

Draft Policy H6 – Rural Exceptions Sites

- (1) The provision of affordable housing outside of the Limits to Development will be allowed as an exception where:
 - (a) the housing is demonstrated to meet an identified local need for affordable housing; and
 - (b) the development is well-related to and respects the character and scale of the settlement and its landscape setting; and
 - (c) the occupants will have reasonable access to community services and facilities, where appropriate.
- (2) Planning permission for a Rural Exception Site will be subject to a Section 106 legal agreement, to ensure that all initial and subsequent occupiers of the affordable dwellings will:
 - (a) be local people in housing need; and
 - (b) benefit from the status of the dwellings as affordable housing in perpetuity.
- (3) ~~On sites that are outside of, but well related to, a Sustainable Village or a Local Housing Needs Village, t~~The inclusion of market housing on a Rural Exception Site will be supported where:
 - (a) it is demonstrated that there is insufficient subsidy for the scheme to go ahead without the inclusion of market housing; and
 - (b) it can be demonstrated through detailed financial appraisal that the scale of the market housing component is the minimum necessary for the successful delivery of the development; and
 - (c) the majority of the homes provided are affordable.

Draft Policy H7 – Self-build and Custom Housebuilding

- (1) The Council will support proposals for self-build and custom housebuilding where the ~~site is~~ [proposed development](#)
 - (a) [Is](#) located within the Limits to Development, as defined on the Policies Map, for the Principal Town, Key Service Centres, Local Service Centres or Sustainable Villages [or](#);
 - (b) [Is located on land which meets the definition of previously developed land; or](#)
 - (c) [Accords with Policy S3 or Policy S5 of this Local Plan.](#)
- (2) On general market housing sites of 30 or more:
 - (a) The Council will require the delivery of a minimum of 5% of the site's capacity as serviced plots for self-build and custom housebuilding. On these sites, developers will be required to enter into a legal agreement to facilitate the delivery of serviced plots with access to a public highway and utility services. A lower proportion of self-build and custom house build plots will only be accepted where a viability assessment clearly demonstrates that the full policy requirement cannot be achieved.
 - (b) Where a plot has been made available and appropriately marketed for a period of at least 12 months (or an alternative timescale agreed with the Council subject to specific site delivery timescales) [in accordance with an agreed Marketing Strategy](#), and has not been sold, then the plots may either remain available for purchase on the open market or be built out by the developer for sale on the open market. [If the Council requires independent verification of the evidence submitted, this will be at the expense of the applicant.](#)
- (3) [Outside of proposals which accord with Policy S3 or Policy S5 of this Local Plan,](#) ~~t~~The Council will only support proposals for self-build and custom house building in the countryside, where:
 - (a) The application is supported by clear evidence of demand for self-build and custom house build plots, as evidenced by the most up to date Self and Custom Build Register; and
 - (b) The site adjoins the Limits to Development, as defined on the Policies Map, for the Principal Town, Key Service Centres, Local Service Centres or Sustainable Villages; and
 - (c) The size of the development is reflective of its location and setting and is of a scale and character that is proportionate to the settlement at which it is located; and
 - (d) The site is within a reasonable walking distance to a good bus service route; and
 - (e) The site is within a reasonable walking or cycling distance to a range of local services and facilities.

- (4) All planning permissions for a self-build and custom house building plot will be subject to a Section 106 legal agreement to ensure that the initial occupier(s) of the dwelling(s) fall within the legal definition of self-build and custom housebuilding as defined by the Self-Build and Custom Housebuilding Act 2015 (or any subsequent government update).

Draft Policy H10 – Space Standards

All new housing will be required to meet or exceed the Nationally Described Space Standard (or any subsequent government update) for gross internal floor areas and storage space. Where possible, the standard should also ~~applies~~ apply to housing created through conversions, subdivision or changes of use.

