



6 MAY 2015

Money Hill, Ashby-de-la-Zouch

Planning Statement

Iceni Projects Limited on behalf of
the Money Hill Consortium

6 May 2015

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ON BEHALF OF THE MONEY
HILL CONSORTIUM

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Money Hill, Ashby-de-la-Zouch
PLANNING STATEMENT

CONTENTS

1. EXECUTIVE SUMMARY.....	3
2. INTRODUCTION.....	6
3. CONTEXT	10
4. SITE AND SURROUNDING AREA.....	13
5. PLANNING POLICY CONTEXT	15
6. PROPOSED DEVELOPMENT.....	19
7. PLANNING CONSIDERATIONS	21
8. TECHNICAL MATTERS.....	38
9. PLANNING OBLIGATIONS.....	43
10. SUMMARY AND CONCLUSIONS.....	45

APPENDICES

- A1. POSITION STATEMENT FROM THE HIGHWAYS AGENCY
- A2. NWLDC PLANNING COMMITTEE – 06 JANUARY 2015
- A3. FACILITIES PLAN
- A4. CORRESPONDENCE FROM LEICESTERSHIRE COUNTY AND RUTLAND NHS
- A5. CORRESPONDENCE FROM EMH
- A6. PROPOSED ACCESS ARRANGEMENTS FROM NOTTINGHAM ROAD

1. EXECUTIVE SUMMARY

1.1 This planning application has been prepared further to the refusal of a previous planning application (ref 13/00335/OUTM) at the site. The application was refused on 13 May 2014, with four reasons for refusal being cited on the decision notice (see Paragraph 3.6).

1.2 Following the submission of an appeal against the refusal the Council (NWLDC) has confirmed that it is no longer pursuing three of the reasons for refusal. The remaining reason for refusal relates to the level of affordable housing that was proposed. Whilst the level of affordable housing proposed was compliant with the relevant policy, the applicant has determined to agree, in principle, the heads of terms of the planning obligation regarding affordable housing provision prior to submission. As such, none of the reasons for refusal of the previous application remain.

1.3 As a consequence of the above, this planning application is submitted to provide the NWLDC with an opportunity to determine the planning application in advance of the appeal against the original decision.

1.4 It relates to part of the same site as the previous application and includes additional land required to provide a different means of access to the site. The application site excludes an area of land that is subject of a separate planning application. The development proposed is of the same nature and character to the previous application and the description of development has been altered to reflect the different means of access proposed for the site.

1.5 In prepared this application the Money Hill Consortium (MHC) has worked with key local stakeholders and NWLDC to review and enhance the application scheme. These consultations have resulted in the inclusion of additional land to provide for a revised access and movement strategy.

1.6 The description of development proposed is:

Development of 605 residential dwellings; a 60 unit extra care centre (C2); a site for a primary school (D1); a nursery school (D1); a community hall (D1); neighbourhood retail (A1); public open space; vehicular access from the A511 and Nottingham Road (Outline - all matters other than part access reserved).

1.7 The part of the previous application site that has been subject of a separate application is accessed directly off Woodcock Way. That application is currently under consideration by the NWLDC (Ref. 14/00769/OUTM). It proposes a form and layout of development that will maintain connectivity between the two sites to ensure pedestrian and cycle permeability between the site and Woodcock

Way is maintained. The application was reported to the Planning Committee of 3 February 2015 with an officer recommendation to grant planning permission. Whilst the application was deferred to allow more information to be provided on access and sustainability, it is significant that officers confirmed that:

- The release of the site for housing is acceptable in principle;
- The location of the site adjacent to the settlement and its associated services means that it constitutes sustainable development;
- The site is well related to the existing built up area of the town;
- The development of the site would not necessarily prejudice the wider development of the Money Hill site, subject to the appropriate linkages being secured at the reserved matters stage; and
- The scheme is acceptable in terms of highways

1.8 In summary, the current application proposes the following development in addition to the provision of landscaped areas and green infrastructure:

- The delivery of 605 dwellings;
- The provision of a 60 unit extra care centre;
- The provision of a site for a primary school, comprising a 1.5ha site for a single form entry school with capacity to be enlarged to 2.1ha to provide for a two form entry school;
- The provision of other facilities and services to ensure the proposed development provides a sustainable mix of uses, including a nursery school; a community hall; neighbourhood retail; and public open space;
- The provision of a main vehicular access from the A511;
- The provision of a limited secondary point of vehicular access onto Nottingham Road, with access being limited to no more than 150 dwellings (including the extra care facility) and an 'in-only' access to the car park;
- The provision of a number of pedestrian and cycle accesses to the surrounding area; and
- Enhancements to the fabric of the Ivanhoe Way footpath, with provision made for an alternative enhanced alignment to increase patronage.

- 1.9 The provision of a limited access onto Nottingham Road is proposed to respond to the request of the NWLDC to provide an alternative solution to connectivity with the town centre to that previously proposed. As noted above, the proposed access would be limited to ensure that access from the site onto Nottingham Road would be limited and strictly controlled.

2. INTRODUCTION

2.1 This Planning Statement has been prepared in support of an outline planning application for the provision of up to 605 new dwellings, including extra care housing. The scheme will provide:

Development of 605 residential dwellings; a 60 unit extra care centre (C2); a site for a primary school (D1); a nursery school (D1); a community hall (D1); neighbourhood retail (A1); public open space; vehicular access from the A511 and Nottingham Road (Outline - all matters other than part access reserved).

2.2 It follows the submission of a similar outline planning application by the Money Hill Consortium (MHC), which was validated on 3 May 2013 (Ref. 13/00335/OUTM). This application was refused on 13 May 2014 (see Paragraph 3.6 for the reasons for refusal) and is now the subject of a planning appeal (Ref. APP/G2435/A/14/2228806).

2.3 This outline planning application therefore constitutes a “revised” (free go) scheme and has been submitted in accordance with the *Planning Related Fees Circular 04/2008*. It should be emphasised that the constitute parts of the proposal remain the same as the previous planning application (Ref. 13/00335/OUTM). Notwithstanding this, amendments have been made to the site location plan in recognition of the revised access and ownership arrangements. This is shown on the Application Boundary Plan (Ref. 020), which shows the formation of two roundabouts on the A511 and through the creation of a new (restricted) access on Nottingham Road.

2.4 The MHC comprises Cogent Land LLP, Bloor Homes and Taylor Wimpey Plc. The MHC has a long-term controlling interest over land within the north east of Ashby-de-la-Zouch.

2.5 The MHC is legally bound by a Collaboration Agreement and has a proven track record of delivery, including schemes in Leicestershire.

2.6 The planning application is submitted in outline, with all matters reserved, with the exception of the point of access from Nottingham Road and the A511. Alongside this Planning Statement, the following documents are submitted in support of the outline planning application:

Environmental Impact Assessment, comprising of the following:

- Introduction and Policy Context, prepared by Icen Projects (Planning)
- EIA Structure and Methodology, prepared by Icen Projects (Planning)
- Summary of Existing Site (Baseline), prepared by Icen Projects (Planning)

- Alternatives and Design Evolution, prepared by Icen Projects (Planning)
- Technical Chapter - Transport, prepared by Icen Projects (Transport)
- Technical Chapter - Ecology and Biodiversity, prepared by Ecology Solutions
- Technical Chapter - Archaeology and Cultural Heritage, prepared by CGMS
- Technical Chapter - Landscape and Visual Impact, prepared by Neil Tully
- Technical Chapter - Arboriculture, prepared by Simon Jones Associates
- Technical Chapter - Noise and Vibration, prepared by Buro Happold
- Technical Chapter - Air Quality, prepared by Buro Happold
- Technical Chapter - Land Quality and Remediation, prepared by Buro Happold
- Technical Chapter - Agricultural Land Quality, prepared by Kernon
- Technical Chapter - Flooding and Drainage, prepared by Buro Happold
- Technical Chapter - Utilities and Infrastructure, prepared by Buro Happold
- Technical Chapter - Socio-Economic Effects, prepared by Icen Projects (Planning)
- Summary of Residual and Cumulative Impacts, prepared by Icen Projects (Planning)

Other Supporting Documentation:

- Agricultural Land Declarations, prepared by Icen Projects
- Design and Access Statement, inc. Building for Life Assessment, prepared by Paul Drew Design
- Energy Statement, prepared by Icen Projects (Sustainability)
- Lighting Assessment, prepared by Buro Happold
- Planning Application Forms and Certificates, prepared by Icen Projects (Planning)
- Planning Fee
- Planning Statement, prepared by Icen Projects (Planning)

- Plans and comprising:
 - Site Location Plan
 - Access Plan
 - Parameter Plans
 - Illustrative Masterplan
- Shallow Coal Report, prepared by AMEC
- Report on Community and Stakeholder Engagement, prepared by Green Issues Communiqué
- Sustainability Statement, prepared by Icen Projects (Sustainability)
- Outline Construction Environmental Management Plan (CEMP), prepared by Buro Happold

2.7 The applicant has engaged in on-going pre-application discussions with the local community, NWLDC, Leicestershire County Council (LCC), and the other statutory and technical consultees in the preparation of the planning application. As part of the on-going process of community consultation and engagement, the applicant has sought to keep local stakeholders well informed and involved in the evolution of the plans for the site. The full details of the community engagement process can be found within the supporting Report on Stakeholder & Community Engagement. However, in summary, the applicant has provided a dedicated project website, held two drop-in public exhibitions, and has had multiple meetings with NWLDC and key stakeholders. The feedback from all of the stakeholders has formed part of the iterative design process, which has resulted in the form of the proposed development submitted.

2.8 The applicant has also engaged fully with the plan making process in the District. The application site was identified within the Pre-Submission Draft Local Plan Core Strategy as part of a 'Broad Location' for at least 605 dwellings to be delivered to the north of Ashby, as well as a range of infrastructure. Whilst the progression of the Core Strategy has been halted to allow the production of a Local Plan, NWLDC has confirmed that there is no objection to the principle of the residential development of the site¹.

2.9 In January 2013 the MHC consortium submitted a first-phase outline planning application for up to 130 residential dwellings and a health centre, with associated accesses and ancillary recreational

¹ In the original officer recommendation to grant planning permission for the development of the site and more recently, including within the documentation exchanged in relation to the appeal and the officer recommendation to grant planning permission for the development of the Land Adjoining Woodcock Way (14/00769/OUTM) at the 3 Feb 2015 Planning Committee

provision (Application Reference: 13/00041/OUTM). This planning application remains undetermined.

2.10 Section 3 of this report provides the context of this planning application. Section 4 provides a summary of the site and its surrounding area. Section 5 identifies the relevant planning policy context. Section 6 sets out in more detail the proposed development. Section 7 identifies and assesses the key planning considerations, with detailed technical matters being considered in Section 8. Section 9 contains conclusions.

3. CONTEXT

- 3.1 The previous planning application (Ref. 13/00335/OUTM) was first considered by the Planning Committee at its meeting on 12 November 2013, when it resolved that consideration be deferred to enable further assessment of the potential to improve access between the application site and Ashby-de-la-Zouch town centre. The MHC wrote to the NWLDC on 19 November 2013 to seek the determination of the planning application at the Planning Committee meeting on 03 December 2013 Planning Committee.
- 3.2 The planning application was considered again at a meeting of the Planning Committee on 3 December 2013, when Members resolved, contrary to officer recommendation, to refuse to grant planning consent on the grounds of: (i) unacceptable access (namely, the connection of the Appeal Site with the Town Centre and vehicular access to Woodcock Way); (ii) the adverse impacts on highway safety and Junction 13 of A42; and (iii) the under provision of affordable housing. Reasons (ii) and (iii) were included on the advice of officers. Whilst officers were of the view that such matters were likely to be capable of resolution should Members have resolved to grant consent, it was considered appropriate to include them given that Members were minded to refuse for other reasons too.
- 3.3 At the request of the MHC, the decision notice was not issued so as to enable further discussion with officers and key stakeholders. The MHC subsequently refined its proposed highways and access strategy, with all viable options being thoroughly tested. Accordingly, the planning application was amended to: (i) limit the number of dwellings accessed via Woodcock Way to 30 dwellings, whilst retaining access for pedestrians, cyclists, buses and emergency services; (ii) provide a commitment to fund an objective assessment of connectivity and permeability within Ashby-de-la-Zouch and commit to the provision of financial contributions payable by the MHC towards enhancements to connectivity and permeability should any be identified within the assessment; and (iii) make the delivery of the healthcare element of the planning application contingent on whether such a facility is instead delivered as part of development proposed at the nearby Holywell Spring Farm.
- 3.4 The relevant highway authorities – being Leicestershire County Council ("the County Council") and the Highways Agency – confirmed they were (and are) satisfied with the proposed highways and access strategy for the planning application. The position of the Highways Agency is clarified within the Position Statement provided at Appendix A1.

