

APPENDIX E – LAND ADJACENT TO 194 BURTON ROAD, ASHBY DE LA ZOUCH (A31)

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RESPONSES TO ADDITIONAL PROPOSED ALLOCATIONS (MARCH 2025)

HOUSING	SITE NUMBER: A31	SITE NAME: LAND ADJACENT TO 194 BURTON ROAD, ASHBY DE LA ZOUCHE
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MAIN ISSUES RAISED	COUNCIL RESPONSE	ACTION	RESPONDENT ID	RESPONDENT NAME
Site access				
<p>[A safe access cannot be achieved:</p> <ul style="list-style-type: none"> Burton Road is on a steep slope. The site access would be on an incline. Burton Road is busy, dangerous, subject to speeding traffic and bad accidents have occurred on the road. Visibility is limited by the brow of Ingles Hill. Drivers on Burton Road have reduced control especially in icy or wet weather. Safety concerns for current and future residents, many of whom are students walking to Ivanhoe and Ashby Schools. 	<p>When proposing the site as an allocation, officers took into account comments from the local highways authority, which were repeated as part of this consultation (see below).</p>	No change	82; 348; 361; 364; 382; 417	Julien Williams; Chris Wood; John Tan; Janet Wood; Elizabeth Tan; Alex Binns
<p>[A safe and suitable site access appears to be achievable. Consideration needs to be given to carriageway width and tracking, pedestrian access and connectivity and personal injury collisions in the vicinity. RAG Rating: Green</p>	<p>These comments reflect those received from the local highways authority when officers were carrying out the site assessments. LCC explain that a green RAG rating means 'Suitable access'.</p>	No change	150	Leicestershire County Council

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[Where would access to the site be taken from and would this result in additional work and disruption to the existing roads around Burton Road?]	The consultation document says that provision of a safe and suitable access would be required from Burton Road.	No change	253	Matthew Butlin
[In addition to the unsuitability of Burton Road, vehicular access via Ashby Gardens is not suitable/would be hugely opposed, It cannot be safely accommodated into the available width and would create safety issues and destroy the public right of way's recreational value.]	Agreed. There are numerous reasons why a vehicular access from this point would be inappropriate and if this was the only option, officers would not have recommended that the site was allocated. The consultation made clear that the public right of way needs to be retained.	No change	348; 361; 364; 382; 417	Chris Wood; John Tan; Janet Wood; Elizabeth Tan; Alex Binns
Traffic Impact				
[Do not support any additional homes in Ashby because of its traffic impact. Moved to Ashby to get away from heavy traffic]	The 11 March LPC report did acknowledge that the site is on the western side of Ashby but as it is a smaller site it would have a reduced traffic impact (para 4.18). The Council will have to carry out transport modelling as part of its Local Plan evidence base. This will identify the highways impacts of the proposed development in the area, including on more local roads and whether any negative impacts can be sufficiently mitigated through road improvement schemes, sustainable transport measures etc. These measures will then be identified in the Infrastructure Delivery Plan which will accompany the Local Plan.	No change subject to the outcome of transport modelling	415	Esther Else
[Officers have frequently stated at Local Plan Committee that further housing on the north-west of Ashby is undesirable because it will result in increased traffic congestion in the town centre. Ashby Town Council shares this opinion. Ashby Town Council share this opinion. The majority of the traffic to and from this site will inevitably pass through the town centre in order to access the motorway network and the shopping facilities on the eastern side of the town. This will add to the additional congestion that will be created by the 60 dwellings proposed at site A27].			162	Ashby Town Council

