

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL
LOCAL PLAN COMMITTEE – WEDNESDAY 11 JUNE 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 18 October 2023 Draft Local Plan – Policies</p> <p>Draft North West Leicestershire Local Plan 2020 - 2040 Proposed Policies for Consultation (January 2024)</p> <p>Report to Local Plan Committee 22 May 2024 Local Plan Regulation 18 Consultation</p> <p>Report to Local Plan Committee 14 August 2024 New Local Plan – Strategy Policies: Consultation Responses</p> <p>Draft Sustainability Appraisal of Policies (May 2025)</p> <p>National Planning Policy Framework</p> <p>Local Development Scheme (February 2025)</p>	<p>Public Report: Yes</p>

Financial Implications	The cost of the Local Plan Review is met through existing budgets which are monitored on an ongoing basis.
	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 are associated with the specific content of this report. Links with the Council's Priorities are set out at the end of the report.
	Signed off by the Head of Paid Service: Yes
Purpose of Report	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.
Recommendations	<p>THAT THE LOCAL PLAN COMMITTEE:</p> <ol style="list-style-type: none"> 1. NOTES THE COMMENTS RECEIVED IN RESPECT OF THE DRAFT POLICIES. 2. AGREES THE FOLLOWING POLICIES FROM THE DRAFT LOCAL PLAN PROPOSED POLICIES FOR CONSULTATION DOCUMENT (JANUARY 2024) FOR INCLUSION IN THE REGULATION 19 PLAN, SUBJECT TO THE FINDINGS OF WHOLE PLAN VIABILITY ASSESSMENT: <ol style="list-style-type: none"> (I) POLICY EC10 (EAST MIDLANDS AIRPORT: PUBLIC SAFETY ZONES); (II) POLICY IF7 (ASHBY CANAL); (III) POLICY EN4 (CHARNWOOD FOREST REGIONAL PARK) 3. AGREES THE FOLLOWING POLICIES AS AMENDED IN APPENDIX F FOR INCLUSION IN THE REGULATION 19 PLAN, SUBJECT TO THE FINDINGS OF WHOLE PLAN VIABILITY ASSESSMENT: <ol style="list-style-type: none"> (I) POLICY H6 (RURAL EXCEPTION SITES); (II) POLICY H7 (SELF BUILD AND CUSTOM HOUSEBUILDING); (III) POLICY H10 (SPACE STANDARDS); (IV) POLICY H11 (ACCESSIBLE, ADAPTABLE AND WHEELCHAIR USER HOMES); (V) POLICY EC4 (EMPLOYMENT USES ON UNIDENTIFIED SITES);

	<p>(VI) POLICY EC5 (EXISTING EMPLOYMENT AREAS);</p> <p>(VII) POLICY EC6 (START UP WORKSPACE);</p> <p>(VIII) POLICY EC7 (LOCAL EMPLOYMENT OPPORTUNITIES);</p> <p>(IX) POLICY EC8 (EAST MIDLANDS AIRPORT);</p> <p>(X) POLICY EC9 (EAST MIDLANDS AIRPORT: SAFEGUARDING);</p> <p>(XI) POLICY EC11 (DONINGTON PARK CIRCUIT);</p> <p>(XII) POLICY EC12 (RETITLED TO: TOURIST ATTRACTIONS AND VISITOR ACCOMMODATION);</p> <p>(XIII) POLICY TC1 (TOWN AND LOCAL CENTRES: HIERARCHY AND MANAGEMENT OF DEVELOPMENT);</p> <p>(XIV) POLICY TC2 (HOT FOOD TAKEAWAY USES);</p> <p>(XV) POLICY IF2 (COMMUNITY FACILITIES);</p> <p>(XVI) POLICY IF6 (RETITLED TO: REOPENING OF PASSENGER RAIL SERVICES);</p> <p>(XVII) POLICY IF8 (PARKING AND NEW DEVELOPMENT);</p> <p>(XVIII) POLICY EN2 (RIVER MEASE SPECIAL AREA OF CONSERVATION);</p> <p>(XIX) POLICY EN3 (THE NATIONAL FOREST);</p> <p>(XX) POLICY EN6 (LAND AND AIR QUALITY);</p> <p>(XXI) POLICY EN7 (CONSERVATION AND ENHANCEMENT OF THE HISTORIC ENVIRONMENT).</p>
	<p>4. AGREES THE POLICY MAP CHANGES FROM APPENDIX A OF THE DRAFT LOCAL PLAN PROPOSED POLICIES FOR CONSULTATION DOCUMENT (JANUARY 2024), EXCLUDING EAST MIDLANDS GATEWAY EXISTING EMPLOYMENT AREA, FOR INCLUSION IN THE REGULATION 19 VERSION OF THE LOCAL PLAN</p>
	<p>5. AGREES THE POLICY MAP CHANGES LISTED IN PARAGRAPH 8.3 AND SHOWN IN APPENDIX G FOR INCLUSION IN THE REGULATION 19 VERSION OF THE LOCAL PLAN</p>

1 INTRODUCTION

1.1 At its meeting on [18 October 2023](#), Local Plan Committee agreed a set of draft Local Plan policies for 'Regulation 18' consultation. The public consultation, which also included proposed site allocations and changes to the Limits to Development, ran between 5 February and 17 March 2024. Over the subsequent months the Committee has considered a series of reports dealing with the responses received.

