



## **Harborough Local Plan 2011-2031 Examination**

### **IC7: Council Response**

**to IC5**

**10<sup>th</sup> September 2018**

## Policy HC1 Built heritage

### Proposed modification to Policy HC1:

1. ~~Development affecting heritage assets and their settings will:~~

- ~~a. be appraised in accordance with national policy; and~~
- ~~b. be permitted where it protects, conserves or enhances the significance, character, appearance and setting of the asset, including where possible better revealing the significance of the asset and enabling its interpretation.~~

~~2. Development will be refused where the proposal would lead to harm to or the loss of significance of a heritage asset and/or its setting, unless it can be demonstrated that the harm or loss is clearly outweighed by the public benefits of the proposal.~~

**2. Where the proposed development would lead to substantial harm to (or total loss of significance of) a designated heritage asset and/or its setting, planning permission will not be granted unless:-**

- a) The proposed development demonstrates that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh the harm or loss; or**
- b) The nature of the heritage asset prevents all reasonable uses of the site; and**
- c) No viable use of the heritage asset can be found in the medium term through appropriate marketing that will enable its conservation; and**
- d) Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and**
- e) The harm or loss is outweighed by the public benefits of bringing the site back into use.**

**Where the proposed development would lead to less than substantial harm to the significance of a designated heritage asset and/or its setting, this harm will be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.**

~~3. Development within or affecting a Conservation Area will be permitted where it reflects and respects the special characteristics of **preserves or enhances the character or appearance of** the Conservation Area, including local design and materials.~~

~~4. Development that secures the viable and sustainable future of heritage assets at risk of neglect or loss will be permitted where such development preserves or enhances the significance of the heritage asset; and~~

- ~~a. this is demonstrably necessary to secure the future of the asset;~~

~~b. it does not result in harm to the asset or its setting;~~

~~c. the public benefit outweighs the harm caused; and~~

~~d. no other funding is available.~~

4. Development affecting the significance of a non-designated and/or its setting will have regard to the scale of any harm or loss and the significance of the non-designated heritage asset.

5. Development which enhances the local and regional role of Foxtan Locks and the former inclined plane as a tourism and recreational facility and which maintains and enhances the value, importance and integrity of these heritage assets will be permitted.

## Policy CC2 Renewable energy generation

### Proposed modification to CC2:

1. *Development for renewable and low carbon energy generation will be permitted where:*

- a. it is an appropriate technology for the site;*
- b. it avoids harm to important bird and animal species;*
- c. it avoids substantial harm to any heritage asset, designated or not, and its setting and any less than substantial harm is clearly outweighed by the other benefits of the development;*
- d. it minimises the impact on local and historic landscape character;*
- be. it does not create a significant noise intrusion for existing dwellings;*
- cf. it includes measures to mitigate against any adverse impacts on the built and natural environment resulting from the construction, operation and decommissioning of any equipment/infrastructure;*
- dg. it does not contribute towards an unacceptable cumulative visual impact from renewable energy developments when considered in conjunction with nearby developments and permitted proposals within the District or adjoining local authority areas; and*
- eh. adequate conditions are imposed and/or a legal agreement is entered into ensuring that once the use ceases operating permanently, it is fully decommissioned and the site appropriately restored.*

~~2. Small scale single wind turbines (less than 30m) will be permitted subject to the above criteria. Larger wind turbine developments will only be permitted, subject to the above criteria, in the following areas:~~

- ~~*a. medium scale development (1-3 turbines up to 65 metres): Welland Valley, Lutterworth Lowlands and Upper Soar landscape areas;*~~
- ~~*b. large wind farms (4 or more turbines up to 125 metres): Lutterworth Lowlands and Upper Soar landscape areas.*~~

**2. Wind energy development involving one or more turbines will not be permitted where:**

- a. the height exceeds 30 metres in the High Leicestershire and the Laughton Hills landscape character areas; or***
- b. the height exceeds 65 metres in the Welland Valley landscape character area.***

**3. Wind energy development involving one or more turbines will only be considered acceptable where:**

- a. it has been the subject of consultation; and***
- b. it can be demonstrated that the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing.***