Appendix Error! Reference source not found.1 - Position Statement from the Highways Agency

3.5 The planning application was reconsidered at the Planning Committee on 6 May 2014. Various points of clarification were provided by MHC in response to representation prior to the committee and these were reported in the Council 'Update Sheet', a copy of which is provided at Appendix A2. Members resolved to refuse to grant planning permission against officer recommendation. The decision notice was issued by NWLDC on 13 May 2014.

3.6 The previous planning application was refused by Members for the following reasons:

1. *Paragraph 14 of the National Planning Policy Framework (NPPF) sets out the presumption in favour of sustainable development; Paragraph 7 defines sustainable development (and including its environmental dimension) and also provides that the planning system needs to provide an environmental role, including in respect of minimising pollution and mitigating and adapting to climate change, and moving to a low carbon economy. Notwithstanding the site's proximity to the town centre of Ashby-de-la-Zouch and the range of facilities available therein, the principal pedestrian connection between the site and the town centre is via an existing right of way which, by virtue of its width, surfacing, lighting and the land uses over which it passes, does not provide for a strong and attractive pedestrian route, nor is it suitable for cycle use, and no firm proposals have been set out to improve this linkage. In the absence of suitable non-vehicular means of access, and notwithstanding the proposed inclusion of non-residential uses within the proposals, occupiers of the development would be likely to be more reliant on use of the private car for accessing goods and services, not providing for a sustainable form of development compatible with a move towards a low carbon economy, and contrary to the policies and intentions of the NPPF.*
2. *Policy T3 of the adopted North West Leicestershire Local Plan provides that development will only be permitted where adequate provision is made for vehicular access, circulation and servicing arrangements. Notwithstanding the proposed alterations to Woodcock Way and its junction with Nottingham Road, the proposed means of vehicular access via Woodcock Way would not provide for a suitable form of access for 30 dwellings, to the detriment of highway safety, and contrary to Policy T3 of the North West Leicestershire Local Plan.*
3. *Policy T3 of the adopted North West Leicestershire Local Plan provides that development will only be permitted where adequate provision is made for vehicular access, circulation and servicing arrangements. Insufficient information has been provided in support of the application to ensure that the A42 Trunk Road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from vehicles entering and exiting the application site, in the interests of road safety.*

4. *Paragraph 14 of the National Planning Policy Framework (NPPF) sets out the presumption in favour of sustainable development; Paragraph 7 defines sustainable development, and including its social dimension and also provides that the planning system needs to provide a social role, and including providing the supply of housing required to meet the needs of present and future generations. Policy H8 of the adopted North West Leicestershire Local Plan provides that, where there is a demonstrable need for affordable housing, the District Council will seek the provision of an element of affordable housing as part of any development proposal; Key Principle. AH3 of the North West Leicestershire District Council Affordable Housing Supplementary Planning Document requires a minimum of 30% of residential units to be available as affordable housing within Ashby-de-la-Zouch whereas the application as submitted provides for a minimum of 10%. Whilst Paragraph 173 of the NPPF provides that development should not be burdened with a scale of obligations such that the ability to be developed viably is threatened, the applicant has failed to demonstrate at this time that the level of affordable housing proposed to be provided would represent the maximum possible without rendering the development unviable. Approval of the application at this time would therefore result in a significant under-provision of affordable housing vis-a-vis the Local Planning Authority's adopted requirements without sufficient evidence to warrant such a departure from those requirements on the basis of development viability. Approval would therefore not provide for an appropriate contribution to affordable housing required to meet the needs of the area, and not therefore constituting sustainable development, contrary to the policies and intentions of the NPPF.*
- 3.7 Following the refusal of the above planning application the MHC submitted an appeal (Ref. APP/G2435/A/14/2228806). A public inquiry is scheduled to hear the appeal in September 2015.
- 3.8 Following the submission of the appeal the MHC Statement of Case was considered at the 6 January 2015 Planning Committee. At this meeting it was agreed that reasons for refusal (1), (2) and (3) would not be upheld at appeal. Therefore, the only reason for refusal is (4), which relates to affordable housing provision in NWLDC.

Appendix A2 - NWLDC Planning Committee – 06 January 2015

4. SITE AND SURROUNDING AREA

4.1 The application site is centrally located in Ashby-de-la-Zouch. The application site is adjacent to the Town Centre Boundary, as identified in the adopted Local Plan, where a wide range of shops / restaurants / services and facilities are located. Ashby School, Ashby District Hospital, and Ivanhoe Specialist Technology College all located within 0.2 miles from the site.

4.2 The application site is 42.03 hectares and has recently been identified as part of a 'Broad Location' for housing-led development in the now withdrawn Local Plan Core Strategy.

Application Site

4.3 There are a number of hedgerows, mostly to the south and west of the site, that divide the pasture into a small-scale pattern of bounded fields. The nature of this field pattern hints at the long agricultural history of the land. Most of the hedgerows run north to south and are many are significantly overgrown.

4.4 To the north-east there are larger arable fields that are divided by thinner hedgerows with occasional hedgerow trees.

4.5 The historic Ivanhoe Way, designated as part of the National Trail, passes through the southern section of the site. To the south of the Ivanhoe Way, and running alongside part of it, there are large areas of unmanaged long grass and scrubland. In the fields adjacent to the Ivanhoe Way there is an area of 'ridge and furrow', indicated by the archaeological pattern of ridges that were left by the historic ploughing of the land.

4.6 Other notable features include a watercourse and spring found towards the centre of the site and flowing through its southern sections. There is also an existing copse of mature trees located in the centre of the site. To the west there is a farm track, sections of which are delineated by a double hedgerow.

4.7 The highest point (162m AOD) of the site is to the north-east close to the A511. The lowest point (129m AOD) of the site is to the south-west adjacent to Ivanhoe Specialist Technology College sports fields.

Surrounding Area

4.8 The nearest bus stops to the site are located on Nottingham Road within 90m of the proposed site access locations. The stop is served by routes 3, 9 and 129 providing 2 to 3 buses per hour. In addition to this, routes 2, 7, 8 and 9A are accessible at stops in Market Street some 480m from the site providing 5 to 6 services per hour. The services provide excellent area coverage linking

surrounding towns and villages with Ashby town centre, where other services can be accessed connecting with a number of destinations within Leicestershire and beyond.

4.9 Pedestrian access to the site is good with footways provided on all roads linking to the site. The site benefits from existing public rights of way, which connect the site with the town centre and destinations to the north and east of the site.

4.10 The application site is well linked to nearby larger towns and employment centres, all within 15 miles of the site by road. Coalville and Leicester are located to the south-east of Ashby-de-la-Zouch, and are accessible by the A511. Loughborough, also to the east is linked to Ashby-de-la-Zouch by the A215. Swadlincote and Burton-upon-Trent are located to the west and linked by the A511. A significant source of employment in the locality is the East Midlands International Airport to the north east at Castle Donnington, which is linked to Ashby-de-la-Zouch via the A42.

5. PLANNING POLICY CONTEXT

5.1 This section provides a summary of the relevant planning policy context at national and local levels, and sets out how the proposed development accords with these proposals. Together these documents comprise the Development Plan for the District, against which the proposed development will be determined.

National Policy

National Planning Policy Framework

5.2 The National Planning Policy Framework (NPPF) was published in March 2012 to provide a framework for plan-making and decision taking.

5.3 The primary objective of the NPPF is to increase the delivery of sustainable growth and development. Other key objectives within the NPPF include:

- Acting as a proactive driver for the delivery of housing needs (Paragraph 17);
- To significantly boost housing supply, local planning authorities should identify specific deliverable sites (Paragraph 47);
- A presumption in favour of sustainable housing development (Paragraph 49);
- The need to deliver a wide choice of high-quality homes (Paragraph 50);
- A plan for housing based on demographic trends (Paragraph 50);
- Identifying a scale and mix of housing that the population will need over the plan period, taking into account migration and demographic change (Paragraph 159);
- Care and attention to viability and costs in the plan-making process (Paragraph 173).
- Local Planning Authorities should approach decision-taking in a positive way to foster the delivery of sustainable development (Paragraph 186); and
- Policies contained with the NPPF are material consideration and should be taken into account in decision-making (Paragraph 214);

5.4 The NPPF is clear that “housing applications should be considered in the presumption in favour of sustainable development” (Paragraph 49).

Local Planning Policy

North West Leicestershire Local Plan Core Strategy DPD

- 5.5 A Local Plan for North West Leicestershire is being prepared ("the Emerging Plan"). Consultations in respect of the previous draft Core Strategy took place in 2005, 2007, 2008 and 2011. Following consultation on the Proposed Significant Changes to the Core Strategy in April/June 2013, it was submitted to the Secretary of State. The Inspector appointed to conduct the Examination into the Core Strategy raised significant concerns as to NWLDC's assessment of housing need and whether it had adequately discharged its duty to co-operate.
- 5.6 On 29 October 2013, following correspondence with the Inspector and an Exploratory Meeting (held on 25 September 2013), NWLDC resolved that the draft Core Strategy be withdrawn.
- 5.7 An updated Local Plan programme was published by NWLDC at its Local Plan Advisory Committee on 03 June 2014. This advises that the Emerging Plan is expected to be adopted in December 2016. No weight can be attached to the emerging plan in the determination of the appeal.
- 5.8 Notwithstanding the above, Policy CS1 of the now withdrawn Local Plan Core Strategy includes the provision of 9,700 new homes (an average of 388 per annum) district-wide, with Policy CS15 also setting out the requirement for Ashby-de-la-Zouch to allocate at least 1,400 new homes in the period 2006 to 2031. Policy CS37 identified the broad allocation for at least 605 new dwellings to the north of Ashby-de-la-Zouch. The draft allocation of 605 dwellings was in restraint to capacity issues at Packington Waste Water Treatment Works, however, significantly, this position has subsequently improved dramatically.
- 5.9 Policy CS18 of the now withdrawn Local Plan Core Strategy sets out the need for at least 2,360 new affordable homes to be delivered in the development plan period, and developments of 15 dwellings or in Ashby-de-la-Zouch to deliver a minimum of 30% affordable housing. The type, size, and tenure mix of affordable housing provided should reflect housing need at the time of the planning permission being received.
- 5.10 The evidence base that supported the above remains sound and valid.

Sustainability Appraisal of the Local Plan Core Strategy

- 5.11 The now withdrawn Core Strategy was accompanied by a Sustainability Appraisal (SA). The purpose of this SA is to assess how effective the Core Strategy will be in delivering development that contributes to greater sustainability, both at the micro and macro-level.
- 5.12 The SA assesses the strategic housing policies, including an assessment of reasonable alternative locations for residential growth in Ashby-de-la-Zouch.