- **22 May 2024.** Overview of the number of responses and the types of respondents.
- **14 August 2024.** Consideration of the representations to Strategy Policies S1-S5 and the Plan's Objectives.
- **16 December 2024.** Consideration of the representations relating to the proposed new settlement at Isley Woodhouse, housing allocations in the Coalville Urban Area and employment site allocations.
- **29 January 2025.** Consideration of the representations to the Limits to Development.
- **11 March 2025.** Consideration of the representations to the proposed housing allocations in the Key Service Centres, Local Service Centres and Sustainable Villages

1.2 This report is concerned with a number of the development management-style policies which have not been reported previously. The policies and the number of responses each received are listed below.

Table 1 – Policies included in this report

	No. of responses
Chapter 6 - Housing	
Policy H6 – Rural Exceptions Sites	6
Policy H7 – Self-build and Custom Housebuilding	70
Policy H10 - Space Standards	23
Policy H11 – Accessible, Adaptable and Wheelchair User Homes	26
Chapter 7 - The Economy	
Policy Ec4 – Employment Uses on Unidentified Sites	15
Policy Ec5 – Existing Employment Areas	12
Policy Ec6 – Start-up Workspace	7
Policy Ec7 - Local Employment Opportunities	7
Policy Ec8 - East Midlands Airport	11
Policy Ec9 - East Midlands Airport: Safeguarding	6
Policy Ec10 - East Midlands Airport: Public Safety Zones	10
Policy Ec11 – Donington Park Circuit	5
Policy Ec12 – Tourism and Visitor Accommodation	8
Chapter 8 - Town and Local Centres	
Policy TC1 - Town and Local Centres: Hierarchy and Management of Development	8
Policy TC2 - Hot Food Takeaway Uses	3

Chapter 9 - Infrastructure and Facilities	
Policy IF2 – Community Facilities	12
Policy IF6 – Leicester to Burton Rail Line	7
Policy IF7 – Ashby Canal	9
Policy IF8 – Parking and New Development	9
Chapter 10 - Environment	
Policy En2 – River Mease Special Area of Conservation	18
Policy En3 – The National Forest	14
Policy En4 – Charnwood Forest Regional Park	4
Policy En6 – Land and Air Quality	13
Policy En7 – Conservation and Enhancement of the Historic Environment	11

- 1.3 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 section of this report.
- 1.4 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.
- 1.5 More widely, the Government intends to consult on new national development management policies sometime this year. These national policies would cover planning considerations that regularly apply in decision-making with the aim of simplifying and regularising the approach to common planning matters. It would remove the need to cover such issues in Local Plans. 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.
- 1.6 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 Regulation 19 version of the plan is taken to Council for agreement. As highlighted in the report, there are a small number of policies where the outcome of the Viability Assessment is more likely to result in the need for further changes, notably policies H7(Self-build and Custom Housebuilding), H10 (Space Standards), H11 (Accessible, Adaptable and Wheelchair User Homes) and Ec6 (Start up Workspace).
- 1.7 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

Chapter 5 - Creating Attractive Places
Policy AP1 – Design of New Development
Policy AP2 - Amenity
Policy AP3 – Renewable Energy
Policy AP4 – Reducing Carbon Emissions
Policy AP5 – Health and Wellbeing
Policy AP6 – Health Impact Assessments
Policy AP7 – Flood Risk
Policy AP8 – Sustainable Urban Drainage Systems
Policy AP9 – Water Efficiency
Chapter 6 - Housing
Policy H1 – Housing Strategy
Policy H2 – Housing Commitments
Policy H3 – Housing Provision – New Allocations
Policy H4 – Housing Types and Mix
Policy H5 – Affordable Housing
Policy H8 – Houses in Multiple Occupation in Kegworth
Policy H9 – Provision for Gypsies & Travellers and Travelling Showpeople
Chapter 7 - The Economy
Policy Ec1 – Economic Strategy
Policy Ec2 – Employment Commitments
Policy Ec3 – New Employment Allocations
Chapter 9 - Infrastructure and Facilities
Policy IF1 – Development and Infrastructure
Policy IF3 - Green and Blue infrastructure
Policy IF4 – Open Space, Sport and Recreation Facilities
Policy IF5 – Transport Infrastructure and New Development
Chapter 10 - Environment
Policy En1 – Nature Conservation/Biodiversity Net Gain
Policy En5 – Area of Separation

2 STRUCTURE OF THIS REPORT

2.1 This report is structured by Local Plan chapter. Each section highlights the key issues raised in connection with policies from a chapter of the plan. Any recommendations from the SA report are also addressed. For each section there is a linked appendix which summarises and groups together the various representations by policy and chapter and provides officers' comments in response.

