

APPENDIX H – DONISTHORPE CONSULTATION RESPONSES

RESPONSES TO PROPOSED ALLOCATIONS CONSULTATION

HOUSING	SITE NUMBER: D8	SITE NAME: Land off Ramscliff Avenue, Donisthorpe		
MAIN ISSUES RAISED	COUNCIL RESPONSE	ACTION	RESPONDENTS ID	RESPONDENTS NAME
Principal of development				
<p>IWA objects to the housing allocation site D8 for 32 dwellings. The IWA identifies that part of the site is where a former railway line ran. Utilising this existing railway line has been identified as an option for an alternative route of the Ashby Canal. As such the site should not be developed but retained as an alternative route for the Ashby Canal. The alternative 'railway route' for the Ashby Canal should be protected as supported by Draft Policy IF7, at least until a detailed route options study can be funded and concludes otherwise.</p> <p>A reduced site capacity leaving space for the canal would be an acceptable compromise. Alternatively, the 2021 SHELAA lists 7 other potential sites in Donisthorpe which could provide all or part of the allocation.</p>	<p>The site is owned by Leicestershire County Council, it is understood that they intend to market the site for development in its entirety.</p> <p>LCC have advised that it is still their intention to sell the land for development for housing. In addition, LCC have advised that they have informed the Ashby Canal Association of their position.</p>	<p>No change proposed to the housing site allocation in Donisthorpe.</p>	33	Inland Waterways Association (IWA), Lichfield Branch
<p>Object to the proposed allocation of site D8 as it would result in a potential alternative route of the Ashby Canal being lost.</p> <p>Propose that a corridor be allowed along the western extent of the site to permit the canal route to cross the site from the Ashby Woulds trail. This was previously suggested as an</p>	<p>The alternative sites in Donisthorpe have been assessed as part of the Site Assessment process. Site D8 was deemed the most appropriate site to allocate in Donisthorpe on of their position.</p>	<p>No change.</p>	190	Ashby Canal Trust

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<p>alternative route for the canal allowing use of the existing bridge on Church Street.</p> <p>A possible canal route is suggested (image provided), which would allow for 12-18 dwellings on site D8, accessed from Ramscliff Avenue whilst enabling the restored Ashby Canal to connect to the authorised length to Measham, and on to the restored length from Donisthorpe to Moira. All routes for the canal should remain options at this stage and there is opportunity for a mutually beneficial solution.</p>				
<p>The proposed allocation of D8 is strongly supported. The site is in the sole ownership of the County Council and is considered to be suitable, available and deliverable; deliverability having previously been demonstrated by a previous outline consent 04/01162/OUT (now lapsed) and confirmed by the initial due diligence work that has been undertaken to date in respect of those matters detailed in the draft policy. Work is ongoing in respect of access, design, foul and storm water strategy and land stability. Whilst the site is being promoted by the County Council rather than a housebuilder it is the County Council's normal practice to bring sites to the market immediately on the grant of an outline planning permission. This model has a successful track record having previously brought forward sites within NWL notably at Snibston Discovery Park and Heather Lane, Ravenstone.</p>	<p>Noted and it is recognised that LCC have done this at Snibston Discovery Park and at Heather Lane, Ravenstone.</p>	<p>No change.</p>	<p>341</p>	<p>Leicestershire County Council</p>

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Land Stability				
Object to the proposed allocation of D8. The supporting text to the policy requires the submission of evidence which demonstrates that land stability and contamination will not be prohibitive of future development. D8 should not be allocated as the Local Authority is not assured the site can be delivered. Contrary to NPPF para. 35(c). Issues of land stability should be resolved prior to the site being proposed for allocation. The site has been subject to a previous planning application for residential development which has not come forward in a timely manner further questioning the sites deliverability.	The sites in Donisthorpe have been assessed as part of the Site Assessment process. Site D8 was deemed the most appropriate site to allocate in Donisthorpe. The draft policy for the site requires at (2)(a) evidence to demonstrate that land stability and contamination will not be prohibitive to development.	No change at present	100	CT Planning (JF & BM Gray)
ODAPC is broadly supportive, but potential developer will need to demonstrate this ground is inert.	The landowner, Leicestershire County Council, has advised that work is ongoing in respect of land stability. Further information would help demonstrate that the site is deliverable.	No change.	175	Oakthorpe, Donisthorpe and Acresford Parish Council
The site is owned by Leicestershire County Council. The County has secured planning permission for its redevelopment on two previous occasions in the early 2000's, however, those consents lapsed without development coming forward. The site has also been filled with inert waste. Therefore, we have concerns about whether this site is demonstrably deliverable or developable.		No change.	243	Avison Young (Jelson Homes)
The site is identified as being underlain by an 'active' landfill, according to Environment Agency records. The landfill is referred to as Church Road Landfill Site (Leicestershire CC) (A07: Industrial Waste Landfill (Factory curtilage)), License no: EA/EPR/VP3796FA. As well as sites with on-going operations, an	Further enquiries were made as per the EA's comments. The EA advised that " <i>The site is still classed as an 'active' landfill due to the operator having not fulfilled the requirements to surrender</i>	No change. The landowners are aware of the Environment Agency Licence in place, and they have advised that they are	404	The Environment Agency