- 5.13 The SA makes specific reference to the application site after having considered alternative locations for residential growth in Ashby-de-la-Zouch. Paragraph 9.19 states that:

“The preferred Broad Location identified in the Submission version Core Strategy in to the north [Money Hill], this location could support a mix of new development, including housing and local shops and services. The location of the site should mean there are also existing nearby services although new links would need to be provided into neighbouring residential areas to ensure these are a walkable distance and to reduce the need to travel by car. There is no current bus service to the site although the scale of growth here may be able to support an extension of an existing route. Policy CS37 sets out a list of types of social, environmental and physical infrastructure that should be provided as part of this development”.

- 5.14 The SA in an integral part of the plan-making process and performs a key role in assessing the sustainability of emerging Development Plan policies and reasonable alternatives. As well as being a fundamental part of the development plan process it has also been subject to public consultation.

Affordable Housing SPD

- 5.15 NWLDC adopted its Affordable Housing SPD in January 2011. Once the Local Plan Core Strategy has been adopted, the need for the SPD is to be reviewed. Key Principle AH3 sets out the provision of affordable housing on all sites of 15 dwellings or more within Ashby-de-la-Zouch for 30% of more affordable housing provision. The SPD also sets out the indicative need for 79% social rented accommodation and 21% intermediate housing.

River Mease Water Quality Management Plan Developer Contributions Scheme

- 5.16 The SA of the now withdrawn Local Plan CS confirms that the greatest nature conservation asset in North West Leicestershire is the River Mease Special Area of Conservation (SAC). This SAC currently suffers water quality issues associated with the high levels of phosphorus emanating from the surrounding area and in particular the Packington Waste Water Treatment Works (WwTW), which discharges into the River Mease.
- 5.17 NWLDC has sought to positively address this by adopting the River Mease Developer Contribution Strategy (DCS), which through the collection of contributions from planned development will collectively bring about improvements to the River Mease SAC.
- 5.18 Severn Trent Water publishes an annual Headroom Assessment for Sewage Treatment Works, which in accordance with the River Mease SAC Water Quality (Phosphate) Management Plan, provides regular updates on headroom availability at our sewage treatment facilities to inform planning decisions. This document sets out the sewage treatment headroom position as at March 2014. At the timing of writing, the March 2015 report was not in the public domain.

5.19 The main findings from the Headroom Assessment for Sewage Treatment Works (2014), include:

- Arla Dairy, which is the largest single discharger of trade effluent into Packington Sewage Treatment works, had announced its intention to close the plant at Ashby-de-la-Zouch [Note: The closure of the plant has since occurred].
- Average daily flow discharged from the dairy was typically in the range of 600 – 700 m³/d. This equates to additional headroom of between 2,170 and 2,500 additional properties, and
- Pending a more accurate assessment that will be based upon 2014 flow data, Severn Trent Water advised that Packington STW can accept flows from a further 2,000 properties following the dairy closure.

6. PROPOSED DEVELOPMENT

- 6.1 This section provides an overview of the proposed development in reference to the submitted planning drawings and other documentation provided in association with the submitted planning application. A more detailed review of the layout and design of the proposed scheme, as shown on the Illustrative Masterplan, is provided within the Design and Access Statement.
- 6.2 The planning application is submitted in outline with all matters, except means of access are reserved for subsequent determination. As such, planning permission is sought for the principle of development and the proposed means of access to the site. Consequently, the planning application is accompanied by a series of outline parameter plans, which cover: 1) land use, 2) the amount of development; 3) the scale of development, 4) and movement across the site. Notwithstanding the above, detailed matters including the layout, scale, appearance and landscaping of the development are proposed to be reserved for later planning approval.
- 6.3 This outline application proposes the development of the following:
- The delivery of 605 dwellings, including up to 30% affordable subject to viability;
 - The provision of a 60 unit extra care centre;
 - The provision of a site for a primary school, comprising a 1.5ha site for a single form entry school with capacity to be enlarged to 2.1ha to provide for a two form entry school;
 - The provision of other facilities and services to ensure the proposed development provides a sustainable mix of uses, including a nursery school; a community hall; neighbourhood retail; and public open space;
 - The provision of a main vehicular access from the A511;
 - The provision of a limited secondary point of vehicular access onto Nottingham Road, with access being limited to no more than 150 dwellings (including the extra care facility) and an 'in-only' access to the car park;
 - The provision of a number of pedestrian and cycle accesses to the surrounding area; and
 - Enhancements to the fabric of the Ivanhoe Way footpath, with provision made for an alternative enhanced alignment to increase patronage.

- 6.4 The application includes provision for an area of car parking to provide ancillary parking capacity for the town centre. The inclusion of this area of car parking within the parameter plans has arisen from discussions with the Council and key local stakeholders.
- 6.5 The planning application site boundary is approximately 42 hectares. The application site includes an area to be used for the provision of a temporary haul road, which will be used for construction traffic only. In early phases of construction the internal spine road to the A511 will be used for construction traffic, however, as development progresses this road will be used residential purposes only. As such, construction traffic will seek alternative access from a temporary haul road that passes through this excluded area. This phasing arrangement is further explained in the Design and Access Statement.

7. PLANNING CONSIDERATIONS

7.1 This section sets out the planning considerations in relation to the determination of the application.

Principle of Development

Site Allocation

7.2 The site was identified within Local Plan Core Strategy as a broad location for urban extension of at least 605 new dwellings and suitable infrastructure. Whilst the production of the Local Plan Core Strategy has been replaced by the production of a new Local Plan, the principle of development of the site is accepted by the Council.

7.3 The identification of the application site is capable of being a material planning consideration in the determination of this planning application.

Strategic Housing Land Availability Assessment (SHLAA)

7.4 The Strategic Housing Land Availability Assessment (SHLAA) published by NWLDC provides an analysis of the potential development sites in the District. It forms part of the wider evidence base that will inform the content of the Local Plan.

7.5 Within the 2011 SHLAA, the wider Money Hill site (ref: A5) was identified as being capable of delivering 1,600 dwellings, based on the site area of 129 hectares, taking into account on site constraints. The SHLAA states that there are no known planning policy issues, no known accessibility issues, and no unresolvable ownership issues. The SHLAA states that the site is suitable, available, and achievable for residential-led development.

Contribution to the Housing Land Supply

7.6 The application site is identified as a deliverable site within the housing trajectory that was prepared to accompany the Local Plan Core Strategy. This anticipated housing delivery to commence on the application site in 2016/17, with completion scheduled for 2027/28.

7.7 Ensuring that an adequate supply of housing is provided is a key policy requirement of the NPPF. Local Planning Authorities are required to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against its requirements to ensure choice and competition in the market for land. In the case of North West Leicestershire, persistent under-delivery requires the application of the additional 20% buffer.

- 7.8 Whilst the NWLDC 5-year land supply trajectory (December 2014) states that 3,075 homes will be delivered over the period 2014/2015 – 2018/2019, resulting in a 6.18 year housing land supply, the evidence that supports this is challenged by the MHC.
- 7.9 It is significant that the Moira Road appeal decision (Ref: APP/G2435/A/13/2192131) concluded that NWLDC, in meeting its proposed housing numbers across the district, and in Ashby-de-la-Zouch itself, would have to rely on greenfield sites and agricultural land, and that policies that sought to restrict development were to be considered out-of-date.
- 7.10 Even if NWLDC is able to demonstrate a five year housing land supply (which is strongly contended by the MHC), the lack of delivery of affordable housing of itself engages the presumption in favour of sustainable development (per paragraph 14 of the NPPF) (see the Long Marston Decision at paragraph 448 where the Inspector concluded (which conclusion was not gainsaid by the Secretary of State) that the failure of the local planning authority to meet OAN in relation to affordable housing represented a free-standing reason for concluding that the relevant development plan was not up-to-date for the purposes of paragraph 14 of the NPPF). The officer report to the Local Plan Advisory Committee of 12 November 2014 is significant, as it confirms NLWDCs latest understanding of affordable housing needs. Paragraph 2.2 defines this as an estimated level of annual need for affordable housing for the period 2011-2031 of 212 dwellings, a number which it determines to equate to 'about 60% of the overall housing need'.
- 7.11 Having regard to the above and other considerations, including the accepted need for development outside the current Limits to Development, the identification of the application site as a sustainable location for development, the sustainability of Ashby-de-la-Zouch as a settlement for new residential development, the application site is evidently deliverable in the context of the NPPF.
- 7.12 Subject to the grant of planning permission within the target determination period, the MHC intends to quickly proceed to reserved matters stage. It is anticipated that delivery of the development would commence in early 2016 (in accordance with the previous housing trajectory), which would result in the completion of the majority of the development within the plan period.

Sustainable Development

- 7.13 NWLDC has assessed the suitability and sustainability of the application site as part of its plan-making process through a Sustainability Appraisal. Having assessed the site as part of an iterative process it has been concluded that the application site is the most sustainable location for Ashby-de-la-Zouch to meet its housing needs.

- 7.14 It is significant that the Sustainability Appraisal has been produced independently of the Core Strategy. As acknowledged by the NWDLC, this provides a level of impartiality and has reaffirmed that the application site is suitable for housing-led growth.
- 7.15 Likewise, the SA recognises that the application site well positioned in terms of existing services and facilities within the town centre. Some of these community-based services includes the following, which are all within 0.4 miles of the application site.
- Food store – 0.2 miles
 - Nursery – 0.4 miles
 - Primary school – 0.2 miles
 - Secondary school – 0.1 miles
 - College – 0.3 miles
 - Health facilities – 0.4 miles
 - Dentist – 0.2 miles
 - Ashby District Hospital – 0.3 miles
 - Leisure centre – 0.3 miles
 - Bank – 0.2 miles
 - Post Office – 0.4 miles
- 7.16 The delivery of residential dwellings adjacent to the town centre will also support and enhance the vitality and viability of the town centre.
- 7.17 The development is also within close proximity to Flagstaff Park, which includes key employers such as United Biscuits, which, as confirmed in Paragraph 8.100 of the now withdrawn Local Plan employs approximately 2,000 people. Likewise, NWLDC has also granted full planning permission in January 2012 for a 78,470sq.m warehouse facility to the south-east of the application site (Planning Reference: 07/01372/FUL). Here, the applicant has confirmed that the development is capable of providing between 800 – 1,000 new jobs on a site. It is also relevant that the application confirms that the site has access a dedicated railway connection.

- 7.18 A Facilities Plan is included at Appendix **Error! Reference source not found.3** to show the positioning of the application site (Money Hill) in relation to existing services and facilities. This plan also shows the now withdrawn Local Plan 'Broad Location' for housing growth.

Appendix Error! Reference source not found.3 – Facilities Plan

Affordable Housing

- 7.19 The proposed development would comprise an overall provision of up to 30% affordable housing subject to viability. This is in accordance with both the adopted Affordable Housing SPD and Policy CS18 of the now withdrawn Local Plan Core Strategy. Affordable housing will be provided on site to provide a wide housing mix.
- 7.20 The tenure mix of the affordable homes (excluding any extra care facilities) shall conform with the requirements of the Council, currently understood to comprise seventy percent (70%) affordable rented units and thirty percent (30%) intermediate units (as defined in Annex 2 to the NPPF). All units will comply with Code Level 3 of the Code for Sustainable Homes.
- 7.21 The delivery mechanism for the affordable housing will be submitted shortly when finalised and agreed with NWLDC.

Provision of Healthcare Facilities

- 7.22 The application will include provision for contributions towards the delivery of a new health centre for Ashby. This accords with the requirements of Leicestershire and Rutland PCT to identify a new modern facility and the need to deliver infrastructure requirements as set out in Policy 37 of the now withdrawn Core Strategy.
- 7.23 The MHC previously suggested two approaches to the provision of a potential new health centre, which has been the subject to extensive discussion with the local health providers. This includes either (i) a financial contribution (£201,878.28) in accordance with consultation response on the former planning application (Ref. 13/00335/OUTM) or, (ii) the provision of a new health centre.
- 7.24 Since the submission of the former planning application a detailed planning application has been submitted for a new health centre at Holywell Spring Farm (Ref. 14/00080/FULM). This planning application was submitted by Matrix Medical on 2 February 2014 and was subsequently approved on 6 November 2014.
- 7.25 The Planning Statement with the aforementioned planning application states that the Holywell Spring Farm site will provide a building of approximately 2,000sq.m over two storeys, including the provision of a pharmacy and future expansion space. Significantly, as part of the submission the applicant (Matrix Medical) also advises that alternative sites within Ashby-de-la-Zouch were

considered, including Money Hill (the application site). In appraising this site it was advised that Money Hill provides a medium / long-term fall back option.

