

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>Report to Local Plan Committee 11 June 2025 New Local Plan – Consideration of responses to policies</p> <p>Draft Sustainability Appraisal of Policies (May 2025)</p> <p>National Planning Policy Framework</p> <p>Local Development Scheme (February 2025)</p>	Public Report: Yes
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 POLICIES. 2. AGREES POLICY AP2 (AMENITY) AS AMENDED IN APPENDIX F FOR INCLUSION IN THE REGULATION 19 VERSION OF THE LOCAL PLAN. 3. AGREES POLICY AP3 (RENEWABLE ENERGY) AS AMENDED IN APPENDIX F FOR INCLUSION IN THE REGULATION 19 VERSION OF THE LOCAL PLAN, SUBJECT TO THE FINDINGS OF THE WHOLE PLAN VIABILITY ASSESSMENT. 4. AGREES POLICY AP4 (REDUCING CARBON EMISSIONS) AS AMENDED IN APPENDIX F FOR INCLUSION IN THE REGULATION 19 VERSION OF THE LOCAL PLAN, SUBJECT TO THE FINDINGS OF THE WHOLE PLAN VIABILITY ASSESSMENT. 5. AGREES POLICY AP5 (HEALTH AND WELLBEING) AS AMENDED IN APPENDIX F FOR INCLUSION IN THE REGULATION 19 VERSION OF THE LOCAL PLAN. 6. AGREES POLICY AP6 (HEALTH IMPACT ASSESSMENTS) AS DRAFTED IN APPENDIX F FOR INCLUSION IN THE REGULATION 19 VERSION OF THE LOCAL PLAN.

	<p>7. AGREES POLICY AP8 (SUSTAINABLE URBAN DRAINAGE SYSTEMS) AS AMENDED IN APPENDIX F FOR INCLUSION IN THE REGULATION 19 VERSION OF THE LOCAL PLAN.</p> <p>8. AGREES POLICY AP9 (WATER EFFICIENCY) AS AMENDED IN APPENDIX F FOR INCLUSION IN THE REGULATION 19 VERSION OF THE LOCAL PLAN, SUBJECT TO THE FINDINGS OF THE WHOLE PLAN VIABILITY ASSESSMENT.</p> <p>9. AGREES TO THE PRINCIPLE OF POLICY H2 (HOUSING COMMITMENTS) WITH THE WORDING TO BE DRAFTED IN FULL IN THE REGULATION 19 VERSION OF THE LOCAL PLAN.</p> <p>10. AGREES POLICY H8 (HOUSES FOR MULTIPLE OCCUPATION IN KEGWORTH) AS AMENDED IN APPENDIX F FOR INCLUSION IN THE REGULATION 19 VERSION OF THE LOCAL PLAN.</p> <p>11. AGREES TO THE PRINCIPLE OF POLICY EC2 (EMPLOYMENT COMMITMENTS) WITH THE WORDING TO BE DRAFTED IN FULL IN THE REGULATION 19 VERSION OF THE LOCAL PLAN.</p> <p>12. AGREES POLICY IF1 (DEVELOPMENT AND INFRASTRUCTURE) AS AMENDED IN APPENDIX F FOR INCLUSION IN THE REGULATION 19 VERSION OF THE LOCAL PLAN.</p> <p>13. AGREES POLICY IF3 (GREEN AND BLUE INFRASTRUCTURE) AS AMENDED IN APPENDIX F FOR INCLUSION IN THE REGULATION 19 VERSION OF THE LOCAL PLAN</p> <p>14. AGREES POLICY IF5 (TRANSPORT INFRASTRUCTURE AND NEW DEVELOPMENT) AS AMENDED IN APPENDIX F FOR INCLUSION IN THE REGULATION 19 VERSION OF THE LOCAL PLAN</p> <p>15. AGREES POLICY EN1 (NATURE CONSERVATION/BIODIVERSITY NET GAIN) AS AMENDED IN APPENDIX F FOR INCLUSION IN</p>
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	<p>THE REGULATION 19 VERSION OF THE LOCAL PLAN.</p> <p>16. AGREES POLICY EN3 (THE NATIONAL FOREST) AS AMENDED IN APPENDIX F FOR INCLUSION IN THE REGULATION 19 VERSION OF THE LOCAL PLAN.</p> <p>17. AGREES POLICY EN5 (AREA OF SEPARATION) AS AMENDED IN APPENDIX F FOR INCLUSION IN THE REGULATION 19 VERSION OF THE LOCAL PLAN.</p>
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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
- **11 June 2025.** Consideration of the representations to selected policies from the Housing, Economy, Town and Local Centres, Infrastructure and Facilities and Environment chapters of the draft Local Plan.
- **30 July 2025.** Consideration of representations to the 2025 Additional Sites consultation.

