

Draft Policy AP2 – Amenity

- (1) New development should be designed to minimise its impact on the amenity and ~~quiet enjoyment~~living conditions of both future residents and existing residents in ~~the its vicinity of the development~~. Development proposals will be ~~supported~~permitted where:
 - (a) They do not have ~~a significant adverse effect~~an unacceptable impact on the living conditions of existing residents through the loss of privacy, excessive overshadowing and overbearing impact.
 - (b) They do not generate an unacceptable level of activity, noise, vibration, ~~pollution—light~~ or unpleasant odour emission, which cannot be mitigated to an appropriate standard ~~and so, would have an adverse impact on amenity and living conditions~~.
- (2) Development proposals which are likely to experience significant adverse effects from noise, vibration, light or odour levels in the vicinity ~~is sensitive to noise or unpleasant odour emissions will not only~~ be permitted where suitable mitigation can be provided that would reduce the effects to an appropriate level~~it would adversely affect future occupants~~.
- (3) Proposals for external lighting schemes should be designed to minimise potential pollution from glare or light spillage. The intensity of lighting should be necessary to achieve its purpose, and the benefits of the lighting scheme must be shown to outweigh any adverse effects.

Draft Policy AP3 – Renewable Energy (Strategic Policy)

- (1) The Council will support renewable energy proposals that contribute towards achieving the following renewable energy generation targets by 2042:
 - (a) ~~550.762~~ MW of energy generated by solar energy generation.
 - (b) ~~52.647.8~~ MW of energy generated by wind generation.
- (2) Proposals for renewable energy generation as part of new ~~housing~~ developments should be proportionate to the scale of the proposed development and appropriate to their setting.
- (3) Planning applications for renewable energy including any new grid connection lines and any ancillary infrastructure and buildings associated with the development will be supported where:
 - (a) There is no unacceptable impact on residential amenity as result of the development alone or in conjunction with any permitted and existing renewable energy schemes in terms of noise, shadow flicker, vibration, topple distance, glint and glare and visual dominance; and
 - (b) There is no unacceptable impact on biodiversity, ecology or wildlife; and
 - (c) ~~There is no unacceptable impact on~~ landscape character taking account of the special qualities set out within the individual National Character Areas; and
 - (d) The potential impacts on air traffic aviation safety and aircraft operations radar and communications at or in the vicinity of East Midlands Airport have been addressed; and
 - (e) There is no adverse impact on highway safety; and
 - (f) Proposals are accompanied by details to demonstrate how future maintenance will be undertaken and how the site will be decommissioned to ensure the restoration of the site following cessation, such details will be secured by means of condition and/or Section 106 legal agreement; and
- (4) In addition to the above considerations, proposals for wind energy developments will be supported where:
 - (a) The site and scale of development proposed corresponds with the 'Areas Identified as potentially suitable for small scale or medium/large scale turbines' as defined on the Policies Map or is set out within an area defined as being suitable for wind energy development within a made Neighbourhood Plan; and
 - (b) It can be demonstrated that the proposal has support from the local community; and
 - (c) ~~All impacts on air traffic safety and radar and communications have been assessed, consulted upon and addressed.~~

- (5) Proposals for solar energy developments including both mounted and standalone ground mounted installations and extensions and repowering of solar extensions, should avoid using the best and most versatile agricultural land where possible.

Draft Policy AP4 – Reducing Carbon Emissions (Strategic Policy)

- (1) Development is required to contribute to the Council's aim for a carbon neutral district by 2050. To achieve this, all new development will be required to demonstrate that how the following requirements are satisfied:

(a) On-site renewable energy generation is maximised as much as possible;

(a)(b) Achieve Energy efficiency targets in line with the latest national standards at the time a planning application is determined, will be achieved ~~as set by national policies~~ (including any transitional arrangements); and

(b)(c) That measures have been taken to minimise energy consumption by following the steps in the energy hierarchy.

(2) Major developments will be required to demonstrate that measures have been taken to reduce lifecycle carbon emissions and maximise opportunities for the reuse of materials.