- 7.26 In summary, the MHC has worked closely with local healthcare providers in determining the mechanism for either an off-site contribution or on-site provision. This approach towards healthcare infrastructure has been supported by the NHS England (Leicestershire and Lincolnshire) and was not objected to as part of the previous planning application.
- 7.27 Meetings with the PCT have confirmed that they considered the application site to be a suitable location for a new healthcare facility, should the Holywell Spring Farm site not come forward. The site is within close proximity to the existing town centre and has good pedestrian and vehicular linkages. Likewise, the new, repositioned health centre would be less than 500m from the existing facility, so any disruption to patients is likely to be minimal.

Appendix Error! Reference source not found.4 – Correspondence from Leicestershire and utland NHS

Education Provision

- 7.28 The MHC has been in regular discussion with Leicestershire County Council (Education) as part of the pre-application process to establish the existing and future position with regards to pre-primary, primary and secondary education. In its updated consultation response (20 September 2013) Leicestershire County Council (Education) confirmed that based on an outline development of 605 homes the development would generate 145.2 primary school users; 60.5 high school users, and 60.5 upper school users.
- 7.29 The mechanisms for the delivery of the primary school has been the subject of discussions with the Local Education Authority (LEA). The LEA has also identified two alternative delivery mechanisms, being either it's by the MHC, or financial contribution and the transfer of land. The MHC has confirmed its intention to proceed with the development of the primary school and, therefore, has included it within the description of development.
- 7.30 In agreement with LEA the new primary school would be delivered on occupation of the 300th home – midway through the development. Further details of the primary school will be provided as part of a reserved matters planning application, although further information is included in the Design and Access Statement. The development proposals would include a 210-capacity (one form entry) new primary school on a site of 1.5 hectares, with provision to increase the size of the site for the primary school to 2.1 hectares to allow for the delivery of a two-form entry primary school. Leicestershire County Council has confirmed that this land take would provide capacity for growth should the school need to expand in the future.

7.31 As part of the public consultation process members of the public recommended the inclusion of nursery education. As such, the MHC has made provision for a nursery facility as part of the development proposals. This pre-school will be positioned alongside the proposed new primary school.

7.32 In summary, proposals accord with Paragraph 72 of the NPPF in so far as the MHC have worked closely with Leicestershire County Council (Education) in developing proposals, with much of this dialogue taking place in advance of submission. In determining this planning application great weight should be given to the fact that proposals make provision for a new primary school and a new nursery school.

Extra Care Housing

7.33 The Local Plan Core Strategy considered demographic changes in the District over the course of the planning period. Paragraph 2.30 stated that in 2010 approximately 17.5% of the population in North West Leicestershire was estimated to be aged 65 and over. By 2031, it was estimated that over a quarter of the district's population will be aged 65 and over. Within the district, there are currently 4,300 people aged over 80 and this is projected to more than double by 2031.

7.34 In addition to an aging population, the Leicester and Leicestershire Housing Requirements Study (2011) also confirms that the population in North West Leicestershire population is forecast to live for longer. It is anticipated that the life expectancy rate will increase from 78.6 years for males and 82 years for females in 2006 to 82.8 years and 85.4 years, respectively.

7.35 For the reasons outlined above, the MHC has included extra care housing as part of the application, which has been welcomed by members of the public and several Councillors during the pre-application process and as part of the former planning application (Ref. 13/00335/OUTM). Consequently, in preparing a resubmission for Money Hill the objective has been to create an environment where older people can live in the knowledge that the necessary level of care is available as and when it is required, based on their specific needs.

7.36 The extra-care housing is expected to be delivered in 2017 / 2018. The MHC is currently in discussion with Registered Providers and NWLDC (Housing) about how best to bring forward this site.

7.37 Registered Providers such as East Midlands Housing Association (EMHA) have also recognised the need the extra care housing in the locality by stating (see **Appendix** Error! Reference source not found.5):

“There is significant evidence of increasing need to respond to the general demographic changes of an ageing population. Leicestershire County Council's published strategy references

such hard data... In summary, EMHA's view is that there is a need for an extra care scheme, particularly for delivery of affordable units for rent and that the proposed location is well suited to this and in principle would be keen to explore further whether we can be involved with its delivery should it achieve a planning consent". EMHA, 2013.

Appendix Error! Reference source not found.5 – Correspondence from EMH

Local Centre Uses

- 7.38 Development proposals include provision for local centre uses. These uses are proposed to provide local access to small scale retail, such as top-up convenience and will not affect the vitality and viability of the town centre. These uses would not exceed 560sq.m (A1 use). These local centre uses are proposed in two principal areas – to the south of the site, where the pedestrian linkages are provided to the town centre, and to the north of the site, close to the primary school. These local centres uses would be sufficient to serve local need, but of a scale that they would not compete with the Ashby-de-la-Zouch town centre.
- 7.39 A community hall will be also provided. This facility was requested by members of the public as part of the public consultation undertaken in November / December 2012. This community hall could accommodate various community activities such as scouts, guides, yoga and/or a community film club.

Design, Dwelling Mix, Density and Phasing

Design

- 7.40 The development of Money Hill represents a unique opportunity for the growth of Ashby-de-la-Zouch. It will not only enable the town to preserve its town centre character, but it will also provide for the community needs of the future. A sensitive approach to the master planning of the site will:-
- Provide additional urban and landscape areas that will contribute to the regional identity of the town;
 - Be respectful of the existing townscape of Ashby and its landscape setting;
 - Contribute towards the character of the town by introducing a new neighbourhood built for 21st century living; and
 - Benefit existing and new residents with a balance of new homes and social amenities, including a range of new sustainability measures.
- 7.41 The following themes elaborate on this vision:-

- **‘Bringing’ the National Forest into Ashby** - in line with guidance published by the National Forest Company, the Money Hill Masterplan will provide new open space and woodland that will be within walking distance of the town centre.
- **New homes within a woodland setting** - a distinctive woodland and meadow character will be created through the Money Hill Masterplan, which places buildings sensitively within a landscape setting. Key existing landscape features will be preserved and protected in order to create a unique sense of place for the new community.
- **Contributing to the town’s vitality** - The proposals for Money Hill include the provision of a number of new community facilities within walking distance of the existing town centre. They also include new pedestrian and cycle links to connect the development into the existing movement network around the site.
- **Buildings that have green credentials** - the new buildings at Money Hill will be carefully located to maximise views of open spaces and will be oriented to benefit from good solar gain. New homes will incorporate renewable energy and water efficient systems.
- **A distinctive woodland and meadow character** - The Money Hill Masterplan includes a number of character areas, the inspiration behind which is the existing natural and historic landscape. The building materials used will reflect the existing local architectural character of Ashby and the site’s woodland setting.
- **Improved local wildlife habitats and biodiversity** - Biodiversity across the site will be improved through the creation of new ecological habitats and wildlife corridors within the landscape structure. The proposed landscape structure is arranged around a green grid of hedgerows that connects areas of woodland together.
- **Protecting the town from flood events** - A comprehensive sustainable drainage system (SuDS), designed to attenuate water run off on site without directly discharging into town’s watercourses, will be implemented at Money Hill.

Dwelling Mix

- 7.42 The mix of dwelling types to be provided on site is subject to determination at the reserved matters stage, however, an Indicative Masterplan has been submitted in support of the planning application.

Density

- 7.43 The overall density of the proposed development would be range between 19 – 40 homes per hectare. Higher density residential areas of around 40dph are proposed within the south western area of the development, which is most accessible to the town centre. The southern and central residential areas will provide around 30dph to respect the surrounding residential form. The central

area of the site has a density of around 20dph, which respects the attenuation pond and swale areas. Further information on the design of the scheme is provided in the supporting Design and Access Statement.

- 7.44 The Design and Access Statement provides further details, however, the proposed development has been designed to take account of the scale and massing of the surrounding housing types. These have incorporated into the proposed design, whilst ensuring a fully functional development. As such, the development complies with the design aspirations of the Council.

Phasing

- 7.45 Policy CS37 of the Local Plan Core Strategy sought to provide details of phasing across the application site. As such, at its most straightforward construction would commence in the south of the application site and work in a northerly direction. Subject to planning permission, housing development would begin 2016 / 2017. Affordable housing will be delivered alongside the market housing and will come forward in four tranches to satisfy the requirements of NWLDC.

Socio-Economic Factors

- 7.46 The application will include provision for onsite employment, of up to 165 direct jobs, as identified in the Socio Economic Chapter of the ES. This is recognised as part of the evidence base of the local plan-making process, with the Sustainability Appraisal confirming that housing development at Money Hill should support access to a range of services and jobs. Moreover, the Sustainability Appraisal states “where development is delivered through an urban extension housing levels may be high enough to support a mix of uses”.
- 7.47 In addition to the above, given the considerable extent of open space proposed this site would also generate maintenance jobs.
- 7.48 Not only is this scheme likely to provide approximately 165 direct jobs but is also likely to support and strengthen the economic vitality of Ashby-de-la-Zouch town centre. Again, this is recognised as part of NWLDCs Sustainability Appraisal, which states:

“Residential growth of all settlements should help to support the town centres due to the increase in population. However, there will be a need to ensure that there is good and direct public transport, walking and cycling routes linking the centres to new residential growth areas” (p.49).

- 7.49 The Sustainability Appraisal goes on to state:

“The direction of growth to the north [Money Hill] is in a location that has potential to support Ashby-de-la-Zouch town centre. The site would be in walkable distance from the shops and services from the centre, providing an increased footfall to support them” (p.119).

Transport and Access

- 7.50 Details of the proposed access arrangements for the site are set out detail in the Design and Access Statement and Transport Assessment.
- 7.51 However, in summary vehicular access would be to the north-east, with a new connection to the A511 bypass. A secondary, 6.5m access would be provided from Nottingham Road, which would provide access to a maximum of 150 dwellings, (including the extra care housing). Pedestrian and cycle linkages would be improved across the site, including the upgrading of the Ivanhoe Way (see Section 5 of the Design and Access Statement).
- 7.52 In advancing the proposals, the MHC has sought to ensure that the site has strong linkages with the town centre, whilst avoiding an internal road design that would encourage ‘rat-running’ through the site. This has resulted in the inclusion of a bus controlled gate, which would be positioned at the southern part of the application site. This would allow bus services to pass freely through the application site; however, the movement of private motor cars would be restricted. Emergency vehicles would also have full vehicular access.

Appendix Error! Reference source not found.6 – Proposed Access Arrangements from Nottingham Road

- 7.53 The vehicular access arrangements to the application site are summarised in Table 7.1 for each land use. It should be emphasised that vehicular access arrangements will differ between the first phase of development and the completed finalised scheme. During the construction of the first phase vehicular access (both in and out) will be from Nottingham Road. Thereafter, once the A511 vehicular access has been constructed access will be from the A511, with the exception of the town centre car park and up to 150 dwellings, which will be accessed from Nottingham Road, but will exit from the A511 access.

Table 7.1 Access Arrangements

Land Use	Nottingham Road Access	A511 Access
First phase of 150 dwellings (which could potentially incorporate extra care dwellings)	In and out access.	No access until A511 connection has been built.
605 dwellings	Maximum 150 dwellings. In access only.	In and out access.

120 space car park	In and out access.	Out only.
70 dwellings at Woodcock Way (Ref. 14/00769/OUTM)	No access.	Potential for in and out access.
Primary school	No access.	In and out access.
Health centre	No access.	In and out access.
Bus	In and out access.	In and out access.

