

NORTH WEST LEICESTERSHIRE LOCAL PLAN

WRITTEN STATEMENT



ADOPTED 22 AUGUST 2002

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Alteration Number 1. Housing Density and Design and Parking Standards (policies H6, H7 and Appendix A class C3) Adopted 19 April 2005

Alteration Number 2. Public Safety Zones and Safeguarded Area at East Midlands Airport (policies T19 and T20). Adopted 29th June 2004

Alteration Number 3. Housing Land Release (policy H4/1). Adopted 7th July 2005

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1. FOREWORD

1.1 This is the first district wide Local Plan for North West Leicestershire. As such it provides an important opportunity to bring together the various planning issues affecting the District. An up to date district wide Local Plan should give a clear, consistent and rational basis for deciding planning applications.

1.2 North West Leicestershire has a special character which combines its industrial heritage with large areas of attractive countryside. It also enjoys a excellent location for new economic development, with its own 'golden triangle', formed by the M1, A42 and A511. The District has undergone a major transformation in recent years, as the old employment base of deep mining has given way to new industrial and service jobs. There is clearly a need for further economic regeneration, but this must be pursued together with the aims of creating or protecting a high quality environment. The District's attractive areas represent substantial assets which can assist in the creation of a positive image to the benefit of economic regeneration.

1.3 The new National Forest will also have an important part to play in the future of the District. An indicative strategy for the Forest has been published by the Countryside Commission and has been the subject of widespread consultation. The Local Plan contains special policies for the control of development within the Forest, which will be a key part of achieving the Forest objectives.

1.4 The Local Plan sets out the planning strategy for North West Leicestershire up to 2006. This is based on the concentration of new development in locations on the A511/Ivanhoe Line Corridor (i.e. Coalville, Ashby-de-la-Zouch and Moira), but also recognises the potential for limited employment growth at the intersection of the A42 and the M1. This strategy provides the basis for particular proposals for new housing and employment areas, and for policies for the control of development, which will guide decisions on individual planning applications.

1.5 Whilst the Local Plan is specifically concerned with the development and use of land, regard has been had, in its preparation, to the objectives contained in the Council's Economic Development and Leisure Strategies. Taken together, the three documents set out the District Council's vision for the future of North West Leicestershire.

All the policies contained in this Local Plan must be considered together before a view can be determined on each particular issue.

Where criteria are listed under particular policies in this Local Plan, these must be considered in their entirety before a view can be determined on that particular policy.

In the event of any contradiction in this Local Plan between the Written Statement and the Proposals Map, the provisions of the Written Statement shall prevail.

2. Background

2. BACKGROUND TO THE PLAN

INTRODUCTION

2.1 Recent legislation has considerably strengthened the role of the development plan (i.e. Structure and Local Plans) in the operation of the land-use planning system. Government policy now stresses the importance of the 'plan-led' system, where the development plan plays the key role in the determination of planning applications.

2.2 This importance stems from Section 54A of the Town and Country Planning Act 1990, which states that:

'Where in making any determination under the Planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.'

2.3 The District Council, as Local Plan Authority, must prepare a single Local Plan for the whole of North West Leicestershire. The Council is well placed to do this as the District already has almost full Local Plans coverage, in the form of six adopted area Local Plans.

LEGAL BACKGROUND

2.4 The North West Leicestershire Local Plan is being prepared under the provisions of the Town and Country Planning Act 1990 (as amended) and the Regulations covering the preparation of Local Plans. Further guidance is contained in Department of the Environment Transport and the Regions Planning Policy Guidance Note 12 (PPG 12), 'Development Plans' and Regional Planning Guidance'.

2.5 The District Wide Local Plan together with the Leicestershire Structure Plan, Leicestershire Minerals Local Plan and waste planning policies will form the statutory Development Plan for North West Leicestershire.

2.6 The **Structure Plan**, prepared by Leicestershire County Council, covers the whole of Leicestershire and provides the strategic policy framework for planning and development control locally, and ensures that the provision made for development is realistic and consistent with national and regional policy.

2.7 The **Local Plan** for North West Leicestershire is prepared by the District Council and sets out detailed policies and specific proposals for the development and use of land, and should guide most day-to-day planning decisions. In doing this it sets out:

- The Local Plan Authority's policies for the control of development; and
- Proposals for the development and use of land and allocations of land for specific purposes.

2.8 The **Minerals Local Plan** is prepared by Leicestershire County Council as Minerals Planning Authority, and sets out policies and proposals for the provision of the supply of minerals and for ensuring the required degree of environmental protection associated with such development. In addition, the County Council is required to prepare waste planning policies either in the form of a Waste Local Plan or for inclusion in the Minerals Local Plan.

POLICY BACKGROUND

2.9 The original Leicestershire Structure Plan was approved in 1976. Subsequent alterations were approved in 1980 (Transportation Policies) and 1987 (amending and rolling forward the general strategy and policies to 1996).

2.10 The Submission Draft of the Replacement Structure Plan for Leicestershire was placed on deposit and submitted to the Secretary of State for the Environment in November 1991. This reviewed the planning strategy for Leicestershire and took it forward to 2006. An Examination in Public into the policies and strategic proposals contained in the Replacement Structure Plan was held in October 1992; and the Panel's report was submitted to the County Council at the end of 1992. Following consideration of this report and the publication of draft modifications the Structure Plan was adopted by the County Council on 11 January 1994.

2.11 The Replacement Structure Plan for Leicestershire, as adopted by the County Council, is referred to throughout this document as the '**Adopted Structure Plan**'.

2.12 The Deposit Draft of the North West Leicestershire Local Plan has been prepared in general conformity with the policies and proposals of the Adopted Structure Plan for Leicestershire.

2.13 Account has also been taken of national planning policy guidance as expressed in Circulars, Planning Policy Guidance Notes (PPG's) and Mineral Planning Guidance Notes (MPGs) and of regional planning guidance as set out in 'Regional Planning Guidance for the East Midlands Region' (PRG8).

2.14 The policies and proposals of this Local Plan have been established following widespread public consultation and the consideration of representations.

Plan Period

2.15 The North West Leicestershire Local Plan will cover the period up to 2006, with a longer or indefinite timescale where justified by particular proposals.

Plan Area

2.16 North West Leicestershire District covers an area of 108 sq. miles and has a population of over 80,000. The plan area, together with Parish Council boundaries, is shown on Map 1.

Local Plan Format

2.17 The Local Plan consists of a Written Statement and a Proposals Map. The Written Statement sets out the Local Plan Authority's policies and proposals for development and use of land within North West Leicestershire. Policies and proposals are distinguished by being set in **heavy type** with a policy or proposal reference number.

2.18 The Proposals Map covers the whole of the administrative area of North West Leicestershire at a scale of 1:12500. There are inset maps covering the central areas of Ashby-de-la-Zouch, Coalville and Castle Donington at a scale of 1:5000. Policies and proposals are cross referenced with the Written Statement.

Existing Local Plans

2.19 North West Leicestershire has almost full coverage of adopted Local Plans, as follows:

Ashby-de-la-Zouch Area Local Plan 1989	Adopted
Ashby Woulds Area District Plan 1982	Adopted
Coalville Area District Plan 1981	Adopted
Coleorton Area District Plan 1977	Adopted
Northern Parishes Local Plan 1989	Adopted
Southern Parishes Local Plan 1989	Adopted

2.20 In addition, the Bardon Industrial Action Area Plan was adopted in 1982.

2.21 New Draft Local Plans have recently been prepared for Ashby Woulds (taken through public participation) and Coalville Area (placed on deposit). Both plans have been approved as interim planning policy, but will not be taken further through the Local Plan process. The work undertaken, has been incorporated, where appropriate, in the North West Leicestershire Local Plan.

Adjoining Local Plans

2.22 The following Local Plans are being prepared for adjoining administrative areas by the respective Councils:

Charnwood Borough;

Erewash Borough;

Hinckley and Bosworth Borough;

Lichfield Borough;

North Warwickshire District;

Rushcliffe Borough; and

South Derbyshire District.

3. STRATEGY

INTRODUCTION

3.1 As North West Leicestershire emerges from the effects of the recent recession it will need to be unhindered by constraints of land availability and infrastructure provision. The Local Plan has a major role to play in enabling these vital components of economic growth to be in place to assist the recovery. It will ensure that sufficient housing and employment land is allocated, and that necessary infrastructure provision is identified and, where appropriate, undertaken in advance of development.

SUSTAINABILITY

3.2 The Government has made it clear that it considers that the planning system, and the preparation of development plans in particular, can contribute to the objectives of ensuring that development and growth are sustainable. The guiding principle behind this Local Plan is set out in PPG1 'General Policy and Principles':

'The sum total of decisions in the planning field, as elsewhere, should not deny future generations the best of today's environment.'

OVERALL STRATEGY

3.3 The future prosperity and well-being of the District require a co-ordinated, comprehensive and consistent planning strategy. Such a strategy must establish broad aims and set clear objectives as a basis for the policies and proposals of the Local Plan.

3.4 The broad aims of the Local Plan may be summarised as:

- (a) Economic regeneration and diversification;
- (b) Protection and improvement of the environment; and
- (c) Maintenance and development of social and community infrastructure.

3.5 The Local Plan follows a broad strategy in which the needs of development to provide a sound economic base are balanced with the conservation and enhancement of the environment of the District. The key objectives of this development strategy are identified in Strategy Policy 1 of the Adopted Structure Plan, which states that:

'Measures will be taken so that:

- (a) *The environment is conserved and where possible enhanced;*
- (b) *Most new development is located where a realistic choice of transport is or will be made available and which will be maintained or improved;*
- (c) *A continuous supply of housing land is released to meet the housing needs of the County;*
- (d) *A range of sites is released for employment development, including high quality employment sites of County significance for B1 and B2 uses;*

- (e) *Built development in the countryside is minimised and the best and most versatile agricultural land is protected;*
- (f) *The re-use of derelict land and use of vacant and underused land and buildings within and adjoining built-up areas is maximised;*
- (g) *There is a mix of housing and compatible employment uses in each locality;*
- (h) *An overall balance of employment and housing development is achieved across the County;*
- (i) *The regeneration of the Priority Areas is pursued;*
- (j) *The recreational needs of the community are met;*
- (k) *The development of the National Forest is successfully pursued.'*

3.6 The strategy set out in Policy S1 of this Local Plan follows that of Strategy Policy 1 of the Adopted Structure Plan, with the addition of references to the promotion of tourism and the operational development potential of East Midlands Airport.

3.7 POLICY S1

Provision is made in this Local Plan so that:

- (a) The environment is conserved and where possible enhanced;**
- (b) Most new development is located where a realistic choice of transport is or will be made available and which will be maintained or improved;**
- (c) A continuous supply of housing land is released to meet the housing needs of the District;**
- (d) A range of sites is released for employment development, including high quality employment sites of County significance for B1 and B2 uses;**
- (e) Built development in the countryside is minimised and the best and most versatile agricultural land is protected;**
- (f) The re-use of derelict land and use of vacant and underused land and buildings within and adjoining built-up areas is maximised;**
- (g) There is a mix of housing and compatible employment uses in each locality;**
- (h) An overall balance of employment and housing development is achieved across the District;**
- (i) The regeneration of the North West Leicestershire Priority Area is pursued;**
- (j) The recreational needs of the District are met;**
- (k) The development of the National Forest is successfully pursued;**
- (l) Tourism is promoted where it is compatible with the conservation and enhancement of the environment of North West Leicestershire; and**

- (m) The operational development potential of East Midlands Airport is safeguarded as an asset of national and regional importance.**

3.8 The key themes identified in the overall strategy, set out in Policy S1, provide the basis for more detailed policies throughout this Local Plan.

Conservation of the Environment

3.9 North West Leicestershire is a District of marked contrasts, ranging from the very attractive countryside of the Charnwood Forest and Staunton Harold at one end of the scale, through to pockets of dereliction and other forms of environmental degradation at the other. The built environment, likewise, extends across from some very attractive towns and villages to other less favoured areas. These contrasts provide the impetus for the environmental strategy of this Plan: protecting and enhancing areas of environmental quality, whilst upgrading the less favoured parts of the District.

3.10 Whilst an attractive environment is clearly a very desirable objective in its own right, it can also act as a powerful incentive in the revitalisation of the area of mining decline through the attraction of new business activities and their key personnel.

Transport Choice

3.11 Congestion is often an inevitable consequence of economic growth, but can then act as a disincentive to further growth. Increasing demands are being placed on the transport system. Whilst it may be possible to accommodate some of this increased demand outside urban areas, the scope for additional provision, in the form of new roads, is very limited within urban areas.

3.12 The Transport Choice Strategy seeks to alleviate the pressure on the road systems of urban areas, caused by use of the private car, by promoting the development of a settlement pattern which will facilitate the use of alternatives, such as public transport, cycling and walking. The need to make such alternatives more attractive is recognised as a key feature of the strategy.

Housing

3.13 The provision of an adequate and continuous supply of land for housing is a key function of the planning system. It is also an essential feature of the revitalisation strategy. However, availability of sufficient land must be coupled with a good choice of sites (in terms of location, size, site characteristics and suitability for various types of housing) if the plan is to provide a sound basis for future housing development in the District.

Employment

3.14 Diversification and expansion of the economic base of North West Leicestershire require the provision of suitable sites to meet the needs of new and expanding industry and commerce. These needs can vary considerably. Firms involved in national and regional distribution will require highly accessible sites well-related to the primary road network, new business uses will want attractive well-landscaped sites in prestigious locations, whilst expanding local firms may wish to retain close links with existing facilities and their local labour resource. In addition, national policy seeks to make greater use of rail for freight traffic. This aim, coupled with the international dimension afforded by the opening of the Channel Tunnel, indicates a greater need for employment sites both adjacent to, and within convenient range of, a railhead facility.

Countryside

3.15 North West Leicestershire has substantial areas of attractive countryside, with two particularly attractive areas, based on the Charnwood Forest and Staunton Harold. Such areas are not only worthy of protection for their own sake, but positively assist the promotion of the District as a whole as a suitable location for new business activity. It is for the Local Plan to reconcile the protection of the countryside with the needs for new development and increasing leisure activity.

Derelict Land

3.16 Parts of North West Leicestershire have suffered greatly from the ravages of past manufacturing and extractive industry. Derelict land represents a substantial waste of resources, as well as a blight on the environment. Greater use of such land can help reduce the demands placed on greenfield sites and minimise loss of countryside.

Housing and Employment Balance and Mix

3.17 Achieving a balance of housing and employment land at both District and local levels is central to the government's aims of reducing energy consumption and providing for more accessible job opportunities. The amount of provision across the District, and hence their overall relationship, is in each case determined by the Adopted Leicestershire Structure Plan. This Plan allocates an appropriate mix of development in each of the various parts of the District.

Priority Area

3.18 Priority status for the Area of Mining Decline was firmly established in Alteration No. 2 to the Leicestershire Structure Plan, approved in 1987. This clearly established the Area of Mining Decline as an area where appropriate support and encouragement for redevelopment and regeneration would be focused. The need for continued priority status has been recognised in the Adopted Structure Plan and provides a cornerstone of the strategy for development in North West Leicestershire.

Recreation

3.19 Demands for leisure and recreation facilities are expected to continue to grow throughout the Plan Period. Such activities have major land use implications. There is a growing awareness of the importance of sport and recreation facilities in urban areas, and increasing demands for informal activities in the countryside. National planning policy recognises the particular importance attached to the protection of open space with recreational value.

National Forest

3.20 In October 1990 the Countryside Commission announced that a new National Forest was to be created between and including the Charnwood and Needwood Forests, and covering a substantial part of North West Leicestershire. The Forest will help attract new business activity and enhance the area's image as a residential location. It is expected that proposals for new leisure and tourist facilities will also be forthcoming. Taken together, these developments will bring substantial benefits to the area covered by the National Forest. At the same time, it is essential that pressures for new development should not be allowed to detract from the improved environment which the National Forest will help create.

Tourism

3.21 The role of tourism in relation to economic development is recognised and supported by the District Council. The District's tourism potential is based on its varied attributes of attractive countryside, historic towns and villages and industrial heritage. Many of the proposals of this Plan have a direct bearing on the promotion of tourism, whilst the National Forest will clearly be a major factor in this respect. As always, there is a proper balance to be struck between the need to promote tourism and the protection of the environment: the policies of this Plan will provide a firm basis for achieving this balance.

East Midlands Airport

3.22 East Midlands Airport is the principal airport for the East Midlands region. It is recognised, in the Regional Planning Guidance for the East Midlands (RPG8) as an asset of national and regional importance, which is expected to grow over and beyond the period covered by this Local Plan.

THE LOCATION OF DEVELOPMENT

3.23 The Adopted Structure Plan introduces the concept of 'Transport Choice Corridors', based mainly on the railways radiating from Leicester, which will act as the foci for new housing and employment land development. The Transport Choice Corridor in North West Leicestershire is formed by the proposed to be re-opened Leicester-Burton railway (the 'Ivanhoe' or 'National Forest Line'), which links the main urban areas of Coalville and Ashby-de-la-Zouch to each other and to Leicester and Burton. The urban areas will continue to be the main centres for housing, employment, services and leisure, with most new development taking place within and on the edges of such areas.

3.24 Strategy Policy 2 of the Adopted Structure Plan identifies the main locations for growth in North West Leicestershire:

'...the main towns of (inter alia) Ashby, Coalville... ...will continue to be the main centres for housing, employment, services and leisure.

Land for major new housing, (usually more than 100 dwellings), major new employment development (usually more than 5 ha) and other major new development will be allocated within and adjoining these urban areas and in locations which offer a realistic choice of transport along corridors between urban areas.

Transport choice corridors will be those listed below (inter alia), and should it be necessary to accommodate additional development outside the specified locations this will be situated in other corridors offering a realistic choice of transport, which will usually require the provision of a dedicated public transport route which penetrates urban areas:

The Ivanhoe Railway line...;

3.25 Strategy Policy 3 of the Adopted Structure Plan states that:

'Major housing development (usually more than 100 dwellings) and major employment development (usually more than 5 hectares) will normally only be appropriate on sites within or adjoining settlements identified as providing or being capable of providing a realistic choice of transport.

Small scale development within or adjoining other settlements will normally only be appropriate where it is in keeping with their size, form and character.'

3.26 In addition to locations within and adjoining urban areas there may also be opportunities for development elsewhere along the Transport Choice Corridor. In North West Leicestershire such an opportunity exists at Moira, where revitalisation of the Ashby Wolds will be assisted by new housing development in close proximity to a station site.

3.27 Elsewhere, in settlements away from the Transport Choice Corridor, there will be relatively limited provision for new development, reflecting poorer transport choice and more restricted local services.

The Transport Choice Corridor

3.28 Although the Adopted Structure Plan identifies a Transport Choice Corridor based on the Ivanhoe railway line, this does not imply continuous development along the corridor. It is necessary, therefore, for the Local Plan to identify settlements which together will constitute the Transport Choice Corridor for North West Leicestershire.

3.29 The Transport Choice Corridor within North West Leicestershire comprises the following settlements served by the Ivanhoe railway line:

- (a) Coalville Urban Area, together with Bardon;
- (b) Ashby-de-la-Zouch; and
- (c) Moira.

3.30 Land is allocated for major new housing, employment and other development at Coalville, Ashby-de-la-Zouch and Moira, and for major employment development at Bardon.

3.31 Bardon is included in order to take account of the substantial area of employment land development proposed to the north and south of Beveridge Lane. This location adjoins the Ivanhoe Line and there is potential for rail-served development on part of this site.

3.32 Although a station is proposed at Swannington to serve the inhabitants of the northern part of Coalville and the nearby industrial estates, no significant development is envisaged within the village itself. Swannington has a linear pattern of development, with very limited potential for further growth without intruding into countryside or the Green Wedge proposed between the two settlements. Swannington railway station will serve the western part of Coalville and a number of nearby villages.

Rest of the District

3.33 The Adopted Structure Plan proposes, as an exception to the Transport Choice Strategy, substantial employment land development well related to Junctions 23A and 24 on the M1 Motorway. A proportion of this provision is intended to meet wider than local employment needs.

3.34 In addition to a substantial allocation of land for employment development well-related to Junctions 23A and 24, a significant housing allocation is proposed in this Local Plan at Castle Donington to provide a degree of balance between new housing and new employment land in this part of the District.

3.35 Substantial housing and employment land commitments exist at Measham, a settlement outside the Ivanhoe Line Transport Choice Corridor.

3.36 The smaller villages of the District generally lack good public transport links and have a relatively limited range of local services. Allowance has been made for limited development in such villages.

Limits to Development

3.37 This Local Plan identifies Limits to Development within which development will normally be confined. It makes realistic and positive provision for such development in general conformity with the policies of the Adopted Structure Plan.

3.38 The Limits to Development, identified on the Proposals Map, provide logical and clear boundaries to the various settlements and other areas of development in the District. They distinguish between areas of development and development potential and areas of restraint, such as countryside. They allow for any new development to be sensibly related to the existing pattern of development, whilst ensuring that development needs can be met without undue harm to the countryside and other rural interests.

3.39 POLICY S2

Development will be permitted on allocated sites and other land within the Limits to Development, identified on the Proposals Map, where it complies with the policies of this Local Plan.

3.40 The fact that land is within defined Limits to Development does not mean that planning permission will be granted automatically. Such applications will be considered on their merits in terms of all the policies of this Local Plan.

COUNTRYSIDE

3.41 National planning policy guidance stresses the need to protect the countryside for its own sake. It is the role of the planning system to integrate development necessary to sustain the rural economy with protection of the countryside for the sake of its natural beauty, the diversity of its landscape and its ecological, agricultural and recreational value.

3.42 Strategy Policy 4 of the Adopted Structure Plan makes it clear that only very limited new development is expected in the countryside:

'In the Countryside (which is land beyond the existing and planned development limits of settlements, and outside of land defined as Green Wedge or areas of separation) built development or other development having a significant adverse effect on the appearance or character of the landscape will not normally be appropriate.'

However, provision may be made for the re-use and adaptation of existing buildings and for limited small scale development for employment and leisure uses, where there is limited adverse effect on the appearance and character of the landscape.'

3.43 It is for Local Plans to designate appropriate limits to development. Land outside these limits is designated as countryside and will be subject to the provisions of Policy S3 of this Local Plan.

3.44 POLICY S3

Development will be permitted on land outside the Limits to Development, identified on the Proposals Map as Countryside, only where it:

- (a) Can be shown to be essential for the efficient long-term operation of agriculture and forestry;**
- (b) Comprises acceptable farm diversification;**
- (c) Is a public service or utility which cannot, for operational reasons, be accommodated within the defined Limits;**
- (d) Is for recreation, community facilities, or tourism-related purposes, in accordance with the leisure and tourism policies of this Local Plan;**
- (e) Is for Forest-related purposes within the National Forest, in accordance with the National Forest policies of this Local Plan; or**
- (f) Involves the re-use, adaptation or conversion of rural buildings, in accordance with Policy E24 of this Local Plan.**

3.45 Proposals involving farm diversification will be considered against the relevant policies elsewhere in the Plan.

3.46 Elsewhere in this Local Plan Policy H2 deals with housing outside Limits to Development, whilst Policy L1 is concerned with recreation and tourism in the countryside. Policy E22 deals with Areas of Particularly Attractive Countryside. Special policies concerning development in the countryside within the National Forest are contained in Chapter 5.

INFRASTRUCTURE

3.47 New development may require substantial investment in additional infrastructure. Strategy Policy 5 of the Adopted Structure Plan makes it clear that it will be the responsibility of developers to make provision for such improvements, where necessary.

3.48 Strategy Policy 5 of the Adopted Structure Plan states that:

'Major new housing development (usually more than 100 dwellings), major new employment development (usually more than 5 ha.) and other major new development should meet most or all of the requirements for, and costs of, relevant local infrastructure, including such public highway, public transport, public services, utilities, off site landscaping and community facilities required to support the development, with contributions being expected from developers for these costs.'

3.49 Specific requirements for individual proposals have been identified in this Local Plan. These requirements are necessary in order to ensure the proper planning of the development itself and to satisfactorily integrate the development with the local and wider transport systems and other infrastructure, and should be read in conjunction with the general policies and requirements of this Local Plan.

3.50 POLICY S4

Where new or improved infrastructure is necessary to enable proposed development to proceed, or the development ought not to proceed without it, planning permission will not be granted unless the provision of such infrastructure can be appropriately secured.

3.51 The planning authority will in the first instance endeavour to secure such provision by the imposition of appropriate planning conditions. Where this is not feasible, the planning authority will, in accordance with Government advice, seek to secure the same by negotiating an appropriate legal agreement with the site owners or other persons having the necessary interest in the land concerned. If agreement cannot be reached, a unilateral undertaking (which is an undertaking put forward by a developer usually where it has not been possible to reach agreement on a planning obligation) could form a satisfactory alternative.

3.52 Consultation with the relevant authorities at an early stage in the formulation of development proposals is recommended, in order that the precise nature of any requisite infrastructure can be established, and as a result incorporated into the subject scheme.

NEW SETTLEMENTS

3.53 New settlements are freestanding developments which are physically separate from existing built-up areas. The Adopted Structure Plan acknowledges that such settlements may have a role to play in particular circumstances. Strategy Policy 6 of the Adopted Structure Plan provides an enabling policy for use in such cases:

'New settlements may be appropriate to meet the housing and employment requirements as an alternative to the expansion of existing settlements. Any new settlement proposed should be consistent with the strategic requirements of this Plan and should come forward through the statutory Local Plan process.'

3.54 Strategy Policy 6 also includes a set of criteria against which any new settlement proposed is to be assessed.

3.55 The potential for a new settlement to meet the housing needs of North West Leicestershire has been assessed in the preparation of this Local Plan. The County Council has taken the view that such settlements may have a role to play in Transport Choice Corridors. This Local Plan provides a variety of housing sites within the Transport Choice Corridor and identifies a strategic site with potential for further development in the longer term. In these circumstances, and having regard to the impact of such a proposal on the countryside, a new settlement is not considered appropriate within the Transport Choice Corridor of North West Leicestershire.

3.56 POLICY S5

Development of a new settlement within North West Leicestershire will not be permitted.

THE PRIORITY AREA

3.57 The former deep mining area of North West Leicestershire has suffered extensively as a result of the rundown of the mining industry. Substantial numbers of jobs have been lost and considerable dereliction has been created. The Adopted Structure Plan recognises

these problems by retaining Priority Area status for the area of mining decline covering a substantial part of North West Leicestershire.

3.58 A development programme has been pursued within this Priority Area aimed at strengthening and diversifying the local economy, coupled with efforts to upgrade the environment, particularly of Coalville and Ashby Woulds. Improvements have been made to the communications of the area, including the upgrading of the A511 in association with the construction of the A42. The proposed reopening of the Ivanhoe Line to passengers will further enhance local communications.

3.59 Strategy Policy 7 of the Adopted Structure Plan identifies the measures which will continue to be required within the priority area:

'...the former coalfield area of North West Leicestershire...(is) a Priority Area for regeneration and redevelopment. Measures will be focused on alleviating the concentration of economic, environmental and other problems by giving special emphasis to the:

- (a) Release of a range of sites attractive for housing and employment;*
- (b) Improvement of infrastructure, particularly for transportation;*
- (c) Restoration and reuse of derelict land and more effective use of vacant and underused land and buildings;*
- (d) Improvement of the general environment; and*
- (e) Development of recreation and tourist related uses...'*

3.60 This policy provides the basis for more detailed proposals and policies in this Local Plan.

3.61 POLICY S6

Provision is made in the policies and proposals in this Local Plan for the revitalisation of the North West Leicestershire Priority Area, within the boundary shown on the Proposals Map.

3.62 Individual proposals which lie within the Priority Area include substantial employment and housing developments, new road proposals (e.g. A511 Ashby-de-la-Zouch By-pass), leisure proposals and measures to upgrade the environment.

ENERGY

3.63 Strategy Policy 8 of the Adopted Structure Plan states:

'In considering proposals for development, preference will be given to the establishment of energy efficient land use patterns for new development, especially those suited to the economic operation of public transport.'

3.64 The bulk of the development land allocation made in this Local Plan is along the Ivanhoe Line Transport Choice Corridor. Development within this corridor has the potential to create the most energy efficient land use pattern, well suited to the economic operation of public transport.

4. ENVIRONMENT

INTRODUCTION

4.1 The environment of North West Leicestershire is one of marked contrasts, with areas of very attractive countryside, such as Charnwood Forest, and urban areas, such as Ashby-de-la-Zouch Town Centre, at one extreme, and areas of derelict or degraded land and rundown buildings on the other.

4.2 An attractive environment is an important asset in its own right. However, protection and enhancement of the natural and built environments will also assist in the social and economic revitalisation of the District, as an important incentive in the attraction of new investment and business activity and key personnel.

STRATEGY

4.3 The strategy for the environment of North West Leicestershire rests on building on the inherent strengths of the District, whilst seeking to eliminate, or at least substantially reduce, its weaknesses. The main aims of this strategy can be summarised as:

- (a) Protecting and upgrading areas of attractive countryside;
- (b) Protecting and upgrading both the built and the natural environment;
- (c) Encouraging a high standard of development;
- (d) Restoration of derelict and degraded land; and
- (e) Maintaining the separate identity of settlements.

4.4 A key feature of the environmental strategy is the National Forest, which covers a substantial part of the District. This will bring long-term environmental benefits to the area and give confidence to those planning new investment and environmental improvement.

THE BUILT ENVIRONMENT

4.5 Environment Policy 1 of the Adopted Structure Plan sets the basic agenda in relation to the built environment in North West Leicestershire:

'Measures will be taken to maintain and improve the quality of the built environment of ... settlements including:

- (a) *Protecting open land which is important to the form and character of the built environment from development and ensuring additional open spaces are reserved and provided in new development;*
- (b) *Ensuring development is of high quality in its layout and landscaping and through its use of sympathetic scale and appropriate materials;*
- (c) *Ensuring development proposals are designed to minimise crime;*
- (d) *Ensuring development takes account of the access needs of all people including people with disabilities; and*

(e) *Controlling the use of motor vehicles.'*

4.6 Detailed policies are set out below in relation to open land, residential amenities, design, landscaping, crime prevention and mobility which will apply to all development.

Open Areas

4.7 The need to protect open areas within or closely related to urban areas is widely recognised. There are many instances of important open areas within or adjoining settlements which contribute positively to the character of the settlement concerned, its streetscene or its setting or approaches. It is important that such areas are kept free from development in view of the contribution they make to local environmental quality.

4.8 Sensitive areas of open land are identified on the Proposals Map. These include:

- (a) Important open breaks in street frontages;
- (b) Important amenity or other open areas within settlements;
- (c) Important settings and approaches to settlements; and
- (d) Ends of sporadic or ribbon development.

4.9 POLICY E1

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.

4.10 Landscaped amenity open space is also an important feature within new development areas.

4.11 POLICY E2

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.

4.12 Where the proposed development falls within the boundaries of the National Forest, Policy F2 makes clear that a landscaping and tree planting scheme provided in accordance with the provisions of Policy F1 will replace the open space requirements of this policy.

Residential Amenities

4.13 Whilst the planning system does not exist to protect the private interests of one person against the activities of another, it is often the case that private interests may coincide with the public interest, for example where a proposal for development would unacceptably affect amenities which ought to be protected in the public interest. Policy E3 provides the necessary basis for the consideration of proposals which may have an adverse impact on residential amenities, and also in respect of proposals for residential development which may suffer adverse effects in terms of such amenities.

4.14 POLICY E3

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.

Design

4.15 The appearance of proposed development and its relationship with its surroundings are recognised as material considerations in the determination of planning applications and at appeal. Annex A to PPG1 ('General Policy and Principles') states that 'Good design should be the aim of all involved in the development process', whilst recognising that this is primarily the responsibility of designers and their clients. Development plans and guidance should provide clear indications of the Local Plan Authority's design expectations. Policy E4, provides a general policy on design matters. Further guidance can be obtained from the document 'Development Guidelines' published by the District Council. The District Council will also bring forward planning briefs on particular sites or proposals which will provide additional detailed guidance on relevant design considerations.

4.16 The District Council will seek to achieve good design in all aspects of the built environment.

4.17 POLICY E4

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.

Over-development

4.18 Policy E5 seeks to avoid the 'over-development' of sites, where the site is too restricted to accommodate all requirements in a satisfactory manner.

4.19 POLICY E5

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.

Comprehensive Development

4.20 Policy E6 is concerned with cases where development of part of a larger site may be prejudicial to the satisfactory development of the whole area.

4.21 POLICY E6

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.

Landscaping

4.22 Landscaping has a very important role to play in helping to assimilate new development into its local environment, and in screening unsightly features.

4.23 POLICY E7

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.

4.24 Specific landscaping requirements for sites allocated for development in this Local Plan are where necessary set out as part of their respective proposals.

4.25 More detailed advice on the generally essential characteristics of an acceptable landscaping scheme is set out in the Council's supplementary planning guidance 'Development Guidelines'.

4.26 Where a developer proposal falls within the boundaries of the National Forest, Policy F2 makes clear that a landscaping and tree planting scheme provided in accordance with the provisions of Policy F1 will replace the landscaping requirements of this policy.

Crime Prevention

4.27 Local Plans should have regard to the issue of crime prevention. It is widely acknowledged that the built environment can influence criminal behaviour, with many offences being actively aided by or occurring because of designs which create opportunities for crime. By carefully considering a building or a physical environment at an early stage in its creation, the potential for unlawful activity can, however, be reduced.

4.28 Planning applications will therefore be assessed to determine whether, through the adoption of appropriate measures within their designs, they reduce to an acceptable level the risk of criminal activity, trespass, vandalism and litter. Careful attention to layout design, boundary features and means of enclosure, as well as to minimising potentially detrimental effects on adjacent land uses, will all help to maximise achievement of these aims. Therefore:

4.29 POLICY E8

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.

4.30 For further guidance on planning and crime prevention, applicants are encouraged to consult with the Force Architectural Liaison Officer at Leicester Constabulary Headquarters.

Mobility

4.31 National planning policy guidance encourages developers and Local Plan Authorities to consider the issue of access at an early stage in the design process. New development provides an opportunity to secure a more accessible environment for everyone, including wheelchair users, other people with disabilities, elderly people and people with pushchairs.

4.32 The Chronically Sick and Disabled Persons Act 1970, which has been incorporated into the Town and Country Planning Act 1990, requires developers of buildings open to the public, and places of employment and education, to provide, where practicable and reasonable, suitable facilities to meet the needs of disabled persons. Therefore:

4.33 POLICY E9

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.

4.34 The Town and Country Planning Act 1990 also places a duty upon the Local Plan Authority to draw applicants' attention to their responsibilities under the legislation relating to disable persons.

4.35 The District Council will, additionally, encourage developers to consider the needs of all disabled persons in relation to other types of development, including residential development.

4.36 Further guidance is contained in B.S.5810: 'Code of Practice for access for the disabled to buildings.

SITES AND BUILDINGS OF HISTORIC, ARCHITECTURAL AND ARCHAEOLOGICAL INTEREST

4.37 The planning system has an important role to play in protecting sites and buildings of historic, architectural and archaeological interest and in the conservation of areas of special character and appearance. Environment Policy 2 of the Adopted Structure Plan sets out planning policies relating to sites and buildings of historic, architectural and archaeological interest:

'Measures will be taken to identify, protect, preserve and enhance areas, sites and buildings of historic, architectural or archaeological importance. Development within Conservation Areas will be required to preserve and enhance the Area.

Planning applications for development on or adjacent to archaeological or other historical sites and buildings will be considered against the need to ensure their preservation.

Planning permission will not normally be granted for development which would affect a scheduled ancient monument or other nationally important archaeological site or its setting or amenity value. Where known sites of county or local significance are affected, planning permission may be granted in terms which would allow preservation in situ, or, where this is impractical, by investigation and recording.

In areas of archaeological potential planning permission will not normally be granted without proper evaluation of the archaeological implications of the proposed development.'

4.38 This policy provides the basis for more detailed policies relating to Conservation Areas and Listed Buildings.

Conservation Areas

4.39 The District Council has a duty to preserve or enhance the appearance of Conservation Areas. Fifteen Conservation Areas have been designated in North West Leicestershire:

- (a) Ashby-de-la-Zouch Town Centre;
- (b) Appleby Magna;
- (c) Blackfordby;
- (d) Breedon-on-the-Hill;
- (e) Castle Donington;
- (f) Cavendish Bridge
- (g) Coleorton Hall;
- (h) Diseworth;
- (i) Hemington;
- (j) High Street, Ibstock;
- (k) Measham;
- (l) Lockington;
- (m) Ravenstone;
- (n) Ashby Canal;
- (o) Packington; and
- (p) Snarestone.

4.40 The District Council will endeavour to preserve or enhance the character and appearance of Conservation Areas. Proposals for development within Conservation Areas, or where they would affect the setting of such areas, will be judged on the contribution they would make to the character and appearance of such areas.