- **Section 3** deals with **Housing Policies H6, H7, H10 and H11**. Linked **Appendix A** provides a summary of the representations received to each of these policies and officers' assessment of the issues raised.
- **Section 4** deals with **Economy Policies Ec4, Ec5, Ec6, Ec7, Ec8, EC9, Ec10,**

Ec11 and Ec12. The linked appendix is **Appendix B.**

- **Section 5** deals with **Town and Local Centre Policies TC1 and TC2.** The linked appendix is **Appendix C.**
- **Section 6** deals with **Infrastructure and Facilities Policies IF2, IF6, IF7 and IF8.** The linked appendix is **Appendix D.**
- **Section 7** deals with **Environment Policies En2, En3, En4, En6 and En7.** The linked appendix is **Appendix E.**
- **Section 8** deals with changes to the **Policies Map.** The linked appendix is **Appendix G.**
- **Section 9** outlines the next steps

2.2 **Appendix F** contains revised versions of the policies as a result of this consideration.

3 HOUSING (CHAPTER 6)

Policy H6 – Rural Exceptions Sites

- 3.1 Most of the limited number of responses to this policy focus on the principle of rural exceptions sites. A wording change is recommended to clarify the circumstances where including an element of market housing on a rural exception site may be acceptable to better align with NPPF.
- 3.2 Policy criterion 1(c) states that the occupants should “have reasonable access to community services and facilities where appropriate” and officers have considered the SA’s recommendation that the term ‘reasonable access’ should be defined. By their nature, rural exception sites are likely to be in locations where access to services is more constrained. In practice, assessing this factor will be a matter of judgement taking into account the types of facilities available, their importance, their proximity and whether it would be feasible for residents to reach them using sustainable modes of transport (walking, cycling and public transport). Commentary to this effect can be added to the supporting text.
- 3.3 According to the SA, the effect of this policy on greenfield sites including agricultural land (SA Objective SA14) is uncertain because it depends on where the sites are located. The SA recommends that the policy or supporting text identifies that impacts should be considered and minimised. In response, the ‘exception’ nature of this policy means that the majority of such sites will indeed be greenfield. The need to consider the significance of agricultural land loss is highlighted in the NPPF (paragraph 187b) and will be assessed as part of the ‘planning balance’ when an application is determined. It does not require specific mention in this policy.
- 3.4 The SA further suggests that the policy or supporting text should state that rural exception sites should avoid being located within identified gaps between settlements. Policy S4(2)(b) deals with the matter of separation between settlements and again this will be a matter for the ‘planning balance’. For example, it could be that the wider benefits of the affordable housing scheme outweigh a reduction in the gap between settlements. No change to the plan is proposed.

Policy H7- Self-build and Custom Housebuilding

- 3.5 Policy H7 received a high volume of objections from both local residents and landowners/developers/agents, albeit that these groups objected to different elements of the policy.
- 3.6 A change is proposed to part (1) of the policy in response to Ashby Town Council's comments, i.e. to encourage self-build and custom housebuilding (SBCH) in locations where all new homes would be deemed acceptable. This means that as well as within the Limits to Development, SBCH would also be appropriate on previously developed land and where the proposals accorded with either Policy S3 (Local Housing Needs Villages) or Policy S5 (Residential Development in the Countryside).
- 3.7 Landowners/developers/agents highlighted concerns with part (2)(a) of the policy, whereas this part was broadly supported by residents and parish/town councils. Broadly, these developer concerns related to:
- The lack of justification for 5% SBCH on proposals of 30 dwellings or more;
 - The lack of demand for SBCH on sites of this nature;
 - The practical/operational issues associated with delivering SBCH on these types of sites
- 3.8 These types of policies are becoming more common and officers feel that the methodology underpinning the percentage requirement is justified, albeit it will need to be subject to a whole plan Viability Assessment. **Appendix A** references other examples of other local planning authorities with similar adopted policies and the guidance they have prepared on the delivery of SBCH on large-scale sites. There is the potential to add more guidance to the supporting text of the Regulation 19 Plan.
- 3.9 Despite local resident objections, officers do not propose to remove part (2)(b) of the policy. It is required for flexibility and to ensure that plots on large-scale sites do not remain empty and under-utilised indefinitely. Officers do not propose to change the 12 month marketing period as this represents best-practice in other local planning authorities. However, officers accept that further guidance on the Council's expectations for the marketing of SBCH plots could be added to the policy and in the supporting text of the Regulation 19 Plan.
- 3.10 There was strong objection to part (3) of Policy H7 from local residents and from some parish/town councils. The argument from some was that we did not need this part of the policy because demand would be met via part (2)(a) and that no self-build or custom housebuilding development should be permitted in the countryside. Whilst demand should be met adequately at the Local Plan allocation sites, part (3) provides some clear criteria if the Council was not able to meet its demand. No changes are proposed to part (3) other than to confirm that self-build and custom housebuilding would be acceptable if it accorded with either Policy S3 or S5.

- 3.11 With regards to part (4), the majority of local residents argued that a Section 106 agreement was unenforceable when it came to ensuring that a home was genuinely self-build. Prior to determining an application for self-build or custom housebuilding, the Council must be satisfied that the initial owner of the home will have primary input into its final design and layout. As with any planning permission, the home must be built in accordance with the approved plans; otherwise, enforcement action can be taken. The Section 106 agreement is a mechanism by which the Council can take enforcement action if the applicant attempts to sell the home within a specified period. No changes are proposed to part (4) of Policy H7.
- 3.12 According to the SA, the effect of this policy on greenfield sites including the potential loss of agricultural land (SA Objective SA14) is uncertain because it depends on where the sites are located. This is of relevance to the criteria element of the policy that seeks to deal with SBCH windfall development in the countryside. The SA goes on to recommend that the policy or supporting text identifies that impacts should be considered and minimised. In response, the impact will not be known until the time of a planning application, and the additional text is not considered necessary as the loss of greenfield/agricultural land will be assessed as part of the planning merits of any proposal.
- 3.13 Although more of a process rather than policy issue, many respondents had concerns with the self-build register; these are dealt with in **Appendix A**.

