

MEETING OF THE LOCAL PLAN COMMITTEE

WEDNESDAY, 30 JULY 2025

ADDITIONAL PAPERS

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LOCAL PLAN COMMITTEE WEDNESDAY 30 JULY 2025 6pm

QUESTION AND ANSWER SESSION

Question from Mr M Elton

'C77 is owned by World Habitat formally known as East Midlands Housing so it is likely that any building is going to be social or affordable housing. Therefore it will be public money, funded by government grants, which will be used to build on this site. This steep valley has an underground stream, surface coal seams and underground gas. We have been advised by an ex developer that this site will be extremely expensive to develop. Do the Local Plan Committee, therefore feel that this would be a good use of public money to develop this site?'

Response from the Chair of the Local Plan Committee

'A decision as to whether or not it is appropriate to undertake development at site C77 having regard to costs alone is for East Midlands Housing as the prospective developer to determine, it is not for the Council to judge if it represents a good use of public money. The Local Plan is concerned with determining, from a planning perspective, whether it is appropriate for sites to be developed. In this instance it is considered that site C77 is appropriate.'

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LOCAL PLAN COMMITTEE WEDNESDAY 30 JULY 2025 6pm

QUESTION AND ANSWER SESSION

Question from Mr C Taylor

'Full council voted 35 to 1 for the petition to remove WWV from the plan being referred to LPC, because WWV site doesn't meet any of the plan objectives, isn't in line with proposed planning reforms and fails to treat WWV fairly in terms of creating an area of separation. Councillor Legry proposed that no more sites should be removed which were recommended by Officers. Does this mean that no sites will be removed from the plan until the appeal stage, whether or not they are viable?'

Response from the Chair of the Local Plan Committee

'The decision as to whether any site should be excluded (or included) in the final Local Plan will, in the first instance, be for members of the Local Plan Committee to decide having regard to evidence, including, not limited to, the ongoing transport modelling and the viability assessment. The final decision as to the content of the Local Plan will rest with a meeting of the full Council.'

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LOCAL PLAN COMMITTEE WEDNESDAY 30 JULY 2025 6pm

QUESTION AND ANSWER SESSION

Question from Mrs G Baker

'I understand that HS2 safeguarding has now been lifted, a planning application for more than 4 ½ thousand properties at Isley Walton and 300 properties at Broomleys have been submitted and that part of the proposed Twycross new development will extend onto an area of NWLDC. You have also stated that you will continue to plan for 686 properties to be built within the district per year, while the impact of Local Government restructuring on requirements is unclear. From your report it appears that you have already decided that the proposal to build on Packington Nook has also been removed. Basic arithmetic would suggest that further sites will be removed. I am concerned that sites will be taken out of the plan based upon political influence rather than the viability of the site and impact upon the community. Could you explain to me please criteria for withdrawing sites from the New Local Plan?'

Response from the Chair of the Local Plan Committee

'The site at Packington Nook was identified as a reserve site in the event that the safeguarding for HS2 was not removed as it affected sites that already had planning permission. As the safeguarding has now been removed it follows that a reserve site is no longer required.

The remaining sites are all required in order to ensure that sufficient land is available to meet the identified needs.

Ongoing evidence work, particularly in respect of transport, infrastructure provision and viability will inform final officer recommendations as to whether the identified sites should continue to be included in the plan. The Local Plan Committee will have regard to officers recommendations, but may come to a different conclusion as they are entitled to do.'

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Local Plan Committee

30 July 2025

UPDATE

ITEM 5: LOCAL PLAN – ADDITIONAL PROPOSED HOUSING ALLOCATIONS: CONSIDERATION OF RESPONSES TO CONSULTATION

Distribution of housing

Further to a request from Councillor Ball table 7 from the report to this Committee on 11 March 2025 is set out below. This shows the distribution of development that would result if the additional allocations proposed in the consultation were to be agreed by the Committee

Based on the recommendations in the report the only change would be in respect of the Sustainable Villages as there are three sites in Packington (P7 and P5/P8) which are recommended to defer. This would reduce the provision in the Sustainable Villages from 446 to 416 dwelling and the overall provision to 7,110 dwellings.

	A	B	C	D	E
	Option 7b Distribution Strategy (%)	Allocations required to 2042 based on 686 dwellings per annum (dwellings)	Revised allocation to 2042 (dwellings)	Revised distribution (%) (C/7,147 x 100)	Difference to preferred development strategy (%) (D – A)
Principal Town	35	2,501	2,457	34	-1
New settlement	35	2,501	1,950	27	-8
Key Service Centre	15	1,072	1,201	17	+2
Local Service Centre	10	715	1,086	15	+5
Sustainable Villages	5	358	446*	6	+1
		7,147	7,140*		

*These figures do not include the 18 dwellings recently approved in Breedon-on-the-Hill, referred to at paragraph 7.5 above. Adding these 18 dwellings to these figures would result in the residual shortfall being met.

