

SUMMARY OF ISSUES RAISED IN RESPONSE TO PUBLICATION LOCAL PLAN

In accordance with the Planning Inspectorates Procedural Guidance the following provides a summary of the main issues which have been raised in response to the publication Local Plan. It does not identify every issue raised but seeks to highlight those which are considered to be most significant. For the avoidance of doubt the responses to the following policies are not considered to have raised main issues:

D2, D3, H7, Ec5, Ec6, Ec8, Ec9, Ec11, Ec12, IF6, En4, Cc3

The summary is done on a policy-by-policy basis and includes the Council's summary response to these issues. Where similar points have been made to different policies these are not repeated but are instead considered under the most appropriate policy.

Where an identified issue has resulted in a proposed Minor Change then these are highlighted. Those Minor Changes which resulted from other issues raised in response to the consultation are not included as part of this summary.

Chapter 1	Background
Policy	N/A
Number of respondents	6
Key issues	
<ul style="list-style-type: none"> • Publishing the Local Plan in advance of the new HEDNA raises issues in respect of the Duty to Cooperate. • Greater priority should be attached to redevelopment of Brownfield sites rather than using Greenfield sites. • Plan should include a policy to reduce carbon emissions from car journeys by residents of the district. 	
Council's response	
<ul style="list-style-type: none"> • The issue of awaiting the HEDNA and the Duty to Cooperate is addressed in the submission letter which accompanied the Local Plan submission. • The proportion of development on brownfield land is a function of the availability of brownfield land. It is the case that, within the District, such land is relatively scarce and as such it would not be possible to insist on the majority of new development being accommodated on previously-developed land. Furthermore, the Viability study demonstrates that there are significant variability issues with brownfield sites which impacts upon deliverability. • It would not be appropriate or reasonable to automatically preclude all new development that may lead to increased carbon emissions through car use, especially if that is taken in isolation. 	
Any Minor Change proposed?	No
Minor Change Reference	

Chapter3	North West Leicestershire profile	
Policy	N/A	
Number of respondents	4	
Key issues		
<ul style="list-style-type: none"> • Plan fails to include a policy to avoid the sterilisation of mineral reserves. • Public transport availability is unacceptable, rather than variable. • Question the use of power generation figures having regard to efficiency of wind turbines. 		
Council's response		
<ul style="list-style-type: none"> • The County council as Minerals Authority has previously advised that a mineral safeguarding type development management policy was unnecessary because the existing and emerging mineral plans address this. • It is a matter of opinion whether bus services are acceptable or unacceptable; however in the opinion of the Council, they are variable. • It is reasonable to set out the potential for renewable energy generation. 		
Any Minor Change proposed?	Yes	Minor Change Reference M1 – paragraph 3.1

Chapter 4	What are the issues	
Policy	Objectives	
Number of respondents	17	
Key issues		
<ul style="list-style-type: none"> • Some of the objectives are questioned in terms of whether the plan (and decisions on planning applications) will address them (e.g. Objectives 1, 2 and 15). • Plan should demonstrate how objectives will be met. • Objective 2 should include reference to meeting the needs of the Housing Market Area. • Objective 6 should include reference to other town centres, particularly Ashby de la Zouch. • Objective 11 should contain more detail. • Include a specific objective regarding the need to protect and enhance existing open space across the district. • Reference should be included in respect of protecting agricultural land. 		
Councils response		
<ul style="list-style-type: none"> • The objectives collectively provide a framework for the Local plan and subsequent decisions. Such decisions require taking a balanced view which means on occasion that priority will be given to one objective or aim over another , but this could be reversed in different circumstances. • It is not necessary to specifically reference the needs of the Housing Market Area (Objective 2), as the NPPF and Duty to Cooperate already requires the Council to do this • In respect of Objective 6 the particular focus of the plan is on the regeneration of Coalville. It is recognised elsewhere in the plan that Ashby is also an important settlement, and will experience substantial growth itself, but it does not have the same scale of regeneration need as Coalville • It is considered that a number of points raised in respect of Objective 11 are addressed by Policy En1 and also by a number of the other objectives. • A number of other objectives address issues relating to open spaces • The best and most versatile (BMV) agricultural land is already protected from large scale development, by national policy. 		
Any Minor Change proposed?	No	Minor Change Reference

Chapter 5	Strategy
Policy	S1 – Future housing and economic development needs
Number of respondents	51
<p>Key issues</p> <ul style="list-style-type: none"> • Housing requirement is too high and appears to be based on the need to accommodate people working as part of the Roxhill (East Midlands Gateway) development. Furthermore, absurd to consider that 50% of the employees at the Roxhill (East Midlands Gateway) development will live in the district The housing figure is overestimated by at least 3000 units. Therefore the housing allocation in Policy H3 at Moneyhill is unjustified. • The approach taken in the Local Plan to the impact of the Roxhill(East Midlands Gateway) development is contrary to Statement of Common Ground submitted to the Roxhill NSIP inquiry. • The recent review of housing requirements undertaken by the Council fails to take account of the most recent information published by ONS. As such plan fails to comply with Planning Practice Guidance. The fact that the updated report only covers North West Leicestershire is likely that it reinforces previous concerns about the SHMA under estimating the OAN. • Housing provision figure is inadequate. There are various reasons suggested for this including the need to address affordability issues as highlighted at Para 9.14 of the SHMA, to take account of housing market signals, previous under supply suppressing household formation rates and policies on economic growth as well as any overspill from Leicester beyond 2028. • The housing figure should be at 13,020 (652 per annum) over the plan period in order to significantly boost the supply of housing. Alternative figures of 12,000 and 12,740 dwellings are also suggested. • The evidence upon which the figure of 520 dwellings per annum is based has not been established in accordance with the collaborative process required under the duty to Cooperate. The North West Leicestershire local Plan should await completion of the HEDNA. • Policy S1 falls short of the wording agreed by the HMA authorities in respect of a trigger for a review of Local Plans in that it only provides a commitment that North West Leicestershire will bring forward an early review of its Local Plan in the event of an identified additional need in North West Leicestershire. It should also include the timescale within which the Council would look to commence any review and set out clearly its terms and triggers. • There is a need for greater flexibility to be built into the Local Plan through additional housing provision and the allocation of reserve sites, to allow the potential implications of the HEDNA to be addressed effectively, without the need for an early review of the plan. • Should be a greater focus on Ashby as this is an area of strongest market demand. This will ensure the delivery of the housing numbers. • It is questioned whether the scale of development proposed in the Coalville Urban Area can be delivered in the anticipated timescale, when Coalville has comparatively low housing values. • The need for 1600 dwellings to compensate from the possible housing deficiency in Coalville is highly speculative. No evidence for this assertion is given and steps should be taken to attract investment to Coalville. • The trigger for a review of the published Local Plan set out in Policy S1 is overly focused on the current HMA wide assessment of housing and economic development needs (HEDNA) and need to be extended to encompass other current and future research or emerging policy (such as the Leicester and Leicestershire Combined Authority) and needs (inc those for relocations consequent to HS2) and, importantly and consistent with Government policy and advise, by market signals, notably in North West Leicestershire in respect of industrial and logistics development. • The Plan needs to allow and facilitate not just a review of the Local Plan but also other 	

necessary and appropriate land release mechanisms including the positive treatment of ad hoc planning applications in appropriate locations including M42 corridor should evidence, needs or market signals warrant or opportunities arise.

