

## APPENDIX 1 – NWLDC COMMENTS ON CONSULTATION PART 2 DRAFT NEIGHBOURHOOD PLAN

We have three fundamental concerns with the Neighbourhood Plan, as published. We discussed these in some depth with representatives of the Town Council, and understand that, while agreement was reached with those representatives, the Town Council will still need to formally consider its position with respect to these issues. It is for that reason that we reproduce those issues and their implications now, to inform that formal consideration.

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### ***Policy S1: Presumption in favour of sustainable development***

*When considering development proposals, the Plan will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF and North West Leicestershire Local Plan. The Town Council will work proactively with developers to find solutions which mean that sustainable proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the Plan area.*

*Planning applications or other land-use related decisions that accord with the policies in this Plan should be approved, unless material considerations indicate otherwise.*

*Where there are no policies in the Neighbourhood Plan or North West Leicestershire Local Plan relevant to a planning application or other land use related decision, the policies contained in the NPPF [~~and North West Leicestershire Local Plan~~] apply.*

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The law is clear that planning decisions should be made in accordance with the development plan, unless material considerations indicate otherwise. It is important therefore that the entire development plan of relevance (in this case the Neighbourhood Plan and Local Plan) are expressly accorded appropriate weight in decision making.

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### ***POLICY H1: SUSTAINABLE HOUSING GROWTH***

*The Neighbourhood Plan recognises the need to provide new housing to meet the identified needs of the Plan area and contribute to the District wide housing target. Having regard to homes already constructed and existing commitments, the remaining housing provision for the Plan area will be a target of 547 houses over the period to 2031 and 675 houses delivered after 2031. Which will be met by development on the land north of Ashby de la Zouch at Money Hill (including the former Arla dairy site and Woodcock Way) and windfall sites that come forward as the Neighbourhood Plan progresses.*

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Our concern with this is that it is not clear exactly how many homes, in total, are expected to come forward, on what land, over what time period. The risk here is that it be used to generate confusion at an appeal, as an appellant suggests that we are unable to demonstrate a five year supply because the development plan when taken together (the

Neighbourhood Plan and Local Plan) is internally inconsistent and does not know what its five year supply figure should be. It would be preferable to simplify the Neighbourhood Plan policy wording, to address that risk.

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#### **POLICY H5: AFFORDABLE HOUSING**

*To support the provision of mixed, sustainable communities and meet an identified need within the community:*

- a) At least 30% of homes on developments comprising 11 or more dwellings shall be high quality affordable homes. Only in highly exceptional circumstances will commuted sums be acceptable and any such commuted sums shall be used to provide suitable affordable housing in Ashby de la Zouch;*
- b) At least 40% of the affordable homes provided shall be 1 or 2 bedroom properties; and*
- c) Development housing proposals will be expected to contribute to the provision of affordable homes that are suited to the needs of older people and those with disabilities.*

*Where possible, affordable housing within the Plan area shall be allocated to eligible households with an Ashby connection defined as follows:*

- a) Was born in Ashby de la Zouch or;*
- b) b) Presently reside in the plan area and has, immediately prior to occupation, been lawfully and ordinarily resident within the plan area for a continuous period of not less than twelve months; or*
- c) c) Was ordinarily resident within Ashby de la Zouch for a continuous period of not less than three years but has been forced to move away because of the lack of affordable housing; or*
- d) d) Is presently employed or self-employed on a full time basis in Ashby de la Zouch and whose main occupation has been in Ashby de la Zouch for a continuous period of not less than twelve months immediately prior to occupation; or*
- e) f) Has a need to move to Ashby de la Zouch to be close to a relative or other person in order to provide or receive significant amounts of care and support.*
- f)e) Has a close family member who is lawfully and ordinarily resident within Ashby de la Zouch and who has been lawfully and ordinarily resident within the Plan area for a continuous period of not less than three years immediately prior to occupation and for the purposes of this clause a “close family member” shall mean a mother, father, brother or sister.*

*Only where no households can be found that meet any of the above criteria shall affordable housing within the Plan area be allocated to otherwise eligible households from the wider District.*

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This is a case of unintended consequences: if this restrictive policy were to apply to new affordable housing developments in Ashby, two key unintended consequences would be of particular concern:

The first of these is that other Neighbourhood Plans may wish to follow suit, and we would end up with people who need affordable housing effectively stuck in the town they currently live in, as they would be precluded from moving to a different town by the same policy.

The second is that the reduced pool of potential occupiers of the new homes would increase the borrowing costs for Registered Providers, to the point that viability would be threatened.

Under that scenario, fewer affordable homes, possibly with a different sub-optimal tenure mix, would be provided.

