

Ashby de la Zouch Neighbourhood Plan

Summary of Responses Received at Submission stage

Respondent 1	David Bigby		Respondent 14	The Coal Authority
Respondent 2	David Price		Respondent 15	Leicestershire County Council
Respondent 3	Theatres Trust		Respondent 16	Timothy Abbott
Respondent 4	Severn Trent		Respondent 17	The National Forest Company
Respondent 5	Robert Dover		Respondent 18	Hallam Land Management
Respondent 6	Sport England		Respondent 19	Miller Homes
Respondent 7	Anglian Water Services Limited		Respondent 20	Bob Botham
Respondent 8	National Grid		Respondent 21	Richborough Estates
Respondent 9	Christopher Smith		Respondent 22	Gladman Developments Limited
Respondent 10	Environment Agency		Respondent 23	Willesley Environment Protection Association (WEPA)
Respondent 11	Highways England		Respondent 24	Thomas Taylor Planning Ltd
Respondent 12	Natural England		Respondent 25	Historic England
Respondent 13	Derbyshire County Council			

Respondent 1 : David Bigby	
Part of document	Comments
S2 and S3	<p>I strongly support the principle of “Limits to Development” and the proposed boundary. Their enforcement is necessary to ensure development in the countryside is restricted, ribbon development prevented and the perimeter of the town does not continue to expand in a haphazard fashion. Pressure from developers and landowners with vested interests to circumvent this principle must be resisted.</p> <p>However, Policy S3 was drafted prior to publication of MM12 and MM40 of the Local Plan which could allow widespread use of “countryside” as employment land.</p> <p>In order to protect designated countryside around Ashby from development as employment land, being particularly vulnerable due to its including junctions 12 and 13 of the A42, I suggest the following additional wording to S3, to be inserted after the first sentence:</p> <p>“However, use of open countryside for employment land will only be permitted where it complies with policy EC3 of the Local Plan (existing employment sites). New employment sites in open countryside will not be permitted unless specifically designated and delineated within the Local Plan.”</p> <p>This is intended to accommodate new employment sites being designated during future reviews of the Local Plan without allowing piecemeal employment land development as could be allowed by the MM12 modification of Policy S3 and MM40 of Policy Ec2 of the emerging Local Plan.</p>
S4	<p>I support this policy in general but would encourage a more positive wording for Policy S4.6, such as “All new developments should incorporate the provision of sufficient electrical car charging points to meet the likely demand”. Furthermore “sufficient” should be specified as in this extract from Lancaster City Council Guidance.</p> <p>Houses. One charging point per house with garage or driveway</p>

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	<p>Flats (<50 units). One parking bay marked out for use by electric vehicles only, together with charging infrastructure and cabling.</p> <p>Flats (>50 units). Further dedicated charging bays totalling 2% of the total provision.</p> <p>Other Development (<50 Bays) One parking bay marked out for use by electric vehicles only, together with charging infrastructure and cabling.</p> <p>Other Development (>50 Bays). Further dedicated charging bays totalling 2% of the total provision.</p> <p>Phasing Standard provision (as set out above) could be supplemented by the installation of groundwork / passive wiring at the commencement of development in order to enable further installation to match demand.</p>
S5	Support
S6	Support but needs better wording. This policy is very important to prevent Ashby swallowing surrounding villages and hamlets, particularly Shellbrook. However, the policy itself needs to include the definition contained in the general text. i.e. "An Area of Separation represents that area which is necessary to be maintained as open land so as not to reduce the existing degree of separation between the settlements in question" and/or adopt a similar wording to Policy En5 in the Publication version of the Local Plan in order to specify what development is and is not allowed in the areas of separation.
H1	To avoid confusion and possible exploitation of a potential loophole, "windfall" needs to be changed to "in fill as defined in policy H3". I understand Policy H3 was renamed from "Windfall" to "Infill" in the final draft.
H2	Support but, in the 1st sentence, the word "provided" should be changed to "met".
H3	Support
H4	Support. This policy is very important to ensure an appropriate housing mix for Ashby which currently has an overprovision of large houses and an under provision of smaller homes.