- Amount of employment development proposed is inadequate and not justified. The evidence base for employment is out of date. Plan should aim for a higher figure to ensure that land supply is not a constraint on job growth. A figure of 150 hectares is suggested.
- The need for extra employment allocation depends solely on the validity of the loss of 45 hectares of industrial land. If this figure is reduced by one-third, or an offsetting allowance made for smaller and unidentified brownfield sites coming forward over the plan period, no new allocation would be required.
- The allowance for the potential loss of employment land is supported.
- There is already sufficient allocated land to meet the basic employment need in the Draft Local Plan and the allocation (Ec2) on greenfield land at Moneyhill is unjustified and should be withdrawn.
- Not clear why the increased housing figure has not had a consequential impact on other development needs, such as that for retail floorspace which continues to be planned for on the basis of 350 homes a year promoted by the SHMA.
- The Plan period should be extended to 2036 to have a full 15 years.

Council's response

- The Council's approach to identifying both housing and employment land needs is set out in Background Paper 1 (Reference BP/01) published alongside the Local Plan. In summary, this outlines that in terms of housing requirements the Memorandum of Understanding (MOU)(HO/04) was agreed by all the Leicester and Leicestershire Housing Market Area (L&LHMA) authorities which confirmed that each authority was able to accommodate the upper range of new housing suggested by the Strategic Housing Market Assessment (SHMA)(HO/03) for the period up to 2028. In the case of North West Leicestershire this is 350 dwellings every year (7,000 in total for 2011-31). In terms of employment land these were established by the PACEC study of 2013 (reference EC/04). However, the amount of jobs forecast in the PACEC study did not take account of a proposal for Strategic Rail Freight Interchange west of J24 of the M1 (referred to as East Midlands Gateway or Roxhill) which was approved by the Secretary of State for Transport on 16 January 2016. As a result it was concluded that the resident workforce would need to grow by about 11,500 people for there to be sufficient labour, resulting in a housing need of about 519 dwellings per annum.
- The Statement of Common Ground agreed by the Council with Derbyshire County Council, makes it clear that the issue of housing requirements would need to be addressed as part of Local Plan and that if the proposal for Strategic Rail Freight Interchange was approved then this would be taken into account at that time. This is the approach we have taken.
- Both the SHMA and additional work undertaken by JG Consulting (HO/01) considered whether there was a need to adjust the specific housing needs figures as a result of issues relating to affordability, market signals, household formation rates and migration. They both had regard to the most up-to-date information available at the time they were undertaken.
- Proposed minor change M4 sets out revised wording in respect of the trigger mechanism to accord with the approach agreed across the HMA.
- A degree of flexibility is built in to the plan as it is identified in the housing trajectory that the amount of development projected to be delivered is about 10,800 which is more than the overall requirement. In addition, the Council has not made any allowance for windfall sites even though in reality provision from such sites will continue throughout the plan period and so boost supply further. There is, therefore, no need to allocate additional sites or identify reserve sites.
- Land at south-east Coalville (Policies H1q and H2c) is of such a scale that it will not be

<p>possible for it all be built out during the Local Plan period.</p> <ul style="list-style-type: none"> Coalville is the largest settlement in the district in population terms, and also has the greatest range of services and facilities and so it is appropriate to regard it as the highest order settlement in the district. It is recognised that Ashby de la Zouch also has a good range of services and facilities and this is recognised in policy S2 (Settlement Hierarchy) where Ashby is identified as a key service centre. An allowance for the potential loss of existing employment land is required to ensure that an adequate supply of employment is maintained throughout the plan period. As noted in Background Paper 6 published alongside the Local Plan (reference BP/06) it is not possible to be certain what the level of loss might be but based on an assessment of previous losses a figure of 45 hectares appears to be reasonable. When this is taken in to account there is a shortfall in provision of about 6 hectares. The proposed allocation north of Ashby de la Zouch (Money Hill) (Policy Ec2) is up to 16 hectares. This is larger than the residual requirement but will provide a degree of flexibility in the event that losses are greater than predicted or if development on other sites does not proceed as anticipated. The 2015 Retail Capacity Study (EC/08) identifies that the anticipated population growth was about 12,500 people (Table 3.1). The Review of Housing Requirements (HO/01) identifies a population growth of about 14,500 (Figure 3.15). Whilst there is a difference between the two figures it is not so significant as to warrant a further update, particularly as it is generally recognised that longer term retail projections are more questionable and it is the latter part of the plan period that most need occurs. There is no requirement to plan for at least 15 years. Adoption of the Local Plan in 2017 would still represent a nearly 14 year period, and it is considered that, given the fact that policy S1 includes a commitment to an early review if required, this is a pragmatic solution to the imperative for the Council to put its local plan in place. 	
Any Minor Change proposed? Yes	Minor Change Reference M3 – paragraph 5.4 M4 – Policy S1

Chapter 5	Strategy
Policy	S2 – Settlement Hierarchy
Number of respondents	17
<p>Key issues</p> <ul style="list-style-type: none"> Definition of Coalville Urban Area should be amended to include Ravenstone and Ellistown having regard to their functional relationship to the Coalville area., whilst Hugglescote should be excluded. The settlement hierarchy fails to take account of the relationship of settlements adjacent to Swadlincote and Woodville which although located in South Derbyshire are sustainable locations with a good range of services and facilities and recognised as such in the South Derbyshire Local Plan. However, this does not follow through into this local plan. Limits to Development are drawn too tightly around Sustainable Villages, therefore limited opportunities for new growth. In addition, as worded the policy excludes "physical extension" to Sustainable Villages. The policy should be amended to support the redevelopment of previously developed land for housing outside, but on the edges of Limits to Development in Sustainable Villages. The settlement hierarchy is considered unsound in respect of its approach to the level of housing distributed to the Sustainable Villages. For example, some of the Sustainable Villages are more suitable than other sustainable Villages and able to accommodate development. Approach in respect of small villages is not consistent with the NPPF. The wording should be 	

<p>amended to allow a greater degree of flexibility in terms of accommodating an appropriate level of rural housing on greenfield sites, to support existing communities and rural facilities.</p> <ul style="list-style-type: none"> • Limits to Development should be drawn around Small Villages whilst Acresford should be identified as a Small Village • Development in Hamlets should be considered under the terms of Policy S3. • Plan should detail how many dwellings will be acceptable in each settlement each year whilst the policy lacks clarity as to what constitutes “large, significant, reasonable and limited” in terms of the amount of development. 	
<p>Council’s response</p> <ul style="list-style-type: none"> • The Coalville Urban Area consists of a number of villages which have a strong functional and physical relationship with shared services and facilities. Huggelscote and Donington le Heath display these characteristics. Ravenstone and Ellistown functions as separate settlements in their own right. • Settlements close to Swadlincote/Woodville function as settlements in their own right and are physically separate from Swadlincote/Woodville. It is acknowledged that residents of these areas will look to Swadlincote/Woodville to meet some of their needs, but equally so will other settlements. For example children from these areas attend secondary school in Ashby la Zouch. • Limits to Development have been defined having regard to the overall scale of provision required and take account of planning permissions. As sufficient provision has been made it would not be appropriate to allow for future development. • It is agreed that it would be appropriate to include reference to the redevelopment of previously developed sites where they adjoin the Limits to Development of a Sustainable Village (see Minor Change M6). • It is acknowledged that there will be variations in both the level and nature of services and facilities available in the Sustainable Villages. There is not a standard definition of what services and facilities would or would not make a settlement sustainable. The council has sought to recognise this by taking a flexible approach to what constitutes a Sustainable Village which is consistent with the Planning Practice Guidance in respect of Rural Housing which advises that “ all settlements can play a role in delivering sustainable development in rural areas” (Reference ID: 50-001-20160519). • In view of the limited range of services and facilities available in Small Villages it is considered appropriate to limit the amount of development in Small Villages. Defining Limits to Development would in effect mean that a Small Village and a Sustainable Village are treated the same. • Including a specific number of dwellings for each settlement would represent an inappropriate level of detail and would reduce flexibility. 	
Any Minor Change proposed? Yes	Minor Change Reference M5 –Policy S2 M6 – paragraph 5.20