4.41 POLICY E10

Development will not be permitted within Conservation Areas, or where it would affect the setting of such areas, which would:

- (a) Be detrimental to the character or appearance of the Conservation Area in terms of:**
 - (i) scale, proportions and massing;**
 - (ii) layout, grouping and setting;**
 - (iii) detailing and materials of construction;**
- (b) Be detrimental to the setting of buildings which contribute positively to the character and appearance of the Conservation Area;**
- (c) Result in the loss of open spaces or important views within, into and out of the Conservation Area;**
- (d) Result in the loss of particular features which contribute positively to character and appearance of the Conservation Area, including:**
 - (i) Walls and other means of enclosure;**
 - (ii) Ground surfaces;**
 - (iii) Natural features (such as trees and hedgerows); and**
 - (iv) Features of archaeological interest;**
- (e) Be detrimental to environmental quality in terms of:**
 - (i) Traffic generation;**
 - (ii) Noise and other forms of environmental intrusion.**

4.42 Planning applications within Conservation Areas should be accompanied by detailed plans and elevations of the proposed development, together with details of adjoining properties, particulars of materials of construction and the location of any trees to be retained or removed. Outline planning permission will not normally be granted for development in Conservation Areas.

4.43 In order to safeguard the character and appearance of conservation areas, the planning authority will seek to secure the repair or restoration of buildings within such areas, making use, where appropriate in urgent cases, of statutory powers to secure their temporary support or shelter.

4.44 Unlike in most other situations, planning permission is not required for the demolition of any building falling within a conservation area. Conservation area designation does however bring with it an alternative form of control over the demolition of most buildings within such areas: conservation area consent under the Planning (Listed Buildings and Conservation Areas) Act 1990 is required. It is therefore appropriate for the Plan to indicate the criteria by which applications for conservation area consent for demolition will be assessed.

4.45 Because of the general presumption in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area, the Secretary of State for the Environment, Transport and the Regions has indicated that he expects proposals to demolish such buildings to be assessed against the same broad criteria as

proposals to demolish listed buildings. These are set out in paragraphs 3.16 to 3.19 of PPG15 ('Planning and the Historic Environment'). Where a building makes little or no such contribution, paragraph 4.27 of the PPG advises that the critical factor will be the fate of the site after demolition has been carried out. Therefore:

4.46 POLICY E11

Consent for the demolition of buildings which make a positive contribution to the character or appearance of a Conservation Area will not be granted unless:

- (a) It can be demonstrated that the condition of the building makes it impracticable to repair, renovate or adapt to any reasonably beneficial use for which planning permission would be given; and**
- (b) There is clear and convincing evidence that all reasonable efforts have been made to sustain the existing use of the building, or to find a viable and acceptable new use or uses.**

In the case of buildings which make little or no contribution to the character and appearance of their conservation area, demolition will not be permitted unless redevelopment of the site or the creation of an open space would make a positive contribution to the character or appearance of the conservation area concerned.

4.47 In cases where consent is to be granted for demolition, the District Council will require:

- (a) Details of how the site is to be treated if it is to be kept as an open area; or**
- (b) A detailed scheme for the redevelopment of the site.**

4.48 The District Council will impose a planning condition or will seek a legal agreement requiring work on the erection of the new building(s) to start immediately after the date of demolition, or other such period to be agreed with the District Council.

4.49 The District Council will seek to retain shop fronts within Conservation Areas where they are attractive, of historic importance or architectural interest or contribute to the general character of the area.

4.50 The District Council will encourage the replacement of inappropriate shop fronts within Conservation Areas, or where they would affect the setting of such areas.

4.51 POLICY E12

Replacement or alteration of existing shop fronts within Conservation Areas, or where they would affect the setting of such areas, will only be permitted where:

- (a) The existing shop front is of insufficient quality to warrant its retention; and**
- (b) The replacement or alteration is of a design which is appropriate to the character and appearance of the Conservation Area.**

4.52 Under the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990, special protection is afforded to trees within Conservation Areas where they are not the subject of Tree Preservation Orders. In such cases six weeks notice must be given in

respect of any proposed tree felling, cutting, lopping or uprooting. This provision enables a Local Plan Authority to make a Tree Preservation Order, if necessary.

Listed Buildings

4.53 Listed Buildings are those listed by the Secretary of State for National Heritage as being of special architectural or historic interest.

4.54 In order to safeguard the character and appearance of listed buildings, the planning authority will seek to secure the repair and restoration, making use, where appropriate, of statutory powers to prevent the building falling into disrepair.

4.55 As with buildings in conservation areas, planning permission is not required for the demolition of listed buildings. By virtue of Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990, however, listed building consent is. Therefore:

4.56 POLICY E13

Consent for the demolition of a listed building will not be granted unless:

- (a) It can be demonstrated that the condition of the building makes it impracticable to repair, renovate or adapt to any reasonably beneficial use for which planning permission would be granted; and**
- (b) There is clear and convincing evidence that all reasonable efforts have been made to sustain the existing use of the building, or to find a viable and acceptable new use or uses.**

4.57 POLICY E14

Change of use of a Listed Building will only be permitted where no detrimental effect is likely to arise from the proposed use on the character or appearance of the building or its setting.

4.58 Applications for the change of use of a Listed Building should be accompanied by full details of any alterations to the building and its setting so that the effect of such alterations on the character and appearance of the building can be assessed.

4.59 POLICY E15

Alterations or extensions to Listed Buildings will not be permitted which are detrimental to the special architectural or historic interest of the building or to its character or setting.

4.60 In granting consent to alter a Listed Building, the District Council will impose such conditions as may be necessary to protect the architectural or historic interest and character of the building, especially in relation to the retention or reinstatement of traditional features or materials of construction.

4.61 POLICY E16

Development will not be permitted which would adversely affect the setting of a Listed Building, in terms of scale, massing, form, siting, design or materials of construction.

4.62 The number of buildings listed as being of architectural or historical merit represents a small proportion of the overall stock of buildings of the District. However, individually or in groups, such buildings can make a substantial contribution to the quality of the environment or the character of an area. Listed Buildings are subject to careful control in respect of both the physical fabric of the building and its use, in order to retain and enhance the quality of the building. As far as practicable, the original fabric of the building should be retained, and where feasible a continuation of the original use will be sought.

Historic Byways

4.63 The District's historic byways often form important elements of the landscape, whether rural or urban, in which they are set. As noted in Chapter 10 ('Leisure and Tourism'), their protection is the responsibility of Leicestershire County Council, in its capacity as local highway authority.

4.64 By resisting development which would harm their setting, this Local Plan can, nevertheless, help preserve the contribution they make to their environment. Therefore:

4.65 POLICY E17

Where a historic byway makes a positive contribution to the character or appearance of the surrounding landscape, development which would significantly diminish that contribution, or otherwise detrimentally affect the setting or amenity value of such byway will not be permitted.

Historic Parks and Gardens

4.66 PPG15 ('Planning and the Historic Environment') advises that Local Plan Authorities should protect parks and gardens included in English Heritage's Register of Parks and Gardens of Special Historic Interest when preparing Local Plans. The effect of proposed development on a registered park or garden or its setting is a material consideration in the determination of a planning application.

4.67 POLICY E18

Development will not be permitted which would adversely affect the character or appearance or setting of historic gardens included in the Register of Parks and Gardens of Special Historic Interest, and identified on the Proposals Map.

4.68 The following historic gardens are included in the Register of Parks and Gardens of Special Historic Interest within North West Leicestershire:

- (a) Coleorton Hall;
- (b) Staunton Harold Hall; and
- (c) Whatton House.

Archaeology

4.69 Archaeological remains, in the form of buried sites, earthworks, and structures, are a basic part of the District's heritage and history and provide a potential resource of great educational, academic and tourist interest.

4.70 Environment Policy 2 of the Adopted Structure Plan sets out the policies which will apply in the determination of planning applications relating to scheduled ancient monuments or other nationally important archaeological sites. It is for the Local Plan to identify the sites to which these policies will apply.

4.71 Planning applications for development on or adjacent to sites of archaeological interest will be considered against the need to ensure their preservation.

4.72 POLICY E19

Development will not be permitted which would affect a scheduled ancient monument or other nationally important archaeological site, as shown on the Proposals Map, or subsequently recognised, or its setting or amenity value. Where known sites of county or local significance are affected, planning permission may be granted in terms which would allow preservation in situ, or, where this is impractical, by investigation and recording.

In areas of archaeological potential, planning permission will not be granted without proper evaluation of the archaeological implications of the proposed development.

4.73 PPG16 ('Archaeology and Planning') provides advice on this topic in terms of national policy. Up to date advice on the location and extent of all known ancient monuments and sites of archaeological significance can be obtained from the Museums, Arts and Records Service of Leicestershire County Council.

4.74 Within North West Leicestershire there are 16 scheduled monuments, details of which are set out in Appendix C.

4.75 These monuments are protected under the provisions of the Ancient Monuments and Archaeological Areas Act 1979, which requires that the consent of the Secretary of State for the Environment be obtained prior to the carrying out of any works on the site. A number of other sites have been identified by the Leicestershire Museums Service as being of archaeological interest and providing evidence of man's earliest activities in the Plan Area. Close liaison is maintained with the Museums Service in respect of planning applications which may have archaeological implications.

GREEN WEDGE

4.76 In approving Alteration No. 2 to the Leicestershire Structure Plan in 1987, the Secretary of State for the Environment accepted that it was desirable to continue established policies for protecting structurally important areas of open land which influence the form and direction of urban development. He also recognised that it was an integral part of the function of such 'Green Wedges' to prevent coalescence and to maintain the physical identity of settlements.

4.77 The Adopted Structure Plan proposes the addition of a number of new Green Wedges including one between Coalville, Whitwick and Swannington. The aims of the Green Wedge policy are:

- (a) To protect structurally important areas of open land which influence the form and direction of urban development, prevent coalescence and maintain the physical identity of adjacent settlements;
- (b) To ensure that open areas of land extend outwards from urban centres to preserve links with the open countryside;

- (c) To provide appropriate recreational facilities within easy reach of urban residents; and
- (d) To promote the positive management of Green Wedges to ensure that they remain and are enhanced as attractive environmental features with good public access.

4.78 Environment Policy 3 of the Adopted Structure Plan states that:

'The open and undeveloped character of Green Wedge land between built-up areas on the fringes of Leicester, and its adjoining settlements Loughborough, Coalville and Hinckley will be protected and wherever possible improved.'

Planning permission will normally only be granted for agriculture, recreation, forestry, transport routes and mineral uses, provided the development associated with these uses does not damage the open and undeveloped character of the Green Wedge.'

4.79 Environment Policy 4 of the Adopted Structure Plan lists general locations of proposed Green Wedges, and includes '(q) Coalville/Whitwick/Swannington.' It is for the Local Plan to determine the precise boundaries and detailed policies which will apply to this Green Wedge.

4.80 POLICY E20

Development will not be permitted which would adversely affect or diminish the present open and undeveloped character of the Coalville-Whitwick-Swannington Green Wedge, identified on the Proposals Map.

Appropriate uses in the Green Wedge are agriculture, forestry, minerals extraction and outdoor sport and recreation uses.

Any built development permitted within the Green Wedge will be limited to minor structures and facilities which are strictly ancillary to the use of the land for these purposes.

4.81 In addition, the planning authority will, where appropriate:

- (a) Seek to secure the planting of copses and small woodlands, especially at the rear of existing properties and at points along the Coalville Relief Road, in order to improve the open character and appearance of the Green Wedge;
- (b) Seek to secure the positive management of the Green Wedge, in order to maintain and if possible enhance both its wildlife and archaeological interests and its attractive landscape;
- (c) Encourage, promote and if viable, undertake measures to upgrade into major footpath routes between Coalville and Whitwick both Green Lane and the disused minerals railway which crosses this land, and to facilitate public access to them.

4.82 The open land between Coalville, Whitwick and Swannington is a long established feature and one which is especially valued by the local communities. It provides an attractive area of open land and helps create a positive image of the town for visitors. It has considerable recreation potential within easy reach of residents of Coalville, Whitwick and other nearby settlements.

SEPARATION OF SETTLEMENTS

4.83 There are a number of instances in the District where separate settlements are relatively close to each other. The intervening areas are often the subject of intense pressure for development, which, if permitted, would eventually result in physical coalescence and loss of identity of separate settlements.

4.84 Environment Policy 5 of the Adopted Structure Plan states that:

'In areas to which Green Wedge policies do not apply and which can not be properly designated as countryside, provision will not normally be made for development which would result in a reduction in the separation between the built-up area of settlements.'

4.85 The definition of such areas is a matter for the Local Plan to determine.

4.86 POLICY E21

Development will not be permitted which would result in a reduction in the physical separation between the built-up areas of adjoining settlements provided by the following areas of land, identified on the Proposals Map:

- (a) **Hugglescote - Ellistown;**
- (b) **Ibstock - Heather;**
- (c) **Coalville - Ravenstone;**
- (d) **Donisthorpe - Moira; and**
- (e) **Hemington - Castle Donington.**

AREAS OF PARTICULARLY ATTRACTIVE COUNTRYSIDE

4.87 Whilst countryside is to be protected for its own sake, Strategy Policies 3 and 4 of the Adopted Structure Plan identify two categories of countryside meriting special protection on landscape grounds: Areas of Particularly Attractive Countryside and Areas of Local Landscape Value.

4.88 Strategy Policy 3 of the Adopted Structure Plan states that:

'Within Areas of Particularly Attractive Countryside and areas of local landscape value, housing and employment development adjoining settlements will only be appropriate where there is no adverse impact on the appearance or character of the landscape.'

4.89 Strategy Policy 4 of the Adopted Structure Plan states that:

'Within Areas of Particularly Attractive Countryside and areas of local landscape value, provision for small scale built development for employment and leisure uses will normally only be made where there is no adverse effect on the appearance or character of the landscape.'

4.90 Areas of Particularly Attractive Countryside represent the most significant and important rural landscape areas within North West Leicestershire.

4.91 It is for the Local Plan to define the boundaries of these areas and to provide additional detail in relation to policies for development and use of land within Areas of Particularly Attractive Countryside.

4.92 POLICY E22

Development will not be permitted which would adversely affect or diminish the present open character and attractive rural landscape and/or be detrimental to natural habitats and scientific interest of the following Areas of Particularly Attractive Countryside, identified on the Proposals Map:

- (a) Land to the east of Greenhill, Thringstone, Whitwick and Worthington, including part of Charnwood Forest;**
- (b) Land in the vicinity of Staunton Harold; and**
- (c) Land at Gopsall's Wharf, Snareston.**

Built development will be permitted only where it is appropriate to the established character of the designated area in terms of scale, siting, detailed design and materials of construction.

4.93 In addition the District Council will seek to:

- (a) Undertake or encourage measures to protect and enhance the landscape, wildlife, habitat, archaeological and scientific interest of the designated area, including planting, nature conservation measures and the provision of nature interpretation and appreciation facilities;
- (b) Secure the positive management of land within the designated areas to enhance and maintain its wildlife habitat and features of scientific and archaeological interest;
- (c) Protect and conserve particular features which contribute to the special character of the designated areas, such as dry stone walls in the Charnwood Forest.

4.94 In commenting on applications involving minerals extraction within Areas of Particularly Attractive Countryside, which are determined by the County Council as Minerals Planning Authority, the District Council will endeavour to secure the protection of such areas from opencast mining operations or other forms of minerals extraction.

4.95 The Council will give consideration to the extension of the Charnwood Forest Area of Particularly Attractive Countryside, in accordance with established Countryside Agency methodology in any future review of the Local Plan.

4.96 The Council will give consideration to the designation of Areas of Local Landscape Value in accordance with established Countryside Agency methodology in any future review of the Local Plan.

AGRICULTURAL LAND AND BUILDINGS

4.97 The best and most versatile agricultural land is that which is classified as Grades 1, 2 or 3a by the Ministry of Agriculture, Fisheries and Food. It is recognised as an important national resource which merits special protection.

4.98 Environment Policy 6 of the Adopted Structure Plan states that:

'The best and most versatile agricultural land, principally Grades 1, 2 or 3A will be protected from development where restoration of the land to equivalent or near equivalent quality would not be practicable unless there is no other site suitable for that particular purpose.'

Planning permission will normally be granted for agricultural buildings in the countryside, (including dwellings essential for agricultural and forestry needs) provided they are well integrated in relation to existing buildings, their design is sympathetic to suitable existing buildings and the general location and they are either not prominent in the landscape or can be effectively screened by landscaping or other methods.'

4.99 In the allocation of sites for development in this Local Plan, regard has been had to the need to protect the District's best and most versatile agricultural land. Other development proposals will need to pay similar attention to this important consideration. Therefore:

4.100 POLICY E23

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.

4.101 Proposals for farm buildings within the National Forest boundary will also be subject to Policy F6 of this Local Plan.

Re-use and Adaptation of Rural Buildings

4.102 POLICY E24

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 to unacceptable visual intrusion.

4.103 PPG 7 ('The Countryside and the Rural Economy') identifies the need for policies to support the rural economy and help facilitate the process of rural diversification whilst protecting the landscape quality of the countryside.

4.104 It will be necessary for any proposal for the re-use of rural buildings for non-residential use to comply with all of the above criteria. Preferred uses for rural buildings are those which would have a minimal impact on the building and the landscape. Commercial, light industrial, recreational and tourism uses generally have less of an impact on both the building and surrounding countryside, and have an additional benefit of helping to diversify the rural economy. Proposals for the re-use of buildings for such purposes will also be judged against the traffic generation impact of the new use in order to maintain satisfactory highway standards in the rural area, and keep the 'urbanisation' of the countryside to a minimum.

4.105 Proposals for the conversion of rural buildings within the National Forest will also be the subject of Policy F6.

ECOLOGY AND GEOLOGY

4.106 Environment Policy 7 of the Adopted Structure Plan states that:

'Measures will be taken to protect and conserve sites of ecological significance.

Development will not normally be permitted which could adversely affect proposed and designated National Nature Reserves, Special Protection Areas, Special Areas of Conservation, RAMSAR Sites and Sites of Special Scientific Interest designated because of their ecological interest, unless an overriding national need can be shown and there is no other site suitable for that particular purpose.

Development will not be permitted which could adversely affect sites of county and district level ecological interest or Local Nature Reserves, unless an overriding national or local need can be shown.

Where development is to be permitted which could adversely affect any sites of ecological significance conditions will normally be imposed to minimise disturbance, to conserve its ecological interest as far as possible and to provide new habitats where damage is unavoidable. Consideration will be given to the creation of new ecological sites as a part of new developments.'

4.107 Environment Policy 8 of the Adopted Structure Plan states that:

'Measures will be taken to protect and conserve sites of geological significance.

Development will not normally be permitted which could adversely affect proposed and designated Regionally Important Geological Sites (RIGS) or Sites of Special Scientific Interest designated because of their geological interest, unless an overriding national need can be shown or a suitable substitute site of equal or greater value can be proposed.

Development will not normally be permitted which could adversely affect sites of county and district level geological interest unless an overriding national or local need can be shown, or a suitable substitute site of equal or greater value can be proposed.

Where development is to be permitted which could adversely affect any site of geological interest, conditions will normally be imposed to minimise disturbance to conserve its geological interest as far as possible and/or to provide substitute sites where damage is unavoidable.'

4.108 Sites of geological and ecological interest in Leicestershire are graded by the Museums Service on three levels of significance:

- (a) County;
- (b) District;
- (c) Parish.

4.109 POLICY E25

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.**

4.110 POLICY E26

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.

4.111 The District Council will maintain close liaison with the Leicestershire Museums Service in respect of planning applications which may have ecological or geological implications.

Protected Species

4.112 The Wildlife and Countryside Act 1981 affords protection to wild birds, plants and animals. The relevant species are identified in Schedules 1, 5 and 8 of the Act. The Badgers Act 1992 sets out the protection afforded to badgers. The existence of a protected species is a material planning consideration. Therefore:

4.113 POLICY E27

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.**

4.114 Before determining development proposals likely to have an adverse effect on a protected species or its habitat, the planning authority will usually consult with English Nature.

4.115 Where appropriate, a management agreement will be sought to secure protection of the species.

Nature Conservation

4.116 North West Leicestershire possesses a great variety of features of natural history interest, including wildlife habitats and features of geological interest, many of which merit special protection.

4.117 POLICY E28

Development will not be permitted which would adversely affect or diminish the present open character of the following areas, identified on the Proposals Map, and their use for nature conservation and where appropriate, associated low intensity recreation purposes:

- (a) Former Whitwick Colliery Sidings, Coalville;**
- (b) Furnace Plantation, Moira;**
- (c) Former Newfield Colliery, Moira;**
- (d) Former Overseal Siding and Former Bath Lane Tip, Moira;**
- (e) Saltersford Valley Flashes;**
- (f) Former Sand Pit, South of Wilkes Avenue, Measham;**
- (g) Barratts Mill Pool, Moira and**
- (h) Former Dumps Railway, Whitwick.**

Where appropriate, these sites will be improved or enhanced by:

- (i) **Tree and shrub planting to enhance the wildlife habitat and appearance of the sites;**
- (ii) **Provision of wildlife interpretation and appreciation facilities; and**
- (iii) **Provision of improved public access.**

4.118 In addition, the District Council will seek the positive management of land to enhance and maintain wildlife habitats.

4.119 Most of the sites identified in Policy E28 are former mineral workings. With the passage of time, such sites have gradually revegetated and are now of some nature conservation interest.

4.120 In addition to protecting such sites from development, measures may also in some cases be required to facilitate use and appreciation by the public. Where appropriate, the measures outlined above should assist in this process. In other cases, however (such as at the former Dumps Railway, Whitwick), public access would not be appropriate.

Ashby Road Tip

4.121 POLICY E29

Land formerly occupied by the Ashby Road Tip, Coalville, identified on the Proposals Map, will be upgraded and laid out as a Nature Park, including the following features:

- (a) **Recreation areas;**
- (b) **Tree and shrub planting;**
- (c) **An informal, internal footpath system; and**
- (d) **Landscaped footpath route through the site, capable of providing a pedestrian link to land north of the Leicester-Burton railway.**

4.122 An important opportunity for the creation of additional open space is available on the site of the former Ashby Road Tip, Coalville. Provision of a nature park and associated footpath route across this area will form an important part of an open space network for the Coalville Area. The site was formerly used as a refuse tip and has been reclaimed using Derelict Land Grant. However, because of the continuing presence of methane gas the area is unsuitable for development.

NATURAL WATERCOURSES

4.123 Environment Policy 9 of the Adopted Structure Plan states that:

'The role of the natural watercourse system for providing essential drainage of land and as valuable wildlife environments and amenity areas will be protected from adverse developments.'

4.124 Areas of land designated as floodplains by the Environment Agency are required to store water during periods of flooding, to reduce the risk of flooding further downstream and to provide extra discharge capacity. Floodplains are an essential part of the drainage system, and as such need to be preserved. Development likely to reduce the balancing effect or discharge capacity of floodplains will accordingly be resisted, unless the developer

is willing, at his own expense and as part of the development, to protect the land to the appropriate standard. Therefore:

4.125 POLICY E30

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.

4.126 Areas of land designated as floodplains by the Environment Agency are required to store water during periods of flooding to minimise the risk of flooding further downstream, and to provide extra discharge capacity. Floodplains are an essential part of the drainage system and as such need to be preserved. Development likely to reduce the balancing effect or discharge capacity of floodplains will, therefore, normally be resisted.

4.127 Details of the extent of the floodplains concerned should be obtained from the Environment Agency .

4.128 Both groundwater and surface watercourses are valuable sources of supply for water for drinking, agricultural and industrial purposes; the former also sustains base flows in the latter. Once polluted, all natural sources of water are difficult and costly to restore; in the case of groundwater, restoration can sometimes be almost impossible. Therefore:

4.129 POLICY E31

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.

4.130 The Environment Agency has responsibility for managing water resources, and should be consulted in relation to proposed development which may affect any such resource.

WOODLANDS

4.131 Woodlands and hedgerows are important for their landscape, ecological and agricultural contributions. They add interest and variety to the landscape and provide valuable wildlife habitats. The removal of these well established features can substantially alter the shape and character of the landscape to the detriment of its amenity and ecological value. It is important therefore, that woodlands and hedgerows are retained and protected wherever possible.

4.132 Ancient woodland, ie. woodland established since at least the year 1600, is of particular importance, frequently containing plants and animals which depend upon the undisturbed nature of these sites for their existence. These woodlands are irreplaceable and once they are destroyed cannot be recreated.

4.133 Environment Policy 10 of the Adopted Structure Plan states that:

'Development will not normally be permitted which would result in the loss of or damage to ancient woodlands.'

Measures will be taken to encourage the improved management of existing woodlands and to increase the woodland cover of the County. Emphasis will be placed on the use of appropriate broadleaved species.'

4.134 Wherever appropriate in development control decisions to which Environment Policy 10 of the Adopted Structure Plan is relevant, the planning authority will encourage both the use of native trees and/or stock of local provenance, and natural woodland regeneration.

Tree Preservation Orders

4.135 The District Council will consider the need for Tree Preservation Orders where necessary to protect individual trees, groups or woodland areas of trees which are important features in the environment and/or under threat.

LANDSCAPE IMPROVEMENTS

4.136 Much of the rural area of North West Leicestershire comprises attractive and unspoilt countryside. There remains scope for improvement, however, particularly in terms of less favoured areas and the removal of unattractive features.

4.137 Environment Policy 11 of the Adopted Structure Plan states that:

'Within the defined Countryside Priority Area or Local Landscape Improvement Areas, comprehensive landscaping will be required for new development and other measures will be taken to improve the landscape.'

4.138 The Countryside Priority Area is an area where special landscape improvement measures are required. 'Countryside 2000', produced by Leicestershire County Council, offers further guidance on conservation and enhancement of the rural landscape.

4.139 POLICY E32

Landscape improvements will be undertaken in the rural parts of North West Leicestershire with particular emphasis on the Countryside Priority Area, identified on the Proposals Map, and including:

- (a) Reclamation of derelict land;**
- (b) Improvements to rights of way and access to the countryside;**
- (c) Creation and enhancement of natural habitats;**
- (d) Countryside management projects; and**
- (e) Protection, enhancement and interpretation of sites of archaeological interest.**

Holly Hayes Wood and Grace Dieu Valley

4.140 Holly Hayes Wood and the Grace Dieu Valley, Whitwick, together represent an underused resource in terms of natural environment and public access. Policy E31 seeks to achieve a proper balance between the interests of nature conservation and the enjoyment of the area by the public.

4.141 Agreements will be sought with local landowners to provide and improve public access and to ensure that the area is managed positively as a wildlife habitat. Involvement of schools and voluntary organisations in the use and maintenance of the area will also be encouraged.

4.142 POLICY E33

Development will not be permitted which would adversely affect or diminish the present open natural habitat and amenity value of land at Holly Hayes Wood and the Grace Dieu Valley, Whitwick, shown on the Proposals Map, except where it takes the form of small scale facilities necessary for the quiet enjoyment and appreciation of the natural environment.

The area will be improved by:

- (a) Tree and shrub planting;**
- (b) Creation of wildlife habitats; and**
- (c) Improvements to public access.**

4.143 The District Council will endeavour to secure the positive management of woodland and open areas.

Coalville Relief Road Special Landscaping Policy

4.144 Coalville Relief Road passes close to a number of future development areas. Extensive landscaping will improve the appearance of the road itself and screen development areas from the view of passing traffic. Particular care needs to be taken, however, to safeguard attractive views of open countryside to the north of Coalville.

4.145 POLICY E34

Development of land adjoining the Coalville Relief Road will only be permitted where provision is made for substantial landscaping to screen development from the principal road, and to provide a landscaped corridor for the road itself, whilst retaining attractive views of the hills and countryside to the north of Coalville.

4.146 POLICY E35

Built development will not be permitted on those open areas adjoining the Coalville Relief Road, identified on the Proposals Map.

4.147 The appearance of the area will be enhanced by the carrying out of tree planting.

DERELICT LAND

4.148 Derelict land is land so damaged by industrial or other development that it is incapable of beneficial use without treatment. The Derelict Land Survey 1993 indicated that there were about 246 ha. (608 acres) of derelict land in the District. This represents a significant waste of resources and can blight the image of parts of the District. With imaginative and positive policies, however, derelict land can be transformed into a worthwhile asset for the community. A variety of land uses are available, ranging from built development to open space or nature conservation uses. The District Council will seek to

reduce the amount of derelict land in the District, making maximum use of Derelict Land Grant, and other sources of finance. Other organisations will be encouraged to do likewise.

4.149 Environment Policy 13 of the Adopted Structure Plan states that:

'Whenever compatible with the other policies of this Plan, the fullest use will be made of derelict, vacant and underused land and buildings, for development to minimise the quantity of previously undeveloped land taken for development, and to provide land for agriculture, forestry, recreation and nature conservation. Special provision will be made for the restoration to beneficial use of derelict land in the Derelict Land Clearance Area.'

4.150 Policy E36 provides additional detail in relation to this strategic policy.

4.151 POLICY E36

Proposals for the reclamation and re-use of derelict land will be determined in the light of the following considerations:

- (a) Where derelict land is recognised as being suitable for development in accordance with the policies and proposals of this Local Plan, the District Council will endeavour to secure its reclamation and re-use for an appropriate form of development;**
- (b) Where derelict land has revegetated naturally and is recognised as having actual or potential environmental or ecological value overriding its potential development benefits, the District Council will endeavour to secure its retention and will encourage its positive management for nature conservation and wildlife habitat purposes;**
- (c) Where derelict land is not considered to be appropriate for development in accordance with the policies and proposals of this Local Plan, and is not of particular ecological value in its existing state, the District Council will endeavour to secure reclamation for agriculture, or as woodland, heathland, grassland or water to improve the environment and encourage natural habitats.**

4.152 The District Council will endeavour to prevent further land becoming derelict by attaching, where appropriate, conditions to any planning permission to secure restoration.

4.153 Although development is often the sensible option for the re-use of derelict land, many sites, especially those associated with former mineral workings, can have considerable ecological interest or potential. Also, the National Forest Strategy recognises the potential of derelict land to make a substantial contribution to Forest provision. Such interests will be weighed against economic and other benefits to achieve a proper balance in the re-use of derelict land.

4.154 Much dereliction has resulted from development permitted without any or with inadequate restoration conditions. The District Council will therefore seek to secure the imposition of appropriate conditions on any future planning permission which may result in problems of dereliction.

4.155 Policy E37 identifies specific proposals for dealing with particular derelict sites.

4.156 POLICY E37

The following derelict sites, identified on the Proposals Map, will be reclaimed for the purposes indicated:

- (a) Former Coalville-Hugglescote Railway : recreational trail with associated nature conservation interest;**
- (b) Former Whitwick Railway : recreational trail with associated nature conservation interest;**
- (c) Former New Lount Colliery : nature conservation and casual recreation use, in association with the adjoining area of restored land to the west;**
- (d) Former Littleworth Mine : agriculture and/or forestry;**
- (e) Donisthorpe Colliery Tip : heath woodland with associated informal recreation use;**
- (f) Former Oakthorpe Colliery : woodland and informal recreation;**
- (g) Clay Workings, Bramborough Farm, Moira : heath woodland with associated informal recreation use;**
- (h) Coal Stocking Yard, Coalville : informal recreation and nature conservation; and**
- (i) South Leicester Colliery Tip, Ellistown : regrading and planting.**

4.157 In addition to these proposals, derelict land reclamation forms an important part of the following proposals:

- (a) Ellistown Colliery: employment land (Proposal J3e);**
- (b) Walton Way Drift Mine, Oakthorpe: employment land (Proposal J3h).**
- (c) Reconstruction of Ashby Canal (Policy T16): Part of the historic route of the Ashby Canal passes through the site covered by Proposal E37f. Reconstruction of this section of the Canal is however compatible with reclamation of the remainder of the former Donisthorpe Colliery Tip site for heath woodland, with associated informal recreation use.**

ENVIRONMENTAL IMPROVEMENT IN URBAN AREAS

4.158 Environmental improvement in the urban areas of North West Leicestershire will assist in the revitalisation of these areas, improve the general image of the District and help with the attraction of new investment and business activity. The District Council is committed to environmental improvement through 'Clean-Up' Campaigns and other initiatives.

4.159 The District Council will seek to undertake or encourage measures such as hard and natural landscaping, tree planting, screening, provision of street furniture and improvements to surface treatment to improve the environment of the built up parts of the Plan Area with emphasis placed on the following areas:

- (a) Conservation Areas;
- (b) Town Centres, local centres and other areas of concentrated public activity;
- (c) Main approaches to Towns and Town Centres;
- (d) Land adjoining major roads in urban areas;
- (e) Boundaries of established employment areas, particularly where these adjoin housing areas, public areas and open countryside;
- (f) Areas of development adjoining open countryside; and
- (g) Areas currently deficient in landscaping and tree planting, in particular areas of derelict or degraded land.

4.160 The areas highlighted in this policy represent priority areas for action for environmental improvement. The District Council will also seek to undertake and encourage environmental improvement in established employment areas.

RENEWABLE ENERGY

4.161 Government and EC policy seek to stimulate the development of new and renewable energy sources wherever they have reasonable prospects of being economically attractive and environmentally acceptable. Doing this will contribute to diverse, secure and sustainable energy supplies, reduce the emission of pollutants and encourage internationally competitive industries. The District Council acknowledges that new and renewable energy sources have the potential to contribute to energy needs in a significant and sustainable way.

4.162 The aim of the planning system is to secure economy, efficiency and amenity in the use of land in the public interest. The Council's policies towards developing renewable energy must therefore be weighed carefully with its continuing commitment to policies for protecting the environment.

4.163 Together with its technical annexes, PPG22 ('Renewable Energy') advises that proposals to harness renewable energy can display a variety of factors peculiar to the technology involved. Such schemes can have particular locational restraints, since in many cases the resource can only be harnessed where it occurs. PPG22 also sets out the issues to which planning authorities should have regard in determining applications for particular forms of renewable energy. When exercising this function, the planning authority will accordingly have particular regard to:

- (a) The anticipated benefits of the proposal;
- (b) Any locational constraints to which the proposal may be subject;
- (c) The proposal's impact on the immediate and wider landscape;
- (d) The proposal's impact, both during construction and following completion, on other nearby land uses; and
- (e) The need to protect features and areas of natural, cultural, historical and archaeological interest.

4.164 Apart from proposals for wind power, the various forms of currently viable renewable energy production do not appear to pose land use problems which would not be covered either by policies elsewhere in this Local Plan, or by the Environmental Protection acts and other relevant legislation and statutory instruments.

4.165 Wind power is now being commercially exploited in the United Kingdom, and may be used to generate up to 10% of current energy supplies by 2025. Whilst this contribution is recognised, the need for wind turbines to be sited in open areas could lead to their detracting to an unacceptable extent from the natural beauty and amenity of the land and the general visual environment. Policy E38 therefore strikes an appropriate balance between these considerations.

4.166 POLICY E38

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:

- (i) 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;**
- (ii) Minimise their visibility from principal roads;**
- (iii) Be set back from any classified road or railway a minimum distance that is equal to the height of the proposed turbine(s);**
- (iv) Be sited so as to minimise possible distraction to drivers; and**
- (v) Seek to minimise their visual impact upon the surrounding countryside and upon the skyline.**

4.167 Any planning application for wind turbines must include details of the following:

- (a) Exact location and design of the proposed turbine(s);**
- (b) Proposed height of the supporting tower and the maximum height to the tip of the rotor;**
- (c) Size, number and axis of the blades;**
- (d) Likely level of noise generation and shadow flicker;**
- (e) Means of connection to the national or local grid;**
- (f) Means of access;**
- (g) Mean wind speeds and wind direction;**

- (h) An assessment of the visual impact of the proposal upon the surrounding countryside and skyline;
- (i) Any proposed landscaping;
- (j) Location, design and size of any ancillary ground equipment; and
- (k) The likely level of contribution to be made by the proposed turbine(s) to the Non-Fossil Fuel Obligation.

TELECOMMUNICATIONS DEVELOPMENT

4.168 Modern telecommunications are an essential element in the life of both the local and the national economies; fast, reliable and cost-effective communications can attract business to an area, and help firms remain competitive. This is particularly important in the development of the single European market.

4.169 Government policy on telecommunications is to facilitate the growth of new and existing systems, whilst still, as far as possible, protecting the environment from the effects of often unsightly structures such as masts. In order to minimise their impact on both the countryside and towns and villages, it is thus essential that a proliferation of masts is avoided. It is also important to ensure that where new installations are necessary, they are located as sensitively as the limitations imposed by the demands of the industry and the capabilities of available technology will permit. PPG8 ('Telecommunications') gives further, detailed advice on these and related matters.

4.170 Part 24 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 allows some telecommunications development to take place without a specific grant of planning permission. The erection of permitted masts is nevertheless subject to a condition that the developer give prior notification to the Local Plan Authority, in order to enable the latter to determine whether its approval to matters of siting and appearance needs to be obtained. Further advice on these procedures is given in Circular 9/95.

4.171 The following policies are derived from advice in the PPG and the Circular, and provide an appropriate balance between the need for additional telecommunications development and the need to minimise its environmental effects. Policy E40 will be used to determine all prior approval applications.

4.172 POLICY E39

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.

4.173 POLICY E40

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.