Draft Policy H11– Accessible, Adaptable and Wheelchair User Housing

- 1) All new homes will be required to meet Part M4(2) of the Building Regulations (accessible and adaptable homes).
- 2) On housing developments comprising 10 or more dwellings (or on a site of more than 0.5 hectares):
 - a) At least 9% of all market homes will be required to meet Part M4(3)(2)(a) of the Building Regulations (wheelchair adaptable dwellings); and
 - b) At least 23% of all affordable homes will be required to meet Part M4(3) of the Building Regulations (wheelchair user dwellings). The expectation is that these will be built to M3(3)(2)(b) standard (wheelchair accessible dwellings), although provision of M4(3)(2)(a) (wheelchair adaptable dwellings) will be considered where justified and agreed with the Council's Strategic Housing Team prior to the granting of planning permission.
- 3) Planning applications must be supported by clear information to demonstrate how the requirements in parts (1) and (2) have been met. Exceptions to these requirements ~~in Parts 1) and 2)~~ will be considered by the Council only when the applicant has provided robust evidence that they cannot be achieved due to site-specific factors. ~~demonstrated that provision of a safe, step-free access is not viable.~~

Draft Policy Ec4 – Employment Uses on Unidentified Sites

(1) Proposals for employment development (offices; industrial; storage/distribution) within the Existing Employment Areas will be supported subject to Policy Ec5.

(2) Proposals for employment development outside the Existing Employment Areas and within the Limits to Development will be supported where these do not have an unacceptable adverse impact on:

- (i) the amenities of any nearby residential properties;
- (ii) ~~or~~ the wider environment; and
- ~~(i)~~(iii) the local highway network.

(3) Exceptionally, to provide the degree of flexibility required by the NPPF, proposals for employment development on unidentified land outside ~~of~~ the Limits to Development will be supported where the following criteria are met:

- (a) It is demonstrated to the satisfaction of the Council that there is;
 - (i) an immediate requirement for the amount and type of employment land ~~of the type~~ proposed to be located in North West Leicestershire; and
 - (ii) either the development will be occupied by named end-user/s and this will be secured by Section 106 legal agreement as appropriate; or the development is required for the reasons set out in NPPF paragraph ~~82b-86e~~ (or its replacement), namely:
 - it is to accommodate needs not anticipated in this Plan; or
 - it is to allow for new and flexible working practices and spaces to enable a rapid response to ~~or it is needed because of~~ changes in economic circumstances.

And,

(b) It is demonstrated to the satisfaction of the Council that the immediate requirement cannot be met on any of the following within the relevant search area;

- (i) previously developed land;
- (ii) an Existing Employment Area as identified in Policy Ec5; or
- (iii) land allocated for employment development in the Local Plan; or
- (iv) on land with planning permission for employment development.

For general employment proposals, the search area is the district and for strategic B8 proposals, the search area is the relevant Area/s of Opportunity.

And,

(c) The development is in an appropriate location and;

- (i) Is accessible or will be made accessible by a choice of means of transport, including sustainable transport modes, as a consequence of planning permission being granted for the development; and
- (ii) For proposals which will generate significant HGV movements,
Has good access to the strategic highway network (M1, M42/A42 and A50); and
- ~~(iii)~~ (iii) Through mitigation as necessary, has an acceptable impact on the capacity of that network, including any junctions; and
- ~~(iii)~~ (iv) Will not be detrimental to the wider environment or the amenities of any nearby residential properties as a result of loss of privacy, excessive overshadowing or an overbearing impact, activity levels, noise, vibration, pollution or odours.