Chapter 5	Strategy
Policy	S3 – Countryside
Number of respondents	20
<p>Key issues</p> <ul style="list-style-type: none"> • Para (1) of Policy S3 should be amended to recognise that Limits to Development have not been drawn round all settlements and that not all land designated as countryside in the Local Plan possesses intrinsic character or beauty, represents diverse landscape or has any heritage, wildlife or natural resource value worthy of protection. Alternatively para 1 should be deleted as its main objective (protection of the countryside) is provided for, in 	

<p>development management terms, by para (3) of Policy S3.</p> <ul style="list-style-type: none"> • Policy conflicts with the NPPF in applying a blanket approach to constraining development in the Countryside. Whilst specific protection of valued landscapes and/or areas of separation is acceptable a catch-all countryside protection policy is not appropriate. • Proposed limit to development for Albert village, Castle Donington and Packington questioned. 	
<p>Councils response</p> <ul style="list-style-type: none"> • Subsection (1) of Policy S3 is intended to provide a statement of intent within which the other parts of policy S3 operate. However, by being numbered as subsection (1) it is accepted that this is not as clear as it could be. It is therefore proposed to amend the policy so that subsection (1) is not numbered and subsections (2) and (3) are subsequently re-numbered as (1) and (2) respectively. In addition it is proposed to add in the word “by “ at the end of current subsection (1) with subsequent amendments to take account of this change. • Policy S3 seeks to direct new development to the most sustainable locations. In doing so, it protects land outside the limits to development from inappropriate development, subject to caveats. It is considered that this is an appropriate and reasonable approach. 	
Any Minor Change proposed? Yes	Minor Change Reference M7 –Policy S3

Chapter 6	Design
Policy	D1 – Design of new development
Number of respondents	8
<p>Key issues</p> <ul style="list-style-type: none"> • Policy D1 imposes an unnecessarily prescriptive approach to the assessment of development contrary to the provisions of Para 55 of the NPPF which advises against such prescription. • The Building for Life 12 initiative may not be appropriate in some instances and might change or be withdrawn during the plan period. Policy D1 should be amended to remove reference to Building for Life and Place Making Principles and reference to them could be in the supporting text instead. • Policy should include reference to viability. • Use of Building for Life is supported, but noted that Council’s approach (paragraph 6.12) is not consistent with that of the Design Council and has not been justified. • Building for Life can be difficult to use from the outset, for example on outline applications where there are limited details. This should be recognised in the policy. • There should be an expectation that new residential development should have a National Forest or locally inspired identity, not just non-residential developments. • Policy should be expanded to include specific protection for landscape, townscape and views. 	
<p>Council’s response</p> <ul style="list-style-type: none"> • Proposals for development are considered on their individual merits, and it is considered that poor performance against BfL12 criteria is useful information to inform decisions concerning planning applications. • Viability issues are already set out in the NPPF, and it would be unnecessary duplication to mention viability issues in every policy that promotes measurable improvements to development proposals. • It is considered that paragraph 6.12 clearly sets out how the BfL assessments will be used when determining planning applications, and it is noted that this does not preclude updated assessments as an application progresses towards a decision. • It is agreed that the National Forest is an important asset to the District, and that Policy En3 	

<p>would benefit from further clarification.</p> <ul style="list-style-type: none"> It is considered that the policy, as currently drafted, offers sufficient guidance to all new development, not just those within the countryside (outside the Limits to Development). 		
<table border="1"> <tr> <td>Any Minor Change proposed? No</td> <td>Minor Change Reference</td> </tr> </table>	Any Minor Change proposed? No	Minor Change Reference
Any Minor Change proposed? No	Minor Change Reference	

Chapter 7	Housing
Policy	H1 – Housing provision: planning permissions
Number of respondents	13
<p>Key issues</p> <ul style="list-style-type: none"> Planning consents that lapse should not be renewed without careful analysis and assessment. Instead should be judged against policies of the Development Plan and the NPPF. No detailed justification has been provided by the Council for assumptions underpinning the inclusion of specific sites within the housing trajectory nor a robust methodology to explain the assumptions upon the deliverability of sites and whether a lapse rate should be applied. Due to a record of persistent under delivery, a 20% buffer against the housing requirement is plainly justified and should be confirmed by the Council. No need for the plan to contain such a policy as it provides no additional basis for decision making, that is not already contained within the statutory planning process The data contained in the policy will be out of date quickly e.g. doesn't include permissions recently granted for housing development since the October 2015 base date. The proposed trajectory is over ambitious, for example in relation to the projected completions in Coalville and Ashby de la Zouch compared to recent completions. As a result additional land needs to be allocated within the Plan in order to ensure the Plan can deliver the identified housing need over the plan period. The Council's method is incorrectly based on an annualised OAHN figure of 350 dwellings per annum rather than the proposed annualised housing requirement figure of 520 dwellings per annum. The 5YHLS should be calculated on the overall housing requirement that the Local Plan is seeking to deliver. Plan does not balance out where housing and employment growth are located and so is fractured. 	
<p>Council's response</p> <ul style="list-style-type: none"> Policy H1 does not say that any sites listed in the policy will be automatically renewed, but rather makes it clear that where permission lapses any applications for renewal will be considered having regard other policies in the Local Plan and other material considerations. It is important to recognise that it is possible that permissions will lapse. It is considered that it is appropriate to indicate how the Council would deal with renewals for permission in such circumstances so as to provide some certainty for applicants. The Council is of the view that the housing trajectory provides a realistic assumption of what development is likely to take place and when, and has been informed, wherever possible, by information from developers/site promoters. The Council has used a figure of 520 dwellings per annum when calculating the 5 year land requirement as set out in Table 6 of Background Paper 4 (BP/04). This also builds in a 20% buffer. The proposed distribution of housing development reflects the Settlement Hierarchy as set out in Background Paper 4 (BP/04). 	
Any Minor Change proposed? Yes	Minor Change Reference M9 – paragraph 7.20