Recommendation

No change to recommendation.

Site K12 – land south of Ashby Road Kegworth

Members of the Committee will have received an email from Councillor Sutton (Kegworth Ward) and the Chair of Kegworth Parish Council regarding this site (attached at Appendix A) and more particularly the issue of the impact of noise.

The comments of the Environmental Protection Officer at paragraph 7.8 of the report and dated 13 June 2025 do not relate specifically to this site but rather to one on the north side of Ashby Road. However, they do represent the latest comments on that particular site superseding the comments of 20 March 2025 as referred to in the email from Councillor Sutton and the Chair of Kegworth Parish Council. Notwithstanding the fact that these comments relate to a different site, they do suggest that excluding this site on the basis of noise without a more detailed assessment, as required in the policy, would be premature. This is subject to receiving further legal advice in respect of the separate issue of the Public Safety Zone.

Recommendation

No change to recommendation.

Site A27 – Land south of Burton Road, Ashby de la Zouch

Members of the Committee have been copied into an email from a resident of Ashby de la Zouch in respect of the above site (Appendix B).

One of the issues raised relates to whether comments made during the consultation will be responded to in writing. The consultation document published in March 2025 was concerned with the new sites which it was proposed to allocate, not those which had been agreed by the Committee at its meetings in December 2024 and March 2025. The consultation document did make it clear that the consultation did not concern sites previously consulted upon and that such comments would not be accepted.

As set out at paragraph 4.5 of tonight's report, a number of representations were received on sites not the subject of the consultation. Notwithstanding the statement in the consultation document, it is suggested that a report will be brought to a future meeting of this Committee to address these representations. This will also address those points made in the email to members.

Recommendation

Note the comments and the intention to report to a future meeting of this Committee.

APPENDIX A – CORRESPONDENCE FROM COUNCILLOR SUTTON

We are jointly writing to you as a member or substitute member for the Local Plan Committee, ahead of the meeting on 30th July 2025

This issue related to agenda Item 5, “Local plan – additional proposed housing allocations : consideration of response to consultation”. Kegworth Parish council expressed objections to this site for a number of reasons but to be blunt it is hard to see that how out of the 290 or so sites in the final SHELAA document that this site next to the M1 and directly at the end of the East Midlands Airport runway is deemed to be one of the best sites for development of housing. It simply does not pass the common sense test, especially when some of the most suitable sites have not been seriously considered for consultation, a fact of which the Inspector must surely become aware when the inspection stage comes.

The officer notes on page 151, Appendix H of the meeting pack seem strange compared to the actual words used by the Environmental Health Officer dated 20/03/2025. We can only assume that an error was made. Below are the verbatim quotes from the documents below for ease of reference.

To be clear “all amenity areas” means all outdoor areas. There are no effective outdoor mitigations possible for aircraft noise other than changing the operations of the airport which is not within the powers of NWLDC. Mitigations to the diffuse road noise (planting and/or fences) are also not very effective due to the site topography, but why even have this debate for a site that should score badly in comparative assessments?

APPENDIX H – LAND SOUTH OF ASHBY ROAD, KEGWORTH (K12) – page 151

*The draft policy in the consultation document requires a noise assessment which would also need to provide appropriate mitigation. Officers note a recent consultation response from the Council’s Environmental Protection officer, dated 13 June 2025 and made in relation to the adjoining site (application ref 16/00378/FULM) confirmed that residential development **would be acceptable subject to the implementation of noise mitigation measures**. On this basis, there would be no justification for precluding K12 on noise grounds in advance of a noise assessment being undertaken.*

Environmental Health Officer letter dated 20/03/2025 ref

16/00378/FULM *Environmental Observations, Due to the proximity of multiple noise sources in the area and having looked at the most recent noise impact assessment dated 1st October 2024, which differs from the initial noise impact assessment, **the suitability of the site for housing is not acceptable**. The Environmental Protection Team would therefore not support this proposed application unless further designs are submitted accompanied with noise measurements that indicate the **criteria is met for all amenity areas**.*

We would strongly suggest that you review the suitability of this site and ensure that it is removed from consideration at this stage.