The remainder of the issues, set out in the table, may improve the plan, but would not necessarily run to its heart. They are provided in the spirit of helpfulness.

Policy included in Part 2 Consultation Draft Neighbourhood Plan	NWLDC Comments
<p><b>POLICY S2: LIMITS TO DEVELOPMENT</b>            Within the Limits to Development as identified in Figure 4, development proposals will be viewed positively where it is in accordance with the other policies of this Neighbourhood Plan and relevant District and national planning policies and subject to accessibility, design and amenity considerations.</p>	<p>Have added in word 'other' as suggested.</p>
<p><b>POLICY S3: DEVELOPMENT PROPOSALS OUTSIDE OF THE LIMITS TO DEVELOPMENT</b>            Development proposals in countryside locations outside the Limits to Development will only be supported in exceptional circumstances where in accordance with national and District wide planning policies and other policies in this Plan.            In all cases, where development is considered acceptable, it will be required to respect the form, scale, character and amenity of the landscape and the surrounding area through careful siting, design and use of materials.</p>	<p>No changes proposed</p>
<p><b>POLICY S4: DESIGN - Design Principles</b>            All new development will need to satisfy the following design principles:            1. New development should enhance and reinforce the local distinctiveness and character of the area in which it is situated, particularly within the Conservation Area and take in to account the design principles set out in the National Forest Design Charter. Proposals should clearly show how the general character, scale, mass, density and layout of the site, of the building or extension fits in with the aspect of the surrounding area. Care should be taken to ensure that the development does not disrupt the visual amenities of the street scene and impact negatively on any significant wider landscape views;            2. New buildings should follow a similar design approach to ensure consistency in the use of materials, fenestration and the roofline to the building. Materials should be chosen to complement the design of the development and add to the quality or character of the surrounding environment and of the Conservation Area;            3. Adequate off road parking should be provided to ensure highway safety and to enhance the street scene and in the case of residential dwellings a minimum of two car parking spaces for dwellings of three bedrooms or less and a minimum of three spaces for dwellings of four bedrooms or more, in accordance with Leicestershire County Council standards;            4. All new development should reflect the character and historic context of existing developments within the Plan area. Contemporary and innovative materials and design will be supported where they are in keeping with the character of the area;            5. High quality superfast (of at least 30Mbps) broadband connectivity should be available;            6. Redevelopment, alteration or extension of historic farmsteads</p>	<p>Have accepted recommendations regarding title of policy and how policy starts and reference to national forest. Part 2) wording has changed to reflect previous concerns regarding word consistency. Part 3) have added in purpose of policy but still conflicts with LCC requirements as it is specific for all developments Part 4) reworded to delete reference to 'continue' and reworded to reflect previous concerns Part 5) and part 6) essentially unchanged Part 9) now only refers to 'wooden fencing' Part 11) substantial revisions. Is high flood risk consistent with NPPF? What arrangements are envisaged re management of SUDs? Part 12) is a new separate point having previously been part of old 10). Part 13) rewritten to reflect previous concerns. Part 14) recognises that smaller developments may not achieve BFL. Perhaps suggest reword to make clear that conformity</p>

<p>and agricultural buildings within the Plan area should be sensitive to their distinctive character, materials and form;</p> <p>7. Proposals should minimise the impact on general amenity and give careful consideration to noise, odour and light. Light pollution should be minimised wherever possible and security lighting should be appropriate, unobtrusive and energy efficient;</p> <p>8. Development should be enhanced by biodiversity and landscaping with existing trees and hedges preserved whenever possible;</p> <p>9. Where possible, enclosure of plots should be of native hedging, wooden fencing, or brick wall of rural design;</p> <p>10. Development should incorporate sustainable design and construction techniques to meet high standards for energy and water efficiency, including the use of renewable and low carbon energy technology, as appropriate;</p> <p>11. Development should be avoided in areas of high flood risk (flood zones 2 and 3) and where this is being considered, the sequential test should apply. Where it is necessary to manage surface water drainage, development should incorporate sustainable drainage systems (SuDS) with maintenance regimes to minimise vulnerability to flooding and climate change. Arrangements to manage and maintain SuDS over the whole period they are needed will need to be put in place;</p> <p>12. Development should incorporate appropriate provision for the storage of waste and recyclable materials;</p> <p>13. Development should be of a similar density to the immediate surrounding area;</p> <p>14. Housing proposals should demonstrate how the criteria identified within Building for Life 12 have been taken into account. It is recognised that greater conformity will be achievable in large developments; and</p> <p>15. New development should take into account risk from land instability and where necessary incorporate appropriate mitigation and/or treatment measures.</p>	<p>refers to BFL. Part 15) is new.</p>
<p><b>POLICY S5: PRIORITY TO BE GIVEN TO BROWNFIELD SITES</b></p> <p>Within the Limit to Development, development proposals for the redevelopment or change of use of redundant land or buildings should be prioritised above non-brownfield sites, provided they have limited environmental, amenity or ecological value</p>	<p>Previous concerns regarding the meanings of “prioritised” and “limited” not addressed. In addition, conflicts with NPPF as there is no sequential approach.</p>
<p><b>POLICY S6: AREAS OF LOCAL SEPARATION</b></p> <p>To retain the physical and visual separation between Ashby de la Zouch and nearby villages, the open land between the built-up areas of Ashby de la Zouch and the villages of Shellbrook, Smisby, Blackfordby, Norris Hill, Boundary and Packington will be designated as Areas of Local Separation, Figure 5.</p> <p>Development will not be permitted which, either individually or cumulatively, would demonstrably adversely affect or diminish the present open and undeveloped character of the area.</p> <p>Where development in these locations is considered to be otherwise appropriate, development proposals should be</p>	<p>Map now included showing proposed Areas of Separation – however it is not clear how these have been defined.</p>