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Impact upon Residential Amenity				
The number of houses should be limited to minimise impact on existing properties.	The consultation document confirmed that the Council was consulting on a reduced capacity when compared to SHELAA methodology (para 4.30).	No change	82	Julien Williams
Existing properties on Burton Rd will be overlooked because of the sloping site and therefore should be well screened to protect privacy.	The consultation document included a requirement for: “ <i>A design which respects the amenity of residential properties on Burton Road</i> ” but it is agreed that this could be strengthened to require a landscaping scheme in the southern part of the site	Include a requirement for landscaping in the southern part of the site	82	Julien Williams
[The site sits on a significant slope meaning it would dominate properties on Burton Road and take away their privacy]			348; 364	Chris Wood; Janet Wood
[Has attached a sketch showing the area of concern. If the proposal was to go ahead would it be possible to amend the policy to require tree planting directly behind the properties on Burton Road, this would ensure houses do not get overlooked or have any chance of damage/runoff from new builds. The proposal would be at a reduced number of housing but this would be more respectful of the existing residents].			253	Matthew Butlin
[The gardens and properties on Burton Road would become overlooked, impacting desirability, saleability and value. What compensation would be given to existing residents?]	A change to address the issue of overlooking is set out above. However on the other issues, planning is concerned with land use in the <i>public</i> interest; meaning impact on the value of a neighbouring property is not a planning matter.	As above	253	Matthew Butlin

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Impact on public right of way / loss of green space				
<p>[The site is the last remaining green space in the locality. The site:</p> <ul style="list-style-type: none"> • is much valued and appreciated by local people. • is a well-used and well-loved area where families walk, children play, and people can escape the increasing density • provides essential benefits to mental and physical wellbeing; as outlined in the Housing Strategy, protecting green spaces is crucial for the mental health and well-being of local communities, and this loss cannot be overlooked • is the only real walking space in the Ashby Fields estate especially for working from home and dog walking and provides the only real chance of a sunlight walk in the winter months. Walking around the housing does not provide the appropriate mental stimulation] 	<p>These comments are noted, although legally, the public has a right of access to footpath O76 as opposed to the whole of the site. There are areas of public open space and a children's play area on the Ashby Fields development (accessed from footpath O76 which is traffic-free). In design terms, it would be good for the traffic-free character of the footpath to transition into A31.</p> <p>In addition there are further rural public rights of way for dog walking etc in close proximity. For example, footpaths P4 and P5 (access from Bishop Hall Road) offer walks towards Blackfordby and around Prestop Park Wood.</p>	<p>Strengthen the requirement relating to public right of way O76 to continue the traffic-free character on the adjacent Ashby Fields development.</p>	<p>348; 364; 382; 415; 417</p>	<p>Chris Wood; Janet Wood; Elizabeth Tan; Esther Else; Alex Binns</p>
Flooding and Drainage				
<p>No concerns</p>	<p>Noted</p>	<p>No change</p>	<p>150</p>	<p>Leicestershire County Council (Lead Local Flood Authority)</p>

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The water table is high, demonstrated by the presence of springs and wells on nearby properties. We are already experiencing an increase in surface water as a result of recent development of Holywell Farm and would expect that to increase with this Proposal.	The lead local flood authority has no concerns with the proposals. The updated flood map for planning does not show that the site is at risk from surface water flooding. However, a flood risk assessment and drainage strategy will be required as part of any future planning application to demonstrate that the development is acceptable.	No change, a flood risk assessment and drainage strategy will be required as part of any future planning application	82	Julien Williams
The area proposed behind the current properties on Burton Road is on a decline, any runoff from this area would also run towards the current boundaries causing damage.			253	Matthew Butlin
Noise, Air Pollution, Odour				
[Construction of these homes will negatively impact residents, including home workers, with noise, dust and construction traffic]	Whilst there will be impacts at the construction stage, these will be temporary. Construction will only take place during prescribed hours and housebuilders often have their own construction code of conduct within which they work.	No change	253; 348; 364	Matthew Butlin; Chris Wood; Janet Wood
[Anwell Place STW (N2) is under 1km away. Any allocation should comply with LMWLP Policy W9 and not prejudice the operation of the site. Any future planning permission would need to be in line with the ‘agent of change’ principle from NPPF paragraph 200, requiring the applicant to provide mitigation before the development has been completed where a sensitive use is introduced.]	It is our understanding that this sewerage treatment works is no longer operational.	No change	150	Leicestershire County Council

