



Development Control Policies

Issues and Options

November 2005

North West Leicestershire District Council

**Development Control Policies Issues and
Options Consultation**

November 2005

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DEVELOPMENT CONTROL POLICIES

ISSUES AND OPTIONS

1. INTRODUCTION

1.1 The District Council is producing a new development plan for North West Leicestershire. As the first stage in this process the Council will be focusing on two key planning documents:

- The Core Strategy; and
- Development Control Policies.

1.2 The Core Strategy will identify the spatial objectives and strategic policies for the future development of the District and is the subject of a separate consultation.

1.3 The Development Control Policies planning document will deal with the policies which the Council will apply when considering all planning applications submitted to it.

1.4 The District Council wishes to seek your views on a number of key issues and options for the future control of development in North West Leicestershire. This consultation forms an important stage in deciding the sort of policies that will be included the new development plan for the District.

1.5 The District Council is keen to hear the views of all sections of the community before it develops its preferred options for the new plan.

The New Plan-Making System

1.6 The Planning and Compulsory Purchase Act 2004 has brought in a radical change to the plan-making system affecting North West Leicestershire.

1.7 The old system of County Structure Plans and District Local Plans, which together made up the Development Plan for the District, has now been abolished.

1.8 In future the Development Plan for North West Leicestershire will consist of:

- The Regional Spatial Strategy (RSS) – produced by the East Midlands Regional Assembly but issued by the First Secretary of State;
- Development Plan Documents (DPDs) – produced by the District Council and brought together as the Local Development Framework (LDF) for North West Leicestershire; and
- Minerals and Waste DPDs – produced by Leicestershire County Council.

1.9 The District Council's programme of work for the production of its LDF is set out in its approved Local Development Scheme (LDS). This can be viewed at the District Council offices or on its website (www.nwleics.gov.uk).

Community Involvement

1.10 The District Council's approach to community involvement in planning is set out in its Statement of Community Involvement (SCI). The SCI covers:

- Principles for community involvement in planning;

- Proposed standards for community involvement;
- Communities and stakeholder groups that will be involved; and
- Methods of community engagement.

1.11 The SCI can be viewed at the Council Offices or on the District Council’s website (www.nwleics.gov.uk).

The Local Development Framework

1.12 The centrepiece of the new LDF will be the Core Strategy DPD. This will set out the spatial strategy and strategic policies for North West Leicestershire and will form the basis for subsequent DPDs produced by the District Council. The District Council’s 3-year programme (as set out in its LDS) includes the following DPDs:

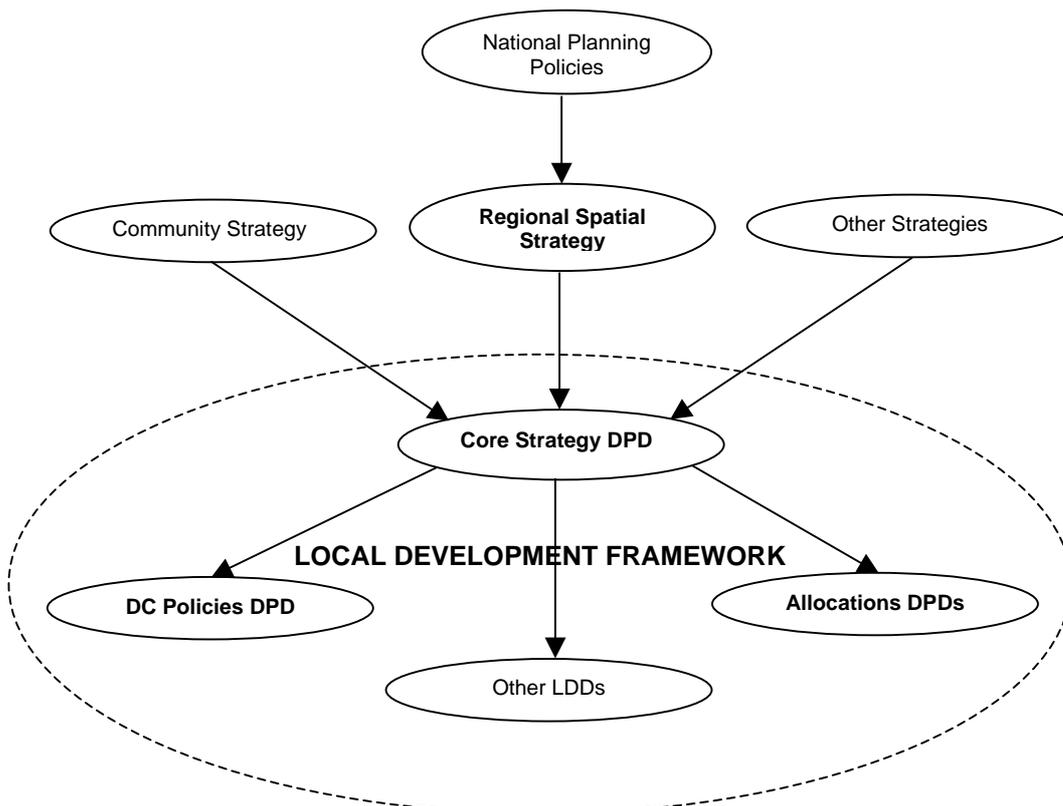
- Development control policies;
- Housing land allocations;
- Employment land allocations; and
- Green Wedge, limits to development, and areas of separation (“Limits”).

1.13 The Development Control Policies DPD is being prepared in parallel with the Core Strategy DPD. These will be followed by the Housing Land and Employment Land Allocations and Limits DPDs.

1.14 The need for additional DPDs will be reviewed on an annual basis.

Relationship between Planning Documents

1.15 The following diagram outlines the relationship between the various components of the new plan-making system (those forming part of the Development Plan for North West Leicestershire being shown in bold):



Glossary of Terms

- 1.16 The new plan-making system has brought with it a new set of terms and acronyms. A glossary is provided at the end of this document.

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2. POLICY CONTEXT

- 2.1 In producing its new Local Development Framework the District Council will not be starting out afresh with a blank sheet of paper. In many ways the LDF, despite its different format, will be a review of the existing policies and proposals contained in the adopted Local Plan. However, this review will not take place in isolation. It will also need to take account of changed circumstances, including changes to national, regional and Structure Plan policies, proposals and priorities, whilst also having regard to the Community Strategy and other relevant strategies.

North West Leicestershire Local Plan

- 2.2 The North West Leicestershire Local Plan was adopted in 2002 and covers the period 1996-2006. Alterations dealing with housing design, density, parking and land release and airport safety have recently been adopted.
- 2.3 The Written Statement of the Local Plan can be viewed at www.nwleics.gov.uk.
- 2.4 References to the “Local Plan” in this document are always to the adopted North West Leicestershire Local Plan.

National Planning Policies and Guidance

- 2.5 National planning policies and guidance are set out in a series of Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs) and also in various Government Circulars. These can be viewed at www.odpm.gov.uk.
- 2.6 The District Council must have regard to the content of PPGs, PPSs and Circulars when preparing its LDF.

Regional Spatial Strategy for the East Midlands

- 2.7 Regional Planning Policy Guidance for the East Midlands Region was prepared between 2002 and 2004 and issued in the form of a Regional Spatial Strategy (RSS8) in March 2005. RSS8 covers the period up to 2021.
- 2.8 RSS8 can be viewed at www.go-em.gov.uk.
- 2.9 The LDF for North West Leicestershire must conform with the policies and proposals contained in RSS8.
- 2.10 The East Midlands Regional Assembly is currently undertaking a review of RSS8, with particular emphasis being placed on future housing needs for the East Midlands Region and its various sub-regions. This will result in a new housing requirement for North West Leicestershire through to 2021.

Leicestershire, Leicester and Rutland Structure Plan

- 2.11 The Leicestershire, Leicester and Rutland Structure Plan was adopted on 7th March 2005. The adopted Structure Plan provides strategic guidance to 2016, but its policies are only saved for 3 years from the date of its adoption (unless the First Secretary of State agrees otherwise). Where Structure Plan policies have been superseded by those of RSS8, the latter will apply.

- 2.12 The Written Statement of the Structure Plan can be viewed at www.leics.gov.uk.
- 2.13 The District Council must have regard to the saved policies and proposals of the Structure Plan in preparing its LDF.
- 2.14 References to the “Structure Plan” in this document are always to the adopted Leicestershire, Leicester and Rutland Structure Plan.

Community Strategy for North West Leicestershire

- 2.15 The Community Strategy for North West Leicestershire – *Working together for a Better Future* – covers the period up to 2010. It sets out a framework for service providers, local authorities and local communities to work together to improve the quality of life for local people.
- 2.16 The Community Strategy has been prepared by the Partnership for Improving North West Leicestershire to reflect the needs and aspirations of local people. It can be viewed at www.nwleics.gov.uk/nwlppartnership.
- 2.17 The District Council must have regard to the Community Strategy in preparing its LDF.
- 2.18 The Community Strategy for North West Leicestershire is currently being reviewed.

Other Strategies

- 2.19 Other relevant strategies include:
- North West Leicestershire Cultural Strategy (Draft) 2002;
 - North West Leicestershire Housing Strategy (Draft) 2004-2007;
 - North West Leicestershire Social Inclusion Strategy 2005;
 - Destination 2010 – The Regional Economic Strategy for the East Midlands;
 - National Forest Strategy 2004-2014;
 - Leicestershire Local Transport Plan 2001-2006;
 - Leicester, Leicestershire and Rutland Landscape and Woodland Strategy 2001;
 - National Forest Biodiversity Action Plan 2004; and
 - Leicestershire, Leicester and Rutland Biodiversity Action Plan 1998.
- 2.20 The District Council is also preparing a Regeneration Strategy for North West Leicestershire. There will be close links between this strategy and the LDF.

3. NATIONAL PLANNING POLICY ADVICE

- 3.1 Planning Policy Statement 12 *Local Development Frameworks* (PPS 12) sets out the Government's views on the approach that Councils should adopt towards development control policies in Local Development Frameworks:

The local development framework should contain a limited suite of policies which set out the criteria against which planning applications for the development and use of land and buildings will be considered. Such policies will ensure that development accords with the spatial vision and objectives set out in the core strategy. These policies may be included as part of the core strategy or in a separate development plan document.