Draft Policy Ec5 – Existing Employment Areas

- (1) Subject to compatibility with nearby uses, the Existing Employment Areas, ~~to be defined~~ shown on the Policies Map, are suitable for the uses set out in Table 5.
- (2) Planning permission for non-employment development in an Existing Employment Area will only be permitted where it is demonstrated that:
 - (a) The proposed use is small-scale or ancillary to the operation of principal use; or
 - (b) There is no reasonable demand to use the premises/site for the uses in Table 5 as evidenced by robust marketing of the premises/site at current market value for a continuous period of at least 6 months. If the Council requires independent verification of the evidence submitted, this will be at the expense of the applicant; or
 - (c) The proposed use is employment-generating and compatible with the character and function of the Existing Employment Area and with nearby uses.
- (3) Outside Existing Employment Areas, conversion or redevelopment of premises which are, or were most recently, in employment use (Use Classes E(g), B2 and B8) for non-employment development will be supported where the proposed use is compatible with nearby uses and it is demonstrated that:
 - (a) There is no reasonable demand to use the premises for employment uses as evidenced by robust marketing of the premises/site at current market value for a continuous period of at least 6 months. If the Council requires independent verification of the evidence submitted, this will be at the expense of the applicant; or
 - (b) The premises are not capable of meeting the needs of modern business; or
 - (c) Continuation of current/most recent use is incompatible with the character and function of the area or with nearby uses.

Draft Policy Ec6 – Start-up Workspace

To support the delivery of small-scale industrial units suitable for start-up businesses, the Council will:

- (1) Support development which provides start-up premises subject to other relevant policies in the plan; and
- (2) [*Subject to the findings of the plan-wide viability assessment*], require an element of start-up space on sites allocated in this Local Plan for general employment ([Use Classes E\(g\), B2 and B8 but](#) excluding wholly strategic B8 allocations) and larger-scale residential-led/mixed use development; and
- (3) [*Subject to the findings of the plan-wide viability assessment*], expect that major [employment](#) development ([Use Classes E\(g\), B2 and B8 but excluding wholly strategic B8 proposals](#)) on unallocated sites outside Existing Employment Areas will include an element of start-up space unless this is demonstrably unfeasible in an individual case, including for reasons of site-specific viability.

Draft Policy Ec7 – Local Employment Opportunities

- (1) An Employment and Skills Plan is required where the whole development, or unit(s) within the development, will be occupied by a firm or firms with 50+ employees (FTE).~~An Employment and Skills Plan is required for developments which will generate 50+ jobs (FTE) when operational.~~ The Employment and Skills Plan should include arrangements for local recruitment and workforce training a) during construction; and b) when the scheme is operational.
- (2) The requirement for an Employment and Skills Plan will be secured by planning condition or through a legal agreement.

Draft Policy Ec8 – East Midlands Airport

- (1) The growth of East Midlands Airport for both passengers and cargo will be supported to enable it to fulfil its role as a regional airport subject to satisfying the policies of this Local Plan and any other material considerations, including an up-to-date Airport Masterplan.
- (2) Within the airport limit, as defined on the Policies Map, development will be limited to the following uses:
 - (a) Operational facilities and infrastructure; and
 - (b) Passenger and terminal facilities; and
 - (c) Cargo facilities; and
 - (d) Airport ancillary infrastructure where the proposed development requires and benefits from an airport location and is of a scale that is appropriate to that relationship; and
 - (e) Landscape works; and
 - (f) Internal highways and infrastructure; and
 - (g) Improvements to public transport and airport customer car parking, including the provision of EV charging facilities
- (3) New development that gives rise to a material increase in airport capacity or capability will be required to:
 - (a) Incorporate measures to ensure that the impact of noise on local residents satisfies relevant standards; and
 - (b) Incorporate measures to ensure that local air quality satisfies relevant standards; and
 - (c) Maximise opportunities to achieve net zero carbon in respect of proposed buildings and non – aircraft operations, including the incorporation of climate change resilience measures; and the provision of green infrastructure measures, subject to not conflicting with the safe operation of the airport or aircraft; and
 - (d) Be accompanied by improvements in public transport access to the airport and other measures that will reduce the level of airport-generated road traffic (per passenger).