Chapter 7	Housing
Policy	H2 – Housing provision: resolutions
Number of respondents	11
<p>Key issues</p> <ul style="list-style-type: none"> • Policy H2 is ineffective as a Local Plan policy. The requirements set out within the policy are already lawful requirements from the Kides, and so unnecessary. • The Local Plan should be modified to make it clear that Policy H2 sites are allocated for residential housing (as is the case with Policy H1 sites), and that the allocation is not contingent on the outcome of the Section 106 agreement currently being negotiated for each site. • The sites in H2 cannot be relied upon to deliver homes. Securing the issue of planning permission is not the ultimate objective, the delivery of the sites is. 	
<p>Council's response</p> <ul style="list-style-type: none"> • The council considers that it is important to set out its commitment to ensuring that sites with a resolution to grant planning permission move to permission stage as quickly as possible to help ensure continued supply of housing land. • An allocation refers to a site which the Local Plan is proposing should be developed for a particular use and it is through the Local Plan process that this decision is made. Those sites listed in policies H1 and H2 are not allocations because decisions about their suitability for development have already been made through the development management process. • It acknowledged that the grant of planning permission does not in itself that guarantee that development will take place. In recognition of this Policy IM1 sets out how the council will take steps to ensure that housing supply is maintained. 	
Any Minor Change proposed?	No Minor Change Reference

Chapter 7	Housing
Policy	H3 – Housing provision: new allocations
Number of respondents	59
<p>Key issues</p> <ul style="list-style-type: none"> • No more development should be allowed in Ashby beyond that which has a planning permission and the proposed redevelopment of the former Arla Dairy site. • Additional land at Equestrian Centre was included without any consultation. • Concerns regarding proposed development at Money Hill Ashby de la Zouch (Policy H3a) including: potential harm to Ashby Castle which is a Schedule Ancient Monument and the river Mease special Area of Conservation and the impact upon local services and facilities whilst the infrastructure (transport, education, leisure, healthcare) proposed to support such growth is totally inadequate. Development will be unsustainable and it will result in additional traffic on the A42 going to the West Midlands • Scale of Money Hill represents a 65% increase to the size of Ashby compared to a 25% increase for the District as whole • The land at Money Hill (Policy H3a) is too large an allocation and unlikely to fully deliver in plan period. Rather the allocation at Ashby should be made on a number of smaller sites that can be delivered more easily. • Provision on land at Money Hill (Policy H3a) should be increased to 2,050 dwellings to take account of the additional land at the Equestrian Centre which it is proposed to include. • Proposed allocation of land at Waterworks Road Coalville (Policy H3b) conflicts with its status as an Asset of Community Value. • Restricting land coming forward at Ashby Road/Leicester Road, Measham (Policy H3c) to only in the event that land west of High Street, Measham is prohibited, is considered to be neither positive or effective planning and not compliant with the principles of the NPPF to 	

significantly boost the supply of housing.

- Local Plan is not legally compliant as the SA does not include a SA proforma for all housing allocations that form part of the Local Plan. In addition, the SA/SEA process is erroneous.
- Various additional sites are suggested including sites in Coalville, Ashby de la Zouch, Ravesntone, Ellistown, Ibstock, Kegworth and Albert Village.
- No detailed justification has been provided by the Council for assumptions underpinning the inclusion of specific sites within the housing trajectory.
- A very limited review of the likely delivery of housing sites within the plan period has been undertaken. There are a number of reasons why the amount of housing suggested in the trajectory may not occur, including; sites may not deliver the amount of housing anticipated at outline application stage, planning permissions may lapse where a developer has not been attracted to deliver the approved development due to site constraints, viability or market conditions.
- The proposed trajectory is over ambitious, for example the amount of development predicted to deliver in Coalville over the next 5 years, especially compared to previous build rates.
- A 'margin of error' should be assumed in order to ensure the plan meets the OAN with sufficient flexibility to adapt to rapid change, as required in Para 14 of the NPPF. A lapse rate of 5% should be applied to existing planning permissions and resolutions.
- The Plan does not match new homes to those areas where job growth is anticipated to be highest. A focus on the north of the district should be considered as an option to match new homes to areas where jobs growth is anticipated.
- It is considered that the proposed distribution of housing in Policy H3 does not adequately reflect the appropriate distribution of housing growth across the borough nor the status of Coalville as the largest settlement in the district. More housing should be directed to Coalville.
- The council has taken the decision that, whilst not a sustainability consideration, land at Broom Leys Farm is excluded as it would result in coalescence between Coalville and Whitwick. The council does not seem to be considering a potentially smaller site at Broom Leys Farm and has opted for a site which according to the council's own scoring performs less well than Broom Leys Farm.

Council's response

- The land at Ivanhoe Equestrian Centre was only promoted to the Council through the consultation on the Draft Local Plan; it was not part of the area being promoted by the Money Hill consortium.
- It is agreed that it would be appropriate to amend criteria (V) to ensure adequate protection of heritage assets (see minor change M12).
- Policy H3a(iv) identifies the infrastructure provision which is required as part of the proposed development.
- In respect of the potential impact on the river Mease Special Area of Conservation (SAC), the Habitats Regulations Assessment of the Local Plan demonstrates that the policies and proposals of the Local Plan will not adversely affect the integrity of the SAC.
- In terms of the scale of proposed development across the district, Table 3 of Background Paper 4 (BP/04) shows that just over 36% of all new development is directed to Coalville, 26% to Ashby de la Zouch and 11% to Castle Donington ; the three highest order centres in the Settlement Hierarchy (Policy S2) thus account for about 73% of all development. In terms of the distribution of dwellings at 2013 Table 4 of Background Paper 4 shows that Ashby de la Zouch will see a small increase to 16% of all dwellings.
- The Council is of the view that the housing trajectory provides a realistic assumption of what development is likely to take place and when, and has been informed, wherever possible, by information from developers/site promoters.

<ul style="list-style-type: none"> • The housing trajectory recognises that not all of the dwellings on land north of Ashby de la Zouch will be delivered in the plan period. It is estimated that 1,500 dwellings out of the estimated capacity of 1,750 dwellings will be delivered by the end of the plan period.. Land south of Ashby de la Zouch, which has previously been the subject of planning applications and unsuccessful appeals, was considered as an option but did not perform so well as the site north of Ashby de la Zouch. • It is agreed that the capacity of land north of Ashby de la Zouch should be increased to 2,050 to take account of the additional land included following consultation on the draft Local Plan (see Minor Change M10). • The fact that a site is formally recognised as an Asset of Community Value (ACV) is one material consideration for the planning authority to take into account when determining a planning application. Whilst the ACV would provide the community with advance notice to raise money to purchase the ACV where it is to be offered to the market, it does not give first refusal to the community and nor is the vendor obliged to sell it to them. The District Council is working to bring the site to the market as soon as possible. It follows that the land should remain as a housing allocation. • The inclusion of land at Ashby Road/Leicester Road, Measham (Policy H3c) is considered to be positive planning as it provides a suitable alternative to land at west of High Street Measham (Policy H2e) in the event that the latter site is not deliverable due to issues associated with the potential route of HS2. • It is acknowledged that it would be beneficial as part of the SA to appraise site options in the Measham urban area from the SHLAA that could potentially be identified as reserve site(s) instead of Hc3. This exercise has been undertaken and confirms that of the major sites in Measham those at Leicester Road/Ashby Road (sites M11 and M122 in the SHLAA) perform the best. It is considered that otherwise the SA process has not been erroneous. • A degree of flexibility is built in to the plan as it is identified in the housing trajectory that the amount of development projected to be delivered is about 10,800 which is more than the overall requirement. In addition, the Council has not made any allowance for windfall sites even though in reality provision from such sites will continue throughout the plan period and so boost supply further. There is, therefore, no need to allocate additional sites or include a lapse rate. • The proposed distribution of housing development reflects the Settlement Hierarchy as set out in Background Paper 4 (BP/04). • Table 9.1 of the Sustainability Appraisal (LP/05) identifies that the Council's preferred site at Waterworks Road scores slightly more green scores (10) than the site at Broom leys Farm (9). Whilst issues relating to coalescence are not considered as part of the Sustainability Appraisal framework it represents a genuine planning issue. 	
Any Minor Change proposed? Yes	Minor Change Reference M10} M11} Policy H3 M12} M13}