UNSTABLE AND CONTAMINATED LAND

4.174 A number of sites in North West Leicestershire have been tipped in the past, thereby creating potentially unstable conditions. Where such sites are proposed for development, they may require special remedial or ameliorative measures to deal with problems of ground instability and potential contamination from tipped materials.

4.175 POLICY E41

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.

4.176 It will be necessary to ensure that any proposed development in the vicinity of such sites will not be affected by the ground instability or the migration of potentially dangerous gases, such as methane. The District Council will consult with the County Council as Waste

Regulation Authority on applications within 250 metres of an existing or former landfill site, as required by the General Development Order 1988.

4.177 However, these are not necessarily the only sites which could be affected. The responsibility for determining the nature and extent of any problem lies with the developer. Applicants are advised to contact the District Council as early as possible where instability or contamination could be a cause for concern.

DEVELOPMENT AND POLLUTION

4.178 PPG23 ('Planning and Pollution Control') advises that where they cannot reasonably co-exist, housing and other forms of development sensitive to pollution should be kept apart from the sources of pollution. Residential amenity is protected by Policy E3 of this Local Plan; it is however appropriate to extend the necessary protection to all forms of sensitive development. Therefore:

4.179 POLICY E42

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.

4.180 Assessment of the impact of actual or potential sources of pollution will be made in consultation with the Council's Environmental Protection Officer.

ELECTRICITY SUPPLY CABLES

4.181 The District Council is not the determining authority for applications for planning permission for new electricity supply cables. It is, however, a statutory consultee.

4.182 Undergrounding such cables would avoid the visual impact of overhead power lines, but is frequently impractical because of its cost. It might in some cases also adversely affect the land's ecological or archaeological value, or disrupt agricultural operations.

4.183 When consulted on supply cable applications, the Council's response will have regard to all of the policies of this Local Plan, as well as to the appropriateness of the balance the proposal strikes between aesthetic, financial and other material considerations.

OUTDOOR ADVERTISEMENT CONTROL

4.184 The Town and Country Planning (Control of Advertisement) Regulations 1992 provide a comprehensive and self-contained regime for the control of outdoor advertisements. Many types of sign may be erected without express consent. Where consent is needed, the Regulations require the Local Plan Authority to exercise its powers of determination solely in the interests of amenity and public safety. Within these parameters, it is nevertheless necessary to balance the essential role of outdoor advertising in commercial activity and a free and diverse economy with the need to protect the visual quality of the area concerned.

4.185 PPG19 ('Outdoor Advertisement Control') and Circular 5/92 give further, detailed advice. Of particular relevance here is the former's acknowledgement that it is reasonable to expect more exacting standards to prevail when the subject land or building is in a Conservation area or is listed. Therefore:

4.186 POLICY E43

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.**

NOISE

4.187 PPG24 ('Planning and Noise') advises that noise can have a significant effect on the environment, and hence on the quality of life enjoyed by both individuals and communities. It can be a material consideration in the determination of planning applications.

4.188 Unacceptable noise nuisance may arise in two ways: by noise sensitive development being permitted too close to an existing or potential noise source, or, conversely, by noise generating development being permitted too close to an existing, sensitive, land use. The effects of noise can however be mitigated by appropriate attenuation measures.

4.189 In all cases where a potential for noise nuisance is identified, the developer will therefore need to demonstrate that his proposal would not give rise to an unacceptable sound environment. Where they are necessary and viable, the implementation of satisfactory attenuation measures will be secured by the imposition of conditions or (where appropriate) a negotiated planning obligation, or a combination of both. Therefore:

4.190 POLICY E44

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

4.191 Advice on levels of noise, and hence on what may or may not be acceptable in any given situation, can be found in relation to residential development in PPG24, and in relation to industrial development in BS 4142:1997. In both these and other cases of either noise sensitive or noise generating development proposals, relevant advice may also be obtained from the Council's Environmental Protection Section.

5. NATIONAL FOREST

INTRODUCTION

5.1 In October 1990 the Countryside Commission announced that it was recommending to the Secretary of State for the Environment that the new National Forest should be established in the area between and including the Charnwood and Needwood Forests. This recommendation was accepted by the Secretary of State and a definitive boundary was established for the Forest.

5.2 The National Forest will comprise a mix of wooded areas, open country and farmland, and will include towns and villages. The National Forest Strategy has set a target level of woodland for the whole of the Forest of 33%. The boundary of the National Forest encloses 194 sq. miles of land in Leicestershire, Derbyshire and Staffordshire. A substantial part of the National Forest lies within North West Leicestershire, and about three quarters of the District is within the National Forest boundary.

5.3 The Countryside Commission published its National Forest Strategy in November 1994. This strategy indicates the extent and type of planting required in various landscape contexts, and contained suggested planning guidelines for development and use of land within the Forest.

5.4 The Regional Planning Guidance for the East Midlands Region (RPG8) recognises the National Forest as a '*major environmental initiative...of national importance*', which should be reflected in development plan policies. RPG8 stresses, however, that new development should not be permitted simply because the developer is prepared to plant trees.

5.5 The Local Plan has a vital role to play in providing the planning policy context for Forest initiatives and the control of development, and by identifying the contribution development is expected to make to the furtherance of the National Forest. The implementation of the National Forest must be consistent with national and Local Planning policies, but is of such significance in terms of its unique and national importance as to warrant special policies in its own right.

5.6 It is expected that the National Forest will help attract new business activity and increase the number of people wishing to live in the area. It is likely that proposals for new leisure and tourist facilities making use of the Forest will follow. Such developments will bring substantial benefits to the area in terms of additional employment, further diversification of the local economy and better facilities for local people. The task for the future is to provide for such initiatives whilst not detracting from the environment which the Forest will help create. By the year 2010 it is anticipated that the Forest will have radically changed the appearance of the area, will have stimulated new activities and investment and will have created a very positive image for the area.

STRATEGY

5.7 The District Council fully supports the establishment of the National Forest and will contribute towards this process by:

- (a) Assisting in the development of policies and the Forest strategy;
- (b) Assisting in the creation of the Forest by promoting tree planting and encouraging Forest initiatives generally;

- (c) Ensuring that planning policies facilitate Forest initiatives, whilst safeguarding the environment which the Forest will create;
- (d) Encouraging the realisation of recreation and tourism potential and seeking to facilitate, where appropriate, public use and enjoyment of the Forest and the provision of satisfactory access; and
- (e) Assisting in the reduction of derelict land and seeking its reuse for forestry purposes, where appropriate.

5.8 The importance of the National Forest is recognised by the constituent County and District Councils. Environment Policy 12 of the Adopted Structure Plan states:

'Within the National Forest, provision will be made for the planting of woodlands with public access, subject to ecological and environmental constraints. Within the rural area of the National Forest development which facilitates its use as a woodland resource will normally be permitted. Where appropriate, proposals for development which involves new buildings, significant structures or other operations, will be required to be accompanied by proposals for creating an appropriate woodland setting.'

All substantial development proposals will be required to reflect the Forest context in their accompanying landscaping and planting.'

5.9 Allowance has been made for additional National Forest planting and landscaping requirements in determining the extent of housing and employment land development allocations made within the Forest boundary in this Local Plan.

5.10 The concept of the National Forest is unique and of national importance. As such, it warrants the adoption of land use policies which would not otherwise pertain. These policies, and their supporting provisions, are designed to recognise the long term environmental improvements, commercial enhancement and increased locational prestige that the Forest will bring to the area.

5.11 In order to further the aims of the National Forest, the District Council will, in co-operation with the landowners concerned, seek to secure land management agreements for the benefit of both new and existing woodlands, in accordance with:

- (a) The principles of good woodland management;
- (b) The interests of nature conservation;
- (c) The interests of visual amenity; and
- (d) The desirability of maximising public access.

5.12 The District Council will also encourage the planting of woodlands of appropriate size, type and species, and seek to enhance the Forest environment by:

- (a) Promoting awareness of grant aid and other schemes of assistance from all available sources;
- (b) Making use of its own resources for tree planting and woodland enhancement;

- (c) Securing the retention of important trees and hedgerows, if necessary by the use of planning powers; and
- (d) Promoting and encouraging the creation of new wildlife habitats, either in their own right or as part of new development proposals.

GENERAL POLICIES

5.13 Environment Policy 12 of the Adopted Leicestershire Structure Plan provides the strategic policy basis for the more detailed National Forest policies within this Local Plan, which are based on the principles formulated by the National Forest Development Team's Technical Working Group.

5.14 All proposals for new development falling within the boundaries of the National Forest, identified on the Proposals Map, will be subject to the following policies.

5.15 POLICY F1

New development within the boundaries of the National Forest, identified on the Proposals Map, should reflect the importance of its Forest context by making appropriate provision for landscaping and tree planting.

Where the proposal concerned comprises or includes built development, it should demonstrate a high quality of site layout, building design and choice of materials, in order to reflect local architecture and its Forest setting.

Open spaces within the development should integrate with footpaths and other routes through the Forest.

5.16 It is important that, to help achieve the 33% target level of woodland area for the whole of the Forest set by the Countryside Commission, additional tree planting is provided wherever possible on new development sites within the Forest.

5.17 The relevant planting levels for this purpose are set out in supplementary planning guidance. These are intended to assist prospective developers in negotiating and submitting landscaping and planting schemes in accordance with the policies in this Chapter of the Local Plan.

5.18 Where it is not possible to provide an appropriate landscaping and planting scheme within the development site, the planning authority will seek to make good the shortfall by negotiating off-site planting. If this, too, is not feasible, the planning authority will seek a financial contribution, equivalent to the cost of the shortfall, to be paid into an off-site planting fund for use within the designated area of the Forest. Therefore:

5.19 POLICY F2

In seeking to maximise the potential for tree planting under Policy F1, and in assessing the appropriateness of the landscaping and planting schemes for individual development proposals within the Forest (other than for extensions to existing buildings) the planning authority will have regard to:

- (a) **The existing landscape character of the site and the surrounding area;**
- (b) **The extent to which the proposal achieves the relevant level of planting as set out in the guidelines;**

- (c) Any physical, ecological or environmental constraints affecting the site; and
- (d) The scale, type and value of the development.

As part of housing or employment development proposals within the Forest, the planning authority will accept the agreed landscaping and planting scheme as incorporating all open space requirements arising from other policies of this Local Plan, except for children's play space under Policy L21.

5.20 POLICY F3

The planning authority will secure implementation of agreed landscaping and planting schemes for new development within the Forest by (as appropriate in each case) the imposition of planning conditions, the negotiation of a planning agreement or a combination of both. These measures may include:

- (a) The means of and the timescale for implementation;
- (b) The nature of any obligation in respect of off-site planting;
- (c) Details of the payment of a commuted sum in lieu of planting.

5.21 Ensuring the long term well being of landscaped and planted areas within the Forest will require arrangements to be made, before planning permission is granted, for their management and maintenance until they become vested in the body or authority responsible for their long term future. Therefore:

5.22 POLICY F4

The initial management and maintenance of agreed landscaping and tree planting schemes and associated open spaces, to be carried out by an appropriate person or body and in accordance with sound arboricultural practice, will be secured by the imposition of planning conditions, the negotiation of a planning agreement or a combination of both.

5.23 Guidance on National Forest planting provision is contained in the document 'Guidelines for National Forest Planting Proposals'.

FOREST RELATED DEVELOPMENT

5.24 The Forest Strategy anticipates that the Forest is likely to spawn development proposals which arise because of their functional relationship with the Forest. These are termed 'forest related development'. But for the Forest, some of these proposals might not have been acceptable outside limits to development; given their Forest context, they could, however, help fulfil its objectives.

5.25 The main forest-related developments are expected to be:

- (a) Operational development (e.g. car parking, interpretation facilities);
- (b) Tourism, recreation, sport and leisure facilities;
- (c) Farm diversification involving use of land and buildings; and

- (d) Rural and forest enterprises, including visitor attractions and forest businesses (i.e. timber processing, woodland products, craft industries and tree nurseries).

5.26 The Forest Strategy recognises the diversity of the landscape, and hence the diversity of the opportunities the Forest affords for recreation, sport and leisure. It also recognises that early planning of sports sites will be crucial to ensure the correct landscape and conditions for different activities: some, such as fishing, water skiing, motor sports and most other noise generating activities will take advantage of dense planting, whilst others – for example, sailing – will benefit from more exposed terrain or water. Hence, and in order to take these individual considerations into account, forest-related recreation, sport and leisure development should provide for a setting which is appropriate to the particular use.

5.27 Proposals for Forest-related development will be considered in the light of the environmental, transport and leisure policies of this Plan, in particular those policies relating to the following areas of special restraint:

- (a) Areas of Particularly Attractive Countryside;
- (b) Green Wedges;
- (c) Sensitive Open Areas;
- (d) Sites of Historic, Architectural and Archaeological Interest; and
- (e) Sites of Ecological and Geological Interest.

5.28 POLICY F5

Forest-related development will be permitted where, in addition to complying with Policies F1 to F4:

- (a) **There is a clear functional relationship between the Forest and the proposed development;**
- (b) **The siting and scale of the proposed development is appropriately related to its setting within the Forest, respects the character and appearance of the wider countryside, and does not adversely affect the amenities of either of them; and**
- (c) **Any major development proposal is sited in or in close association with an area of significant afforestation.**

5.29 Major forest-related development should always reflect a Forest context. Thus, where the developer is unable to achieve this by means of appropriate on-site planting, the development should be sited in or in close association with another area of significant afforestation.

5.30 Taken together, these requirements will enable Forest-related development to be permitted where it is appropriate to the Forest setting and consistent with established national and Local Planning policies.

AGRICULTURAL AND OTHER RURAL BUILDINGS

5.31 Opportunities may arise within the National Forest for the re-use or adaptation of existing rural buildings, whether or not these have been previously used for agriculture. Such

conversions can encourage new enterprises, which in turn can provide much needed employment in rural areas.

5.32 It is important that the sites of such conversions reflect their Forest setting. Because of their invariably fixed curtilages, however, opportunities for additional planting are likely to be limited. Unless, exceptionally, adjacent land is available, off-site planting would not be appropriate as this would not have the desired screening effect.

5.33 As well as in the light of, as applicable, Policy E24, relevant proposals will therefore be considered in accordance with Policy F6 below.

5.34 New agricultural buildings can have an intrusive impact on the Forest countryside. It is therefore important that this impact be minimised by new tree planting. But planting on a larger scale than is necessary for screening purposes could be contrary to the national agricultural interest.

5.35 Additional planting around new agricultural buildings should accordingly be limited to the provision of appropriate woodland screening. Therefore:

5.36 POLICY F6

In determining proposals for development within the National Forest involving the re-use or adaptation of existing rural buildings or (where planning permission is required) the erection of new agricultural buildings, the provision of adequate new tree planting will, where necessary, be sought to ensure that all such buildings are appropriately screened.

6. TRANSPORT

INTRODUCTION

6.1 At the heart of the development strategy proposed in the Adopted Structure Plan is the concept of Transport Choice. This recognises the fundamental connection between patterns of land use and transportation, and represents a realignment of priorities between the need for transport and concern for the environment. It reflects the increasing problem of congestion and constraints on new road building and seeks to restrain and redirect pressures for more decentralised development.

STRATEGY

6.2 The main elements of the transport strategy are as follows:

- (a) Economic prosperity requires a transport system that can cope with the increasing demands placed upon it;
- (b) Outside the urban areas increased road capacity will continue to be necessary;
- (c) There can be little or no road building in urban areas for environmental reasons;
- (d) If new roads are not built in urban areas, the capacity of existing roads to absorb growth is physically very limited and should, in any case, be limited for environmental reasons;
- (e) Public transport can and should be exploited as a more acceptable alternative to ever-increasing car use;
- (f) Choice based on increased quality, rather than coercion, is seen as the best way to encourage increased public transport use; and
- (g) The development planning system has a key role to play in the creation of 'Transport Choice Corridors' where alternative high quality transport services are available.

6.3 Within North West Leicestershire the main features involved in translating this strategy into action are:

- (a) Further upgrading of the Specified Road Network;
- (b) Re-opening of the Ivanhoe Line to passenger traffic;
- (c) Designation of a Transport Choice Corridor based on the Ivanhoe Line; and
- (d) Providing for the needs and safety of pedestrians and cyclists.

THE SPECIFIED ROAD NETWORK

6.4 The Specified Road Network has been identified by the County Highway Authority to guide investment intended to improve road capacity.

6.5 Transport Policy 1 of the Adopted Structure Plan sets out the components of the Specified Road Network:

'The Specified Road Network will comprise the motorways, trunk roads, the principal roads and those other roads which provide links with and within the main centres of population and employment.

The Specified Road Network assumes the completion of all of the road proposals identified in Transport Policy 3 and will include those schemes listed under that Policy. In addition the Specified Road Network will include the following:

- (a) *All motorways and trunk roads;*
- (b) *All existing A class roads except where superseded by a by-pass or relief road proposals.'*

6.6 Policy T1 identifies those parts of the Specified Road Network which fall within North West Leicestershire.

6.7 POLICY T1

Within the Plan Area the following roads, identified on the Proposals Map, form part of the Specified Road Network:

- (a) **M1;**
- (b) **M42/A42;**
- (c) **A50 (west of M1 Junction 24);**
- (d) **A453 (north of M1 Junction 24);**
- (e) **A6;**
- (f) **A444;**
- (g) **A447;**
- (h) **A453 (Tonge Interchange – M1 Junction 24);**
- (i) **A511; and**
- (j) **A512.**

6.8 These roads will carry the bulk of the long distance and inter urban traffic and will be the focus of highway improvements.

ROAD IMPROVEMENTS AND THE MANAGEMENT OF TRAFFIC

6.9 Transport Policy 2 of the Adopted Structure Plan establishes the County Highway Authority's priorities for road improvements and traffic management measures:

'Road improvements and traffic management schemes will be carried out in order to:

- (a) *Improve safety;*
- (b) *Protect or enhance the environment;*

- (c) *Provide for major development;*
- (d) *Reduce congestion on the Specified Road Network;*
- (e) *Minimise the impact of traffic in shopping and residential areas;*
- (f) *Enhance the environment and convenience for pedestrians and cyclists;*
- (g) *Promote the use of public transport.'*

6.10 Transport Policy 3 of the Adopted Structure Plan identifies the strategic road improvements proposed over the Plan period:

'In the implementation of Transport Policy 2 the following major County road schemes are programmed to be undertaken during the plan period (inter alia):

A50 Bardon Roundabout to Coalville;

A50 Ashby Bypass (Stage 2);

A512 Coleorton Improvement;

A512 Thringstone Improvement.

The following Motorway and Trunk Road Schemes are proposed or being prepared by the Department of Transport during the Plan period (inter alia):

M1 Widening;

A6 Kegworth Bypass;

A453 M1 to Clifton (Nottingham);

A564 Derby Southern Bypass.'

6.11 It is for the Local Plan to identify and safeguard land required for these road schemes, in consultation with the County Highway Authority. The A512 Coleorton Improvement has been completed. A preferred route for the A512 Thringstone Improvement has yet to be established by the Highway Authority.

6.12 In addition to the road schemes listed in Transport Policy 2 of the Adopted Leicestershire Structure Plan, the following developer funded road scheme is proposed in this Local Plan. Its line is, insofar as is currently possible, indicated on the Proposals Map:

Willow Farm – Spittal Hill, Castle Donington.

6.13 POLICY T2

Development will not be permitted which would prejudice the implementation of the following road schemes, shown on the Proposals Map:

- (a) County Road Schemes:**
 - (i) A511 Bardon Roundabout to Coalville and**
 - (ii) A511 Ashby-de-la-Zouch Bypass (Stage 2);**
- (b) Department of Transport Motorway and Trunk Road Schemes:**
 - (i) A453 M1 to Ratcliffe-on-Soar (widening); and**
 - (ii) A50 Derby Southern Bypass.**
- (d) Developer Funded Road Schemes:**

Willow Farm - Spittal Hill link, Castle Donington.

6.14 The Department of Transport has published for consultation proposals for M1 Widening and improvements to Junctions 23A and 24 on the M1 Motorway, but has yet to establish a firm option.

6.15 Although the Adopted Leicestershire Structure Plan proposes improvements to the A511 Bardon Roundabout to Coalville road, the local highway authority has resolved that improvement of the section between Birch Tree Roundabout and the Coalville Relief Road can only be progressed with a substantial contribution from developers. This part of Bardon Road is heavily trafficked, and is the last section of the A511 between the M1 and the A42(T) to retain frontage development along much of its length. The District Council wishes to see this section by-passed.

6.16 A road is proposed to the south of the Leicester to Burton railway as a means of opening up and serving the land comprised in Proposal H4g of this Local Plan. This will also provide a by-pass to the existing A511 between Birch Tree Roundabout and Coalville Relief Road, and is consistent with the County Council's intended proposals. The route of this road is shown on the Proposals Map.

DEVELOPMENT AND THE ROAD SYSTEM

6.17 The District Council supports the view of the County Highway Authority that new development should be adequately served by the road system so that existing conditions are not worsened by extra traffic generated by such development.

6.18 Transport Policy 4 of the Adopted Structure Plan states that:

'Planning permission will not be granted for development, if the traffic generated by it, together with that from existing and other development for which planning permission exists or which is proposed in an approved Local Plan, would:

- (a) Exceed the capacity available in the wider highway system; or*
- (b) Impair the safety and the satisfactory operation of the highway system, particularly major roads and major road junctions; or*
- (c) Have an unacceptable effect on the environment;*

unless satisfactory and environmentally acceptable improvements with a reasonable design life are provided to overcome such consequences.'

6.19 POLICY T3

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.

6.20 Detailed guidance is contained in the document 'Highway Requirements for Development', produced by Leicestershire County Council. Consultations on planning applications are undertaken with the Highway Authority prior to determination. In the case of residential roads, the District Council, in consultation with the County Highway Authority, will seek to secure the provision of highway layout design, traffic management and physical features, such as road humps, chicanes and narrowing of carriageways, which can help keep vehicle speeds down and improve driver behaviour. The Department of Transport's guidance on access to the trunk road and motorway network in relation to development proposals is contained in Circulars Roads 4/88 and 6/91.

6.21 Where development may have a significant impact on the surrounding road network, the developer will be required to provide a traffic impact assessment at the planning application stage. Such an assessment will normally be required for all proposals which:

- (a) Constitute major development (usually more than 100 dwellings or 5 ha. of employment land);
- (b) Are expected to generate 10 per cent of the traffic flow on the adjoining highway (5 per cent in traffic sensitive areas), or 100 vehicles movements in the peak hour, or a high percentage of heavy goods vehicles; or
- (c) Have special characteristics or relate to particular circumstances which warrant such an assessment.

ROAD RELATED DEVELOPMENT

6.22 Whilst the need to provide for necessary roadside service facilities is recognised, there is also a need to secure the co-ordinated provision of such facilities in order to avoid an unnecessarily detrimental effect on the appearance of the countryside.

6.23 Transport Policy 5 of the Adopted Structure Plan states that:

'Planning permission for road related service facilities will normally only be granted to achieve an acceptable level of provision at selected key sites which minimise their impact upon the countryside.'

6.24 Service facilities are petrol filling stations and restaurants including those with rest facilities.

6.25 POLICY T4

In the event of planning permission lapsing for the development of the following road related service facilities, it will be renewed, subject to the policies of this Local Plan and other material considerations:

- (a) East of Finger Farm on the A453; and
- (b) Adjoining Flagstaff Interchange, A42, Ashby-de-la-Zouch.

Development for any other purpose on these sites will only be permitted where it complies with the countryside policies of this Local Plan.

6.26 These facilities, together with the existing facility at the junction of A444 and M42/A42 at Appleby Magna, will provide a reasonable spacing of service areas on the A42.

6.27 POLICY T5

Development of only one off-line road-related service facility at the junction of the B6540 with the proposed A50 Derby Southern By-pass will be permitted provided:

- (a) It is sited so as to minimise the visual impact upon the surrounding countryside;
- (b) Satisfactory access arrangements can be provided; direct access from the A564 or the A564/B6540 junction itself will not be permitted;
- (c) Satisfactory measures can be undertaken to compensate for any detrimental effect on the floodplain of the River Trent; and
- (d) Substantial landscaping is provided where the site adjoins open countryside, and on main road frontages.

Conditions will be imposed on any planning permission to ensure that development does not commence until the completion of the A50 Derby Southern By-pass.

6.28 The existing restaurant at the Sawley Crossroads will be lost to new road construction. The District Council recognises the advantages of this location for service facility provision, but is anxious to avoid excessive and uncoordinated provision of facilities at this junction, in view of potential effects on highway safety and intrusion into countryside.

6.29 POLICY T6

Development of any additional road-related service facilities on the M42/A42 and A50 within North West Leicestershire will not be permitted.

6.30 The provision outlined in Policies T4 and T5 will provide an adequate spacing of facilities on the A42 and A50 within North West Leicestershire.

6.31 POLICY T7

Development of additional road-related service facilities on or adjacent to the M1 and the A50 within the Charnwood Forest Area of Particularly Attractive Countryside will not be permitted.

6.32 The M1 through the Charnwood Forest is generally exposed and without the landscaping and screening associated with more recent road projects. An assessment of the area adjoining the motorway has indicated that it will not be possible to provide new service facilities without adverse effect on the Charnwood Forest Area of Particularly Attractive Countryside.

6.33 A road related service facility has been provided at the junction of the A511 and the M1. Additional facilities on the section of the A511 within the Charnwood Forest Area of Particularly Attractive Countryside would not be appropriate.

PARKING

6.34 Most development will give rise to the need for additional car parking provision. On-street car parking is undesirable in terms of pedestrian and highway safety, visual appearance and the free flow of traffic.

6.35 Transport Policy 6 of the Adopted Structure Plan states that:

'Planning permission will normally be granted for new development only where adequate provision is made for parking.'

Provision should be made for reduced parking standards within those central areas well served by a realistic choice of transport.'

6.36 POLICY T8

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.**

6.37 PPG13 (*Transport*) advises that local planning authorities should ensure that levels of parking provided in association with developments will promote sustainable development. It also advises that development plan policies should set parking provision requirements as maximum levels. PPG3 advises that in respect of housing off-street car parking standards that result, on average over the whole District, in development with more than 1.5 spaces per dwelling are unlikely to reflect the Government's emphasis on securing sustainable residential environments.

6.38 The parking standards set out in Appendix A are, with the exception of Class C3 dwellinghouse, derived from the current County-wide requirements of Leicestershire County Council, and will be applied as maximum.

6.39 In determining the amount of parking provision considered appropriate as part of new developments, account will be taken of a variety of factors, including location, the availability of other transport modes and the proximity to public parking. In the case of housing development, account will also be taken of the likely characteristics of future occupants (including income and age), household type, the type of housing proposed and the design objectives and policies of the Local Plan. It is acknowledged that for family housing, and in rural locations where there is heavier reliance on the private car, higher levels of car parking may be appropriate

6.40 POLICY T9

Development will only be permitted on land currently used, approved or reserved for off-street parking spaces, where this would result in an inadequate provision of parking spaces, where appropriate replacement parking spaces can be provided elsewhere within or in close proximity to the site of the proposed development.

6.41 In certain circumstances development of land currently used for parking may produce a better pattern of development or improve the efficiency or attractiveness of particular areas. However, it is important that such redevelopment does not result in reduction of overall parking provision or produce a situation where replacement provision is poorly related to the development it is intended to serve.

6.42 Government guidance on the preparation of local transport plans stresses that local authorities need to develop an integrated strategy on parking, utilising planning policies and transport powers. It is envisaged that this strategy will be taken forward through the Local Transport Plan process and that this will in turn give rise to implications for a future review of the Local Plan.

BUSES

6.43 Buses have an important part to play in the Transport Choice Strategy which forms the centre-piece of the Adopted Structure Plan. The layout of new development can have a profound effect on the efficiency and effectiveness of public transport operation. Greater penetration of development areas by public transport routes will increase the accessibility and attractiveness of the network to potential users.

6.44 Transport Policy 7 of the Adopted Structure Plan states that:

'When preparing Local Plans and determining planning applications for new development Local Plan Authorities will consider the ability of the proposed development to take advantage of new and established bus routes and will ensure where appropriate, convenient access for buses into the development.'

Measures will be introduced to assist the efficiency and quality of bus services through priority or access arrangements.

Planning permission will not normally be granted for major development unless bus access and facilities are provided.'

6.45 This policy provides the basis for the Local Plan Policy T10.

6.46 POLICY T10

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.**

6.47 New housing areas should be laid out so that every dwelling is within reasonable walking distance of an existing or potential bus route. Specialist housing, particularly for elderly persons, should be situated close to bus routes. Employment areas, local shops, schools and other areas of concentrated public activity should be designed with regard to the requirements of effective public transport use, with provision of bus lay-bys and, where necessary, turning areas, as appropriate.

6.48 Additional guidance is contained in the document 'Highway Requirements for Development' produced by Leicestershire County Council.

RAIL SERVICES

6.49 Rail services are recognised in the Transport Choice Strategy as an important means of providing high quality public transport along specified development corridors.

6.50 Transport Policy 8 of the Adopted Structure Plan sets out the strategic policy in respect of rail services:

'The land for stations and infrastructure for local passenger services along the Midland Main Line, the Birmingham-Peterborough Line and the Ivanhoe Line will be safeguarded from other development.'

Planning permission will normally be granted for passenger stations on these lines to serve residential and employment development subject to the satisfactory operation of the rail service. Planning permission will not normally be granted for major housing development (usually more than 100 dwellings) major new employment development (usually more than 5 ha.) and other major new development which offers the potential to contribute to the contribution of passenger rail facilities unless such contribution is made.

Planning permission will normally be granted for rail freight private sidings and terminals which serve mineral or employment development.

Provision will be made for employment sites with direct access to the rail network.'

6.51 The District Council supports the re-opening of the Leicester-Burton railway (the 'Ivanhoe Line') to passenger traffic. Stations are proposed at Coalville, Swannington, Ashby-de-la-Zouch and Moira within North West Leicestershire. Policy T11 identifies and safeguards land for the provision of these stations.

6.52 POLICY T11

Development of railway passenger stations, together with ancillary car parking and other requisite facilities, will be permitted on the following sites, identified on the Proposals Map:

- (a) Coalville: north of High Street;**
- (c) Swannington: east of Hough Hill level crossing;**
- (d) Ashby-de-la-Zouch: east of Station Road; and**
- (e) Moira : east of Ashby Road (as part of the Sweethill development).**

Development will not be permitted which would prejudice the provision of the proposed stations.

6.53 The following employment areas have the potential for rail freight access:

- (a) Land south of Beveridge Lane, Bardon;
- (b) Willow Farm, Castle Donington; and
- (c) Former Castle Donington Power Station.
- (d) Land adjacent to Swainspark Industrial Estate, Ashby Woulds.

PEDESTRIANS AND CYCLISTS

6.54 The need for safer and more pleasant conditions for cyclists and pedestrians is widely recognised. Although many households have private cars, much short-distance local movement is on foot, by cycle or by public transport. Improvement can be brought about by the introduction of specific measures, such as new vehicular or pedestrian facilities, or by the incorporation of such features in the design of new development areas.

6.55 Transport Policy 9 of the Adopted Structure Plan states that:

'Measures will be introduced in shopping, employment and residential areas to provide safe, pleasant and convenient routes and conditions for pedestrians, including those with a mobility handicap, and cyclists. Route networks will link residential areas with centres for employment, shopping, education, leisure and the countryside and be segregated from vehicular traffic wherever possible.'

Planning permission will normally only be granted for development where adequate, convenient and safe pedestrian and cycling facilities are provided.

Provision will be made for cyclist and pedestrian crossing facilities as part of new road schemes where appropriate.'

6.56 In association with other interested bodies, the Council has produced a Cycling Strategy. One of the key objectives of this document is to encourage more cycling within the District as part of an overall transport, economic and tourist strategy. Another compliments Policy T12 below, in that it seeks significant improvements in the existing environment to enable pedestrians and cyclists to move around easily and in safety.

6.57 Measures to implement this Strategy are already under way.

6.58 Policy T12 sets out detailed conditions relating to pedestrian and cyclist routes.

6.59 POLICY T12

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;**
- (c) **Are as far as reasonably possible free from physical hazards, as well as convenient and pleasant to use; and**

(d) Cater effectively for persons of restricted mobility.

6.60 Further guidance on footpath and cycleway layout and design is contained in the document 'Highway Requirements for Development' produced by Leicestershire County Council. Additional guidance on crime prevention in relation to such facilities is contained in the document 'Crime Prevention by Planning and Design' produced by Leicestershire Constabulary and Leicester City Council.

6.61 POLICY T13

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.

6.62 Assessment of the adequacy of cycle parking provision will be made by reference to the levels set out in Appendix A to this Written Statement, which are based on the current Leicestershire County Council standards. Further guidance is contained in the document 'Highway Requirements for Development' produced by the County Council.

6.63 Diversions of existing public rights of way are dealt with in Policy L15 of this Local Plan.

HEAVY LORRIES

Lorry Routes

6.64 Transport Policy 10 of the Adopted Structure Plan aims to encourage lorries to use appropriate roads within the Specified Road Network and beyond that to promote action in specific cases of concern, including, if appropriate, improvements to otherwise acceptable alternative routes:

'In considering the need for improvements to the road system account will be taken of the desirability of restricting heavy lorries from using unsuitable routes by means of traffic management or other appropriate measures and the need to provide acceptable alternative routes, particularly to specific locations which generate significant volumes of heavy traffic.'

6.65 The District Council will liaise with Leicestershire County Council and the Department of Transport in order to encourage heavy goods vehicles to use appropriate routes rather than those with a mainly local function. Measures to be undertaken include weight restrictions, signposting and other traffic management measures.

FORMER TRANSPORT ROUTES

6.66 Transport Policy 11 of the Adopted Structure Plan identifies a need to define disused railways and canals which merit safeguarding from development which might impair their continuity and undermine their potential for re-use as transport corridors:

'Planning permission will not normally be granted for development likely to impair the continuity of routes of disused railway lines and canals which have potential for re-use as transport corridors.'

6.67 It is for the Local Plan to identify such linear features.

6.68 POLICY T14

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.

6.69 North West Leicestershire is crossed by a number of disused railways. Safeguarding such routes, where appropriate, will enable proposals to be progressed for their re-use as transport corridors, the creation of new pedestrian or cyclist routes.

6.70 A number of specific proposals have been identified which make use of disused railways:

- (a) Moira-Measham Trail;
- (b) Former Coalville-Hugglescote Railway;
- (c) Former Whitwick Railway;
- (d) Former Dumps Railway, Whitwick; and
- (e) Swannington Incline.

6.71 Items (b)-(d) have been identified in Policy E37 as derelict land reclamation schemes.

6.72 The District Council has supported the routing of the proposed Inverness-Dover cycle route through North West Leicestershire. Planning permission has been granted for the conversion of the disused railway between Wilson and Tonge to a cycleway. This section could form a key element of the long distance cycle route through this District.

Moira-Measham Trail

6.73 POLICY T15

Development will not be permitted which would adversely affect the character and appearance of the Nature Trail along the former railway between Moira and Measham, identified on the Proposals Map.

Only development which is strictly ancillary to the recreation use of the trail will be permitted.

6.74 The former railway line between Moira and Measham is being reclaimed by Leicestershire County Council using Derelict Land Grant. The missing section through the Donisthorpe Tip area will be a feature of the restoration of the Tip, as proposed in Policy E37 of this Local Plan. A link through to Spring Cottage is also a worthwhile objective.

6.75 Some deviations from the original route may however be necessary to circumvent other missing links.

Ashby Canal

6.76 POLICY T16

Development will not be permitted which would prejudice the re-opening of Ashby Canal, as identified on the Proposals Map, and associated canalside facilities. In the event of the canal being reopened, development outside Limits to Development, shown on the Proposals Map, will only be permitted where it is strictly ancillary to the use of the canal as a navigable waterway.

6.77 POLICY T17

Reconstruction of the Ashby Canal between Snarestone and Swains Park, together with any necessary diversions from, extensions to or missing links in its historic route (as protected by Policy T16) will be permitted, provided such reconstruction or new construction is arranged so as to minimise any adverse visual impact on the countryside and nearby settlements.

6.78 The purpose of Policy T16 is solely to protect from other development or non-conforming uses the land necessary for the eventual re-watering of the Ashby Canal from Snarestone to Swains Park, and the creation of appropriate canalside facilities.

6.79 Therefore, where a proposal for development outside these categories is (either in whole or in part) on land protected by Policy T16 but nevertheless can be demonstrated not to prejudice the implementation of any likely future proposals under Policy T17, the fact of its protection by Policy T16 will not adversely affect any associated application for planning permission.

6.80 In the short term, the District Council will seek the creation of a footpath along the route of the canal with:

- (a) Provision of appropriate surface materials to facilitate ease of access by all sectors of the community;
- (b) Provision of waymarking and interpretative facilities;
- (c) Environmental improvements, including planting, along the route of the canal to improve its attractiveness;
- (d) Creation and protection of wildlife habitats; and
- (e) Provision, where possible, of car parking facilities to facilitate ease of access to the footpath.