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Biodiversity				
The area proposed behind the current properties on Burton Road is on a decline, so not only would wildlife from this area be driven towards the current properties boundaries	<p>As part of any future planning application, the site promoters will be required to undertake detailed habitat survey which assesses potential onsite and offsite impacts and which will also identify the need for any species surveys. Any onsite/offsite mitigation will be agreed by the ecologist at Leicestershire County Council</p> <p>The site promoters will now also be required to provide a 10% biodiversity net gain as part of the development.</p>	No change	253	Matthew Butlin
<p>As part of the River Mease Special Area of Conservation catchment and being in proximity to the National Forest, the site holds clear environmental importance. Development would erode natural habitats and damage visual amenity, in direct contradiction with local environmental protection goals. The Housing Strategy emphasises environmental sustainability, urging development in line with protecting local ecosystems and reducing the impact of urban expansion. A recent sighting which I personally witnessed of a mouse-deer darting across the estate roads originating from this particular area of interest, demonstrates that local wildlife habitats are already being impacted.</p> <p>[The land has inherent value as a green space, which is essential for Biodiversity]</p>			361; 382	John Tan; Elizabeth Tan
			415	Esther Else

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<p>[The site is in the River Mease catchment. We reiterate the advice in Policy En2 that all development within the catchment will be required to demonstrate that it will not cause an adverse effect on the SAC i.e. that it will not contribute additional phosphorous to, or otherwise cause an adverse effect upon, the River Mease SAC, either alone or in combination with other plans or projects. This may be achieved via:</p> <ul style="list-style-type: none"> • Delivering bespoke phosphorous mitigation • Contributing to a strategic mitigation scheme (i.e. Developer Contribution Scheme). <p>Developments in these locations must meet the requirements of the Habitat Regulations.]</p>	<p>Noted. It is not necessary to duplicate policies so reference to the River Mease is not required in this policy.</p>	<p>No change</p>	<p>345</p>	<p>Natural England</p>
<p>Minerals</p>				
<p>[The allocation is within an MSA for coal. A Minerals Assessment should be undertaken in line with Policy M11 of the Leicestershire Minerals and Waste Local Plan (LMWLP), ensuring that the mineral is not needlessly sterilised by future development.]</p>	<p>The consultation document stated that ‘...<i>given that it is a relatively small site surrounded on three sides by residential development, we have assumed a Minerals Assessment would not be required.</i>’ However, this has not been accepted by the county council.</p>	<p>Add a policy requirement for a Minerals Assessment</p>	<p>150</p>	<p>Leicestershire County Council</p>
<p>The site falls within a Minerals Consultation Area, adding an additional layer of planning complexity and risk. Although it is assumed this may not block development, it introduces uncertainty and could affect future use</p>			<p>361; 382</p>	<p>John Tan; Elizabeth Tan</p>

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and value. Coupled with the points raised above, further declines the viability of the site. The Housing Strategy outlines that strategic planning should take into account such complexities to avoid long-term detrimental impacts on local land use and value.				Still need to add Chris Tan's responses
[We encourage you to consider the potential issue of land instability associated with coal mining works that could be present at the site and recommend you consult the Mining Remediation Authority for any known issues]	The Mining Remediation Authority (formerly the Coal Authority) were consulted but did not provide a response. Notwithstanding the lack of a response, the site is in a Low Risk Coal Development Area and would not require a Coal Mining Risk Assessment.	No change	150	Leicestershire County Council
Archaeology				
All consulted sites are considered to have a heritage potential at 'medium risk'.	Noted	No change	150	Leicestershire County Council
[A geophysical survey in 2011 recorded a possible enclosure but subsequent trial trenching did not record any features (ELE8487). Linear cropmarks (unknown date) suggested by air photos. Will require appropriate mitigation secured by condition upon any future planning permission].	Noted; the need for a planning condition does not impact the proposed allocation of the site.	No change	150	Leicestershire County Council

