

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



Title of Report	NEW LOCAL PLAN – CONSIDERATION OF THE CONSULTATION RESPONSES TO POLICIES	
Presented by	Ian Nelson Planning Policy and Land Charges Team Manager	
Background Papers	<p>Report to Local Plan Committee 24 September 2025 – consideration of the consultation responses to policies  <a href="#">New Local Plan consideration of the consultation responses to policies.pdf</a></p> <p>Report to Local Plan Committee 18 October 2023  <a href="#">Draft Local Plan – Policies</a></p> <p><a href="#">Draft North West Leicestershire Local Plan 2020 - 2040 Proposed Policies for Consultation (January 2024)</a></p> <p>Report to Local Plan Committee 22 May 2024  <a href="#">Local Plan Regulation 18 Consultation</a></p> <p>Report to Local Plan Committee 14 August 2024  <a href="#">New Local Plan – Strategy Policies: Consultation Responses</a></p> <p>Report to Local Plan Committee 11 June 2025  <a href="#">New Local Plan – Consideration of responses to policies</a></p> <p><a href="#">Draft Sustainability Appraisal of Policies (May 2025)</a></p> <p><a href="#">National Planning Policy Framework Local Development Scheme (February 2025)</a></p> <p><a href="#">National Planning Policy</a></p>	Public Report: Yes

	<a href="#">Framework (2024)</a>	
<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>	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.	
<b>Recommendations</b>	<p><b>1. NOTES THE COMMENTS RECEIVED IN RESPECT OF THE POLICIES.</b></p> <p><b>2. AGREES TO POLICY AP4 (REDUCING CARBON EMISSIONS) AS AMENDED IN APPENDIX B FOR INCLUSION IN THE REGULATION 19 VERSION OF THE LOCAL PLAN, SUBJECT TO THE FINDINGS OF THE WHOLE PLAN VIABILITY ASSESSMENT.</b></p> <p><b>3. AGREES POLICY AP7 (FLOOD RISK) AS AMENDED IN APPENDIX B FOR INCLUSION IN THE REGULATION 19 VERSION OF THE LOCAL PLAN, SUBJECT TO THE FINDINGS OF THE WHOLE PLAN VIABILITY ASSESSMENT.</b></p>	

## 1 INTRODUCTION

- 1.1 A number of previous reports to the Local Plan Committee have considered responses in respect of the policies set out in the draft Local Plan published in February 2024. This report complements these previous reports and is concerned with two development management-style policies, one of which has been reported previously. The policies included in this report and the number of responses each received are listed below.

Table 1 – Policies included in this report

<b>Chapter 5 - Creating Attractive Places</b>	
Policy AP4 – Reducing Carbon Emissions	38
Policy AP7 – Flood Risk	18

- 1.2 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 sections of this report.

- 1.3 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
- 1.4 As noted in the report to this Committee on 24 September 2025 the Government has announced that its consultation on new national development management policies is delayed until later in the year. Therefore, it is possible that some of the policies considered in this report, or earlier reports, may not need to be included in the Local Plan. 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.
- 1.5 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.
- 1.6 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 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 Both policies being considered in this report are from Local Plan Chapter 5 (Creating Attractive Places). Appendix A provides a summary of the representations received in respect of Policy AP7 (Flood Risk). The report to this Committee of 24 September 2025 included a summary of comments made in respect of policy AP4 (Reducing Carbon Emissions).
- 2.2 Appendix B contains revised versions of the policies.

## **3. CREATING ATTRACTIVE PLACE (CHAPTER 5)**

### **Policy AP4 – Reducing Carbon Emissions**

- 3.1 This policy was considered at the 24 September 2025 meeting of this committee. At that meeting Members considered that the policy should be deferred to a future meeting to allow officers to obtain independent advice in relation to whether it would be feasible to set up a carbon offset fund.
- 3.2 Officers have sought advice on this matter from AECOM who undertook the Renewable and Local Carbon Energy Study (2021). They have identified a number of significant issues with the setting up of a carbon offset fund as set out at Appendix C of this report. In summary these concerns are:

- Carbon offset funds only relate to those emissions that are covered by building regulations and matters within the direct control of developers. The introduction of new building regulations (as part of the Future Homes Standard) will require new homes to be net zero ready. This means new homes will produce 75-80% less regulated carbon emissions than currently required, with a similar standard to be introduced for non-domestic buildings.
- The new standards will provide less of a case for local policies to go beyond the requirements. Previous government statements have said there is no expectation that local plans should go beyond building regulations requirements.
- Any residual carbon emissions will be small and the benefit of a fund would be limited unless the price per tonne was set much higher, which would then potentially result in viability issues.
- Extending carbon offset funds to cover unregulated emissions (for example, to include how an occupier uses energy) would be costly and resource intensive but would also raise issues in terms of what is the legitimate responsibility of a developer.
- The significant practical issues and complexities associated with not only setting up and operating an offset fund, but also implementing it (for example, delivering projects).