Draft Policy Ec9 – East Midlands Airport: Safeguarding

- (1) Development which would adversely affect the operational integrity or safety of East Midlands Airport or aircraft operating at the airport and in the vicinity will not be permitted.
- (2) The outer boundary of the Safeguarded Area is shown on the Policies Map and within this area consultation will be undertaken with East Midlands Airport for the following proposals:
 - (a) All buildings, structures, erections and works that exceed the height specified on the safeguarding map;
 - (b) Any proposed development in the vicinity of East Midlands Airport which may have the potential to interfere with the operation of its navigational aids, radio aids and telecommunication systems;
 - (c) The lighting elements of a development which may have the potential to distract or confuse pilots, particularly in the immediate vicinity of the aerodrome and of the aircraft approach paths;
 - (d) Any proposal for an aviation use within a 13km circle centred on East Midlands Airport;
 - (e) Any proposal within a 13km circle centred on East Midlands Airport which has the potential to attract large numbers of birds. Such proposals include:
 - (i) significant landscaping or tree planting;
 - (ii) minerals extraction or quarrying;
 - (iii) waste disposal or management;
 - (iv) reservoirs or other significant water bodies;
 - (v) land restoration schemes;
 - (vi) sewage works;
 - (vii) nature reserves;
 - (viii) bird sanctuaries.
 - (f) Any proposal for a wind turbine development within a 30km circle centred on East Midlands Airport.
 - (g) Proposals for large-scale solar photovoltaic arrays which have the potential to generate glint and glare, particularly in the immediate vicinity of the airport and of the airport approach and departure paths.

Draft Policy Ec11– Donington Park Circuit

- (1) The development of Donington Park Circuit as a national and international racing circuit will be supported.
- (2) Within the boundaries of Donington Park Circuit, as defined on the Policies Map, development will be limited to:
 - (a) Facilities and infrastructure meeting the operational needs of the racetrack including motorsport and spectator facilities;
 - (b) Facilities and infrastructure for driver training and driving experiences;
 - (c) Motorsport and automotive uses which have a clear relationship with the existing uses at the circuit and is of a scale appropriate to that relationship. This shall include developments associated with the design, racing, testing and maintenance of motorsport vehicles;
 - (d) Landscape works; and
 - (e) Internal highways and infrastructure.
- (3) ~~All development~~ Where necessary, development at Donington Park Circuit, particularly that which gives rise to a material increase in the use of the racetrack or the number of visitors, will be required to:
 - (a) Incorporate measures to mitigate ~~its~~ and reduce to a minimum any noise impact which would adversely and unacceptably affect ~~on~~ local residents and the wider area;
 - (b) Provide improvements in public transport access ~~ability, to and from the~~ Circuit where viable, and/or other appropriate sustainable transport measures that will reduce the impact of event and operational traffic on the local and strategic network;
 - (c) Retain existing mature trees and woodland and provide a landscaping scheme that mitigates its effects on the local landscape; and
 - (d) Conserve or enhance the site's racing and parkland heritage and heritage assets.

Draft Policy Ec12 – Tourist ~~m~~ Attractions and Visitor Accommodation (Strategic Policy)

Tourist Attractions and Facilities

- (1) The Council will maximise the potential for tourist attractions and facilities in the district by supporting:
 - (a) The retention of existing tourist attractions and facilities which contribute to the local economy.
 - (b) The development of new tourist attractions or the enhancement or expansion of existing tourist attractions and facilities where it accords with the principles of sustainable development and is not detrimental to the surrounding area
 - (c) The enhancement of the environment and local distinctiveness, including heritage and landscapes, which increase the attractiveness of the district to visitors.
- (2) Where the expansion of an existing tourist attraction or the development of a new tourist attraction gives rise to a material increase in visitors, applicants will be expected to provide improvements in public transport accessibility, where viable, and/or other appropriate transport measures that will encourage sustainable travel.
- (3) Proposals that would result in the loss of a tourist attraction will not be permitted unless clear evidence is provided to demonstrate that the continued use is no longer viable, including:
 - (a) Evidence that there is no longer a demand for the attraction from the general public as demonstrated by visitor numbers for the last 24 months;
 - (b) Evidence there is no commercial demand for the attraction, and it has been robustly actively marketed at current market value for ~~at~~ a continuous period of at least 6 consecutive months. If the Council requires independent verification of the evidence submitted, this will be at the expense of the applicant; and
 - (c) There is no reasonable prospect of the premises being used for an alternative tourist attraction use.

