

APPENDIX B – ASHBY DE LA ZOUCH CONSULTATION RESPONSES

RESPONSES TO PROPOSED ALLOCATIONS CONSULTATION

HOUSING		SITE NUMBER: A5		SITE NAME: MONEY HILL, ASHBY-DE-LA-ZOUCH	
MAIN ISSUES RAISED	COUNCIL RESPONSE	ACTION	RESPONDENT ID	RESPONDENT NAME	
Deliverability					
<p>[Concerns about the deliverability of the site/objections to its allocation:</p> <ul style="list-style-type: none"> The site is an allocation in the adopted Local Plan but only 162 dwellings /8% of total allocation completed to date No planning application has been submitted to date. Evidence needed on whether there is a reasonable prospect of delivery. If no such evidence is provided the site should be removed as an allocation.] 	<p>Since the consultation has ended, Bloor Homes and Taylor Wimpey have started constructing homes on their first phases. They have permission for 605 dwellings in total. Taylor Wimpey and Bloor Homes are currently working up a planning application for a further 1,200 dwellings and submitted a request for an Environmental Impact Assessment Scoping Opinion to the Council in May 2024.</p>	<p>A detailed housing trajectory will be prepared as part of the Regulation 19 stage of the Local Plan. This will be informed in consultation with the developers as well as by evidence on site lead in times, average annual delivery rates etc.</p>	<p>21; 150; 172; 174</p>	<p>Harris Lamb (Owl Homes); Savills (David Wilson Homes); Fisher German (Cora); Fisher German (Mr Botham)</p>	
Employment Land					
<p>[The new Local Plan should revert back to the adopted Local Plan wording of 'up to 16ha' rather than stating the requirement as 'around 16ha'.]</p>	<p>The term 'around' infers a figure which is close to 16Ha. Strictly speaking, 'up to' could mean any amount of land up to and not exceeding 16Ha although other evidence, such as the agreed masterplan, shows the clear expectation that the site will deliver 16Ha of employment</p>	<p>No change.</p>	<p>92</p>	<p>Ashby Town Council</p>	

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	land. On balance, 'around' is the preferred term.			
<p>[The policy should be amended to require up to 8ha of employment land. Whilst there is a continued demand for industrial / logistics floorspace in Ashby-de-la-Zouch, the market is not as strong as it was pre-Covid. There are high vacancy levels in the local office market which would compete with any provision on the site and is therefore likely to be unviable.]</p> <p>An Employment Land Report has been submitted in support of the representation.</p>	<p>The adopted Local Plan and subsequent agreed masterplan provide for a residential-led, mixed use scheme with a substantial element of employment land. The respondent's submission does not explain how circumstances have changed such that this amount of employment land is no longer appropriate. Further, the council's evidence for the emerging Local Plan shows that more employment land is needed in addition to 16Ha allocation at Money Hill. Any reduction in the Money Hill figure would result in additional site/s having to be identified elsewhere. In every likelihood, this would be on greenfield land.</p>	No change.	214	Stantec (Bloor Homes and Taylor Wimpey)
<p>[Unlike the adopted Local Plan, the new Local Plan does not define the employment land on the Policies Map or set out specific requirements for the development of the employment land in part (1) of Policy Ec2. The new Local Plan should be clearer on the location of and the requirements for the employment land allocation].</p>	<p>Agreed. The annotation on the draft Local Plan inset map identifies A5 as a housing site and this should be amended to identify the employment areas. These areas should also be carried forward for inclusion in new Policy Ec3 – New Employment Allocations. On reflection, the relevant site-specific criteria from adopted</p>	<ol style="list-style-type: none"> 1) Amend Ashby Inset Map to include employment land at Money Hill. 2) Include Money Hill Employment sites in Policy Ec3 3) Include site specific criteria for the employment elements of Money Hill in Policy A5 (or, possibly, Ec3). 	92	Ashby Town Council