3.3 Having regard to this advice, officers recommend that a requirement for a carbon offset fund is not included in the Local Plan.

#### **4. Policy AP7 – Flood Risk**

- 4.1 The Committee is yet to consider the responses to the Flood Risk policy as an updated Strategic Flood Risk Assessment (SFRA) has been commissioned to take account of changes to the National Planning Policy Framework (NPPF). This update to the SFRA is progressing and will provide an overview of the planning context in relation to flood risk and development within North West Leicestershire.
- 4.2 In terms of the responses to the 2024 Local Plan consultation there is support for the policy from the Environment Agency (EA) and support from the development industry and the EA for an updated Strategic Flood Risk Assessment (SFRA) to ensure up to date evidence informs the Local Plan.
- 4.3 Since the policy was drafted, the NPPF has been revised and now contains detailed requirements in relation to flood risk. As such, it is proposed that Part (1) of the Policy be amended to require applications to be consistent with the requirements of the NPPF in relation to flood risk.
- 4.4 Part (2)(a) of the policy identifies a number of sources of flooding that should be assessed as part of site-specific Flood Risk Assessments (FRAs). As the NPPF has been revised, it is proposed that Part (2)(a) of the policy be amended to reflect the NPPF to refer to flooding from 'all sources'.
- 4.5 Several respondents referred to the risk of flooding from minewater rising. The 2024 SFRA identifies that the Coal Authority is responsible for monitoring rising groundwater. Leicestershire County Council as the Lead Local Flood Authority (LLFA) have advised that they are aware of the associated risks with the Coalfield minewater rising, specifically within Oakthorpe and Donisthorpe although they have not received any reports of associated flooding. The SFRA advises that the potential risk from this source should be considered during the design phases of associated development proposals. As such, it is proposed to retain the reference to flooding from minewater rising in the policy as this is a locally specific issue. Given this issue we will consider adding a policy requirement relating to minewater rising to the policies for sites allocated for development within Oakthorpe and

Donisthorpe.

- 4.6 Long Whatton and Diseworth Flood Working Group request additional wording be added to Part (2)(c) of the policy to include reference to development not placing itself or existing land or buildings 'within the water catchment area' at increased risk of flooding. This is primarily in relation to the proposed developments in the northern part of the district and to ensure that any associated flood risk in Diseworth is adequately considered as part of these developments. The EA also considers that additional wording should be added to Part (2) of the policy that requires development, where possible, to reduce flood risk elsewhere, 'for example, downstream of the development site'. The proposed additions are broadly similar; it is proposed to add the suggested wording from the EA to Part (2)(c) of the policy.
- 4.7 Leicestershire County Council, as the LLFA made representations requesting additional text be added to Part (c) of the policy to require betterment in relation to existing runoff rates. Since the consultation, the LLFA has provided further advice stating that they are hoping to impose a requirement that all new development limit surface water runoff to the Qbar greenfield rate minus 20%. This would ensure that new development has the effect of reducing flood risk overall by limiting the rate of runoff during heavy rainfall to less than the site was prior to development. The LLFA advises that this requirement has already been included or requested to be included in several other Local Plans in Leicestershire.
- 4.8 It is proposed that the last section of Part (c) of the Policy be moved to a new Part (d) and this addresses the runoff requirements for both greenfield and brownfield sites.
- 4.9 In terms of the Sustainability Appraisal (SA) the policy scores a significant positive against SA11 (ensure the district is resilient to the impacts of climate change) and a minor positive against SA12 (protect and enhance the districts biodiversity and protect areas identified for their nature conservation and geological importance). The SA suggests the policy could be further enhanced by adding more explicit links between the policy and further requirements of the NPPF. As the NPPF has been revised since the consultation document was drafted, it is proposed that Part (1) of the policy is amended as detailed above in para. 4.3 to reflect the changes to the NPPF. The supporting text will also be updated to reflect the changes to the NPPF.

## **5. NEXT STEPS**

- 5.1 The consultation responses to the remaining policies (Table 2 above) will be brought to future meetings of the Committee over the coming months. All of the 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.

<b>Policies and other considerations, as appropriate</b>	
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 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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