Local planning authorities should avoid producing a compendium of use-related development control policies, which can be repetitive and quickly become out-of-date. The focus, instead, should be on topic-related policies such as protecting residential amenity; protecting landscape and natural resources; nature conservation; addressing accessibility; highway and transport issues; protecting vitality and viability; and addressing visual impact etc.

Generic policies should not repeat national planning policy statements but should explain how they apply to the local area. Policies should define clearly the circumstances in which planning permission will, or will not, be granted and should focus on achieving the outcomes required to meet the authority's spatial vision.

- 3.2 This guidance provides the guiding principles for the review of existing development control policies and for the introduction of new policies for North West Leicestershire.
- 3.3 Where reference is made to "generic" policies in this document, this is intended to cover those control policies which will apply to all development proposals, regardless of the nature of the proposals themselves. In addition, all policies must be considered together before a view can be come to on any particular proposal.
- 3.4 "Criteria-based" policies are control policies that include a set of criteria against which a particular development proposal may be judged. Where such an approach is used, the complete set of criteria must be considered before a view can be come to in relation to the policy concerned.

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4. GENERAL QUESTIONS

4.1 The general questions set out below will apply to all of the development control policies contained in the adopted Local Plan. The policies concerned are set out in Section 5 of this document. You may wish to address these general questions when you consider each of the development control policies contained in Section 5.

Q Gen	<p><i>Is the policy necessary?</i></p> <ul style="list-style-type: none"> • <i>Is it consistent with the promotion of sustainable development?</i> • <i>Is it compatible with current national (ie Planning Policy Guidance Notes and Planning Policy Statements, regional (ie Regional Spatial Strategy), Structure Plan or Community Strategy objectives and/or policies?</i> • <i>Does it address issues that are not planning issues?</i> • <i>Should the issue be addressed through other legislation?</i> • <i>Does it duplicate a higher order policy (ie in PPSs, RSS8 etc)?</i> • <i>Are the policy concerns already covered by Local Plan generic policies or should they be?</i> • <i>Does it duplicate any other Local Plan policy or policies?</i> • <i>Are the issues the Policy seeks to address still relevant?</i>
	<p><i>Should the policy be treated as a Core Strategy policy rather than a development control policy?</i></p>
	<p><i>Has the policy been effective in practice?</i></p>
	<p><i>Should the policy be amalgamated with another policy or policies?</i></p>
	<p><i>Should any limiting clauses (such as ones referring to protection of residential amenities) attached to topic-based policies be deleted where they refer to generic issues?</i></p> <ul style="list-style-type: none"> • <i>In such cases should reliance be simply on the generic policies of the Plan (and the “all policies must be read together” proviso at the beginning of the Written Statement) without any further provisos or cross-references; or</i> • <i>Should the policy or its associated text cross-refer to generic polices or would such an approach be potentially misleading?</i>
	<p><i>Should the policy incorporate targets or performance measures?</i></p>
	<p><i>Is the detailed policy wording consistent with that of PPSs and/or parent RSS8 and Structure Plan policies?</i></p>
	<p><i>Is the policy wording clear and unambiguous?</i></p>

	<i>Is the policy wording unduly negative?</i>
	<i>Is the policy wording misleadingly positive?</i>
	<i>Should the policy wording be changed in some way? (Please specify)</i>
	<i>Are there any other matters that you wish to raise?</i>

4.2 In addition to these general questions there are issues which relate to particular development control policies. These are addressed in Section 5 of this document and are accompanied by specific questions, as appropriate.

5. LOCAL PLAN DEVELOPMENT CONTROL POLICIES

- 5.1 The following policies are existing development control policies that the Council proposes to review through the Development Control Policies Development Plan Document. Each policy is set out in full and is followed by a commentary on the issues that may need to be addressed. This is followed by a specific question or questions, as appropriate. These questions should be read in conjunction with the general questions set out in Section 4 of this document.
- 5.2 We welcome your views on the advantages and disadvantages of alternative approaches referred to in Section 5 and on any other approach that you may wish to put forward.

Environment

5.3 Policy E1: Sensitive areas:

Development will not be permitted within the Sensitive Areas, identified on the Proposals Map, which would adversely affect or diminish the present open character of such areas and the contribution they may make to the character, form and setting of settlements, the streetscene generally or the relationship with adjoining countryside.

- 5.4 Structure Plan Environment Policy 2 states that important areas of open space within built up areas should be identified, protected and enhanced.
- 5.5 Local Plan Policy E1 identifies various “Sensitive Areas”. These include:
- Important open breaks in street frontages;
 - Important amenity or other open areas within settlements;
 - Important settings and approaches to settlements; and
 - Ends of sporadic or ribbon development.
- 5.6 The areas concerned are defined on the Local Plan Proposals Map.
- 5.7 An alternative approach would be to use a criteria-based policy without identifying individual “Sensitive Areas”.
- 5.8 Another approach could involve a criteria-based policy, possibly coupled with site identification by means of a Supplementary Planning Document.

Q1

Should individual “Sensitive Areas” continue to be identified on the Proposals Map or should a criteria-based approach be used instead?

If the identification of individual Sensitive Areas is retained how should such areas be reviewed and is there a case for additional areas?

- 5.9 **Policies E2-E9: Generic control policies:**
- 5.10 Policies E2-E9 deal with issues, which taken together, will apply to the consideration of all planning applications.

5.11 Policy E2: Landscaped amenity open space:

Development, including that of allocated sites, will only be permitted where satisfactory provision is made for landscaped amenity open space in order to improve their visual character and general appearance and secure the retention of important natural features, such as trees.

5.12 Policy E3: Residential amenities:

Development will not be permitted which, by reason of its scale, height, mass, design, oppressiveness, proximity, noise, vibration, smell, fumes, smoke, soot, ash, dust, grit or excessive traffic generation, would be significantly detrimental to the amenities enjoyed by the occupiers of existing nearby dwellings.

Residential development will not be permitted where any of the likely effects emanating from an existing nearby land use would be significantly detrimental to the amenities enjoyed by its occupants.

5.13 Policy E4: Design:

In the determination of planning applications regard will be had to the wider setting of new buildings; new development should respect the character of its surroundings, in terms of scale, design, density, height, massing, materials of construction, the spaces between and around buildings, and the street scene generally.

5.14 Policy E5: Over-development:

Development will not be permitted where the site concerned would be too restricted in size to satisfactorily accommodate the development proposed in terms of layout, access, parking, landscaping or other requirements.

5.15 Policy E6: Comprehensive development:

Development will not be permitted where it would prejudice the comprehensive development and proper planning of a larger area of land of which the site concerned forms part.

5.16 Policy E7: Landscaping:

All development, including that of allocated sites, should make appropriate provision for hard and soft landscaping. Where relevant, the proposed site layout should incorporate such of the site's existing features (for example, trees or hedgerows) as it is necessary or desirable to retain.

5.17 Policy E8: Crime prevention:

Development will be permitted only where appropriate crime prevention measures are incorporated as an integral part of the design, layout and landscaping features of the proposal.

5.18 Policy E9: Mobility:

Development open to the public, or used for employment or education, will be permitted only where suitable provision is made, where practicable and reasonable, for access by all persons with restricted mobility, including those with impaired vision. Road and footpath networks, and in particular junctions and crossings, should be designed so that they are capable of being used, with confidence, by all persons with restricted mobility.

- 5.19 Policies E2-E9 could be brought together in a single generic development control policy. This could make reference simpler and help ensure that all relevant factors are taken into account.
- 5.20 There may also be other policies that could be brought into such a single generic policy.
- 5.21 The use of a single generic policy could also help in reducing duplication and in simplification.

Q2 ***Should Policies E2-E9 be brought together to produce a single generic development control policy?***

Is there scope for simplification and the avoidance of duplication if such an approach is adopted?

5.22 **Policy E23: Agricultural land:**

Development will not be permitted which would result in the irreversible loss of best and most versatile agricultural land, unless there is no other site of lower agricultural land quality suitable for that particular purpose.

- 5.23 PPS7 *Sustainable Development in Rural Areas* states that the presence of best and most versatile agricultural land should be taken into account alongside other sustainability considerations when determining planning applications. Where significant development of agricultural land is unavoidable, local planning authorities should seek to use areas of poorer quality land (grades 3b, 4 and 5) in preference to that of a higher quality, except where this would be inconsistent with other sustainability considerations.

Q3 ***Is Policy E23 necessary given the strong national policy contained in PPS7?***

If Policy E23 is retained is it consistent with PPS7?

5.24 **Policy E24: Re-use or adaptation of rural buildings:**

Outside limits to development as identified on the Proposals Map, the conversion of existing buildings to a residential use will be permitted only if:

Either:

- (a) It can be demonstrated that every reasonable attempt has already been made to secure suitable employment, tourism or recreational re-use for the building; or*
- (b) The proposed residential conversion is a subordinate part of a scheme for employment, tourism or recreational re-use.*

In addition, the conversion of existing buildings, outside limits to development, to any new use will only be permitted if:

- (i) The building is of a permanent and substantial construction, and is structurally sound;*
- (ii) The building is capable of conversion without major or complete reconstruction, or significant alteration or extension;*
- (iii) The form, bulk and general design of the building is in keeping with its surroundings;*
- (iv) Any necessary extensions of or alterations to the building would not be detrimental to the character and appearance of the building itself, or to that of the surrounding countryside;*
- (v) Where the building is or was an agricultural building, it can be demonstrated that it was originally constructed for an agricultural purpose and that it has been so used;*
- (vi) The building is reasonably accessible for the public highway; and*
- (vii) Satisfactory parking provision can be made within the curtilage of the building, and providing services to the building would not give rise unacceptable visual intrusion.*

5.25 PPS 7 *Sustainable Development in Rural Areas* supports the re-use of appropriately located and suitably constructed existing buildings in the countryside, where sustainable. Economic re-use, including conversion of suitable existing rural buildings for tourist accommodation, is preferable. Local planning authorities should have a criteria-based policy on re-use of buildings. Conversion of suitable existing rural buildings for tourist accommodation should be allowed.

5.26 Policy E24 seeks to reiterate national planning policy but relates it to identified areas within North West Leicestershire.

Q4

Is Policy E24 consistent with advice contained in PPS7?