6.81 The Ashby Canal originally ran from Spring Cottage, near Moira, to the Coventry Canal, near Bedworth. Today, the canal is watered only as far as Snarestone, two miles south of Measham. Most of the remaining section has been filled in and ploughed over. However, it provides an important opportunity for the creation of a major new recreation resource, initially in the form of a footpath, but in the longer term as a rewatered canal, at least as far as Measham. A feasibility study has indicated that it would be technically feasible to rewater the canal and has recommended, as a first stage, rewatering from Snarestone to Measham. Further consideration is now being given to the technical and financial aspects of this recommendation. It is essential that the route of the former canal is not prejudiced by new development.

EAST MIDLANDS AIRPORT

6.82 East Midlands Airport represents an important resource in terms of the future economic development of North West Leicestershire, the county and the East Midlands region. In addition to providing substantial direct employment, it also plays a significant role in the generation of economic activity.

6.83 National airports policy is set out in the White Paper 'Airports Policy', 1985, and includes the objective:

'To encourage the use and development of regional airports so that they meet the maximum demand they can attract...'

6.84 The policy statement also notes that increasing use of regional airports ensures better use of existing infrastructure and can help relieve pressure on capacity of airports in the south-east of England.

6.85 Regional Planning Policy Guidance for the East Midlands Region (RPG8) describes East Midlands Airport as '*an asset of national and regional importance*' which is expected to grow over the period covered by the Guidance (i.e. to 2011). RPG8 also states:

'Planning Authorities should therefore make provision for the operational development requirements of the Airport in development plans... ...Development plan policies should also ensure that the operational development potential of the Airport is not prejudiced by the development of sites immediately adjacent for distribution or other unrelated uses... ...Only development related to the operational working of the Airport itself, or development which requires to be located at the Airport, should be sited within its immediate vicinity.'

6.86 The important role of the Airport is also recognised in the Adopted Structure Plan, where particular emphasis is placed on the avoidance of land use restrictions which might impede the future operational development of the Airport. Transport Policy 12 of the Adopted Structure Plan states that:

'Provision will be made for the operational needs of the East Midlands International Airport provided that the environmental impact and other effects of the proposed development can be kept to an acceptable level.'

6.87 The airport is situated in open countryside and falls within the scope of the Countryside policies of this Plan, in particular, the exceptional provision made for development of a public service or utility which cannot, for operational reasons, be accommodated within defined Limits to Development.

6.88 It is for the Local Plan to include policies which provide for the operational needs of the Airport. Such policies must:

- (a) Safeguard land required to meet future operational needs;
- (b) Encourage the logical disposition of the various uses at the Airport; and
- (c) Ensure that environmental and other effects are kept to an acceptable level.

6.89 Passenger throughput at the Airport in 1993 was 1.4m passengers. Throughput has been growing at about 11 per cent pa since the opening of the Airport in 1965.

6.90 East Midlands Airport plc has submitted its Airport Development Strategy as a representation in respect of the Draft North West Leicestershire Local Plan. This development strategy contains forecasts for traffic growth (passengers and airfreight) at the Airport to 2015:

	Passengers pa	Air Freight (tonnes pa)
1993	1.4m	35,000
2006	6.6m	150,000
2015	12.3m	436,000

6.91 POLICY T18

Within the airport limit identified on the Proposals Map, airport operational development which fulfils the following requirements will be permitted subject to:

- (a) Development involving buildings being confined to the existing terminal complex, and land at Gimbro Farm;**
- (b) The proposal securing a logical disposition of uses;**
- (c) The proposal providing satisfactory access arrangements, and having an acceptable impact on the local and wider highway network;**
- (d) The environmental impact of the proposal on nearby settlements and the surrounding countryside being kept to an acceptable minimum.**

6.92 For the purposes of the above policy, airport operational development is that which is required in direct support of the provision of air travel services to and from the airport (whether for passengers or freight), or is necessary for the movement and maintenance of aircraft at the airport. This embraces passenger terminals (which may include facilities reasonably necessary for passengers' comfort or the more convenient or expeditious dispatch of their journeys) aircraft hangars, aircraft servicing and maintenance facilities, and supporting infrastructure and offices. Development which is not 'airport operational' includes warehousing, hotels, shops and offices other than those identified above.

6.93 Securing a logical disposition of uses will entail the proposal ensuring the physical separation of activities which are functionally or environmentally incompatible, and, where relevant, its bringing together compatible and complementary activities.

Public Safety Zones

6.94 POLICY T19

Public Safety Zones (PSZs) have been established at East Midlands Airport and are (together with the 1 in 10,000 individual risk contours) shown on the Proposals Map.

There will be a general presumption against new or replacement development, or changes of use of existing buildings within the designated PSZs.

However, the following exceptions to this general presumption may be permitted within those parts of the PSZs lying outside the identified 1 in 10,000 risk contours:

- (a) an extension or alteration to a dwellinghouse which is for the purpose of enlarging or improving the living accommodation for the benefit of the people living in it, such people forming a single household, or which is for the purpose of a 'granny annex';
- (b) an extension or alteration to a property (not being a single dwellinghouse or other residential building) which could not reasonably be expected to increase the number of people working or congregating in or at the property beyond the current level, or, if greater, the number authorised by an extant planning permission;
- (c) a change of use of a building or of land which could not reasonably be expected to increase the number of people living, working or congregating in or at the property or land beyond the current level or, if greater, the number authorised by any extant planning permission;
- (d) other forms of new or replacement development which would involve a low density of people living, working or congregating within the site, such as:
 - (i) long stay and employee car parking (where the minimum stay is expected to be in excess of six hours);
 - (ii) open storage and other forms of storage and distribution use (excluding those, such as distribution centres, sorting depots and retail warehouses) which would result in very few, if any, people being present on a site at any given time, and subject to conditions to prevent the future intensification of the use of the site and limit the number of employees present;
 - (iii) development likely to introduce very few or no people on to a site on a regular basis, such as unmanned structures, engineering operations, buildings housing plant or machinery, agricultural buildings and operations, buildings and structures in domestic curtilage incidental to dwellinghouse use, and buildings for storage purposes ancillary to existing industrial development;
 - (v) public open space, where there is a reasonable expectation of low intensity use, but excluding such uses as children's playgrounds, playing fields or sports grounds which would be likely to attract significant numbers of people on a regular basis;
 - (vi) golf courses, but not clubhouses; and
 - (vi) allotments.

Within the identified 1:10,000 risk contours only development which would involve a very low density of people coming and going may be permitted as exceptions to the above general presumption, such as:

- (e) long stay and employee car parking (where the minimum stay is expected to be in excess of six hours);
- (f) built development for the purpose of housing plant or machinery, and which would entail no people on site on a regular basis, such as boiler houses,

electricity switching stations or installations associated with the supply or treatment of waste; and

(g) golf courses, but not clubhouses.

6.95 Public Safety Zones at East Midlands Airport have been established by the Secretary of State for Transport. Public Safety Zones are defined by the DfT as:

‘... areas of land at the ends of the runways at the busiest airports, within which development is restricted in order to control the number of people on the ground at risk of death or injury in the event of an aircraft accident on take-off or landing.’

6.96 *Maps showing revised PSZs at East Midlands Airport have been published by the DfT and the boundaries of these are reproduced on the Proposals Map.*

6.97 *The basic approach to the control of development within these zones is set out in DfT Circular 1/2002, published on 10th July 2002, the Annex to which states*

‘The basic policy objective governing the restriction on development near civil airports is that there should be no increase in the number of people living, working or congregating in PSZs and that, over time, the number should be reduced as circumstances allow.’

6.98 DfT Circular 1/2002 also sets out the considerations that should apply to the control of development within designated PSZs.

6.99 The establishment of the PSZs at East Midlands Airport is neither the responsibility nor the proposal of North West Leicestershire District Council as local planning authority.

AIRPORT SAFEGUARDING

POLICY T20

6.100 Development which would adversely affect the operational integrity or safety of East Midlands Airport will not be permitted.

A safeguarded area has been established around East Midlands Airport and the outer boundary of this area is shown on the Proposals Map.

In the control of development reference will be made to the detailed safeguarding maps supplied by the Civil Aviation Authority. These maps indicate where consultation with the Safeguarding Authority is required on the following proposals:

- (a) all buildings, structures, erections and works that exceed the height specified on the safeguarding map;**
- (b) any proposed development in the vicinity of East Midlands Airport which may have the potential to interfere with the operation of its navigational aids, radio aids and telecommunication systems;**
- (c) the lighting elements of a development which may have the potential to distract or confuse pilots, particularly in the immediate vicinity of the aerodrome and of the aircraft approach paths;**

- (d) any proposal for an aviation use within a 13km circle centred on East Midlands Airport;
- (e) any proposal within a 13km circle centred on East Midlands Airport which has the potential to attract large numbers of birds. Such proposals include:
 - (i) significant landscaping or tree planting;
 - (ii) minerals extraction or quarrying;
 - (iii) waste disposal or management;
 - (iv) reservoirs or other significant water bodies;
 - (v) land restoration schemes;
 - (vi) sewage works;
 - (vii) nature reserves; and
 - (viii) bird sanctuaries; and
- (f) any proposal for a wind turbine development within a 30km circle centred on East Midlands Airport.

6.101 Safeguarded areas around airports are established by the Secretary of State and are defined on safeguarding maps issued by the Civil Aviation Authority. These maps define certain types of development, which, on grounds of public safety, require consultation by the local planning authority with the Safeguarding Authority. The published maps for East Midlands Airport are available for inspection at the Council Offices, Coalville.

6.102 Government advice on safeguarded areas is set out in ODPM Circular 1/2003. This circular was published on 27th January 2003 in connection with the transfer by the Civil Aviation Authority, as the regulator, of primary responsibility for the safeguarding of civil airports from itself to the operators of the airports in question.

6.103 The establishment of the safeguarded area around East Midlands Airport is neither the responsibility nor the proposal of North West Leicestershire District Council as local planning authority.

Public Transport

6.104 The Airport Company has indicated that it intends to investigate the feasibility of a direct link between the Airport and the Midland Main Line Railway. The need for such a link will increase with traffic growth and pressure to improve public transport links.

6.105 POLICY T21

Development of a rail or other dedicated public transport link between East Midlands Airport and the national rail network will be permitted, provided it:

- (a) **Is routed to minimise the visual impact on the countryside and nearby settlements; and**
- (b) **Is not significantly detrimental to amenities enjoyed by the occupiers of nearby residential properties.**

6.106 An alternative to such a link may take the form of a dedicated bus service between a possible new station on the Midland Main Line Railway and the Airport, making use of existing and proposed high quality road links.

Road Access

6.107 East Midlands Airport is currently accessed by the single carriageway A453 road, which joins the M1 motorway – via Finger Farm roundabout – at Junctions 23A and 24. If all of the development in the vicinity of the airport this Local Plan envisages proceeds, the capacity of both this section of the A453 and these motorway junctions will be exceeded.

6.108 The highway safety and traffic impact implications of developing additional passenger or freight capacity at East Midlands Airport will therefore need particularly careful consideration.

7. HOUSING

INTRODUCTION

7.1 One of the main functions of the land-use planning system is to ensure the provision of an adequate and continuous supply of housing land, consistent with established policies for the conservation and enhancement of the environment. Government guidance recognises that the best means of achieving these objectives is for Local Plans to identify an acceptable choice of housing sites which are both suitable and available for housing.

7.2 A well planned strategy for the provision of housing land can make a valuable contribution to the future prosperity and economic development of North West Leicestershire, by ensuring that housing land release ties in with the needs of economic development and job creation. Nevertheless, the need to provide for economic growth must be reconciled with the need to conserve and enhance the quality of the built and natural environments.

7.3 It is the job of the structure plan to identify the overall level of provision required over the plan period, having regard to such factors as population growth, migration and household formation. It is then for the Local Plan to establish the most appropriate distribution of housing land and to identify individual sites in the light of current planning policies and local circumstances.

STRATEGY

7.4 The main elements of the strategy for housing will involve:

- (a) Providing sufficient housing land to meet the requirements set out in the Adopted Structure Plan;
- (b) Concentrating the majority of new housing in the Transport Choice Corridor settlements of Coalville, Ashby-de-la-Zouch and Moira;
- (c) Limiting provision for new housing in settlements outside the Transport Choice Corridor;
- (d) Restricting housing development in the countryside;
- (e) Providing a wide choice of housing sites, in terms of location, site characteristics and local context;
- (f) Ensuring that new housing areas are well-related in character, scale and location to the existing pattern of development and adjoining land uses; and
- (g) Safeguarding or updating the amenities of existing housing areas, and ensuring the provision of a good quality environment in new developments.

GENERAL POLICY

7.5 In order to reconcile the various objectives of the housing land strategy, it is necessary for the plan to provide a clear indication of where new housing development will or will not be acceptable to the Local Plan Authority.

7.6 POLICY H1

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.

7.7 POLICY H2

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).**

7.8 The Local Plan makes realistic and positive provision for future housing development in North West Leicestershire in conformity with the requirements of the Adopted Structure Plan, in the form of allocated sites for housing. It also establishes criteria for consideration of other sites which may be proposed for housing within the defined Limits to Development. However, the fact that a site lies within Limits to Development does not mean that planning permission will necessarily be granted. Such proposals will be considered against the policies and proposals of this Local Plan and other material considerations. Development outside these limits would erode the character of the surrounding countryside and could result in patterns of development, such as ribbon or fragmented development which are poorly related to existing settlement pattern and inefficient in terms of infrastructure provision.

HOUSING LAND AND LOCATION

7.9 The Adopted Structure Plan provides for a significant increase in the number of dwellings in North West Leicestershire. This increase takes account of projected growth in the District's population.

7.10 At the same time, changes in household formation are projected, with an increasing number of single person households, resulting from a higher proportion of younger people wishing to set up their own home, increased divorce rates and a greater number of elderly people.

7.11 The net result of these changes is an estimated increase in the required dwelling stock of North West Leicestershire by over 20 per cent over the Plan Period.

7.12 Housing Policy 1 of the Adopted Structure Plan establishes the requirement for additional housing in North West Leicestershire over the Plan Period:

'Sufficient land will be released for housing to accommodate about 53,000 dwellings in the County between 1991-2006 distributed as follows (inter alia):

North West Leicestershire 5800 dwellings'.

7.13 Housing Policy 2 of the Adopted Structure Plan refers to the housing provision to be made in the Ivanhoe Line Transport Choice Corridor:

'The majority of land for housing will be allocated within and adjoining settlements which will allow a realistic choice of transport which will normally be (inter alia):

Within North West Leicestershire District; Coalville, Ashby-de-la-Zouch and settlements along the Transport Choice Corridor.'

7.14 The settlements within the Ivanhoe Line Transport Choice Corridor comprise:

- (a) Coalville Urban Area;
- (b) Ashby-de-la-Zouch; and
- (c) Moira.

Housing Requirements

7.15 Housing Policy 4 of the Adopted Structure Plan states:

'When making provision for the housing requirements in Housing Policy 1, allowance will be made for the likely supply of unidentified sites coming forward within settlements, having regard to past rates at which these sites have come forward and the future potential for such sites.'

7.16 In establishing the amount of land that needs to be provided for housing across the District an allowance for small unidentified housing sites (ie under 10 dwellings) has been made at a rate of 83 dwellings per annum. In addition, an allowance of 250 dwellings has been made for large unidentified sites (ie 10 dwellings or more) which may come forward for the remainder of the plan period.

7.17 These allowances, together with dwellings completed between 1991 and 1996, dwellings under construction at March 1996, sites with the benefit of planning permission and sites proposed as allocations in this Local Plan (Policy H4) will be sufficient to ensure that the Structure Plan requirement is met.

Distribution of Housing Land

7.18 The distribution of housing land within North West Leicestershire required by this Plan, takes as its starting point the distinction made in the Adopted Leicestershire Structure Plan between the Transport Choice Corridor and the rest of the District.

7.19 Several substantial housing sites are proposed within the Transport Choice Corridor, in the settlements of Coalville, Ashby-de-la-Zouch and Moira. A major allocation is also made at Hugglescote, in conjunction with the provision of a new station on the Ivanhoe passenger railway line. Although all of the land has been allocated now in order to create developer confidence in the site and thus enable the necessary infrastructure and community facilities to come forward at appropriate stages of the development, only one-third or so of this site will be released within the Local Plan period.

7.20 Ashby-de-la-Zouch is an attractive market town on the Ivanhoe Line, and lies at the junction of the A42 trunk road and the A511. Demand for additional housing land in this town must therefore be set against the need for conservation and enhancement of the town's environment, protection of quality agricultural land and attractive countryside, as well as problems associated with a constrained and often overloaded highway system. The sites proposed at Ashby-de-la-Zouch represent an appropriate response to these considerations. Development will be contained within clearly defined limits such as major trunk roads, or will involve rounding off of the existing settlement pattern. Particular regard is paid to the traffic implications of the housing sites proposed, in that development in advance of Stage II of the A511 Ashby-de-la-Zouch By-pass will not be permitted at any of the sites likely to generate significant traffic volumes.

7.21 Planning permission has been granted for development on land at Sweethill, south of Ashby-de-la-Zouch Road, Moira. In addition, commitments at Ibstock and Measham have been brought forward from previous draft Local Plans, where they were subject to full publicity and extensive debate.

7.22 In the Northern Parishes, opportunities for significant residential development are few. In particular, Kegworth is severely constrained whilst housing in the villages, other than at a minor level, would be contrary to current guidance at both national and regional level. The Adopted Leicestershire Structure Plan requires this Local Plan to provide for two major, strategic employment sites well related to Junction 23A/24 of the M1 motorway, as well as for a mix of housing and compatible employment uses in each locality. Sites are proposed at Castle Donington to meet these needs.

Housing Land Supply: Commitments

7.23 There are a number of housing sites that already have the benefit of planning permission but have yet to be developed. Such permissions could lapse and, therefore, it is appropriate for the Local Plan to indicate the likely response of the Local Plan Authority in such circumstances.

7.24 POLICY H3

In the event of planning permission lapsing for residential development on the

following sites, identified on the Proposals Map, it will be renewed, subject to the policies of the Local Plan and other material considerations:

Transport Choice Corridor

- (a) Former Rugby Club, Broom Ley Road, Coalville (8.5 ha; 150 units);
- (b) Robinson Road, Whitwick (0.7 ha; 18 units);

Rest of District

- (c) Shields Crescent, Castle Donington (1.1 ha; 29 units);
- (d) Donisthorpe Cutting (1.3 ha; 30 units);
- (e) High Street, Ibstock (2.6 ha; 60 units);
- (f) Whitehill Road, Eliistown (1.9 ha; units).

HOUSING LAND ALLOCATION

Housing Land Supply: Allocations

7.25 In addition to commitments the following sites are proposed to be allocated for development for housing purposes.

7.26 Paragraph 15 of PPG3 points out that in some towns there is considerable scope for bringing empty and underused floor space above shops back into use for housing.

7.27 The Council will, in appropriate cases, encourage the re-use or conversion of the upper floors of shops for this purpose.

7.28 Because of the close association of this matter with Central Areas and Retailing, the relevant enabling provision is set out in Policy R16.

7.29 The use of upper floors is referred to at paragraphs 9.45 and 9.46.

7.30 POLICY H4

The following sites, identified on the Proposals Map, are allocated for housing, subject to the specific requirements subsequently identified in respect of each site:

Transport Choice Corridor

- (a) Leicester Road, Ashby-de-la-Zouch (site area – 7.6 ha; anticipated net dwelling yield – 182 units);
- (b) East of Leicester Road, Ashby-de-la-Zouch (6.9 ha; 165 units);
- (c) Nottingham Road, Ashby-de-la-Zouch (2.6 ha; 63 units);
- (d) Broom Leys Road, Coalville (4.5 ha; 108 units);

- (e) **Wentworth Road, Coalville (1.1 ha; 26 units);**
- (g) **Grange Road, Hugglescote (89 ha; 450 units within the Plan period);**
- (h) **Brooks Lane, Whitwick (1.7 ha; 27 units);**

Rest of District

- (i) **North of Park Lane, Castle Donington (9.2 ha; 200 units);**
- (j) **Station Road, Castle Donington (3.18 ha; 60 units);**
- (k) **High Street, Ibstock (2.37 ha; 46 units);**
- (l) **South of High Street, Ibstock (2.52 ha; 50 units);**
- (m) **Leicester Road, Ibstock (3.8 ha; 91 units);**
- (n) **The Vicarage, Newbold (1.0 ha; 24 units);**
- (o) **Main Street, Oakthorpe (1.0 ha; 10 units);**
- (p) **East of Heather Lane, Ravenstone (2.14 ha; 50 units).**

7.31 Access difficulties mean that Proposal H4b is currently constrained. It may, therefore, not come forward within the Plan period. Its dwelling yield accordingly lacks the 'reasonable expectation' required by PPG12, and for that reason it too has not been taken into account in calculating the District's housing land supply.

7.32 The specific requirements for each site are set out below. These requirements should be read in conjunction with the general policies and requirements of this Local Plan. In particular, regard should be had to the requirements for the provision of Play Areas as set out in Policy L19 and the document 'Development Guidelines' published by the District Council. Planning permission may not be granted for the development of these sites unless the owners/applicants first enter into a legal agreement to secure the provision, where appropriate, of these requirements.

7.33 PROPOSAL H4a Leicester Road, Ashby-de-la-Zouch:

Development of this site will not be permitted before completion throughout of the A511 Ashby-de-la-Zouch Northern By-pass;

Substantial block planting and landscaping will be required on the boundary of the site with the Leicester-Burton railway;

Vehicular access to the site must be taken from Leicester Road, and must include provision for both a right-hand turning lane on Leicester Road and a section of dual carriageway on Abbotsford Road.

7.34 This site lies within the National Forest and is subject to the policies set out in Chapter 5.

7.35 This site forms a continuation of a housing site to the east of Leicester Road, Ashby-de-la-Zouch, allocated for development in the Ashby-de-la-Zouch Area Local Plan. Development of this site could not be contemplated before completion of the A511 Ashby-de-la-

Zouch Northern By-pass, in view of existing unsatisfactory highway and traffic conditions on Nottingham Road, Wood Street and Market Street, and in the centre of Ashby-de-la-Zouch.

7.36 The District Council will seek a financial contribution from the developer of this site in order to bring forward completion of the A511 Ashby-de-la-Zouch Northern By-pass.

7.37 Unless additional accommodation is provided, development of this site will result in the capacity of existing schools in the area being exceeded. A financial contribution towards the cost of providing additional school places generated by the development of this site will therefore be sought.

7.38 PROPOSAL H4b East of Leicester Road, Ashby-de-la-Zouch:

Development of this site will not be permitted before completion throughout of the A511 Ashby-de-la-Zouch Northern By-pass.

Neither will development of this site be permitted unless and until the developer demonstrates that a safe and satisfactory means of access to it can be achieved.

Substantial block planting will be required along the south eastern boundary of the site, where it abuts the A42 trunk road.

7.39 This site lies within the National Forest, and is subject to the policies set out in Chapter 5.

7.40 The site forms a continuation of Proposal H4a. Together, the two sites will complete development of the area bonded by Leicester Road, Nottingham Road, the A511 and the A42, which because of the enclosing effect of the A42 no longer reads as part of the countryside around Ashby-de-la-Zouch.

7.41 Development of this site could not be contemplated before completion of the A511 Ashby-de-la-Zouch Northern By-pass, in view of existing unsatisfactory highway and traffic conditions on Nottingham Road, Wood Street and Market Street, and in the centre of Ashby-de-la-Zouch. Unless adequate provision has already been made, the district Council will seek a financial contribution from the developer of this site in order to bring forward completion of the A511 Ashby-de-la-Zouch Northern By-pass.

7.42 Following development of Proposal H4a, the environmental capacity of Leicester Road to accept vehicular traffic will have been reached, as will the safe working capacity of the access via Abbotsford Road. For these reasons, planning permission for development of this site will be withheld unless and until it is demonstrated that a safe and satisfactory means of gaining access to it can be provided.

7.43 Effective woodland screening of the south eastern boundary of this site is necessary to complete the line of similar provision arising from Proposal H4a and existing development at Ashby-de-la-Zouch Park High Quality Employment Site, in order both to provide a soft edge to this corner of Ashby-de-la-Zouch when seen from the A42, and to augment the setting of that site. A woodland belt of sufficient width to provide effective screening between the two uses has however already been provided on the western side of the adjoining Ashby Park.

7.44 Unless additional accommodation is provided, development of this site will result in the capacity of existing schools in the area being exceeded. A financial contribution towards the cost of providing additional school places generated by the development of this site will therefore be sought.

7.45 The constraints on development of this site mean that no reasonable expectation exists that it will be developed within the Plan period. Although it appears in the list of housing land allocations in paragraph 7.31 above, its anticipated dwelling yield has not been counted towards the Plan's housing land supply.

7.46 PROPOSAL H4c Nottingham Road, Ashby-de-la-Zouch:

- (i) Development of this site will not be permitted before completion throughout of the A511 Ashby-de-la-Zouch Northern By-pass;**
- (ii) Substantial block planting and landscaping will be required along the eastern boundary of this site, where it adjoins the existing employment area to the north of Nottingham Road; together with consolidation of the boundary hedge along Featherbed Lane (the 'Ivanhoe Way');**
- (iii) Primary vehicular access to the site must be taken from Featherbed Lane, with an internal loop road connecting this road to a secondary access via Woodcock Way.**

7.47 This site lies within the National Forest, and is subject to the policies set out in Chapter 5.

7.48 Development of this site could not be contemplated before completion of the A511 Ashby-de-la-Zouch Northern By-pass, in view of existing unsatisfactory highway and traffic conditions on Nottingham Road, Wood Street and Market Street, and in the centre of Ashby-de-la-Zouch. The District Council will seek a financial contribution from the developer of this site in order to bring forward completion of this by-pass.

7.49 Land between the Nottingham Road employment site and the primary school can be divided into two areas, in terms of its general character. To the west, the land is generally in agricultural use, and is accordingly visually well related to similar land to its north; to the east, the land is disused and has an 'urban fringe' character. Development of the latter will therefore not adversely affect the rural setting of this part of Ashby-de-la-Zouch. By continuing the line of the existing north west boundary of the employment site, it will, however, round off development of the area and accordingly consolidate the local built form.

7.50 The planning permission for the employment site requires a woodland strip of about 30m in width to be provided along its western boundary. Block planting and landscaping along the eastern boundary of this site will augment that provision, and thus create an appropriate buffer zone between the two potentially incompatible forms of development.

7.51 Vehicular access to this site has already been constructed as part of recent residential developments which this proposal will join and extend. It may, however, need to be upgraded to cater for the enlarged development area.

7.52 Development of this site will result in the capacity of existing schools in the area being exceeded if additional accommodation is not provided for. A financial contribution towards the cost of providing additional school places generated by the development of this site will therefore be sought.

7.53 PROPOSAL H4d Broom Leys Road, Coalville.

7.54 This site lies within the National Forest and is subject to the policies set out in Chapter 5.

7.55 This site forms part of a larger area, bounded by Broom Leys Road, Bardon Road and Waterworks Road, which was allocated for residential development in the deposited Coalville Area Local Plan.

7.56 PROPOSAL H4e Wentworth Road, Coalville:

Vehicular access must be taken from Wentworth Road and/or St. Faith's Drive.

7.57 This site lies within the National Forest and is subject to the policies set out in Chapter 5.

7.58 This site will consolidate development between existing housing off Wentworth Road and St. Faith's Drive and the area currently being developed off St. Saviours Road.

7.59 PROPOSAL H4f East of Whitehill Road, Ellistown.

7.60 PROPOSAL H4g Grange Road, Hugglescote:

Development of this site must be undertaken in a comprehensive and phased manner, which incorporates or secures the following requirements:

- (i) The part of the A511 Bardon Roundabout to Coalville County Road Scheme between the Birch Tree Roundabout and the Bardon Road/Stephenson Way, Coalville Roundabout, as shown on the Proposals Map;**
- (ii) Vehicular and pedestrian access to the site from that road;**
- (iii) A railway station, together with all requisite facilities, car parking and bus access, on land adjoining the north western crossing of the Leicester to Burton railway by the road referred to in requirement (i) above;**
- (iv) A site for a local shopping centre and local community facilities, on land adjoining or adjacent to the railway station referred to in requirement (iii) above;**
- (v) A site for a new primary school;**
- (vi) An appropriately located, block planted and landscaped buffer zone of sufficient depth and density to protect nearby dwellings from noise and disturbance emanating from the railway sidings to the east of the Leicester to Burton railway;**
- (vii) A substantial landscaped belt along the Grange Road frontage of the site;**
- (viii) Appropriate off-site foul and surface water drainage facilities; and**
- (ix) Appropriate traffic calming measures on Dennis Street, Hugglescote.**

All requirements of this development, whether arising from the above or other policies of this Local Plan, should be provided at times and levels commensurate with the then number of dwellings constructed.

Within the Plan period, development of about 450 dwellings only will be permitted. All development, whether within or beyond the Plan period, should take place in locations which ensure that the development proceeds both in a comprehensive and phased manner, and outwards from the existing urban edge.

Otherwise than in respect of interim agricultural development, development for any purpose not directly related to the use of this site as a housing area will not be permitted.

7.61 This site lies within the National Forest, and is subject to the policies set out in Chapter 5.

7.62 Development of this site could not be contemplated before the road referred to in requirement (i) above is constructed, in view of the present unsatisfactory highway and traffic conditions on the existing A511 Bardon Road between the Birch Tree Roundabout and Coalville, and other existing roads in the area. Because of its poor cost/benefit ratio, that road is, however, unlikely to attract public funding within the foreseeable future.

7.63 Development of this site will result in the capacity of existing schools in the area being exceeded if additional accommodation is not provided for.

7.64 The Council will therefore seek, consistent with the tests set out in Circular 1/97, a financial contribution from the developer towards the costs of the A511 road scheme referred to in requirement (i) above, the railway station referred to in requirement (iii) above and the capital costs of the school referred to in requirement (v) above.

7.65 A development brief will be prepared to provide further detailed guidance on the development of this site. This will address, inter alia, the phasing and location of all development on the site, including both the above requirements and requirements arising from other policies of this Local Plan such as playing fields and amenity areas.

7.66 The site is visually contained within a number of ridge lines, and relates well to the existing built form of the area. In order to preserve this relationship, it is essential that development proceeds outwards from the present urban edge. The site is also of relatively low agricultural quality.

7.67 Development within the Plan period of more than 450 dwellings on this site would, when account is taken of all housing land across the District, result in allocations in excess of the level necessary to ensure compliance with Housing Policy 1 of the Adopted Leicestershire Structure Plan. It is considered that, when seen in the context of this site as a whole, the construction of 450 dwellings by the year 2006 will strike an acceptable balance between the costs and returns to the developer.

7.68 The site lies within the Ivanhoe Line Transport Choice Corridor. Provision of a railway station as an integral feature of the development will increase transport choice and as a result help reduce car commuting. It is also logical to site the proposed shopping centre and community facilities close to the railway station, both for users' convenience and to make them an integrated and focal part of the overall development scheme.

7.69 PROPOSAL H4h Brooks Lane, Whitwick:

- (i) Vehicular access must be via Robinson Road and Smith Road, off Brooks Lane. No other vehicular access will be permitted; and**
- (ii) Substantial block planting and landscaping will be required along the western boundary of the site.**

7.70 This site lies within the National Forest and is subject to the policies set out in Chapter 5.

7.71 This site will round off development on this part of Brooks Lane and will provide a clearly defined limit to development in this part of Whitwick.

7.72 PROPOSAL H4i North of Park Lane, Castle Donington:

- (i) Substantial block planting and landscaping will be required along the western boundary of the development area; and**
- (ii) A financial contribution will be required towards the cost of providing additional school places generated by the development of this site.**

7.73 Development of this site will result in the capacity of existing schools in the area being exceeded if additional accommodation is not provided for.

7.74 PROPOSAL H4j Station Road, Castle Donington:

Subject to appropriate remedial measures in respect of adverse effects of the adjoining Class B2 use of Donington Mill, or the discontinuance of that use.

7.75 PROPOSAL H4k High Street, Ibstock:

- (i) Substantial block planting and landscaping will be required along the southern and western boundaries of this site;**
- (ii) A loop road must be provided between High Street and Grange Road; and**
- (iii) No more than 100 dwellings will be permitted on this site.**

7.76 This site lies within the National Forest and is subject to the policies set out in Chapter 5.

7.77 The site formed part of the housing allocation proposed in the deposited Coalville Area Local Plan. Primary access will be from High Street, although a loop connecting road will allow traffic conditions in Grange Road to be improved.

7.78 The site adjoins open countryside to the south of Ibstock. Substantial peripheral landscaping is therefore necessary in order to provide an appropriate boundary to the built up area of the village.

7.79 PROPOSAL H4l – South of High Street, Ibstock:

- (i) No more than 50 dwellings will be allowed on this site;**
- (ii) Substantial landscaping will be required along the south western boundary of the site;**
- (iii) Access to this site must be via the adjoining development off Legion Drive;**
- (iv) Off-site highway improvements will be required.**

7.80 This site provides a logical extension to the adjoining site being developed of Legion Drive. In the interests of highway safety it is important that no more than 50 dwellings are built on this site and that off-site traffic calming works are undertaken. Owing to the sensitive nature of the land to the south west substantial planting will be required to minimise the impact of development.

7.81 PROPOSAL H4m Leicester Road, Ibstock:

- (i) Vehicular access should be taken from Victoria Road, and a right hand turning lane into that street should be provided on Leicester Road;**
- (ii) Substantial block planting and landscaping will be required along the northern boundary of the site.**

7.82 This site lies within the National Forest and is subject to the policies set out in Chapter 5.

7.83 This site forms part of a larger area included in the housing allocation of the deposited Coalville Area Local Plan. Part of the site allocated in that Plan has since received planning permission and development has now commenced.

7.84 The site adjoins open countryside and is prominent when viewed from the Coalville direction. Substantial peripheral landscaping is therefore necessary in order to provide an appropriate boundary to built development.

7.85 PROPOSAL H4n The Vicarage, Newbold:

A single point of access only will be permitted to this site off Worthington Road.

7.86 PROPOSAL H4o Main Street, Oakthorpe:

- (i) A low density of development will be required to preserve the character of the locality;**
- (iii) Vehicular access to the site must be via a series of private drive(s) from Main Street, each drive serving no more than 5 dwellings; and**
- (iv) Substantial block planting and landscaping will be required on the south eastern and north eastern boundaries of the site.**

7.87 The site is currently occupied by House Farm and its associated buildings and has previously had the benefit of planning permission. The location of the site close to the centre of Oakthorpe requires a high quality, low density development to preserve the character of the locality.

7.88 The south eastern boundary of the site is prominent when viewed from the A42 to the south. Substantial landscaping will therefore be necessary in order to reduce the visual impact of the new development.

7.89 PROPOSAL H4p East of Heather Road, Ravenstone:

- (i) The land fronting Ashby Road must be laid out as open space, in the form of a village green onto which new properties should front. The open space must be offered to the Parish Council to secure public access and long term maintenance; and**
- (ii) Properties must be designed to reflect the traditional character of buildings in the adjacent Conservation Area.**

7.90 This site lies within the National Forest and is subject to the policies set out in Chapter 5.

7.91 Development of this site will present an important opportunity for the provision of an attractive focus for this part of the village in the form of a village green with traditional-style properties reflecting the character of the adjoining Conservation Area.

7.92 Development of this site will result in the capacity of existing schools being exceeded if additional accommodation is not provided for. A financial contribution towards the cost of providing the additional school places generated by the development of this site will therefore be sought.

HOUSING LAND RELEASE POLICY

National Policies and Good Practice Advice

7.93 PPG3 states that Local Plans should include policies for the release of sites for housing development according to an order of priority based on a search sequence, as follows:

- starting with the re-use of previously-developed land and buildings within urban areas identified by the urban housing capacity study;
- then urban extensions; and
- finally new development around nodes in good public transport corridors.

7.94 Local Plans should seek only to identify sufficient land to meet the housing requirement for the authority set as a result of the regional planning guidance and strategic planning processes.

7.95 In selecting sites local planning authorities should assess their potential and suitability for development against each of the following criteria:

- the **availability of previously-developed sites** and empty or under-used buildings and their suitability for housing use;
- the **location and accessibility** of potential development sites to jobs, shops and services by modes other than the car, and the potential for improving such accessibility;
- the **capacity of existing and potential infrastructure**, including public transport, water and sewerage, other utilities and social infrastructure (such as schools and hospitals) to absorb further development and the cost of adding further infrastructure;
- the **ability to build communities** to support new physical and social infrastructure and to provide sufficient demand to sustain appropriate local services and facilities; and
- the **physical and environmental constraints on development of land**, including, for example, the level of contamination, stability and flood risk, taking into account that such risk may increase as a result of climate change.

7.96 Local planning authorities should manage the release of housing sites over the plan period in order to control the pattern and speed of urban growth, ensure that the new

infrastructure is co-ordinated with new housing development and deliver the local authority's brownfield land recycling target.

