

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**  
**LOCAL PLAN COMMITTEE – WEDNESDAY 19 NOVEMBER 2025**



Title of Report	LOCAL PLAN – HOUSING ALLOCATIONS: OUTSTANDING MATTERS	
<b>Presented by</b>	Ian Nelson Planning Policy and Land Charges Team Manager	
<b>Background Papers</b>	<a href="#"><u>Draft North West Leicestershire Local Plan 2024-2042 – Additional Proposed Housing and Employment Allocations for Consultation (March 2025)</u></a>  <a href="#"><u>Report to Local Plan Committee – 30 July 2025 (Additional Proposed Housing Allocations: Consideration of Consultation Responses)</u></a>  <a href="#"><u>National Planning Policy Framework (publishing.service.gov.uk)</u></a>  <a href="#"><u>Strategic Housing and Economic Land Availability Assessment (2021)</u></a>  <a href="#"><u>Site Assessment of P5 and P8 (Land at Spring Lane and Normanton Road, Packington)</u></a>  <a href="#"><u>Site Proforma for P5 and P8 (Land at Spring Lane and Normanton Road, Packington)</u></a>  <a href="#"><u>Sustainability Appraisal of P5 and P8 (Land at Spring Lane and Normanton Road, Packington)</u></a>	<b>Public Report:</b> Yes
		<b>Key Decision:</b> No
<b>Financial Implications</b>	The cost of the Local Plan Review is met through existing budgets which are monitored on an ongoing basis.	

	<b>Signed off by the Section 151 Officer:</b> Yes
<b>Legal Implications</b>	The Local Plan must be based on robust and up to date evidence.
	<b>Signed off by the Monitoring Officer:</b> Yes
<b>Staffing and Corporate Implications</b>	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.
	<b>Signed off by the Head of Paid Service:</b> Yes
<b>Purpose of Report</b>	<ul style="list-style-type: none"> <li>• To agree the policy wording for the Strategic Development Area policy for inclusion in the Regulation 19 plan</li> <li>• To agree housing sites to take forward for allocation in the Regulation 19 plan</li> </ul>
<b>Recommendations</b>	<p><b>SUBJECT TO THE OUTCOME OF FURTHER WORK INCLUDING TRANSPORT MODELLING, VIABILITY ASSESSMENT AND INFRASTRUCTURE REQUIREMENTS, THE LOCAL PLAN COMMITTEE AGREES THAT:</b></p> <ol style="list-style-type: none"> <li>1. THE PROPOSED POLICY FOR THE COVILLE URBAN AREA STRATEGIC DEVELOPMENT AREA BE AS SET OUT AT APPENDIX A OF THIS REPORT</li> <li>2. LAND SOUTH OF ASHBY ROAD, KEGWORTH (K12) BE ALLOCATED FOR AROUND 140 DWELLINGS IN THE REGULATION 19 LOCAL PLAN SUBJECT TO NOT RECEIVING ANY ADVERSE LEGAL ADVICE AS OUTLINED AT PARAGRAPHS 4.6 AND 4.7 OF THIS REPORT.</li> <li>3. LAND WEST OF REDBURROW LANE, PACKINGTON (P7) IS ALLOCATED FOR AROUND 30 DWELLINGS IN THE REGULATION 19 LOCAL PLAN</li> <li>4. HOUSING ALLOCATION LAND SOUTH OF NORMANTON ROAD, PACKINGTON (P4) INCLUDES AN ADDITIONAL POLICY REQUIREMENT TO FACILITATE VEHICULAR ACCESS TO P7</li> <li>5. LAND AT SPRING LANE AND REAR OF 55 NORMANTON ROAD, PACKINGTON (P5 &amp; P8) IS NOT ALLOCATED IN THE REGULATION 19 LOCAL PLAN.</li> </ol>

## **1 INTRODUCTION**

- 1.1 A report to the Local Plan Committee of 30 July 2025 provided an overview of the responses received as part of the [Draft North West Leicestershire Local Plan 2024 to 2042 – Additional Proposed Housing and Employment Allocations](#) consultation.
- 1.2 At that meeting, the Local Plan Committee agreed to allocate Land off Hall Lane and Torrington Avenue (C19a), Land off Stephenson Way (C19b) and Broom Leys Farm (C46) as a single Strategic Development Area, with the specific policy wording to be presented at a future meeting.
- 1.3 In addition, the following sites were deferred for consideration at a future meeting of the Local Plan Committee: -
- Land south of Ashby Road, Kegworth (K12)
  - Land west of Redburrow Lane, Packington (P7)
  - Land at Spring Lane and rear of 55 Normanton Road, Packington (P5 & P8)
- 1.4 The purpose of this report is to agree the proposed policy wording for the Coalville Urban Area Strategic Development Area and provide a recommendation on the deferred sites.