- 7.54 In modelling the above vehicle movements allowance has also been made for a further 70 dwellings to access the Woodcock Way site (Ref. 14/00769/OUTM) from the A511. These additional 70 dwellings would not be able to obtain vehicular access from Nottingham Road.
- 7.55 Pedestrian and cycle movements through the site will not be restricted with the introduction of a controlled bus gate.
- 7.56 In addition to the above, the development proposals will create improved pedestrian / cycle linkages, thereby improving linkages to the town centre, local schools and surrounding areas. This will include the upgrading of the Ivanhoe Way, which runs east/west across the south of the application site. A new pedestrian linkage will be created to the north west of the application site, which will pass alongside Moneyhill Farm and provide access onto Smisby Road, which is the main north/south thoroughfare in the town. This new pedestrian will also provide improved access to Woodcote Primary School.
- 7.57 The planning application is accompanied by a Transport Assessment, which has considered the existing transport conditions, relevant transport policy, and the traffic generation characteristics of the proposed development, on both the local and surrounding highway network. Significantly, the A511 access has been designed and modelled to include the proposed 70 dwellings at land at Woodcock Way, as the provision of future links with the application site may result in the need to accommodate these additional dwellings at the A511 access.
- 7.58 In summary, results within the Transport Assessment confirm that the proposed development can be accommodated on the site, subject to suitable mitigation measures, with no detriment to existing road capacity and safety (as confirmed by the Highways Agency). Further information regarding transport and access can be found within the Transport Assessment.

Provision of Green Infrastructure

- 7.59 Policy CS29 of the Local Plan Core Strategy set out a requirement for new housing developments to make adequate open space provision. Policy CS28 included the protection and enhancement of the National Forest, and Strategic Green Infrastructure network.
- 7.60 As part of this scheme, the National Forest Company has identified an area of approximately 200 square miles, the landscape of which it aims to transform the by linking the two ancient Forests of Charnwood in the east and Needwood in the west. Ashby-de-la-Zouch is located right at the heart of this designated area, thereby providing the Money Hill site real potential to contribute to this plan.
- 7.61 The open space strategy and vision is to create a series of green corridors which connect open space with areas of woodland, including hedgerows to create diverse habitats within new open spaces. There is a further opportunity to create connections beyond the site, connecting to the wider woodland network north and east of the A511. An important green link to enhance is along Ivanhoe Way that will improve the setting of the National Trail through Ashby.
- 7.62 In addition to the above, a further contribution that the Money Hill development will make is to ensure that existing trees and hedgerows of value will be retained and enhanced through management. This will create green corridors that will have the potential to provide multifunctional routes for migrating wildlife as well as semi-natural walking and cycling routes. Likewise, there are a number of key mature trees on the site that will be retained and complemented by new planting, which will inform the character of the new neighbourhoods that develop around them.
- 7.63 Public open space across the site will be managed through an on-site management company.

Landscape and Visual Impact

- 7.64 Landscape and visual effects have been assessed separately, in accordance with best practice guidance (GLAVIA, paragraph 2.13-2.15) which states that 'Landscape and visual assessments are separate, though linked, procedures.
- 7.65 As shown in the accompanying Landscape and Visual Impact Assessment the application site will be visible from within both Local Character Areas, and from surrounding roads, paths and buildings within the Coalfields County Character Area and in the very northern most part of the fringe, the Langley Lowlands Character Area.
- 7.66 In relation to views, seven representative visual receptors were identified for the purpose of the assessment, with differing views towards the Application Site. These were classified as being short, middle or long distance views. The development of the Application Site will result in changes to

short distance views as a consequence of the close proximity of the site to the representative visual receptors. However, in the middle to long distance views, the proposed development will be less apparent, set within the urban areas, and surrounding industrial and educational land-uses, transport infrastructure, and adjacent to the dominating structure of the United Biscuit Warehouse.

- 7.67 In summary, the assessment of landscape and visual impact concludes that the proposed development with 'designed-in' mitigation measures will have a limited effect on views from the surrounding areas as it sits neatly into the context of Ashby-de-la-Zouch to the south, west and east and is contained by the A511 to the north. The developing vegetation along the A511, and other mature hedgerow and tree vegetation within the surrounding landscape will be enhanced to help screen the development from sensitive viewpoints. Similarly, the new and existing hedgerows and trees within the application site and along the site boundaries, together with the provision of new public open space and planting within the Application Site, will help to integrate the proposed development into the urban and rural context.

Flooding and Drainage

- 7.68 In accordance with Policy CS26 of the Local Plan Core Strategy which relates to matters of flood risk, this planning application is supported by a Flood Risk Assessment. The application site is in Flood Zone 1, which has the lowest risk of flooding. As set out in the NPPF, any type of development is suitable within this flood zone.
- 7.69 In summary, the site is considered to be at a low risk of fluvial and flooding with the annual probability of a flood event less than 0.1% in any given year. Therefore a sequential test, or exception test is not be required.
- 7.70 Sources of potential flood risk to the proposed development other than surface water flooding are negligible. Notwithstanding this, the proposed development includes measures to mitigate the surface water flood risk, by the use of integrated sustainable urban drainage system, attenuation ponds and swale areas, ensuring that there will be no increase in surface water runoff from the current run-off rate. This information has previously been corroborated by the Environment Agency.
- 7.71 In conclusion, the proposed development would have no significant impact in terms of flood risk, both up stream, or downstream.

Ecology and the Environment

Protected Species

- 7.72 A full Ecological Assessment has been produced by Ecology Solutions in support of this application. In summary, this confirms that the nearest statutory designated site is the Lount

Meadows Site of Special Scientific Interest, approximately 2km to the northeast of the site, separated by extensive areas of existing agricultural land.

- 7.73 Based on the ecological survey work undertaken there is no evidence to suggest that the proposed development of the application site would lead to a significant impact on any known protected species or ecological features.
- 7.74 There are a series of non-statutory sites of nature conservation within the local area, although there are none on the site itself. As set out in the Ecological Assessment, it is not considered that any detrimental effects will arise as a result of the proposals to any statutory or non-statutory sites of nature conservation interest. Furthermore, the habitats within the site are generally not considered to be of particular ecological importance, the Ecological Assessment concludes that there is no evidence to suggest that there are any overriding ecological constraints at the site.

The River Mease SAC

- 7.75 The SA of the emerging CS confirms that the greatest nature conservation asset in North West Leicestershire is the River Mease Special Area of Conservation (SAC). This SAC currently suffers water quality issues associated with the high levels of phosphorus emanating from the surrounding area and in particular the Packington Waste Water Treatment Works (WWTW), which discharges into the River Mease.
- 7.76 NWLDC, the Environment Agency and Natural England have worked together to agree a Water Quality Management Plan to address water quality issues in the River Mease. Having identified the problem and undertaken a detailed assessment of it NWLDC has adopted a Developer Contribution Strategy, which seeks financial contributions towards improvements of the River Mease in order to address the requirements of the Water Cycle Strategy and Water Quality Management Plan. These contributions will be used to finance phosphate reduction measures, in addition to recording, monitoring and review of the Mease SAC.
- 7.77 Significantly, since submitting the previous planning application Severn Trent Water has published its an annual Headroom Assessment for Sewage Treatment Works, which in accordance with the River Mease SAC Water Quality (Phosphate) Management Plan, provides regular updates on headroom availability at our sewage treatment facilities to inform planning decisions. This document sets out the sewage treatment headroom position as at March 2014. At the timing of writing, the March 2015 report was not in the public domain.
- 7.78 Fundamentally, Arla Dairy, which is the largest single discharger of trade effluent into Packington Sewage Treatment works, has now ceased operations in Ashby-de-la-Zouch. This closure is expected to free up considerable extra headroom capacity at Packington sewage treatment works (to be confirmed in the next annual Headroom Assessment for Sewage Treatment Works).

Average daily flow discharged from the diary was typically in the range of 600 – 700 m³/d. This equates to additional headroom of between 2,170 and 2,500 additional properties.

Archaeology and Heritage

- 7.79 This planning application is accompanied by an Archaeological and Heritage Statement.
- 7.80 There are no designated heritage assets on the site. There are 103 Listed Buildings within the wider study area, all concentrated within the Ashby-de-la-Zouch Conservation Area, the north-eastern corner of which lies immediately adjacent to the south-western boundary of the site.
- 7.81 The Heritage Statement confirms that the overall character of the Conservation Area relating to the built form of the town centre will remain intact.
- 7.82 Likewise, initial results of a geophysical survey and trenching indicate that, other than ridge and furrow, there is no evidence to suggest significant archaeological assets on the site.
- 7.83 It is anticipated that any archaeological mitigation measures will be secured by a standard planning condition.

Community Engagement

- 7.84 A Report of Community and Stakeholder Engagement has been prepared that summarises the comprehensive process of public consultation and stakeholder engagement undertaken by the application in advance of submitting the planning application. It has included the creation of a specific website (www.money-hill.co.uk), a two-day public exhibition and a further 1-day follow-up exhibition, distribution of flyers and leaflets to local residents and wide-spread exposure in local newspapers.
- 7.85 A drop-in public exhibition for local residents, businesses and stakeholders was organised for Friday 30th November 2012 between 4.30pm – 8pm and Saturday 1st December between 10am and 2pm at Ashby School, Nottingham Road, Ashby-de-la-Zouch, close to the Money Hill development site. A further follow-up drop-in public exhibition was undertaken on 23 January 2013 between 4pm and 8pm.
- 7.86 At least 298 people attended the first drop-in sessions over the two days (145 on Friday 30 November and 153 on Saturday 1 December) and a total of 98 feedbacks received (63 feedback forms at the event and subsequently a further 35 feedback forms, letters, emails and calls to the consultation telephone line). At least 108 people attended the second drop in session.

7.87 Local residents and stakeholders were given the opportunity to provide the Money Hill project team with feedback on the proposals based on the public exhibition. They could do this via feedback forms at the exhibitions or downloadable from the website, Freepost, Freephone and enquiry email address. The feedback form asked open-ended questions about aspects of the scheme: new homes and jobs; community facilities; transport and access; landscaping and flood management; and general comments.

7.88 In addition to the above developer-led consultation steps the Local Planning Authority has undertaken multiple stages of public consultation as part of the plan-making process, which has included consultation on the accompanying Sustainability Appraisal. As part of this previous consultation opportunity has arisen to discuss Money Hill, and other sites within Ashby-de-la-Zouch.

7.89 In addition to the above, the MHC has meet with the following statutory and technical consultees in advance of submitting this planning application:

- Ashby Civic Society
- Ashby Town Council
- East Midland Housing Association
- Environment Agency
- English Heritage
- Highways Agency
- Leicestershire and Rutland PCT
- Ashby-de-la-Zouch Town Council
- North West Leicestershire District Council (Affordable Housing)
- North West Leicestershire District Council (Planning)
- North West Leicestershire District Council (Affordable Housing)
- Leicestershire County Council (Archaeology)
- Leicestershire County Council (Drainage)
- Leicestershire County Council (Education)

- Leicestershire County Council (Highways)
- National Forest Company
- Leicestershire Police

7.90 In addition to the above, the MHC has made a number of presentation to Members of the NWL Members Development Forum. The MHC has also regularly met with Ashby Town Council and Ashby Civic Society.

7.91 Feedback received from the engagement process has, where possible, fed into the iterative design process which has resulted in the form of the proposed development.

8. TECHNICAL MATTERS

- 8.1 This section sets out the consideration of various technical matters in relation to the determination of the application.