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	Policy Ec2 should also be incorporated into the new Plan.			
Infrastructure & Planning Obligations				
Para 2 (l) needs to stipulate that S106 monies for the LCWIP [Leicestershire Cycling and Walking Infrastructure Plan] should be spent on footpaths and cycleways in and around Ashby de la Zouch.	<p>S106 contributions need to meet three legal tests:</p> <ol style="list-style-type: none"> 1) necessary to make the development acceptable in planning terms; 2) directly related to the development; and 3) fairly and reasonably related in scale and kind to the development <p>It would be difficult to justify that 2) was met if S106 monies were secured for footpaths and cycleways outside of Ashby-de-la-Zouch. As such, it would not be necessary for the Plan to be so specific as suggested by this representation.</p>	The plan needs to be underpinned by evidence which can quantify and secure S106 monies towards the LCWIP in a way that meets the three legal tests. This will be addressed as part of the Infrastructure Delivery Plan.	92	Ashby Town Council
[The policy should include a specific requirement for the developer to provide and fund an appropriate community facility on the site.]	Planning permission was granted for a community facility on the Phase 1 site, but at present, no potential occupiers have come forward to take on its delivery under the terms of the S106 agreement. The developers of Phase 1 have to market the land for a period of two years; this period has not yet ended. In addition, community facilities will	Await the end of the marketing period as well as the outcome of the Built Facilities Strategy.	92	Ashby Town Council

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	form part of a Built Facilities Strategy which is underway.			
[There is a need to provide a primary school although the policy is unclear on how many form entries will be required].	Since the consultation has ended, the local education authority (Leicestershire County Council) has confirmed that their preference would be to provide a two form entry school on the Phase 1 site (i.e. the part currently under construction). LCC has stated that there is sufficient land on the approved Phase 1 school site for a two form entry school and that the balance of demand could be met by the expansion of another primary school in Ashby.	Delete part (1)(d) from the policy, which required land for a new primary school.	214	Stantec (Bloor Homes and Taylor Wimpey)
[The policy should confirm the amount of affordable housing that is required onsite whilst having regard to viability]	The amount of affordable housing will be confirmed at a later stage in the plan, once it has been subject to a viability assessment.	No change at present	214	Stantec (Bloor Homes and Taylor Wimpey)
[Policy (2)(l) should specifically refer to a financial contribution towards a railway station in Ashby]	Government funding for the Leicester to Burton railway line was withdrawn in July 2024, meaning its future is uncertain.	Given the uncertainty, no change at present. We will review the situation at Regulation 19 stage.	244	Network Rail
Design Issues				
[Part (2)(k) needs to be much clearer on whether the required Masterplan is in addition to the Wider Site Masterplan which has already been agreed with the	A masterplan for the whole Money Hill site was approved at a full Council meeting in December 2019. We accept that including this requirement in the	At Regulation 19 stage, consider the removal of part (2)(k) and for clarity, provide some explanation regarding the masterplan in the supporting text.	92	Ashby Town Council

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<p>developer and published, how it should relate to that document, at what stage in the planning process it must be agreed and whether this Masterplan must include a Design Code as was required for Phase 1.]</p>	<p>Reg 18 Local Plan is confusing. An application for Phase 2 is expected to be submitted in advance of the Regulation 19 version of the Plan and this should accord with the approved masterplan. Reasons for any departures from the masterplan would need to be fully justified.</p>			
<p>[In accordance with NPPF paragraph 193, the policy needs to include the following requirement: “Details of measures to protect the operation of Ivanhoe School’s Playing Fields from any significant adverse effect arising from the siting of this proposed housing development.”]</p>	<p>The part of Money Hill which is adjacent to these playing fields already has planning permission and is under construction. Such a policy requirement would not therefore be effective.</p>	<p>No change</p>	<p>143</p>	<p>Sport England</p>
<p>[Impact on public right of way identified]</p>	<p>Part (2)(d) of the draft policy referenced the “Retention and enhancement of the existing public right of way crossing the site (O80).</p>	<p>No change. The retention and enhancement of the public right of way will be dealt with as part of the planning application.</p>	<p>192</p>	<p>Leicestershire Local Access Forum</p>
<p>[The policy should be flexible on the number of dwellings which could be accommodated, which is currently unknown and may exceed 1,200.]</p>	<p>Ultimately, the capacity of the site will vary depending upon the mix and tenure of homes, which is why the policy is expressed as a general (and not a maximum) figure. This gives the Plan a degree of flexibility.</p>	<p>No change as no evidence has yet been provided which demonstrates more than 1,200 dwellings is achievable.</p>	<p>214</p>	<p>Stantec (Bloor Homes and Taylor Wimpey)</p>