1.2 This report complements the June report and is concerned with a further batch of 16 development management-style policies which have not been reported previously. The policies included in this report and the number of responses each received are listed below. This includes Policy En3 National Forest which was deferred from consideration at the June meeting.

1.3 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.

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1.4 This report complements the June report and is concerned with a further batch of 16 development management-style policies which have not been reported previously. The policies included in this report and the number of responses each received are listed below. This includes Policy En3 National Forest which was deferred from consideration at the June meeting.

Table 1 – Policies included in this report

Chapter 5 - Creating Attractive Places	
Policy AP2 - Amenity	22
Policy AP3 – Renewable Energy	21
Policy AP4 – Reducing Carbon Emissions	38
Policy AP5 – Health and Wellbeing	23
Policy AP6 – Health Impact Assessments	10
Policy AP8 – Sustainable Urban Drainage Systems	14
Policy AP9 – Water Efficiency	18
Chapter 6 - Housing	
Policy H2 – Housing Commitments	21
Policy H8 – Houses in Multiple Occupation in Kegworth	24
Chapter 7 - The Economy	
Policy Ec2 – Employment Commitments	8

Chapter 9 - Infrastructure and Facilities	
Policy IF1 – Development and Infrastructure	33
Policy IF3 - Green and Blue infrastructure	12
Policy IF5 – Transport Infrastructure and New Development	26
Chapter 10 - Environment	
Policy En1 – Nature Conservation/Biodiversity Net Gain	29
Policy En3 – National Forest	14
Policy En5 – Area of Separation	11

- 1.5 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.
- 1.6 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.
- 1.7 More widely, the Government has now announced that its consultation on new national development management policies is delayed until later in the year. To recap, 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.
- 1.8 It should also be noted that all of the policies in the plan will need to be subject to a Viability Assessment. This could result in the need for further changes to the policies when the plan is taken to Council for agreement of the Regulation 19 plan.
- 1.9 For completeness, listed below are the remaining policies which will be reported to future meetings of the Committee.

Table 2 – Policies which will be reported to future meetings

Policy AP1 – Design of New Development
Policy AP7 – Flood Risk
Policy H1 – Housing Strategy
Policy H3 – Housing Provision – New Allocations
Policy H4 – Housing Types and Mix

Policy H5 – Affordable Housing
Policy H9 – Provision for Gypsies & Travellers and Travelling Showpeople
Policy Ec1 – Economic Strategy
Policy Ec3 – New Employment Allocations
Policy IF4 – Open Space, Sport and Recreation Facilities

2 STRUCTURE OF THIS REPORT

2.1 Like the June report, this report is structured by Local Plan chapter. Each section highlights the key issues raised in connection with the relevant 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 **Creating Attractive Places Policies AP2, AP3, AP4, AP5, AP6, AP8 and AP9**. Linked **Appendix A** provides a summary of the representations received for each of these policies and officers' assessment of the issues raised.
- **Section 4** deals with **Housing Policies H2 and H8**. The linked appendix is **Appendix B**.
- **Section 5** deals with **Economy Policy Ec2**. The linked appendix is **Appendix C**.
- **Section 6** deals with **Infrastructure and Facilities Policies IF1, IF3 and IF5**. The linked appendix is **Appendix D**.
- **Section 7** deals with **Environment Policies En1, En3 and En5**. The linked appendix is **Appendix E**.
- **Section 8** outlines the next steps.

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

3 CREATING ATTRACTIVE PLACES (CHAPTER 5)

Policy AP2 – Amenity

- 3.1 Due to the delay of the government's National Development Management Policies (NDMP) consultation (see paragraph 1.7), officers have decided to proceed with this policy. Depending on the NDMP's content and progress, Policy AP2 may not be required as the Local Plan advances.
- 3.2 Except for the removal of the reference to a Supplementary Planning Document, the policy in the 2024 consultation was identical to Policy D2 (Amenity) in the adopted Local Plan. There were 22 responses, predominantly from landowners/developers/agents (11) as well as statutory consultees (five), local residents (three) and parish/town councils (three).
- 3.3 A summary of the comments, alongside officers' response and suggested changes are set out at **Appendix A**. An amended policy is at **Appendix F**. Changes have

been made to parts (1) and (2) of the policy. Changes to part (1) have been made to increase clarity, robustness and consistency (both with the National Planning Policy Framework and within the policy itself). Part (2) has been rewritten so that it is more consistent with the 'agent of change' principle in the National Planning Policy Framework.