- ~~(2) Renewable energy generation should be maximised as much as possible on-site. Where the use of on-site renewables to match the total energy consumption of the development/site is demonstrated not to be technically feasible or economically viable, a financial contribution will be required to the council's carbon offset fund to enable residual carbon emissions to be offset by other local initiatives.~~

Draft Policy AP5 – Health and Wellbeing (Strategic Policy)

- (1) Development that maintains and improves the [physical and mental](#) health and wellbeing of our residents, [encouraging healthy lifestyles enables healthier choices](#) by tackling the causes of ill health and inequalities will be supported. Health considerations will be embedded in decision making and the Council will support the creation of a high quality, accessible and inclusive environment.
- (2) To achieve this, the Council will:
 - (a) Ensure homes are high quality, good homes and allow people to live healthy lives within them and remain in their homes for longer.
 - (b) Facilitate the creation of healthy and resilient communities with opportunities for social interaction, and where people feel safe.
 - (c) Support the delivery of a safe walking and cycling network to increase access to active travel, considering active design within development and connections with the wider community, services and employment opportunities.
 - (d) Promote and increase access to, and the protection and improvement of, green and blue spaces, sports facilities and play and recreation opportunities.
 - (e) Maintain and improve accessibility to healthcare, social care, education and community facilities and wider support services.
 - (f) Prevent negative impacts on residential amenity and wider public safety from noise, ground instability, ground and water contamination, vibration and air quality.
 - (g) Support healthy eating and promote healthy food choices, through opportunities for sustainable food development, such as allotments and community growing places, and [controlling managing](#) the location of, and access to, take away uses.

Draft Policy AP6 - Health Impact Assessments

(1) A Health Impact Assessment (HIA) Screening Statement must be undertaken for the following types of development:

- (a) all residential proposals of 50 or more dwellings; or
- (b) all major non-residential development; and
- (c) development located in an identified Area of Concern in the Leicestershire Joint Strategic Needs Assessment (latest edition)

(2) Applicants should use the HIA Screening Tool prepared by Public Health (Leicestershire) and contained within the HIA template and guidance for North West Leicestershire ([Health Impact Assessments | Leicestershire County Council Professional Services Portal](#)), unless an alternative method is agreed. The outcome of the Screening Statement will determine if a Health Impact Assessment would be required to accompany the proposal.

(3) Where a development has significant negative or positive impacts on health and wellbeing the council will require applicants to ensure that any positive health impacts are achieved, and negative health impacts mitigated through planning conditions and/or financial or other contributions secured via planning obligations.

Draft Policy AP8 – Sustainable Drainage Systems

- (1) ~~All major development proposals will include~~ Development proposals that could affect drainage on or around a site should incorporate Sustainable Drainage Systems (SuDS) for the management of surface water run-off consistent with the requirements of the National Planning Policy Framework, or its successor, unless it can be clearly demonstrated that:
 - ~~(a) SuDS are not technically, operationally or financially deliverable or viable and that surface water drainage issues from the development can be mitigated in an alternative way; or~~
 - ~~(b) The SuDS scheme will itself adversely affect the environment or safety and that surface water drainage issues from the development can be mitigated in an alternative way.~~
- (2) ~~All schemes with the inclusion of SuDS should demonstrate that they have considered all four areas of good SuDS design: quantity, quality, amenity and biodiversity.~~
- (3) ~~Where appropriate, every effort should be made to link SuDS into wider initiatives to enhance green infrastructure, improve water quality and benefit wildlife and biodiversity.~~
- (4)(2) Sustainable Drainage Systems provided as part of major development proposals should: (a) take account of advice from the Lead Local Flood Authority; and (b) have appropriate proposed minimum operational standards; and (c) Ensure arrangements are put must be put in place for the management and maintenance of the ~~Sproposed surface water drainage system~~ and any retained existing surface water drainage features over the whole period during which they are needed.

Draft Policy AP9 – Water Efficiency

- (1) All proposals for new residential development are required to achieve the As part of proposals for residential development applicants will be required to submit evidence to demonstrate that the national optional water efficiency standard of a maximum of 110 litres of water per person per day can be met, this will be secured by a planning condition.
- (2) All Major non-residential proposals for new non-residential buildings are involving the extension, replacement or creation of new non-residential floorspace or a combination thereof will be required to demonstrate that BREEAM excellent credits for WAT 01 are being targeted and this will be secured by a planning condition. An assessment of the building's water efficiency performance should be carried out by a BREEAM approved assessor using the BREEAM Wat 01 calculator, or equivalent best practice standard, and should be submitted as part of a planning application.
- (3) For all other development proposals captured by the planning process including, change of use, conversions, extensions and refurbishments, applicants will need to demonstrate that measures have been incorporated to achieve the highest level of water efficiency possible.