Chapter 7	Housing
Policy	H4 – Affordable Housing
Number of respondents	9
Key issues	
<ul style="list-style-type: none"> • The Local Plan should be amended to reflect the same threshold of 10 or more dwellings proposed in the Ashby de la Zouch Neighbourhood Plan. • Policy H4 needs to take not account of recent government initiatives in relation to low-cost 	

<p>housing, either as part of affordable housing policy or a separate part of the policy.</p> <ul style="list-style-type: none"> • Targets included in policy H4 are not justified. For example, the Viability study prepared to support the Local Plan identifies that brownfield sites are not currently viable at the targets set out in policy H4. Target is also questioned in relation to Measham and 'All other settlements', whilst a higher target is suggested in respect of Ashby de la Zouch. • Whilst policy recognises issues of viability as a consideration when determining planning applications, the policy itself needs to set realistic targets so as to avoid negotiation on all applications as this will add both time and cost. • Use of Section 106 Agreements to secure affordable housing is questioned. 	
<p>Council's response</p> <ul style="list-style-type: none"> • A threshold of 15 dwellings in Ashy de la Zouch is consistent with that proposed for the higher order centres of Coalville and Castle Donington. • There are insufficient details at this time in respect of the government's low cost housing initiatives. Consideration will be given to this when more details are available. • The targets included as part of policy H4 are generally supported by the evidence on viability. Whilst brownfield developments may not be viable at this time it is reasonable to assume that during the plan period development on such sites would support some affordable housing. Therefore, it would not be appropriate to set a target of zero for the duration of the plan period. • It is acknowledged that negotiations as part of planning applicants can take time, but policies need to be flexible to allow for both changing general circumstances (for example economic conditions) as well as local circumstances (for example site specific constraints). The policy seeks to achieve a balance between certainty and flexibility. • The use of s106 Agreements to secure affordable housing is more appropriate than conditions as it is a stronger and more flexible mechanism to deal with the various aspects of affordable housing, including issues such as nomination rights, future occupancy restrictions and financial contributions 	
Any Minor Change proposed?	No Minor Change Reference

Chapter 7	Housing
Policy	H5 – Rural exceptions sites for affordable housing
Number of respondents	1
<p>Key issues</p> <ul style="list-style-type: none"> • Amend part 3 of the policy to support rent to buy products as a source of cross market subsidy in addition to open market housing 	
<p>Council's response</p> <ul style="list-style-type: none"> • On the basis that rent to buy is classified as affordable housing, and having regard to the fact that the policy already allows for affordable housing outside the Limits to Development, then there is no need to amend the policy as suggested. 	
Any Minor Change proposed?	No Minor Change Reference

Chapter 7	Housing
Policy	H6 – House types and mix
Number of respondents	5
<p>Key issues</p> <ul style="list-style-type: none"> • Part 3 of the policy conflicts with government advice in respect of technical housing standards as it is not supported by evidence. As such part 3 should be removed. • Threshold below which provisions of parts 1 and 2 of the policy apply should be less than 10 dwellings in rural areas. 	

Chapter 8	Economic
Policy	Ec2 – Employment provision: new allocations
Number of respondents	14
<p>Key issues</p> <ul style="list-style-type: none"> • Concerns regarding proposed employment development at Money Hill Ashby de la Zouch including a potential harm to Ashby Castle which is a Schedule Ancient Monument. • Allocation of full quota of new employment land at Moneyhill is likely to prove ineffective given questions over the deliverability of this site. A mixed use housing and employment development to south of Ashby would be more deliverable and produce a more balance settlement pattern. • New allocations should be made at East Midlands airport to achieve a wider distribution of employment opportunities. • No acknowledgement of the Swadlincote/Woodville urban area or the proposed strategic employment zone proposed by South Derbyshire south of Swadlincote. Additional consideration needs to be given to the allocation of additional employment land adjoining South Derbyshire. • The issues of mineral sterilisation and unstable land do not appear to have been considered as part of the site allocations process. • The Moneyhill employment land allocation is insufficient to meet the needs for employment development in the district over the plan period. Additional land to the south of Junction 21 of the A50 should be allocated. • Delivery of the 16 hectares of allocated employment land should be distributed across other key service centre, with some land allocated at East of Carnival Way, Castle Donington. • Numerous unused Brownfield sites in and around Coalville could be allocated for employment land. • No justification for the employment allocation on the Greenfield site of Moneyhill/Cliftonthorpe, Ashby (EHLAA Site 17) with issues relating to access, outside Limits to Development and slow take up of employment units in Ashby. • Castle Donington, with its location and accessibility strengths, should not be discounted as a location for employment land allocation with a single location in Ashby not sound or robust. • Do not support the justification for this approach and employment land should be located where employers want it to be. 	
<p>Council's response</p> <ul style="list-style-type: none"> • It is agreed that it would be appropriate to amend criteria (V) to ensure adequate protection of heritage assets (Minor Change M14). • It is not clear as to why employment development at Money Hill would be considered to be ineffective in terms of deliverability. The plan has been subject to viability testing including the Moneyhill allocation. This concluded that development was viable. • Land south of Ashby de la Zouch, previously unsuccessful at appeals, was considered as an option but did not perform so well as the site north of Ashby. No evidence has been submitted to show that development south of Ashby would be more viable than that north of Ashby. • The Council has agreed a MoU with South Derbyshire District Council, which is content with the local plan as currently drafted. In the event that significant employment (or indeed other) proposals of a strategic nature were to come forward, NWLDC would be obliged to cooperate with neighbours as appropriate. • Further information has been sought from the Coal Authority concerning the Money Hill allocation and mineral sterilisation and unstable land. • There are a range of committed employment sites around the district including land at Castle Donington/East Midlands Airport area which is just under 50% of all commitments. The Strategic Rail Freight Interchange provides additional employment land in this locality. It 	

<p>is considered that there is no need to provide additional land in Castle Donington. The proposed allocation at Money Hill is appropriate, and of a suitable scale to be deliverable</p> <ul style="list-style-type: none"> • The Council undertook a call for potential employment sites in 2013 and no Brownfield sites were put forward in Coalville Town Centre. Such sites would also be likely to have viability issues whilst the regeneration of Coalville is about more than employment allocations. • The Council is confident that the Cliftonthorpe site is appropriate and deliverable for new employment development, as part of the wider Money Hill proposals. • The sites within Money Hill have been carefully considered. No new housing allocations are proposed in Castle Donington, to support new employment allocation/s. 	
Any Minor Change proposed? Yes	Minor Change Reference M14