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Highways				
Bloor Homes Midlands and Taylor Wimpey Strategic Land's Highways Consultant are currently undertaking pre-application discussions with the Highways Authority. The above requirement will form part of these discussions	Noted	No change at present although the requirement could be clarified with reference to the approved masterplan.	214	Stantec (Bloor Homes and Taylor Wimpey)
[Cycle and pedestrian connections will be provided linking the site to Ashby to the south, the countryside to the north, the proposed employment area and the wider allocation currently under construction.]	Noted	No change at present although the requirement could be clarified with reference to the approved masterplan.	214	Stantec (Bloor Homes and Taylor Wimpey)
Key vehicular routes through the site will be designed to accommodate buses.	Noted	No change	214	Stantec (Bloor Homes and Taylor Wimpey)
Environmental Issues				
[The requirement for a Construction Environment Management Plan could form part of the discharge of conditions process, rather than being a requirement of the planning application]	Part (2)(h) of the draft policy included text on the River Mease, including the requirement for a River Mease Construction Environment Management Plan as part of a planning application. The development management team has confirmed that they would not expect a CEMP to be submitted with a planning application. If required (and this depends upon the nature of the application, topography of the	Delete part (2)(h) from the policy (and all other site policies with the same requirement). Ensure that Policy EN2 is updated to refer to CEMPs in either the policy wording or its supporting text.	214	Stantec (Bloor Homes and Taylor Wimpey)

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	site, distance from the River Mease etc) then this is something would be secured by a planning condition.			
[Welcome the comments on the River Mease and reference to Policy En2]	The reference to the River Mease in this policy is a duplication of Policy En2 (see the committee report and text above).	See above.	223	Natural England
It is essential that Green & Blue infrastructure (GBI) is fully incorporated within this large development providing accessible, high quality green space for future residents.	Noted	No change, this is a generic issue best covered by Policy IF3: Green Infrastructure. It will also be an issue covered by the Council's updated Design Guide.	223	Natural England
[The site is located in a Mineral Safeguarding Area for Coal meaning any planning application should be accompanied by a Mineral Assessment of the effect of the proposed development on the mineral resource beneath or adjacent to it].	Part (2)(i) of the draft policy requires a Mineral Assessment for at or near surface coal.	No change	341	Leicestershire County Council (Planning)
The north part of the site contains a possible cropmark enclosure of unknown prehistoric date. It is not clear how this asset has been considered in the site assessment work or whether the Council's archaeological curators have provided advice as part of the assessment work.	LCC archaeology did not respond to the consultation. The site is already an allocation in the adopted Local Plan and it is considered that this issue can be assessed and any appropriate mitigation provided as part of the planning application which is	No change	357	Historic England