5.27 **Policy E25: Sites of special scientific interest and regionally significant geological sites:**

Development will not be permitted which could adversely affect designated Sites of Special Scientific Interest or Regionally Significant Geological Sites identified on the Proposals Map, or any site subsequently so designated, unless an overriding, national need can be demonstrated, and either:

- (a) In the case of sites designated for their ecological interest, there is no other site suitable for that particular purpose; or*
- (b) In the case of sites designated for their geological interest, a suitable substitute site of equal or greater value can be proposed.*

5.28 PPS9 *Biodiversity and Geological Conservation* states planning permission should not be granted for development on SSSIs unless the benefits clearly outweigh the local and national impacts.

5.29 Policy E25 seeks to reiterate national planning policy but relates it to identified areas within North West Leicestershire.

Q5

Is Policy E25 consistent with advice contained in PPS9?

5.30 **Policy E26: Sites of county or district ecological or geological interest:**

Development will not be permitted which could adversely affect sites of County and District ecological or geological interest, or Local Nature Reserves, identified on the Proposals Map, unless an overriding national or local need can be demonstrated, and, in the case of sites of geological interest, a suitable substitute site of equal or greater value can be proposed.

Where development is permitted on sites of County, District or Parish level ecological interest, the developer will be required to minimise damage to and disturbance of the site, or, where material damage or disturbance is unavoidable, to provide suitable new habitats.

- 5.31 PPS 7 *Sustainable Development in Rural Areas* states that local planning authorities should have particular regard to any areas that have been statutorily designated for their landscape, wildlife or historic qualities and give greater priority to restraint of potentially damaging development
- 5.32 PPS9 *Biodiversity and Geological Conservation* states that local planning authorities should take a strategic approach to conservation, enhancement and restoration of geology – recognising the contribution that such sites make.
- 5.33 There may be a case for amalgamating Policy E26 with Policy E25.

Q6

Is Policy E26 consistent with advice contained in PPS7 and PPS9?

Should Policies E25 and E26 be amalgamated?

- 5.34 **Policy E27: Protected species:**

Development will not be permitted which would cause material harm to a protected species of bird, plant or animal, unless the proposal makes provision for either:

- (a) Adequate on-site protection of the species; or, where this is not feasible*
(b) The transfer of the species to an alternative site of equal or greater suitability.

- 5.35 PPS9 *Biodiversity and Geological Conservation* states that local planning authorities should take measures to protect the habitats of otherwise unprotected species from further decline.

Q7

Is Policy E27 necessary in the light of the national policy set out in PPS7 and the legislation dealing with protected species?

- 5.36 **Policy E30: Floodplains:**

Development will not be permitted which would increase the risk of flooding and remove the extra discharge capacity from the floodplains of either Black Brook and Gilwiskaw Brook or of the River Mease, Soar or River Trent, unless as part of the development the developer provides appropriate measures to protect the land from such effects.

- 5.37 PPG25 *Development and Flood Risk* states that policies in development plans should outline the consideration which will be given to flood issues. Local planning authorities

should recognise the importance of functional flood plains and avoid inappropriate development on undeveloped and undefended flood plains

- 5.38 Policy E30 seeks to reiterate national policy advice. However, it is possible to identify floodplains on the Proposals Map.

Q8 *Is Policy E30 necessary in the light of the national policy set out in PPG25?*

If Policy E30 is retained:

- *Is it consistent with advice contained in PPG25?*
- *Should the floodplains be identified on the Proposals Map?*

5.39 **Policy E31: Quality and ecology of watercourses:**

Development will not be permitted which would adversely affect either the quality and ecology of surface watercourses or the quality and quantity of groundwater. Satisfactory arrangements will be required for the disposal of foul sewage, trade effluent and surface water.

- 5.40 PPS23 *Planning and Pollution Control* states that local planning authorities should consider the potential sensitivity of ground and surface waters to pollution.

- 5.41 Policy E31 does not identify the watercourses concerned, but these could be shown on the Proposals Map.

Q9 *Is Policy E31 necessary in the light of the national policy set out in PPG23?*

If Policy E31 is retained:

- *Is it consistent with advice contained in PPG23?*
- *Should watercourses be identified on the Proposals Map?*

5.42 **Policy E38: Renewable energy – windpower:**

Development of wind turbines will only be permitted where they would not have an adverse effect on Areas of Particularly Attractive Countryside or other areas afforded special protection in this Local Plan, or where they would not have a materially detrimental effect on the character and visual amenity of the countryside generally.

Proposals for wind turbines should:

- Where connection to the national or local grid is proposed, be connected wherever possible by means of underground cables and avoid duplication of existing overhead cables;*
- Minimise their visibility from principal roads;*
- Be set back from any classified road or railway a minimum distance that is equal to the height of the proposed turbine(s);*
- Be sited so as to minimise possible distraction to drivers; and*
- Seek to minimise their visual impact upon the surrounding countryside and upon the skyline.*

- 5.43 PPS22 *Renewable Energy* calls for positive planning regarding renewable energy. Local planning authorities should encourage small-scale renewable energy

developments through positively expressed policies.

5.44 Policy E38 makes reference to a minimum distance from classified roads and railways. This is contrary to advice contained in PPS22.

5.45 There may be a case for a renewable energy policy with a wider remit than Policy E38. This issue is addressed in paragraph 6.6 below.

Q10 Is Policy E38 consistent with advice contained in PPS22?

5.46 **Policies E39 and E40: Telecommunications:**

Radio and telecommunications development will be permitted where:

- (a) Masts are sited so as to minimise their visual impact on the skyline and the surrounding countryside, particularly in Areas of Particularly Attractive Countryside or other areas afforded special protection in the Local Plan, and in relation to any nearby areas;*
- (b) It can be demonstrated that, given the needs of the industry and the limitations of currently available technology, the proposed site is the most environmentally suitable for the proposed development;*
- (c) When a new mast is proposed, it can be demonstrated either that all reasonable efforts have been made to secure the sharing of an existing mast, building or other structure, or that such sharing is not feasible;*
- (d) All ancillary apparatus incorporates appropriate screening.*

Whenever the planning authority determines that the siting or appearance of permitted telecommunications development would pose a serious risk to amenity, it will take the following factors into account in determining the resulting application for its prior approval.

As to siting:

- (a) The height of the site in relation to the surrounding land;*
- (b) The existence of local topographical features and vegetation;*
- (c) The effect of the development on the skyline or horizon;*
- (d) The visual impact of the development when the site is viewed from any side, including from outside the District boundary;*
- (e) The proximity of the site to existing masts, structures or buildings, including buildings of a historical or traditional character; and*
- (f) The proximity of the site to residential property.*

As to appearance:

- (g) The materials, colour, design and overall shape of the development;*
- (h) The dimensions of the development (other than height); and*
- (i) Whether the construction of the development or any part thereof is to be of solid or open framework.*

5.47 PPG8 *Telecommunications* seeks to facilitate growth of telecommunication systems whilst minimising environmental impact and protecting public health. Mast sharing is encouraged and screening and planting should be considered.

5.48 There may be a case for merging Policies E39 and E40 to produce a single policy dealing with telecommunications.

Q11 Are Policies E39 and E40 consistent with advice contained in PPG8?

Should Policies E39 and E40 be amalgamated to create a single policy for telecommunications?

5.49 Policy E41: Unstable and contaminated land:

Development will only be permitted on, or in the vicinity of, land that is known to be, or may be, unstable, contaminated or affected by landfill gas, where the Planning Authority is satisfied that the actual or potential risk can be overcome. Where necessary, the Planning Authority will require appropriate remedial measures to be undertaken to overcome any identified problems prior to the commencement of development.

5.50 PPS23 *Planning and Pollution Control* states that a balanced approach is required which addresses the risk of pollution, whilst recognising the damage to community and businesses confidence caused by failing to remediate contaminated land. National policy objectives for contaminated land include the requirement to identify such land and to remove risk to human health and environment and to bring damaged land back into beneficial use.

5.51 PPG14 *Development on Unstable Land* states that the aim is not to prevent development on unstable land, although sometimes this may be an appropriate response, rather to ensure that the development is suitable and that the land's physical constraints are taken into account.

5.52 Policy E41 reiterates national planning policy, but does not include anything that is specific to North West Leicestershire.

**Q12 Is Policy E41 necessary in the light of the national policy set out in PPG14; or
Could this subject be incorporated in a generic control policy?**

5.53 Policy E42: Development and pollution:

Development sensitive to pollution will not be permitted where it would be, or would be likely to be, adversely affected as a result of its proximity to a polluting or potentially polluting land use.

5.54 PPS23 *Planning and Pollution Control* states that the planning system is responsible for ensuring that, as far as possible, developments are not affected by major existing, or potential, sources of pollution.

5.55 Policy E42 seeks to reiterate national planning policy, but does not include anything that is specific to North West Leicestershire.

**Q13 Is Policy E42 necessary in the light of the national policy set out in PPS23; or
Could this subject be incorporated in a generic control policy?**

5.56 **Policy E43: Advertisements:**

Outdoor advertisement consent will be granted where the proposed advertisement respects the interests of amenity and public safety.

In assessing the likely effect of proposed advertisements on such interests, regard will be had to all material factors, and in particular:

- (a) In the case of amenity, to the general characteristics of the locality, including (where relevant) the presence of any feature of historic, architectural, cultural or similar interest; and*
- (b) In the case of public safety, to the effect of the proposal on all aspects of pedestrian or vehicular safety.*

5.57 Virtually all outdoor advertisements are within the scope of the control regime specified in the *Town and Country Planning (Control of Advertisements) Regulations 1992*. This enables local planning authorities can control advertisements on the grounds of amenity or public safety. PPG19 *Outdoor Advertising Control* also notes

Q14 *Is Policy E43 necessary in the light of the national regime for advertisement control?*

5.58 **Policy E44: Noise and development:**

Neither noise-sensitive nor noise-generating development will be permitted if the occupants of any premises would thereby be exposed to unacceptable noise disturbance.

5.59 PPG24 *Planning and Noise* states that local planning authorities must ensure that development does not cause an unacceptable degree of disturbance. Noise sensitive development should not normally be permitted in areas which are – or are expected to become – subject to unacceptably high levels of noise.