Visitor Accommodation

- (4) The enhancement or expansion of existing visitor accommodation will be supported, where it accords with the principles of sustainable development and is not detrimental to the surrounding area.
- (5) Applications for new visitor accommodation will be supported where it has been robustly demonstrated that there is a need for the type of accommodation in the location proposed and where it accords with the

principles of sustainable development and is not detrimental to the surrounding area.

- (6) Any planning applications for the conversion of or redevelopment of visitor accommodation to permanent residential accommodation must demonstrate that:
 - (a) The visitor accommodation in question has been robustly ~~appropriately~~ marketed to potential visitors over a continuous period of at least 24 months; and
 - (b) The booking records over a period of at least 24 months shows there is a lack of demand for the visitor accommodation. If the Council requires independent verification of the evidence submitted, this will be at the expense of the applicant.
- (7) Planning conditions or Section 106 legal agreements will be applied to new visitor accommodation to ensure it is limited to holiday use and is not used as permanent residential accommodation.

Draft Policy TC1 – Town and Local Centres: Hierarchy and Management of Development (Strategic Policy)

The combined retail and food/beverage floorspace requirements for the District to 2036 is 12,200sqm and a detailed breakdown is provided below. These requirements could be met through the re-occupation of vacant units and/or new development.

	<u>Convenience</u>	<u>Comparison</u>	<u>Food/Beverage</u>	<u>Total</u>
<u>Ashby de la Zouch</u>	<u>1300sqm</u>	<u>2000sqm</u>	<u>1100sqm</u>	<u>4400sqm</u>
<u>Coalville</u>	<u>3900sqm</u>	<u>1800sqm</u>	<u>700sqm</u>	<u>6400sqm</u>
<u>Other NW Leicestershire</u>	<u>0sqm</u>	<u>600sqm</u>	<u>800sqm</u>	<u>1400sqm</u>
<u>Total</u>	<u>5200sqm</u>	<u>4400sqm</u>	<u>2600sqm</u>	<u>12200sqm</u>

- (1) For the purposes of considering proposals for the development of retail, leisure, entertainment, arts, culture, office and other Main Town Centre Uses (as defined in the NPPF) and applying the sequential test, the following hierarchy of Town and Local Centres are identified:

- Town Centres: Coalville and Ashby de la Zouch
- Local Centres: Castle Donington, Ibstock, Kegworth and Measham

- (2) Planning permission will be granted for Main Town Centre Uses that are located within a Town or Local Centre, as identified on the Policies Map, where the proposal:

- Is appropriate ~~to~~ for the scale and function of each centre; and
- Makes a positive contribution to the diversity of uses on offer in that centre whilst not unacceptably impacting on daytime footfall; and
- Does not result in an ~~cluster~~ or over-concentration of non-shop uses taking into account the nature and proximity of uses in the immediate area; and
- ~~As far as possible, maintain~~ or provides an active ground floor frontage, particularly throughout the daytime unless it can be demonstrated it is not possible; and
- Does not have an adverse impact on the occupiers of neighbouring properties.

- ~~(3) Planning will be granted to deliver the following floorspace requirements to 2036.~~

	<u>Convenience</u>	<u>Comparison</u>	<u>Food/Beverage</u>	<u>Total</u>
<u>Ashby de la Zouch</u>	<u>1300</u>	<u>2000</u>	<u>1100</u>	<u>4400</u>
<u>Coalville</u>	<u>3900</u>	<u>1800</u>	<u>700</u>	<u>6400</u>
<u>Other NW Leicestershire</u>	<u>0</u>	<u>600</u>	<u>800</u>	<u>1400</u>
<u>Total</u>	<u>5200</u>	<u>4400</u>	<u>2600</u>	<u>12200</u>

~~(4)~~(3) In accordance with the National Planning Policy Framework, for retail and leisure development proposed outside of the Town and Local Centres as defined on the Policies Map, an impact assessment will be required based on the following local thresholds.