Policy H10: Space Standards

- 3.14 This policy proposed that all new housing, including that created through conversions, subdivision or changes of use, should meet or exceed the Nationally Described Space Standards for gross internal floor areas and storage space.
- 3.15 Most of the responses were from landowners/developers/agents who highlighted objections and concerns to the policy on the grounds that: it is not sufficiently justified by the evidence; it has not been viability-tested; and it should incorporate more flexibility.
- 3.16 The Space Standards Topic Paper confirms that the evidence underpinning Policy H10 is similar to that accepted by Local Plan Inspectors elsewhere. Furthermore, the Regulation 18 consultation document made clear that this policy will form part of a whole plan Viability Assessment at Regulation 19 stage.
- 3.17 Regarding flexibility, officers do not accept the comments from some developers that space standards should be encouraged but not made mandatory or that the policy should be applied on a site-by-site basis. However, in response to Historic England's comments, officers accept there may be circumstances where it would be impractical or inappropriate to apply the space standards to conversions, subdivisions or changes of use. Some additional flexibility has been added to the policy (**Appendix F**) and the supporting text will be amended at Regulation 19 stage to provide the necessary explanation and clarification.

- 3.18 No changes are required to be made to the policy having regard to the outcome from the SA.

Policy H11: Accessible, Adaptable and Wheelchair User Homes

- 3.19 Part (1) of this policy proposed that all new housing should meet the optional Building Regulations standards for accessible and adaptable homes (M4(3)(2)). Several landowners/developers/agents highlighted that this would potentially duplicate the Building Regulations (as the previous government proposed to make this a mandatory requirement). As there has been no further announcement from the current government on this matter, it remains the case that the requirement needs to be tested through the Local Plan process. No changes are proposed to H11(1) for the time being. If M4(3)(2) was made mandatory before the Plan was adopted, it is agreed that the proposed policy requirement would be unnecessary and should be deleted.
- 3.20 The main concern with this policy was the proposal in parts (2)(a) and (2)(b); that at least 9% of market homes must meet the standard for wheelchair adaptable dwellings (M4(3)(2)(a)) and at least 23% of affordable homes must meet the standard for wheelchair accessible dwellings (M4(3)(2)(b)). Developers/landowners/agents felt that this policy was not justified by evidence. The policy is underpinned by the HENA and justification to the comments and objections received is provided in **Appendix A**. The requirements will need to be viability tested and may require amending, depending on the outcome of that assessment.
- 3.21 Changes have been made to part (3) to make clear that planning applications must be supported by clear information on how the required standards have been achieved. The policy has also been amended to require the applicants to provide robust evidence if the standards cannot be achieved.
- 3.22 No changes are required to be made to the policy having regard to the outcome from the SA.

4 THE ECONOMY (CHAPTER 7)

Policy Ec4 – Employment Uses on Unidentified Sites

- 4.1 Developers are concerned that this policy does not provide sufficient flexibility overall, is unduly restrictive and could hinder investment in the District. They are particularly concerned about Part (3)(a) of the policy, including the requirement for a named end user at application stage saying this is impractical. Conversely parish/town councils and amenity bodies consider that the policy is not stringent enough and question the necessity for it.

- 4.2 Officers consider that the policy is necessary. It is an exception-style policy to deal with situations where a requirement for additional employment land could not have been anticipated during the plan's preparation. The policy criteria must therefore be sufficiently robust to ensure that the release of additional land is fully justified through the information submitted at planning application stage. The reference to an end user in criterion (3)(a)(ii) is expressed as an either/or requirement and compliance can still be demonstrated by meeting the second part of the criterion if there is no end user in place.
- 4.3 Part 3(b) of the policy requires applicants to demonstrate that their proposal cannot be accommodated elsewhere within a 'relevant search area'. For a strategic warehousing scheme, the policy says that the area of search should be the relevant Area/s of Opportunity (AoO). The AoO are defined in the [Leicester and Leicestershire Strategic Distribution Study \(2021\)](#) but this study is currently being updated. Officers will advise if the finalised study has any implications for this aspect of Policy Ec4.
- 4.4 As there is uncertainty about where development could be located under this policy, the SA records an 'uncertain effect' for its impact on the District's town and village centres (SA Objective 6), presumably because a site may not be well connected to a local centre and its associated facilities. In response, there is likely to be a degree of tension between a requirement for a site to be well located on the road network and its proximity to local facilities. This understood, the requirements in Policy Ec4 for the location to be 'appropriate' and for it to be connected by sustainable transport modes is considered to be a reasonable and balanced approach. No additional change to the policy is necessary.
- 4.5 Minor wording changes to Policy Ec4 are recommended for clarity and accuracy (Appendix F).