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<p>'active' landfill is also the term used for a site which has ceased operations but the license for which has not been surrendered by the operator. In response to a 2004 planning application the Environment Agency did refer to a landfill being on site. We recommend that further enquiries are made to the Environment Agency regarding the status of this site prior to it being considered as a site for redevelopment.</p>	<p><i>their Permit by not providing us with regular gas monitoring results".</i> The site had been visited by an officer from the EA who reported that it was clear no operations had taken place for some time.</p>	<p>endeavouring to terminate the EA licence before seeking to market the site.</p>		
<p>The land at the back of Ramscliff Avenue has a problem with trapped methane gas. Cisco have tested for gas in several bore holes in the field. The bore hole in the field at the bottom of my garden was tested and showed that 87 percent of methane gas was present. A bore hole in the garden was tested and had a negative result and I think to build in the field would be very dangerous for the village</p>		<p>643</p>	<p>Mark Farn</p>	
<p>Highways</p>				
<p>Consider access off Church Street rather than through Ramscliff Avenue itself, as this highway is simply too narrow to safely accommodate construction traffic and the eventual increase in resident traffic.</p>	<p>The draft Policy (2)(b) requires the provision of a safe and suitable access from Ramscliff Avenue. Previous advice from the Local Highway Authority stated that access from Church Street would not be permitted. The Local Highway Authority have not raised any safety concerns at this stage in respect to the principle of an access of Ramscliff Avenue.</p>	<p>No change. Detailed design, addressing safety and visibility will be addressed at the detailed planning application stage.</p>	<p>175</p>	<p>Oakthorpe, Donisthorpe and Acresford Parish Council</p>
<p>The access to the site would cause massive problems on Ramscliff Avenue.</p>		<p>643</p>	<p>Mark Farn</p>	

Infrastructure				
This development should only proceed once Severn Trent have resolved their current Treatment Works capacity issues. ODAPC does not support the use of cesspits, even on a temporary basis.	The site is within the River Mease SAC and proposals will need to comply with draft Policy En2 of the Local Plan which sets out where new development will be allowed until such a time wastewater is pumped out of the River Mease Catchment.	No change.	175	Oakthorpe, Donisthorpe and Acresford Parish Council

Environmental Considerations				
<p>Potential impact on the existing public rights of way (amber).</p> <p>Preference for the public right of way to remain on its existing route. Any diversion should preferably be through public open space and segregated from estate roads. If this is unavoidable the route should be as direct as possible.</p> <p>The loss of part of the footpath network will not be supported without a suitable diversion or there is a significant adverse effect.</p>	<p>This would be a matter for the planning application. Part (2)(d) of the draft policy referenced the “provision of a pedestrian link to the adjoining public right of way P63”.</p>	<p>No change. The details for retaining and enhancing the public right of way will be dealt with at the detailed planning application stage.</p>	192	Leicestershire Local Access Forum (LLAF)
<p>The site is within a Mineral Safeguarding Area for Coal. Coal Mining Risk Assessment and Minerals Assessment required for new development.</p>	<p>Noted. The policy is proposed to be updated accordingly.</p>	<p>The site is within the Minerals Safeguarding Area for Coal. As such the following criteria are proposed to be added to the policy, “(x) Provision of a Mineral Assessment for at or near surface coal”. And “(x) Provision of a Coal Mining Risk Assessment”.</p>	341	Leicestershire County Council
<p>No comments from waste safeguarding perspective.</p>	<p>Noted.</p>	<p>No change.</p>	341	Leicestershire County Council