- 3.4 No changes to the policy are required as a result of the Sustainability Appraisal.

Policy AP3 – Renewable Energy

- 3.5 There is support for the policy from a range of sectors and there is support for renewable energy generation in general and representations from the CPRE Leicestershire, Protect Diseworth and several residents support solar panels being a mandatory requirement on new buildings.
- 3.6 Part (1)(a) and (b) of the policy set targets, in megawatts, for solar and wind energy generation during the plan period. The figures in the draft policy were to 2040 and as such have been recalculated to 2042.
- 3.7 As the policy requirements should apply to all new development it is proposed to delete the word 'housing' from Part (2) of the policy.
- 3.8 Historic England consider that Part 3(b) should also include the need to ensure there is no unacceptable harm to the significance of heritage assets or their setting. However, when assessing development proposals, the local plan will be considered as a whole, and draft Policy En7 (Conservation and Enhancement of the Historic Environment) sufficiently sets out the requirements in relation to heritage assets and their setting.
- 3.9 The Environment Agency consider that Part 3(b) should include a criterion to ensure appropriate measures are in place to protect the local environment and National Highways note that there are highway safety implications that need to be considered in relation to the siting of both wind turbines and solar farms. As such, it is proposed that additional criteria be added to the policy in relation to biodiversity, ecology and wildlife and highway safety.
- 3.10 East Midlands Airport (EMA) supports the policy approach but request that the local plan recognises and refers to the importance of, and the need for, renewable energy installations to have no detrimental effects on aviation safety and aircraft operations at or in the vicinity of EMA. Whilst the draft policy does include (in Part (4)(c)) a criterion relating to air traffic safety and radar and communications this is only in the context of wind turbines. It is proposed that the wording be amended and moved to Part (2)(d) of the policy to ensure aviation safety is assessed as part of wind and solar energy proposals.
- 3.11 A developer representation notes that Part (2) of the policy should have regard to the need to consider proposals on a site-by-site basis to consider viability, feasibility and local context. This policy is one to be tested through the forthcoming whole plan viability assessment which will inform the Regulation 19 version of the plan.

- 3.12 Natural England supports Part (5) of the policy which seeks to avoid the use of the best and most versatile agricultural land. CPRE Leicestershire considers that the policy could go further and seek to also avoid development on Grade 3b agricultural land. As solar farm developments are temporary, fully reversible and the land can be maintained in agricultural use and as such the quality of agricultural land should not be compromised no changes are proposed to Part (5) of the policy.
- 3.13 In regard to the Sustainability Appraisal the policy scores a minor positive against SA14 (ensure land is used efficiently and effectively) the SA details that the policy could be enhanced/strengthened by ensuring the solar energy infrastructure 'must' avoid the best/most versatile agricultural land, as developing on this land can reduce available areas for food production.
- 3.14 The Committee is asked to agree the revised policy wording subject to the findings of the whole plan viability study.

Policy AP4 – Reducing Carbon Emissions

- 3.15 There is limited support for the policy as drafted. A large majority of the development industry consider the policy to be unnecessary as it duplicates and goes beyond national requirements and planned changes to Building Regulations. Developers consider that nationally applied standards provide clarity and consistency.
- 3.16 To provide consistency with national standards several developers suggest making reference in the policy for development proposals to meet the latest 'national' standards. It is proposed that Part (1)(b) of the policy include reference to the latest 'national' standards.
- 3.17 In terms of Part (1) of the policy respondents note these are not requirements set out in the NPPF and consider that the requirement for 'all' development to demonstrate measures to minimise energy consumption and follow the energy hierarchy is excessive and would be a significant burden and have cost implications for applicants. It is not proposed that the policy wording be amended at this stage but to rather await the outcome of the forthcoming whole plan viability assessment which will inform the Regulation 19 version of the plan.
- 3.18 Part (2) of the policy sets out the requirement for contributions to a carbon offset fund where renewable energy generation equivalent to consumption is not possible on site. The development industry has raised several concerns with this requirement including a lack of detail, a lack of transparency in relation to the financial contribution required and little flexibility or consideration of viability.
- 3.19 At this stage it is considered that the council is not in a position to be able to commit to setting up a carbon offset fund. This is due to available resources, expertise and the need to submit the local plan. Officers have had informal conversations with AECOM who undertook the Renewable and Low Carbon Energy Study (2021) who advise that setting up a carbon offset fund would not currently be viable for a district of our size. It is proposed that Part (2) of the policy be deleted.