Policy Ec5 – Existing Employment Areas

- 4.6 A number of local residents want the Kegworth Computer Centre, which is identified as an Existing Employment Area (EEA), to be put to alternative use such as a supermarket or leisure/community facility. Based on the latest [retail evidence](#), there is no pressing need for the Local Plan to allocate land in Kegworth for a new supermarket. Further, for the Local Plan to identify this (or any) site for the suggested uses would require confidence that such a facility would be deliverable (e.g. an interested developer, funding available). At present this is not the case, as evidenced by the current planning application on the site for an industrial/ warehousing unit (25/00236/FULM). Identifying the site for the uses suggested in the representations would be both unjustified and undeliverable.
- 4.7 In response to other representations, it is recommended that criteria concerning compatibility with nearby uses are included in parts (1) and (3) of the policy and the plan includes better explanation of the employment element of the Money Hill allocation. Amendments are also merited to make the policy consistent with other policies such as Policy H7 (Self-build and custom homes) and Ec12 (Tourism and visitor accommodation) which, like Policy Ec5, require evidence of a lack of demand. These policies include the detail in the policy rather than the supporting text and

amendments to Policy Ec5 are recommended to address this.

- 4.8 The outcome of the SA does not require any further changes to the policy.

Policy Ec6 – Start up Workspace

- 4.9 Developers, Ashby Town Council and an individual express in principle support for this policy. One developer considers that the policy is not necessarily feasible or implementable. Officers consider that the Local Plan has a role to boost the supply of start-up units where the market has not done so. Subject to the findings of the forthcoming whole-plan viability assessment, Policy Ec6 would be a means to achieve this.
- 4.10 Part (2) of the policy excludes sites allocated for wholly strategic B8 use from the requirement to provide start-up units. This is for practical reasons as the locations which are broadly suitable for large scale warehousing will be much less suited for business start-ups. For consistency, this exception should be added to Part (3) of the policy. Including the relevant Use Classes will also improve the clarity of the policy.
- 4.11 The outcomes from the forthcoming whole-plan viability assessment may result in further refinements to this policy.
- 4.12 The outcome of the SA does not require any further changes to the policy.

Policy Ec7 – Local Employment Opportunities

- 4.13 There is general support for this policy. Revised policy wording is recommended to clarify how it would apply to a multi-unit scheme and in circumstances where a firm is relocating and to confirm that the requirement to produce Employment and Skills Plan may need to be secured by a legal agreement. Additions to the supporting text will describe a) circumstances where, exceptionally, an Employment and Skills Plan could be unnecessary or inappropriate; and b) clarify that the policy applies to any type of business with 50+ full-time equivalent employees and would include, for example, leisure uses, care homes etc.
- 4.14 The outcome of the SA does not require any further changes to the policy.

Policy Ec8 – East Midlands Airport

- 4.15 There was general support for this policy, but concerns were expressed by Kegworth Parish Council and a local resident in respect of issues such as noise and air quality. Some of the concerns are addressed by other policies in the Local Plan therefore, it is unnecessary to repeat these in Policy Ec8. However, it is recommended that part 1 of the policy be amended so as to make it clear that any future development will need to comply with not only the Local Plan, but any other material considerations including an up-to-date Airport Masterplan. It is considered that this will strengthen the Council's position. Amendments are also required in respect of the supporting text to ensure it is up-to-date.

- 4.16 In terms of the SA, the policy is largely judged to have a neutral impact upon most of the SA objectives. However, some uncertain effects were recorded in terms of climate change and air, noise and light pollution. The commentary in the SA suggests that uncertainty arises due to the fact that there is no certainty regarding where any developments will occur. However, it also notes that amending criteria 3c to include reference to addressing climate change resilience and to incorporate green infrastructure measures could help to mitigate some of the uncertain effects. Therefore, an amendment to part 3c is proposed as set out in Appendix F.

Policy Ec9 – East Midlands Airport: Safeguarding

- 4.17 It is proposed to make one amendment to the policy to make clear that safety considerations relate not just to the airport itself, but also to aircraft at or in the vicinity of the airport.
- 4.18 The SA records a negative impact against two objectives (SA 10 Climate change adaptation and SA12 Biodiversity and geodiversity). In both cases this is because of the potential for renewable energy and/or biodiversity improvements to be restricted due to concerns about a conflict with airport safety. However, this does not apply to all of the District, hence the score is judged as being minor. It is considered that no other changes to the policy are required.

Policy Ec10 – East Midlands Airport: Public Safety Zones

- 4.19 Some concerns were expressed regarding the reduction in the extent of the Public Safety Zones (PSZ) at either end of the runway. The purpose of the PSZ is to prevent an increase in the number of people living, working, or congregating in the PSZ, with a general presumption against new or replacement development or changes of use of existing buildings. Since 2021 it is the responsibility of the aerodrome operator rather than the Civil Aviation Authority to produce PSZ maps and provide them to the local planning authorities whose areas are affected by them. No changes to the policy are proposed in response to the comments received.
- 4.20 No changes are required to be made to the policy having regard to the outcome from the SA.

Policy Ec11 – Donington Race Circuit

- 4.21 The majority of detailed comments received in relation to this policy were from MSV Group (the owners of Donington Race Circuit). MSV is seeking to extend the boundary of the Circuit on the Policies Map and submitted some suggested changes as part of their representations (**see Appendix B**). The reasoning is that the boundary is drawn too tightly and more developable space is required for the operation of events at the circuit. As the justification provided is limited, officers do not recommend the extension of the boundary at the present time.
- 4.22 MSV made some suggested changes to part (3) of the policy, either to make the wording clearer or to incorporate some flexibility. These suggestions have been

considered and some revised policy wording is included at **Appendix F**.