7.97 The ODPM good practice guide *Planning to Deliver* notes that there are a number of possible approaches to managing the release of housing sites, and considers the advantages and disadvantages of three such approaches:

- site release based on set criteria;
- ranking of sites for development (either by site or category of site); and
- releasing sites over phases defined in the plan.

7.98 Whichever approach is adopted should be clearly set out in the Local Plan, together with an explanation of how the managed release of sites will be achieved.

Development Plan

7.99 Any Local Plan policy for the managed release of allocated housing sites taken forward by way of Alteration will inevitably be of short duration, given the Government's current proposals for the reform of the development plan system, which presuppose an early review of existing Local Plans under the new format.

7.100 The new style LDF will:

- be undertaken in context of the RSP requirement to 2016;
- need to consider other possible housing sites besides those now allocated;
- need to consider the allocation of identifiable brownfield sites;
- will also need to review both allocated and other sites against PPG3 criteria; and
- provide an opportunity for the development of a complete site specific ranking or phasing policy in the context of the above factors.

7.101 Any Local Plan Alteration proposed in advance of this review:

- will need to have regard to the new strategic framework imposed by an adopted RSP;
- would not consider additional or alternative sites; and
- would not facilitate the allocation of additional identified brownfield sites.

7.102 Any land release policy proposed by way of Alteration will need to be in general conformity with the policies of the Structure Plan. Strategy Policy 3A of the RSP states:

'Land for development will be allocated in development plans in the following priority order:

- (a) previously developed land and buildings within or adjoining the central area of Leicester and the town centres of the Main Towns (Ashby, Coalville...);*

- (b) previously developed land and buildings elsewhere within the Leicester and Leicestershire Urban Area and the Main Towns;*
- (c) other land within the Leicester and Leicestershire Urban Area and the Main Towns;*
- (d) land adjoining the Leicester and Leicestershire Urban Area and the Main Towns, particularly where this involves the use of previously developed land;*
- (e) land within or adjoining Rural Centres, or other settlements which are or will be well served by public transport, particularly where this involves the use of previously developed land; and*
- (f) in other locations, subject where relevant to the considerations in Strategy Policies 6, 7 or 9.'*

7.103 This policy sets out a sequential approach towards the location of development which accords with the principles set out in PPG3 and also identifies categories of site (eg brownfield within main towns).

Proposed Approach to the Management of Housing Land Release

7.104 In light of the above the District Council proposes to adopt an approach based on a combination of the criteria set out in PPG3 (see paragraph 4.3 above) and the site categories and sequential approach set out in Strategy Policy 3A of the RSP, coupled with the ranking of allocated sites through the use of Supplementary Planning Guidance.

7.105 The proposed policy also includes a commitment to annual monitoring and review of the land release programme.

7.106 The proposed policy is made up of three parts:

- the sequential approach and categories of sites set out in Strategy Policy 3A of the RSP – adapted to reflect local circumstances and the role of the District Council as local planning authority;
- the criteria listed at paragraph 31 of PPG3; and
- monitoring and timing provisions.

7.107 The Council will continue to monitor housing land availability on an annual basis but will publish the results of this exercise as Supplementary Planning Document guidance (SPDg). An urban capacity study for North West Leicestershire will also be undertaken which will also be progressed as SPDg. After completion of this study the Council will publish SPDg which will address the ranking of allocated housing sites for release over an appropriate period. This guidance will be kept under review on an annual basis in the light of the results of the annual housing land availability monitoring exercise and any other changed circumstances. Following consultation and adoption the SPDg referred to above will be taken into account as material considerations in determining planning applications.

7.108 Consideration of the relative merits of the various allocated sites will be undertaken as part of the ranking of sites SPDg and will involve the evaluation of each site against the sequential approach and the assessment criteria, both of which are included in proposed Policy H4/1. Regard will also be had to the implications of development lead times and build rates.

7.109 POLICY H4/1

Proposals for the development of land for housing will be determined on the basis of the following sequential approach to the release of such land to satisfy the housing requirement for North West Leicestershire:

- (a) previously developed land and buildings within or adjoining the town centres of Ashby-de-la-Zouch and Coalville;**
- (b) previously developed land and buildings elsewhere within Ashby-de-la-Zouch and Coalville;**
- (c) allocated housing and other appropriate land within Ashby-de-la-Zouch and Coalville;**
- (d) allocated housing land adjoining Ashby-de-la-Zouch and Coalville;**
- (e) allocated housing land within or adjoining settlements which satisfy the criteria for designation as Rural Centres, together with other appropriate land within such settlements; and**
- (f) in other locations where appropriate in the context of other policies contained in the Local Plan.**

At the same time, the District Council will have regard to the following criteria:

- (i) the location and accessibility of potential development sites to jobs, shops and services by modes other than the car, and the potential for improving such accessibility;**
- (ii) the capacity of existing and potential infrastructure, including public transport, water and sewerage, other utilities and social infrastructure to absorb further development and the cost of adding further infrastructure;**
- (iii) the ability to build communities to support new physical and social infrastructure and to provide sufficient demand to sustain appropriate local services and facilities; and**
- (iv) the physical and environmental constraints on development of land.**

The District Council will monitor the supply of housing land annually (to 31st March of each year). It will manage the timing of the release of appropriate housing land having regard to:

- (1) up-to-date housing land availability figures;**
- (2) the latest urban capacity information;**
- (3) the need to maintain an appropriate supply of available housing land;**
- (4) lead times before houses will be expected to be completed and build rates thereafter; and**
- (5) other material considerations.**

7.110 The term 'other appropriate land' used in proposed Policy H4/1 refers to land. not identified as land to be protected for amenity purposes in other suitable locations within urban areas.

Redevelopment of Small Scale Industrial Areas in Residential Areas

7.111 There are a number of small industrial areas which are situated within predominantly residential neighbourhoods. Such sites can give rise to various detrimental effects, such as noise or heavy goods vehicle traffic. Where such sites are not protected for employment purposes, under the provisions of Policy J10 of this Plan, redevelopment for housing may be beneficial.

7.112 POLICY H5

Redevelopment for housing of industrial sites within predominantly residential areas which is acceptable in terms of Employment Policies J10 and J11, will be permitted subject to:

- (a) A comprehensive form of site development;**
- (b) Provision of higher density housing where this is compatible with the character of the surrounding area;**
- (c) Retention of attractive buildings and their conversion, where appropriate, to residential use; and**
- (d) The proposal being acceptable in highway and environmental terms.**

HOUSING DENSITY

7.113 POLICY H6

Housing development will be permitted which is of a type and design to achieve as high a net density as possible, taking account of:

- a) proximity and accessibility to centres;**
- b) the provision of a mix of housing types to establish socially mixed communities;**
- c) good principles of design and layout which make the most economical use of land and respect the local context;**
- d) green space and landscaping requirements.**

Subject to the considerations set out above, housing developments on sites of 0.3 ha or more will be permitted where the following net densities are attained:

Within Coalville and Ashby-de-la-Zouch town centres, local centres and other locations well served by public transport and accessible to services and facilities

A minimum of 40 dwellings per ha

Other locations

A minimum of 30 dwellings per ha

HOUSING DESIGN

7.114 Good housing design and layout can help achieve the objectives of making the best use of previously developed land and improving the quality and attractiveness of residential areas.

7.115 PPG3 advises local planning authorities to reject poor design and requires that applicants for planning permission for housing development demonstrate how they have taken account of the need for good layout and design and how their proposals reflect the guidance contained in that PPG.

7.116 Design is a wide ranging issue and many of its aspects, such as crime prevention, landscaping and amenity considerations, are addressed in other policies of the adopted NWLLP. These, and other policies, should be read together with Policy H7. In addition, the District Council will provide further supplementary planning guidance which will address the overall need for design guidance, together with area and site specific guidance, including development briefs.

7.117 Regard will also be had to any town and village design statements adopted as Supplementary Planning Guidance by the District Council.

7.118 POLICY H7

Good quality design will be sought in all new housing development, with proposals being assessed against the following design considerations:

- (a) local character and distinctiveness of townscape and landscape;**
- (b) contribution to or creation of a sense of place;**
- (c) pattern, scale and massing of the built form;**
- (d) materials of construction;**
- (e) relationship with public spaces and routes; and**
- (f) legibility of the built form; and**
- (g) sustainable design and construction features, such as sustainable drainage, maximisation of solar gain, incorporation of renewable energy techniques and energy and water efficiency measures.**

HOUSING NEED

7.119 A community's need for affordable housing is a material planning consideration which may be properly taken into account in deciding planning applications.

7.120 Affordable housing comprises dwellings for occupation by people who cannot afford to rent or buy the houses which are generally available on the open market. It encompasses:

- (a) Dwellings which, although built for outright sale in the normal manner, are purposely kept low cost; and**

- (b) Subsidised housing, irrespective of its tenure, ownership (be that exclusive or shared) or financial arrangements.

AFFORDABLE HOUSING

7.121 POLICY H8

Where there is a demonstrable need for affordable housing the District Council will negotiate with applicants/developers to secure the provision of an element of affordable housing as part of any development proposal.

Where such provision is neither low cost market housing nor subsidised housing to be managed by a registered social landlord, conditions will be imposed (or a planning obligation negotiated) to provide secure arrangements for ensuring that the affordable housing remains available for occupation by suitably qualified people only.

7.122 The District Council produces an annual Housing Strategy Statement. An important element of this will be an assessment of the need for affordable housing. This assessment will be used by the Council as Supplementary Planning Guidance following appropriate consultations and will provide the basics for negotiations. In view of the fact that the assessment will be undertaken annually this will enable such negotiations to have regard to the most up to date information available.

7.123 It will be preferable for affordable housing to be managed by a registered social landlord (as defined in the Glossary of Terms). However, this may not always be possible or appropriate. In such circumstances it will be important to ensure that the housing remains affordable in the future. To this end the Council will impose conditions or seek to secure a legal agreement to achieve this. The Supplementary Planning Guidance will outline the eligibility criteria that will be used by the Council to ensure this happens.

7.124 Where there is a demonstrable need for affordable housing the Council will seek provision on all proposed housing sites – whether allocated in the Local Plan or not – of 1.0 ha or more in size or would yield 25 or more dwellings.

7.125 The Council recognises that there may be potential for creating affordable accommodation as part of reuse of vacant buildings or the sub-division or conversion of existing buildings. Policy R16 sets out the Council's policy for the reuse of space above shops in Coalville and Ashby-de-la-Zouch Town Centres and local centres. Proposals for conversion or subdivision will be considered against the general policies of the Plan.

HOUSING IN THE COUNTRYSIDE

Areas of Special Housing Character

7.126 There are a number of low density housing areas outside the Limits to Development of certain towns and villages in the District. In such areas the pressures for infill and other development and redevelopment can be such as to threaten seriously the special visual character of the areas which ought to be protected.

7.127 POLICY H9

Development, other than extensions to existing dwellings, will not be permitted in established residential areas of special character, identified on the Proposals Map.

Agricultural or Forestry Workers' Dwellings

7.128 Exceptionally, a need may arise for a dwelling in the countryside to accommodate an agricultural or forestry worker.

7.129 Applications for on-site dwellings to accommodate a person employed in agriculture or forestry will be determined in accordance with the provisions contained in Annex I of PPG7 and/or any subsequent guidance augmenting or replacing the same.

7.130 POLICY H10

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.**

7.131 Changes in the agricultural industry may affect the requirement to restrict the occupancy of a dwelling to those employed in the industry. However, an application for the removal of an agricultural occupancy condition needs to be considered on the basis of a realistic assessment of the continuing need for such a condition, having regard to the fact that it is the need for a dwelling for somebody solely, mainly or least working in agriculture 'in the area as a whole' and not just on a particular holding that is relevant. Evidence of marketing the dwelling at a realistic price (whether for sale or rent) over a period of time will be necessary to help to demonstrate that there is no longer a need for the dwelling for agricultural purposes.

Replacement Dwellings

7.132 POLICY H11

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.**

7.133 Once a dwelling has been demolished there is no right to rebuild. New dwellings are not normally allowed in the countryside. However, it may be unfair to refuse planning

permission for a replacement dwelling where for example the existing dwelling has recently become structurally unsound.

Exceptional Affordable Housing Sites

7.134 In some parts of the rural areas of North West Leicestershire there are real difficulties in securing an adequate supply of affordable housing to meet local needs. Government policy supports the use of 'exceptional' housing policies in Local Plans in such circumstances. These policies are 'exceptional' in that they can allow development on sites outside Limits to Development ('off-plan' sites) subject to special criteria restricting development to affordable housing.

7.135 The nature and scope of such policies, and their subsequent use, must be carefully controlled if they are to be successful in bringing forward genuine local needs housing. If they are not, problems of 'stair casing' (i.e. where 'affordable housing' is sold on at a price which takes it out of the range of those in need) and increasing land values ('hope' value) for off-plan sites can result.

7.136 Housing Policy 7 of the Adopted Structure Plan sets out the basic requirements for affordable housing development in such exceptional circumstances:

'Exceptionally, planning permission may be granted for affordable housing on the edge of, or within villages on land that would not normally be released for development, provided that:

- (a) The scheme would meet a genuine local need that would not otherwise be met;*
- (b) There are secure arrangements to ensure that the benefits of low-cost housing will be enjoyed by subsequent occupiers as well as the initial occupiers;*
- (c) Any such land released will be additional to the provision made for general housing demand; and*
- (d) The scheme is of a scale and of a character appropriate to the location.'*

7.137 It is for the Local Plan to amplify and define the various considerations involved.

7.138 POLICY H12

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:**
 - (i) 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**

- (ii) 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;
- (e) 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.

7.139 The release of exceptional affordable housing sites outside Limits to Development will be additional to the provision made for general housing in this Local Plan.

7.140 In certain cases, the Council will reserve the right to remove some or all permitted development rights of the proposed scheme in order to conserve the character of the building and surrounding landscape setting.

MOBILE HOMES

7.141 Mobile homes can provide an acceptable form of affordable home ownership or cater for the special needs of certain groups. PPG3 ('Housing') acknowledges that residential mobile homes may have a part to play in providing low cost accommodation for small households. However, this advantage can be lost if mobile home sites are developed for housing or other purposes.

7.142 POLICY H13

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 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 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.

7.143 A caravan site is defined as 'land on which a caravan is stationed for the purpose of human habitation'. Having regard to this definition, any planning permission granted in accordance with this policy does not imply that the Council accepts the principle of physical development on the site. To this end the Council will require all mobile homes parks allowed in accordance with this policy to be restored and will not allow them to be redeveloped for this purpose.

Gypsy Caravan Sites

7.144 The Criminal Justice and Public Order Act 1994 repealed the previous requirement enshrined in the Caravan Sites Act 1968 that local authorities make provision for gypsies residing in or resorting to their area. However, local authorities continue to have discretionary powers available to them to provide such sites under the Caravan Sites and Control of Development Act 1960.

7.145 Department of the Environment Circular 1/94 'Gypsy Sites and Planning' suggests that in the future the repeal of local authorities' duty to provide such sites will lead to an increase in the number of applications for private gypsy sites.

7.146 Housing Policy 8 of the Adopted Structure Plan states that:

'Provision will be made for both permanent and transit gypsy caravan sites which should normally be:

- (a) *Located in areas frequented by gypsies;*
- (b) *Reasonably accessible to community services and facilities;*
- (c) *Capable of sympathetic assimilation into their surroundings.'*

7.147 Policy H14 sets out the criteria which will apply in the consideration of proposals for gypsy caravan sites.

7.148 POLICY H14

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.

7.149 Circular 1/94 acknowledges that many gypsies prefer to run their businesses from a site on which their caravans are stationed. In this respect they are different to mobile homes parks and it will, therefore, be necessary to ensure that the amenities of nearby residential properties are adequately protected through appropriate conditions.

7.150 POLICY H15

Development for any other purpose will not be permitted on land at Ashby Road, Sinope, and former Station Yard, Castle Donington identified on the Proposals Map, which is reserved for a gypsy caravan site.

Travelling Show People

7.151 Department of the Environment (now DETR) Circular 22/91 defines travelling show people as 'self employed business people who travel the country holding fairs, chiefly during the summer months.' It also acknowledges that the nature of show people's sites are unusual in planning terms. Not only are they used for residential purposes, but they are also used for storage and maintenance purposes. In addition, there will be frequent occasions when a site is not occupied. In this respect they are different from other mobile homes sites.

7.152 Policy H16 sets out criteria which will apply in the determination of planning applications for sites for travelling showpeople.

7.153 POLICY H16

The use of land outside of the Limits to Development, as identified on the Proposals Map, as a site for travelling show people 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.

EXISTING HOUSING AREAS

7.154 A significant proportion of the housing stock of the District is made up of older often terraced housing, much of it in good condition. However, residential amenities often suffer from the intrusive effects of heavy through traffic, lack of off-street parking and the absence of facilities such as play areas and landscaping and open space which are found in more recent housing areas.

7.155 The District Council will seek to undertake or encourage measures to upgrade the environment, appearance and facilities of established housing areas, with particular emphasis on:

- (a) Removal or reduction of through traffic;
- (b) Traffic calming;
- (c) Provision of rear access and residents parking spaces;
- (d) Provision of play areas and amenity open spaces;
- (e) Provision of landscaping and tree planting; and
- (f) Improvements to the physical fabric and appearance of properties.

EXTENSIONS TO DWELLINGS

7.156 Extensions to dwellings beyond the 'Permitted Development' limits allowed for in the General Development Order require specific planning permission. Policy H17 sets out the considerations which will apply in determining such applications.

7.157 POLICY H17

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.

7.158 Further guidance is contained in the document 'Development Guidelines' published by the District Council.

RESIDENTIAL INSTITUTIONS

7.159 POLICY H18

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.

7.160 Residential institutions include such uses as residential schools and colleges, hospitals and convalescent and nursing homes. These can often be located in, or adjoining housing areas, without detriment to residential amenities. However, particular regard will be given to the effect on residential amenities of such proposals, especially in terms of traffic generation and other forms of disturbance.

7.161 Subject to the provisions of Policy E24, residential institutions may also form an appropriate re-use for certain existing buildings outside limits to development.

8. EMPLOYMENT

INTRODUCTION

8.1 A key aim of national and Local Planning policies is the promotion of economic development in a way which is compatible with environmental objectives. National planning policy guidance stresses that the aims of economic growth and a high quality environment must be pursued together. The Development Plan system provides a means for reconciling these often conflicting aims, by enabling the need for economic development to be assessed against the demands for other forms of development and the need to protect the environment.

8.2 The District has suffered in the past from the rundown of the deep mining and other industries, and the recent recession has also taken its toll. There is, therefore, a continuing need for economic development and diversification of the local economy. Recent improvements to regional and local communications, especially the opening of the A42, together with a number of successful economic development initiatives, have greatly increased the attractiveness of the District as a location for new business activity. If this momentum is to be maintained and if the District is to capitalise on an upturn in economic activity, it is essential that sufficient employment land is made available and clear planning policies set in place. The Local Plan has a fundamental role to play in this process by providing a co-ordinated framework for action and the control of development, in particular by identifying suitable locations for employment development and by promoting further improvements in terms of infrastructure.

STRATEGY

8.3 Regeneration and diversification of the economic base continue to represent vital cornerstones of strategic policy for North West Leicestershire. The main components of the employment strategy involve:

- (a) Providing sufficient employment land to meet the requirements of the Adopted Structure Plan;
- (b) Concentrating the major part of new employment development along the Transport Choice Corridor formed by the Ivanhoe Line and in locations well related to Junctions 23A/24 of the M1;
- (c) Making limited provision for new employment development in the rural area, with emphasis placed on the re-use and adaptation of existing buildings, and on the re-use of former mines and other derelict land;
- (d) Providing a wide range of employment land, locations and site characteristics;
- (e) Ensuring that new employment areas are as well-related as possible in character, scale and location to the existing pattern of development and adjoining uses, and to the specified road network; and
- (f) Upgrading the environment and facilities of existing employment areas.

EMPLOYMENT USES

8.4 In this Local Plan the term 'Employment' refers to those uses which fall within the following Use Classes, as defined by the Town and Country Planning (Use Classes) Order 1987:

- (a) Business (Class B1);
- (b) General industrial (Class B2); and
- (c) Storage and distribution (Class B8).

8.5 It should be noted that the former Special Industrial Groups (Classes B3-B7) have now been abolished.

8.6 The definition of employment uses excludes such uses as shopping, mineral extraction, tourism, education or any other use which may provide a source of employment or occupation as part of the activity or business undertaken.

8.7 Further details of uses within the above Use Classes are set out in Appendix B.

GENERAL POLICY

8.8 It is necessary for the Local Plan to give a clear indication of where new employment development will or will not be acceptable to the Local Plan Authority.

8.9 POLICY J1

Development for employment purposes will be permitted only on existing employment areas or sites allocated for such development in this Local Plan, except where it is of appropriate scale and either:

- (a) Is within Limits to Development, compatible in mass and form to the area in which it would be situated, and not seriously detrimental to residential amenity or likely to detract from the general character, appearance or environment of its locality; or**
- (b) Involves either the re-use or adaptation of a rural building in accordance with Policy E24 of this Local Plan, or the expansion of an existing firm in accordance with Policy J14.**

8.10 This Local Plan makes positive and realistic provision for new employment land in conformity with the policies of the Adopted Structure Plan. It also identifies existing employment areas which will be protected against other forms of development. Development outside defined Limits to Development would erode the character of the surrounding countryside and could produce patterns of development which are poorly related to existing patterns and inefficient in terms of infrastructure provision.

8.11 The District Council will pay particular regard to the employment implications of proposals in areas of lasting high levels of unemployment.

EMPLOYMENT LAND AND LOCATION

8.12 The Adopted Structure Plan proposes a significant increase in employment land provision in North West Leicestershire in recognition of the need for further regeneration and diversification of the local economy.

8.13 Employment Policy 1 of the Adopted Structure Plan sets out the basic requirement for employment land provision in North West Leicestershire over the Plan Period:

‘Provision will be made for the development of about 1035 hectares of land for employment in the industrial, office, warehousing and distribution sectors (‘B’ Use Class) in the County between 1991-2006 to be distributed between the Districts as follows (inter alia):

North West Leicestershire 345ha.’

8.14 The bulk of the allocation for North West Leicestershire lies within the Transport Choice Corridor formed by the Ivanhoe Railway Line. The Adopted Structure Plan recognises an exception to this strategy, however, by promoting substantial employment development in locations well-related to Junctions 23A/24 of the M1. Employment Policy 2 of the Adopted Structure Plan states:

‘The majority of land for employment development will be allocated within and adjoining settlements which allow a choice of transport, which will normally be:

*Within North West Leicestershire District;
Coalville, Ashby and settlements along the Transport Choice Corridor;*

In addition land will be allocated for employment development well related to Junction 23a/24 of the M1 within North West Leicestershire District.’

8.15 The locations within the Ivanhoe Line Transport Choice Corridor comprise:

- (a) Bardon;
- (b) Coalville Urban Area;
- (c) Ashby-de-la-Zouch; and
- (d) Moira.

Employment Land Requirement

8.16 Employment Policy 1 of the Adopted Structure Plan refers to the period 1991-2006. The employment land requirement is net of land occupied by major peripheral structural landscaping and main distributor roads. Other on-site infrastructure, such as access roads, ancillary landscaping, car parking and buildings are all included in the net figure. In order to establish the Local Plan employment land requirement for the period 1993-2006, account has been taken of ‘commitments’ at March 1993. Such commitments comprise:

- (a) Employment land developed 1991-1993;
- (b) Employment land being developed at March 1993; and
- (c) Employment land with the benefit of planning permission at March 1993.

8.17 Taking into account such commitments, the employment land requirement for the period 1993-2006 is:

District Total

Adopted Structure Plan Requirement 1991-2006	345 ha. (852.3 acres)
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Commitments at March 1993	198.1 ha. (489.5 acres)
Residual Requirement 1993-2006	146.9 ha. (363.0 acres)

Committed Sites

8.18 A number of areas of employment land now have the benefit of planning permission, but have yet to be developed for this purpose. It is always possible for such permissions to lapse. It is, therefore, appropriate for the Local Plan to indicate the likely response of the Local Plan Authority in such circumstances.

8.19 In addition to those sites listed below, it should be noted that there are a number of other sites with outstanding planning permission. These sites tend to be either too small to be shown on the Proposals Map or are part of a larger site which has been largely developed and are protected under Policy J10 of this Local Plan (e.g. Hermitage Estate, Coalville). The commitments figure in para 8.17 includes these sites.

8.20 POLICY J2

- (a) **Newbold Drive, Castle Donington;**
- (b) **Off Citrus Grove, Kegworth;**
- (c) **West of Long Lane, Kegworth;**
- (d) **North of Side Ley, Kegworth;**
- (e) **Extension to Westminster Estate, Burton Road, Measham.**

Employment Land Provision

8.21 Employment land requirements, net of commitments, have been established in para 8.17 above. About 154 ha. (381 acres) of employment land will be allocated in North West Leicestershire, in addition to that already committed, in order to meet the requirements of Employment Policy 1 of the Adopted Structure Plan. This total also includes the Regional Storage and Distribution Centre development under Employment Policy 6 of the Adopted Structure Plan dealt with under Proposal J13 of this Plan.

8.22 This provision includes business park development under Employment Policy 4 of the Adopted Structure Plan dealt with under proposals J4 and J5 of this Local Plan.

8.23 The above figures refer to the net area of employment land. In allocating employment land allowance has been made for land occupied by major peripheral structural landscaping and main distributor roads. In practice the land take involved has been determined by taking into account any peripheral landscaping in excess of the usual 10m landscape belt requirement, together with all land falling within the highway limits of distributor roads. Account has also been taken of land affected by highway reservations.

Distribution of Employment Land

8.24 The distinction made in the Adopted Structure Plan between the Transport Choice Corridor and the Rest of District provides the starting point for the distribution of the employment land allocation within North West Leicestershire.

8.25 A substantial amount of employment development within the Transport Choice Corridor has already been proposed for development in the Deposited Coalville Area Local Plan and Draft Ashby Woulds Area Local Plan, both of which were prepared in line with emerging Structure Plan policies and cover the period up to 2006. In addition, a significant area of employment land to the north of Nottingham Road, Ashby-de-la-Zouch, was allocated for development in the Ashby-de-la-Zouch Area Local Plan, and now has the benefit of planning permission. Further employment development is proposed at Ashby in the form of a business park taking advantage of the key location at the intersection of the A42 and the A511 (see Proposal J5) and at Smisby Road on the north side of the town.

8.26 The Rest of the District can be subdivided into two important areas for employment land provision:

- (a) The southern part of the A42 Corridor adjoining Measham; and
- (b) The area in the vicinity of Junctions 23A/24 on the M1 motorway.

8.27 A significant extension of the Westminster Industrial Estate at Measham was proposed in the Draft Ashby Woulds Area Local Plan. This will provide an appropriate level of development to serve Measham and other settlements at the southern end of the A42. A site suitable for local employment generation in the Measham area is proposed at the former Walton Way Drift Mine, Oakthorpe.

8.28 The Explanatory Memorandum to the Adopted Structure Plan notes that there is one exception to the transport choice strategy in respect of employment land: some land should be released to meet the demand for economic development around Junctions 23A and 24 of the M1. This location offers no immediate prospect of providing a realistic choice of transport, but is considered an acceptable exception for a limited amount of employment development.

8.29 Land at Finger Farm, to the east of East Midlands Airport, was allocated for B1 business park development in Alteration No. 1 to the Northern Parishes Local Plan, and has the benefit of planning permission.

8.30 Provision has also been made for smaller sites in various locations to meet the employment needs of rural hinterlands, but with good access to the principal road network.

Employment Land Allocation

8.31 POLICY J3

The following sites, identified on the Proposals Map, are allocated for employment purposes subject to the specific requirements identified in respect of each site:

Transport Choice Corridor

- (a) **Swainspark, Occupation Road, Albert Village (6.1 ha);**
- (b) **Smisby Road, Ashby-de-la-Zouch (12.3 ha);**
- (c) **Extension to Hilltop Industrial Estate, Bardon (2.8ha);**
- (d) **South of Coalville Brickworks (0.9ha);**

- (e) **Former Ellistown Colliery (12.1ha);**

Rest of District

- (f) **South of Trent Lane, Castle Donington (4.9ha);**
- (g) **Extension to Westminster Estate, Measham (6.4ha);**
- (h) **Former Walton Way Drift Mine, Oakthorpe (3.0ha).**

8.32 It should be noted that the above figures refer to gross rather than net areas. The specific requirements for each site are set out below. These requirements should be read in conjunction with the general policies and requirements of this Local Plan. Planning permission may not be granted for the development of these sites unless the owners/applicants first enter into a legal agreement to secure the provision, where appropriate, of the requirements.

8.33 Provision of necessary off-site foul and surface water drainage facilities may be required to serve the development sites.

8.34 PROPOSAL J3a Land adjacent to Swainspark Industrial Estate, Ashby Woulds:

Development of this site must provide for:

- (i) **A safe and satisfactory access to the site from Occupation Road; and**
- (ii) **Substantial block planting along the site's north eastern boundary.**

8.35 This site lies within the National Forest, and is subject to the policies set out in Chapter 5.

8.36 Development of this site will re-use currently derelict land. It also has the potential to be served by rail, for freight purposes only, by virtue of its close proximity to the Ivanhoe line.

8.37 The existing access to the site is unsatisfactory, and could not be improved to the requisite standard because of the alignment of Occupation Road at that point. A new access will therefore be necessary.

8.38 Block planting will be necessary to screen the site from the restored countryside along its boundary facing Albert Village.

8.39 PROPOSAL J3b Smisby Road, Ashby-de-la-Zouch:

- (i) **Development of this site will not be permitted before the completion throughout of the A511 Ashby-de-la-Zouch Northern By-pass;**
- (ii) **Vehicular access to this site must be taken from Smisby Road; access from the proposed A511 Ashby-de-la-Zouch Northern By-pass will not be permitted; and**
- (iii) **Extensive landscaping and screening, particularly along the site's northern and western boundary, will be required.**

8.40 This site lies within the National Forest and is subject to the policies set out in Chapter 5.

8.41 The District Council will seek a financial contribution from the developer of this site in order to bring forward the completion of the A511 Ashby-de-la-Zouch Northern By-pass.

8.42 Development of this site could not be contemplated in advance of the completion of the A511 Ashby-de-la-Zouch Northern By-pass in view of highway and traffic conditions on Smisby Road, south of the site, and in the centre of Ashby-de-la-Zouch.

8.43 The site adjoins open countryside and will therefore require extensive landscaping and screening, particularly along the northern boundary. A development brief will be prepared for this site giving details of the landscaping strategy.

8.44 PROPOSAL J3c Extension to Hilltop Industrial Estate, Bardon:

- (i) A woodland landscape belt must be provided within the northern limit of this site, as identified on the Proposals Map. Provision must be made for intensive structural planting and earth mounding within this belt which must be designed and laid out to form a visual continuation of the existing woodland in O.S. Field No. 6224;**
- (ii) Substitution of that part of this belt which lies to the west of O.S. Field No. 0117, for the corresponding part of that required by the existing planning permission (North West Leicestershire Ref. 890255) granted for industrial development, and**
- (iii) Vehicular access must be provided from the existing or proposed estate road network serving the various employment areas to the north of B591 Beveridge Lane; vehicular access direct from A511 (either as existing or as proposed to be realigned) will not be permitted.**

8.45 This site lies within the National Forest and is subject to the policies set out in Chapter 5.

8.46 Outline planning permission has been granted for industrial development on land to the south of this site, but has yet to be implemented. This permission requires the provision of a 30m deep landscaped belt along the northern boundary of the site. If this belt is relocated to form the northern boundary of Proposal J3b, it will screen the development area more effectively and enable additional land to be developed for employment purposes.

8.47 The adjoining wood is protected by a Tree Preservation Order and is an important feature which will provide an anchor for the woodland belt required along the northern boundary of the site.

8.48 PROPOSAL J3d South of Coalville Brickworks:

- (i) Use of the site will be restricted to Business Uses (Class B1);**
- (ii) Vehicular access to the site will only be permitted from the adjoining former Coalville Brickworks site; and**
- (iii) A landscaped mound of minimum width 15m will be required along the common boundary with residential properties fronting Ashby Road.**

8.49 PROPOSAL J3e Former Ellistown Colliery:

- (i) Improvements must be made to the vertical and horizontal alignment, width and visibility of the Victoria Road from and including its junction with the B585 Ellistown Terrace Road to its junction with B591 Beveridge Lane, including the realignment of the section of road to the west of the bridge over the Leicester-Burton railway;
- (ii) Use of that part of the site which adjoins residential properties on the south side of Victoria Road will be restricted to Business Use (Class B1); and
- (iii) Vehicular access will only be permitted from Victoria Road. Only one point of access will be permitted to the site to the north of Victoria Road, and only one point of access will be permitted to serve the site to the south of Victoria Road.

8.50 The site lies within the National Forest and is subject to the policies set out in Chapter 5.

8.51 The closure of Ellistown Colliery has provided a major opportunity for the creation of a new employment area serving the villages of Ibstock, Ellistown, Bagworth and Nailstone. The site is situated in open countryside and therefore requires substantial landscaping in order to screen development and to assimilate it into its rural context.

8.52 Direct access to the A511 and M1 is available via an upgraded Victoria Road, avoiding the need for commercial traffic to pass through villages en route to the A511 and the principal road network.

8.53 PROPOSAL J3f South of Trent Lane, Castle Donington:

8.54 Vehicular access to serve this site will be permitted only from Trent Lane.

8.55 The site comprises undeveloped land within the Trent Lane Industrial Estate. It may either be developed as an individual site or as an extension to existing development.

8.56 PROPOSAL J3g Extension to Westminster Estate, Burton Road, Measham:

- (i) Vehicular access to the site will be permitted from the existing estate roads only;
- (ii) No open storage uses will be permitted on the southernmost part of the site;
- (iii) No building will be permitted to exceed 15 metres in height;
- (iv) A landscaped belt of minimum width 30m will be required along the boundary of the site with the A42, including the embankment to the A42;
- (v) A substantial landscaping belt will be required along the boundary with the River Mease; and
- (vi) Prior to the redevelopment of the existing sewage works the owner/applicant will first be required to demonstrate that the site is suitable for the development proposed and to remove any contaminated land where necessary.

8.57 This site lies within the National Forest and is subject to the policies set out in Chapter 5.

8.58 This site forms an extension of land already developed for employment purposes at Westminster Industrial Estate. It provides an important opportunity for the creation of a key employment area adjoining the A42. Given such a location, it is essential that development should be to a high standard and incorporate substantial landscaping to minimise its impact and make an important contribution to the National Forest.

8.59 PROPOSAL J3h Former Walton Way Drift Mine, Burton Road, Oakthorpe:

- (i) **A single point of vehicular access only will be permitted to this site;**
- (ii) **Only uses appropriate to a rural area will be permitted;**
- (iii) **The existing peripheral landscaping will be required to be maintained and, where appropriate, strengthened, particularly along the boundary of the site with the Moira-Measham Trail.**

8.60 This site lies within the National Forest and is subject to the policies set out in Chapter 5.

8.61 Development of this site, which is located a short distance from both Measham and Oakthorpe, will encourage the creation of local job opportunities and make use of derelict land. Because of the site's rural location, however, only low intensity uses which are compatible in scale and form with its open setting adjacent to the Moira-Measham Trail will be permitted. A development brief will be prepared to address these matters, as well as the access and landscape requirements of the site.

HIGH QUALITY EMPLOYMENT SITES

8.62 A high quality employment site is defined as a 'Prestigious, highly accessible well designed and landscaped employment area occupied predominantly by light industry and office uses' (Glossary of Terms, Explanatory Memorandum, Leicestershire Replacement Structure Plan). Such high quality employment sites are seen as an important means of attracting the interest of high quality developers, investors and industrialists from outside and within Leicestershire and assisting in terms of the broader aims of long term growth and diversification of the local economy.

8.63 Employment Policy 4 of the Adopted Structure Plan states that:

'Provision will be made for four high quality employment sites of County significance for B1 and B2 uses. They will be within Blaby District (close to Leicester and Oadby and Wigston), Harborough District (close to Leicester and Oadby and Wigston) and North West Leicestershire District (one within the Priority Area and the other well related to Junction 23a/24 of the M1). These will be:

- (a) *in locations which have good access to the road network;*
- (b) *in locations which provide a realistic choice of transport; and*
- (c) *of a high standard of design and layout, with an attention to landscaping, commensurate with a high quality business environment.*

Other sites may also be brought forward which meet the needs of the County.'

8.64 It is intended that such sites should be developed to the highest possible standards to take advantage of key prestigious employment locations well served by transport

infrastructure and to seek improvements to the environment as part of major development proposals, particularly in the Priority Areas.

8.65 The two locations for high quality employment sites in North West Leicestershire proposed in this Local Plan are:

- (a) Adjacent to East Midlands Airport (Finger Farm); and
- (b) South-west of Flagstaff Interchange, Ashby-de-la-Zouch.

8.66 Development has commenced on both sites.

8.67 The Finger Farm site takes advantage of a location at a major nodal point in the trunk road system, adjoining the main approach to the Airport.