- 3.20 In light of the above changes, it is proposed that Part (1)(c) of the policy becomes Part (2) as this criterion specifically sets out the requirements for major development.
- 3.21 In addition to the changes proposed to the policy and awaiting the viability assessment there are a number of nationally significant changes that are expected which may have implications for this policy.
- 3.22 The Future Homes Standard (FHS) is expected to be published this autumn, and the Government has confirmed (in June 2025) that the FHS will include changes to Building Regulations to require new homes to include solar panels. The Government are also expected to consult on the National Development Management Policies (NDMP) in autumn 2025. In addition, a recent (25 July 2025) Court of Appeal judgement on the Written Ministerial Statement (December 2023) confirmed that LPAs can set energy efficiency standards above national regulations, provided they are justified by local circumstances, backed by evidence, have a clear rationale and are supported by viability evidence. It is unclear whether the Government intends to appeal the decision.
- 3.23 The changes expected to be introduced by the FHS highlights the Government's intentions to include more energy efficient measures in new developments. It is possible that energy efficiency requirements may be included in the NDMP. In view of the current uncertainty at the national level we have kept changes to this policy to a minimum but intend to keep the policy under review.
- 3.24 No changes are required to be made to the policy having regard to the outcome from the SA.
- 3.25 The committee is asked to agree the revised policy wording subject to the findings of the whole plan viability study.

Policy AP5 – Health and Wellbeing

- 3.26 There is support for the policy from Sport England, Leicester, Leicestershire and Rutland ICB, CPRE Leicestershire, The Home Builders Federation as well as from Leicester City Council and several developers.
- 3.27 Several responses refer to the need for this policy to list the infrastructure requirements that would support health and wellbeing. It is the intention that this policy will complement other policies in the Local Plan including draft Policy IF1 which sets out the infrastructure requirements for developments, as such the infrastructure requirements do not need to be repeated in this policy.
- 3.28 In regard to Part (1) of the draft policy Leicestershire County Council (LCC) consider that the policy could be expanded to include reference to mental health. This suggested change is supported, and it is proposed that Part (1) of the policy include reference to development maintaining and improving the physical and mental health and wellbeing of our residents.

- 3.29 LCC also consider that Part (1) of the policy should be amended to replace 'encouraging healthy lifestyles' with 'enable healthier choices'. This is due to emerging public health evidence that suggests the word 'lifestyles' implies individual choices and behaviours are solely responsible for health outcomes which overlooks the influence of social economic and environmental factors on health. It is proposed that Part (1) of the policy is amended to reflect this suggested change.
- 3.30 A representor queries the wording of Part (2)(g) of the policy in relation to 'controlling the location of and access to take away uses'. It is considered that the wording could be amended to better reflect the intention of the draft policy. It is proposed that the word 'controlling' be replaced with 'managing' in terms of the location of and access to takeaway uses.
- 3.31 No changes are required to be made to the policy having regard to the outcome from the SA.

Policy AP6 – Health Impact Assessments

- 3.32 The Regulation 18 Local Plan (2024) did not include a draft policy relating to Health Impact Assessments (HIA) as work was ongoing with other Leicestershire authorities and the Public Health Team at Leicestershire County Council to formulate a common approach to HIA policy across the county.
- 3.33 The consultation responses from the Leicester, Leicestershire and Rutland ICB, Leicestershire County Council, Ashby de la Zouch Town Council and a number of developers supported the inclusion of a HIA policy in the Local Plan.
- 3.34 There was some objection to a HIA policy on the grounds it would duplicate information already submitted as part of major planning applications and would add a further layer of bureaucracy resulting in time and cost implications for the applicant and the council. Several developers also note that there is no adopted standardised format for HIAs in England and as local plans should consider wider health issues a HIA should not be necessary.
- 3.35 Since the Regulation 18 consultation Public Health Leicestershire have developed a HIA template for Leicestershire that can be referenced in local plans. It is considered that a HIA policy will enable development proposals to demonstrate their impact on health and wellbeing and provide a mechanism for any positive impacts to be secured and any negative implications to be mitigated.
- 3.36 A draft policy has been prepared that sets out the thresholds and location of development that would be required to undertake a HIA Screening Statement which will be used to determine whether a Health Impact Assessment is required.
- 3.37 The draft policy requires all residential proposals of 50 or more dwellings; all major non-residential developments and development located in an identified Area of Concern in the Leicestershire Joint Strategic Needs Assessment (latest edition) to undertake a HIA Screening Statement.