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H5	I strongly support this policy. It is important that the policy is NOT modified to allow lower affordable housing provision for Brown Field sites. A 30% provision has already been agreed in the outline permission for the Arla Dairy site indicating this to be viable for at least one brown field site in Ashby.
E1	I support this policy without further modification.
E3, TC1, TC2, TC3, TC4, TC5, TC6, T1, T2, T3, T5, T6, HE1, HE2	Support
HE3	Support. There are currently two HE3s. The second needs renumbering as HE4
NE1	I strongly support this policy especially as no Local Green Spaces are designated in the emerging Local Plan. The inclusion of Bullen’s Field, the Memorial Field and the former Grammar School Playing Field is particularly important as it is essential to maintain the open vista and accessibility between the Bath Grounds and the Castle. Currently the policy contains a spelling mistake. “Exceptions to this area:” should read “Exceptions to this are:”.
NE2, NE3, NE4, NE5	Support
CF1	Support but needs deletion of first comma in first sentence.
CF2, CF3, DC1	Support

Respondent 2 : David Price	
Part of document	Comments
amenities and transport	<p>below are comments on the Plan which I had previously emailed to the Deputy Clerk of Ashby Town Council:</p> <p>"Thank you for forwarding the submission and supporting pages.</p> <p>Regarding the future of Money Hill, I will merely comment that any "masterplan" for the proposed scale and location of development will be controversial. My particular bugbear remains how it will impact on the integrity, safety and traffic flows along Ashby Bypass.</p> <p>The submission refers to the travel ramifications for patients from closure of Ashby Hospital. You will be aware that a few steps at least are being taken to try to mitigate these: e.g. through development of "inter-practice referrals" and one or two hard-won additional NHS services at Ascebi House (e.g.ultrasound). I wish I could predict that the Saturday a.m. "urgent care" consultations at Coalville Hospital will also continue to reduce journeys further afield ... but I have concerns this experiment will not endure.</p> <p>Finally, I am astonished that there appears to be no mention in the plan (apologies if I missed them) to Ashby RFC's grounds on Nottingham Road.or Ashby Ivanhoe FC's grounds on Lower Packington Road. The Hastings cricket pitch and Ashby Bowls Club are included by implication, but likewise without specific reference. Sports grounds are surely an integral part of the community's amenities and deserve to be highlighted (and safeguarded).</p> <p>That said, congratulations on the tremendous work put in to produce such a detailed and professional publication."</p>

Respondent 3 : Theatres Trust	
Part of document	Comments
POLICY CF 1: IMPORTANT COMMUNITY FACILITIES	The Theatres Trust supports draft POLICY CF 1: IMPORTANT COMMUNITY FACILITIES. The policy aims to safeguard and protect important local community and cultural facilities and therefore reflects clear guidance in para. 70 of the NPPF.

Respondent 4 : Severn Trent	
Part of document	Comments
All	<p>Position Statement</p> <p>As a water company we have an obligation to provide water supplies and sewage treatment capacity for future development. It is important for us to work collaboratively with Local Planning Authorities to provide relevant assessments of the impacts of future developments. For outline proposals we are able to provide general comments. Once detailed developments and site specific locations are confirmed by local councils, we are able to provide more specific comments and modelling of the network if required. For most developments we do not foresee any particular issues. Where we consider there may be an issue we would discuss in further detail with the local planning authority. We will complete any necessary improvements to provide additional capacity once we have sufficient confidence that a development will go ahead. We do this to avoid making investments on speculative developments to minimise customer bills.</p> <p>Sewage Strategy</p> <p>Once detailed plans are available and we have modelled the additional capacity, in areas where sufficient capacity is not currently available and we have sufficient confidence that developments will be built, we will complete necessary improvements to provide the capacity. We will ensure that our assets have no adverse effect on the environment and that we provide appropriate levels of treatment at each of our sewage treatment works.</p> <p>Surface Water and Sewer Flooding</p> <p>We expect surface water to be managed in line with the Government’s Water Strategy, Future Water. The strategy sets out a vision for more effective management of surface water to deal with the dual pressures of climate change and housing development. Surface water needs to be managed sustainably. For new developments we would not expect surface water to be conveyed to our foul or combined sewage system and, where practicable, we support the removal of surface water already connected to foul or combined sewer.</p>

We believe that greater emphasis needs to be paid to consequences of extreme rainfall. In the past, even outside of the flood plain, some properties have been built in natural drainage paths. We request that developers providing sewers on new developments should safely accommodate floods which exceed the design capacity of the sewers.