5.60 Policy E43 does not identify any particular areas that are subject to noise disturbance, but this could be done by means of supplementary planning guidance, if considered necessary.

5.61 There may be duplication between Policy E44 and Policy E3.

Q15 *Is Policy E44 necessary in the light of the national policy set out in PPG24; or
Could this subject be incorporated in a generic control policy?*

Transport

5.62 **Policy T3: Highway standards:**

Development, including that of allocated sites, will be permitted only where its highway design and layout make adequate provision for vehicular access and circulation, and servicing arrangements. In the case of residential development, such measures should include, where appropriate, provision for traffic calming.

5.63 Policy T3 covers all development and is therefore a generic control policy. It could remain as a separate policy or brought together with other transport policies (T8, T10, T12 and T13) to form one or more generic control policies dealing with transport issues.

5.64 **Policy T8: Parking:**

Parking provision in new developments will be kept to the necessary minimum. The level of parking provision will be considered against the following criteria:

- (a) The safety of road users and free flow of traffic should not be prejudiced;*
- (b) The level of parking should not adversely affect the character and amenity of the locality; and*
- (c) Parking requirements should not encourage the unnecessary use of the private car and may be reduced in areas of good access to other modes of travel.*

5.65 PPG13 *Transport* states that Development Plans should set out maximum levels of parking provision and that there should be no minimum standards other than those for people with disabilities.

5.66 **Policy T10: Public transport:**

Development, including that of allocated sites, will be permitted only if, where appropriate, provision is made for the requirements of effective public transport operation and the needs of passengers in terms of:

- (a) Road layout;*
- (b) Route penetration;*
- (c) Bus lay-bys; and*
- (d) Public accessibility.*

5.67 PPG13 *Transport* states that local planning authorities should negotiate for improvements to public transport as part of development proposals.

5.68 **Policy T12: Pedestrians and cyclists:**

Development, including that of allocated sites, will be permitted only if, where appropriate, its layout makes provision for pedestrian and cycle routes which:

- (a) Serve in an effective manner the movement and desire lines between the housing, schools, employment and shopping and leisure facilities within that and adjacent development;*
- (b) Are as far as reasonably possible free from physical hazards, as well as convenient and pleasant to use; and*
- (c) Cater effectively for persons of restricted mobility.*

5.69 PPG13 *Transport* advises local planning authorities to pay particular attention to factors that help promote walking as a prime means of access.

5.70 **Policy T13: Cycle parking:**

Adequate provision for cycle parking will be required as part of proposals for commercial, industrial and public developments, and, where appropriate, high density residential developments.

Where cycle parking is provided, due consideration will be given to a reduction in the vehicle parking requirements for the development.

Q16 Are Policies T3, T8, T10, T12 and T13 consistent with advice contained in PPG13?

Should these policies be brought together in a generic policy (or policies) covering transport issues in the control of development?

5.71 Policy T14: Former transport routes:

Development will not be permitted which would be likely to impair the continuity of disused railway lines, identified on the Proposals Map, which have potential for re-use as transport corridors, including pedestrian footpaths, bridleways and cycle routes and informal recreation corridors.

5.72 PPG13 *Transport* encourages local planning authorities to protect routes that could be critical in widening transport choices. Former transport routes could also offer potential for recreation and tourism purposes.

5.73 Policy T14 adds to this national policy by identifying those routes that will be protected within North West Leicestershire. These routes are shown on the Proposals Map.

Q17 Are the right former transport routes protected under Policy T14?

Housing

5.74 Policy H1: Housing within limits to development:

Residential development will be permitted on sites allocated for such development, or other sites within the limits to development, identified on the Proposals Map, provided it:

- (a) Complies with the policies of this Local Plan;*
- (b) Does not adjoin an existing or proposed development or other use which would be significantly detrimental to residential amenities;*
- (c) Is not situated at the rear of existing dwellings (e.g. occupying large rear gardens) where:*
 - (i) A proper means of vehicular access cannot be provided without detriment to the amenities enjoyed by the occupiers of adjoining residential properties or to highway or pedestrian safety;*
 - (ii) There would be inadequate space between existing and proposed buildings resulting in overshadowing, the creation of an oppressive environment or loss of amenities enjoyed by the occupiers of adjoining residential properties; and/or*
 - (iii) It would create difficulties for public emergency services in finding and reaching dwellings at the rear of existing properties.*

'Tandem' development, consisting of one dwelling immediately behind another and sharing the same access, will not be permitted.

5.75 The issues addressed in Policy H1 could be covered by generic control policies. The reference to "Tandem" development is not appropriate in the context of current national policy advice; such proposals must be considered on their merits in the light of the issues raised in (i)-(iii) of Policy H1.

Q18

***Should there be a separate policy for housing within limits to development; or
Should the issues be addressed by means of generic control policies?***

5.76 Policy H2: Housing outside limits to development:

New residential development outside Limits to Development, identified on the Proposals Map, will only be permitted where it is:

- (a) Essential for the efficient long-term operation of agriculture or forestry (Policy H10 of this Local Plan);*
- (b) A replacement for an existing or former dwelling (Policy H11 of this Local Plan); or*
- (c) Exceptional affordable housing (Policy H12 of this Local Plan).*

5.77 Policy H2 refers to matters that are dealt with in subsequent policies and could either be deleted or combined with the policies concerned so as to create a single policy dealing with housing in the countryside.

Q19

Should Policy H2 be combined with Policies H10, H11 and H12 to produce a single policy dealing with housing in the countryside?

5.78 Policy H10: Agricultural and forestry workers' accommodation:

Applications for the removal of an agricultural occupancy condition will only be permitted where it can be demonstrated to the satisfaction of the Planning Authority that:

- (a) The dwelling is no longer needed to serve an agricultural or forestry need in the locality; and*
- (b) Every possible effort has been made to rent or sell the property at a price that reflects the existence of the occupancy condition, for an adequate period of time.*

5.79 Annex A to PPS7 *Sustainable Development in Rural Areas* sets out the procedures to be followed in determining whether there is a special case for permitting dwellings in the countryside to provide accommodation for agricultural and forestry workers. There would appear to be no local factors that would add to or subtract from this national advice.

Q20

Is Policy H10 necessary in the light of the detailed advice on agricultural and forestry worker's accommodation contained in Annex A to PPS7?

5.80 Policy H11: Replacement dwellings:

Applications for replacement dwellings outside the Limits to Development, identified on the Proposals Map, will be considered in terms of the countryside policies of this Local Plan. Where the Planning Authority is satisfied that there is special justification development of a replacement dwelling may be permitted provided that:

- (a) The proposed replacement dwelling is not more than 10 per cent larger than that which it replaces;*
- (b) The proposed dwelling is built on the same base, or, where appropriate and less detrimental,*

elsewhere within the curtilage of the original dwellinghouse subject to the latter being demolished; and
(c) The development satisfies other environmental and traffic policies of this Local Plan.

- 5.81 Policy H11 does not shed light on the “special justification” for permitting replacement dwellings in the countryside nor is there any indication as to why a 10 per cent increase limit is appropriate.

Q21

Is Policy H11 necessary given that such development is already subject to countryside policies?

If Policy H11 is necessary:

- ***What should be a “special justification” for replacement dwellings in the countryside;***
- ***Should there be a definite limit on the increase in size permitted; and***
- ***If so what should the limit be?***

- 5.82 **Policy H12: Exceptional affordable housing sites:**

Development of affordable housing sites outside Limits to Development, identified on the Proposals Map, will only be permitted as an exception where the following criteria are fulfilled:

- (a) *An up to date survey demonstrates that a genuine local housing need, which would not otherwise be met, exists in the village or particular locality;*
- (b) *A secure arrangement will be required to ensure that the benefits of affordable housing will be enjoyed by subsequent occupiers as well as initial occupiers. Such an arrangement will normally require:*
- (c) *An appropriate managing institution, such as a housing association or charitable trust, to be in place, with an agreed letting/occupancy policy which ensures that the dwellings will only be made available as affordable housing to local people in need, who cannot be housed by other means; and*
- (d) *A legal agreement between the applicant/landowner/potential developer and management institution and the Planning Authority to ensure that the proposed dwellings are made available at a price or rent those in need can afford and will remain available as affordable housing to all subsequent as well as initial occupiers;*

Development of any exceptional affordable housing site must:

- (i) *Be well related to the built form and overall structure of an existing settlement and not adversely affect its present character;*
- (ii) *Adjoin the Limits to Development, identified on the Proposals Map;*
- (iii) *Not result in ribbon or detached development, or be prejudicial to the protection from development of any intervening or other land outside Limits to Development;*
- (iv) *Not be on land designated as a sensitive open area or any other area afforded special protection in this Local Plan or be in a position where it would detract from the appearance and general character of countryside worthy of protection for its own sake;*
- (v) *Be of a design and in materials of construction, which reflect the traditional rural character of the village concerned; and*
- (vi) *Comply with general environment and traffic policies and requirements of this Local Plan.*

- 5.83 Advice on “exceptional” housing sites to meet housing needs in the countryside is set out in Annex B to PPG3 *Housing*. Policy H12 repeats this advice but relates it to land outside defined Limits to Development in North West Leicestershire.

- 5.84 Policy H12 does not identify what is “affordable” or what is “local”. These terms could be addressed within the policy or in its associated text. The considerations set out in (i)-(vi) of Policy H12 are of a general nature and could be covered by the generic control policies.

5.85 The question of allocating sites for affordable housing in rural areas is dealt with in the Core Strategy Issues and Options Consultation.

Q22

Is Policy H12 necessary in the light of the detailed advice on exceptional housing sites contained in Annex B to PPG3?

5.86 **Policy H13: Mobile homes:**

The use of land outside the Limits to Development, as defined on the Proposals Map, for mobile homes parks will only be permitted where:

- (a) It can be demonstrated to the satisfaction of the Local Planning Authority that the proposal is to meet a genuine need that cannot be met either on an existing or proposed site or other site within the Limits to Development;*
- (b) It is not located in an Area of Particularly Attractive Countryside, or any other area afforded special protection in this Local Plan;*
- (c) It is well related to an existing settlement;*
- (d) It would not be detrimental to the character and appearance of either the countryside or the settlement concerned;*
- (e) It incorporates a satisfactory means of vehicular access; and*
- (f) It incorporates substantial peripheral landscaping.*

Conditions will be imposed on any planning permission granted in accordance with this policy to secure the restoration of the site in the event of the cessation of the use of the site.