- 3.38 The threshold of 50 or more dwellings is considered reasonable and manageable and not too onerous for the small/medium developers. Supporting text will be drafted to provide the context and set out in more detail the requirements of the policy.
- 3.39 As there was not a policy drafted in the Regulation 18 Local Plan (January 2024) this policy has not yet been subject to SA. This policy (along with others not yet assessed) will be assessed when the Regulation 19 version of the Local Plan is prepared.

Policy AP7 – Flood Risk

- 3.40 An update to the Strategic Flood Risk Assessment (SFRA) has been commissioned and as such the draft Flood Risk Policy will be considered at a future meeting of this committee.
- 3.41 Since the draft Flood Risk Policy was published the NPPF has been revised and now contains comprehensive guidance on flood risk and the application of the sequential and exceptions tests. As such, consultants undertaking the SFRA update have been asked to provide advice on whether the new Local Plan needs to include a detailed policy on Flood Risk or whether the policy should direct applicants to the requirements of the NPPF or any successor document.
- 3.42 The SFRA update should be completed in Autumn 2025 and may have implications for policies Ap8 (Sustainable Drainage Systems) and Ap9 (Water Efficiency).

Policy AP8 – Sustainable Drainage Systems

- 3.43 There is support for the policy from Natural England as well as from some developers. There is a detailed response from Diseworth Flood Working Group specifically relating to the impact of surface water run-off in Diseworth.
- 3.44 A large majority of the responses refer to changes to the NPPF that have been made since the policy was drafted and that the policy wording and supporting text need amending in light of these changes.
- 3.45 One of the changes in the revised NPPF (para.182) is that SuDS, proportionate to the scale and nature of the proposal, should be incorporated by any application that could affect drainage on or around a site. As such it is proposed that reference to SuDS being required as part of major development proposals in Part (1) of the policy be deleted and the wording be amended to reflect the revised requirements of the NPPF.
- 3.46 Given changes to the NPPF it is also proposed that Part (1)(a) and (b) of the policy be deleted.
- 3.47 Parts (2) and (3) of the draft policy are very similar. It is proposed that these two parts of the policy be deleted as the NPPF (para. 182) requires SuDS to provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity. As this requirement is set out

in the NPPF it does not need to be repeated in local policy.

- 3.48 As a result of the above changes Part (4) of the policy will become Part (2). There are some wording changes proposed to this part of the policy, whilst Parts (2)(a) and (b) reflect requirements in the NPPF for SuDS as part of major development schemes Part (c) includes additional wording as suggested by Leicestershire County Council in relation to the maintenance of all on-site drainage elements not adopted by a third party.
- 3.49 In addition to the changes proposed to the policy wording the supporting text also needs updating to reflect changes to the NPPF and for clarity.
- 3.50 No changes are required to be made to the policy having regard to the outcome from the SA.

Policy AP9 – Water Efficiency

- 3.51 There is support for the draft policy from the Environment Agency (EA), Ashby de la Zouch Town Council as well as some developers.
- 3.52 Several developers consider that water efficiency is best dealt with through Building Regulations and that there is insufficient evidence, including an absence of engagement with key stakeholders, to demonstrate a local need for more stringent requirements.
- 3.53 The EA has identified North West Leicestershire as being within a 'seriously water stressed' area. The EA water stressed areas classifications are one of the primary sources of evidence which support a tighter water efficiency standard. As such it is considered appropriate to seek to meet the optional tighter water efficiency standard. For clarity purposes there are some suggested wording changes to Part (1) of the draft policy.
- 3.54 In terms of Part (2) a number of respondents suggest the requirement for WAT01 should only apply to major developments or developments over a certain threshold, as currently worded the policy would apply to smaller non-residential developments that would not easily or financially be able to meet the requirements.
- 3.55 It is acknowledged that Part (2) of the policy could be burdensome for smaller developments, as such it is proposed that Part (2) be amended to refer to major non-residential development. In addition, a new Part (3) is proposed to be added to the draft policy that sets out requirements for all other development proposals captured by the planning process.
- 3.56 Several representations from the development industry note that there is no evidence that the impact of the policy on viability has been tested. This policy is one to be tested through the forthcoming whole plan viability assessment which will inform the Regulation 19 version of the plan. The committee is asked to agree the revised policy wording subject to the findings of the whole plan viability study.