Water Quality

Good quality river water and groundwater is vital for provision of good quality drinking water. We work closely with the Environment Agency and local farmers to ensure that water quality of supplies are not impacted by our or others operations. The Environment Agency's Source Protection Zone (SPZ) policy should provide guidance on development. Any proposals should take into account the principles of the Water Framework Directive and River Basin Management Plan for the Severn River basin unit as prepared by the Environment Agency.

Water Supply

When specific detail of planned development location and sizes are available a site specific assessment of the capacity of our water supply network could be made. Any assessment will involve carrying out a network analysis exercise to investigate any potential impacts.

We would not anticipate capacity problems within the urban areas of our network, any issues can be addressed through reinforcing our network. However, the ability to support significant development in the rural areas is likely to have a greater impact and require greater reinforcement to accommodate greater demands. Once detailed plans are available we can provide further comments on water supplies in specific areas.

Water Efficiency

Building Regulation requirements specify that new homes must consume no more than 125 litres of water per person per day. We recommend that you consider taking an approach of installing specifically designed water efficient fittings in all areas of the property rather than focus on the overall consumption of the property. This should help to achieve a lower overall consumption than the maximum volume specified in the Building Regulations.

We recommend that in all cases you consider:

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| | <ul style="list-style-type: none">• Single flush siphon toilet cistern and those with a flush volume of 4 litres.• Showers designed to operate efficiently and with a maximum flow rate of 8 litres per minute.• Hand wash basin taps with low flow rates of 4 litres or less.• Water butts for external use in properties with gardens. |
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We hope this provides you with useful information. We look forward to providing you with more comprehensive comments when more detailed plans and geographical locations of developments become available.

Respondent 5 : Robert Dover	
Part of document	Comments
Section 4 b	I think everyone who views the continued expansion and development of the town positively is concerned and would like to see more emphasis placed upon sustainability of core amenities in the town: by which I mean the provision of school places (most notably, but not exclusively at primary level) and more acutely the provision of health services, which is currently under-developed in the town. The town has been promised via the Ivanhoe Fields and Money Hill developments an additional primary school, but the developers were permitted to introduce it only in 'phase three' (?) which means it is still yet to occur despite pressures on the schools in the town. The capital investment in health went on a new GP surgery building out of town, rather than on any extra medics, which is the thing that is actually required. I would like to see conditions placed upon developers to fund a second significant GP practice in the town to introduce essential (and I use the word advisedly) competition to medical provision in the town: something that will I think help to drive up accessibility to medical services.
page 21	I think the sustainability features built in here regarding car parking etc, and public transport are fine, and echo national policy, but there needs to be some serious thought regarding reality. I know of parents who drive less than a quarter of a mile to drop their children at school and there are few positive incentives to encourage use of (non-existent) public transport or alternative human-powered travel. I would strongly support your recommendation regarding electric car charging points.
Pages 31 - 33	The largest issues with the Money Hill development are traffic. There needs to be careful consideration given to the traffic flows (and how they will leave the town as it becomes more of a dormitory location to Birmingham and East Midlands services south) between 0715 and 0900 and then 1630-1830. Because the current plans for this look deeply unrealistic. I would also echo my comments regarding schools and health centres, because without a compulsion to build in phase one you will have nowhere for those extra children to go, other than out into Breedon and Castle Donington schools etc.
page56	Transport to Burton is dreadful, and I tend to prefer going to Tamworth or Derby, when Burton would be a closer option. Utilising the old Ashby-to-Burton line in some way would be excellent and I would thoroughly support it.