5.87 Mobile homes are not covered by separate policies at national, regional and Structure Plan levels.

Q23

Is a separate policy for mobile homes on land outside Limits to Development necessary in the context of the countryside and Charnwood Forest policies of the Local Plan?

5.88 **Policy H14: Gypsy caravan sites:**

The use of land outside of the Limits to Development, as defined in the Proposals Map, for permanent or transit gypsy caravan sites will only be permitted where:

- (a) It can be demonstrated to the satisfaction of the Local Plan Authority that the proposal is to meet a genuine need that cannot be met either on an existing or proposed site or other site within the Limits to Development;*
- (b) It is not located in an Area of Particularly Attractive Countryside, or any other area afforded special protection in this Local Plan;*
- (c) It is well related to an existing settlement;*
- (d) It would not be detrimental to the character and appearance of either the countryside or the settlement concerned;*
- (e) It would not be detrimental to the amenities of nearby residential properties;*
- (f) It is well related to the existing and proposed road network;*
- (g) It incorporates a satisfactory means of vehicular access; and*
- (h) It incorporates substantial peripheral landscaping.*

Conditions will be imposed, where appropriate, to regulate business activities on such sites.

- 5.89 Detailed advice on this issue is contained in Government Circular 1/94 *Gypsy Sites and Planning* and the consultation paper *Planning for Gypsy and Traveller Sites*. The consultation paper advises that local planning authorities should only allocate specific sites for this purpose if they own or control them or if there is a realistic likelihood that they will be made available.
- 5.90 The District Council is currently carrying out a needs assessment that may lead to the need to prepare a gypsy caravan sites DPD. This would address the question of the allocation of specific sites for this purpose.
- 5.91 Policy H14 provides a criteria-based approach to the consideration of proposals for gypsy caravan sites. The consultation paper, referred to in paragraph 5.89 above, advises that such an approach is still necessary even if specific sites are allocated for this purpose.
- 5.92 Policy H14 refers to a particular type of development that may be permitted as an exception to countryside policies. The question of need and the requirement for sites to be well-related to existing settlements are specific to this issue, but parts (d)-(h) of Policy H14 are general considerations that could be dealt with by generic policies.

Q24

***Is there a need for a separate criteria-based policy for gypsy caravan sites; or
Can this issue be addressed under countryside and generic control policies?***

5.93 Policy H16: Travelling showpeople:

The use of land outside of the Limits to Development, as identified on the Proposals Map, as a site for travelling showpeople will only be permitted where:

- (a) It can be demonstrated to the satisfaction of the Local Plan Authority that the proposal is to meet a genuine need that cannot be met either on an existing or proposed site or other site within the Limits to Development;*
- (b) It is not located in an Area of Particularly Attractive Countryside, or any other area afforded special protection in this Local Plan;*
- (c) It is well related to an existing settlement;*
- (d) It would not be detrimental to the character and appearance of either the countryside or the settlement concerned;*
- (e) It would not be detrimental to the amenities of nearby residential properties;*
- (f) It is well related to the existing and proposed road network;*
- (g) It incorporates a satisfactory means of vehicular access;*
- (h) It incorporates substantial peripheral landscaping; and*
- (i) The occupation of the site is to be restricted to members of the Showman's Guild of Great Britain and their immediate relatives.*

- 5.94 Government Circular 22/91 *Travelling Showpeople* states that local planning authorities should consider the need of travelling showpeople and that plans may make specific proposals.
- 5.95 Policy H16 is a criteria-based policy which could still be relevant even if specific proposals were to be taken forward.
- 5.96 Policy H16 refers to a particular type of development that may be permitted as an exception to countryside policies. The question of need, the requirement for sites to be

well-related to existing settlements and the occupation restriction are specific to this issue, but parts (d)-(h) of Policy H16 are general considerations and could be covered by generic control policies.

Q25

Is there a need for a separate criteria-based policy for sites for travelling showpeople or can this issue be addressed under countryside and generic control policies and the advice contained in Circular 22/91?

Is there a need for a site or sites to be identified for this purpose?

5.97 Policy H17: Extensions to dwellings:

Extensions to dwellings will be permitted, except where the development proposed would:

- (a) Have a significantly detrimental effect on the amenities enjoyed by the occupiers of adjoining residential properties by reason of height, mass, overshadowing, oppressiveness or proximity, or result in loss of privacy;*
- (b) Detract from the character and appearance of the dwelling itself or of the street scene or locality generally by reason of its design, massing, visual prominence, materials of construction or proportions;*
- (c) Result in an inadequate provision of off-street car parking provision within the curtilage of the property or obstruct the visibility of car drivers entering or leaving the site;*
- (d) Result in an inadequate provision of private garden area within the curtilage of the dwelling;*
- (e) Change the scale and character of the existing property to the detriment of the appearance of countryside worthy of protection in its own right; and/or*
- (f) Detract from the traditional rural character, scale or proportions of the dwelling or group of dwellings in the case of development in rural areas.*

5.98 PPS12 *Local Development Frameworks* advises against detailed policies for particular subjects. The concerns expressed in Policy H17 would apply to residential development in general and could therefore be dealt with by means of generic control policies.

Q26

Should a separate policy for extensions to dwellings be retained; or

Should the considerations set out in Policy H17 be covered by generic control policies?

5.99 Policy H18: Residential institutions:

Development of residential institutions (Class C2) will be permitted in locations within Limits to Development, identified on the Proposals Map, which are within reasonable walking distance of shops, community and other local facilities and well served by public transport.

5.100 Policy H18 seeks to promote development of residential institutions in appropriate locations. Although there is a role for promotional policies the matters covered in Policy H18 are of a general nature.

Q27

Is there a need for a separate policy dealing with the location of residential

institutions; or

Can the concerns be covered by the generic development control policies?

Employment

5.101 Policy J12: Land adjoining employment areas:

Non-conforming development will be permitted on land adjoining existing or proposed employment areas, except where the relationship between the two uses would result in either:

- (a) Actual or potential harm to amenity at or near to the non-confirming use; or*
- (b) A constraint on the existing or proposed use of the employment area concerned;*

and the relevant harm or constraint cannot be adequately mitigated by the provision of an intervening block planted and/or landscaped buffer.

Where buffer block planting and/or landscaping is acceptable in principle, it must be provided at the developer's expense.

5.102 The circumstances referred to in Policy J12 could be covered by generic development control policies.

Q28

Should Policy J12 be deleted and the issues covered by generic control policies?

5.103 Policy J14: Expansion of existing firms:

Development involving the expansion of existing firms will be permitted, except where:

- (a) The site would be too restricted in size or shape to accommodate the proposed development in terms of layout, access, parking, landscaping or other requirements;*
- (b) The proposed development would be significantly detrimental to the amenities enjoyed by the occupiers of nearby residential properties, or to the general environmental character and amenities of the locality;*
- (c) The proposed development would result in the over-development of the site out of keeping with the general character of the area; or*
- (d) The proposed development would involve the intensification of use of an access, or the creation of a new access which is inadequate in terms of width, junction layout or visibility, to the detriment of highway safety.*

In exceptional cases expansion of existing firms onto adjacent land which is outside Limits to Development, identified on the Proposals Map, may be permitted where this would not result in an unacceptable change to the scale and appearance of these premises or its impact on the countryside.

5.104 The issues listed under (a)-(d) in Policy J14 are of a general nature, whereas the final paragraph of the policy provides for development in exceptional circumstances. However, the phrase "exceptional cases" is not defined in the policy or its associated text. Such cases could be treated as a material consideration at planning application stage.

Q29

Is a separate policy dealing with the expansion of existing firms necessary?

Central Areas and Retailing

5.105 Policy R17: Existing local centres:

Development will be permitted which assists the consolidation and upgrading of existing local shopping centres, identified on the Proposals Map.

Development that would detract from the character and function of local shopping centres will not be permitted.

Expansion of local shopping and related development outside the Local Centre limits defined on the Proposals Map will not be permitted, except in the case of new local centres or individual shops which comply with the provisions of Policies R17 and R19 of this Local Plan.

5.106 PPS6: *Planning for Town Centres* states that local planning authorities should strengthen local centres by seeking to ensure that there is a range of facilities in such centres, consistent with the scale and function of the centre, to meet people's day-to-day needs, particularly in deprived areas.

5.107 The third paragraph of Policy R17 may be unduly restrictive in that there may be circumstances where expansion of existing centres could be justified

Q30

Is Policy R17 consistent with advice contained in PPS6?

5.108 Policy R18: New local centres:

Development of new local shopping centres will be permitted where they meet the following criteria:

- (a) They are in locations within Limits to Development identified on the Proposals Map which serve the local shopping needs of new housing areas or meet acknowledged deficiencies in the present pattern and level of provision of local shopping centres;*
- (b) They are of a scale, character and location which would not have a detrimental effect on the vitality and viability of Coalville and Ashby-de-la-Zouch Town Centres; and*
- (c) The proposed local centre must be designed as an integral and focal part of a overall development scheme in terms of its road system, footpath network, relationship with community uses (such as schools and clinics), landscaping and open space.*

5.109 PPS6 *Planning for Town Centres* states that new local centres should be designated through the plan-making process where the need for such areas has been established, such as in areas of significant growth or where existing deficiencies have been established.

5.110 Policy R18 is a criteria-based policy. There may be a need for such a policy even where new centres are designated through the plan-making process.

5.111 It may be appropriate to merge Policy R18 with Policy R17 to create a single policy dealing with local centres.

Q31

Is a separate policy on new local centres necessary?

Should sites for new local centres be identified?

5.112 Policy R19: Acceptable uses in local centres:

In addition to local shops, only the following ground floor frontage uses will be permitted within existing and proposed local shopping centres, subject to environmental and traffic considerations:

- (a) Financial and professional services (Class A2);*
- (b) Food and drink uses (Class A3); and*
- (c) Non-residential institutions (Class D1).*

Provided that:

- (j) Sufficient shops remain to serve the daily needs of the locality;*
- (ii) A shop window display frontage is included or retained, where appropriate;*
- (iii) The non-retail element does not prejudice the viability and attractiveness of the Local Centre as a shopping centre; and*
- (iv) Non-retail uses do not occupy more than two adjacent shop window units.*

In the case of food and drink uses (Class A3) particular regard will be given to the likely impact of development on the amenities enjoyed by the occupiers of residential properties in the vicinity.

