

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LOCAL PLAN COMMITTEE – WEDNESDAY 29 JANUARY 2025



<b>Title of Report</b>	<b>LOCAL PLAN - LIMITS TO DEVELOPMENT: CONSIDERATION OF RESPONSES TO CONSULTATION</b>	
<b>Presented by</b>	Sarah Lee Principal Planning Policy Officer	
<b>Background Papers</b>	<p><a href="#">National Planning Policy Framework (December 2024)</a></p> <p><a href="#">Local Plan Committee 15 November 2023: New Local Plan – Limits to Development</a></p> <p><a href="#">Proposed Limits to Development consultation document</a> (January 2024)</p> <p><a href="#">Draft Local Plan Consultation (February-March 2024)</a> for representations received.</p>	<b>Public Report:</b> Yes
<b>Financial Implications</b>	Nothing specific arising from the report recommendations. The cost of the preparation of the Local Plan is met from existing budgets. <b>Signed off by the Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires the Council to take into account the representations it receives as it prepares the Local Plan. <b>Signed off by the Monitoring Officer:</b> Yes	
<b>Staffing and Corporate Implications</b>	No staffing implications 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>	The report summarises and responds to the issues raised in the Regulation 18 consultation responses with respect to Limits to Development and proposed changes in response.	
<b>Recommendations</b>	<b>THAT LOCAL PLAN COMMITTEE AGREES THE PROPOSED LIMIT TO DEVELOPMENT CHANGES REFERENCED A TO K IN APPENDIX B TO BE INCLUDED IN THE REGULATION 19 VERSION OF THE LOCAL PLAN</b>	

## 1.0 INTRODUCTION

- 1.1 This report deals with Limits to Development (LtD) which are a commonplace planning policy tool used to distinguish between built up areas and ‘the countryside’ in planning terms. Broadly speaking the LtD define where development will be acceptable in principle and, in the reverse, where development should be more restricted and limited to specific circumstances. They do not, of themselves, decide whether planning permission should be granted. Planning applications will need to comply with national planning policy and other relevant Development Plan policies, including on matters of detail.
- 1.2 The adopted Local Plan includes LtD around the following categories of settlement:
- Principal Town
  - Key Service Centres
  - Local Service Centres
  - Sustainable Villages
- 1.3 It is important to review the LtD in the adopted Local Plan to ensure they are up to date and to identify where revisions are required for example to reflect planning permissions granted and/or development that has occurred in the intervening years.

## 2.0 BACKGROUND

- 2.1 A review of the LtD was considered by Local Plan Committee at its meeting on [15 November 2023](#). The Committee agreed a number of proposed changes to the LtD in the adopted Local Plan for Regulation 18 public consultation and this took place in February to March 2024. In addition to listing the proposed changes and illustrating them on plans, the [Proposed Limits to Development consultation document](#) (January 2024) set out the methodology that was followed to ensure that the LtD are defined on a consistent and transparent basis.
- 2.2 Where the LtD have been redrawn to include a proposed housing/employment site allocation, this is **not** recorded separately as a LtD change in the consultation document.

## 3.0 CONSULTATION RESPONSES

- 3.1 There were 64 representations to the LtD consultation of three broad types.

Type	Number
Comments on the methodology/overall approach	3
Responses to specific LtD proposed changes	50
Requests for additional changes to LtD	11

- 3.2 The schedule in Appendix A summarises and considers each representation. The representations concerned with the overall approach are dealt with first, then those about the LtD changes in the Regulation 18 consultation document and finally those seeking additional LtD changes. Where an amendment is recommended in response to a representation, this is shown as an ‘Action’ in bold in the final column of the schedule.
- 3.3 Some respondents who commented on a proposed site allocation also made linked representations about the site’s inclusion within the LtD. In such cases, the issues raised have been considered in connection with the relevant site allocation (see Item 5 on this

agenda 'Local Plan - Proposed Housing Allocations in the Key Service Centres, Local Service Centres and Sustainable Villages' and Items 5 and 6 on the [16 December 2024](#) agenda) and are not revisited as part of this report.

3.4 In summary, the changes recommended in response to the Regulation 18 representations are as follows:

- Include a section to the Local Plan's supporting text to explain the purpose of Limits to Development.
- Exclude land previously proposed to be allocated as part of site EMP24 – Land to the east of Midland Road Ellistown and present the LtD in the wider Hugglescote/Ellistown area more clearly.
- Exclude the amenity land to the north of Middleton Close and Pickering Drive, Blackfordby (application 17/01556/REMM) from the LtD.
- Do not take forward LtD/LW/03 and exclude land at Harlow Bros Ltd, Hathern Road from the LtD.
- Amend the LtD to the west of Butt Lane in the Blackfordby/Woodville area to exclude an area to the rear of The Bungalow
- Include land at Millhouse Estate, Thringstone and properties fronting Lily Bank in the LtD
- Amend the LtD to include the buildings at the western edge of the Bardon Hill Quarry site, Coalville.
- Amend the LtD to include land and buildings at New Field Road, Moira

3.5 In addition to these suggested changes, there are some additional matters to consider:

- What should happen to the LtD in situations where a proposed site allocation is not being progressed?
- How should the new Local Plan deal with changes to LtD in 'made' Neighbourhood Plans?
- Should the LtD include or exclude amenity land (public open space, swales, soakaways etc) at the edge of new developments?