8.68 POLICY J4

Only the following uses will be permitted on land at Finger Farm, to the east of East Midlands Airport, as shown on the Proposals Map:

- (a) **Business (Class B1);**
- (b) **Hotel;**
- (c) **Conference centre;**
- (d) **Any industrial process provided that any such use or development is of a type that will not detract from the special visual character and quiet environment of a high quality employment site, or any office use within it, by virtue of the nature and appearance of the development or use or by the emission of noise, vibration, smell, fumes, smoke, ash, dust or grit.**

Any other employment uses including Class B8 storage and distribution, retail development, open storage or lorry depots or any other uses incompatible with a high quality employment site environment will not be permitted as part of the development of this site as a high quality employment site.

8.69 The Ashby-de-la-Zouch high quality employment site is located within the Transport Choice Corridor associated with the Leicester-Burton railway. The intersection of this corridor with the A42 trunk road at Ashby-de-la-Zouch has provided a major opportunity for the creation of a high quality employment site at a focal point of the employment development strategy for the Priority Area of North West Leicestershire.

8.70 POLICY J5

Only employment uses which are compatible with a high quality employment site environment will be permitted on land to the south west of Flagstaff Interchange, Ashby-de-la-Zouch, as shown on the Proposals Map.

OTHER PROPOSALS

8.71 There are a number of proposals which fall outside the scope of the commitments and allocations set out above:

- (a) Land adjoining Coalville Relief Road/Thornborough Road Junction, Coalville;
- (b) Coleorton Hall;
- (c) A.D.T. Car Auctions Site, Measham; and
- (d) Bath Yard, Moira.

8.72 Detailed requirements are set out for each site. These requirements should be read in conjunction with the other policies and requirements of this Local Plan. Planning permission may not be granted for development unless the owners/applicants first enter into a legal agreement to secure any or all of the requirements.

Land Adjoining Coalville Relief Road/Thornborough Road Junction, Coalville

8.73 This important site adjoins the Coalville Relief Road at its junction with Thornborough Road, and offers considerable potential for prestigious development for business and other specified uses, in an attractive edge-of-town location. It occupies an important position which demands a high standard of development and landscaping.

8.74 POLICY J6

Redevelopment of the scrapyard to the west of Thornborough Road and north of Coalville Relief Road, Coalville, in conjunction with part of the adjoining former coal stocking area to the north of Coalville Relief Road, identified on the Proposals Map, will be permitted in the form of a prestigious building of high architectural quality set within extensively landscaped grounds, for one or other of the following uses:

- (a) **Business (Class B1);**
- (b) **Hotel (Class C1);**
- (c) **Food and drink (Class A3);**
- (d) **Non residential institution (Class D1);**
- (e) **Assembly and leisure (Class D2); or**
- (f) **Residential institution (Class C2).**

Development for other uses will not be permitted.

Development will not be permitted unless it complies with the following requirements:

- i. **The site must be developed in a comprehensive manner; piecemeal development will not be permitted;**
- ii. **The railway embankment to the west of the site must be retained;**
- iii. **Built development along or close to the site's Spring Lane frontage must not exceed two stories in height; elsewhere within the northern part of the site, it must be of restricted scale and mass;**
- iv. **Vehicular access from Thornborough Road must include a right turn lane, and a deceleration taper from the south.**

Development will not be permitted to the west of the former railway embankment.

8.75 The site is currently occupied by unsightly or derelict uses. A strong western site boundary is provided by the embankment of the former Coalville-Swannington railway.

8.76 The existing buildings at the eastern and western ends of the site's Spring Lane frontage do not exceed two stories in height. In order to maintain visual affinity between them and this development, it is important that any new buildings along or close to this frontage be similarly limited.

8.77 The topography of the area dictates that development on the remainder of the northern part of this site be of restricted scale and mass.

Coleorton Hall

8.78 Coleorton Hall is a Grade II* Listed Building set in landscaped grounds of nationally recognised importance. The Hall and its grounds have been designated as a Conservation Area. Its continued use as a company headquarters or prestigious office complex is important in the retention of this type of employment within the Coalville Area. However, other uses would be acceptable in planning terms.

8.79 The question of appropriate use must, however, remain secondary to the need to protect and enhance the appearance of the listed building and its setting, which is at present marred by a number of buildings which have been erected at the rear of the Hall.

8.80 The District Council will encourage the continued use of Coleorton Hall as a company headquarters or prestigious office (Class B1(a)) complex.

8.81 POLICY J7

In the event of change of use of Coleorton Hall being proposed, one or other of the following uses will be permitted:

- (a) Hotel (Class C1);**
- (b) Residential Institution (Class C2);**
- (c) Single dwellinghouse (Class C3); or**
- (d) Non-residential institution (Class D1).**

Other uses will not be permitted.

Redevelopment of existing inappropriate office buildings which adjoin the Hall will be permitted, provided the replacement building:

- (i) Is occupied and used as part of a single planning unit which is subordinate and ancillary to the use of the Hall itself;**
- (ii) Is of a very high architectural quality which complements the character of the Hall itself; and**
- (iii) Does not detract from the character of the Hall which is set in landscaped grounds, or with the character of the grounds themselves.**

Development elsewhere in the landscaped grounds will not be permitted.

8.82 The District Council will endeavour to secure a scheme for the management of the grounds to enhance the setting of the listed building and to safeguard and enhance the character of the grounds themselves. The grounds of the Hall are included in the Register of Parks and Gardens of Special Historic Interest in England by English Heritage.

A.D.T. Car Auctions Site, Tamworth Road, Measham

8.83 POLICY J8

Redevelopment of the A.D.T. Car Auctions site, Measham, identified on the Proposals Map, for employment purposes only, will be permitted subject to the following requirements:

- (a) Development must be in the form of a comprehensive scheme for the entire site; piecemeal redevelopment will not be permitted; and**
- (b) No new vehicular access to the site will be permitted.**

8.84 A.D.T. Car Auctions at Measham provides valuable local employment. The District Council is seeking to protect and broaden the economic base of the Ashby Woulds Area. Therefore, any proposals for the development of the site will be restricted to employment uses only, to ensure that the site continues to provide local employment opportunities.

Bath Yard, Moira

8.85 POLICY J9

The following uses will be permitted at the national Forest Visitor Centre, Bath Yard, Moira:

- (a) Business (Class B1);**
- (b) Food and drink (Class A3);**
- (c) Non residential institution (Class D1); and**
- (d) Assembly and leisure (Class D2).**

8.86 The National Forest Visitor Centre has been developed on a former derelict site at Bath Yard, Moira. The uses listed will provide an appropriate framework for its future development.

PROTECTION OF EMPLOYMENT LAND AND BUILDINGS

8.87 The need to increase job opportunities and diversify the local economy is a key feature of the development strategy for North West Leicestershire. There continues to be significant interest in employment land in the District, even during recession.

8.88 Employment Policy 5 of the Adopted Structure Plan recognises the need to protect employment land from alternative types of development:

'Change of use of existing or planned employment land or buildings to other uses will not normally be permitted unless:

- (a) *The change will not result in a shortage of employment land in the area; or*
- (b) *The land and buildings are unfit for employment purposes; or*
- (c) *The use is complementary and ancillary to an existing or proposed employment use.'*

8.89 Sufficient employment land has been allocated in this Local Plan to meet the requirements of the Adopted Structure Plan. The District has had to accommodate a substantial amount of employment land, involving the balancing of employment and environmental concerns. Employment land also has very specific locational requirements which are often difficult to accommodate. It would not, therefore, be appropriate for alternative types of development to take place on land allocated for employment purposes.

8.90 Existing employment areas have been assessed in the light of Employment Policy 5 of the Adopted Structure Plan. The sites identified on the Proposals Map are best suited for employment purposes in terms of size, relationship with adjoining development and access to the primary road network.

8.91 POLICY J10

No alternative form of development will be permitted on the employment areas specified in Policies J2 to J9 inclusive and Policy J13 of this Local Plan or other sites identified on the Proposals Map, except where such development is small scale and complementary and ancillary to the existing or proposed employment use.

8.92 The aims and objectives of Policy J10 might not always be applicable to non-major or non-strategic employment sites. Although the Plan aims to retain existing employment land wherever practical, especially in rural areas so that people may work close to where they live, in some cases an employment building or site may have become out of place. Therefore:

8.93 POLICY J11

On employment sites not subject to Policy J10, including those in rural areas, planning permission for changes of use will be granted only where either:

- (a) **The change of use will not result in a shortage of employment land in the locality; or**
- (b) **The existing use is incompatible with or inappropriate to its setting or nearby development; or**
- (c) **The site is poorly related to designated heavy lorry routes; or**
- (d) **The proposed use is small scale, and complementary and ancillary to the existing employment use.**

8.94 Policy H5 sets out further considerations where a change of use to housing is proposed.

Land adjoining employment areas

8.95 PPG4 ('Industrial and Commercial Development and Small Firms') recognises that it may not always be appropriate to separate industry and commerce from the residential communities for which they are a source of employment and services. Conversely, however it

also points out that close juxtaposition of incompatible uses can cause problems for the occupiers of both forms of development. Therefore:

8.96 POLICY J12

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.

8.97 Policy J12 is of general application. Areas where a need for buffer block planting and/or landscaping has already been identified are however indicated both in the text of the relevant Proposals and on the Proposals Map.

UPGRADING OF EXISTING EMPLOYMENT AREAS

8.98 A number of existing employment areas were developed at a time when lower standards of layout, appearance and landscaping were expected for industrial development. However, with the greater emphasis now placed on the quality of development and landscaping of employment areas, these other areas are at a significant disadvantage and are in need of substantial upgrading.

8.99 The District Council will seek to undertake and encourage measures to upgrade the environment and facilities of established employment areas, with particular emphasis on:

- (a) Improvements to the physical fabric and appearance of buildings;**
- (b) Removal of derelict or unsightly redundant structures;**
- (c) Screening of open operational areas;**
- (d) Improving access, parking and servicing facilities; and**
- (e) Landscaping and tree planting.**

STORAGE AND DISTRIBUTION

8.100 Employment Policy 6 of the Adopted Structure Plan states that:

'Land will be allocated for two regional storage and distribution centres, one within Harborough District close to Lutterworth and the other within North West Leicestershire District well related to Junction 23a/24 of the M1 Motorway. Restrictions will be placed on the use of other employment land for storage and distribution uses where:

- (a) Sites are required for other employment uses, particularly high employment density business uses; or*

- (b) *Storage and distribution uses would cause environmental problems within urban areas or other sensitive locations.'*

8.101 PROPOSAL J13

The site of Castle Donington Power Station, as shown on the Proposals Map, is allocated for the development of a Regional Storage and Distribution Centre. Development of this site must be undertaken in a comprehensive manner which incorporates or secures the following requirements:

- (a) Use of the site will be limited to predominantly storage and distribution uses (Class B8). Retail uses will not be permitted;
- (b) A single carriageway link road, to local distributor standard, must be provided from B6540 Tamworth Road to Spittal Hill, including a bridge over the Castle Donington Loop Railway, and a roundabout at the junction of Back Lane with Trent Lane;
- (c) Substantial block landscaping will be required along the southern boundary of the site;
- (d) Satisfactory compensatory measures must be provided to alleviate the impact of development on the flood plain of the River Trent.

8.102 The reuse of the power station site for a Regional Storage and Distribution Centre will accord well with Environment Policy 13 of the Adopted Structure Plan, which seeks to maximise the use of derelict, vacant and underused land for development purposes. There is a significant amount of high quality agricultural land in the vicinity of M1 Junctions 23A/24. Reuse of the power station site will avoid the loss of such land to development.

8.103 The power station site adjoins the Castle Donington Loop Railway and is capable of accommodating rail-served development.

8.104 Regard will be given to the need for restrictions on the use of other land for storage and distribution in the determination of planning applications for employment development.

EXPANSION AND RELOCATION OF EXISTING EMPLOYMENT USES

8.105 Although the attraction of new employment is a priority for North West Leicestershire, it is also important to ensure that existing employers are not unduly restricted when contemplating expansion. This is recognised by Employment Policy 7 of the Adopted Structure Plan, which states that:

'Planning permission will normally be granted for the expansion of indigenous firms, unless unacceptable environmental conditions would result.'

Provision may be made for existing firms to relocate from constrained or inappropriate sites.'

8.106 Sufficient land has been allocated in this Local Plan to provide a wide range of opportunities for existing firms to relocate from constrained or inappropriate sites.

8.107 Whilst the strategic policy clearly provides for expansion of existing firms, each case must be considered on its merits in terms of environmental and other considerations. Policy J14 sets out a framework for such consideration.

8.108 POLICY J14

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.

HAZARDOUS INSTALLATIONS

8.109 Employment Policy 8 of the Adopted Structure Plan states that:

'Planning permission will not normally be granted for hazardous installations which would have adverse effects on the population and environment. Where planning permission is granted adequate access arrangements will be required on to the rail network or Specified Road Network for the transportation of hazardous materials'.

8.110 Regard will be had to this policy in the determination of any planning application for hazardous installations.

THE RURAL ECONOMY

8.111 Although much of North West Leicestershire is rural in character, most parts of the District are relatively close to existing and proposed employment areas. There are also a number of industrial sites in the rural area itself. However, there may be cases where more localised employment is needed in order to maintain economically and socially balanced rural communities and to help minimise journey to work distances. Employment Policy 9 of the Adopted Structure Plan states that:

'Provision will be made for small scale employment within and adjoining settlements not identified for major employment development.'

8.112 Only a limited amount of new development for employment purposes is envisaged outside existing and allocated sites and such small scale development may be accommodated within the designated Limits to Development of villages provided it is not harmful to the amenities and character of the village concerned.

8.113 POLICY J15

Development for small scale employment purposes within the Limits to Development of villages, identified on the Proposals Map, will only be permitted where it:

- (a) Would not be significantly detrimental to residential amenities;**
- (b) Would not detract from the general character, appearance and environment of the village concerned; and**
- (c) Is compatible in size, form and massing with the village concerned.**

8.114 In addition, there are a number of opportunities for smaller employment areas in the rural area to provide local employment for surrounding villages. The following sites, in the rural area, are allocated for employment purposes:

- (a) Former Ellistown Colliery;**
- (b) Former Walton Way Drift Mine, Oakthorpe.**

COUNTY OR SUB-REGIONAL EXHIBITION AND CONFERENCE CENTRE

8.115 Leicestershire currently has a number of small conference and exhibition centres serving small catchment areas. In the County Council's view there is a need for a larger facility to complement the rising regional, national and international status of the area and that Leicestershire's location at the heart of the national transportation system makes it an ideal setting for such a development.

8.116 Employment Policy 10 of the Adopted Structure Plan states that:

'The development of a single large scale exhibition and conference facility in a location offering a realistic choice of transport and well related to the national road network will be supported'.

8.117 Policy J16 sets out the detailed considerations that would apply to such a proposal in North West Leicestershire.

8.118 POLICY J16

Development of a single large scale exhibition and conference centre in a location offering a realistic choice of transport and well related to the national road network will only be permitted where:

- (a) Development of such a centre has not already been permitted elsewhere in Leicestershire;**
- (b) It is of a size and quality appropriate for a county or sub-regional facility for major conferences;**
- (c) It provides for effective transport choice, including rail;**
- (d) It is capable of being provided with satisfactory access arrangements and has an acceptable impact on the local and wider highway network;**

- (e) It is not located within an Area of Particularly Attractive Countryside, or any other area afforded special protection in this Local Plan; and**
- (f) It is provided with substantial peripheral and internal landscaping appropriate to its context and prestigious nature.**

9. Central Areas and Retailing

9. CENTRAL AREAS AND RETAILING

INTRODUCTION

9.1 National planning policy guidance, as set out in PPG 6 ('Town Centres and Retail Developments'), clearly recognises retailing as an important function of a town centre, and shopping as a necessary feature of everyone's life. For most of this century, retail facilities have been located in a hierarchy of centres, including city and town centres, district centres or local centres. Recently, considerable floorspace expansion has occurred, some of which has been in the form of off or out of centre facilities. Changes in the distribution of population, increases in affluence and mobility, and the changing patterns of retail ownership have all contributed towards this trend. Long term growth of retailing is expected to continue, generating opportunities both for new forms of retailing and for the modernisation and improvement of existing shopping centres.

9.2 The location of shopping facilities where they are accessible to those without private transport, the refurbishment of existing centres and the maintenance of the vitality and viability of established town centres are all important elements of national and local shopping policies.

9.3 Most town centres offer not only a range of important shopping facilities and services and significant levels of office employment, but also play a vital role in the everyday life of the community. All these factors should be sustained and increased, where appropriate, in suitable locations.

STRATEGY

9.4 Central Area/Shopping Policy 2 of the Adopted Structure Plan states that:

'The role of the central areas of Ashby, Blaby, Coalville, Hinckley, Loughborough, Lutterworth, Market Harborough, Melton Mowbray, Oadby, Oakham, Wigston Magna and Uppingham will be sustained and increased by provision for:

- (a) Retail development;*
- (b) Professional, financial and food and drink services;*
- (c) Office and tourist facilities;*
- (d) Improvements to the transport system in and around these central areas;*
- (e) Improvements to the safety and attractiveness of the environment, particularly for pedestrians and cyclists.'*

9.5 The established shopping hierarchy in North West Leicestershire begins with Coalville and Ashby-de-la-Zouch Town Centres providing a wide range of shopping and related facilities. At a more localised level there are the village or local centres of Castle Donington, Ibstock, Measham, Kegworth and Whitwick, often providing more than the basic grocery store or small supermarket, but catering for a small local population. Finally there are several neighbourhood centres, consisting of a parade of shops usually located within a housing estate, such as Norris Hill, Moira, and Cropston Drive, Coalville. In addition, there is a substantial out of centre shopping development at Coalville, and planning permission exists for a large out of centre supermarket in Ashby-de-la-Zouch.

9.6 The main objectives of the strategy for shopping development in the District are to:

- (a) Sustain and enhance the role of Coalville and Ashby-de-la-Zouch Town Centres as principal locations for retailing and associated commercial services;
- (b) Recognise the need to protect and improve existing and proposed local centres and neighbourhood provision;
- (c) Encourage new shopping facilities on identified development sites;
- (d) Improve the attractiveness of town centres by measures designed to relieve congestion, improve pedestrian movements, and upgrade their general environmental quality;
- (e) Resist inappropriate out-of-town shopping developments which would be likely to be detrimental to the vitality and viability of Coalville and Ashby-de-la-Zouch Town Centres, or other local centres, and to direct appropriate development proposals to certain acceptable locations; and
- (f) Encourage related uses (such as financial and professional services, and food and drink uses) to locate in appropriate places within or adjoining shopping areas.

CENTRAL AREAS

9.7 The Central Areas of Coalville and Ashby-de-la-Zouch perform vital functions in relation to their local communities and play an important part in the shopping hierarchy of Leicestershire.

Central Area Shopping

9.8 POLICY R1

Shopping and related development (such as financial and professional services and food and drink uses) will be permitted within Coalville and Ashby-de-la-Zouch Town Centres, allocated sites, as shown on the Proposals Map, and in existing or proposed local shopping areas.

New retail development outside these areas will only be permitted where it can be shown that:

- (a) **There is a clearly demonstrable need for the development;**
- (b) **There is no suitable site capable of accommodating the proposed development within, or failing that adjoining, the nearby town centre;**
- (c) **The proposed development would not, either by itself or cumulatively with other development proposals, be detrimental to the vitality and viability of Coalville or Ashby-de-la-Zouch town centres;**
- (d) **The location of the proposed development is well related to an existing centre, and is readily accessible on foot, by bicycle and by public transport, and will not result in an unacceptable increase of CO2 or other polluting emissions compared with the alternatives;**

- (e) **The proposed development would not be detrimental to plans for new investment in redevelopment or revitalisation of existing centres;**
- (f) **The proposed development would not adversely affect the supply of land for other major uses, particularly the supply of land for employment.**

9.9 The existing and proposed pattern of shopping development in Ashby-de-la-Zouch and Coalville, comprising the town centres, allocated sites and local shopping centres, provides the basis for the provision of additional and improved facilities. In line with current national planning policies proposals for new retail development outside these centres must be justified in relation to the need for the development and the protection of the vitality and viability of existing centres.

9.10 POLICY R2

Development involving the expansion of the Belvoir Shopping Centre and which facilitates the further and continuing refurbishment and upgrading of the centre and its surrounding area in Coalville Town Centre will be permitted, subject to environmental and traffic considerations.

9.11 The Belvoir Shopping Centre acts as a pedestrianised focus for shopping in Coalville Town Centre. It has recently been refurbished with emphasis on environmental improvement. However, there remains substantial scope to improve the environment of the related car parks and service areas.

Acceptable Uses in Town Centre Core Areas

9.12 The Town Centres of Coalville and Ashby-de-la-Zouch contain a variety of uses in addition to shops, many of which contribute to the variety and interest essential to maintaining vitality and viability. Careful control of the types of uses permitted, however, and of their location in the Town Centres, are necessary in order to avoid conflict between incompatible uses and to protect the predominantly shopping role of the Centres.

9.13 POLICY R3

Development that would detract from the character and function of the Town Centres of Coalville and Ashby-de-la-Zouch will not be permitted.

9.14 Within the shopping areas of Coalville and Ashby-de-la-Zouch two broad zones have been identified:

- (a) A **core area**, where shopping uses predominate, together with some other uses such as financial and professional services and food and drink uses; and
- (b) An **outer area**, where other uses such as assembly and leisure, and non-residential institutions are found, and where the overall shopping element is weaker.

9.15 POLICY R4

Only the following uses will be permitted on ground floor frontages within the Core Areas of Coalville and Ashby-de-la-Zouch Town Centres, identified on the Proposals Map, subject to environmental and traffic considerations:

- (a) **Shops (Class A1);**

- (b) Financial and professional services (Class A2);
- (c) Food and drink uses (Class A3); and
- (d) Other uses where the services are provided principally to visiting members of the public, and which are appropriate to a Town Centre location.

Where development falls within Class A1 of the Town and Country Planning (Use Classes) Order 1987, all ground floor frontage development permitted within a core shopping area should include a shop window display frontage and maintain an appropriate window display. Unless the same would be functionally or visually inappropriate, other development should also do likewise.

9.16 In order to maintain the vitality of core areas, it is essential that their ground floor shops provide and maintain appropriate window displays. Such displays are also usually desirable where shop premises within core areas are used for other permitted purposes, such financial and professional services or food and drink.

9.17 They may not, however, be functionally or visually appropriate for certain non-A1 developments, such as banks or public houses.

9.18 POLICY R5

Within the following areas, financial and professional services (Class A2) uses will not be permitted where they would exceed 10 per cent of the total frontage, or form a run of more than three shop window units (i.e. not more than 15m of continuous frontage):

- (a) The Belvoir Pedestrianised Shopping Centre, Coalville;
- (b) Numbers 13 to 85 and 6 to 96 Market Street, Ashby-de-la-Zouch; and
- (c) Bath Street Corner, Ashby-de-la-Zouch.

9.19 The consolidation of shopping and related uses within the core of the overall shopping areas will improve the attractiveness of the town centres to shoppers. It will help maintain the strong pedestrian flows which are essential to the success of a shopping centre and to the maintenance of its vitality and viability. It is, therefore, essential to retain continuous shop-type frontages within the core areas, particularly along those streets identified as the principal shopping area or primary shopping frontage.

9.20 POLICY R6

New shop window display frontages will not be permitted on the following streets in Ashby-de-la-Zouch:

- (a) The north side of North Street; and
- (b) South Street.

9.21 The north side of North Street, and South Street, provide more appropriate locations for financial and professional services, rather than shops.

9.22 Certain types of retail use, which fall outside the definition of 'shop', as defined by Class A1 of the Town and Country Planning (Use Classes) Order 1987, are unsuitable for a Town Centre location because of their character or their reliance on direct access by car.

9.23 POLICY R7

The following retail uses (falling outside Class A1) will not be permitted within Coalville and Ashby-de-la-Zouch Town Centre Core Areas, identified on the Proposals Map:

- (a) Motor vehicle showrooms;**
- (b) Tyre, exhaust and battery centres;**
- (c) Caravan sales;**
- (d) Builders and plumbers merchants; or**
- (e) Other similar uses which would be unacceptable within a Town Centre shopping location by virtue of character, scale or reliance on direct access by private car.**

Potential Redevelopment Areas

9.24 The areas identified in Policy R8 in Coalville Town Centre contain a variety of uses, but are of relatively poor environmental quality. The area identified in Ashby-de-la-Zouch Town Centre includes vacant semi-derelict buildings and land. Both areas have substantial redevelopment potential which would not only improve the appearance of the town centres, but also provide additional shopping facilities. It is essential that redevelopment is in a comprehensive form if these objectives are to be achieved. The provision of a direct link between Marlborough Square, Belvoir Road and the main Coalville car park will greatly improve pedestrian conditions in the town and will assist in the revitalisation of this particular area of the town centre. Any redevelopment should be of a high standard in order to improve the overall appearance and image of the town centres, thereby strengthening and increasing their vitality and viability.

9.25 POLICY R8

Redevelopment for shopping and related purposes (such as financial and professional services and food and drink uses) will be permitted on the following sites within Coalville and Ashby-de-la-Zouch Town Centres, identified on the Proposals Map, subject to environmental and traffic considerations:

- (a) North side of Ashby Road, Coalville;**
- (b) Nos. 61 to 82 Belvoir Road; in the form of an arcade of shops, to provide a direct and attractive pedestrian route between Marlborough Square, Belvoir Road and the large car park to the rear of the Belvoir Shopping Centre, Coalville;**
- (c) North side of Hotel Street, Coalville; and**
- (d) West side of Bath Street/south of Kilwardby Street, Ashby-de-la-Zouch, subject to the retention of the listed buildings on the site and the enhancement of their setting.**

Redevelopment of these sites must be comprehensive in design and well-related to the form and functioning of adjoining parts of the shopping area.

Piecemeal redevelopment which would be prejudicial to the objectives of this policy will not be permitted.

Pedestrian Priority

9.26 Apart from the pedestrianised Belvoir Shopping Centre in Coalville, and Rushtons Yard, Mill Lane and Huntingdon Court in Ashby-de-la-Zouch, most of the Town Centre areas suffer from substantial pedestrian/vehicular conflict and its associated problems of safety and environmental quality. Shoppers are becoming more accustomed to shopping in safe and pleasant environments and if older centres like Ashby-de-la-Zouch are to compete with new attractions and shopping centres, and capitalise on their traditional services and unique character, then they must be able to offer safe and attractive surroundings.

9.27 POLICY R9

Pedestrian facilities, environment and priority will be improved within the following parts of the Town Centre Core Areas:

- (a) Market Street, Ashby-de-la-Zouch;**
- (b) High Street, Coalville;**
- (c) Hotel Street, Coalville; and**
- (d) Belvoir Road, Coalville.**

9.28 In the longer term it is intended to pedestrianise the section of Belvoir Road, Coalville, north of its junction with Jackson Street. In order to achieve this objective the following measures will be required:

- (a) Construction of an extension to Bridge Road through to London Road; and**
- (b) Traffic management and highway improvement measures to facilitate the diversion of through traffic from the Belvoir Road axis onto Bridge Road.**

9.29 POLICY R10

Development will not be permitted on land required for the construction of a road link between Bridge Road and London Road, Coalville, as identified on the Proposals Map.

Outer Area

9.30 The outer area of Coalville Town Centre can accommodate a greater variety of uses without detriment to the vitality and viability of the Core Area as a whole. Such uses can indeed complement those found in the Core Area. Shop type frontages may not always be present, but where a continuous shop-type frontage remains, proposals should retain shop window display frontages.

9.31 POLICY R11

In the outer part of the Coalville Town Centre Shopping Area, identified on the Proposals Map, the following uses of ground floor frontages will be permitted in addition to those specified in Policy R4 of this Local Plan:

- (a) Non residential institutions (Class D1); and**
- (b) Assembly and leisure users (Class D2).**

Shop window display frontages will be required where appropriate, having regard to adjoining frontages and uses.

Town Centre Services

9.32 Adjoining the main shopping areas of Coalville and Ashby-de-la-Zouch Town Centres are a number of areas which contain a variety of uses which require or benefit from an edge of Town Centre location:

- (a) London Road, Coalville;**
- (b) High Street/Mantle Lane, Coalville;**
- (c) North Street, Ashby-de-la-Zouch;**
- (d) Whitwick Road, Coalville;**
- (e) Bath Street/Station Road, Ashby-de-la-Zouch; and**
- (f) Wolsey Road, Coalville.**

9.33 These areas have differing characters and contexts which are reflected in the range of acceptable uses.

9.34 POLICY R12

The following uses will be permitted within those Town Centre Services Areas, fronting London Road and High Street/Mantle Lane, Coalville and North Street, Ashby-de-la-Zouch, identified on the Proposals Map:

- (a) Financial and professional services (Class A2);**
- (b) Residential institutions (Class C2);**
- (c) Offices (Class B1(a));**
- (d) Non residential institutions (Class D1); and**
- (e) Community uses or other uses of a similar character.**

Provided that any development proposed:

- (i) Retains the existing building line and walls to street frontage in the case of properties fronting onto London Road, Coalville;**

- (ii) Includes provision for rear parking, where necessary;
- (iii) Does not include a shop window display frontage; and
- (iv) Does not result in isolated residential properties remaining between non-residential uses.

9.35 The areas outlined in Policy R12 adjoin, in part, established residential areas. Consequently, particular attention will be given to the likely impact of any proposal on the amenities of the occupiers in the adjoining residential properties. The uses listed in Policy R12 are not generally detrimental to residential amenities, but are those which often require an edge of Town Centre location.

9.36 The spread of retail development into these areas would conflict with the objectives of consolidating and improving the Core Areas of Ashby-de-la-Zouch and Coalville Town Centres and would also be detrimental to the amenities of the nearby residents. For these reasons, shop window display frontages will be resisted.

9.37 The street scene of London Road, Coalville, has a particular character, and special regard will be given to the likely impact of any development on this. Emphasis will be placed on the retention of frontage walls and trees, together with the sensitive integration of parking facilities within the overall development scheme.

9.38 POLICY R13

The following uses will be permitted within those Town Centre Service Areas fronting on to the east side of Whitwick Road, Coalville and Bath Street/Station Road, Ashby-de-la-Zouch, identified on the Proposals Map:

- (a) Offices (Class B1(a));
- (b) Financial and professional services (Class A2);
- (c) Hotel (Class C1);
- (d) Non-residential institutions (Class D1); and
- (e) Assembly and leisure uses (Class D2).

9.39 Regard will be given to the potential impact of any proposed development on residential amenities of the properties on Park Road and Albert Road, Coalville.

9.40 POLICY R14

The following uses will be permitted within the Town Centre Service Area fronting on to the west side of Whitwick Road, Coalville, identified on the Proposals Map:

- (a) Retail uses falling outside Use Class A1;
- (b) Financial and professional services (Class A2);
- (c) Business uses (Class B1);
- (d) Non-residential institutions (Class D1);

- (e) Assembly and leisure uses (Class D2); and
- (f) Community uses or other uses of a similar character.

Provided that any development proposed:

- (i) Would not be detrimental to the amenities of any existing business use within the site;
- (ii) Would not itself be adversely affected by the adjoining employment areas;
- (iii) Is supported by a traffic impact assessment which demonstrates that the impact on the local highway network of the traffic it would be likely to generate could be adequately mitigated; and
- (iv) Incorporates the provision of satisfactory access arrangements from Whitwick Road.

Development of the parts of this site which are now unoccupied or in residential use must be undertaken in a comprehensive manner, and must therefore secure the prior removal of those dwellings.

9.41 The spread of shopping development into these areas is to be discouraged in order to protect the vitality and viability of the main core shopping areas of the town centres.

9.42 Bath Street/Station Road, Ashby-de-la-Zouch is characterised by a wide mix of uses. Consolidation of one or more of these uses is appropriate, given the location on the main axis into Ashby-de-la-Zouch Town Centre and its proximity to the new railway station site.

9.43 POLICY R15

The following uses will be permitted within the Town Centre Services Area fronting onto Wolsey Road, Coalville, identified on the Proposals Map:

- (a) Business use (Class B1);
- (b) Retail uses falling outside the definition of 'shop' (Class A1); and
- (c) Assembly and leisure uses (Class D2).

9.44 This area contains certain retail uses which are unsuitable for the Core Area of Coalville Town Centre, but which nonetheless benefit from an edge of Town Centre location.

Use of Upper Floors

9.45 A significant amount of upper floor accommodation within Town or Local Centres is either vacant or used as storage space in connection with the ground floor use of the property. Underused buildings in any situation represent an unacceptable waste of resources, but within town centres particularly, such a situation can seriously affect townscape quality as well as reducing economic confidence in the surrounding area.

9.46 The re-use of upper floors has economic, environmental, social and financial benefits whether the re-use be for office accommodation, other commercial enterprises or residential purposes. Use of upper floors can provide additional income for ground floor retailers, and help promote urban and economic regeneration.

9.47 POLICY R16

Within the Coalville and Ashby-de-la-Zouch Shopping Areas and other local and village centres, identified on the Proposals Map, the use of upper floors for the following purposes will be permitted, subject to parking and amenity considerations:

- (a) Shops (Class A1);**
- (b) Financial and professional services (Class A2);**
- (c) Food and drink (Class A3);**
- (d) Offices (Class B1(a));**
- (e) Residential Use;**
- (f) Non residential institutions (Class D1); and**
- (g) Assembly and leisure uses (Class D2).**

The use of upper floors for other purposes will not be permitted.

Where the Council is satisfied that the proposals will not cause a problem in the locality, the requirement to provide car parking spaces to serve small schemes for the creation of flats over existing shops in Coalville and Ashby-de-la-Zouch Shopping Areas and other local and village centres, identified on the Proposals Map, may be waived in cases where private car parking cannot be reasonably provided on site or in the locality where:

- (i) The flats are no larger than two bedrooms each;**
- (ii) The proposal makes use of existing floor areas only;**
- (iii) Adequate and acceptable provision is made for any displaced storage space within the existing building.**

9.48 Use of upper floors for residential purposes will help restore vitality to shopping centres, outside normal shopping hours, and will conform with Central Area/Shopping Policy 3 of the Adopted Structure Plan which states that:

'Provision will be made in Central Areas for residential development.'

9.49 Flats above shops are being widely promoted as a means of securing cheaper accommodation for small households. There is increasing concern about the exodus of people from Town Centres at night, and the security implications this has for people and property. Reuse for residential purposes can bring additional vitality to the Town Centre, especially at night, and can also introduce a degree of self policing into the area. The Council is operating a policy/grant scheme to promote the re-use of upper floors for residential purposes, known as 'Living over the shop'.

LOCAL CENTRES

9.50 Local centres or village centres provide valuable services to local communities, particularly for people without access to private transportation.

9.51 The importance of local centres is recognised in PPG 6 and at a strategic policy level. Central Area/Shopping Policy 4 of the Adopted Structure Plan states that:

'Planning permission will normally be granted for retail developments to meet the local needs of new and existing residential and employment areas where facilities are deficient.'

9.52 The following Local Plan policies form an important feature of the strategy for shopping development in the District, seeking the retention, consolidation and upgrading of local centre facilities in accordance with Central Area/Shopping Policy 4 of the Adopted Structure Plan.

Existing Local Centres

9.53 The term 'local centre' is used to refer to village centres and neighbourhood centres, the latter being a small parade of shops, and related uses usually found within housing estates.

9.54 Village centres have been identified in Ibstock, Measham, Kegworth, Castle Donington and Whitwick, with neighbourhood centres at Norris Hill, Moira and Cropston Drive, Coalville. All of these centres have a strong cluster of local shops and car parking provision, albeit on a limited scale.

9.55 POLICY R17

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 R18 and R20 of this Local Plan.

9.56 The extent of existing local centres is defined on the Proposals Map and allows for additional expansion and consolidation of such centres. Development outside these limits will result in detrimental effects in relation to residential amenities, highway safety and the provision of satisfactory parking arrangements.

New Local Centres

9.57 POLICY R18

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.

9.58 The present pattern of local centre shopping provision in the District is generally adequate in relation to the needs of the various settlements within the Plan Area. However, when new housing areas are developed there may be a need for additional local centre provision.

9.59 Various housing proposals set out in Chapter 7 of this Local Plan identify broad locations for the provision of new local shopping centres. It is essential that any new shopping proposal should only be of a scale suitable to meet local needs whilst avoiding a detrimental effect in terms of the vitality and viability of main Town Centres and existing local centres.

Acceptable Uses in Local Centres

9.60 A variety of uses are required to serve the local needs of communities, in addition to local shops. Whilst accepting the need for some non-shopping uses to be located in the centres, a proper balance must be struck between the demands of other uses and the need to maintain an effective local shopping role. Non-retail uses, therefore, will be strictly controlled to avoid a loss of vitality to the local shopping centres.

9.61 POLICY R19

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:

- (i) 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.

Individual Shops

9.62 Although most local shopping provision will be located in local shopping centres, there may be exceptional cases where additional individual shops are necessary.

9.63 POLICY R20

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.**

9.64 In assessing the need for additional local shops, consideration will be given to the walking distance to existing and proposed local centres, the proximity to public transport routes, the nature of the local road network and the general character of the locality.