## **2 STRUCTURE OF THIS REPORT**

- 2.1 This report is structured as follows:
- Section 3 – addresses the need for policy wording in respect of the Strategic Development Area in the Coalville Urban Area
  - Section 4 – addresses comments made in respect of land south of Ashby Road Kegworth
  - Section 5 – updates on the Packington housing sites
  - Section 6 – outlines the next steps
- 2.2 The appendices are included separately to enable members to be able to have easy access to both the report and the appendices at the same time. For clarity, the complete list of appendices is:
- Appendix A: Proposed policy for the Strategic Development Area
  - Appendix B: Plan showing the area subject to the Strategic Development Area policy
  - Appendix C: Proposed changes to Area of Separation Policy (En5)
  - Appendix D Map 1: Location Plan of P4 (Normanton Road) and P7 (Land west of Redburrow Lane)
  - Appendix E: Draft policy for Housing Allocation P7 (Lane west of Redburrow Lane)

### 3 COALVILLE URBAN AREA STRATEGIC DEVELOPMENT AREA

- 3.1 The Strategic Development Area comprises of three parcels of land which have been promoted for development separately, but all of which are located within the current Area of Separation between Coalville and Whitwick. Whilst the three parcels will be developed separately (and presumably by different housebuilders) it is important to ensure that this is done in a co-ordinated manner in terms of the overall design and layout of any development, as well infrastructure provision including securing the retention of the undeveloped areas as part of a reduced Area of Separation.
- 3.2 The draft policy seeks to achieve these aims and is included as **Appendix A** to this report. It will be for the three site promoters to lead on the preparation of a land use framework to show how the three housing areas and associated infrastructure will be delivered in a co-ordinated manner. This will need to be done in consultation with not only the District Council and Whitwick Parish Council, but also the local community to ensure that there is a shared understanding of what is proposed.
- 3.3 A plan which identifies the three parcels, together with those areas of land that are to be retained as undeveloped is identified on the plan at **Appendix B** of this report.
- 3.4 At the 24 September 2025 meeting of this committee, it was agreed to make some amendments to the Area of Separation policy (Policy En5). Having reviewed the policy in the light of the proposed housing development, it is considered that a further change is required so as to allow the provision of any necessary road connections between the three development areas. The proposed change is set out at **Appendix C** of this report

### 4 LAND TO THE SOUTH OF ASHBY ROAD, KEGWORTH (K12)

- 4.1 At the 30 July 2025 Local Plan Committee, it was resolved that (**officer's emphasis**):
- “Land south of Ashby Road, Kegworth (K12) is allocated for around 140 dwellings in the Regulation 19 Local Plan, **subject to confirmation that the site is acceptably located in relation to the East Midlands Airport Public Safety Zone.**”*
- 4.2 The recommendation was framed to enable the Council to obtain legal advice on representations made to the March 2025 Regulation 18 consultation. These representations claimed that there are foreseeable safety, health and environmental risks associated with allocating site K12, which would potentially expose the Council and its officers to “scrutiny under the principles of public liability and professional negligence.” Specific reference was made to a potential future aviation incident, which is understandably a sensitive subject in Kegworth and the surrounding area.
- 4.3 The legal advice was received on 9 October 2025. Firstly, the advice considered the representations were premature in nature. Inclusion of K12 at this stage of the Local Plan does not guarantee its inclusion in the adopted Local Plan or that development will occur. Any proposed development will also be subject to a planning application

and the associated specialist and technical considerations.

- 4.4 In terms of the liability of the Council and its officers in proposing the allocation of K12 at this stage of the plan making process:
- Officers are indemnified by the Council in performing their duties, where they have acted diligently and in good faith. In this regard, the site is located outside the Public Safety Zone for East Midlands Airport; the boundary for which is the responsibility of the airport operator.
  - The Council is performing its statutory duty under the Town and Country Planning (Local Planning) (England) Regulations 2012 to provide and maintain an up-to-date Local Plan. The 2012 Regulations contains specific provision for the review and revision of the draft Plan by the Secretary of State/Planning Inspectorate.
  - Case law confirms that councils are not liable to third parties for negligence when carrying out their statutory *planning* functions, as the Planning Acts provide a regulatory system for the public, not a private law benefit on individuals.
  - It is possible for aggrieved persons to challenge the Council's conduct in the preparation of the Local Plan in the High Court via judicial review.
- 4.5 The legal advice concludes that the statements made in the representations are incorrect and premature and that it would be difficult to establish a cause of liability for allocation in a draft plan *"given that there are still several steps to take in the local plan process, and even if included in the final plan, the site would require planning permission and therefore appropriate consideration and assessment at such a time."*
- 4.6 Since the advice was received, a further letter has been received from the representor in the light of an air crash in the United States of America on 4 November 2025. Whilst most of the comments are similar to those previously raised they do also raise additional points. Further legal advice has been sought and members will be updated at the meeting should this advice be received.
- 4.7 In the meantime, it is considered that this site is acceptable and should be allocated as part of the Local Plan, subject to the outcome from the additional legal advice not raising any issues about the suitability of the site.