Chapter 8	Economic
Policy	Ec3 – Existing employment areas
Number of respondents	
<p>Key issues</p> <ul style="list-style-type: none"> • Ashby Gateway site should be removed from the wider allocation of Ashby Business Park as a 'Primary Employment Area' under Ec3 on the proposals map as development has not been forthcoming. Should instead be identified as an area of opportunity for the delivery of a mixed use development. • Policy Ec3 should be amended to specifically support the expansion of existing firms onto adjacent land which is outside the limits to Development, in exceptional cases. • Policy Ec3 should also be amended to support proposals for the expansion of the Primary Employment Areas located in the Principal Town, key and Local Services Centres, and sustainable villages where they would comply with other policies in the plan. • Heather brickworks site should now be used for housing. • The proposed extension of the Lount Hub should be included within the Ec3 designation. • Supporting text relating to Ashby Business Park is misleading. • Allocation of employment land has not been based on market need. Instead it has been based on where the council have identified that land is available and where they think it should be. • No mention of business need or employers desires in identifying employment land allocations. • Some of these sites will never come into use and should be removed from the plan. 	
<p>Council's response</p> <ul style="list-style-type: none"> • The potential for the site to accommodate other employment uses is covered by policy Ec3(2) and non-employment development Ec3 (3) • It is considered that Policies Ec3 and S3 already provide sufficient flexibility and support for expanding businesses • There is no need to allocate any additional employment sites to meet the requirement within the local plan. • The current wording relating to Ashby Business Park is factually correct although some minor rewording would be beneficial to provide clarification (Minor Change M14, M15 and M16). • The plan-led system specifically promotes the allocation of sites to meet projected employment land requirements. The rate of employment land development tends to be 'lumpy'. It is therefore reasonable, given also that B-class developments in particular tend to take longer to 'get away' than many other forms of development, that the sites as set out in the local plan are allocated for employment development. 	
Any Minor Change proposed? Yes	Minor Change Reference

	M14 M15 M16
--	-------------------

Chapter 8	Economic
Policy	Ec4 – East Midlands Airport
Number of respondents	6
<p>Key issues</p> <ul style="list-style-type: none"> • The Local Plan should include measures about the need to put quiet hours in place. • Reference should be made to the Aviation Framework • Supporting paragraph should be amended to made reference to the most recent data relating to the Airport • The Council's requirements for noise control in granting consent for the runway extension are in place and are legally binding, and this is not how the document reads. • Policy Ec4 (1) should include 'a material increase in capacity or capability' as not all airport-related development is wholly capacity-related. 	
<p>Council's response</p> <ul style="list-style-type: none"> • The District Council has previously sought support from Government for designation of the airport in accordance with Section 78 of the Civil Aviation Act 1982. Such a designation would enable controls to be put in place that limit the number of night time flights. However, the Government declined to designate the airport. • It is considered that it would be appropriate to amend the Local Plan to include reference to the Aviation Framework (Minor Change M17)). • It is considered that it would be appropriate to include updated figures (Minor Changes M18, M19 and M20). • Whilst the permission for the extension of the runway has been implemented the Council does still have some concerns regarding noise issues. However, it would be appropriate to make some amendments (Minor Change M21). • It is agreed that Ec4(1) should be amended (Minor Change M22) 	
Any Minor Change proposed? Yes	Minor Change Reference M17 M18 M19 M20 M21 M22

Chapter 8	Economic
Policy	Ec7 – Donington Park
Number of respondents	5
<p>Key issues</p> <ul style="list-style-type: none"> • Insufficient protection of heritage assets • Reference should be made to the extensions at Donington Park • References to noise issues do not accurately reflect the planning conditions, or the Noise Abatement Notice nor make reference to initiative that have been put in place by Donnington Park racing. 	
<p>Council's Response</p> <ul style="list-style-type: none"> • It would be appropriate to amend the policy as suggested with reference to heritage assets (Minor Change M24) 	

<ul style="list-style-type: none"> Whilst Donington Park's ambitions include both a westerly and a southerly extension, only the westerly extension is for in the policy boundary in the Local Plan. It would be appropriate to amend the text to provide clarity (Minor Change M23). The wording reference noise reflects that used in the consultation draft Local Plan and which was not subject to objection at that time. 	
Any Minor Change proposed? Yes	Minor Change Reference M23 M24

Chapter 8	Economic
Policy	Ec10 - Town and Local centres: Primary Shopping Area – Non-Shopping uses
Number of respondents	
<p>Key issues</p> <ul style="list-style-type: none"> A policy on Primary Frontages should be reinstated to help protect the appearance of businesses in the Conservation Area Whilst the plan may suggest that Coalville town centre is the priority for further retail developments, it does not suggest how any improvements can be made. 	
<p>Council's Response</p> <ul style="list-style-type: none"> It is not always necessary or desirable to identify primary and secondary retail frontages. In smaller town centres such as Castle Donington, the town centre boundary is relatively compact, reflecting the well contained functional geography. The regeneration of Coalville town centre is a key priority for the plan and the Council has initiated, outside of the Local Plan, the Coalville Project which aims to regenerate Coalville Town Centre. 	
Any Minor Change proposed? No	Minor Change Reference

Chapter 8	Economic
Policy	Ec13 – Tourism development
Number of respondents	7
<p>Key issues</p> <ul style="list-style-type: none"> Policy should be actively promoting the provision of good public transport and higher quality accommodation with specific reference made to the Hicks Lodge National Forest Cycle Centre. Fails to place significant weight on the need to support economic growth through tourism and it should be recognised that there will be circumstance where such development will need to be located outside of the Limits to Development. The District needs to plan to protect, restore and where necessary reinstate heritage assets, however disappointedly the decision was made to close Snibston Discovery Park. 	
<p>Council's response</p> <ul style="list-style-type: none"> This is a positively worded policy which seeks to specifically, amongst other things, enhance and develop tourism attractions, including accommodation which accords with the principles of sustainable development and is appropriately designed for the area. Well connected development is also sought and this policy is also complementary to Policy EN3 - The National Forest. The policy does allow for development within countryside locations and not just restricts tourism development to locations within the Limits to Development. This policy will allow for appropriate tourism across the district. The policy wording is also supported by Policy S3 (2) (n) which allows for recreation and tourism uses in the countryside. 	