Respondent 6 : Sport England	
Part of document	Comments
Whole Plan	<p>Thank you for consulting Sport England on the above neighbourhood plan.</p> <p>Government planning policy, within the National Planning Policy Framework (NPPF), identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.</p> <p>It is essential therefore that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 73 and 74. It is also important to be aware of Sport England’s statutory consultee role in protecting playing fields and the presumption against the loss of playing field land. Sport England’s playing fields policy is set out in our Planning Policy Statement: ‘A Sporting Future for the Playing Fields of England’.</p> <p>http://www.sportengland.org/playingfieldspolicy</p> <p>Sport England provides guidance on developing planning policy for sport and further information can be found via the link below. Vital to the development and implementation of planning policy is the evidence base on which it is founded.</p> <p>http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/</p> <p>Sport England works with local authorities to ensure their Local Plan is underpinned by robust and up to date evidence. In line with Par 74 of the NPPF, this takes the form of assessments of need and strategies for indoor and outdoor sports facilities. A neighbourhood planning body should look to see if the relevant local authority has prepared a playing pitch strategy or other indoor/outdoor sports facility strategy. If it has then this could provide useful evidence for the neighbourhood plan and save the neighbourhood planning body time and resources gathering their own evidence. It is important that a neighbourhood plan reflects the recommendations and actions set out in any such strategies, including</p>

those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery.

Where such evidence does not already exist then relevant planning policies in a neighbourhood plan should be based on a proportionate assessment of the need for sporting provision in its area. Developed in consultation with the local sporting and wider community any assessment should be used to provide key recommendations and deliverable actions. These should set out what provision is required to ensure the current and future needs of the community for sport can be met and, in turn, be able to support the development and implementation of planning policies. Sport England’s guidance on assessing needs may help with such work.

<http://www.sportengland.org/planningtoolsandguidance>

If new or improved sports facilities are proposed Sport England recommend you ensure they are fit for purpose and designed in accordance with our design guidance notes.

<http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

Any new housing developments will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then planning policies should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered. Proposed actions to meet the demand should accord with any approved local plan or neighbourhood plan policy for social infrastructure, along with priorities resulting from any assessment of need, or set out in any playing pitch or other indoor and/or outdoor sports facility strategy that the local authority has in place.

In line with the Government’s NPPF (including Section 8) and its Planning Practice Guidance (Health and wellbeing section), links below, consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England’s Active Design guidance can be used to help with this when developing planning policies and developing or assessing individual proposals.

	<p>Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity. The guidance, and its accompanying checklist, could also be used at the evidence gathering stage of developing a neighbourhood plan to help undertake an assessment of how the design and layout of the area currently enables people to lead active lifestyles and what could be improved.</p> <p>NPPF Section 8: https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities</p> <p>PPG Health and wellbeing section: https://www.gov.uk/guidance/health-and-wellbeing</p> <p>Sport England’s Active Design Guidance: https://www.sportengland.org/activedesign</p> <p>(Please note: this response relates to Sport England’s planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.)</p>
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Respondent 7 : Anglian Water Services Limited	
Part of document	Comments
General	It would appear that Ashby De La Zouch Parish is located outside of our area of responsibility. Therefore we have no comments relating to the Draft Plan.

Respondent 8 : National Grid	
Part of document	Comments
General	<p>National Grid has appointed Amec Foster Wheeler to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the above Neighbourhood Plan consultation.</p> <p>About National Grid</p> <p>National Grid owns and operates the high voltage electricity transmission system in England and Wales and operate the Scottish high voltage transmission system. National Grid also owns and operates the gas transmission system. In the UK, gas leaves the transmission system and enters the distribution networks at high pressure. It is then transported through a number of reducing pressure tiers until it is finally delivered to our customers. National Grid own four of the UK's gas distribution networks and transport gas to 11 million homes, schools and businesses through 81,000 miles of gas pipelines within North West, East of England, West Midlands and North London.</p> <p>To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect our assets.</p> <p>Specific Comments</p> <p>An assessment has been carried out with respect to National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high pressure gas pipelines, and also National Grid Gas Distribution's Intermediate and High Pressure apparatus.</p> <p>National Grid has identified that it has no record of such apparatus within the Neighbourhood Plan area.</p> <p>Gas Distribution – Low / Medium Pressure</p>