Air Quality

- 8.2 The proposed application site will have the potential to generate dust and other air emissions during its construction. The assessment of construction impacts shows that the site will be a high-risk site in terms of its potential to give rise to dust and other air emissions. However, the impacts of these emissions during construction can be minimised by applying suggested mitigation measures, and the residual impact is predicted to be medium to low.
- 8.3 Traffic generated by the proposed development during operation will give rise to nitrogen oxides and particulate matter emissions. The impact of traffic emissions generated by the proposed application was determined using an atmospheric dispersion model where traffic related pollutant concentrations were predicted at nearby sensitive residential receptors, with and without the proposed development in place. The assessment indicated that traffic emissions from the proposed development will result in an imperceptible to small change in pollutant concentrations at identified receptors. The impact of these pollutant concentration changes is assessed to be negligible at all identified receptors.
- 8.4 In summary, it is anticipated that the proposed development will have negligible impacts on local air quality.

Noise

- 8.5 Site noise surveys were conducted during the daytime and night/time periods of Tuesday 11 – Wednesday 12 December 2012.
- 8.6 The noise surveys were undertaken to establish the levels of ambient noise affecting the proposed development site and at existing residents in the immediate area. Noise levels were measured at two locations. The locations were chosen and agreed with NWLDC.
- 8.7 Location 1 was at cul-de-sac of Woodcock Way, on open ground to the north of and adjacent to the residence at 12 Woodcock Way. Location 1 was a similar distance from Wood Street as the nearest proposed residential facades of the development. Location 1 also enabled measurement of the current noise levels at the neighbouring, existing residences in Woodcock Way. When Location 1 was chosen as a monitoring site, it was immediately adjacent to the proposed development. This

area of the site is now the subject of a separate planning application and is therefore off-site from the Money Hill development. Notwithstanding this, the noise levels recorded at Location 1 can be taken to be representative of the noise levels found at nearby sections of the site that remain in the scheme.

- 8.8 Location 2 was to the north-east of the development, at the field boundary (field no. F8) with the United Biscuits factory. There is an existing and substantial acoustic screen around part of the south-western boundary of the United Biscuits site, in the direction of existing, nearby residences. The screen is estimated to be approximately 3-4 m in height. The measurement Location 2 was beyond the extent of this existing acoustic screen and so provided a clear line of sight to the rear of the commercial building and yard/rear access road. This location was chosen as it enabled unattenuated noise levels to be measured at close range to the United Biscuits factory, for subsequent assessment at more distant residential locations. Location 2 was also a similar distance from the A511 road as the nearest proposed residences to it.
- 8.9 For the most exposed perimeter area of the site (represented by Locations 1 and 2), for the daytime an imperceptible impact is predicted, whilst a minor impact would occur at night-time.
- 8.10 A summary of the assessment is shown in Table 8.1. This shows the assessment and residual impact to the nearest and most exposed residential receptors concerned. It therefore provides a worst-case and the impact will be significantly lower at other areas of the development.

Table 8.1 Noise Impacts

Description of Impact	Key Considerations	Significance of Impact	Mitigation Measures	Significance of Residual Impact
Road Traffic Noise	Road traffic noise exposure of proposed residences	Imperceptible (day)	E.g. Provision of standard double glazing to habitable rooms	Imperceptible (day)
		Minor (night)	E.g. Provision of standard double glazing to habitable rooms	Imperceptible (night)
Industrial Noise	Noise from HGVs passing along rear access road of United Biscuits site	Moderate (day)	Extension to existing acoustic screen	Minor (day)
		Major (night)	Extension to existing acoustic	Minor (night)

Description of Impact	Key Considerations	Significance of Impact	Mitigation Measures	Significance of Residual Impact
			screen	
Construction Noise	Noise from construction works	Indiscernible/ Minor (anticipated)	Employment of relevant outline noise control measures discussed	Indiscernible/ Minor (anticipated)
			Adoption of measures included in any agreed Contractor's Construction Programme	Indiscernible/ Minor (anticipated)

Utilities

- 8.11 The planning application is accompanied with a Utility Statement, which takes the form of a load profiling exercise, to understand the load requirement of the application site for the existing utility infrastructure networks. Load profiling provides an estimate of the maximum peak daily utility demand (and provides a worst case) for electricity, gas, fixed telecommunications and potable water services.
- 8.12 Utility stakeholders have been consulted in order to assess the impact of the demands on existing networks; no reinforcement of existing utility networks is anticipated to support the application site. Likewise, intrusive ground investigation shall be executed prior to construction.
- 8.13 Utility services will be supplied from existing networks, from Nottingham Road, and will distributed throughout the application site below ground in shared utility zones following the primary highway and footway routes.

Lighting

- 8.14 The planning application provides appropriate lighting design principles that should be adhered to when designing an exterior artificial lighting scheme, with the view to minimising obtrusive light.
- 8.15 In summary, this Lighting Assessment confirms that the car park lighting, general façade lighting and pathway lighting to the proposed buildings such as the potential health centre, primary school and community hall will be designed in adherence to the lighting design guidance as outlined in the

Lighting Assessment. Following this approach will achieve sufficient lighting for comfort and safety requirements without creating excessive, unwanted spill light or façade brightness. Either of which could be perceived as intrusive to the neighbouring properties or interfere with nature in the surrounding landscape, in terms of its ecology and intrinsic darkness.

Energy

- 8.16 The now withdrawn Core Strategy sets out a preference for consideration of the Energy Hierarchy with a focus on efficiency first. A full Energy Statement has been submitted in support of this application, however, in summary the applicant has sought to reduce and conserve energy use within the proposed development, in accordance with relevant planning policies.
- 8.17 Predicted design assessments have been made using SAP and SBEM methods, which confirm that the new health care facility will achieve an EPC rating of A and that the residential buildings will seek to achieve Code for Sustainable Homes Level 3.

Shallow Coal

- 8.18 The application has been submitted with a Shallow Coal Report in accordance with the former draft Policy CS37 of the emerging Local Plan Core Strategy, which states that “[at north Ashby] consideration will be given to the prior extraction of any remnant shallow coal”. This report has been shared with the Coal Authority and the Local Planning Authority on several occasions in advance of submitting this planning application.
- 8.19 This report confirms that it is very unlikely that the application site has been subject to past underground coal mining operations, especially at shallow depths below the surface. Likewise, it is considered that, although it is likely that two coal seams may underlie the southern part of the site at shallow depths, these are very thin in nature and very unlikely to be of interest for future housing development.

Agricultural Land

- 8.20 With the exception of a small area of woodland which extends to 0.4 hectares the site comprises entirely of agricultural land, albeit not all of this land is in agricultural production. Two small parcels to the south of the site have been left fallow for a number of years and a further parcel of grassland to the south of the site is grazed by ponies.
- 8.21 Although the development involves the loss of “best and most versatile agricultural land” it is important to consider that the land quality across the study area is typical of the surrounding area. The Provisional Agricultural Land Classification (MAFF 1983) indicates that the majority of land around Ashby-de-la-Zouch is likely to comprise of undifferentiated Grade 3 land. The provisional

plans also indicate that some land to the north-west and the south could comprise of Grade 2 quality.

8.22 Accordingly the land quality across this site is typical of the area and there are some areas where sites of a similar size could comprise of a far higher amount of “best and most versatile agricultural land”.

9. PLANNING OBLIGATIONS

9.1 In reporting the former planning application to Planning Committee officers recommended that planning permission be granted subject to a Section 106 Agreement.

9.2 Paragraph 204 of the NPPF advises that planning obligations should be only sought where they meet the following tests: necessary to make the development acceptable in planning terms; directly related to the development, and fairly and reasonably related in scale and kind to the development.

9.3 For the avoidance of doubt the proposed developer contributions are set-out below.

- Up to 30% affordable housing, subject to viability;
- Tenure mix of affordable housing to accord with the relevant requirements (currently understood to be 70% social rented and 30% intermediate housing);
- Primary school contribution of £1,756,776.25 or the provision of a site for a new primary school with the corresponding reduction in the financial contribution;
- High school contribution of £1,081,508.29;
- River Mease contribution of £134,310.00;
- Library service contribution of £32,800.00;
- Healthcare contribution of £1,756,776.25 or the provision of a new health centre;
- Provision of a community hall (410 sq.m);
- Improvements to Ivanhoe Way (including pedestrian / cycle linkages to the A511);
- A42 (Junction 13) contribution of up to £130,982.00, if required;
- Bus stop upgrades (high-level curbing, shelters, etc);
- Extension of the bus service through the application site;
- Financial contribution to improvements to Ivanhoe Way (up to £400,000.00);
- Provision of a 120-space town centre car park;
- Implementation of a Travel Plan;

- Internal pedestrian and cycle linkages within the application site, and
- Potential to provide future pedestrian and cycle linkages to the Woodcock Way planning application and Smisby Road, via Arla Dairies.

10. SUMMARY AND CONCLUSIONS

10.1 The application proposes a form of development that has been subject of considerable consultation and engagement. It proposes a form of development that was subject of a previous recommendation by officers to grant planning permission and accords with the form of development proposed within the Local Plan Core Strategy.

10.2 The MHC considers that the key elements of the case for granting planning permission for the current application scheme are, in summary: :

- The site has been identified by NWLDC as the most sustainable site in Ashby-de-la-Zouch as part of its Sustainability Appraisal;
- The principle of the development is considered acceptable in principle in the context of the emerging local development plan and national planning policies;
- The site forms part of a broad location for development identified in the previous Local Plan Core Strategy for at least 605 new dwellings ;
- Proposals would provide up to 605 new dwellings, including extra care housing and a range of local facilities and services, open space and new road linkage to the A511 bypass, with new/enhanced pedestrian links;
- The proposed access and movement strategy for the site has been revised to include the provision for a new access onto Nottingham Road to provide access to a maximum of 150 dwellings (including the extra care provision) and an 'in-only' access to the car park;
- Provision is made for future connectivity with the adjacent site (Land Adjoining Woodcock Way);
- The proposed access to the A511 has been modelled to provide scope to accommodate the transport movement associated with the adjacent site (Land Adjoining Woodcock Way) and is consistent with the design of the access arrangements for the development of the wider site under control of the MHC;
- Subject to the determination of the application there is scope to commence construction of the scheme in 2016 meaning the site is capable of contributing towards the 5-year supply of housing land;
- The scheme will include a proportion of affordable homes (up to 30%);

- The application would make efficient and effective use of land, in a location which is highly accessible to the town centre and public transport links;
- The proposed development would enhance vitality of Ashby-de-la-Zouch town centre;
- The proposed development would provide scope for approximately 165 on-site direct jobs;
- The application site will include provision for public open space for use by both future occupiers and existing local residents, and also includes sustainable urban drainage measures to enhance the protection of the wider residential area;
- The proposals would make an important financial contribution to the River Mease DCS;
- The development would provide new provision for public transport, with a new bus service and greater local provision for walking and cycling;
- The application proposal has been subject to extensive public consultation, both in progressing this planning application and as part of work lead by NWLDC in advancing its Local Plan Core Strategy and has been identified as the most suitable / sustainable location as part of the Sustainability Appraisal, and
- The proposed development is viable and deliverable.

10.3 On the basis of the above reasons outlined, we conclude that the proposal is in accordance with the relevant local policies and the NPPF and, as such, permission should be granted without delay.

A1. POSITION STATEMENT FROM THE HIGHWAYS AGENCY



Safe roads, reliable journeys, informed travellers

Our ref: K362170
Your ref: 13/00335/OUTM

James Knightley
North West Leicestershire District Council
Council Offices
Coalville
Leicestershire
LE67 3FJ

Adrian Johnson
Asset Manager
The Cube
199 Wharfside Street
Birmingham
B1 1RN

Direct Line: 0121 687 2583

22 December 2014

Dear James,

A42 – MONEY HILL SITE NORTH OF WOOD STREET, ASHBY DE LA ZOUCH, LEICESTERSHIRE

Thank you for your letter of 19 December 2014 informing me that the above application is now the subject of an appeal.

I can confirm the Highways Agency's (HA) position has progressed and we no longer have any objection to the development.