3.6 **Removed site allocations.** At its December 2024 meeting, the Committee agreed **not** to carry forward the proposed site allocations at Land at Church View, Grange Road, Hugglescote (C61) and Land at 186, 188 & 190 London Road Coalville (C83). Similarly, Item 5 on this agenda recommends that Land at Old End and 40 Measham Road, Appleby Magna (Ap15 & Ap17) is **not** carried forward into the Regulation 19 Plan.

3.7 It is necessary to consider whether to amend the LtD in these locations in response to these decisions. This is done in the table below.

Site	Consideration	Recommendation
Land at Church View, Grange Road, Hugglescote (C61)	This site is in the built-up area and is within the LtD in the adopted Local Plan. There is no need to change the LtD in response to the decision not to carry forward the site allocation.	No change.
Land at 186, 188 & 190 London Road Coalville (C83)	This site is in the built-up area and is within the LtD in the adopted Local Plan. There is no need to change the LtD in response to the decision not to carry forward the site allocation.	No change
Land at Old End and 40 Measham	If it is agreed to delete this allocation (Item 5 on this agenda), it is	No change

Road, Appleby Magna (Ap15 & Ap17)	recommended that the land continue to be included within the LtD. Ap15 and Ap17 have been considered as part of the site assessment work and this concluded that they are suitable for residential development. However, due to issues relating to their deliverability as a comprehensive development and the subsequent capacity of each individual site, they are no longer being recommended for allocation. The land has a strong visual relationship with the village, emphasised by the fact there is an existing dwelling on part of the land, and it does not appear as a substantial tract of open countryside (methodology point 5) with residential development immediately to both the north and the south. Including the land within the LtD would create a logical boundary (methodology point 4) and would connect development to the north and south within a continuous LtD (methodology point 7). Furthermore, by virtue of the site assessment work done, the principle of development on these sites is considered acceptable.	
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- 3.8 **Neighbourhood Plans.** The Lockington and Hemington Neighbourhood Plan was made on 19 February 2024 i.e. after the Regulation 18 draft Local Plan was published for consultation. However, as this Neighbourhood Plan does not include LtD, no further changes to the new Local Plan are required.
- 3.9 Other Neighbourhood Plans are in progress but are not yet ‘made’. Should a Plan or Plans be approved at Referendum before the Regulation 19 Local Plan is agreed by the Council, any resulting changes to the LtD can be reflected in the Regulation 19 Plan. This includes the Breedon on the Hill Neighbourhood Plan which has recently been examined and will be subject to a Referendum in due course.
- 3.10 **Amenity Land.** Amenity land including areas for Sustainable Drainage Systems (SuDS) is often located at the edge of new housing developments. The LtD methodology indicates that peripheral areas such as playing fields, environmental space etc should normally be excluded for the LtD [methodology item 9]. Prompted by the consultation responses to the proposed LtD change at Blackfordby reference LtD/BI/01 where the recommendation is now to exclude the amenity land north of Middleton Close and Pickering Drive from the LtD (see paragraph 3.4 above), officers have reviewed the LtD in other cases where the amenity land linked to a new development is situated at the **edge of a settlement**. These cases and recommendations are set out in the table below.

Location	Reg 18 consultation (February 2024)	Recommendation (January 2025)
Amenity land at Priory Close, Breedon	Outside LtD	No change

<b>Location</b>	<b>Reg 18 consultation (February 2024)</b>	<b>Recommendation (January 2025)</b>
(18/02198/FUL and 20/01920/FUL)		
Amenity land at Steeple View Lane, Appleby Magna (13/00797/FULM)	Included in LtD as part of LtD/AM/01	Exclude amenity land and attenuation basin from the LtD (see Map I in Appendix B)
Amenity land at Gadsby Road, Heather (17/01285/REMM)	Included in LtD as part of LtD/H/02	Exclude amenity land and attenuation basin from the LtD (see Map J Appendix B)
Amenity land to the west of Betty's Way and Dusty's Drive, off Heather Lane, Ravenstone (19/01581/REMM)	Included in LtD as part of LtD/Rav/04	Exclude play area and balancing pond from the LtD (see Map K in Appendix B).

- 3.11 For ease all the LtD changes recommended in this report are collated together in Appendix B. Appendix B therefore comprises a) the changes recommended in response to the Regulation 18 representations; b) changes resulting from site allocation changes; and c) changes to exclude amenity land from the LtD. Appendix B also includes maps to illustrate the proposed changes.
- 3.12 The Committee is asked to agree the changes set out in Appendix B for inclusion in the Regulation 19 version of the new Local Plan. The updated versions of the Policies and Inset maps prepared at Regulation 19 stage will have the same content as agreed here although the visual presentation of the LtD (e.g. colour, line thickness etc.) may be different.

<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:	Reporting the consultation responses received helps demonstrate how the feedback is being taken into account
Economic and Social 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 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 and further consultation will be undertaken at Regulation 19 stage.
Risks:	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.
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