

## 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
		<b>7,147</b>	<b>7,140*</b>		

\*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.**

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**