Further to the announcement on the Leicester and Leicestershire LEP Growth Deal 2014 and the consequent expectations for scheme delivery at A42 Junction 13 by Leicestershire County Council (LCC), various discussions have been held between North West Leicestershire District Council (NWLDC), LCC and the HA to provide clarity over the potential delivery of A42 Junction 13 infrastructure and the implications for proposed developments in the area which have traffic impacts on these junctions. It is considered that without these infrastructure schemes in place this development would give rise to unsatisfactory impacts on the Strategic Road Network.

The HA now considers that there is commitment to the delivery of improvements at A42 Junction 13 by LCC using Growth Deal funding. The HA are therefore no longer seeking to condition housing sites in the locality to mitigation works at these junctions unless there is a likelihood that impacts may not be satisfactorily accommodated by the improved junctions.

Given the level of proposed development on this site no objection will be raised by the HA, as the traffic generated by this proposal is not considered to create unsatisfactory impacts on the Strategic Road Network in the intervening period prior to works at A42 Junction 13 being open to traffic.

Given the limitations that apply to Growth Deal funding whereby it is expected to be matched by local investments worth around twice the contribution from central government, the HA will be supporting the development of a contribution mechanism by LCC and NWLDC targeted at sites that will impact on A42 Junction 13 in order to secure necessary local funding to support the delivery of this infrastructure. The contributions are to be managed by NWLDC. The determination of the level of

contributions from each development will be a matter for LCC and any questions in this regard should be addressed to NWLDC and LCC. I expect this will need to be addressed during the course of the appeal.

I trust the above adequately explains the HA's position and is sufficient for your needs in respect of the appeal.

Yours sincerely,



Adrian Johnson
Asset Manager (Leicestershire)
Network Delivery & Development Midlands
Email: adrian.johnson@highways.gsi.gov.uk



A2. NWLDC PLANNING COMMITTEE – 06 JANUARY 2015

326

MINUTES of a meeting of the PLANNING COMMITTEE held in the Council Chamber, Council Offices, Coalville on TUESDAY, 6 JANUARY 2015

Present: Councillor D J Stevenson (Chairman)

Councillors A Bridges (Substitute for Councillor T Gillard), J Bridges, J Cotterill (Substitute for Councillor G A Allman), J G Coxon, D Everitt, J Houlton, D Howe, R Johnson, G Jones, J Legrys, T Neilson, S Sheahan (Substitute for Councillor R Adams), N Smith, M Specht, R Woodward and M B Wyatt

In Attendance: Councillors J Geary and T J Pendleton

Officers: Mrs V Blane, Mr C Elston, Mr J Knightley, Miss E Mattley, Mrs M Meredith and Mr J Newton

89. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R Adams, G A Allman and T Gillard.

90. DECLARATION OF INTERESTS

In accordance with the Code of Conduct, Members declared the following interests:

Councillors A Bridges, J Bridges, J Cotterill, J G Coxon, D Everitt, J Houlton, D Howe, R Johnson, G Jones, J Legrys, T Neilson, S Sheahan, N Smith, M Specht, D J Stevenson, R Woodward and M B Wyatt declared that they had been lobbied without influence in respect of item 6, Receipt of Advice in Respect of Planning Application 13/00335/OUTM for Residential Development and Associated Development at Money Hill Site, Ashby De La Zouch.

Councillor S Sheahan declared a disclosable non-pecuniary interest in item A1, application number 10/00775/OUTM, as a Member of Leicestershire County Council.

Councillor D Howe declared a disclosable non-pecuniary interest in item A1, application number 10/00775/OUTM, as a Member of the East Midlands Housing Group Active Stakeholder Forum.

Councillor J Legrys declared that he had been lobbied without influence in respect of items A1 and A2, application numbers 10/00775/OUTM and 14/00875/FUL.

Councillors A Bridges and J Bridges declared a disclosable pecuniary interest in item A3, application number 14/01006/FUL, as the application had been submitted by their son.

Councillors J G Coxon, J Houlton and G Jones declared a disclosable non-pecuniary interest in item A4, application number 14/00980, as Members of Ashby Town Council.

The Chairman requested that a letter be sent to Councillor G A Allman following his recent operation.

91. MINUTES

Consideration was given to the minutes of the meeting held on 2 December 2014.

The Legal Advisor read out an amendment to the minutes which had been requested by Councillor R Johnson as follows:

Chairman's initials

"Correction to the minutes page 321.

Line 3 He commented that this was just plain daft.

What I actually said was And to have 2 new villages within the Hugglescote Parish boundary was just plain daft.

Line 7 He commented that the villages should not be seen as a dumping ground for developers profits.

Line 13 He commented that no amount of money would solve the traffic problems if the highway was not fit for such a large development. He added that the by pass would have partly solved the problem with the lack of infrastructure, but this was not an option.

What I did say was no amount of money thrown at all the road junctions and Islands around our town will solve the traffic problems as we still have the branches of highway not fit for such a large development such as this.

Line 21 bottom of the page. He added that having one of the narrowest parts of Forest Road as an access was a crazy idea and asked if this was reasonable considering that this was an accident hotspot.

What I actually said was, access points of an only bus lane road onto one of the narrowest part of Forest Road from the proposed site is a crazy idea, and to top it all an access point close to Newbridge school on a renowned accident hotspot. I ask the question is this reasonable.

Page 322 He commented that the development would be with the residents for a very long time and asked if this was worthwhile. What I actually did say was the plans look wonderful on a piece of paper but in reality there will be a lot of upheaval for all of our residents for a very long time. Is it worth it. The residents are not of the persuasion of the short time pain for the long time gain scenario".

It was agreed that the minutes be amended to reflect this.

It was moved by Councillor D J Stevenson, seconded by Councillor J Legrys and

RESOLVED THAT:

Subject to the above amendment, the minutes of the meeting held on 2 December 2014 be approved and signed by the Chairman as a correct record.

92. PLANNING APPLICATIONS AND OTHER MATTERS

Consideration was given to the report of the Head of Planning and Regeneration, as amended by the update sheet circulated at the meeting.

93. A1 10/00775/OUTM: ERECTION OF UP TO 24 DWELLINGS (OUTLINE-ALL MATTERS RESERVED)

Land At Kane Close Coalville Leicestershire LE67 3RF

Officer's Recommendation: PERMIT subject to a Section 106 Agreement

The Principal Planning Officer presented the report to Members.

Chairman's initials

Councillor J Geary, Ward Member, addressed the meeting. He referred to his knowledge and understanding of the Snibston site gained during the last 17 years of his working life. He also referred to the previous application which had been approved in September 2011. He commented that he would have expected this application to be the same, however there were radical changes to the layout. He reminded Members that the previous site was larger and had permission for 21 dwellings; however this smaller site was seeking permission for 24 dwellings. He asked whether this was acceptable. He made reference to the concerns raised in respect of the dwellings bordering a scheduled monument site and the overbearing impact that this could have unless the development was linked into the monument site. He added that the dwellings bordering the scheduled monument site should be single storey. He referred to the request that the layout of the site be discussed with the Coalville Ward Members and he hoped that such a condition would be made to ensure that the developer discussed the proposals with Members in order to reach an acceptable scheme. He expressed concerns regarding surface drainage and requested a condition regarding the future maintenance of the ditch, which was already becoming heavily silted. He added that the issues around the joint ownership of the ditch needed to be resolved.

Councillor J Bridges moved that the application be permitted in accordance with the Head of Planning and Regeneration. This was seconded by Councillor N Smith.

Councillor A Bridges referred to the problems she had experienced in her area regarding surface drainage issues. She added that it would be positive to establish who owned what and how the run-off water would be dealt with.

Councillor R Johnson commented that the application seemed to change every so often and had been amended as recently as yesterday. He added that 21 dwellings was acceptable to the developer in 2011, and questioned why this was not the case now. He commented that the developer seemed to want to squash in as much as possible and it was not acceptable that people were living in boxes. He added that he hoped a condition was included to ensure that Ward Members were consulted. He questioned why there was no provision for a play area. He expressed concerns that the plans kept changing.

Councillor J Legrys stated that he shared Councillor R Johnson's concerns about the changing plans and expressed his disappointment that the plans before Members differed to those on the Council's website and the boundary which had been discussed at the briefing. He called for accuracy. He made reference to the previous permission and the minutes of that meeting which commented on the lack of consultation at that time. He added that the issue of Snibston would be very sensitive in the coming days.

The Chairman reminded Members that what was under discussion was the land in the ownership of East Midlands Housing Group.

Councillor J Legrys commented that East Midlands Housing Group had made it clear that they did not intend to build beyond the wall. He called for a proper consultation with Ward Members. He expressed concerns regarding the noise complaints from the dwellings along the boundary and added that he did not want to see two or three storey dwellings along that side. He added however that the land had already been sold and it was preferable to deal with the application properly rather than to seek a refusal. He sought reassurance from officers that Ward Members would be properly consulted and would have some influence over the reserved matters.

The Chairman referred to the condition set out in the report in respect of surface drainage. He added that a note to the applicant would be included in respect of consultation with Ward Members on the layout of the scheme. He added that the houses were very much needed in the area and he hoped Members would support the application.

Chairman's initials

Councillor M Specht stated that personally he was not a big believer in play areas. He commented that the proposed development was wholly affordable and was much needed in Coalville and the whole district. He added that he would be supporting the application.

Councillor J Bridges stated that he believed all the concerns raised had been addressed in conditions 1, 2, 5, 6 and 7.

The Chairman then put the motion to permit the application to the vote. It was

RESOLVED THAT:

The application be permitted in accordance with the recommendation of the Head of Planning and Regeneration.

94. A2
14/00875/FUL: DEMOLITION OF PUBLIC HOUSE AND CHANGE OF USE OF LAND TO A RESIDENTIAL MOBILE HOME PARK
 Navigation Inn 166 Spring Cottage Road Overseal Swadlincote

Officer's Recommendation: PERMIT

The Planning Officer presented the report to Members.

Mr P Taylor addressed the meeting on behalf of the applicant. He stated that the Navigation Inn had been struggling to survive for several years. He referred to the seasonal fluctuation in income and the financial problems experienced by the last two licensees, and commented that this was clearly not a viable pub business. He added that this was a brownfield site, the majority of which was inside the limits to development, and the proposals were sustainable. He stated that there would be no adverse impacts upon neighbours as the proposals were less likely to cause noise at unsocial hours and there would be no impact on traffic movements or ecology. He concluded that there was nothing to suggest the proposals were contrary to policy and therefore the application should be granted.

Councillor S Sheahan sought clarification on the proportion of the site that was inside the limits to development. He also expressed concerns about the sustainability of the site given that there was no bus service and Leicestershire County Council was of the opinion that the development was not sustainable. He commented that Overseal was at least a mile walk and the nearest school was 1.8 miles away.

The Planning Officer advised that almost the entirety of the site was inside the limits to development. In respect of the bus service she confirmed that the nearest service was from Overseal.

Councillor S Sheahan stated that according to the Traveline website, the quickest way to get to Overseal from the development site was to walk. He asked if officers believed the development was still sustainable without any bus service.

The Planning Officer advised that there was a footpath which ran all the way to Overseal and this was within walking distance. She referred to a nearby site which had been permitted and which was further away from Overseal. She reiterated that she believed the development was sustainable.

Councillor S Sheahan felt that it may have been misleading to say that the development was sustainable. He added that he was inclined to believe the contrary opinion of Leicestershire County Council, and given that some of the site was outside the limits to

Chairman's initials

development, he felt that there were grounds to refuse the application. He duly moved that the application be refused on those grounds. The motion was seconded by Councillor J Legrys.

Councillor J Geary stated that he was very sorry to hear that another country pub was falling by the wayside. He expressed concerns regarding highway safety and commented that the last thing he wanted was another Pick and Shovel. He commented that despite his reservations he would be voting in favour of the proposals.