<ul style="list-style-type: none"> The decision to close Snibston Discovery Park was made outside of the planning system. Policy He1 of the Local Plan seeks to conserve and enhance the district's historic environment and its heritage assets.
Any Minor Change proposed? No Minor Change Reference

Chapter 9	Infrastructure and Facilities
Policy	IF1 – Development and Infrastructure
Number of respondents	3
Key issues <ul style="list-style-type: none"> Policy should be tested against the cumulative impacts of all Plan requirements for viability There is no mention of the Infrastructure Delivery Plan which should form part of the Local Plan. 	
Council's response <ul style="list-style-type: none"> The Local Plan has been subject to viability testing. The Infrastructure Delivery Plan sets out what will be required to deliver the growth that is set out in the local plan. The planning authority will actively manage the delivery of new or improved infrastructure to support new developments. 	
Any Minor Change proposed? No	Minor Change Reference

Chapter 9	Infrastructure and Facilities
Policy	IF2 – Community and Cultural Facilities
Number of respondents	4
Key issues <ul style="list-style-type: none"> More detail is needed about specific infrastructure 	
Council's response <ul style="list-style-type: none"> Where specific infrastructure is required as part of new development this is specified in the relevant allocation. Individual S106 Agreements that are in place will detail the type of infrastructure to be provided and when. Outside of the context of the Local Plan the Council is addressing the need to co-ordinate infrastructure provision through the establishment of an Infrastructure Partnership. 	
Any Minor Change proposed? No	Minor Change Reference

Chapter 9	Infrastructure and Facilities
Policy	IF3 – Open space, sport and Recreation facilities
Number of respondents	24
Key issues <ul style="list-style-type: none"> Concerned that reference is being made to the Fields In Trust standard for formal sports provisions. Do not agree that the open spaces in and around Ashby are adequately protected from future development by the policies proposed in the plan. Existing open space, sports and leisure facilities have no protection in the Plan. The Policy should be extended to include the protection of and enhancement of existing green spaces in the district and particular spaces named for special protection. 	
Council's response <ul style="list-style-type: none"> In advance of the findings of the Playing Pitch Strategy and Sports Facility Modelling, it is considered the reference to the Fields in Trust document remains appropriate. Policy IF3 protects against the inappropriate loss of an open space which offer important opportunities for sport and recreation and is consistent with the approach set out in the 	

<p>NPPF.</p> <ul style="list-style-type: none"> The NPPF advises that Local Green Spaces can be designated through either a local plan or a neighbourhood plan. It is not proposed in this instance for the Council to designate areas as Local Green Space but rather enable designation through Neighbourhood Plans as these are better placed to be able to justify their designation. The Pre-Submission Neighbourhood Plan for Ashby designates a number of Local Green Spaces along with a supporting policy that gives protection against development. If adopted, this Neighbourhood Plan and its policy will form part of the statutory Local Plan for the district. 	
Any Minor Change proposed?	No
Minor Change Reference	

Chapter 9	Infrastructure and Facilities
Policy	IF4 – Transport Infrastructure and new development
Number of respondents	18
<p>Key issues</p> <ul style="list-style-type: none"> The plan is an opportunity to specify separate cycle ways on all new residential, retail and industrial developments. Policy should be tested against the cumulative impacts of all Plan requirements for viability. The Council has not outlined how the proposed allocations will contribute towards local highways projects. This creates significant uncertainty over who will fund the upgrades and at what point they can be expected within the plan period. No account has been taken of viability or growth and land should be allocated for a Coalville bypass. Reference to the Hugglescote crossroad improvements are unsound and should not be included in the Local Plan. The majority of personal travel is to and from places of employment whereas this Plan has the area of major residential development as far away as possible within the district from the area of maximum employment. 	
<p>Council's Response</p> <ul style="list-style-type: none"> The policy refers to cycle links and it will not always be desirable to make segregated provision for motorists, pedestrians and cyclists. The Viability Study has considered the impact of the Local Plan policies on development viability. Account has been taken of the growth that the local plan will deliver. The Highway Authority is committed to a package of improvements to the A511 corridor, and has been working closely with the District Council to secure commitment of the required funding through a number of sources including Section 106, Section 278 and LLEP funding. It is factually correct that Hugglescote Crossroads requires improvement. The local plan offers a choice of new housing, employment and other development opportunities, in locations that are accessible by a means of transport. It is entirely up to the individual to choose which mode of transport to use. 	
Any Minor Change proposed?	Yes
Minor Change Reference	
M18	

Chapter 9	Infrastructure and Facilities	
Policy	IF5 – The Leicester to Burton rail line	
Number of respondents	5	
Key issues		
<ul style="list-style-type: none"> • Add provision that contributions to the cost of providing rail connection will be required from new development allocations at Ashby. • The Local Plan should consider alternatives means of opening the Leicester to Burton rail corridor including Light Rail and tramways. • Understand that Leicestershire County Council have decided that this line will not be supported for future development. 		
Council's Response		
<ul style="list-style-type: none"> • It is not agreed that a new housing allocation to the south of Ashby de la Zouch would be sustainable. It would not provide sufficient developer contributions to re-open a station, or to re-introduce heavy rail passenger services along the line. • A recent study undertaken with Leicestershire county Council has demonstrated that re-opening of the Leicester – Burton line to passenger traffic is not likely to be viable. The potential for other alternative forms of transport will need to be considered outside the context of the Local Plan. 		
Any Minor Change proposed?	No	Minor Change Reference

Chapter 9	Infrastructure and Facilities	
Policy	IF7 – Parking provision and new development	
Number of respondents	3	
Key issues		
<ul style="list-style-type: none"> • Policy IF7 should include reference to Travel Plans specific to that development being provided and reference to the level of car parking provision be reinstated. • Policy emphasis should be on providing cycle parking at places of employment and also in retail areas. 		
Council's response		
<ul style="list-style-type: none"> • The Residential Design Guide sets out parking standards, and is consistent with the 6C's. • It is considered that the policy, as drafted, requires adequate parking provision to be made by all new development. 		
Any Minor Change proposed?	No	Minor Change Reference

Chapter 10	Environment	
Policy	En1 – Nature Conservation	
Number of respondents	10	
Key issues:		
<ul style="list-style-type: none"> • Does not include much detail on how the policy will comply with the NPPF, specifically approaches in paragraphs 114 and 117 of the NPPF. Various changes suggested. • Any losses to the natural environment (and ecological services thereof) should be minimised and any losses should be fully compensated for. • Policy too rigid, should allow for some flexibility allowing the loss of ecological assets where considered appropriate. The policy should acknowledge the benefits of site restoration. 		
Council's response		
<ul style="list-style-type: none"> • The changes suggested would largely repeat the NPPF and are therefore not considered necessary. • It is considered that Policy En1 offers sufficient flexibility and complies with the NPPF. 		
Any Minor Change proposed?	No	Minor Change Reference

Chapter 10	Environment
Policy	En2 –River Mease Special Area of Conservation
Number of respondents	
Key issues	
<ul style="list-style-type: none"> Concern that proposals to pump out of the catchment are not being discussed until 2019, with possible implementation in 2025 which has no effect on problems experienced now. The DCS fails to mitigate the negative impacts of development, none of the proposed significant actions of DCS1 have been undertaken and there is no timetable of actions proposed. The negative results of DCS1 have not been fed into DCS2 as required. 	
Council's response	
<ul style="list-style-type: none"> Pumping out of catchment will require funding as part of Severn Trent's asset management planning and will require approval from OFWAT. The next Asset Management Plan which Severn Trent Water are required to prepare is in 2019. Up until such time as pumping out is implemented the Habitats Regulations Assessment shows that the proposals in the plan will not result in an adverse effect on the integrity of the Special Area of Conservation. DCS1 and DCS2 have been approved as Supplementary Planning Documents and are not part of the Local plan. The Habitats Regulations Assessment demonstrates that the proposals in the plan will not result in an adverse effect on the integrity of the Special Area of Conservation. 	
Any Minor Change proposed?	No Minor Change Reference