- 4.23 Some changes to part (3) were also proposed by several statutory consultees. Overall, these were considered to repeat other policies so have not been incorporated. However, in response to the County Council's comments on 'other appropriate transport measures'; the policy has been amended to refer to sustainable transport measures and further explanation will be included in the supporting text at Regulation 19 stage.
- 4.24 The SA scores Policy Ec11 minor negative under climate change adaption and recommends that a Carbon Management Plan is required for Donington Circuit developments. Officers consider this matter is best dealt with under Policy AP4 (Reducing Carbon Emissions) which will be presented to a later date of this committee.

Policy Ec12 – Tourist Attractions and Visitor Accommodation

- 4.25 Part (6) of the Policy sets out the criteria that would need to be met for the conversion of or redevelopment of visitor accommodation to permanent residential accommodation. Leicestershire County Council as well as a planning agent comment on the length of marketing required (24 months) to demonstrate visitor accommodation is no longer viable and that the long marketing period fails to provide adaptability and flexibility for businesses to respond to changing economic and social issues. The marketing period of 24 months is deemed a suitable period to establish the accommodation business and by covering two calendar years will cover several quiet and busy holiday periods.
- 4.26 The National Forest Company (NFC) has made a number of comments and suggests that two additional criteria are added to the policy. These additional criteria would refer to tourism attractions and facilities within the National Forest and visitor accommodation in the National Forest. The draft National Forest Policy (En3) supports tourism and visitor accommodation development within the National Forest which accords with Policy Ec12. As such there is no need to repeat policy wording in line with the advice in Para. 16(f) of the NPPF which states that "*Plans should serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area...*" It is proposed that additional wording be added to the supporting text to Policy En3 and a cross reference from added to the supporting text of Policy Ec12 to Policy En3.
- 4.27 The NFC also highlights that several amendments to the supporting text are needed to reference documents that have been published or are in the process of being updated since the Local Plan consultation document was published. As referred to above it is considered that the suggested amendments would be better placed in the supporting text to the National Forest Policy (En3).
- 4.28 It is proposed to retitle this policy to Tourist Attractions and Visitor Accommodation to better reflect the subject of the policy.

- 4.29 Amendments are also proposed to make the policy consistent with other policies such as Policy H7(Self-build and custom homes) and Ec5 (Existing Employment Areas) which, like Policy Ec12, require evidence of a lack of demand. These policies include the detail in the policy rather than the supporting text and amendments to Policy Ec12 are recommended to address this.
- 4.30 No changes are required to be made to the policy having regard to the outcome from the SA.

5 TOWN AND LOCAL CENTRES (CHAPTER 8)

Policy TC1 – Town and Local Centres: Hierarchy and Management of Development

- 5.1 Concerns are raised about the interpretation of the policy and how planning applications would be assessed. In response, it is recommended that the policy wording is reordered to identify the District's floorspace projections as a statement of fact at the beginning of the policy (Appendix F).
- 5.2 A number of respondents do not agree with the proposed reduction in the extent of the defined Kegworth local centre boundary. They want the local centre to be extended, to encompass a greater number of town centre uses and facilitate new development, to support a growing village. Officers have identified the local centre boundary as those areas predominantly occupied by main town centre uses, in accordance with the NPPF. This approach is considered appropriate. As the sequential test will apply to proposals for main town centre uses, this provides an opportunity for main town centre uses to be located beyond the defined boundary if there are no suitable sites within the boundary of the local centre.
- 5.3 A number of minor changes are also recommended for clarity and to identify those circumstances when planning permissions will be supported for new main town centre uses.
- 5.4 No changes are required to be made to the policy having regard to the outcome from the SA.

Policy TC2 – Hot Food Takeaway Uses

- 5.5 This policy only received a small number of representations but there is general support for the policy and its aims to promote good health and support healthy lifestyles.
- 5.6 Since the draft policy was written, the NPPF has been updated and it now requires local planning authorities to refuse planning applications for hot food takeaways that are within walking distance of schools and other places where children and young people congregate and in locations where there is evidence of the use having an adverse impact on local health, pollution or anti-social behaviour (NPPF paragraph 97).