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<p>From the information available, it is not clear whether the site could be developed or delivered in the way the Council anticipates.</p>	<p>currently being worked up by the site promoters.</p>			
<p>The vast majority of this site lies within Flood Zone 1. The site appears to contain a small element of Flood Zone 2 along the western boundary.</p>	<p>Having relooked at the government's flood maps, the allocation site is in Flood Zone 1. Small parts of the site are shown to be at risk of surface water flooding. A Flood Risk Assessment and a sustainable drainage strategy will be required as part of a forthcoming planning application. The assessment will need to establish whether a proposed development is likely to be affected by future flooding and/or whether it would increase flood risk elsewhere. It would need to identify mitigation measures to deal with any effects or risk, to the satisfaction of the lead local flood authority (Leicestershire County Council).</p>	<p>No change</p>	<p>404</p>	<p>Environment Agency</p>
<p>A historic landfill [is] located approx. SK 36053 18359.</p>	<p>Noted. This is in an area now covered by trees and which the agreed masterplan shows would remain undeveloped.</p>	<p>No change. A ground investigation / land contamination assessment is a standard planning application requirement.</p>	<p>404</p>	<p>Environment Agency</p>

RESPONSES TO PROPOSED ALLOCATIONS CONSULTATION

HOUSING	SITE NUMBER: A27	SITE NAME: South of Burton Road, Ashby-de-la-Zouch		
MAIN ISSUES RAISED	COUNCIL RESPONSE	ACTION	RESPONDENT ID	RESPONDENT NAME
Principle of Development				
We have no objections in principle to the proposed allocations within the Parish of Ashby de la Zouch.	Noted	No change	92	Ashby de la Zouch Town Council
Site Allocation Policy Requirements				
[Confirmation that parts (2)(a),(b),(c),(d) and (e) can be met on site]	Noted	No change	280	Marrons (Richborough Estates)
[The site should be allocated for 65 homes based upon an updated layout submitted by site promoters]	The figure of 50 dwellings was based on information previously provided by the site promoters. A new site layout has been provided which accords with the proposed policy requirements.	Increase the allocation of the site to around 60 dwellings , which is the figure derived from the SHELAA methodology. Ultimately, the capacity of the site will vary depending upon the mix and tenure of homes, which is why the policy is expressed as a general (and not a maximum) figure.	280	Marrons (Richborough Estates)
Environmental Issues				
[Impact on existing public right of way identified]	Part (2)(b) of the draft policy referenced the “Retention and enhancement of the existing public right of way (P5).”	No change. The retention and enhancement of the public right of way will be dealt with as part of the planning application.	192	Leicestershire Local Access Forum

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[Note the comments on the River Mease catchment]	Noted	See comments made in relation to part (2)(f) of the policy under Site A5 (Money Hill).	223	Natural England
The tree planting area is welcome and should be connected to the GBI network across the site.	Noted	No change, this is a generic issue best covered by Policy IF3: Green Infrastructure.	223	Natural England
[No objections / concerns from a mineral sterilisation or waste perspective].	Noted	No change	341	Leicestershire County Council (Planning)
Site lies within Flood Zone 1	Noted. Because the site is larger than 1ha, a Flood Risk Assessment and a sustainable drainage strategy will be required as part of a forthcoming planning application. The assessment will need to establish whether a proposed development is likely to be affected by future flooding and/or whether it would increase flood risk elsewhere. It would need to identify mitigation measures to deal with any effects or risk, to the satisfaction of the lead local flood authority (Leicestershire County Council).	No change	404	The Environment Agency

APPENDIX B – ASHBY DE LA ZOUCH (ALTERNATIVE SITES)