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

4 HOUSING (CHAPTER 6)

Policy H2 – Housing Commitments

- 4.1 The 2024 consultation did not present a drafted policy; instead, it suggested that Policy H2 (set to be drafted at Regulation 19) would list housing commitments and outline considerations for renewing lapsed planning permissions. Policy H1 of the adopted Local Plan supports such renewals, which is why a similar policy is proposed for the new Local Plan.
- 4.2 The responses received (totaling 21) were predominantly from landowners/developers/agents (13) with further comments provided from local residents (four) and members/parish/town councils (four).
- 4.3 The responses were mixed and broadly fell into the following themes:
- Support in principle;
 - The policy is unnecessary as committed developments will form part of the Local Plan housing trajectory;
 - Specific sites that should be referenced in the policy; and
 - Committed developments in Kegworth should be revisited in the Local Plan so that they deliver specific benefits.
- 4.4 Officers' responses to the above can be found in **Appendix B**. Officers recommend proceeding with Policy H2, on the basis that it would provide clarity for decision makers (particularly in scenarios where a permission has lapsed and/or a new application is submitted). Policy H2 will be drafted at Regulation 19 stage, with the most up-to-date information available at the time.
- 4.5 As there was no drafted policy, Policy H2 has not yet been assessed in the Sustainability Appraisal; this will be done at the Regulation 19 stage.

Policy H8 – Houses in Multiple Occupation in Kegworth

- 4.6 Most of the responses received were from residents providing general support for this policy, although some concerns were raised about specifics of the policy and the accuracy of data used to inform the evidence base. Two responses specifically objected to the inclusion of this policy. The responses are summarised as part of **Appendix B**. Also, for information, as this policy is focused on Kegworth, all those who previously made representations on the Article 4 process or declared HMOs (House in Multiple Occupation) properties were consulted, in addition to those on the Local Plan database.
- 4.7 Whilst the Council recognises that HMOs play an important role in providing a form of rented and more affordable accommodation, a high concentration of HMOs has the potential to create harmful impacts, for example, imbalanced communities and

adverse impacts on amenity. Evidence shows there to be a comparatively high number of HMOs in Kegworth with noticeable concentrations at a local neighbourhood/street level. Therefore, a local plan policy, focusing on Kegworth, seeking to manage the impact of HMOs is considered to be justified.

- 4.8 Part (a) of the policy seeks to resist development that leads to a harmful concentration of HMOs or development in a location where there is already a concentration of HMOs. Although a 'harmful concentration' is not defined in either national legislation or guidance, the application of a threshold is widespread amongst local authorities. Several responses either objected to the use of a threshold or suggested that it should be applied village-wide. However, for the purposes of this policy, it was considered that using a 10% threshold at a local level represented a reasonable and balanced approach. This has been established following a review of the number and spatial distribution of HMOs in Kegworth and best practice in other local authorities. This approach seeks to manage the impact of HMOs at the immediate neighbourhood level and is a manageable distance for assessing the impact of new or extended HMOs. Therefore, officers do not propose any changes to the threshold or radius level, although amendments to the wording of this criterion are proposed for clarity and renamed as criteria a) and b).
- 4.9 Part (b) of the policy seeks to ensure a residential property does not become sandwiched between two houses occupied by HMOs. No specific objections were received to this element of the policy. The only proposed policy wording changes are to provide clarity and rename the criterion as c).
- 4.10 Officers have estimated the number of HMOs using the following resources:
- Planning Register providing details of HMOs with planning permission or certificate of lawfulness
 - HMO Mandatory Licensing register providing details of HMOs occupied by five or more persons forming two or more household sharing or lacking basic amenities.
 - Council Tax records identifying properties which are occupied by full-time students only
 - HMO declarations providing details of existing HMOs 'declared' throughout the process of making the Article 4 Direction.
- 4.11 Officers consider a comprehensive record of HMOs has been provided based on the data that is available. However, it is possible that not all HMO properties have been identified, for example, those smaller HMOs with less than five residents and not subject to Mandatory Licensing. The Housing Act 2004 provides powers for local authorities to introduce a scheme of Additional Licensing to license those HMOs not covered by Mandatory Licensing and this would facilitate the recording of all HMOs. Whilst the Council does not operate such a scheme, its Environmental Health Team is undertaking work to assess if additional licensing is justified. However, this work is still ongoing, and the outcome is uncertain, although the benefits of an Additional Licensing scheme when applying this policy are acknowledged. Therefore, officers will continue to liaise with the Environmental Health Team and should there be a

change in circumstances with policy implications, this will be addressed in a future report.