Councillor M Specht expressed grave concerns regarding the sustainability of the development as there were no local services whatsoever. He commented that people would be reliant on cars. However, he added that the development would cause less vehicle movements than the pub, so despite his concerns he would be supporting the application.

Councillor J Bridges stated that he had several concerns however he did not consider that a refusal could be defended.

The Chairman commented that this was a brownfield site which had been empty for over two years. He added that given that permission had been granted further away over the road, a refusal could not be defended.

The Chairman then put the motion to refuse the application to the vote. The motion was declared LOST.

It was moved by Councillor J G Coxon, seconded by Councillor J Hout and

RESOLVED THAT:

The application be permitted in accordance with the recommendation of the Head of Planning and Regeneration.

- 95. A3**
14/01006/FUL: ERECTION OF TWO SEMI-DETACHED DWELLINGS AND ASSOCIATED WORKS (RE-SUBMISSION OF 11/00160/FUL)
 15 Ashby Road Donisthorpe Swadlincote Derby

Officer's Recommendation: PERMIT

Having declared a disclosable pecuniary interest, Councillors A Bridges and J Bridges left the meeting during consideration of this item and took no part in the discussion or voting thereon.

The Planning Officer presented the report to Members.

It was moved by Councillor J Legrys, seconded by Councillor J Geary and

RESOLVED THAT:

The application be permitted in accordance with the recommendation of the Head of Planning and Regeneration.

Chairman's initials

- 96. A4**
14/00980/FUL: ERECTION OF PART TWO STOREY, PART SINGLE STOREY SIDE AND REAR EXTENSIONS TO FARM WORKERS DWELLING
 The Orchard Nottingham Road Ashby De La Zouch Leicestershire

Officer's Recommendation: PERMIT

The Planning and Development Team Manager presented the report to Members.

It was moved by Councillor G Jones, seconded by Councillor J Legrys and

RESOLVED THAT:

The application be permitted in accordance with the recommendation of the Head of Regeneration and Planning.

97. EXCLUSION OF PRESS AND PUBLIC

Councillor J Legrys sought clarification on the reasons that the report was to be considered in private.

The Head of Planning and Regeneration advised that this was to protect the Council's interests in an ongoing appeal.

Councillor J Legrys commented that the report gave a précis of the advice received and he could see nothing which should be exempt. He sought reassurance from the Legal Advisor that this could not be challenged through the Freedom of Information process.

The Legal Advisor stated that legal advice to the authority was legally privileged and had been précised in the report. She added that at this stage, the authority would not want the appellant to have knowledge of the legal advice and if they were able to read the report they would be able to deduce what legal advice had been given as it would be abundantly clear from the report.

RESOLVED THAT:

In pursuance of Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the remainder of the meeting on the grounds that the business to be transacted involves the likely disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A to the Act and that the public interest in maintaining this exemption outweighs the public interest in disclosing the information.

98. RECEIPT OF ADVICE IN RESPECT OF PLANNING APPLICATION 13/00335/OUTM FOR RESIDENTIAL DEVELOPMENT AND ASSOCIATED DEVELOPMENT AT MONEY HILL SITE, ASHBY DE LA ZOUCH

Consideration was given to the report of the Head of Planning and Regeneration.

RESOLVED THAT:

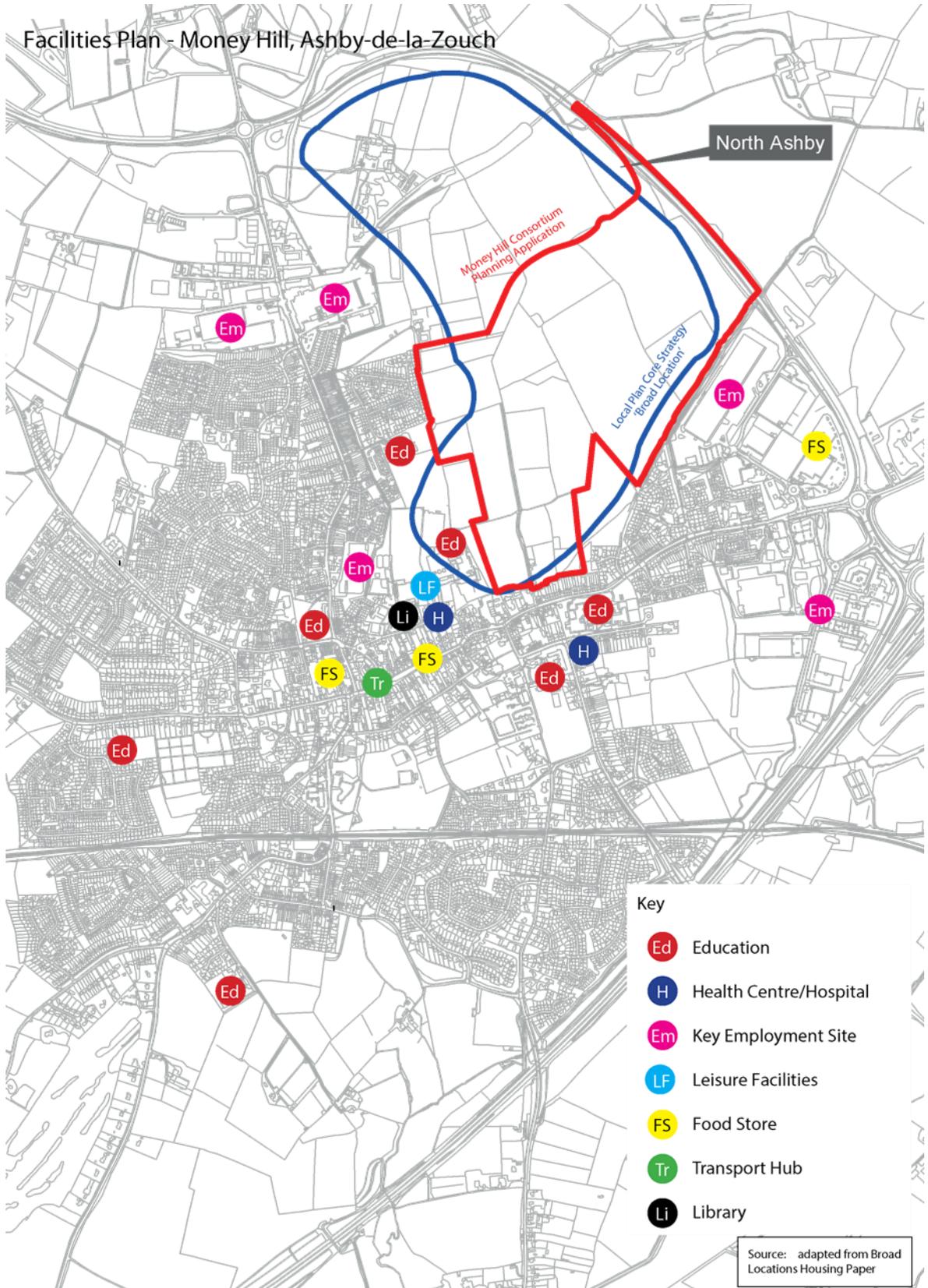
The recommendations as set out in the report be approved.

Councillors G Jones and J Legrys requested that it be noted that they had abstained from voting.

The meeting commenced at 4.30 pm.
 The Chairman closed the meeting at 5.39 pm.

Chairman's signature

A3. FACILITIES PLAN



A4. CORRESPONDENCE FROM LEICESTERSHIRE COUNTY AND RUTLAND NHS



From the office of: Amanda Anderson
Telephone: 0116 2950819
Email address: amanda.anderson@lcr.nhs.uk
Our ref:

Cluster Headquarters

Fosse House
6 Smith Way
Grove Park
Enderby
Leicestershire
LE19 1SX

20 December 2012

Tel: 0116 295 7500
Fax: 0116 295 7599

James Bompas MRTPI
Associate
Iceni Projects Limited
Flitcroft House
114-116 Charing Cross Road
London
WC2H 0JR

Dear James

Proposed Development – Money Hill

I refer to our recent conversations and my attendance at the stakeholder event regarding the proposed Money Hill development.

On behalf of the Primary Care Trust I am working with the Ashby Health Centre GP practice and their preferred developer, Matrix, to deliver a new medical facility in Ashby. We are keen to secure a site solution and this will be based on a number of factors such as location, cost and timescales. A number of potential site solutions have been presented to us in addition to Money Hill.

We will therefore continue to work with Matrix to secure the best option for delivery of the new medical facility. We will also maintain contact with you so that we are informed of the potential for Money Hill as one of the site options.

Yours sincerely

Amanda Anderson
Primary Care Premises Manager



Cluster Board Chair: Cathy Ellis
NHS Leicester City is the operating name of Leicester City Primary Care Trust.
NHS Leicestershire County and Rutland is the operating name of
Leicestershire County and Rutland Primary Care Trust.
Registered Office: Fosse House, 6 Smith Way, Grove Park, Enderby, LE19 1SX



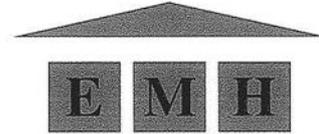
A5. CORRESPONDENCE FROM EMH

EAST MIDLANDS HOUSING ASSOCIATION

Jubilee House, Whitwick Business Park, Stenson Road,
Coalville, Leicestershire, LE67 4NA

☎ 0844 892 9000 ☎ 01530 278706

✉ customerservices@emha.org 🌐 www.eastmidlandshousing.org



Ref. JP/cs

James Bompas MRTPI
Associate
Iceni Projects Limited
Flitcroft House
114-116 Charing Cross Road
London
WC2H 0JR

18 March 2013

Dear James

Re: Extra Care Proposal at Money Hill, Ashby

Further to our meeting on 14 March, I write to confirm my views on behalf of EMHA with regard to the outline proposal.

Firstly, I reiterate that our comments are made on the basis of EMHA's experience of developing a 28 unit extra care scheme at Lutterworth, Leicestershire. (EMHA is a registered housing association within the EMH Group) All 28 units were produced for letting at social rents. It was a bespoke design comprising the conversion of a former Victorian vicarage together with new build extension on a site situated very close to they center of the town. It has been operating very successfully for approximately ten years and since first letting has proved very popular.

Key lessons learnt from the St Mary's development were:

- Revenue viability; there must be at least 50 units
- The need for flexibility of common facilities to serve multiple uses both for "on-site" residents and other service users from the nearby community
- Design layout and specification must be capable of allowing for the onset of dementia
- Tenure range is also preferable to expand options
- The association managers and support staff must be involved in design and specification development and be in a position to influence

The recent Department of Health "Care and Support Specialised Housing Fund" has given the Association the opportunity to bid for grant funding for a 50 unit scheme in Blaby, Leicestershire. A bid for grant support was made by EMHA. Constructing the bid



business for neighbourhoods



East Midlands Housing Association Limited Mr Chan Kataria, Group Chief Executive.

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has involved close working with Leicestershire County Council, Blaby District Council and the local Clinical Commissioning Group and the resultant proposal reflects the County Council's Strategy for Older Persons. We expect to hear about the outcome of the bid in May.

With regard to your proposed extra care at Money Hill in my opinion there are some very strong attributes. The project's proposed location, set within a larger residential development, close to the town center and also the nearby "relocated" health center, is very positive. There is significant evidence of increasing need to respond to the general demographic changes of an ageing population. Leicestershire County Council's published strategy references such hard data. At a size of 60 units the project will prove viable in revenue terms and the good market location will also offer some opportunity for an element of equity sale on a proportion.

In summary, EMHA's view is that there is a need for an extra care scheme, particularly for delivery of affordable units for rent and that the proposed location is well suited to this and in principle would be keen to explore further whether we can be involved with its delivery should it achieve a planning consent.

I hope the above clearly outlines our position.

Kind regards.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jim Patman', with a horizontal line extending to the right.

Jim Patman
Group Development Director
EMHG

A6. PROPOSED ACCESS ARRANGEMENTS FROM NOTTINGHAM ROAD