- 5.7 The Local Plan needs to be consistent with national policy in order to be deemed sound. Therefore, it is recommended that the policy wording and supporting text is amended to reflect this approach.
- 5.8 Minor wording changes to Policy TC2 and its supporting text are also recommended for clarity and accuracy and to recognise the limited scope of the planning system to manage litter generated from hot food takeaways.
- 5.9 Officers have also given further consideration to Part 3 of Policy TC2 which seeks to specifically restrict the number of hot food takeaway outlets within Ashby de la Zouch and Ibstock. This section has been carried forward from the adopted Local Plan and was initially included as a result of concerns about the number of takeaway units and the loss of shops in these centres. However, the potential detrimental impacts associated with a high number or concentration of hot food takeaway outlets will apply to any part of the District. Secondly, changes to the Use Classes Order since the adoption of the current Local Plan allows far greater flexibility of uses within Class E to change, which can make it challenging to manage the mix of uses in all local centres.
- 5.10 As such, it is recommended that Part 3 of Policy TC2 is deleted (Appendix F) as Policy TC1 manages new main town centre uses (when planning permission is required) and seeks to prevent an over concentration of non-shop uses. Part 2 of Policy TC2 seeks to manage the concentration of hot food take away outlets and allows the individual circumstances and context to be taken into account at the time of the application. These policies apply District-wide and therefore the section addressing Ashby de la Zouch and Ibstock is no longer needed. In addition, planning policies for specific centres could be more suitable for inclusion in a Neighbourhood Plan.
- 5.11 Furthermore, if Part 3 of Policy TC2 were retained, the number of hot food takeaway outlets would need to be recorded at the time of the adoption of the new Local Plan and then updated each time an application is submitted to enable both officers and applicants to assess if the proposal would comply with the policy. This would have notable resource implications.
- 5.12 No changes are required to be made to the policy having regard to the outcome from the SA.

6 INFRASTRUCTURE AND FACILITIES (CHAPTER 9)

Policy IF2 – Community Facilities

- 6.1 A developer questions how to objectively judge whether existing community facilities are “insufficient for the demand likely to be generated from the new development” in Part 3 of the policy, noting that the NPPF requires policies to be underpinned by relevant and up to date evidence (paragraph 32). In response, there is a study underway which will, amongst other things, identify the levels of provision and the demand for playing pitches, built sports and community facilities (including community centres, village halls) and open spaces (including play areas, allotments). This will provide an evidence base to support Policy IF2 and may necessitate changes to the policy once the study is completed which should be before the Regulation 19 plan is finalised. This study, and the types of facility it deals with, will help users of the plan evidence and apply Part (3) of the policy.
- 6.2 Minor wording changes are recommended to improve the interpretation of the policy and amendments are also merited to explain the evidence that would be needed to demonstrate insufficient demand in Part (2)(c) of the policy (Appendix F). The outcome of the SA does not require any further changes to the policy.

Policy IF6 – Leicester to Burton Rail Line

- 6.3 There is general support for this policy, although a number of responses suggest that the policy should identify specific sites for stations in order to ensure that they are protected.
- 6.4 Since the consultation was undertaken the government has announced the cancellation of a number of rail projects, including those under the “Restoring Your Railways” banner, such as the Leicester to Burton railway (Ivanhoe Line). Notwithstanding this, it is proposed to retain the policy which is supportive of the reopening of the Leicester to Burton railway to passenger traffic. However, in the absence of a definitive and costed proposal, it would be premature to seek to protect certain specific sites for stations, not least because there is a risk that the Council could be served with a Purchase Notice in the event that an alternative proposal at a potential station site was refused planning permission.
- 6.5 It is proposed to retitle this policy so as to support the reopening of passenger services on other lines, notably that between Nottingham and Birmingham which could potentially include a station at Castle Donington, although it is not currently the subject of such a proposal.
- 6.6 The policy scores positively against the SA, although there is one uncertain score (SA9 - Air, light and noise pollution). The latter reflects the lack of certainty about the location of station sites which, as noted above, remains unchanged at this time.

Policy IF7 – Ashby Canal

- 6.7 All elements of the Policy are generally supported. There are no changes proposed to the Policy wording although some minor amendments to the supporting text will be made for accuracy purposes. A change is proposed to be made to the alignment of the canal on the policies map. Historic OS maps show the historic route of the canal at Oakthorpe would have been located slightly to the north of the route shown on the Policies Maps. This amendment will be made to the Policies Map for the Regulation 19 version of the Local Plan.
- 6.8 In terms of the SA, the policy scores uncertain against SA12 (protect and enhance the Districts biodiversity and protect areas identified for their nature conservation and geological importance) and SA16 (protect water resources and ensure they are used efficiently).
- 6.9 The SA identifies that further details of the restoration methods proposed, such as if green infrastructure and watercourse improvements will be included, or the provision of a criterion within the policy to ensure these elements are included could help to mitigate the uncertain effects. The restoration of the Ashby Canal is a long-term aspiration. Currently very few details are available of a technical nature. The policy supports the principle of the restoration of the canal. Although it is not referred to specifically in the policy the reinstatement of the canal would, over time, result in improvements to green infrastructure and watercourse improvements.

Policy IF8 – Parking and New Development

- 6.10 Both residents and developers are concerned that the policy relies on maximum residential parking standards in the Leicestershire Highways Design Guide (interim version 2022). Since the consultation closed, the updated Leicestershire Highway Design Guide (2024) has been published which prescribes minimum residential parking standards in line with the NPPF (paragraph 113). The plan's supporting text will be updated accordingly.
- 6.11 Leicestershire County Council (as Local Highways Authority) propose that the policy refer to associated parking infrastructure such as EV charging points. However, the provision of the EV charging infrastructure is dealt with by Building Regulations and it is unnecessary to repeat these requirements in the Local Plan.
- 6.12 For consistency with other policies, a wording change is recommended to part 2(b) of the policy to refer to 'reasonable' access in place of 'realistic'.
- 6.13 The SA proposes an expansion of the policy, strengthening Building Regulations requirements to require electric vehicle parking/charging points in on-street parking areas for example. Officers consider this would be unworkable in practice as applicants will not have the authority to install EV infrastructure on the public highway. No change is proposed.