Chapter 10	Environment
Policy	En3 – The National Forest
Number of respondents	
Key issues:	
<ul style="list-style-type: none"> That residential development should be <i>expected</i> to have a National Forest or locally inspired identity 	
Councils Response:	
<ul style="list-style-type: none"> It is agreed that the plan would benefit from clarification regarding development having a National Forest or locally inspired identity. 	
Any Minor Change proposed?	Yes Minor Change Reference M30

Chapter 10	Environment
Policy	En5 – Areas of Separation
Number of respondents	8
Key issues:	
<ul style="list-style-type: none"> Land between Castle Donington and Hemington should be registered as a formal green wedge/area of separation whilst the area of separation policy should be extended to other settlements, for example Ashby de la Zouch and surrounding villages. No specific support for the designation of Areas of Separation in national planning policy and it arbitrarily restricts development in sustainable and urban settlements contrary to the presumption in favour of sustainable development and may prevent the council meeting its OAN. The Policy is unsound and is not supported by evidence, nor have strategic reasonable alternatives been considered. The Green Wedge and Areas of Separation perform different functions and are defined based upon different criteria. On this basis the Council cannot 	

<p>simply adopt the same area as Green Wedge and call it an Area of separation without consideration of the new criteria or rationale for its designation.</p>	
<p>Council's Response:</p> <ul style="list-style-type: none"> • It is considered that Policy S3 affords the countryside sufficient protection from inappropriate development. Policy S3 recognises that issues relating to coalescence are relevant considerations in respect of proposals for development in areas identified as countryside. • Paragraph 17 of the NPPF makes it clear that a key principle of the planning system is to "take account of the different roles and character of different areas..." whilst paragraph 110 of the NPPF states that "Plans should allocate land [for development] with the least environmental or amenity value, where consistent with other policies in the Framework". • As noted in the plan, the settlements of Coalville and Whitwick are part of the larger Coalville Urban Area. The proposed Area of Separation is the last significant undeveloped area of land at the heart of the Coalville Urban Area. Identifying it as an Area of Separation recognises this and, furthermore, it's important role in terms of maintaining the separation between Coalville and Whitwick which is a long standing Council priority. • The Council is concerned that development within the Area of Separation would undermine the successful delivery of the south east Coalville major urban extension, which benefits from a resolution to grant planning permission across the whole site, and detailed permission that is under construction on specific parcels. Development of the proposed Area of Separation would therefore go to the heart of the plan, and is not the preferred strategy of the Council, which together with the private sector developers has invested significant sums to bring forward the major urban extension. 	
Any Minor Change proposed?	Yes/No Minor Change Reference

Chapter 10	Environment
Policy	En6 – Land and Air Quality
Number of respondents	4
<p>Key issues</p> <ul style="list-style-type: none"> • Paragraph 109 of the NPPF states that the planning system should prevent development causing unacceptable levels of air pollution. It is clear that Policy EN6 seeks to avoid any adverse impact on air quality which is therefore not framework compliant. 	
<p>Council's response</p> <ul style="list-style-type: none"> • The reference in Policy En6 to avoiding "any adverse impact" only refers to soils of high environmental value and is considered to be consistent with "protecting and enhancing valued landscapes, geological conservation interests and soils" as set out elsewhere in paragraph 109 of the NPPF. 	
Any Minor Change proposed?	No Minor Change Reference

Chapter 11	Historic Environment
Policy	He1 –Conservation and enhancement of North West Leicestershire's historic environment
Number of respondents	7
<p>Key issues</p> <ul style="list-style-type: none"> • NPPF Para 156 stresses the need for Local Plans to include strategic policies to deliver conservation and enhancement of the historic environment. If the policy is not strategic it would not be considered sound in accordance with the NPPF. Clarity regarding the status of policy He1 should be provided in the form of an explanatory paragraph. • The previous consultation wording in relation to paragraph (2) of policy He1 was stronger, 	

Chapter 12	Climate Change
Policy	Cc1 – Renewable Energy
Number of respondents	3
<p>Key issues</p> <ul style="list-style-type: none"> • The approach taken towards identifying potential areas for wind energy development is not based upon sufficiently robust evidence. Areas which have been identified as being suitable for such developments may result in harm to a number of NWL's most important designated heritage assets and hence render the policy incompatible with the NPPF's core principles of sustainable development and specifically paragraph 126. • The approach for the impact on designations to be decided within the planning process is not sufficient. It is acknowledged that scheduled monuments and Registered Parks and Gardens are excluded, however, this approach does not account for their setting nor any other heritage assets and their settings (in spite of the requirements of the 1990 Act (S66-1 General Duty) in respect of listed buildings and the NPPF paragraph 129 and 132 (designated assets) and the PPG). • The approach proposed does not reflect Paragraph 007 of the Planning Practice Guidance for Renewable and low carbon energy. 	
<p>Council's response</p> <ul style="list-style-type: none"> • The methodology used to prepare the study is based on the DECC guidance within Renewable and low carbon energy capacity methodology. Policy Cc2 (2) is required to be read in accordance with Cc1 (1) which states that planning applications for renewable energy will be supported where the special qualities of all heritage designations including their settings are conserved or enhanced. 	
Any Minor Change proposed?	No Minor Change Reference

Chapter 12	Climate Change
Policy	Cc2 – Water – Flood Risk
Number of respondents	3
<p>Key issues</p> <ul style="list-style-type: none"> • The issue of infrastructure has been overlooked. There is already pressure on small brooks and water courses with local residents of properties which back onto the river regularly suffering with flooded gardens, any new development will exacerbate this problem. Severn Trent has already raised concerns over the capacity of the River Sence and sewerage systems at Kelham Bridge. 	
<p>Council's response</p> <ul style="list-style-type: none"> • The delivery of infrastructure is covered by Local Plan policy IF1 which includes flood prevention and sustainable drainage. 	
Any Minor Change proposed?	No Minor Change Reference

Chapter 13	Implementation and Monitoring
Policy	IM1 – Implementation and monitoring of the Local Plan
Number of respondents	3
<p>Key issues</p> <ul style="list-style-type: none"> • Policy should refer to the release of reserve sites to address issues of shortfall in delivery rates. . • Further flexibility should be included to positively respond to windfall opportunities and additional employment sites even where conflict with other aspects of the plan may exist. • Criterion 3 should include triggers which set out when the Council consider delivery rates to be falling short. 	

- Criterion 4 is unsound as it introduces a sequential element to bringing sites forward when additional housing sites are needed to meet or exceed the housing requirement. Introducing a sequential test may incur significant delays to addressing the housing shortfall as sites that are included in the SHLAA may not be available at that particular time.
- In relation to Criterion 1 - Para 153 of the NPPF states that SPDs should not be used to add unnecessarily to the financial burdens on development.

Council's response

- It is not necessary to set out the circumstances for reserve or other site release, because the NPPF already does this, if the Council is no longer able to demonstrate a five year supply plus a buffer of housing sites, then other proposals (including reserve sites) should be considered favourably.
- The provision of windfall sites will be considered against the policies of the plan and other material considerations.
- In respect of criterion 3 it is considered that this would introduce a degree of detail which is both unnecessary and inflexible.
- In respect of criterion 4 it is not clear in what way this would be unsound. Establishing availability will not necessarily result in delay.

Any Minor Change proposed? No

Minor Change Reference