<p>located and designed to preserve the physical and functional separation of the villages from the built-up part of Ashby de la Zouch.</p>	
<p><b>POLICY H2: REQUIREMENT FOR MASTERPLAN</b></p> <p>The allocation at Policy H1 will be supported if the requirements listed in the Publication version of the Local Plan Policy H3 and relevant Neighbourhood Plan policies including Policy S4 ‘Building Design Principles’ are provided, and, in conjunction with the Town Council:</p> <ul style="list-style-type: none"> <li>a) A Spatial Masterplan is agreed incorporating urban design objectives and demonstrating connectivity with the surrounding area, including traffic movements;</li> <li>b) A Landscape Masterplan is agreed covering the use of green spaces;</li> <li>c) Demonstration of compliance with Policy H4 on Housing Mix;</li> <li>d) Measures to be incorporated into the development to ensure all properties have convenient locations for individual waste and recycling bins;</li> </ul> <p>Ashby de la Zouch Neighbourhood Plan Version 11 –23 January 2017</p> <p>32</p> <ul style="list-style-type: none"> <li>e) An ecological survey is to be undertaken and its findings and recommendations adequately incorporated into the design;</li> <li>f) The stream corridor through the site is retained as natural open space with a 10m buffer either side. This should be managed as open space to ensure habitat continuity and to retain connectivity;</li> <li>g) A Design Code is agreed to ensure the delivery of the urban design objectives and demonstrating consistency in design between all the developers on the site and across the different phases of development. Issues to be addressed within the Design Code include:</li> </ul> <p>The character, mix of uses and density of each phase, sub – phase or parcel identified on the Master Plan to incorporate:</p> <ul style="list-style-type: none"> <li>a) The phasing of the development, taking in to account, where appropriate, the need to provide water quality improvements through developer contributions to ensure that there will be no adverse impact, directly or indirectly, on the integrity of the River Mease Special Area of Conservation;</li> <li>b) The layout of blocks and the structure of public spaces;</li> <li>c) The character and treatment of the perimeter planting to the</li> </ul>	<p>Some re-ordering but essentially the same.</p> <p>Part L) re connectivity – it is not clear if it is intended that these connections should go all the way to Calke Abbey etc. What does it mean?</p>