Draft Policy H8 – Houses in Multiple Occupation in Kegworth

- (1) Within the Parish of Kegworth we will support proposals for new (new-build or conversion) Houses in Multiple Occupation, extensions to Houses in Multiple Occupation or the increase in the occupancy of Houses in Multiple Occupation where:

(a) The existing number of Houses in Multiple Occupation do not represent 10% ~~or~~ more of all dwellings within 100m radius from the centre of the building to which the application relates, or

~~(a)~~(b) the proposed developmental would not result in ~~the~~ 10% or more of all dwellings within 100m radius from the centre of building to which the application relates being occupied as Houses in Multiple Occupation threshold being exceeded; and

~~(b)~~(c) It would does not result in a residential property (C3 use) dwelling being sandwiched between two Houses in Multiple Occupation along the same side of the street; and

~~(c)~~(d) The development is able to provide suitable off-street parking of one space per occupant that does not cause detriment to highway safety or the amenity of the area, either individually or cumulatively; and

~~(d)~~(e) The House in Multiple Occupation would does not significantly harm residential amenity and the social and physical character of the area, in particular through increased activity, noise or disturbance; and

~~(e)~~(f) Sufficient provision is made available on site for refuse storage facilities and cycle storage facilities; and

~~(f)~~(g) The overall size of the property is suitable for multiple occupation with adequate living space and standards for future occupants (i.e., garden/amenity space, internal space, noise, outlook, light and privacy).

Draft Policy IF1 – Development and Infrastructure (Strategic Policy)

Infrastructure requirements

- (1) Development will be supported by, and make contributions as appropriate to, the provision of new physical, social and green infrastructure in order to mitigate its impact individually and cumulatively with other development upon the environment and communities.
- (2) The type of infrastructure required to support new development includes, but is not limited to:
 - (a) Affordable housing; and
 - (b) Community facilities including education, health, local shops, ~~and~~ cultural facilities; and community safety and
 - (c) Transport including highways, footpaths and cycleways, public transport and associated facilities; and
 - (d) Green infrastructure including open space, sport and recreation, National Forest planting (either new provision or enhancement of existing sites) and provision of or improvements to sites of nature conservation value; and
 - (e) The provision of full fibre broadband connection ~~superfast broadband communications~~; and
 - (f) Utilities and waste; and
 - (g) Flood prevention and sustainable drainage.

Securing provision

- (3) Contributions may be secured by means of planning obligations and/or a Community Infrastructure Levy charge, in the event that the Council brings a Charging schedule into effect or Section 278 Legal Agreements for highways infrastructure.
- (4) The infrastructure secured (on or off-site) will be provided either as part of the development or through a financial contribution to the appropriate service provider and may include the long-term management and maintenance of the infrastructure.
- (5) In negotiating the provision of infrastructure the Council will have due regard to viability issues and where appropriate will require that the applicant provide viability information to the Council which will then be subject to independent verification.
- (6) Any request to seek amendments to an existing a Section 106 legal agreement which would result in a lesser provision of infrastructure, will only be

considered where a fully transparent open book viability assessment has proven that full mitigation cannot be afforded, allowing only for the minimum level of developer profit and landowner receipt necessary for the development to proceed.

- (7) The Council will work closely with infrastructure providers to ensure inclusion of infrastructure schemes within their programmes, plans and strategies, and delivery of specific infrastructure requirements in conjunction with individual development schemes and the expected timing of development coming forward. The Council will also work with partners and other stakeholders to secure public funding towards infrastructure, where possible.

Draft Policy IF3 – Green Infrastructure (Strategic Policy)

- (1) The Council will expect all major development, where appropriate, to contribute towards the delivery of new green infrastructure which connects to and enhances the existing network of multi-functional spaces and natural features throughout the district. In making provision, regard should be had to the priorities for green infrastructure identified in the Green Infrastructure Study (or its successor). Such provision will be proportionate to the scale of the development and the site's context.
- (2) Proposals that cause loss or harm to the green infrastructure network, including its function and amenity value, will not be permitted unless the need for and benefits of the development outweigh any adverse impacts. Existing trees, woodlands and hedgerows should be retained and enhanced wherever possible.
- (3) Where adverse impacts on green infrastructure network are unavoidable, development will only be permitted if suitable mitigation measures for the network are provided.