- 4.12 In addition, only the specific addresses of HMOs sourced from the planning register and the licensing register can be made publicly available. Whereas, within the context of the Data Protection Act 2018, the specific address of HMOs identified through the 'declaration' process cannot, although this information can be used to identify the number of HMOs in a street. This will have an impact on what data is available to specific parties (Local Planning Authority, the applicant and consultees) using the policy when an application is submitted.
- 4.13 Although these issues are not unique to this District, when considering whether the threshold has been exceeded or if a residential dwelling would be sandwiched between two HMOs, officers and applicants will rely on this data to make an assessment. Therefore, it is considered beneficial to investigate further the HMO data available and its use in identifying the number, location or specific address of a HMO, within the context of the Data Protection Act 2018. It is also intended to prepare a dataset of HMO properties, and this will be updated on a regular basis to ensure current HMO numbers/location are available to help determine planning applications.
- 4.14 Part (c) of the policy seeks the provision of one off-street parking space per HMO occupant, subject to highway safety and amenity considerations. This proposes a higher level of provision than the requirements for those HMOs accommodating up to six residents, as set out in the Leicestershire Highway Design Guide (LHDG). There was general support for this approach, and the local highway authority did not raise any comment. Of the limited objections received, specific reference was made to other factors contributing to on-street parking levels, the availability of bus services and the fact that HMO occupants are less likely to generate cars. However, given HMOs typically accommodate a higher number of adult residents than standard dwellings there is the potential for all HMO occupants to have a car. Therefore, no change is proposed to the parking requirement although this criterion is to be renamed as d).
- 4.15 Some further minor changes are proposed to the policy so that it specifically refers to new build HMOs and the conversion of properties and with respect to the 'numbering' of the remaining criteria. All policy wording changes are detailed in **Appendix F**. The supporting text will also be updated to provide advice on suitable data sources to be used to assess the suitability of a proposal.
- 4.16 No changes are required to be made to the policy having regard to the outcome of the SA.

5 THE ECONOMY (CHAPTER 7)

Policy Ec2 – Employment Commitments

- 5.1 The consultation document explained that the full wording of this policy will be included in the next version of the Local Plan (Regulation 19 stage). The policy will

list key sites with planning permission for employment development and it will outline the likely response/requirements if an application to renew a permission comes forward. The adopted Local Plan contains an equivalent policy (Policy Ec1 – Employment provision: permissions).

- 5.2 Waiting to write the policy until Regulation 19 stage means the list of sites will be as up to date as possible. The policy will be subject to Sustainability Appraisal at this point.
- 5.3 Despite the consultation document not including proposed policy wording, there were eight representations to this policy. The representations raise quite diverse matters, notably:
- planning control over development in the countryside should be maintained;
 - commitments (including planning permissions) should be robustly assessed if the Plan is to rely upon them;
 - concern that wording for this policy was not included in the consultation document;
 - the plan's approach to the Freeport needs to be clarified; and
 - planning is a barrier to growth of the rural economy.
- 5.4 The representations and officers' comments in response are included in **Appendix C**. No changes are proposed in response to these comments.

6 INFRASTRUCTURE AND FACILITIES (CHAPTER 9)

Policy IF1 – Development and Infrastructure

- 6.1 There were 33 representations in respect of this policy and officers' comments in response are included in **Appendix D**. Of the responses 15 were from landowners/developers, two from Parish Councils, three from local authorities and four from local residents.
- 6.2 Some landowners/developers sought changes to make clear that any contributions are subject to negotiation and are related to the scale of development. These matters are already addressed in national requirements and so it is not necessary for the policy to also include such references.
- 6.3 Responses from residents were concerned with lack of local services and facilities at the present time. Whilst these concerns are understood, any policy requirements must be justified by evidence, in this case this will be provided by the Infrastructure Delivery Plan.
- 6.4 Some minor changes to the policy wording are proposed for clarity and to ensure that the policy provides a suitable basis for seeking contributions.
- 6.5 In respect of the outcome from the Sustainability Appraisal no changes are required as the policy generally scores positively.