Centre where development proposed	Development Threshold
Coalville and Ashby de la Zouch	1000 sqm gross
Castle Donington, Ibstock, Kegworth and Measham	500 sqm gross

~~(5)~~(4) The regeneration of Coalville Town Centre is a key Council priority. The Council will work with landowners, developers and businesses to bring forward proposal for development to enhance the centre and its offer, including improvements to the public realm which will be sought, either in association with new development or as a standalone scheme.

Draft Policy TC2 – Hot Food Takeaway Uses

- (1) The Council will not support applications for hot food takeaways within walking distance of schools and other places where children and young people congregate, unless the site is within a designated town and local centre, subject to satisfying part (2) of this policy.:
- (2) Applications for hot food takeaways that are not within walking distance of schools or other places where children and young people congregate, or which are located within a designated town and local centre, will be supported where~~Applications for hot food takeaway uses will be supported where:~~
 - (a) It does not lead to an unacceptable concentration of hot food takeaways taking into account the location and number of existing hot food takeaway uses in the immediate area;~~There is no clustering resulting from a concentration of hot food takeaways in the area; and~~
 - (b) Where there~~There is~~would not likely to be an unacceptable impact on the health of residents ~~with consideration given to the proximity of the premises to community and education facilities, the opening hours of the premises and health indicators for the local area; and~~
 - (c) They do not have a negative impact upon the amenity and safety of residents and other businesses in the area; having regard to~~to include~~ highway safety and parking, hours of operation, control of odours and cooking smells; and
 - ~~(d)~~ (d) There is not likely to be an unacceptable impact on anti-social behaviour in the area; and
 - ~~(d)~~ (e) They would provide and maintain a satisfactory means of litter and waste disposal through the provision of a litter bin within the premises and commitments to display anti-litter signs around the premises. ~~to undertake litter picking and anti-litter signs around the premises. Where a litter bin cannot be provided within the curtilage of the premises, a commuted sum will be sought towards the provision of a litter bin within the locality.~~
- ~~(3) When considering applications within the defined town centre of Ashby de la Zouch and the defined local centre of Ibstock, regard will be had to the following facts at the time the application is determined:~~
 - ~~(a) Within the Market Street frontage of Ashby de la Zouch, Nos 67 to 89 and Nos 76 to 108, the Council will resist applications for new hot food takeaway uses over and above those in existence, or permitted, at the time of the adoption of this Local Plan.~~
 - ~~(b) The concentration of hot food takeaway uses within the defined local centre of Ibstock, as identified on the Policies Map, will not be permitted to increase above the existing number of those in existence, or permitted, at the time of the adoption of this Local Plan.~~

Draft Policy IF2 – Community Facilities (Strategic Policy)

- (1) Proposals for new, extended or improved community facilities will be supported. For development in areas identified as the countryside, it must be demonstrated that the proposal will address a proven local need for the facility.
- (2) Proposals that will result in the loss of premises currently or last used as a community facility will be permitted where it is clearly demonstrated that:
 - (a) Either (i) the facility is no longer needed; or (ii) the community has reasonable access to a suitable, equivalent facility elsewhere; and
 - (b) There is no reasonable prospect of the premises being used for an alternative community facility; and
 - (c) For commercial community facilities only, there is ~~no~~ ~~reasonable~~ insufficient demand to use the premises for their current/most recent use as evidenced by robust marketing of the premises at current market value for a continuous period of at least 6 months. If the Council requires independent verification of the evidence submitted, this will be at the applicant's expense.
- (3) Major residential/residential-led development is required to ~~make provision~~ provide for new community facilities where no facilities exist or existing facilities are insufficient for the demand likely to be generated from the new development.