Draft Policy IF5: Transport Infrastructure and New Development

- (1) All development must provide ~~a~~ safe and suitable access for vehicles, pedestrians and where relevant, cyclists.
- (2) New development that is likely to generate significant amounts of movement ~~on the local highway network~~ will require a Transport Assessment or Transport Statement and Travel Plan, as appropriate, to assess the impacts of the development and, where necessary, provide suitable mitigation. ~~mitigate any negative transport impacts.~~
- (3) Having regard to its scale, type and location, new development will be required to maximise accessibility by sustainable modes of transport by:
 - (a) Providing well-designed pedestrian and cycle links within the development;
 - (b) Where ~~necessary~~appropriate, providing for a bus link within the development; and
 - (c) Taking opportunities to link to existing footpaths, cycleways and bus routes in the wider area.
- (4) The district's ~~strategic~~ cycling and walking routes, including those as identified in the Local Cycling and Walking Infrastructure Plan, will be safeguarded. Any development ~~proposals sites~~ which ~~would impact~~incorporate these routes will be expected to accommodate them within the development.
- (5) Development that has a demonstrable transport impact will be required to ~~financially~~ contribute towards:
 - (a) Public transport services; and/or
 - (b) Any sustainable transport measures necessary to make the development acceptable; and/or
 - (c) Any offsite highways improvements necessary to mitigate the impact of the development.

Draft Policy En1 – Nature Conservation/Biodiversity Net Gain (Strategic Policy)

(1) The Council will seek to conserve and enhance the biodiversity of the district by:

(a) Ensuring that development provides a net gain in biodiversity consistent with any national policy prevailing at the time that a planning application is ~~determined~~submitted.

(b) Requiring that development follows the mitigation hierarchy of avoid, minimise, restore and offset.

(c) Having a preference for any biodiversity provision to be made on-site wherever possible and practicable

~~(c)~~(d) Requiring that development avoids an adverse impact on the nature conservation value of the following hierarchy of sites, with the weight afforded to their protection reflecting their position in the hierarchy (greatest weight first) along with any legislative and national policy requirements:

- (i) Special Areas of Conservation (SAC);
- (ii) Irreplaceable habitats (defined as Ancient woodlands; Mature plantation or secondary woodland; Species-rich ancient hedgerows; Aged or veteran trees; Species-rich neutral grassland; Acid grassland and heath grassland; Dry and wet heathland; Bogs and Sphagnum pools and Rock outcrops);
- (iii) National designations (Sites of Special Scientific Interest (SSSI) and National Nature Reserves);
- (iv) Local and Regionally Important Geodiversity Sites (RIGS) and candidate Regionally Important Geodiversity Sites (cRIGS);
- (v) Local Wildlife Sites (LWSs), Local Nature Reserves (LNRs) and candidate Local Wildlife Sites (cLWSs) which meet the Leicester, Leicestershire and Rutland LWS criteria;
- (vi) Local and National Biodiversity Action Plan-related (BAP) priority habitats.

~~(d) Prioritising on-site provision, wherever practicable, where compensation is required for the reduction or loss of existing biodiversity resources. Where off-site provision is necessary this should be well located in relation to the proposed development.~~

~~(e) Requiring that a management plan be provided detailing how the post-development biodiversity values of the site and any supporting off-site provision will be secured, managed and monitored in perpetuity.~~

Draft Policy En3 – National Forest (Strategic Policy)

The District Council will support the National Forest Company and its partners to realise the economic, social and environmental potential of the National Forest by:

(1) Supporting development within 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;

(2) Requiring nNew development within the National Forest to: will

(a) 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; and-

(b) ensure the siting and scale of the proposed development is appropriately related to its setting within the Forest; and

(c) respect the character and appearance of the National Forest.

(3) Requiring that a commuted sum be provided towards the provision of tree planting within the National Forest wwhere 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.~~

(4) Within the Heart of the National Forest development should demonstrate support for the delivery of the Heart of the National Forest Vision by:

- ~~• Development in the Heart of the National Forest should strengthening~~ linkages to nearby urban areas and leisure and tourism attractions.
- ~~• being exemplars of sustainable design and construction and~~
- ~~• Seeking to promote the use of non-motorised modes of travel.~~

The District Council will support the National Forest Company and others in the delivery of the Heart of the National Forest Vision. Development in the Heart of the National Forest should demonstrate compliance with the Vision.

Policy En5 – Areas of Separation

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