Convenience shopping in rural areas

9.65 Individual shops in villages can contribute significantly to satisfying the day to day needs of the rural community, particularly for people without access to private or public transport. They also play vital economic and social roles, and are crucial in maintaining villages as viable communities.

9.66 It is thus essential that the facilities offered by existing village shops be retained wherever it would be economically viable to do so. Where it is not, preference should be given to their being adapted to other business uses; re-use for residential purposes is likely to have but little benefit for the rural economy, and should accordingly only be permitted after all reasonably likely commercial alternatives have been explored. Therefore:

9.67 POLICY R21

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.**

9.68 Farm shops can assist in satisfying local demand for fresh produce, such as fruit, vegetables and eggs. They can also contribute to the rural economy, providing they do not detract from the viability of existing local shops by offering competing products unconnected with the farm concerned. The desirability for the farmer of providing a service throughout the year and hence the likelihood of his needing to buy in for subsequent resale products of the same types as he grows or rears at other times is, however, a recognised material consideration. Therefore:

9.69 POLICY R22

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.**

9.70 When assessing applications for farm shops, the Local Plan Authority will give consideration to imposing a condition or seeking a planning obligation to limit the broad types of produce sold.'

Financial and Professional Services

9.71 There may be instances when financial and professional service uses are found in residential areas. However, in such cases, the provision of a shop front window display would detrimentally alter the appearance of the predominantly residential character of the locality. It would also enable premises to be changed into a shop without the need to obtain planning permission. This could result in additional traffic and other activity detrimental to the amenities of a residential site area.

9.72 POLICY R23

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).

OFF CENTRE RETAILING

9.73 Off-centre retail facilities (retail warehouses and superstores) have generally increased the range and choice of facilities available to consumers in Leicestershire.

However, it is important in the future to retain a balance of provision so that people in a wide variety of different circumstances have access to the type of retailing facilities that suit them best.

9.74 Central Area and Shopping Policy 5 of the Adopted Structure Plan sets out the criteria against which applications for off-centre facilities will be judged:

'Planning permission for major retail development (including hypermarkets, main food stores, retail warehouse, retail parks and shopping centres) outside existing shopping centres, will normally be granted provided that such development:

- (a) does not prejudice the development of allocated sites;*
- (b) individually or cumulatively with other development proposals, is not of a scale or kind which would seriously affect the vitality and viability of any nearby town centre as a whole. Proposals which detrimentally affect the flow of future investment to a nearby town centre needed to sustain its vitality and viability, its physical quality and attractiveness, its role in the economic and social life of the community, or the range of services which it offers will not normally be permitted;*
- (c) provides shopping facilities in a location which meets the needs of most people in its catchment area by allowing easy and convenient access by a realistic choice of transport; or*
- (d) does not cause significant harm to the environment.*

Provision will be made for retail development within and adjoining town centres where appropriate sites are available.'

9.75 The District Council has sought to make planned provision for off centre retailing, through the allocation of, and granting planning permission for several sites throughout the District. In accordance with advice contained in PPG6, off centre retailing will be encouraged on appropriate retail sites in order to safeguard the provision of necessary employment land within the District.

Whitwick Road, Coalville

9.76 POLICY R24

Subdivision of large retail units on land to the east of Whitwick Road, Coalville, identified on the Proposals Map, will not be permitted.

9.77 Planning permission has been granted for the development of a retail foodstore and three non-food retail units on part of the former Whitwick Colliery site. This development has assisted in the creation of a positive image for the Coalville Area and has added significantly to the retail facilities available to people living in the area and attracts people from a wider area to shop in the Town.

10. LEISURE AND TOURISM

INTRODUCTION

10.1 More positive use of leisure time is a widespread feature of modern life, with sport and recreation, in particular, regarded as important aspects of civilised living. Such activities can have major land use implications. National planning policy guidance stresses the need to protect open space and recreation areas from development and recognises the key role played by the land use planning system in ensuring that adequate provision is made for both organised and informal leisure activities. Local Plan Authorities should take account, in the control of development, of the community's need for recreational space, of current levels of provision and deficiencies, and may resist pressures for development of open space which conflict with the wider public interest.

10.2 Tourism makes a significant contribution to the economy of North West Leicestershire and is expected to play an important role in the future economic development of the district. The relationship between tourism and the environment can often involve a delicate balance: tourism is often based on the attractiveness of a particular area, but can, in excess, undermine that which it seeks. On the positive side, tourism can often assist in economic and environmental revitalisation, for example, in the upgrading of run down, yet historic, areas.

STRATEGY

10.3 The main elements of the leisure and tourism strategy are:

- (a) Safeguarding existing recreation and open space provision of the District;
- (b) Seeking the provision of additional recreation facilities and open space to meet the needs of existing and new development;
- (c) Ensuring a pattern of development which enables ease of access to recreation facilities;
- (d) Promoting greater access to the countryside, including the provision of a network of footpaths and limited open spaces within and between urban areas and surrounding countryside; and
- (e) Promoting and realising the tourism potential of the District, in a way which safeguards and improves the environment.

GENERAL POLICIES

10.4 The basis for policies for new leisure and tourism related development is provided by Leisure Policies 1 and 2 of the Adopted Structure Plan.

10.5 Leisure Policy 1 of the Adopted Structure Plan states that:

'Provision will normally be made for recreational development:

- (a) *Within and adjoining built-up areas for formal recreation facilities;*
- (b) *On the fringes of the main towns, and in the countryside for land extensive uses which do not include substantial built development.*

Provision will be made for suitable formal and informal facilities for recreation within major new built development.

Provision will be made for large new recreation facilities which relieve pressure on Charnwood Forest... .’

10.6 Leisure Policy 2 of the Adopted Structure Plan identifies the main components of the tourism strategy for the county and for North West Leicestershire:

‘Provision will be made for tourism development which supports:

- (a) The role of Leicester and adjoining settlements and the main Towns as centres for tourism;*
- (b) The County's heritage;*
- (c) Opportunities to create employment in the Priority Areas;*
- (d) Appropriate water recreation and leisure facilities;*
- (e) The improvement and establishment of sports facilities which provide for a regional or national need;*
- (f) Proposals which reduce pressure on areas presently experiencing the greatest recreational and tourism demand;*
- (g) Schemes which will attract foreign and business visitors.’*

Recreation

10.7 The Local Plan has an important role to play in promoting national and strategic policies and proposals for sport and recreation. Policies L1, L2 and L3 provide the basis for assessing sport and recreation proposals.

10.8 The District Council has published a Leisure Strategy for North West Leicestershire, which has identified a need to protect existing recreation facilities, especially playing fields, and to promote the provision of new facilities where appropriate.

10.9 A number of identified needs have land use implications. Among these are:

- additional football pitches at Moira, Measham and Ashby-de-la-Zouch;
- an 18 hole golf course;
- tennis clubs in Ashby Woulds and Coalville;
- accommodation of noisy sports where appropriate;
- rewatering of the Ashby Canal;
- the need to protect former railways for cycling, walking etc;
- new village halls in Oakthorpe, Albert Village and Worthington.

10.10 Where specific proposals exist, appropriate sites have been allocated in this Local Plan. Other proposals will be assessed against the policies of the Plan as they come forward. Therefore:

10.11 POLICY L1

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

10.12 POLICY L2

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.

10.13 POLICY L3

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.**

Tourism

10.14 Local Plans also have an important role to play with regard to the promotion of tourism. However, as they must be concerned with physical development and the use of land, they are not themselves a medium for publishing and promoting tourism strategies. Nevertheless, they may include policies and proposals aimed at facilitating tourism. In this respect this Local Plan includes policies which provide a framework for decisions on planning applications for tourism facilities and identifies a number of specific land-use proposals aimed at developing the resources of North West Leicestershire to the benefit of leisure and tourism promotion.

10.15 POLICY L4

Development of tourism facilities will be permitted where the proposal:

- (a) Is within Limits to Development, identified on the Proposals Map; or**
- (b) Is outside such Limits to Development provided it comprises:**
 - (i) Small scale tourism-related facilities which can be shown to be essential in close proximity to established tourist attractions;**
 - (ii) Forest-related development within the scope of Policy F4 of this Local Plan; or**
 - (iii) Reuse or adaptation of an existing rural building;**

- (c) **Would not be detrimental to the local landscape or rural environment;**
- (d) **Would not result in an unacceptable level of traffic generation to the detriment of the local and wider highway network or nearby settlements.**

10.16 POLICY L5

Development of tourist accommodation will be permitted where the proposal:

- (a) **Is appropriate in scale and location to the local environment; and**
- (b) **Would not result in an unacceptable level of traffic generation, to the detriment of the local or wider highway networks or nearby settlements.**

Planning permission for tourist accommodation will be granted subject to limitations requiring the development concerned to be occupied for the purposes of holiday accommodation only.

10.17 Compliance with the last above provision will be secured, as appropriate, by the imposition of planning conditions, an agreed planning obligation, or a combination of both.

10.18 The Charnwood Forest is one of the most important areas within Leicestershire from a landscape, geological and ecological point of view. As a result the area is identified as an Area of Particularly Attractive Countryside in the Adopted Structure Plan.

10.19 Although, the Charnwood Forest represents the major recreation resource within the County, the pressure upon the area now is such that the special character and quality which makes the area so attractive in the first place, is at considerable risk.

10.20 In recognition of this, Leisure Policy 1 of the Adopted Structure Plan seeks to relieve pressure upon the Charnwood Forest by stating that:

'Provision will be made for large new recreational facilities which relieve pressure on Charnwood Forest... '

10.21 This policy must be read in conjunction with Leisure Policy 4 of the Adopted Structure Plan which states that:

'Planning permission will not normally be granted for large new recreational facilities or the expansion of existing facilities in the Charnwood Forest area.'

10.22 The Ashby Woulds Study has identified potential for significant new recreational facilities within the Ashby Woulds area. There may also be potential for such facilities in the vicinity of Measham. The Ashby Woulds and Measham areas have suffered from significant dereliction, are in the heart of the New Forest, and are well related to the A42.

10.23 POLICY L6

Development of large, new rural recreational facilities which will relieve pressure on the Charnwood Forest will be permitted in the Ashby Woulds and Measham areas provided the proposal:

- (a) **Lies within the designated boundary of the National Forest;**

- (b) Does not lie within or impinge upon areas afforded special protection in this Local Plan;
- (c) Has direct access to the Specified Road Network and will not result in traffic being attracted via the secondary road network through rural settlements;
- (d) Does not involve the use of the best and most versatile agricultural land;
- (e) First makes use of derelict land and/or minerals extraction sites;
- (f) Is not intrusive in relation to attractive countryside;
- (g) Does not have an adverse effect on the amenities and general character of nearby settlements;
- (h) Includes large scale on and off-site tree planting, in accordance with the National Forest policies of this Local Plan;
- (i) Is of a high standard of built development appropriate to a rural setting; and
- (j) Includes satisfactory access arrangements and will not have an adverse impact on the local and wider highway network.

10.24 Specific sites for such new recreation facilities have not been identified in this Local Plan. Policy L5 sets out the criteria under which initiatives can be developed and against which proposals can be assessed.

10.25 Many of the other recreation proposals contained in this Local Plan will, it is anticipated, help to relieve some of the pressure on the Charnwood Forest area. However, it is unlikely that these proposals, along with any new proposals that may come forward in accordance with this policy, will be sufficient to relieve all of this pressure. It is likely that additional facilities will be required within other Local Authority areas. The District Council will, therefore, seek to ensure a co-ordinated approach to this problem through discussions with the other Local Authorities within whose boundaries the Charnwood Forest lies. The Ashby Woulds proposal may, therefore, be seen as North West Leicestershire's response to an issue which also affects Hinckley and Bosworth and Charnwood Boroughs.

Land Adjoining Hermitage Leisure Centre

10.26 The area of open land between the Hermitage Leisure Centre, Coalville Relief Road and New Swannington has considerable potential for recreation use to complement the existing facilities at the Hermitage complex.

10.27 POLICY L7

Outdoor recreation uses only will be permitted on land between Hermitage Leisure Centre, Coalville Relief Road and New Swannington, as shown on the Proposals Map, provided they are co-ordinated with and complementary to existing recreation facilities at the Hermitage Leisure Centre.

Built development will not be permitted which:

- (a) Would change the generally open character of this area; and/or
- (b) Is not strictly ancillary to the recreational use of the land.

10.28 Provision has been made at the Hermitage Leisure Centre for various outdoor recreation uses, including football, cricket and tennis, together with angling at Hermitage Lake. The allocated site has the potential to complement these various facilities.

10.29 The site is located within the Green Wedge as identified in Policy E20. It is essential, therefore, that any built development is kept to a minimum in order to preserve the open character and appearance of the area in accordance within this policy.

Snibston Colliery

10.30 The former Snibston Colliery has recently been developed by Leicestershire County Council as an Industrial Heritage Museum together with associated leisure facilities. The opening of the museum has provided a major boost to the tourism potential of North West Leicestershire.

10.31 POLICY L8

Only development directly related to the purposes of an industrial heritage museum and its associated leisure activities will be permitted on the site of the former Snibston Colliery, Coalville, identified on the Proposals Map, provided it does not have an adverse impact on the Local Nature Reserve within the museum complex.

10.32 Although most of the former Snibston Colliery site is used for the museum and its associated leisure activities (e.g. golf driving range), that part of the site fronting Ashby Road, through which the access to the museum passes, is not included within the museum complex. This land provides an opportunity for the provision of various ancillary and leisure related facilities which will complement the museum complex. The close relationship with the Museum complex should be reflected in the design and layout of the frontage development so that both appear as a single entity.

10.33 POLICY L9

Only the following uses which are complementary to the development of the museum complex will be permitted on land to the north of the Snibston Heritage Museum site, and fronting onto Ashby Road, Coalville, identified on the Proposals Map:

- (a) Food and drink uses (Class A3), such as a public house, wine bar or restaurant;**
- (b) Hotel (Class C1);**
- (c) Assembly and leisure uses (Class D2);**
- (d) Specialist shops (Class A1) (up to a maximum floorspace of 557 sq m. with individual units not exceeding 93 sq m. each), with a specific museum, heritage or leisure related theme (e.g. craft shop, antiques, gifts and souvenirs);**
- (e) Craft workshops (up to a maximum floorspace of 929 sq m. with individual units not exceeding 93 sq m. each); and**
- (f) Garden centre.**

Provided any built development is:

- (i) Of a high architectural standard appropriate to an important site adjoining a prestigious museum complex;**
- (ii) Complementary to the museum complex itself; and**
- (iii) Not detrimental to residential amenities.**

10.34 A development brief has been produced giving detailed guidance for the development of this important site.

Former Measham Railway Station

10.35 The location of the former Measham Railway Station site close to the Moira-Measham Nature Trail and at the centre of the National Forest, makes it suitable for the development of recreation and tourism facilities, such as an information, interpretative or local heritage centre. Such uses would be compatible with the use of part of the old railway as a route for the Ashby Canal through Measham.

10.36 POLICY L10

Only recreation and tourism uses in association with the Moira-Measham Nature Trail and the National Forest will be permitted on land formerly occupied by Measham Railway Station, identified on the Proposals Map, provided any proposal for development involving buildings:

- (a) Is strictly ancillary to the recreation or tourism use of the site;**
- (b) Includes satisfactory vehicular access from Wilkes Avenue;**
- (c) Does not prejudice the route of the Moira-Measham Nature Trail or the restoration and reopening of the Ashby Canal; and**
- (d) Facilitates the retention of the former station building.**

Moira Furnace

10.37 The Moira Furnace dates back to the early 19th Century and is a Scheduled Ancient Monument. Having fallen into a state of disrepair, the Furnace was acquired by the District Council in 1982, and, with the help of the Friends of the Furnace, restored and opened to the public in 1985. The District Council has recently built eight craft workshops to complement the tourism/recreation use of the Furnace. However, further small scale developments and improvements to the surrounding environment are necessary to enable the Furnace to become a major tourist attraction.

10.38 POLICY L11

Only development which is ancillary to the recreation/tourism use of the area and complementary to the Furnace and its setting will be permitted on land adjacent to Moira Furnace, identified on the Proposals Map, provided:

- (a) It is of a traditional design and high architectural standard appropriate to its important setting adjoining a major tourist attraction and Scheduled Ancient Monument; and**

- (b) **Does not prejudice the restoration and re-opening of the Ashby Canal. In addition, measures will be undertaken to enhance the area including:**
- (i) **Substantial tree and shrub planting;**
 - (ii) **Laying out of informal recreation areas;**
 - (iii) **Provision of a direct pedestrian link to the Moira-Measham Trail;**
 - (iv) **Designation of the Furnace Plantation as a Nature Reserve;**
 - (v) **Re-watering of that section of the Ashby Canal adjoining The Furnace;**
and
 - (vi) **Provision of waymarking and interpretative facilities.**

10.39 Whilst further development at The Furnace is desirable to help realise the tourism potential of the area, it is essential that it be restricted to uses which complement the tourism/recreation use of the area and maintain its historical character. Any development must be of a high standard to maintain the character of The Furnace and its setting.

10.40 Moira Furnace and associated development will be an integral part of the Recreation Corridor strategy, with direct links to both the Moira-Measham Trail and the Ashby Canal.

10.41 The District Council has resolved to grant planning permission for the development of land to the south of Sawley Marina for those uses listed below, subject to the satisfactory completion of a Section 106 Obligation. These uses will complement the existing Marina which has been considerably developed in recent years, providing a valuable recreation resource for the District.

10.42 POLICY L12

Only the following tourism and recreation uses will be permitted on land south of Sawley Marina, identified on the Proposals Map:

- (a) **Hotel (Class C1);**
- (b) **Restaurant (Class A3); and**
- (c) **Golf course and/or golf driving range.**

Provided the development proposed:

- (i) **Includes provision of adequate car parking to serve the various uses;**
- (ii) **Makes provision for adequate landscaping and tree/shrub planting;**
- (iii) **Makes provision for the diversion of the public footpath that crosses the site;**
- (iv) **Incorporates necessary measures to protect the flood storage capacity of the site; and**
- (v) **Incorporates measures for the treatment of foul sewage to the satisfaction of the National Rivers Authority and the District Council.**

10.43 The site is located within the floodplain of the River Trent. It is essential, therefore, that discussions take place with the National Rivers Authority to ensure that appropriate measures are undertaken to protect the flood storage capacity of the site.

Swannington Incline

10.44 The Swannington Incline was an important feature of the original Leicester and Swannington Railway, engineered by George and Robert Stephenson. It was a rope worked inclined plane with a gradient of 1 in 17 and linked the mines of the Coleorton Area with Coalville, from where coal was conveyed by conventional locomotive power to Leicester.

10.45 POLICY L13

Restoration of the former Swannington railway incline, together with the rebuilding, to its original design and materials of construction, of the incline winding house and the creation of an open air museum and provision of requisite ancillary facilities will be permitted.

Only development which is ancillary to the recreation/tourism use of the incline and an open air museum, and is complementary to the incline and its setting will be permitted.

10.46 Restoration of the Incline is being undertaken by the Swannington Heritage Trust and has involved the relaying of track, the preservation of its surroundings and the restoration of associated sites. A key objective of the Trust is the reconstruction of the incline winding house.

PROTECTION OF RECREATIONAL OPEN SPACES AND ASSOCIATED BUILDINGS

10.47 The need to protect open spaces for their recreation and amenity value is recognised by national planning policy guidance in PPG17 ('Sport and Recreation'0. Leisure Policy 3 of the Adopted Leicestershire Structure Plan states that:

'Planning permission will not normally be granted for the development of land or buildings in recreational use and serving a particular community, for other uses unless:

- (a) Suitable alternative provision is made close enough to serve the same community; or*
- (b) The site does not provide open space which is essential to private or public use or to protect the quality of the urban environment'.*

10.48 The District Council's Leisure Strategy indicates a shortfall in the provision of recreational open space of some 8 hectares (20 acres), when compared to the National Playing Fields Association standard of 2.4 hectares (6 acres) of open play space per 1,000 population. There is a particular shortfall in the provision of children's play space.

10.49 It is therefore essential that existing levels of recreational open space are not eroded. In exceptional circumstances, it may however be appropriate to permit development of such space provided it is replaced by an equivalent facility in the locality.

10.50 Many of the school playing fields identified on the Proposals Map are not presently available for use outside school hours. These fields do however represent a potential, additional recreation resource, which the District Council will seek to protect.

10.51 Policy L14 provides a detailed basis for the control of development affecting recreational open space. It will apply to both existing and any new sites which may be provided in the future. The Proposals Map identifies recreational open spaces in excess of 0.4ha (1 acre); Policy L14 will, however, also apply to smaller sites.

10.52 POLICY L14

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.**

10.53 Where relevant, securing the provision of necessary replacement facilities will be achieved by means of planning conditions, an agreed planning obligation, or a combination of both.

Allotments

10.54 Allotments have an important part to play in the leisure provision of the District.

10.55 POLICY L15

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.**

10.56 The District Council will require a legal agreement to be entered into to secure the provision of replacement allotment land. The exceptions set out in Policy L14 will not apply to allotments on land outside defined Limits to Development.

10.57 This policy is aimed at preventing a reduction of the existing provision of allotment land by resisting development proposals, and by ensuring that where loss of allotment land is unavoidable, replacement provision is secured.

Joint Use of Schools

10.58 The joint use of school premises and playing fields can lead to a more efficient use of limited resources and increase the general level of provision available to the public.

10.59 The District Council will support and encourage the use of school premises and playing fields by other organisations and the public for recreation and community purposes, as far as possible.

PUBLIC RIGHTS OF WAY AND ACCESS TO THE COUNTRYSIDE

10.60 Public rights of way are an important recreation resource in their own right, providing opportunities for people to enjoy the countryside and other open areas in and around towns and villages. It is important that the existing public rights of way are protected. Leisure Policy 6 of the Adopted Structure Plan recognises this:

'Where development proposals affect Public Rights of Way, planning permission will not normally be granted unless adequate arrangements can be made to safeguard the existing routes or to provide acceptable alternatives. Where appropriate, advantage will be taken to secure improved access into the countryside, including opportunities presented by development schemes.'

Diversions of Public Rights of Way

10.61 Department of the Environment Circular 1/83 makes it clear that the effect of development on a public right of way is a material consideration in the determination of planning applications. Such effects must be taken into account before a decision is made on the application concerned.

10.62 POLICY L16

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.**

10.63 Planning applications must clearly show proposals for diverting or re-routing any affected public right of way.

10.64 Further guidance on the design and layout of such diverted footpaths is contained in the document 'Development Guidelines' published by the District Council.

10.65 Applicants are advised to apply for a Diversion Order to be made at the same time that they submit an application for planning permission. Where the District Council is satisfied that an Order under Section 257 of the Town and Country Planning Act 1990 is necessary to stop up or divert a public right of way, in order to enable development to take

place, it may make such an Order, but only after planning permission has been granted. The District Council will expect the applicant to secure the agreement of adjoining landowners where an acceptable diversion cannot be secured wholly with the application site or on land within the applicant's ownership or control.

10.66 The applicant must also undertake to meet all costs of making an Order (including legal costs), the cost of physical works required to stop up a public right of way or to construct the diversion, and the payment of any compensation which may be due to landowners.

10.67 It should also be noted that if any objection is received to an Order, it cannot be confirmed by the District Council but must be referred to the Secretary of State for the Environment, Transport and the Regions, for determination. As this will inevitably cause considerable delay and uncertainty, it is in the applicant's interests to secure agreement with all parties at an early stage in the formulation of development proposals.

Improvements to Public Rights of Way

10.68 In addition to protection, many existing public rights of way are often in need of physical improvement and better co-ordination to create a network of linked rights of way. The District Council will endeavour to secure improvements to the public rights of way within the Plan area, to give better access to existing and proposed recreation facilities and to encourage the use of the rural public rights of way network as a means of access to the countryside generally. Such measures will include:

- (a) Provision of appropriate surfacing materials and drainage;
- (b) Provision of waymarking and interpretation facilities;
- (c) Creation or protection of wildlife habitats in association with rights of way; and
- (d) Environmental improvement projects to improve the attractiveness of rights of way and their environs.

10.69 In addition to these general improvements, a number of specific initiatives have been identified including:

- (a) A 'Mining Heritage Trail' linking together various aspects of the industrial Heritage of the Coalville and Coleorton area, particularly the Snibston Museum, Swannington Incline and the Coleorton Area of Historic Mining Landscape, and including the complex network of public rights of way within Coleorton itself;
- (b) A series of footpath loops from settlements into the surrounding countryside, focusing on particular countryside attractions;
- (c) An orbital footpath route linking the Coleorton area to the proposed Coalfield North woodland/informal recreation area through the attractive countryside in the vicinity of Alton Grange; and
- (d) A footpath route linking Snibston Museum with the Manor House, Donington-le-Heath.

10.70 Overall, North West Leicestershire possesses a relatively well developed rights of way network. However, this network can be improved by waymarking and access improvements and by identifying a series of walks throughout the District providing access

from the urban areas to the surrounding countryside and areas of interest. In addition, the network can be expanded by making use of various linear features, such as disused railway lines, to create a comprehensive and co-ordinated network linking together existing and proposed open spaces and recreation areas.

10.71 The District Council will seek to encourage the development of routes for cyclists throughout the District.

WATER RECREATION

10.72 Leisure Policy 7 of the Adopted Leicestershire Structure Plan states:

'Provision will normally be made for the development of new areas of water recreation use.

Provision will normally be made for the development of related recreation facilities in the vicinity of the waterways network on sites in or adjoining settlements.'

10.73 Existing water recreation facilities within the District are limited to part of Staunton Harold Reservoir (most of which is in Derbyshire), the Ashby Canal, parts of the River Trent and River Soar and Sawley Marina. Water recreation uses are particularly appropriate in the Ashby Wolds, given the scope for the restoration of derelict land and the rewatering of the Ashby Canal. Such proposals would also be consistent with the objectives of the National Forest.

10.74 The Leicestershire Minerals Local Plan provides encouragement for the restoration for water recreation purposes in the north of the District of minerals extraction sites adjoining the River Trent and River Soar.

10.75 POLICY L17

Development of water recreation facilities will be permitted in appropriate locations.

CARAVAN AND CAMPING SITES

10.76 Caravan and camping sites are an important part of the tourism industry, accounting for 40 per cent of all self catering accommodation holidays in England. However, it is important to ensure that such sites are sensitively located. Leisure Policy 8 of the Adopted Structure Plan states:

'Provision will not normally be made for static holiday and touring caravan and camping sites unless they are in visually unobtrusive sites with good access to the road system.'

10.77 POLICY L18

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.

10.78 The considerations outlined in this Policy will help to ensure that the impact of any proposed caravan and/or camping site on the landscape and nearby settlements is kept to an acceptable level. The provision of substantial landscaping is particularly important for those sites located within the boundary of the National Forest.

NOISY SPORTS

10.79 The demand for sites to accommodate noisy sports such as motorcycling, karting, war games and various forms of shooting is likely to increase as they become more popular. Leisure Policy 9 of the Adopted Structure Plan states:

'Where existing facilities are inadequate, sites suitable for noisy sports will be identified, which do not cause unacceptable disturbance to residential areas or other environmentally sensitive areas and are accessible to their potential users.'

10.80 It is essential that any new sites are located where they will not cause damage to the environment in both visual and noise terms. The criteria set out below seek to direct noisy sports to those areas where they will do least damage to the environment, to the benefit of both users and the wider community.

10.81 POLICY L19

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.

10.82 Proposals for noisy sports must include an impact assessment which shows the effect of the proposal on the locality in terms of noise, traffic generation and the environment.

Donington Park Racing Circuit

10.83 The Donington Park Racetrack is an internationally recognised motor racing circuit which holds a variety of top class motor races. In addition to motor racing, there is also a small conference/exhibition hall and a motoring museum. It is one of only few such sporting facilities in the East Midlands recognised in current Regional Planning Guidance as being of

international significance, as well as an important element in the social and cultural life of the region.

10.84 From time to time there have been various environmental, noise and traffic problems associated with the racetrack. In particular, problems of noise and excessive traffic generation have affected nearby Castle Donington. Environmental problems are now largely controlled by conditions attached to existing planning permissions and a recent Abatement Notice in respect of noise nuisance issued under Section 80 of the Environmental Protection Act 1990. Further measures of environmental control are largely beyond the scope of the Local Plan. However, the District Council can seek to control the amount and type of development that takes place at the racetrack, in order that any existing problems are not further exacerbated.

10.85 Policy L20 seeks to achieve this by identifying criteria for assessing uses which can be acceptable within the confines of the racetrack, whilst also protecting the character and appearance of the surrounding area, which includes an Area of Local Landscape Value.

10.86 POLICY L20

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.**

OUTDOOR PLAY SPACE

10.87 National planning policy guidance (PPG17: 'Sport and Recreation') recognises that the provision of adequate outdoor play space is necessary to meet the broad range of recreational requirements of different sections of the community.

10.88 Within established housing areas, there are often shortfalls in the amount of outdoor play space available. The planning authority will therefore endeavour to rectify existing deficiencies, and will have regard to the standards set out below in determining the appropriate size and location for any new facilities to be provided in such areas.

10.89 To guard against further deficiencies, it is important that (save in a few exceptional cases, which are considered in more detail below) all future housing developments make

provision for new play space at a level proportionate to their size. In its publication 'The Six Acre Standard' the National Playing Fields Association (NPFA) recommends a minimum standard of 2.43 hectares (i.e. 6 acres) of outdoor play space per 1000 population, which should be met by an aggregation within the following ranges:

- (a) For youth and adult use: 1.6 to 1.8 ha. This includes facilities such as pitches, greens, courts, and athletics' tracks as well as miscellaneous sites and training areas, which are owned by local authorities whether at County, District or Parish level; similar facilities within the educational sector, which as a matter of practice and policy are available for public use; and the same within the voluntary, private, industrial and commercial sectors which serve the outdoor leisure needs of their members; and
- (b) For children's use: 0.6 to 0.8ha of which 0.2 to 0.3 ha should be provided with play equipment.

10.90 In respect of children's play areas the Council will require the provision of areas at a rate of 200 sq m per 10 dwellings. This equates to the NPFA standard of 0.8ha per 1000 population outlined above.

10.91 In addition, children's play areas should be equipped except where there is an existing facility within walking distance of the housing site. In these circumstances a financial contribution towards the provision of equipment on the existing facility will be sought. Any such provision will have regard to the scale of the proposed development.

10.92 The amount of play space a discrete site of less than 10 dwellings would yield would be of little practical value. It is therefore appropriate to exempt sites of this size, unless they form part of a larger, piecemeal or phased development. Provision of play space would also be inappropriate on developments or parts of developments reserved for occupation by the elderly, where single persons or couples without children were the intended or likely residents.

Children's Play Areas

10.93 POLICY L21

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.

10.94 Reasonable walking distance is, for a child, considered about 400m.

10.95 Further detailed guidance on the above requirements is set out in the Council's supplementary planning guidance 'Play Area Design Guidance Note'.

10.96 The provision of formal recreation open space is also an important element in helping to meet the recreation needs of the District. Major developments will be required to make provision for such facilities in addition to children's play areas required under Policy L21.

Formal Recreation Provision

10.97 POLICY L22

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

10.98 The District Council will require a legal agreement to be entered into prior to planning permission being granted to ensure the proper provision of such areas.

10.99 The amount of provision will be negotiated having regard to the appropriate levels of open space identified in the NPFA standards outlined above. In addition, regard to factors such as the nature and type of development proposed and its location in relation to existing formal open space.

DEVELOPMENT AND ART

10.100 The Arts Council's publication 'Percent for Art' suggests that use of the visual arts to improve the environment could be achieved by devoting part of the capital budget for new building to commissioning works by artists and craftspeople. These might include stained glass, tapestries and textiles, photographs, sculpture, metalwork, murals, tiling and paving design.

10.101 Any such scheme would have to be entirely voluntary, because requiring or coercing developers to contribute to the arts in this way would -except perhaps on very rare occasions- be contrary to government planning advice as set out in Circular 1/97.

10.102 It is however recognised that appropriate use of the visual arts within a development can help create a sense of place, thereby increasing the quality of life for residents and visitors alike. In the right context, it can also benefit the economy by making an area more attractive to investment.

10.103 The planning authority will, therefore, in appropriate cases encourage the provision of new works of art as part of schemes of development, and in determining an application for planning permission will have regard to the contribution made by any such works to the appearance of the scheme and the amenities of the area.

11. MINERALS

INTRODUCTION

11.1 The determination of planning applications involving mineral extraction is the responsibility of the County Council, as Minerals Planning Authority. Policies for the control of mineral extraction are set out in the Leicestershire Minerals Local Plan, adopted by the County Council in 1986. A review of the Minerals Local Plan was placed on deposit by the County Council in September 1992. A Public Local Inquiry into objections was held in September 1993 and Modifications to the Plan have been published.

11.2 Minerals and Waste Disposal Policy 1 of the Adopted Structure Plan states:

'When allocating land and considering planning applications for the extraction of minerals the County Council will consider the need to release sufficient land to:

- (a) maintain an adequate supply of minerals to contribute to local, regional and national needs, while minimising the effect on the environment and agriculture; and*
- (b) maintain, wherever possible, a landbank of permitted reserves of construction aggregates equivalent to at least ten years production taking into account guidelines for aggregate provision in England and Wales and the findings of the East Midlands Regional Aggregates Working Party; and*
- (c) maintain a sufficient stock of permitted reserves for limestone (used for non-aggregate purposes) and clays, having regard to the needs and nature of the particular industry concerned.*

Account will be taken of the availability and use of minerals waste instead of naturally occurring minerals wherever possible.

When allocating land and considering planning applications for the disposal of waste materials and related development, the County Council will consider the need to provide adequate disposal facilities for all types of waste generated within the County.'

11.3 Minerals and Waste Disposal Policy 2 states:

'When allocating land and considering planning applications for the extraction of minerals or for the disposal of waste materials or related development, account will be taken of its likely impact on the environment and the operational and economic needs for the development. Where development would cause demonstrable harm to interests of acknowledged importance, planning permission will normally only be granted where the need for the development is sufficient to justify its environmental impact.'

11.4 The District Council, as a statutory consultee, has an important role to play in the consideration of such applications, by commenting on their effects and implications. These comments are taken into account by the County Council in the determination of the applications.

11.5 In commenting on applications involving mineral extraction, the District Council will take into consideration the need for that mineral and all environmental consequences of its extraction, including the effects on residential amenities, particularly from noise, dust, mud

and vehicular traffic. The District Council will also consider the proposed after use and the restoration proposals and will urge the County Council, as Minerals Planning Authority, to ensure that substantial tree planting is required in any restoration scheme.

11.6 In addition to the more common ones, North West Leicestershire is the focus of several types of minerals extraction not found elsewhere within either Leicestershire or the East Midlands, which are important contributors to regional and national supply and to both the local and the wider economies. It has a long history of minerals exploitation, with a number of sites currently in operation. In accordance with the adopted Leicestershire Minerals Local Plan, more will follow in due course. Minerals working will therefore continue to form a significant element of the local landscape for the foreseeable future.

11.7 Insofar as it can, the Council wishes to ensure that any new minerals sites in the District are fully justified, and that extraction proposals include appropriate environmental safeguards and restoration conditions.

Restoration Aftercare and Afteruse

11.8 Minerals and Waste Disposal Policy 3 of the Adopted Structure Plan sets out the policy to be followed by the Minerals Planning Authority in respect of restoration considerations:

‘When granting planning permission for mineral working or the use of land for the disposal of waste materials or related development, the County Council will require restoration to an acceptable use at the earliest opportunity. After restoration has been completed the County Council will require a programme of aftercare for an appropriate period. The best and most versatile agricultural land will normally be restored to an agricultural use. On other land, priority will normally be given to restoration to water recreation, forestry or nature conservation uses.’

11.9 However, changed circumstances may require a revision of restoration conditions, as for example, when changed priorities for agricultural production favour afforestation as an appropriate after use. In addition, proposals may arise for redevelopment following restoration.

11.10 When consulted by the County Council in respect of proposals for the restoration of minerals sites in the Ashby Woulds area, the District Council will, where appropriate, encourage the restoration of such sites for water recreation uses.

11.11 The District Council will encourage and support the restoration of the Coalfield North Opencast Site, near Ibstock, for informal low-intensity, outdoor recreation use and for amenity, experimental and commercial woodland and nature conservation.

11.12 POLICY M1

Only the following uses, or development strictly ancillary to such uses, will be permitted on land formerly occupied by the Coalfield North Opencast Site, near Ibstock, identified on the Proposals Map:

- (a) Informal low-intensity outdoor recreation uses;**
- (b) Amenity, experimental or commercial woodland; or**
- (c) Nature Conservation.**

11.13 The District Council recognises the potential, in the longer term, for redevelopment on the following sites:

- (a) Ibstock Brickworks;
- (b) Ellistown Pipeworks;
- (c) Redbank Brickworks, Measham; and
- (d) Hepworths Albion Works, Woodville.