<p>development areas;</p> <p>d) The building height, scale, form, design features and means of enclosure that will form the basis of the character of each phase, sub-phase or parcel;</p> <p>e) The street form and hierarchy and the features that will be used to restrict traffic speeds and create legibility and requirements for street furniture;</p> <p>f) The approach to car parking and cycle parking within the phases, sub-phases and parcels and the level of car and cycle parking to be provided to serve the proposed uses in line with Policy S4;</p> <p>g) The materials to be used within each phase and area of the development;</p> <p>h) The treatment of the hedge corridors and retained trees and local areas of play within each phase, sub phase or parcel and the planting of new trees and woodlands as part of the National Forest;</p> <p>i) Measures to ensure the retention of rural footpaths through the built development and its enhancement for walkers;</p> <p>j) The measures to be incorporated to protect the amenities of the occupiers of existing properties adjacent to the site;</p> <p>k) A satisfactory scheme to prevent flooding;</p> <p>l) A satisfactory scheme to provide walking and cycling connectivity to the town and to open countryside across the A511 to the outstanding countryside area of the Pistern Hills, Staunton Harold and Calke Abbey.</p>	
<p><b>POLICY H3: WINDFALL SITES</b></p> <p>Development proposals for small infill and redevelopment sites for new housing (upto 5 dwellings) within the defined Limits to Development as shown in Figure 3 will be supported where they are in accordance with relevant policies in the Plan, especially S4 and relevant national and District wide policies, and:</p> <ul style="list-style-type: none"> <li>• are within the Limits to Development;</li> <li>• help to meet the identified housing mix for the Plan area</li> <li>• respect the shape and form of the Plan area in order to maintain its distinctive character and enhance it where possible;</li> <li>• retain existing important natural boundaries such as trees, hedges and streams;</li> <li>• provide for a safe vehicular and pedestrian access to the site and any traffic generation and parking impact created does not result in an unacceptable direct or indirect impact on its own or in combination with other known development proposals, on congestion or road and pedestrian safety;</li> <li>• do not result in an unacceptable loss of amenity for</li> </ul>	<p>Essentially as before but:</p> <ul style="list-style-type: none"> <li>• Now include reference to windfall sites being up to 5 dwellings (possible conflict with white paper?)</li> <li>• Refer to housing mix rather than requirement</li> <li>• Incorporated suggested wording relating to road and pedestrian safety</li> <li>• Reference to figure 3 should be to figure 4.</li> </ul>

<p>neighbouring occupiers by reason of loss of privacy, loss of daylight, visual intrusion or noise; and</p> <ul style="list-style-type: none"> <li>do not reduce garden space to an extent where it adversely impacts on the character of the area, or the amenity of neighbours and the occupiers of the existing dwelling.</li> </ul>	
<p><b>POLICY H4: HOUSING MIX</b>  In order to meet the future needs of the residents of the Plan area, new housing development proposals should:</p> <p>a) Provide a range of housing suited to local need and appropriate to their location;</p> <p>b) Ensure that at least 60% of new market housing in developments of 5 or more shall comprise 2 and/or 3 bedroom properties to redress the shortfall of smaller houses available locally; and</p> <p>c) Provide a balance of accommodation, including bungalows, which meets the needs of people of all ages, including older people, subject to monitoring and review.</p>	<p>Have deleted former b) which was considered inappropriate.</p> <p>Still no reference to viability.</p> <p>It is still not clear how the figure of 60% was arrived at.</p>
<p><b>POLICY H6: PROMOTING SELF-BUILD</b>  Development proposals for self-build or custom build schemes will be viewed positively.  Individuals who wish to purchase a self-build plot should demonstrate:</p> <p>a) that they have a local connection (definition as per Policy H5); and b) that they intend to live in the property once it is complete.  Plots may be sold to individuals without a local connection if a lack of local need has been demonstrated.</p>	<p>This goes a long way beyond the eligibility requirements that are set out in the regulations. Issues regarding conflict with self-build initiative not addressed.</p> <p>Have now removed reference to 6 months period and reference to fair price.</p>
<p><b>POLICY E1: EMPLOYMENT LAND AND BUILDINGS</b>  The Plan supports the retention of sites or buildings that provide employment (B1, B2 and B8) or future potential employment opportunities, as set out in Policy Ec3 in the Publication version of the Local Plan.</p>	<p>Policy significantly re-written and includes direct reference to publication local plan.</p> <p>Deleted reference to other small scale uses.</p> <p>Previous Policy E2 now deleted.</p>
<p><b>POLICY E2: SMALL AND START UP BUSINESSES</b>  Development proposals for new or the expansion of existing small businesses will be encouraged. The Plan encourages developments and initiatives, which support small and start-up businesses such as the provision of start-up units.</p>	<p>Is ambiguous - does this support any site in any location for small businesses, regardless of impacts?</p> <p>Point re LTD not addressed.</p>
<p><b>POLICY E3: CONNECTING PEOPLE IN THE PARISH OF ASHBY DE LA ZOUCHE TO THE NEW JOB OPPORTUNITIES</b>  Employment generating development proposals are encouraged to consider how they can help create employment and business opportunities within the Plan area to meet local needs, for example by: a) The provision of education and training initiatives; b) Providing a range of employment units of varying sizes, where appropriate; c) Promoting employment, training and purchasing opportunities and initiatives that develop the skills, employment</p>	<p>Title is slightly misleading as it suggests it applies across whole parish even though this is not the plan area. Policy wording itself is OK in this respect.</p> <p>a) and b) are both new</p>