Draft Policy IF6 – ~~Leicester to Burton Rail Line~~ Reopening of passenger rail services

- (1) The Council will support the provision of passenger rail services on the Leicester to Burton rail line and that between the Midland Mainline and the Cross Country line.
- (2) New development will not be permitted which would prejudice the route of the Leicester to Burton rail line or that between the Midland Mainline and the Cross Country line.
- (3) The provision of stations, together with ancillary car parking and facilities such as platforms and shelters, at appropriate locations, including Coalville, ~~and~~ Ashby de la Zouch and Castle Donington, will be supported.

Draft Policy IF8 – Parking and New Development

- (1) Development which will generate vehicle trips must provide appropriate levels of vehicle and cycle parking having regard to the latest guidance published by Leicestershire County Council and by the District Council.
- (2) Where a development will provide fewer vehicle spaces than specified in the guidance, this must be justified with reference to:
 - (a) Local highway and parking conditions; and/or
 - (b) the degree to which occupants will have ~~realistic~~ reasonable access to sustainable alternatives (walking, cycling, public transport).
- (3) Where it is demonstrated that the specified level of cycle parking cannot be provided on site, one of the following will be sought as appropriate:
 - (a) provision off-site; or
 - ~~(a)~~(b) a financial contribution ~~will be sought~~ towards the provision of public cycle parking facilities ~~as appropriate~~.
- ~~(3)~~(4) Proposals for lorry parking facilities, including for over-night stays, will be supported where:
 - (a) The site is well-connected to the Strategic Road Network;
 - (b) A safe vehicle access is identified and secured;
 - (c) The scheme provides a standard of on-site facilities for drivers appropriate to the size and purpose of the development;
 - (d) The scheme incorporates effective landscaping to mitigate the visual impact of the development;
 - (e) The scheme will not adversely impact on the amenity of nearby residents; and
 - (f) Additionally, for proposals in the countryside (as defined on the Policies Map) an operational need for the additional lorry parking is demonstrated, taking into account any identified local shortages.

Draft Policy En2 – River Mease Special Area of Conservation (Strategic Policy)

(1) The Council will work with Natural England, the Environment Agency, Severn Trent Water, other local authorities and the development industry to improve the water quality of the River Mease Special Area of Conservation.

(2) In order to achieve this, ~~until such time as wastewater is pumped out of the River Mease catchment, new development within the catchment will be allowed where:~~

- ~~(a) There is sufficient headroom capacity available at the named/identified Wastewater Treatment Works to which flows from the development will go; and~~
- ~~(b) The proposed development is in accordance with the provisions of the Water Quality Management Plan including, where appropriate, the provision of infrastructure or water quality improvements proposed in the Developer Contributions Scheme in operation at the time.~~

new development within the catchment will be only allowed where it can be demonstrated that it will not contribute additional phosphorous to, or otherwise cause an adverse effect upon, the River Mease SAC, either alone or in combination with other plans or projects. This may be achieved by:

- Delivering bespoke mitigation mitigations to ensure the development is nutrient neutral in terms of phosphorous or
- Contributing to a strategic or local planning authority-led mitigation scheme.

~~(3) In circumstances where:~~

- ~~(a) there is no headroom capacity available at appropriate wastewater treatment works; or~~
- ~~(b) no capacity available within the Developer Contributions Scheme in operation at the time; or~~
- ~~(c) exceptionally, as part of the development, it is proposed to use a non-mains drainage solution for the disposal of foul water with the agreement of the Environment Agency;~~

(3) Subject to compliance with any advice issued by Natural England or the Environment Agency, the policies of this Local Plan and any other relevant material considerations, the use of non-mains drainage solution for the disposal of foul water may be acceptable on a temporary basis for areas served by mains drains (until pumping out takes place or nutrient neutrality mitigation measures become available to serve the proposed development) and on a permanent basis where there is not a mains sewer system.

- (3) Development will only be allowed where it is demonstrated that the proposal, on its own and cumulatively with other built and permitted development, will not have an adverse impact, directly or indirectly, on the integrity of the River Mease Special Area of Conservation.