Policy IF3 – Green and Blue Infrastructure

- 6.6 The 12 representations and officers' comments in response are included in **Appendix D**. Six of the representations support the policy.
- 6.7 Two housebuilders want to add the qualifying phrases 'where possible' or 'where necessary' to Part (1) of the policy but officers consider that the current wording, which already includes the words 'where appropriate' is sufficient. A change to Part (1) to require existing green infrastructure to be retained **and enhanced** where possible is supported.
- 6.8 **Appendix D** also includes suggested changes to the policy's supporting text as follows:
- Insert the NPPF definition of 'Green Infrastructure'
 - Add commentary about [Natural England's Green Infrastructure Framework: Principles & Standards](#)
 - Add more explanation about how green infrastructure can support better health, contribute to Biodiversity Net Gain and act as a form of natural flood management.
- 6.9 The outcome of the SA does not require any further changes to the policy.

Policy IF5 – Transport Infrastructure and New Development

- 6.10 There may be elements of this policy that are covered by the aforementioned National Development Management Policies; officers will make a further assessment of the policy when the NDMP is published for consultation.
- 6.11 There were 22 responses, predominantly from landowners/developers/ agents (11) as well as statutory consultees (five), local residents (three) and parish/town councils (three).
- 6.12 The comments received can be summarised as follows:
- General support (from a mix of landowners/developers/agents, statutory consultees and town council);
 - General comments about the principle of/the aims of the policy; and
 - Specific comments relating to the wording of parts (2), (3), (4) and (5).
- 6.13 A summary of the comments, alongside officers' responses and suggested changes, is set out at **Appendix D**. The amended policy is at **Appendix F**. Officers have proposed changes to the wording of parts (2) to (5) for the purposes of clarity, conciseness and consistency with the National Planning Policy Framework.
- 6.14 When the transport modelling work is more advanced, officers will consider whether the policy should reference specific highways improvement schemes to which

development should contribute. This is done in Policy IF4 of the adopted Local Plan and provides a policy hook for securing developer contributions towards schemes such as the A511.

- 6.15 No changes to the policy are required as a result of the Sustainability Appraisal.

7 ENVIRONMENT (CHAPTER 10)

Policy En1 – Nature Conservation and Biodiversity Net Gain

- 7.1 There were 29 responses to this policy and officers' comments in response are included in **Appendix E**. Of these, 12 were from landowners/developers, three from Parish Councils, one from a local authority, two from government agencies, six from local residents and one from a local interest group.
- 7.2 Changes are proposed for clarity, but also to avoid repeating matters that are already addressed in legislation.
- 7.3 No changes to the policy are required as a result of the Sustainability Appraisal.

Policy En3 – National Forest

- 7.4 This Policy was considered at the 11 June 2025 meeting of this committee. At that meeting Members considered that the policy should be deferred to a future meeting to allow officers and the National Forest Company (NFC) time to discuss and agree policy wording specifically in relation to the Heart of the National Forest.
- 7.5 Officers have since met with the NFC and have agreed amendments to the policy wording (see **Appendix F**).
- 7.6 It is proposed that reference to the Heart of the National Forest be removed from Part (1) of the draft policy and that a new section be added to the policy (Part 4) that requires development within the Heart of the National Forest to demonstrate the measures taken to comply with the Heart of the National Forest Vision.
- 7.7 Other minor changes have also been made to the policy following suggestions from the NFC. Most notably the inclusion of criteria (2)(b) and (c) which are requirements of the National Forest Policy (En3) of the adopted Local Plan
- 7.8 As confirmed in the 11 June 2025 Local Plan Committee Report, no changes to the policy are required as a result of the Sustainability Appraisal.

Policy En5 – Area of Separation

- 7.9 There were 11 responses to this policy. Officers' comments in response are included in **Appendix F**. There were three responses from landowners/developers which raised specific objections to the principal of the policy and/or how it was defined. Comments from residents on the other hand were supportive of the approach.

- 7.10 There were two responses to the consultation on behalf of developers which questioned the basis for the policy. The Council's consultant who undertook the assessment of the existing Area of Separation provided a response to the various comments. These are included as part of **Appendix F**.
- 7.11 The draft policies the subject of this report were consulted upon in February/March 2024.
- 7.12 The meeting of this Committee on 16 December 2024 agreed to the allocation for housing of three sites that are currently included in the Area of Separation (land off Thornborough Road (C18), land at Torrington Avenue Whitwick (C19A) and land off Stephenson Way (C19B). This was in addition to an earlier decision to allocate land at Broom Leys Farm (C46) for housing. These decisions were necessary in order to ensure the provision of sufficient land for housing in the Coalville Urban Area consistent with the agreed development strategy.
- 7.13 In agreeing the allocation of these sites, it was also agreed that the remaining land in the Area of Separation should be retained as such an amendment to the wording of the policy is proposed in order to make it more positively worded.

8 NEXT STEPS

- 8.1 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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