Appendix B

Dear Members of the Local Plan Committee and Democratic Services,

As a local resident of Rushey Close in Ashby-de-la-Zouch, I am submitting this written briefing in advance of the upcoming Local Plan Committee meeting on **Wednesday 30 July 2025**. I understand that it is no longer possible to speak at the meeting, *as informed by a sitting councillor on 26.07.25*, but I respectfully request that this statement be circulated to committee members and recorded for the meeting file.

Re: Site A27, Land South of Burton Road / Rushey Close, Ashby-de-la-Zouch

I am writing to express serious ongoing concerns regarding the proposed allocation of **Site A27** in the emerging Local Plan. Despite prior objections and an FOI now submitted to NWLDC, this site remains within the draft plan, raising unresolved issues related to legal compliance, environmental harm, consultation failures, and evidence transparency.

Key Issues:

- **Lack of Reassessment of HS2-Related Land:** Previously safeguarded HS2 Phase 2b land, now released, not reconsidered as a more sustainable alternative to Site A27. This may breach SEA regulations requiring assessment of reasonable alternatives.
- **SAC and Nutrient Neutrality Concerns:** A27 lies within the **River Mease Special Area of Conservation (SAC)** catchment. No lawful or complete **Habitats Regulations Assessment (HRA)** has been disclosed. Reliance on **Severn Trent Packington Pipeline** remains speculative and potentially non-compliant with the Conservation of Habitats and Species Regulations 2017.
- **Consultation and Transparency Failures:** Several Ashby residents (including myself) unaware of the A27's inclusion during the **Regulation 18 consultation in early 2024**. A sitting councillor confirmed **the council failed to consult on the additional allocation**.
- **Post-Deadline Objections:** The report for this Committee says **17 objections** were made to A27, with **1 submitted after the deadline**. Were these formally reviewed as valid material considerations and will they receive a substantive response before Regulation 19.
- **Flooding, Undocumented Infrastructure & Legal Risks:** Residents identified undocumented & leaking drainage infrastructure running through A27 into the National Forest. There's also concern that **phosphate levels used to justify Severn Trent's pipeline** may have been influenced by this unmitigated flooding. If so, this raises questions about the pipeline's evidence base and credibility.
- **Equality, Sustainability & Consultation Gaps:** A27 relies on access via **unadopted roads with private estate charges**, raising issues under the **Consumer Protection Law, Equality Act 2010**, and **CMA 2022 guidance**. The community was not informed or consulted as required under the Council's **Statement of Community Involvement (SCI)**.

Requests to the Committee

1. Please formally acknowledge concerns raised by Ashby residents; especially related to legal and environmental compliance.

2. Ask officers when & how objections to A27 (including the post-deadline objections) will be responded to in writing.
3. Request clarity on consultation record for A27; particularly whether Ashby residents on the consultation database were directly notified.
4. Seek legal advice regarding the status of A27 in light of incomplete environmental evidence & potential breaches of SEA and HRA regulations.

Thank you for your time and attention. I would welcome the opportunity to provide further information, including FOI records, ecological concerns, and correspondence with statutory bodies.

Yours sincerely,
Abigail Kingaby

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Local Plan Committee

30 July 2025

UPDATE

ITEM 6: LOCAL PLAN – ADDITIONAL PROPOSED EMPLOYMENT ALLOCATIONS: CONSIDERATION OF RESPONSES TO CONSULTATION

Section 4 of the report provides initial information about the sites submitted during the recent call for employment and lorry parking sites. There is an error in Table 6; the site at Molehill Farm Kegworth (EMP97 part) was submitted as a potential lorry parking site, not an employment site.

The corrected table is provided below. This correction does not impact on any of the report's recommendations.

Table 6 – 2025 Call for Sites submissions (excluding proposed new settlement near Twycross)

Ref	Site	Status	Proposed use	Ha
EMP99	Land north of rail line, Hemington	New site	Employment	6.8
EMP100	Land at Fields Farm, Measham	New site	Employment	5.7
EMP101	Land north of Wood Road, Ellistown/Battram	New site	Employment	11
EMP97(part)	Molehill Farm, Kegworth	Part of a previously submitted site	Employment Lorry parking	32.65
EMP63(part)	Carnival Way (Option 1), Castle Donington	Part of a previously submitted site	Employment	1.8
EMP63	Carnival Way (Option 2), Castle Donington	Previously submitted site	Employment	8.7
EMP90 (part)	MAG site, south of East Midlands Airport	Part of a previously submitted site	Employment	41.28
EMP66	Ex-Measham Mine site, Measham	Previously submitted site	Employment	3.6
EMP38	Ashby Aquatics, Nottingham Road, Ashby	Previously submitted site	Lorry parking	2.8

Recommendation

That Table 6 be amended as set out above

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