## 5 PROPOSED HOUSING ALLOCATIONS IN PACKINGTON

- 5.1 The [Draft North West Leicestershire Local Plan 2024 to 2042 – Additional Proposed Housing and Employment Allocations](#) proposed the allocation of Land west of Redburrow Lane, Packington (P7), for around 30 homes. However, as a number of highway matters remained unresolved for this site, views were also sought on Land at Spring Lane and Normanton Road (P5/P8). The consultation document made clear that P5/P8 *"will only be considered as a potential allocation to P7 in the event that highways issues at [P7] cannot be resolved."*
- 5.2 The report to the Local Plan Committee on 30 July 2025 provided a summary of, and a response to, all representations made in relation to P7 and P5/P8. However, as there was no clarity on whether the highways matters at P7 could be resolved, a decision on

the Packington sites was deferred for consideration at a future meeting of the Local Plan Committee.

- 5.3 The consultation document included a proposed policy requirement for Land west of Redburrow Lane (P7) to provide a safe and suitable access from Normanton Road. However, the local highways authority has now advised that the required visibility to the east of the proposed access cannot be achieved and therefore a safe and suitable site access onto Normanton Road cannot be provided. This conclusion is based on *existing* vehicle speeds, a necessary approach to ensure the visibility achievable will be suitable for the actual speed of traffic.
- 5.4 The site promoter has engaged with the local highway authority to seek a solution to concerns raised and has proposed what they consider to be suitable measures, to reduce vehicle speed. This includes the relocation of the 30mph speed zone to the east and the provision of gateway traffic calming features. The local Packington Traffic Calming Group are themselves investigating the potential use of measures to reduce vehicle speeds in the village, including along Normanton Road.
- 5.5 Notwithstanding these measures, the local highway authority remains of the opinion that it is existing vehicles speeds that are of relevance when assessing the suitability of a site. The potential for speeds to be reduced through proposed traffic calming or speed reduction measures cannot be relied upon. Furthermore, the highway authority also advises that the specific scheme presented by the site promoter is not acceptable. Therefore, as their concerns cannot be overcome, they are unable to support this allocation with the proposed access off Normanton Road.
- 5.6 Other options to access the site have now been considered. Redburrow Lane is a single-track road requiring significant widening with substandard visibility at its junction with Normanton Road. Access from the existing development at Century Drive would necessitate redesignated private drives and there are numerous land ownership issues needing to be addressed. Neither option is considered suitable.
- 5.7 However, the site could be accessed from the adjacent proposed housing allocation at Land south of Normanton Road (P4). Map 1 (**Appendix D**) shows the location of these two sites. Site P4 is currently the subject of a planning application for residential development. Details of this scheme propose a carriageway with a width of 4.8m. The local highway authority has confirmed that this access road could serve up to 50 dwellings and would therefore have the capacity to serve both site P4 (for around 10 dwellings) and P7 (for around 30 dwellings). Peveril Homes, who have submitted the planning application at P4, confirm they are content to provide access through their land to serve P7.
- 5.8 On this basis, it is considered that a safe and suitable access for P7 can be provided. The proposed policy requirements for site P7 have been amended to address this change (**Appendix E**). This will also require an additional policy requirement for site P4, as detailed below, to ensure that the layout of development on this site facilitates the provision of vehicular access to P7:
- 'A satisfactory layout which facilitates the provision of a safe and suitable access to serve Land west of Redburrow Lane, Packington (P7)'*

- 5.9 Land at Spring Lane and rear of 55 Normanton Road, Packington (P5/P8) was only identified as a possible alternative allocation if access issues at P7 could not be resolved. A [site proforma](#) and a detailed site assessment have been prepared for site P5/P8 and the site has also been subject to a [Sustainability Appraisal](#). However, in light of the highway issues being resolved at P7 it is no longer proposed to allocate this reserved allocation.
- 5.10 To address the potential shortfall of housing in Packington, other sites in Packington have been revisited and considered and it is recommended that P7 is the preferred additional allocation. The site is a logical extension to the village, considering the recently constructed development, as well as the proposed housing allocation, on land to the west. A scheme could be designed to respect the local character of development and the area. The site is well screened and contained by landscaping on four sides, and there is a clearly defined physical boundary to the east. Retention of landscaping would reduce the visual impact of development on the wider countryside, and a development of around 30 dwellings would allow for the on-site provision of SUDS, BNG, National Forest Planting and public open. It is recommended that Land west of Redburrow Lane, Packington (P7) is allocated for around 30 dwellings in the Regulation 19 Local Plan.
- 5.11 It is recommended that Land at Spring Lane and rear of 55 Normanton Road, Packington (P5 & P8) is not allocated in the Regulation 19 Local Plan.

## **6 NEXT STEPS**

- 6.1 The above housing sites and policies will, subject to the agreement of Council, progress to the Regulation 19 version of the Local Plan to be consulted upon in 2026 in order to meet the Government's deadline for Local plans to be submitted by December 2026.

Policies and other considerations, as appropriate	
Council Priorities:	<ul style="list-style-type: none"> <li>- Planning and regeneration</li> <li>- Communities and housing</li> <li>- Clean, green and zero carbon</li> </ul>
Policy Considerations:	The Local Plan is required to be consistent with the National Planning Policy Framework and other government guidance and requirements.
Safeguarding:	None discernible.
Equalities/Diversity:	An Equalities Impact Assessment of the Local Plan review will be undertaken as part of the Sustainability Appraisal.
Customer Impact:	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 targeted consultation is proposed. 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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