11.14 It should be stressed, however, that there is no suggestion that early redevelopment is, at present, contemplated; Policy M2 merely sets out the District Council's planning policy should such circumstances arise during the Plan Period.

11.15 POLICY M2

Redevelopment of the sites of the brick and pipe manufacturing works, identified on the Proposals Map, will be permitted where it:

- (a) **Is subject to a comprehensive assessment to determine the extent, form and type of redevelopment; piecemeal redevelopment will not be permitted;**
- (b) **Is satisfactory in terms of vehicular access arrangements, and its impact on the local and wider road network, including the need for highway improvements;**
- (c) **Is satisfactory in terms of its effect on the amenities enjoyed by the occupiers of adjacent residential properties; and**
- (d) **Incorporates substantial on and off site tree planting in accordance with the National Forest policies of this Local Plan.**

Safeguarding Mineral Reserves

11.16 Minerals and Waste Disposal Policy 4 of the Adopted Structure Plan sets out the policy of the Minerals Planning Authority in relation to the issue of safeguarding mineral measures:

'Land will not be allocated and planning permission will not normally be granted for surface development which could sterilise important, economically workable deposits of minerals. Exceptionally where development of land is considered essential, and proven reserves would be permanently sterilised, planning permission will normally be granted for the prior extraction of the mineral.'

11.17 However, the determination of planning applications which could result in sterilisation of minerals reserves is a matter for the District Council as Local Plan Authority, in consultation with the County Minerals Planning Authority.

11.18 POLICY M3

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.

12. IMPLEMENTATION

INTRODUCTION

12.1 A Local Plan must be more than a set of hopes and aspirations; it must contain policies and proposals which are capable of being implemented. The question of implementation clearly introduces the issues of resources and their likely availability, and also of agencies or mediums through which implementation will be undertaken. It also brings with it the need for effective monitoring and review; how well is the plan performing and what changes are needed to improve its policies or to take account of changed circumstances or policy contexts.

RESOURCES

12.2 National planning policy guidance stresses that Local Plans should be realistic in terms of the likely availability of resources. Regard has been had, in the preparation of this Plan, to the likely availability of resources over the Plan Period, and the policies and proposals continued in the plan are realistic in this respect. Account has been taken of national and other economic policies and the likely availability of land and other resources for development, including market conditions.

IMPLEMENTING AGENCIES

12.3 The Local Plan will be implemented by a variety of public and private agencies. Public sector investment is now largely restricted to transport proposals and some housing development (mainly by housing associations), together with local authority involvement with economic development, environmental and recreational initiatives. Regard has been had to public sector proposals (such as trunk and other road proposals). It is also expected that this Plan will have an important role to play in terms of influencing future public sector decisions.

12.4 Nowadays, most development proposals will be implemented by the private sector. The Local Plan clearly has a key role to play in terms of regulating and encouraging such private sector initiatives. It can interact with private sector decision making by:

- (a) Providing a framework within which such decisions can be made and market responses operate;
- (b) Encouraging development in particular places;
- (c) Influencing the form development may take, by indicating the issues which will be addressed by conditions attached to planning permissions; and
- (d) Identifying obligations which the Local Plan Authority will wish to see applied in particular cases.

12.5 Planning obligations may be used to:

- (a) Restrict or require the development or use of land in a specified way;
- (b) Require specified operations or activities to be undertaken; and
- (c) Require the making of financial contributions to the Local Plan Authority in specified circumstances, which is towards the provision of necessary infrastructure or landscaping.

MONITORING

12.6 Local Plan Authorities are required to keep under review those matters which may be expected to affect the development or planning of their areas. Monitoring has, therefore, a key role to play in the implementation of the Local Plan. The Plan must not be seen as a once and for all 'blueprint' covering all aspects of the future development of the District. It must be sufficiently robust to cope with change, but it must also be recognised that the circumstances within which the Plan will operate will change and that such changes are likely to be outside the control of the Local Plan Authority. The role of monitoring, therefore, is to identify such changes and to provide a means of assessing the effectiveness and relevance of the policies and proposals of the Plan.

12.7 Monitoring will take place at various levels. Changes in legislation and national and other policy are continuously monitored. Monitoring will also take place in relation to certain important variables, such as housing and employment land availability, and the provision and use of such things as shopping floorspace, car parking, leisure facilities and environmental impacts.

12.8 Development plans must be kept up-to-date and relevant to the circumstances of the areas concerned. The District Council will seek the review of the Structure Plan at 5 yearly intervals and will review the district-wide Local Plan in the light of any changes made to the Structure Plan. In addition, alterations may be made to the Local Plan, if the need arises.

APPENDIX A

LEICESTERSHIRE COUNTY COUNCIL PARKING STANDARDS

Land Use Class	Standard
CLASS A1 - SHOPS	
Stores above 3,000sq. metres	One car space per 9sq. metres. One goods bay or space per 750sq. metres for stores between 3,000 and 5,000sq. metres. One goods bay or space per 1,000sq. metres for stores in excess of 5,000sq. metres.
Stores between 1,000 and 3,000sq. metres	One car space per 12sq. metres. In critical locations on the highway network, the higher standard (one per 9sq. metres) may be required for stores between 2,500 and 3,000sq. metres. Provision shall be made within the site for deliveries and unloading.
Stores between 300 and 1,000sq. metres	One car space per 30sq. metres. In critical locations on the highway network, the higher standard (one per 12sq. metres) may be required for stores between 750 and 1,000sq. metres. Provision shall be made within the site for deliveries and unloading.
Stores below 300sq. metres	A minimum of two car spaces up to 100sq. metres. One car space per each additional 100sq. metres thereafter.

NB. All areas are gross floor areas

CLASS A2 - FINANCIAL AND PROFESSIONAL SERVICES

Offices	One car space per 35sq. metres. Minimum provision of two spaces.
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CLASS A3 - FOOD AND DRINK

Restaurants	If the layout is defined, one customer car space per 4sq. metres public area plus one staff car space per 10 tables or 40sq. metres. Space shall be provided for loading and unloading of service and delivery vehicles clear of the public highway.
Public Houses and Licensed Clubs	There shall be 1 customer car space per 3sq. metres of public area (excluding serveries, lobbies, toilets, cloakrooms, etc.).

In addition, staff parking will be required at the rate of 1 car space for each residential member of staff, plus 1 car space per 40sq. metres of public area for non-residential staff. There shall be an absolute minimum provision of 20 car spaces. Space shall be provided for loading and unloading of service and delivery vehicles clear of the public highway.

CLASS B1 - BUSINESS

Offices		One car space per 25sq. metres. Minimum provision of two spaces.
Research and Development	and	One car space per 30sq. metres. One lorry space per 500sq. metres. Provision should be made within the site for the possibility of future conversion to offices, with their consequently higher parking requirements.
Light Industry		One car space per 50sq. metres. Where there is a substantial element of offices this shall be considered separately. One lorry space per 400sq. metres. Any loading bays will be considered as parking spaces for the purposes of assessment. Provision should be made within the site for the possibility of future conversion to offices, with their consequently higher parking requirements. If such provision cannot be made then restrictions on future changes of use will be required.

CLASSES B2 TO B7 - GENERAL AND SPECIAL INDUSTRIAL

Industry		One car space per 50sq. metres. Where there is a substantial element of offices this shall be considered separately. One lorry space per 400sq. metres. Any loading bays will be considered as parking spaces for the purposes of assessment.
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CLASS B8 - STORAGE OR DISTRIBUTION

Warehouses		One car space per 100sq. metres and, for units in excess of 9,300sq. metres one car space per 150sq. metres. Special consideration as to the applicable standard shall be given to developments of between 8,500 and 9,300sq. metres. One lorry space per 400sq. metres. Any loading bays will be considered as parking spaces for the purposes of assessment. For smaller units, provision should be made within the site for the possibility of future conversion to offices,
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with their consequently higher parking requirements. If such provision cannot be made then restrictions on future changes of use will be required.

CLASS C1 - HOTELS

Hotels	One car space per bedroom. Additional parking shall be provided in respect of restaurants and public bar areas in accordance with the standards in Class A3, and where conference facilities are provided there shall be additional provision in accordance with Class D1. Staff parking shall be provided in accordance with the standards in Class A3.
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CLASS C2 - RESIDENTIAL INSTITUTIONS

Nursing Homes	One car space per three bedrooms plus one car space for each staff member on site. Restrictions on future change of use to schools will be required.
Residential Homes for the Elderly with Communal Facilities	One car space per four bedrooms, plus one car space for each staff member on site. Restrictions on future change of use to schools will be required.

CLASS C3 - DWELLING HOUSES

All dwellings except those listed below	The District Council will seek to ensure that no more than an average of 1.5 spaces off-street car parking spaces per dwelling is provided on completed developments.
Retirement accommodation and accommodation with off-site warden assistance	1 space per unit of accommodation, plus 1 visitor space per 4 units.
On-site warden controlled accommodation	1 space per 3 units of accommodation, plus warden's accommodation spaces as for dwellings

CLASS D1 - NON-RESIDENTIAL INSTITUTIONS

Surgeries and Clinics (Doctors, Dentists, Vets, etc.)	One car space per member of staff employed plus two car spaces per consulting room/surgery.
Conference Centres	Two car spaces per three seats where there is fixed seating. Where there is a flexible layout there shall be one car space per 3 sq. metres of conference area.

Exhibition Hall	One car space per 6sq. metres
Libraries	One car space per each member of staff plus one car space per 25sq. metres.
Schools	One car space per member of teaching staff plus three additional spaces. Where a community wing is to be provided for daytime use a minimum of 5 additional spaces shall be provided. Provision for access to hard surfaced play areas will be required to provide additional parking for 'out of hours' functions.
Day Nurseries	One car space per member of staff plus one additional space to allow for shift changes.

CLASS D2 - ASSEMBLY AND LEISURE

Sports Clubs	Grounds and	<p>Parking will be required to cater in full for the maximum expected usage of the facility assuming an occupancy rate of 2 persons/car. Also, in the case of football, cricket, hockey pitches etc., parking and manoeuvring areas will be required for coaches at the rate of one coach per two pitches (minimum provision to be made for one coach). Thus the following examples may be used:</p> <p style="padding-left: 40px;">1 cricket pitch - 22 players + 2 umpires = 12 car spaces - 1 coach</p> <p>Tennis/Squash Courts - 2 car spaces per court.</p> <p>Rugby Club with 3 pitches - 36 players, coaches, referees, substitutes, etc. per pitch therefore 54 car spaces plus two coach spaces.</p> <p>2 soccer pitches - 30 players, coaches, referees, substitutes, etc. per pitch, therefore 30 car spaces plus one coach space.</p>
Golf Courses		<p>Minimum of 100 spaces per 18 hole course. Other sizes of course will be considered on their merits, not pro-rata to the above.</p>

Note: Licensed club facilities within sports grounds (including golf clubhouses) will require additional parking spaces in accordance with the standards given in Class A3.

SIZE OF PARKING SPACES

The minimum acceptable dimensions for a car parking space will be:

Length 5.0 metres

Width 2.4 metres

Headroom 2.0 metres

Lorry parking spaces shall be a minimum of 18 metres by 5 metres.

Where 50 or more car parking spaces are to be provided, a reduction in length to 4 metres may be permitted in up to 10% of parking bays which will then be for the use of small cars only.

Where parking spaces are laid out at right angles to the access aisles a minimum aisle width of 6 metres will be required. Non rectilinear layouts will be assessed individually.

PARKING FOR DISABLED PEOPLE

For many disabled people and others with limited mobility, the private car is their only means of travel. It is very important therefore that adequate provision is made both in terms of the type and position of parking spaces. Any parking provision should be made within 50 metres of the destination. Spaces should be 3.6 metres wide or have a transfer area of 1.2 metres to one side of a standard size space. 3.2 metre wide spaces may be acceptable where space is limited. Parking spaces should be clearly marked with the British Standard 'Disabled' symbol in accordance with BS 3262 Part 1, and any parking fee concessions should be stated clearly at the parking space. Further information and guidance is given in the Leicester City Council publication 'Paving the way'.

Source: Leicestershire County Council: 'Highway Requirements for Development'

CYCLE PARKING STANDARDS FOR NEW DEVELOPMENT

Land Use Class	Standard
Classes A1 and A3 (Shops, food and drink)	1 space for every 500sq. metres up to 4,000sq. metres gross to be under cover and secure for staff and operational use. 1 space for every 1,000sq. metres gross for customer use to be in the form of Sheffield racks (or similar) and in a prominent and convenient location.
Classes A2 and B1 (Financial and professional services, light industry and offices)	1 space for every 400sq. metres gross to be under cover and secure. Customer parking to be provided on merit.
Class B2 to B8 (General and Special Industry)	1 space for every 400 sq. metres gross to be under cover and secure.
Class C3 (Dwelling Houses) High density development. e.g. flats	1 space per 5 dwellings to be under cover and secure.

with common facilities

Classes D1 and D2
(Non-residential
institutions, assembly and
leisure)

Enough Sheffield racks (or similar) should be provided in a prominent and convenient location to park the cycles of 5% of the maximum number of people expected to use the facility at any one time. Secure and covered parking for staff to be provided on merit.

APPENDIX B

USE CLASSES

Use Classes Order 1987

Class	Use	Description	Change Permitted under the General Development Order 1988
A1	Shops	Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices etc. Pet shops, cats-meat shops, tripe shops, sandwich bars. Showrooms, domestic hire shops, funeral directors.	No permitted change.
A2	Financial and Professional Services	Banks, building societies, estate and employment agencies. Professional and financial services, betting offices.	Permitted change to A1 where a ground floor display window exists.
*Sui Generis		Shops selling and/or displaying motor vehicles Sale of fuel for motor vehicles Launderettes, taxi businesses and motor vehicle hire, amusement centres and funfairs	Permitted change to A1 No permitted change No permitted change
A3	Food and Drink	Restaurants, pubs, snack bars, cafes, wine bars, shops for sale of hot food.	Permitted change to A1 or A2.
B1	Business	Offices not within A2.	Permitted

		Research and development, studios, laboratories, high tech.	change to B8 where no more than 235 sq. m.
		Light industrial.	
B2	General Industry	General industry.	Permitted change to B1 or B8 (B8 limited to no more than 235 sq. m.
*Sui Generis		Any work registerable under the Alkali, etc Works Regulation Act 1906	No permitted change
B3-B7		Special industrial groups.	No permitted change
B8	Storage and Distribution	Wholesale warehouses, repositories.	Permitted change to B1 where no more than 235 sq. m.
C1	Hotels	Hotels, boarding and guest houses.	No permitted change.
C2	Residential Institutions	Residential schools and colleges.	No permitted change.
		Hospitals and convalescent/nursing homes.	
*Sui Generis		Hostels	No permitted change
C3	Dwelling houses	Dwellings.	No permitted change.
D1	Non-Residential Institutions	Places of worship, church halls.	No permitted change.
		Clinics, health centres, creches, day nurseries, consulting rooms.	
		Museums, public halls, libraries, art galleries, exhibition halls.	
		Non-residential	

		education and training centres.	
D2	Assembly and Leisure	<p>Cinemas, music and concert halls.</p> <p>Dance, sports halls, baths, skating rinks, gymnasiums.</p> <p>Other indoor and outdoor sports and leisure uses, bingo halls, casinos.</p>	No permitted change
*Sui Generis		Theatres	

* I.e. in a class of its own

N.B. The above schedule is for guidance only. Full details can be obtained from the Town and Country Planning (Use Classes) Order 1987 and the General Development Order 1988.

APPENDIX C

SCHEDULED ANCIENT MONUMENTS

Parish	Monument Site	Ref	Grid
Appleby Magna	Moated site, fishponds, formal garden and settlement earth works east of St. Michaels Church	097	SK316
Ashby-de-la-Zouch	Ashby-de-la-Zouch Castle	166	SK361
Ashby Woulds	Moirs Blast Furnace	151	SK314
Bardon	Moated Site E of Kellam's Farm	131	SK472
Belton	Grace Dieu Priory with two ponds and a fish pond	183	SK435
Belton	Circular enclosure N of Forest Field	200	SK452
Breedon on the Hill	The Bulworks (earthworks)	234	SK406
Castle Donington	Tower Keep, Castle at Castle Donington	275	SK448
Coalville	Whitwick Castle Mound	161	SK435
Coalville	Manor House Farm, Donington le Heath	126	SK241
Lockington-Hemington	Hemington Chapel	278	SK457
Lockington-Hemington	Moated Site, SE of Sawley Locks	306	SK478
Lockington-Hemington	Site revealed by Aerial Photography, SE of Dunster Barn	295	SK480
Lockington-Hemington	Roman villa and enclosures, N of Ratcliffe Lane	294	SK483
Long Whatton	Moated site with fish pond and floodbanks at Long	238	SK478

	Whatton		
Worthington	The Round House (Lock-up)	206	SK408

APPENDIX D

Updates to the Proposals Maps as follows

1. Public Safety Zones
2. Safeguarded Areas at Nottingham East Midlands Airport

APPENDIX E

13 and 30 km Consultation Zones centred on Nottingham East Midlands Airport

APPENDIX A

LEICESTERSHIRE COUNTY COUNCIL PARKING STANDARDS

Land Use Class	Standard
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Stores above 3,000sq. metres	One car space per 9sq. metres. One goods bay or space per 750sq. metres for stores between 3,000 and 5,000sq. metres. One goods bay or space per 1,000sq. metres for stores in excess of 5,000sq. metres.
Stores between 1,000 and 3,000sq. metres	One car space per 12sq. metres. In critical locations on the highway network, the higher standard (one per 9sq. metres) may be required for stores between 2,500 and 3,000sq. metres. Provision shall be made within the site for deliveries and unloading.
Stores between 300 and 1,000sq. metres	One car space per 30sq. metres. In critical locations on the highway network, the higher standard (one per 12sq. metres) may be required for stores between 750 and 1,000sq. metres. Provision shall be made within the site for deliveries and unloading.
Stores below 300sq. metres	A minimum of two car spaces up to 100sq. metres. One car space per each additional 100sq. metres thereafter.

NB. All areas are gross floor areas

CLASS A2 - FINANCIAL AND PROFESSIONAL SERVICES

Offices	One car space per 35sq. metres. Minimum provision of two spaces.
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CLASS A3 - FOOD AND DRINK

Restaurants	If the layout is defined, one customer car space per 4sq. metres public area plus one staff car space per 10 tables or 40sq. metres. Space shall be provided for loading and unloading of service and delivery vehicles clear of the public highway.
Public Houses and Licensed Clubs	There shall be 1 customer car space per 3sq. metres of public area (excluding serveries, lobbies, toilets, cloakrooms, etc.).

In addition, staff parking will be required at the rate of 1 car space for each residential member of staff, plus 1 car space per 40sq. metres of public area for non-residential staff. There shall be an absolute minimum provision of 20 car spaces. Space shall be provided for loading and unloading of service and delivery vehicles clear of the public highway.

CLASS B1 - BUSINESS

Offices		One car space per 25sq. metres. Minimum provision of two spaces.
Research and Development	and	One car space per 30sq. metres. One lorry space per 500sq. metres. Provision should be made within the site for the possibility of future conversion to offices, with their consequently higher parking requirements.
Light Industry		One car space per 50sq. metres. Where there is a substantial element of offices this shall be considered separately. One lorry space per 400sq. metres. Any loading bays will be considered as parking spaces for the purposes of assessment. Provision should be made within the site for the possibility of future conversion to offices, with their consequently higher parking requirements. If such provision cannot be made then restrictions on future changes of use will be required.

CLASSES B2 TO B7 - GENERAL AND SPECIAL INDUSTRIAL

Industry		One car space per 50sq. metres. Where there is a substantial element of offices this shall be considered separately. One lorry space per 400sq. metres. Any loading bays will be considered as parking spaces for the purposes of assessment.
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CLASS B8 - STORAGE OR DISTRIBUTION

Warehouses		One car space per 100sq. metres and, for units in excess of 9,300sq. metres one car space per 150sq. metres. Special consideration as to the applicable standard shall be given to developments of between 8,500 and 9,300sq. metres. One lorry space per 400sq. metres. Any loading bays will be considered as parking spaces for the purposes of assessment. For smaller units, provision should be made within the site for the possibility of future conversion to offices,
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with their consequently higher parking requirements. If such provision cannot be made then restrictions on future changes of use will be required.

CLASS C1 - HOTELS

Hotels	One car space per bedroom. Additional parking shall be provided in respect of restaurants and public bar areas in accordance with the standards in Class A3, and where conference facilities are provided there shall be additional provision in accordance with Class D1. Staff parking shall be provided in accordance with the standards in Class A3.
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CLASS C2 - RESIDENTIAL INSTITUTIONS

Nursing Homes	One car space per three bedrooms plus one car space for each staff member on site. Restrictions on future change of use to schools will be required.
Residential Homes for the Elderly with Communal Facilities	One car space per four bedrooms, plus one car space for each staff member on site. Restrictions on future change of use to schools will be required.

CLASS C3 - DWELLING HOUSES

All dwellings except those listed below	The District Council will seek to ensure that no more than an average of 1.5 spaces off-street car parking spaces per dwelling is provided on completed developments.
Retirement accommodation and accommodation with off-site warden assistance	1 space per unit of accommodation, plus 1 visitor space per 4 units.
On-site warden controlled accommodation	1 space per 3 units of accommodation, plus warden's accommodation spaces as for dwellings

CLASS D1 - NON-RESIDENTIAL INSTITUTIONS

Surgeries and Clinics (Doctors, Dentists, Vets, etc.)	One car space per member of staff employed plus two car spaces per consulting room/surgery.
Conference Centres	Two car spaces per three seats where there is fixed seating. Where there is a flexible layout there shall be one car space per 3 sq. metres of conference area.

Exhibition Hall	One car space per 6sq. metres
Libraries	One car space per each member of staff plus one car space per 25sq. metres.
Schools	One car space per member of teaching staff plus three additional spaces. Where a community wing is to be provided for daytime use a minimum of 5 additional spaces shall be provided. Provision for access to hard surfaced play areas will be required to provide additional parking for 'out of hours' functions.
Day Nurseries	One car space per member of staff plus one additional space to allow for shift changes.

CLASS D2 - ASSEMBLY AND LEISURE

Sports Clubs	Grounds and	<p>Parking will be required to cater in full for the maximum expected usage of the facility assuming an occupancy rate of 2 persons/car. Also, in the case of football, cricket, hockey pitches etc., parking and manoeuvring areas will be required for coaches at the rate of one coach per two pitches (minimum provision to be made for one coach). Thus the following examples may be used:</p> <p style="padding-left: 40px;">1 cricket pitch - 22 players + 2 umpires = 12 car spaces - 1 coach</p> <p>Tennis/Squash Courts - 2 car spaces per court.</p> <p>Rugby Club with 3 pitches - 36 players, coaches, referees, substitutes, etc. per pitch therefore 54 car spaces plus two coach spaces.</p> <p>2 soccer pitches - 30 players, coaches, referees, substitutes, etc. per pitch, therefore 30 car spaces plus one coach space.</p>
Golf Courses		<p>Minimum of 100 spaces per 18 hole course. Other sizes of course will be considered on their merits, not pro-rata to the above.</p>

Note: Licensed club facilities within sports grounds (including golf clubhouses) will require additional parking spaces in accordance with the standards given in Class A3.

SIZE OF PARKING SPACES

The minimum acceptable dimensions for a car parking space will be:

Length 5.0 metres

Width 2.4 metres

Headroom 2.0 metres

Lorry parking spaces shall be a minimum of 18 metres by 5 metres.

Where 50 or more car parking spaces are to be provided, a reduction in length to 4 metres may be permitted in up to 10% of parking bays which will then be for the use of small cars only.

Where parking spaces are laid out at right angles to the access aisles a minimum aisle width of 6 metres will be required. Non rectilinear layouts will be assessed individually.

PARKING FOR DISABLED PEOPLE

For many disabled people and others with limited mobility, the private car is their only means of travel. It is very important therefore that adequate provision is made both in terms of the type and position of parking spaces. Any parking provision should be made within 50 metres of the destination. Spaces should be 3.6 metres wide or have a transfer area of 1.2 metres to one side of a standard size space. 3.2 metre wide spaces may be acceptable where space is limited. Parking spaces should be clearly marked with the British Standard 'Disabled' symbol in accordance with BS 3262 Part 1, and any parking fee concessions should be stated clearly at the parking space. Further information and guidance is given in the Leicester City Council publication 'Paving the way'.

Source: Leicestershire County Council: 'Highway Requirements for Development'

CYCLE PARKING STANDARDS FOR NEW DEVELOPMENT

Land Use Class	Standard
Classes A1 and A3 (Shops, food and drink)	1 space for every 500sq. metres up to 4,000sq. metres gross to be under cover and secure for staff and operational use. 1 space for every 1,000sq. metres gross for customer use to be in the form of Sheffield racks (or similar) and in a prominent and convenient location.
Classes A2 and B1 (Financial and professional services, light industry and offices)	1 space for every 400sq. metres gross to be under cover and secure. Customer parking to be provided on merit.
Class B2 to B8 (General and Special Industry)	1 space for every 400 sq. metres gross to be under cover and secure.
Class C3 (Dwelling Houses) High density development. e.g. flats	1 space per 5 dwellings to be under cover and secure.

with common facilities

Classes D1 and D2
(Non-residential
institutions, assembly and
leisure)

Enough Sheffield racks (or similar) should be provided in a prominent and convenient location to park the cycles of 5% of the maximum number of people expected to use the facility at any one time. Secure and covered parking for staff to be provided on merit.

APPENDIX B

USE CLASSES

Use Classes Order 1987

Class	Use	Description	Change Permitted under the General Development Order 1988
A1	Shops	Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices etc. Pet shops, cats-meat shops, tripe shops, sandwich bars. Showrooms, domestic hire shops, funeral directors.	No permitted change.
A2	Financial and Professional Services	Banks, building societies, estate and employment agencies. Professional and financial services, betting offices.	Permitted change to A1 where a ground floor display window exists.
*Sui Generis		Shops selling and/or displaying motor vehicles Sale of fuel for motor vehicles Launderettes, taxi businesses and motor vehicle hire, amusement centres and funfairs	Permitted change to A1 No permitted change No permitted change
A3	Food and Drink	Restaurants, pubs, snack bars, cafes, wine bars, shops for sale of hot food.	Permitted change to A1 or A2.
B1	Business	Offices not within A2.	Permitted

		Research and development, studios, laboratories, high tech.	change to B8 where no more than 235 sq. m.
		Light industrial.	
B2	General Industry	General industry.	Permitted change to B1 or B8 (B8 limited to no more than 235 sq. m.
*Sui Generis		Any work registerable under the Alkali, etc Works Regulation Act 1906	No permitted change
B3-B7		Special industrial groups.	No permitted change
B8	Storage and Distribution	Wholesale warehouses, repositories.	Permitted change to B1 where no more than 235 sq. m.
C1	Hotels	Hotels, boarding and guest houses.	No permitted change.
C2	Residential Institutions	Residential schools and colleges.	No permitted change.
		Hospitals and convalescent/nursing homes.	
*Sui Generis		Hostels	No permitted change
C3	Dwelling houses	Dwellings.	No permitted change.
D1	Non-Residential Institutions	Places of worship, church halls.	No permitted change.
		Clinics, health centres, creches, day nurseries, consulting rooms.	
		Museums, public halls, libraries, art galleries, exhibition halls.	
		Non-residential	

		education and training centres.	
D2	Assembly and Leisure	<p>Cinemas, music and concert halls.</p> <p>Dance, sports halls, baths, skating rinks, gymnasiums.</p> <p>Other indoor and outdoor sports and leisure uses, bingo halls, casinos.</p>	No permitted change
*Sui Generis		Theatres	

* I.e. in a class of its own

N.B. The above schedule is for guidance only. Full details can be obtained from the Town and Country Planning (Use Classes) Order 1987 and the General Development Order 1988.

APPENDIX C

SCHEDULED ANCIENT MONUMENTS

Parish	Monument Site	Ref	Grid
Appleby Magna	Moated site, fishponds, formal garden and settlement earth works east of St. Michaels Church	097	SK316
Ashby-de-la-Zouch	Ashby-de-la-Zouch Castle	166	SK361
Ashby Woulds	Moirs Blast Furnace	151	SK314
Bardon	Moated Site E of Kellam's Farm	131	SK472
Belton	Grace Dieu Priory with two ponds and a fish pond	183	SK435
Belton	Circular enclosure N of Forest Field	200	SK452
Breedon on the Hill	The Bulworks (earthworks)	234	SK406
Castle Donington	Tower Keep, Castle at Castle Donington	275	SK448
Coalville	Whitwick Castle Mound	161	SK435
Coalville	Manor House Farm, Donington le Heath	126	SK241
Lockington-Hemington	Hemington Chapel	278	SK457
Lockington-Hemington	Moated Site, SE of Sawley Locks	306	SK478
Lockington-Hemington	Site revealed by Aerial Photography, SE of Dunster Barn	295	SK480
Lockington-Hemington	Roman villa and enclosures, N of Ratcliffe Lane	294	SK483
Long Whatton	Moated site with fish pond and floodbanks at Long	238	SK478

	Whatton		
Worthington	The Round House (Lock-up)	206	SK408

APPENDIX D

Updates to the Proposals Maps as follows

1. Public Safety Zones
2. Safeguarded Areas at Nottingham East Midlands Airport

Public Safety Zones at Nottingham East Midlands Airport

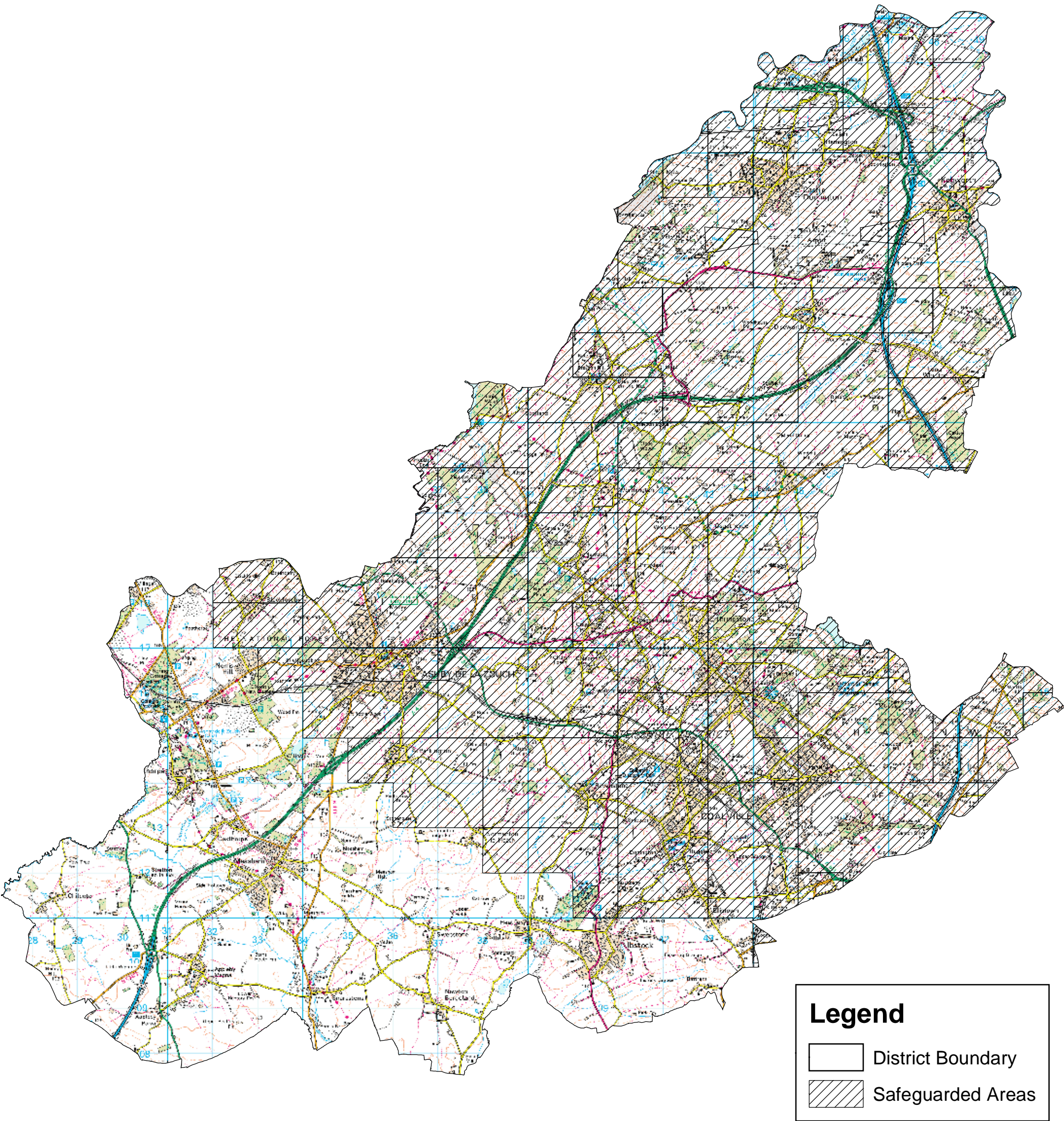


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Safeguarded Areas Around Nottingham East Midlands Airport



1 : 85000

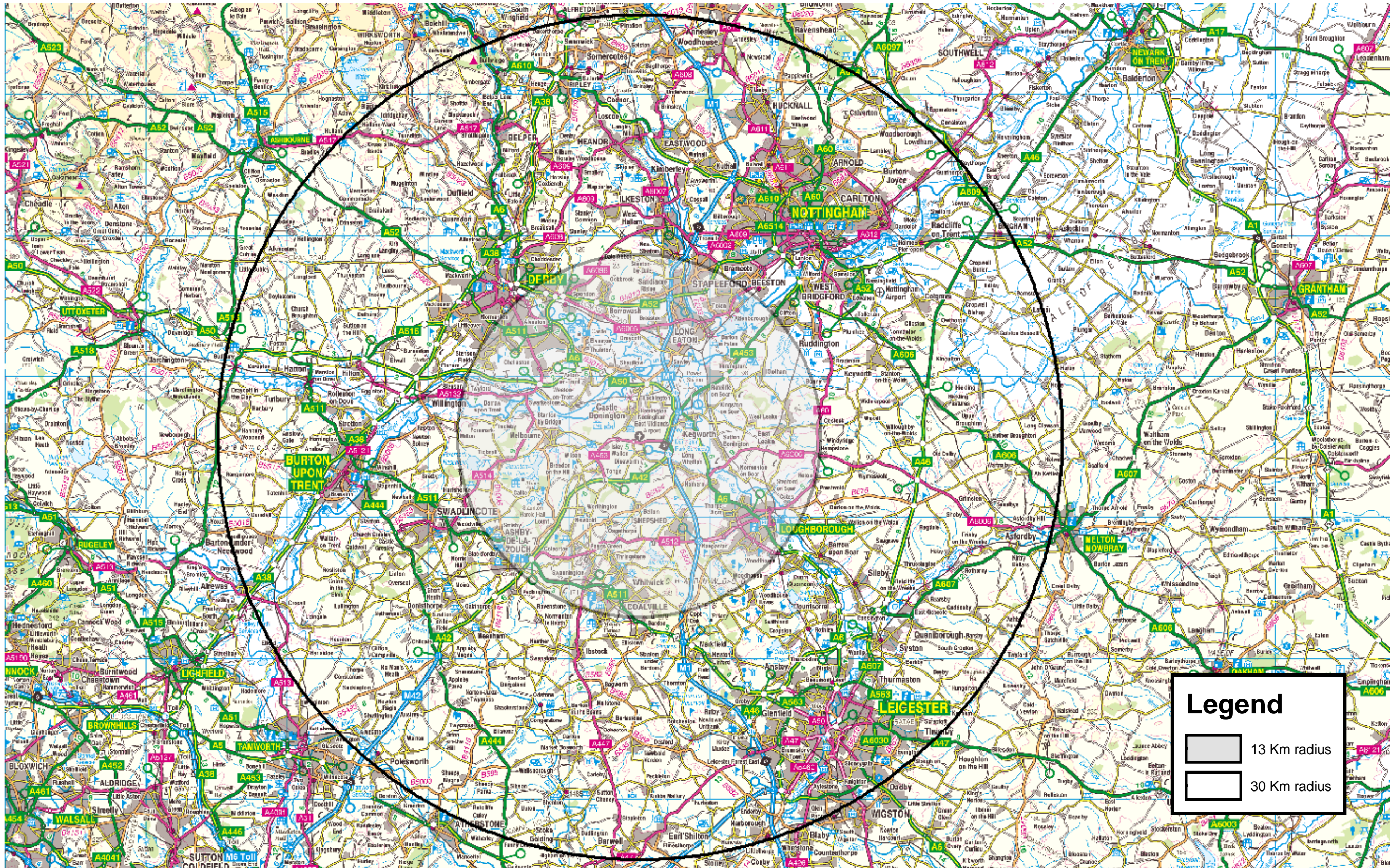
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APPENDIX E

13 and 30 km Consultation Zones centred on Nottingham East Midlands Airport

13 km and 30 km Consultation Zones centred on Nottingham East Midlands Airport



1:275,000,000

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