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The site lies within Flood Zone 1.	Noted.	No change.	404	The Environment Agency
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HOUSING	SITE NUMBER: n/a	SITE NAME: OTHER HOUSING SITES IN DONISTHORPE		
MAIN ISSUES RAISED	COUNCIL RESPONSE	ACTION	RESPONDENT ID	RESPONDENT NAME
<p>D2 – Chapel Street, Donisthorpe</p> <ul style="list-style-type: none"> • There is an identified shortfall in housing land identified in the consultation document which needs to be addressed. • Donisthorpe has been assessed ahead of the other Sustainable Villages due to the availability of facilities and services and therefore offers a good location for identifying additional sites to support housing delivery. • The site provides a suitable option for allocation to help deliver housing over the plan period. • The site is well related to the settlement and within walking distance of a range of services and facilities including the village shop and primary school. • Site could provide for a range of options; a small extension to the village of 20 homes (including affordable housing) or if an increased number of homes are needed the site could deliver up to 205 dwellings, 	<p>The site promoter has submitted a representation for site D2 which suggests the site could be developed as a smaller site of around 20 dwellings or a larger site of 205 dwellings alongside other suggested benefits.</p> <p>A site assessment of the site has been undertaken based on a site capacity of around 205 dwellings. The development of 205 dwellings would represent a significant increase in the size of the settlement. Whilst a smaller development might be possible it is not clear whether access could be achieved without the loss of trees fronting onto Chapel Street. The site is also poorly related to services and facilities compared to most other sites in Donisthorpe.</p> <p>The comments and submission are noted, but our position that the site is not allocated remains.</p>	No change.	216	Pegasus (Westernrange)

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<p>which would bring significant benefits to the community.</p> <ul style="list-style-type: none"> The site is suitable and deliverable within the plan period. 				
<p>D11 - Land at Talbot Place</p> <ul style="list-style-type: none"> The new Local Plan should allocate a greater number of small to medium sites to deliver housing in the interim whilst the new settlement is established. D11 represents the type of medium site sought by national planning policy to be identified in local plans that will assist in bringing forward homes quickly. The site could be developed in whole or in part and could deliver up to 75 dwellings early in the plan period. The site adjoins the Limits to Development, is in a sustainable location and is well related in size and scale to the built-up area of Donisthorpe. There are no constraints relating to land stability or soil contamination, or any other constraints to development. Development would include additional landscaping, National Forest planting, public open space and biodiversity net gain on site. As well as affordable housing and the provision for onsite self and custom housebuilding. 	<p>The Local Plan proposes to allocate a range of sites including small to medium sized sites.</p> <p>The site promoter has submitted a representation for site D11 which suggests a capacity of up to 75 dwellings alongside other suggested benefits.</p> <p>A site assessment of the site has been undertaken based on a site capacity of around 54 dwellings. However, concerns were raised around the potential for development to extend the settlement back from the road further than the existing linear pattern. This would impact the long views to the south of the site. The site is also some distance from the services and facilities in Donisthorpe.</p> <p>The comments and submission are noted, but our position that the site is not allocated remains.</p>	<p>No change.</p>	<p>100</p>	<p>CT Planning</p>

<p>D15 – Ashby Road, Donisthorpe</p> <ul style="list-style-type: none"> • The site is under option to Walton Homes, a regional housebuilder. • The site could provide for between 10-20 dwellings on 0.6Ha of the northern part of the site via a cul-de-sac arrangement. This number would increase proportionally if the scheme progressed further to the south. • The site can provide for a number of new homes as well as BNG units from the development of the site and potentially BNG offsetting from other housing sites within the district. • The site can provide a range of dwellings including both market and affordable housing is developed beyond the road frontage as well as providing BNG and landscaping areas. • The southernmost 0.3Ha of the site is wooded and this would be retained or enlarged. 	<p>We have now completed a site assessment for this site.</p> <p>A site assessment of the site has been undertaken based on a site capacity of around 47 dwellings alongside other suggested benefits.</p> <p>In terms of access to services it is noted that the site is within a good walking distance of primary education, a convenience shop, public transport and to formal and informal recreation provision. However, there are concerns that the development of the whole of site D15 would be out of keeping with the existing pattern of development to the south of Ashby Road which comprises linear ribbon development. In addition, the Local Highways Authority has concluded that a safe and suitable access 'may be problematic' given the location opposite the primary school and the presence of existing traffic calming and bus stops.</p>	<p>No change.</p>	<p>268</p>	<p>TWB Town Planning Consultants Ltd (Walton Homes)</p>
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