<p>and trading opportunities for local people and businesses; d) Providing safe and attractive transport links, especially by foot, cycle and public transport such as through Travel Plans and enhanced bus provision with the main employment areas in and near to the Plan area; and e) Developing links between the business community and education providers.</p>	
<p><b>POLICY TC1: TOWN CENTRE USES</b>  Ashby de la Zouch is and will remain a retail, leisure and service Town Centre.  Development proposals for uses such as retail, leisure, commercial, office, tourism, cultural, and community development appropriate to outside the Primary Shopping Area in the Town Centre (as defined in figure 4 on the Town Centre and Primary Shopping Area map) , will be supported where they:</p> <ul style="list-style-type: none"> <li>a) Are of a scale appropriate to the character of Ashby de la Zouch and the role and function of its Town Centre;</li> <li>b) Conserve, and where possible, enhance the character and distinctiveness of Ashby de la Zouch in terms of design;</li> <li>c) Protect, and where possible, enhance its built and historic assets, and its wider setting; and</li> <li>d) Do not lead to an overconcentration of hot food takeaways. No more than 10% of the total commercial units are to be occupied by hot food take away uses and no more than two of these uses should be located adjacent to each other; and</li> </ul> <p>Any proposals for retail development outside the defined Town Centre will be subject to the sequential test and impact assessment in accordance with paragraphs 24-27 of the NPPF. Development proposals for other uses within the Town Centre will be resisted.</p>	<p>Part e now removed whilst d) has been re-worded so only applies to hot food takeaways</p> <p>Proposed wording in respect of where policy applies is confusing and implies that it only applies outside the primary shopping area?</p> <p>d) is poorly drafted, does this mean 10% of total number of units? Frontage? Floorspace? Would benefit from tightening up. There is also still no justification for figure of 10%.</p> <p>Still not clear what ‘other uses’ is referring to – this runs counter to established national policy that housing is a main town centre use.</p>
<p><b>POLICY TC2: PRIMARY SHOPPING AREA</b>  The Neighbourhood Plan supports the Primary Shopping Area designated by NWLDC, as shown on Figure 6, and in those areas it will:</p> <ul style="list-style-type: none"> <li>a) Support proposals for new retail (A1) development in new or existing frontages, particularly within ‘Mews’ style courtyards; and</li> <li>b) Where Planning approval is necessary resist proposals for the change of use of an existing retail (A1) premises in the Primary Shopping Area to any other use where that change of use results in either a cluster of non-retail uses or retail (A1) use no longer being predominant.</li> </ul>	<p>Policy re-written to address previous concerns regarding part ii) (as was). However, part b) needs a comma after necessary.</p> <p>Change of use away from A1 is not clear. Does this mean only if, across the entire primary shopping area, non-A1 uses are 51% (of the number of units? Floorspace? Frontage?) then you would seek to resist? Does that include or exclude vacant units? What is a cluster?</p>
<p><b>POLICY TC3: SHOP FRONTAGES</b>  Development proposals to alter or replace existing shopfronts, create new shopfronts or to alter the frontages within the defined Town Centre will be supported where they:</p> <ul style="list-style-type: none"> <li>a) Conserve or enhance the special qualities and significance of the building and area; and</li> <li>b) Relate well to their context in terms of design, scale, material and colour.</li> </ul>	<p>a) now amended to refer to “or” whilst reference to indifferent design removed.</p>

<p>Development proposals that remove, replace or substantially harm shop fronts or the frontages of buildings by poor design will not be supported.</p>	
<p><b>POLICY TC4: RESIDENTIAL DEVELOPMENT</b>  Proposals to develop upper floor of premises within the Town Centre for residential use, outside flood zones 3 or 3a will be supported subject to ease of access to the accommodation, parking, design and amenity considerations and within the Primary Shopping Area, where it would not result in the loss of, or adversely, affect an existing retail use.</p>	<p>Still not totally clear re issue of access.</p> <p>Additional words “where it “ now included.</p> <p>Is it correct that the reference to an existing retail use means an A1 shop? What is the purpose of this, if that is the case?</p>
<p><b>POLICY TC5: TOURISM</b>  Development proposals for tourism and leisure facilities will be supported within the Limits of Development. Tourism and leisure developments outside the Limits of Development will be supported if in accordance with relevant District and national planning policies.  The loss of tourism and leisure facilities will not be supported unless they are no longer viable or alternative provision is made available.</p>	<p>Policy now includes leisure as well.</p> <p>Issue re loss of tourist or leisure facility to another tourist or leisure facility not addressed.</p> <p>There is a risk that the caveats undermine the objective.</p>
<p><b>POLICY TC6: LEGIBLE SIGNAGE</b>  The ‘de-cluttering’ and provision of signage in keeping with the character of the area will be supported.  ‘Swan neck’ external lighting or the use of internal illumination (either of the whole sign or of the lettering) will not be permitted.</p>	<p>Reference to ‘corporate, clear and attractive signage’ now removed.</p> <p>There is an opportunity here to describe what is sought, and what is to be avoided</p>
<p><b>POLICY T1: TRAFFIC MANAGEMENT</b>  Development proposals must be able to demonstrate to the satisfaction of the District Council and/or the Highway Authority in dialogue with the Town Council that any traffic generation and parking impact created by the proposal does not result in an unacceptable severe direct or cumulative adverse impact on congestion or road and pedestrian safety.</p>	<p>Policy retitled. New title better</p> <p>Other rewording refers to whom applicants need to demonstrate that proposals are OK.</p> <p>Wording ‘unacceptable severe’ is confusing – can something severe be acceptable?</p> <p>Duplicates other existing policies.</p>
<p><b>POLICY T2: TRAVEL PLANS</b>  The Plan will promote and encourage a comprehensive programme of Travel Plans, including School Travel Plans, employer Travel Plans and new housing development Travel Plans. Development proposals, which the Highway Authority considers would generate a significant amount of travel, should be supported by a Travel Plan that is tailored to the specific needs of that development and the wider needs of the Plan area including where appropriate a reduction in Town Centre traffic.</p>	<p>Deleted reference to “ be expected to be” with “should be”.</p> <p>The consideration of wider needs and reducing town centre traffic, while laudable, go beyond the scope of what we can reasonably require of</p>