Assembly and leisure uses (Class D2) may be permitted where they can be shown to serve the needs of the locality and will not attract significant patronage from outside the local neighbourhood or locality, and provided that they are not likely to be detrimental to residential amenities and where they comply with the above requirements.

Other uses will not be permitted.

5.113 PPS6 *Planning for Town Centres* encourages the provision of a range of facilities in local centres, consistent with the scale and function of such a centre and people's day-to-day needs.

5.114 There could be a case for merging Policy R19 with Policies R17 and R18 (if retained) to create a single policy dealing with local centres.

Q32

Is Policy R19 consistent with advice contained in PPS6?

Should Policies R17, R18 (if retained) and R19 be merged to form a single local centres policy?

5.115 Policy R20: Individual shops:

Development of individual local shops away from existing or proposed shopping centres, will be permitted where:

- (a) A need for an additional local shop in relation to the catchment area of existing shopping centres can be demonstrated;*
- (b) The proposal is in a village or housing area where there is no established concentration of local shops and where the retention of local shopping provision is necessary in relation to the vitality of the village or housing area and the needs of those without access to private transport or adequate public transport;*
- (c) The proposal would not result in the attraction of additional vehicular traffic into predominantly residential areas to the detriment of highway and pedestrian safety and the amenities of such areas; and*

(d) The proposal would not be detrimental to the amenities enjoyed by the occupiers of nearby residential properties.

5.116 The need for local shops is recognised as equally important in urban and rural areas. Local planning authorities are advised to seek to protect existing facilities that provide for people's day-to-day needs and to remedy existing deficiencies in such provision.

5.117 **Policy R21: Village shops:**

Conversion to residential use of individual village shops will not be permitted unless either:

- (a) It can be demonstrated that every reasonable effort has been made to secure a continued shopping or, failing that, another suitable business re-use for the premises; or*
- (b) The proposed conversion is a subordinate part of a scheme for shopping or other business re-use.*

5.118 Policy PPS7 *Sustainable Development in Rural Areas* advises local planning authorities to adopt a positive approach to planning proposals designed to improve the viability, accessibility or community value of existing services and facilities, eg village shops and post offices, rural petrol stations, village and church halls and rural public houses, that play an important role in sustaining village communities. Local planning authorities should support the retention of these local facilities and should set out the criteria they will apply in considering planning applications that will result in the loss of important village services (e.g. as a result of conversion to residential use).

5.119 There may be a case for merging Policies R20 and Policy R21 to create a single policy dealing with protection of existing shops and facilities and the promotion of new developments in both urban and rural areas.

Q33

Should Policies R20 and R21 be amalgamated to form a single policy; and

Should the resulting policy be widened to take in the advice contained in PPS7?

5.120 **Policy R22: Farm shops:**

Planning permission will be granted for farm shops provided that:

- (a) The shop is ancillary to the existing agricultural use of the subject farm;*
- (b) The proposal would not have a detrimental effect on the viability of existing village shops which are well placed to serve local needs;*
- (c) Adequate provision is made for vehicular access, servicing arrangements and customer parking within the site.*

5.121 PPS6 *Planning for Town Centres* notes that farm shops can meet a demand for local produce in a sustainable way and can contribute to the rural economy. However, care needs to be taken to ensure that they do not adversely affect easily accessible convenience shopping available to the local community.

5.122 The national planning policy on farm shops is clear and there do not appear to be any local circumstances that should be taken into account.

Q34

Is Policy R22 necessary in the light of national policy set out in PPS6?

5.123 Policy R23: Financial and professional services in residential areas:

Within predominantly residential areas planning permission will not be granted for shop-window display frontages to premises used for the purposes of financial and professional services (Class A2).

5.124 This policy is designed to ensure that financial and professional services, if permitted in residential areas, do not detract from the amenities of such areas.

Q35

Is Policy R23 necessary or can the issues involved be addressed by means of generic control policies?

Leisure and Tourism

5.125 Policy L1: Formal recreation facilities:

Planning permission will be granted for the expansion of existing, or the development of new, formal recreation facilities within or adjoining built up areas.

5.126 Policy L2: Informal recreation facilities:

In cases where it can be demonstrated that a rural location is necessary, and subject to Policy L3 below, planning permission will be granted for informal recreation facilities, and land extensive recreational uses whether formal or informal, on the fringes of built up areas and elsewhere outside the defined Limits to Development.

5.127 Policy L3: Built development on recreational sites outside limits to development:

Built development on recreational sites outside Limits to Development, identified on the Proposals Map, will only be permitted where it:

- (a) Is strictly ancillary to the recreational use proposed;*
- (b) Is sited, where possible, in association with existing buildings or make use of existing rural buildings;*
and
- (c) Would not be detrimental to the local landscape or rural environment.*

5.128 Policies L1-L3 could be amalgamated to produce a single policy dealing with recreation facilities. This could provide greater clarity and ease of reference.

Q36

Should policies L1-L3 be amalgamated to produce a single simplified policy dealing with the development of recreation facilities?

5.129 **Policy L14: Recreational open space:**

Development of recreational open space will be permitted only where such land is within Limits to Development identified on the Proposals Map and:

- (a) It can be demonstrated that development of the site would not result in an under-provision of open space in relation to the creation and amenity needs of the area; or*
- (b) Prior to commencement of the development, the developer makes provision for replacement recreational open space of equivalent community benefit and in a suitable location within the locality; or*
- (c) The redevelopment of a small part of the site would assist in the retention or enhancement of its existing recreational facilities.*

5.130 PPG17 *Planning for Open Space, Sport and Recreation* advises that open spaces should not be built on unless an assessment has been undertaken which demonstrates that the open space is no longer required. It also requires local planning authorities to carry out an assessment of the existing and future needs of their communities for open space, sport and recreation facilities.

5.131 The District Council is currently carrying out a full audit of recreational provision in North West Leicestershire. This should be available in early 2006.

Q37

Is Policy L14 consistent with advice contained in PPG17?

5.132 **Policy L15: Allotments:**

Development of allotment land will not be permitted, except in the case of sites within Limits to Development, identified on the Proposals Map; where:

- (a) The Local Plan Authority is satisfied that there is no existing or foreseeable need for the allotment land within the locality; or*
- (b) Provision is to be made by the developer for replacement allotment land on a like-for-like basis in a suitable location in the locality prior to the commencement of development.*

5.133 There may be a case for merging Policy L15 within a single generic open space policy.

Q38

Should Policy L15 be amalgamated with Policy L14 to create a single policy for protection of open space?

5.134 **Policy L16: Public rights of way:**

Development involving a diversion of a public right of way will only be permitted where:

- (a) There is not an adverse effect on the existing right of way; or*
- (b) An alternative route can be provided, which:
 - (i) Is a satisfactory substitute for users of the original path;*
 - (ii) Is appropriate to the function of the right of way to be diverted (eg. A pleasant rural walk or a short cut between development areas); and*
 - (iii) Complies with the requirements of Policy T12 of this Local Plan.**

- 5.135 Government Circular 2/93 *Public Rights of Way* provides guidance on the control of development in relation to rights of way.
- 5.136 Policy L16 could be enlarged by including references to the improvements to existing rights of way and the creation of new routes.

Q39

Is Policy L17 necessary in the light of the guidance set out in Circular 2/93?

5.137 **Policy L18: Caravan and camping sites:**

Development of static holiday and touring caravan and camping sites will not be permitted unless the proposal:

- (a) Is in an unobtrusive location;*
- (b) Incorporates provision for substantial landscaping and tree/shrub planting;*
- (c) Incorporates a satisfactory means of access to and from the site, and ensures that substantial traffic is not attracted to the site through rural settlements;*
- (d) Incorporates adequate car parking; and*
- (e) Complies with any specified operating times.*

- 5.138 PPS7 *Sustainable Development in Rural Areas* calls on local planning authorities to carefully weigh the objective of providing for caravan and camping sites against the need to protect landscapes and environmentally sensitive areas. Policies should seek to ensure that such sites are not prominent in the landscape with any visual intrusion minimised by high quality screening.
- 5.139 The issues covered by Policy L18 are of a general nature and could be covered by generic control policies.

Q40

Is Policy L18 necessary in the light of the national policy set out in PPS7?

5.140 **Policy L19: Noisy sports:**

Noisy sports uses will only be permitted where the proposal:

- (a) Would not be detrimental to the local landscape or environment, especially where the site concerned lies within an area afforded special protection.*
- (b) Would not conflict with a nearby recreation and/or tourism use;*
- (c) Would not result in an unacceptable level of traffic generation, to the detriment of the local highway network or nearby settlements;*
- (d) Does not involve the use of the best and most versatile agricultural land;*
- (e) Incorporates substantial screening, landscaping and tree/shrub planting;*
- (f) Makes provision for the diversion of public footpaths where necessary; and*
- (g) Complies with any specified operating times.*

Development involving buildings will only be permitted where it is strictly ancillary to the use of the site for noisy sports.

- 5.141 The issues covered by Policy L19 are of a general nature and could be covered by generic control policies.

Q41

***Is a separate policy on noisy sports necessary: or
Can the issues involved be covered by generic control policies?***

5.142 Policy L20: Donington Park racing circuit:

Development of land within the Donington Park Racetrack limit, which is identified on the Proposals Map and is otherwise subject to the countryside policies of this Local Plan, will be permitted where the proposal:

- (a) Is either essential to the operational needs of, or has a clear functional relationship with, the racetrack;*
- (b) Is compatible with the existing character and landscape of the racetrack;*
- (c) Is unobtrusive in relation to nearby countryside;*
- (d) Makes provision for substantial landscaping, including intensive tree planting where the development adjoins open countryside;*
- (e) Demonstrates satisfactory arrangements for vehicular access, which must be via the existing or any replacement main site entrance;*
- (f) Would not adversely affect traffic conditions on the local or wider road network, or environmental conditions in nearby settlements, especially Castle Donington; and*
- (g) In the case of built development, is sited in association with existing buildings.*

5.143 Policy L20 seeks to provide an appropriate framework for the control of development at Donington Park Racing Circuit. It seeks to contain the activity within the existing defined limits of the racetrack and to restrict development to that which is considered appropriate in terms of its operational needs.

