countryside.

- 3.3 In the event that any of the land considered in the study is the subject of a planning application, then not only would separation be an important consideration under proposed policy S3, but the study would provide useful evidence to resist development that was considered to undermine the separation of Diseworth from the new settlement.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	- Planning and Regeneration
Policy Considerations:	None
Safeguarding:	No issues identified
Equalities/Diversity:	No issues identified
Customer Impact:	No issues identified
Economic and Social Impact:	None specifically identified
Environment and Climate Change:	The decision, of itself, will have no specific impact. The new Local Plan as a whole will aim to deliver positive environmental and climate change impacts and these will be recorded through the Sustainability Appraisal.
Consultation/Community Engagement:	None
Risks:	<p>If an Area of Separation was to be identified this could be challenged at Examination. It is considered that if such a challenge was successful then it would be unlikely to result in the plan being considered as not sound.</p> <p>Including an Area of Separation at Diseworth could result in requests for other Areas of Separation elsewhere in the district. This would result in resources being redirected from other areas of work, which could impact upon the ability to submit the plan by December 2026.</p>
Officer Contact	Ian Nelson Planning Policy and Land Charges Team Manager 01530 454677 <a href="mailto:ian.nelson@nwleicestershire.gov.uk">ian.nelson@nwleicestershire.gov.uk</a>

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