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Housing delivery / Principle of development				
[How long for the build to commence and length of time until completion]	We will prepare a housing trajectory to inform the Regulation 19 Plan. However, given that there is a housebuilder and assuming they submit a full planning application, the development <i>could</i> be built out in the short term (next five years).	No change	253	Matthew Butlin
This plot lies beyond logical settlement boundaries, currently buffered by tree planting and agricultural land. Developing it would result in urban sprawl and disrupt the established pattern of development, undermining the council's strategy for sustainable land use. The Housing Strategy advocates for sustainable housing growth, ideally within existing settlement boundaries, to avoid urban sprawl and unnecessary disruption to surrounding ecosystems	Residential development lies to the north, east and south of the allocation site and the site is located within walking distance of the local centre/primary school off Burton Road. It is not possible to meet the district's future housing requirements within the limits to development or on brownfield land alone and this site has been identified on the basis of its sustainable location in a Key Service Centre.	No change	361; 382	John Tan; Elizabeth Tan
I would support a policy of building on brown field sites only, if the additional housing is essential.			415	Esther Else
I cannot see in your plans, an explanation as to why the additional housing is more important than [the land's value as a green space]. Please could you explain? Does someone have a financial benefit?	See above. Section 3 of the consultation document set out the Council's future housing need and the reason for needing to allocate additional sites.	No change	415	Esther Else
I am also uncertain to the necessity to build these plots with the current money hill estate still in the early phases of development that is therefore surely providing sufficient housing.			417	Alex Binns

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[Due to topography and access issues, the site may yield no more than 30 dwellings — utilising the land at c.60%. This low density return is not an efficient or sustainable use of land when balanced against the high environmental and community cost. The Housing Strategy stresses that new developments should be viable and deliverable, with sufficient infrastructure, services, and local amenities. Given the access issues, this site does not meet those criteria.]	Viability is a material consideration and the whole Local Plan (including all site allocations) will need to form part of a Local Plan Viability Assessment.	No change, subject to the outcome of the Local Plan Viability Assessment.	361; 382	Elizabeth Tan; John Tan
However, we strongly suggest that sufficient land to accommodate these extra 30 homes could be found on the Money Hill site, specifically on the 2Ha at the Smisby Road A511 roundabout previously allocated for employment and which the developers now claim to be unviable for employment due to lack of direct vehicular access at the roundabout. This alternative site would have easy access to both the motorway network, the shopping facilities around Tesco and the local services planned for the Money Hill development	The numbers at Money Hill have yet to be finalised and it is not known the precise number the site could accommodate. A31, due to its size, would contribute to the Council's housing supply in the short term, whereas any additional homes in that part of Money Hill are a longer term prospect.	No change	162	Ashby Town Council
Should reserve site A7 be eventually allocated, then this site must be deleted to provide some mitigation of over allocation to Ashby	As set out above, A31 would contribute towards the short term housing need of the district.	No change	162	Ashby Town Council
Should this allocation go ahead then we endorse the site requirements as stated in paras 4.29, 4.30, 4.31 and 4.32.	Noted	No change	162	Ashby Town Council

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Due regard should be taken to the [site's location in a Neighbourhood Plan Area] respective policies within these plans when considering allocations.	Noted. However, the Neighbourhood Plan covers the period up to 2031 and no indicative housing requirement was requested from the District Council in the preparation of the Neighbourhood Plan (or the Review currently taking place). Given Ashby's status as a Key Service Centre, it is entirely appropriate to allocate sites for housing in the Local Plan.	No change	150	Leicestershire County Council
Infrastructure				
There will be a need for contributions to enhancements to local schools and other community facilities. All housing sites will be assessed as to whether there is a requirement for additional school places, this would be in relation to negotiating s106 contributions. This may include extending existing schools, remodelling existing schools, allocating land for new schools and creation of new schools.	Noted. The Infrastructure Delivery Plan is in the process of being updated to include the new housing allocations.	No change at present	150	Leicestershire County Council
[30 dwellings at A31 would result in an increase of 73 patients for Castle Medical Group. If all the additional housing sites were allocated (including reserve sites) this would result in an increase of 1,469 patients (8%) on Castle Medical Group's register. The ICB also recognises that further work will need to take place to consider the cumulative effect of these proposed sites alongside sites that have already been approved]	These comments are noted. This information will feed into an update of the Council's Infrastructure Delivery Plan which is currently being undertaken. This will consider the cumulative impact of all the proposed housing allocations on healthcare and any necessary mitigation.	Await the outcome of the update to the Infrastructure Delivery Plan	487	Leicester, Leicestershire and Rutland Integrated Care Board

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