5.144 A number of the issues covered by Policy L20 are of a general nature and could be covered by generic control policies.

Q42

Is the range of activities to be permitted at the Racetrack still appropriate?

5.145 Policy L21: Children's play areas:

Development of new housing areas will be required to incorporate the provision of children's play areas and associated equipment, except where:

- (a) The development is a discrete site of less than 10 dwellings; or*
- (b) All play space needs arising from the development can be adequately met by existing facilities within walking distance.*

Where the development consists, in whole or in part, of elderly persons' accommodation or dwellings which by virtue of their design and layout are unlikely to be occupied by children, the above requirements will be adjusted proportionately.

All children's play areas must be appropriately:

- (i) Located laid out and landscaped and/or screened*
- (ii) Be in visually prominent positions within the development;*
- (iii) Be so located that a play space can be reached within reasonable walking distance of any point within the development; and*
- (iv) Provide a range of play equipment suitable for children of different ages.*

Commuted sums will be required to cover the costs of the maintenance of children's play areas for a period

of 5 years from the date of their hand over to the relevant open space authority.

- 5.146 PPG17 *Planning for Open Space, Sport and Recreation* states that local planning authorities should ensure that provision is made for local recreational facilities. It also advises that planning obligations should be used to remedy any local deficiencies in the quantity or quality of open space, sport and recreation provision. The audit referred to in paragraph 5.131 above.
- 5.147 Assuming there are deficiencies in provision then there are a number of issues that this may raise for Policy L21. In particular, the threshold of ten dwellings referred to in the policy may no longer be appropriate. It may be that off-site provision is more appropriate. This could take the form of a financial contribution towards new facilities of the upgrading of existing provision, with all developments being required to make such a contribution.

Q43 *Is Policy L21 consistent with advice contained in PPG17?*

Should future provision of open space, sport and recreation facilities be restricted to on-site provision or would off-site provision be more appropriate?

Should a requirement to contribute towards the provision of open space, sport and recreation facilities be applied to the development of all new dwellings?

5.148 **Policy L22: Formal recreation provision:**

Major new development, including that of allocated sites, will only be permitted where adequate provision is made for open space for formal recreation use.

- 5.149 PPG17 *Planning for Open Space, Sport and Recreation* calls on local planning authorities to ensure that provision is made for local sports and recreation facilities when permitting new development.
- 5.150 There may be a case for amalgamating Policy L22 with Policy L21 to form a single policy dealing with provision of all open space, sport and recreation facilities.

Q44 *Should Policy L22 be amalgamated with Policy L21?*

Minerals

5.151 **Policy M3: Safeguarding mineral reserves:**

Development will not be permitted which would sterilise or unreasonably inhibit the effective and economical exploitation of significant minerals reserves unless:

- (a) There is an overriding need for the proposed development on the subject site, and it is not feasible or desirable to extract the reserves before the development takes place; or*
- (b) The reserves lie close to a land use sensitive to noise, dust or other disturbance, and the proposed development would remove potential blight on that land.*

In the latter case, planning permission may however be withheld if it can be demonstrated that winning and working the reserves could be accomplished using mitigation measures which would eliminate or reduce to acceptable levels the factors giving rise to such blight.

- 5.152 Minerals Planning Guidance Note 1 *General Considerations* (MPG1) stresses that the planning system has an important role to play in safeguarding mineral deposits and avoiding sterilisation through development.

Q45

Is Policy M3 consistent with advice contained in MPG1?

6. ADDITIONAL DEVELOPMENT CONTROL POLICIES

6.1 National policy guidance and statements issued since the adoption of the Local Plan have suggested the inclusion of a number of additional policies in the Development Control Policies DPD.

Farm Diversification

6.2 PPS7 *Sustainable Development in Rural Areas* states that recognising that diversification into non-agricultural activities is vital to the continuing viability of many farm enterprises, and that local planning authorities should:

- set out in their LDDs the criteria to be applied to planning applications for farm diversification projects; and
- be supportive of well-conceived farm diversification schemes for business purposes that contribute to sustainable development objectives and help to sustain the agricultural enterprise, and are consistent in their scale with their rural location.

6.3 There is no rural/farm diversification policy within the Local Plan, although Policy R22 deals with farms shops and Policy E24 with the reuse of rural buildings.

Q46

Should a policy on farm diversification be included; and if so

What form should it take?

Equine Related Development

6.4 PPS7 *Sustainable Development in Rural Areas* notes that horse riding and other equestrian activities are popular forms of recreation in the countryside that can fit in well with farming activities and help to diversify rural economies. Local planning authorities should set out their policies for supporting equine enterprises that maintain environmental quality and countryside character. These policies should provide for a range of suitably located recreational and leisure facilities and, where appropriate, for the needs of training and breeding businesses. They should also facilitate the re-use of farm buildings for small-scale horse enterprises that provide a useful form of farm diversification.

6.5 There is no policy dealing with equine related development in the Local Plan. Such a policy could employ a criteria-based format.

Q47

Should a policy on equine related development be included; and if so

What form should it take?

Renewable Energy

PPS22 *Renewable Energy* advises that policies should be included which are designed to promote and encourage, rather than restrict, the development of renewable energy resources. Local planning authorities should recognise the full range of renewable

energy sources, their differing characteristics, locational requirements and the potential for exploiting them subject to appropriate environmental safeguards. They should set out the criteria that will be applied in assessing applications for planning permission for renewable energy projects. Planning policies that rule out or place constraints on the development of all, or specific types of, renewable energy technologies should not be included in regional spatial strategies or local development documents without sufficient reasoned justification.

- 6.6 The present renewable energy policy (Policy E3) deals only with wind turbines and may therefore be too limited in scope to deliver this requirement. Either this policy will need to be enlarged or a new policy is required.

Q48 *Should a wider policy on renewable energy be included; and if so
What form should it take?*

- 6.7 PPS22 *Renewable Energy* also encourages small-scale on-site renewable energy developments. Local planning authorities and developers should consider the opportunity for incorporating renewable energy projects in all new developments. Small-scale renewable energy schemes utilising technologies such as solar panels, Biomass heating, small scale wind turbines, photovoltaic cells and combined heat and power schemes can be incorporated both into new developments and some existing buildings. Local planning authorities should specifically encourage such schemes through positively expressed policies.

Q49 *Should a policy encouraging small-scale on-site renewable energy developments be included; and if so
What form should it take?*

- 6.8 There may be other policies which should be included to address issues raised in national and regional policy guidance or particular local circumstances.

Q50 *Are any additional policies or additions to policies needed:*

- *To address requirements of PPSs etc?*
- *To address particular local issues?*

If so please specify.

7. LOCAL PLAN POLICIES PROPOSED TO BE SAVED

7.1 The policies contained in the Local Plan are automatically “saved” (ie remain in force) until 2007.

7.2 It is possible for existing policies to be saved beyond this initial period, subject to the consent of the Secretary of State. The District Council wishes to save the policies set out below.

Policy	Title	Remarks
Environment		
E10	Conservation Areas: Development	Save beyond 3 years
E11	Conservation Areas: Demolition	Save beyond 3 years
E12	Conservation Areas: Shopfronts	Save beyond 3 years
E13	Listed Buildings: Demolition	Save beyond 3 years
E14	Listed Buildings: Change of Use	Save beyond 3 years
E15	Listed Buildings: Alterations and Extensions	Save beyond 3 years
E16	Listed Buildings: Setting	Save beyond 3 years
E17	Historic Byways	Save beyond 3 years
E18	Historic Parks and Gardens	Save beyond 3 years
E19	Archaeology	Save beyond 3 years
National Forest		
F1	General Policy	Save beyond 3 years pending National Forest policies review
F2	Tree Planting	Save beyond 3 years pending National Forest policies review
F3	Landscaping and Planting	Save beyond 3 years pending National Forest policies review
F4	Management	Save beyond 3 years pending National Forest policies review
F5	Forest Related Development	Save beyond 3 years pending National Forest policies review
F6	Re-Use and Adaptation of Rural Buildings	Save beyond 3 years pending National Forest policies review
Transport		
T18	East Midlands Airport	Save beyond 3 years pending Airport Action Area Plan (AAP)
T19	East Midlands Airport - Public Safety Zones (Alteration No.2)	Save beyond 3 years
T20	East Midlands Airport - Public Transport	Save beyond 3 years pending Airport AAP
Housing		
H4/1	Housing Land Release (Alteration No.3)	Save beyond 3 years
H6	Housing Density (Alteration No.1)	Save beyond 3 years
H7	Housing Design (Alteration No.1)	Save beyond 3 years
Central Areas and Retailing		
R2	Belvoir Shopping Centre	Save pending Town Centres AAP
R3	Acceptable Uses in Town Centres	Save pending Town Centres AAP
R4	Acceptable Uses in Town Centre Core Areas	Save pending Town Centres AAP
R5	Financial and Professional Services in Core Areas	Save pending Town Centres AAP
R6	Window Display Frontages in North Street and South Street, Ashby-de-la-Zouch	Save pending Town Centres AAP
R7	Other Retail Uses	Save pending Town Centres AAP
R8	Potential Redevelopment Areas	Save pending Town Centres AAP
R9	Pedestrian Facilities	Save pending Town Centres AAP
R10	Bridge Road Link	Save pending Town Centres AAP

R11	Outer Area of Coalville Town Centre	Save pending Town Centres AAP
R12	Town Centre Services	Save pending Town Centres AAP
R13	Town Centre Services	Save pending Town Centres AAP
R14	Town Centre Services	Save pending Town Centres AAP
R15	Town Centre Services	Save pending Town Centres AAP
R16	Use of Upper Floors	Save pending Town Centres AAP

8. LOCAL PLAN POLICIES PROPOSED NOT TO BE SAVED

8.1 A number of policies contained in the Local Plan are now out of date. They may, for example, refer to proposals which have now been implemented or which took forward strategic initiatives that have now been abandoned. The District Council proposes not to save the following Local Plan policies for the reasons given.