	<p>developers. The policy would benefit from robust justification to set out what is unusual about Ashby's roads to require such expansive travel plans.</p>
<p><b>POLICY T3: SAFER ROUTES TO SCHOOLS SCHEMES</b>  The Plan will encourage 'Safe Routes to Schools' schemes and similar initiatives wherever possible and appropriate. Development proposals for a new school or a significant expansion in an existing school's capacity should be accompanied by a Safer Routes to Schools Scheme or similar.</p>	<p>No change</p>
<p><b>POLICY T4: WALKING AND CYCLING</b>  The network of footpaths and cycleways should be safeguarded. The provision of new and/or the enhancement of existing footpaths and cycleways will be actively encouraged. Priority should be given to (i) the creation or improved links between the main residential areas and the Town Centre, surrounding countryside and essential services such as schools (ii) creation or improved links between the main residential areas and the main employment areas; (iii) the joining up footpaths and cycleways into a comprehensive network, including a joint footpath and cycleway that circumnavigates the Parish.</p>	<p>Policy significantly expanded.   Generally seems OK.</p>
<p><b>POLICY T5: LEICESTER TO BURTON RAILWAY LINE</b>  The Plan supports the provision of public transport services on the former Leicester to Burton rail line. Proposals that threaten the integrity of the Leicester to Burton railway line and its infrastructure for potential re-use for public transport services will not be supported. However, should the line completely cease being used for rail purposes the Plan supports its re-use as a footpath, cycleway or for some other form of public transport.</p>	<p>Renamed and some minor changes but OK.</p>
<p><b>COMMUNITY ACTION T2: PUBLIC TRANSPORT</b>  The Town Council will support and encourage liaison with Leicestershire Highway Authority, Highways England, East Midlands Airport, Network Rail, the bus operators and other relevant bodies to try to achieve better planning, and improved provision, of public transport.</p>	<p>Reference to Highways England now included, other issues not addressed</p>
<p><b>POLICY T6: CAR PARKING</b>  Development proposals should include adequate provision for off road vehicle parking. Development proposals that result in the loss of car parking provision will be resisted except where (i) the loss of parking will not have a severe adverse impact on an existing shortfall of spaces in the immediate area or (ii) adequate and convenient replacement car parking provision will be provided on or adjacent to the site. Where it is not possible to provide car parking on or adjacent to the site a funding requirement may be sought towards providing public facilities where such provision is possible.</p>	<p>Policy reworded.   As worded i) would only enable proposals exacerbating existing shortfall to be resisted. Is this what they want? Surely should be concerned with where result in a shortfall as result of development irrespective in any event not just where there is already a shortage?   Not clear who would provide parking using funding referred to.</p>