7 ENVIRONMENT (CHAPTER 10)

Policy En2 – River Mease Special Area of Conservation

- 7.1 As outlined in Appendix E a number of changes are proposed to be made to this policy to take on board the comments of Natural England, although the actual wording proposed is different to that suggested by Natural England. The complete revised policy is in Appendix F. It will also be necessary to amend the supporting text to reflect a more up-to-date position. The amendments to the text will be made as part of the preparation of the Regulation 19 Plan.
- 7.2 In terms of the SA, the policy largely scores neutral, with one minor positive score (SA12 Biodiversity and geodiversity) and one significant positive score (SA16 – water). No changes are required to be made to the policy having regard to the outcome from the SA.

Policy En3 – The National Forest

- 7.3 There is general support for the policy with a number of developers confirming that various development sites they are promoting will meet the requirements of the policy.
- 7.4 The majority of detailed comments are from the National Forest Company (NFC). At the time Policy En3 was drafted, the NFC was in the process of updating 'The Heart of the National Forest Vision Document'. The Vision Document was published in September 2024, and the NFC suggests an additional criterion be added to the policy in relation to the Heart of the National Forest. It is proposed that the Policy be updated to include reference to the Heart of the National Forest Vision and additional supporting text is proposed to be added to include additional detail about the Heart of the National Forest Vision Document.
- 7.5 The NFC has also highlighted some changes that are needed to the supporting text for accuracy. The Policy and supporting text will be updated accordingly and will be reflected in the Regulation 19 version of the Local Plan.
- 7.6 No changes are required to be made to the policy having regard to the outcome from the SA.

Policy En4 – Charnwood Forest Regional Park

- 7.7 There are a limited number of comments on the proposed policy. No changes are proposed as a result of these comments.
- 7.8 The policy scores very positively against the SA. No changes are required to be made to the policy having regard to the outcome from the SA.

Policy En6 – Land and Air Quality

- 7.9 An amendment is proposed to part (1) of the policy. At the Environment Agency's suggestion, and in line with NPPF paragraph 187, this policy has been expanded to include reference to other controlled waters (see **Appendix F**). Whilst En6 included reference to adverse impact upon *ground* water quality, the EA is of the opinion that the policy should be extended to cover other controlled waters (rivers, watercourses, brooks), citing the Water Framework Directive and the Council's statutory duty to ensure that development does not lead to the deterioration of the status class of a waterbody.
- 7.10 No changes are required to be made to the policy having regard to the outcome from the SA.

Policy En7 - Conservation and Enhancement of the Historic Environment

- 7.11 There is general support for the policy. Leicestershire County Council suggest a number of changes to the supporting text to add additional detail. There will also need to be some amendments to the supporting text to reflect changes to the NPPF. These changes will be reflected in the Regulation 19 version of the Local Plan.
- 7.12 Historic England suggest adding reference to the 'setting' of heritage assets to the policy. It is proposed that part (2) and part (2)(a) of the policy will be amended to refer to heritage assets 'and their setting'.
- 7.13 Part (2) of the policy sets out a number of criteria relating to how the council will ensure heritage assets are conserved and enhanced. Historic England suggest that Part (2)(c) of the policy may be perceived as too restrictive by requiring the retention of various elements and not aligned with NPPF provisions for managing change. It is proposed that part (2)(c) of the policy be deleted and incorporated into the supporting text. The inclusion of 'setting' in parts (2) and (2)(a) of the policy would cover the features referred to in part (2)(c).
- 7.14 No changes are required to be made to the policy having regard to the outcome from the SA.

8 POLICIES MAP CHANGES

- 8.1 Appendix A of the Policies Consultation document (January 2024) contained a number of proposed Policies Map changes relating to Existing Employment Areas (Policy Ec5), East Midlands Airport Public Safety Zone (Policy Ec9) and Coalville Town Centre and Kegworth and Measham Local Centre boundaries (Policy Tc1).
- 8.2 For completeness, the committee is asked to agree these changes for inclusion in the Regulation 19 version of the Policies Map with the exception of the East Midlands Gateway Existing Employment Area for which a further change is proposed (see below).
- 8.3 Appendix G contains maps showing further Policies Map changes resulting from the consideration of the representations and other updates. The committee is asked to agree these for the Regulation 19 version of the Policies Map.
- Add Bardon Hill Logistics Park (land east of Regs Way) as an Existing Employment Area
 - Amend the boundary of the East Midlands Gateway Existing Employment Area to exclude large areas of landscaping

9 NEXT STEPS

- 9.1 The consultation responses to the remaining policies (Table 2 above) will be brought to future meetings of the Committee over the coming months. The timetable in the [Local Development Scheme](#) requires the Regulation 19 version of the Local Plan to be considered by Council in April 2026, consulted on in May-June 2026 and submitted for Examination in August 2026. This timetable would meet the Government's deadline of December 2026 for plans to be submitted and examined under the current Local Plans system.

Policies and other considerations, as appropriate	
Council Priorities:	<ul style="list-style-type: none"> - Planning and regeneration - Communities and housing - Clean, green and Zero Carbon
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>
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