Policy	Title	Reason for deletion
Strategy		
S5	New Settlements	Strategic requirement removed
S6	Priority Area	Strategic requirement removed
Environment		
E28	Nature Conservation	Proposal implemented
E29	Ashby Road Tip	Proposal implemented
E32	Landscape Improvements	Strategic requirement removed
E33	Holly Hayes Wood and Grace Dieu Valley	Proposal implemented
E34	Coalville Relief Road Special Landscaping Policy	Proposal implemented
E35	Coalville Relief Road: Open Areas	Proposal implemented
E36	Derelict Land	Issues can now be covered by other policies
E37	Derelict Sites	Proposal implemented
Transport		
T1	Specified Road Network	Strategic requirement removed
T2	Road Improvements	Proposals implemented/strategic requirement removed
T4	Road Related Services – Commitments	Proposal implemented
T5	Road Related Services at A50/B6540 Junction	Planning permission has now lapsed
T6	Additional Road Related Services on M42/A42 and A50	Issues can now be covered by other policies
T7	Road Related Services within Charnwood Forest	Issues can now be covered by other policies
T9	Development of Parking Space	Issues can now be covered by other policies
T11	Railway Stations	Strategic requirement removed
Housing		
H3	Committed Sites	Proposal implemented
H5	Redevelopment of Small Scale Industrial Areas in Residential Areas	Issues can now be covered by other policies
H15	Gypsy Caravan Site at Sinope	Issues can now be covered by other policies
Employment		
J2	Committed Sites	Proposal implemented
J4	High Quality Employment Site at Finger Farm	Allocation since implemented
J5	High Quality Employment Site at Flagstaff Interchange, Ashby	Allocation since implemented
J6	Land west of Thornborough Road/North of Coalville Relief Road	Proposal implemented
J7	Coleorton Hall	Development implemented
J8	ADT Car Auctions Site, Measham	Issues can now be covered by other policies
J9	Bath Yard, Moira	Development implemented
J16	County or Sub-Regional Exhibition and Conference Centre	Strategic requirement removed
Central Areas and Retailing		
R24	Whitwick Road, Coalville	Issues can now be covered by other policies
Leisure and Tourism		
L7	Land Adjoining Hermitage Leisure Centre	Issues can now be covered by other policies
L8	Snibston Colliery	Issues can now be covered by other policies
L10	Former Measham Railway Station	Issues can now be covered by other policies
L11	Moira Furnace	Issues can now be covered by other policies

L12	Sawley Marina	Issues can now be covered by other policies
L13	Swannington Incline	Issues can now be covered by other policies
Minerals		
M1	Coalfield North	Proposal implemented
M2	Redevelopment Potential	Issues can now be covered by other policies

9. Other Local Plan Policies

9.1 Issues relating to the following Local Plan policies are addressed in the Issues and Options consultation for the Core Strategy Development Plan Document:

Policy	Title
Strategy	
S2	Limits to Development
S3	Countryside
S4	Infrastructure
Environment	
E20	Green Wedge
E21	Separation of Settlements
E22	Areas of Particularly Attractive Countryside
Transport	
T16	Ashby Canal
T17	Ashby Canal
Housing	
H8	Affordable Housing
Employment	
J10	Protection of Strategic Employment Sites
J11	Protection of other Employment Sites
J15	Rural Economy
Central Areas and Retailing	
R1	Central Area Shopping
Leisure and Tourism	
L4	Tourism
L17	Water Recreation

Other policies dealing with specific areas of land, including housing and employment land allocations, will be addressed in future DPDs. The District Council proposes to save these policies until the DPDs in question are in place.

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10. MAKING YOUR CONTRIBUTION

- 10.1 We welcome your views on the issues and options raised in this document, together with comments on any other matters you wish to raise in relation to the content of the forthcoming Development Control Policies Development Plan Document.
- 10.2 If you are responding a particular issue please quote the appropriate question number (eg **Q23**) which appears in the left-hand margin of this document.
- 10.3 Please send your comments, in writing, to:

**The Manager for Planning and Environment
North West Leicestershire District Council
Council Offices
Whitwick Road
COALVILLE
LE67 3FJ**

- 10.4 Or by e-mail to:

planning.policy@nwleicestershire.gov.uk

- 10.5 To be received not later than: **Friday 23rd December 2005**

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APPENDIX 1

GLOSSARY

Annual Monitoring Report (AMR):	Part of the <i>Local Development Framework</i> , the Annual Monitoring Report will assess the implementation of the <i>Local Development Scheme</i> and the extent to which policies in <i>Local Development Documents</i> are being successfully implemented.
Community Strategy:	Local authorities are required under the Local Government Act 2000 to prepare these, with aim of improving the social, environmental and economic well being of their areas. Through the Community Strategy, authorities are expected to co-ordinate the actions of local public, private, voluntary and community sectors. Responsibility for producing Community Strategies may be passed to Local Strategic Partnerships, which include local authority representatives.
Core Strategy:	Sets out the long-term spatial vision for the local planning authority's area, the spatial objectives and strategic policies to deliver that vision. The Core Strategy will have the status of a <i>Development Plan Document</i> .
Development control policies:	These will be a suite of criteria-based policies which are required to ensure that all development within the areas meets the spatial vision and spatial objectives set out in the <i>Core Strategy</i> . They may be included in any <i>Development Plan Document</i> or may form a standalone document.
Development Plan:	As set out in Section 38(6) of the Act, an authority's Development Plan consists of the relevant <i>Regional Spatial Strategy</i> and the <i>Development Plan Documents</i> contained within its <i>Local Development Framework</i> .
Development Plan Document (DPD):	Spatial planning documents that are subject to independent examination, and together with the relevant <i>Regional Spatial Strategy</i> , will form the <i>Development Plan</i> for a local authority area. They can include a <i>Core Strategy</i> , <i>Site Specific Allocations</i> of land, and other Development Plan Documents, such as generic <i>development control policies</i> . They will all be shown geographically on an adopted <i>Proposals Map</i> . Individual Development Plan Documents or parts of a document can be reviewed independently from other Development Plan Documents. Each authority must set out the programme for preparing its <i>Development Plan Documents</i> in the <i>Local Development Scheme</i> .
Examination	The purpose of the Examination is to consider if the development plan is sound. The majority of representations made at Examination will usually be 'written representations'. However, in some instances a Planning Inspector may allow representations to be examined by way of oral hearings, for example round table discussions, informal hearing sessions and formal hearing sessions.
Local Development Document (LDD):	The collective term covering <i>Development Plan Documents</i> , <i>Supplementary Planning Documents</i> and the <i>Statement of Community Involvement</i> .
Local Development Framework (LDF):	The name for the portfolio of <i>Local Development Documents</i> . It consists of <i>Development Plan Documents</i> , <i>Supplementary Planning Documents</i> , a <i>Statement of Community Involvement</i> , the <i>Local Development Scheme</i> and <i>Annual Monitoring Reports</i> . Together these documents will provide the framework for delivering the spatial planning strategy for a local authority area and may also include Local Development Orders and Simplified Planning Zones.
Local Development Scheme	Sets out the Council's programme for preparing <i>Local Development</i>

(LDS):	<i>Documents.</i> All authorities must submit a Scheme to the Secretary of State for approval within six months of commencement of the Planning & Compulsory Purchase Act 2004.
Planning Inspector	A Planning Inspector is a person appointed on behalf the Planning Inspectorate (itself an executive agency of Government) to conduct the <i>Examination</i> , oversee and to carry out site visits, and consider both written and oral evidence in order to reach a reasoned decision on the soundness of proposed <i>Development Plan Documents</i> .
Planning Policy Guidance (PPG)/Planning Policy Statement (PPS):	Statements of National Government Policy on land use within England. PPS are being phased in to supersede PPGs. These can be viewed on line at: www.odpm.gov.uk
Proposals Map:	The adopted Proposals Map illustrates on a base map (reproduced from, or based upon a map base to a registered scale) all the policies contained in <i>Development Plan Documents</i> , together with any saved policies. It must be revised as each new <i>Development Plan Document</i> is adopted, and it should always reflect the up-to-date planning strategy for the area. Proposals for changes to the adopted Proposals Map accompany submitted <i>Development Plan Documents</i> in the form of a submission Proposals Map.
Regional Planning Guidance (RPG):	Existing regional guidance that sets out regional planning policies that may be used as a material consideration in the preparation of <i>Development Plan Documents</i> .
Regional Spatial Strategy (RSS):	Sets out the region's policies in relation to the development and use of land and forms part of the <i>Development Plan</i> for local planning authorities. The <i>Core Strategy Development Plan Document</i> must conform with the Regional Spatial Strategy.
Site specific allocations:	Allocations of areas of land for specific purposes (eg housing or employment land) or for mixed uses or development to be contained in <i>Development Plan Documents</i> . Policies will identify any specific requirements for individual proposals.
Statement of Community Involvement (SCI):	Sets out the standards which authorities will achieve with regard to involving local communities in the preparation of <i>Local Development Documents</i> and development control decisions. The Statement of Community Involvement is not a <i>Development Plan Document</i> but is subject to independent examination.
Supplementary Planning Document (SPD):	Provides supplementary information in respect of the policies in <i>Development Plan Documents</i> . They do not form part of the <i>Development Plan</i> and are not subject to an independent examination.
Supplementary Planning Guidance (SPG):	Supplementary Planning Guidance did not form part of the Development plan, but could be a material consideration in deciding planning applications. To carry weight it had to be the subject of proper consultation and a Council resolution. It will be superseded by <i>Supplementary Planning Documents</i> under the new system.
Sustainable Development:	Environmentally responsible development commonly defined as "development which meet the needs of the present without compromising the ability of future generations to meet their own needs".
Strategic Environmental Assessment (SEA):	A generic term used to describe environmental assessment as applied to policies, plans and programmes. The European 'SEA Directive' (2001/42/EC) requires a formal 'environmental assessment of certain plans and programmes, including those in the field of planning and land use'.
Sustainability Appraisal (SA):	A tool for appraising policies to ensure they reflect sustainable

development objectives (i.e. social, environmental and economic factors) and required in the Act to be undertaken for all local development documents. Sustainability Appraisal will be undertaken alongside *Strategic Environmental Assessment*.