<p><b>COMMUNITY ACTION T3</b></p> <p>The Plan supports a major review of car parking provision and policies in the Plan area, especially in the Town Centre, and the Town Council will work with the Leicestershire Highway Authority, Leicestershire County Council, North West Leicestershire District Council, the local business community and other relevant bodies to ensure this.</p>	<p>No reference to additional parking proposed by district Council.</p> <p>No change to T3</p>
<p><b>POLICY NE1: LOCAL GREEN SPACES</b></p> <p>The following open spaces have been identified of special significance to the community and the Plan designates them as Local Green Spaces:</p> <p>Allotments, Wilfred Gardens;  Ashby Cemetery, Kilwardby Street;  Memorial Field, Prior Park Road;  Bullen’s Field, Prior Park Road;  Bath Grounds Playing Field, Station Road;  Hood Park;  The former Grammar School playing field on land adjacent to Prior Park Road;  Western Park;  Westfield Recreation Ground; and  Willesley Recreation Ground.</p> <p>Development proposals that would result in the loss of, or have a significant adverse effect on, an identified Local Green Space, shown in figure 7, will only be permitted in special circumstances, where the Plan area would gain equivalent benefit from the provision of suitable replacement local green space or gain significant social, economic or environmental benefits from an alternative facility.</p>	<p>It is not clear how the identified spaces were chosen, and could therefore be subject to challenge. This would benefit from robust evidence to withstand such a challenge</p> <p>Points raised previously seem to have been addressed.</p>
<p><b>POLICY NE 2: OPEN SPACE, SPORT AND RECREATION PROVISION IN NEW HOUSING DEVELOPMENT</b></p> <p>The Plan supports that the provision of open space, sport and recreational facilities will be sought as part of new housing development of 50 or more dwellings. It is important that this includes a mix of provision specifically to meet identified local needs in the Plan area. Priority should be given to meeting the needs of all age groups, including cross age provision such as outdoor fitness facilities.</p>	<p>Reference to 50 dwellings reflects local plan policy IF3.</p>
<p><b>POLICY NE 3: OPEN SPACE, SPORT AND RECREATION PROVISION IN NEW HOUSING DEVELOPMENT: ALLOTMENT PROVISION</b></p> <p>The Plan especially supports the identification of suitable site (s) dedicated to the provision of allotments. Appropriate and suitable allotment provision will be sought in new housing developments of fifty or more homes either through direct provision or a commuted sum towards allotment provision.</p>	<p>This policy would benefit from robust evidence, in particular of demand / need for allotments within the town, as well as an appropriate site size threshold that is demonstrably viable.</p> <p>Would this be in addition to the open space requirements</p>

	included within the overall total?
<p><b>POLICY NE4: BIODIVERSITY</b></p> <p>Development proposals should not harm the network of important local biodiversity features and habitats, including the River Mease. New development proposals should maintain and, wherever possible enhance existing ecological corridors and landscape features (such as watercourses, hedgerows and tree-lines). Development proposals should seek to create new habitats where possible.</p> <p>The Plan supports Policy En2 River Mease Special Area of Conservation in the submission Local Plan which commits the District Council to work with Natural England, the Environment Agency, Severn Trent Water, other local authorities and the development industry to improve the water quality of the river Mease and sets out measures to achieve this.</p>	<p>Reference to River Mease presumably reflects advice from Habs Regs Assessment?</p> <p>Now says 'should' as per previous comments.</p>
<p><b>POLICY NE 5: TREES AND HEDGEROWS</b></p> <p>Opportunities to enhance the coverage of trees and hedgerows, including in partnership with the National Forest Company, will be encouraged.</p> <p>Trees and hedgerows of good arboricultural, ecological or amenity value should be protected from loss or damage as a result of development. Where possible, they should be integrated into the design of development proposals</p>	<p>Second part of policy now reduced, but would still benefit from tightening.</p> <p>Still not clear how aboricultural value is measured and what makes it good.</p>
No specific policy on listed buildings	Lack of policy takes on board previous advice.
<p><b>POLICY HE1: NON DESIGNATED HERITAGE ASSETS BUILDINGS OF LOCAL INTEREST</b></p> <p>The Town Council and the Ashby de la Zouch Civic Society in consultation with the District Council and other bodies will maintain an agreed schedule of non-designated heritage assets of local significance. Development proposals that affect a building, structure or its setting identified on this list will be required to take into account the character, context and setting of the identified heritage assets including important views towards and from the assets. Development will be required to be designed appropriately, taking account of local styles, materials and detail. The loss of, or substantial harm to, a locally important asset will be resisted, unless exceptional circumstance can be demonstrated.</p>	<p>Part of a new section on heritage rather than being part of a broader section as previously.</p> <p>Issues raised previously not really addressed.</p> <p>The policy suggests that the Town Council and Civic Society will compile the list, but the Community Action points to the District Council updating the Conservation Area Character Appraisal. This inconsistency could be exploited at appeal. The issue would benefit from dialogue to ensure we each understand the position</p>
<p><b>POLICY HE2: HERITAGE ASSETS</b></p> <p>Development proposals that support the longevity, conservation and appreciation of designated and non-designated heritage assets, especially the Midlands Railway Station and the Royal Hotel, will be encouraged.</p>	New policy