Draft Policy En3 – National Forest

(1) The District Council will support the National Forest Company and its partners to realise the economic and environmental potential of the National Forest, including the delivery of the Heart of the National Forest Vision by supporting development within
~~In the National Forest, as defined on the Policies Map, we will support development~~
 that:

- (a) Provides opportunities for diversification of the economy, especially in relation to the woodland economy and tourism, including visitor accommodation which accords with Policy Ec12 and reflects the National Forest Company's Sustainable Tourism Accommodation Design Guide.
- (b) Contributes to the range of leisure and educational opportunities for local communities and visitors;
- (c) Enhances the National Forest's role as a natural carbon sink;
- (d) Increases woodland cover; and
- (e) Ensures the character of the National Forest is enhanced through incorporating a National Forest identity;

(1) Requiring n~~New~~ development within the National Forest to will contribute towards the creation of the forest by providing tree planting and landscaping in accordance with the most up to date National Forest Company's Guide for Developers and Planners.

~~(2)~~ Requiring a commuted sum towards the provision of tree planting within the National Forest ~~W~~where planting and landscaping cannot be accommodated within or close to the development site or where the only potential area of planting or landscaping is small or is isolated with limited connectivity to other habitats, ~~a commuted sum may be agreed.~~

Draft Policy En6 – Land and Air Quality**Land Quality**

- (1) Planning applications for development on land that has the potential for land instability or contamination or is located within a Coal Authority Development High Risk Area must:
 - (a) Be accompanied by a detailed investigation and assessment of the land quality issue in question; and
 - (b) Where necessary, provide appropriate mitigation measures which avoid any unacceptably adverse impacts upon the site or adjacent area, including groundwater quality [and the quality of other controlled waters](#).
- (2) Development must avoid any unacceptably adverse impact upon soils of high environmental value and ensure that soil resources are conserved and managed in a sustainable way.

Air Quality

- (3) Planning applications for development that are likely to result in significant adverse impacts upon air quality must:
 - (a) Be accompanied by an air quality assessment; and
 - (b) Where necessary, provide appropriate mitigation measures.

Draft Policy En7 – Conservation and Enhancement of the Historic Environment (Strategic Policy)

- (1) Planning applications will be determined in accordance with the requirements of the National Planning Policy Framework, or its successor.
- (2) The Council has a key role to play in the ~~protection~~, conservation and enhancement of the significance of the heritage assets that exist throughout the district, and their setting, and will do so by:
 - (a) Supporting proposals for planning permission and listed building consent where the historic environment and the significance of heritage assets and their setting are conserved and enhanced ~~in line with their significance~~; and
 - (b) Securing, where relevant, appropriate conditions and/or seek to negotiate a Section 106 Obligation when planning permission is granted to ensure that all heritage assets are appropriately managed or conserved; and
 - (c) ~~Ensuring that buildings, settlement patterns, features and spaces which form part of the significance of heritage assets and their settings are retained~~; and
 - (d) Recognising the role of and encouraging the best use of heritage assets in regeneration, design, tourism and education; and
 - (e) Keeping our Local Lists of heritage assets up to date; and
 - (f) Reviewing the districts Conservation Areas (undertaking and implementing Conservation Area Appraisals and Management Plans), where appropriate designating new conservation areas; and
 - (g) Making use of Article 4 Directions and Local Development Orders where appropriate; and
 - (h) The use of grant schemes, as resources permit, to safeguard heritage assets at risk and encourage sympathetic maintenance and restoration of listed buildings and historic shop fronts; and
 - (i) Strengthening the distinctive character of the district including:
 - (ii) Conserving and enhancing the character and appearance of the historic market towns as well as rural settlements.
 - (iii) Supporting supplementary design briefs within the Coalville Conservation Area for sites adjoining Marlborough Square and Memorial Square.
 - (iv) Recognising and protecting the district's industrial, transport and recreational heritage such as coalmining heritage.
 - (v) Protecting the rural character and landscape including historic landscape features such as ancient or mature woodland, and ridge and furrow field patterns.

- (3) We will support neighbourhood plans in identifying and protecting local heritage assets which are of importance to their local community.