RESPONSES TO PROPOSED ALLOCATIONS CONSULTATION

HOUSING		SITE NUMBER: VARIOUS			ALTERNATIVE HOUSING SITES IN ASHBY DE LA ZOUCH	
MAIN ISSUES RAISED	COUNCIL RESPONSE	ACTION	RESPONDENTS ID	RESPONDENTS NAME		
<p>[Packington Nook / Land south of Ashby(A7) should be allocated:</p> <ul style="list-style-type: none"> • The site performs better than land to the west of Castle Donington (CD10) • It has the potential to deliver up to 1,088 homes, a community hub, primary school extension, public open space, sports provision and a local centre. • There is an opportunity to provide employment land in the south of the site. Hallam and Jelson Homes are willing to work together to deliver a single comprehensive development. • The site is deliverable and a working masterplan responds to the site constraints. • The development has the potential to deliver offsite benefits – reducing flood risk in Packington, road infrastructure to relieve traffic on Lower Packington Road and Avenue Road, school pick-up and drop- 	<p>The rationale for choosing to allocate land west of Castle Donington has been set out in previous Local Plan Committee reports. The comments provided in support of the site are noted. Allocating this site would result in a significant scale of growth in Ashby given that Money Hill is anticipated to be built out over much of the plan period. Allocating a smaller part of the site is not considered appropriate.</p>	<p>Do not allocate, but having gone through the options for a potential shortfall in housing due to the HS2 safeguarding, propose to allocate as a reserve site.</p>	<p>184</p>	<p>Pegasus Group (Hallam Land Management)</p>		

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<p>off facilities, improved facilities at Ashby Ivanhoe FC.</p>				
<p>[North of Moira Road, Shellbrook (A25) should be allocated:</p> <ul style="list-style-type: none"> • the site is within a reasonable distance of services and facilities • It is not impacted by red constraints sufficiently to prevent development • Access is possible from Moira Road (the landowner has retained a right of access from Moira Road, adjacent to the existing attenuation area)] 	<p>These points are acknowledged by officers in the site assessment which accompanied the consultation. However, there are no obvious <i>direct</i> pedestrian connections to the adjacent development, meaning the site is not as well related to the adjacent development as it might be. There was no information submitted as part of the consultation that would change our initial assessment of this site. A further consideration is that development on this side of Ashby may exacerbate traffic levels in the town centre.</p>	<p>No change</p>	<p>174</p>	<p>Fisher German (Mr Botham)</p>
<p>[South of Moira Road (A26) should be allocated. The site can be developed in a way that would respond positively to ecology considerations, the Ivanhoe Way and built heritage and deliver National Forest and BNG requirements onsite. The whole site could deliver 350 dwellings]</p>	<p>Whilst this site was assessed in parcels, development of parcel A when it directly adjoins a working farm is not appropriate. Realistically the site should be considered as a whole (parcels a to c). There was no information submitted as part of the consultation that would change our initial assessment of this site. Development of such a scale, on the western side of Ashby is also likely exacerbate traffic issues in the town centre.</p>	<p>No change</p>	<p>174</p>	<p>Fisher German (Mr Botham)</p>

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<p>[Land adjacent to 194 Burton Road (A31) should be allocated for 47 dwellings:</p> <ul style="list-style-type: none"> • It is sustainably located in a Key Service Centre • Is deliverable in the short term by a housebuilder • Is located on Burton Road which links to the A511 without having to drive through the town centre • A safe access is achievable from Burton Road • Is not impacted by land designations or physical constraints • <p>[A site layout was submitted as part of the Local Plan consultation. Outside of the consultation, the promoters have also submitted site section drawings to officers.]</p>	<p>An <u>assessment</u> of the site has now been prepared. Officers have highlighted that the main issue is whether the site can be suitably developed without adversely affecting adjoining properties on Burton Road. Officers have discussed the layout and site section drawings with the Council's Urban Designer and Principal Planning Officer. The section drawings do not adequately show the impact upon the Burton Road properties and more work on this is required (albeit this is a detailed design issue). The layout was not deemed satisfactory as there were several instances where it conflicted with the Council's design guide. However, the site is well located for local facilities and services and design issues should not preclude the principle of development. Based upon the site topography, the quantum of development is proposed to be reduced so that a more satisfactory design could ultimately be delivered.</p>	<p>Propose the allocation of the site, subject to further consultation, for around 30 dwellings. Officers will consider appropriate design measures specific to the site that would need to be met.</p>	<p align="center">21</p>	<p>Harris Lamb (Owl Homes)</p>
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