<p><b>POLICY HE3: ASHBY DE LA ZOUCH AND HEATH END CONSERVATION AREAS</b></p> <p>The Plan supports the continued designation of the historic core of Ashby De La Zouch and the hamlet of Heath End as Conservation Areas. Development proposals that conserve or enhance the character, integrity and setting of these Conservation Areas, including views in and out of them, will be supported.</p>	<p>New policy</p>
<p><b>POLICY HE3: AREAS OF ARCHAEOLOGICAL INTEREST</b></p> <p>Development proposals are required to consider their impact upon archaeology. Where a development proposal may adversely affect a recorded archaeological site, developers or their agents should seek guidance at the pre-application stage and where necessary to engage in discussions about what material should be submitted with a planning application in any 'Heritage Statement'.</p>	<p>Should be Policy HE4.</p>
<p><b>POLICY CF1: IMPORTANT COMMUNITY FACILITIES</b></p> <p>Development proposals that result in the loss of, or have a significant adverse effect on, an important community facility will not be permitted unless the building or facility is replaced by an equivalent or by better provision in terms of quantity and quality in an equally suitable location, or it can be clearly demonstrated to the District Council in consultation with the Town Council, that it is no longer required by residents in the Plan area or its continued community use is no longer viable and the site has been actively marketed for over a year as a community facility. The following facilities have been identified as being especially important to the community.</p> <p>Post Office;  Library;  Town Council offices;  Churches including St Helens and Our Lady of Lourdes;  Ashby de la Zouch Neighbourhood Plan Version 11 –23 January 2017  74  All secondary and primary schools;  Hood Park Skate Park;  Hood Park Leisure Centre;  Open air swimming pool/lido;  Lyric Rooms;  Ashby Museum;  Ashby Cemetery;  The Allotment Site;  Ashby medical centre;  Venture Theatre;  Ashby Tourist Information Centre;  Town Hall Market;  War Memorial and Gardens;  Hood Court Centre and the  Fire Station.</p>	<p>Drafting would benefit from clarification, to set out criteria for 'loss' of community facilities, and a definition of what types of facilities fall within the ambit of the policy.</p> <p>Including list addresses previous concerns.</p> <p>Issue of marketing addressed.</p> <p>Where is 'the allotment site'?</p>

<p><b>POLICY CF2: NEW COMMUNITY FACILITIES</b> Development proposals that will enhance and increase the provision of community facilities to meet a local need, including medical facilities, will be encouraged.</p>	<p>Policy simplified</p>
<p><b>POLICY CF3: ASSETS OF COMMUNITY VALUE</b> Development proposals that will enhance the viability and community value of registered Assets of Community Value will be supported. Development proposals that would result in either the loss of the asset or in significant harm to the community value and use of an asset will be resisted.</p>	<p>Use of word 'resisted' is more appropriate for a neighbourhood plan.</p> <p>Should it be 'and' in respect of 'viability and community value'? How will enhancement of community value be measured – how significant does any enhancement have to be?</p> <p>Need to satisfy CIL requirements in terms of issue of enhancing viability.</p>
<p><b>COMMUNITY OBJECTIVE CF1: NEW ARTS/COMMUNITY CENTRE</b> The development of an appropriately located new Arts/Community Centre will be actively encouraged.</p>	<p>Making this a community objective addresses previous concerns. However, this might work better as a component to DC1 (Community Infrastructure)</p>
<p><b>COMMUNITY ACTION CF1</b> The Town Council will work with the County Council, local schools and other interested bodies and individuals, to promote good quality education provision that meets the existing and future needs and population profile of the Plan area.</p>	<p>No changes</p>
<p><b>POLICY CF4: EDUCATION</b> Where it is considered that a development proposal will have a demonstrable and significant impact on education provision in the Plan area this will be required to provide adequate financial contributions to provide sufficient good educational provision for the additional demand it generates.</p>	<p>No changes</p>
<p><b>POLICY DC1: Community Infrastructure</b> New development will be supported by the provision of new or improved infrastructure as set out in policies S4, H2, H5, E5, TC5, T1, T2, T6, NE2, NE3, NE4, NE5 and CF2.</p>	<p>Policy now simplified but issue re viability not addressed.</p> <p>This would benefit from clarification of whether the requirements listed are in priority order</p>
<p>Other changes requested to supporting text have generally been made, with exception of page 77, where a reference to CIL has been included (penultimate paragraph), but not in terms of needing to ensure that have to meet CIL tests.</p>	