Whilst there is no implications for National Grid Gas Distribution's Intermediate / High Pressure apparatus, there may however be Low Pressure (LP) / Medium Pressure (MP) Gas Distribution pipes present within proposed development sites. If further information is required in relation to the Gas Distribution network please contact plantprotection@nationalgrid.com

Key resources / contacts

National Grid has provided information in relation to electricity and transmission assets via the following internet link:

<http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/>

The electricity distribution operator in North West Leicester District Council is Western Power Distribution. Information regarding the transmission and distribution network can be found at: www.energynetworks.org.uk

Respondent 9 : Christopher Smith	
Part of document	Comments
4.2 e) Affordable Housing	<p>The neighbourhood plan clearly demonstrates the need for additional affordable housing within Ashby, particularly smaller properties. It is coherently argued and makes the case well. Policy H5 captures the need and I believe will greatly help to rectify the situation over the coming years.</p> <p>I particularly welcome the statement that only in highly exceptional circumstances will commuted sums be acceptable and that any sums should be used in Ashby. For too long developers have used this mechanism to avoid their obligations to the local community. [Note: There is an extra space in circumstances.]</p> <p>I also welcome the careful phrasing in the allocations policy. It is good to see that need for affordable housing across the District is taken in to account rather being simply an Ashby affordable housing for Ashby people policy.</p>
4.7 b) Local Green Spaces	<p>Policy NE1 fills a huge gap in the Local Plan. It is clear that all the sites listed meet the NPPF criteria for Local Green Spaces. Without this type of protection for our green spaces the whole character of Ashby could be changed.</p> <p>I particularly welcome the designation of the Memorial Field, Bullen’s Field, Bath Grounds Playing Field and the former Grammar School playing field as Local Green Spaces. These four areas together form a unique feature within the centre of Ashby that is much loved by many. Not to designate any one of these sites would damage the whole character of the area.</p> <p>I believe the policy will not only maintain the unique setting of the castle and other historic buildings within the town but also ensure that the area is retained as a green space for the recreation of the people of Ashby.</p>

Respondent 10 : Environment Agency	
Part of document	Comments
Basic Conditions Statement	<p>Page 6 - The Promoting Self Build Policy os H6 not H4</p> <p>Page 8 - There are two Policy's with the reference HE3</p> <p>Page 9 - The Incorrect Policy Name has been given to NE3 - Correct Name is " Allotment Provision"</p>
SEA	<p>Page 8 - Section - Support the resilience of the ADLZNP area to the potential effects of climate change. The text "Ensure that no development takes place in areas at highest risk of flooding, and ensure that sufficient mitigation is planned for development in areas at risk, taking the likely effects of climate change into account?" is factually incorrect in accordance with Planning Practice Guidance. Some types of development have to be within Flood Zone 3 - eg water compatible. I suggest the first point is re-written thus : Ensure that no inappropriate development takes place in areas etc etc</p>
HRA	<p>Page 21 refers to a Policy in the Neighbourhood Plan that does not exist:</p> <p>"Policy ELWB 5: Biodiversity of the Neighbourhood Plan"</p>
Neighbourhood Plan	<p>Pages 64 & 65 - There are two different Policies which have the same Policy ref number HE3</p> <p>Policy HE3: Ashby de la Zouch and Heath End Conservation Areas</p> <p>Policy HE3: Areas of Archaeological Interest</p>

Respondent 11 : Highways England	
Part of document	Comments
General	<p>Highways England welcomes the opportunity to comment on the submission version of the Ashby-de-la-Zouch Neighbourhood Plan that covers the period 2011-2031 and has been produced for public consultation . We note that the document provides a vision for the future of the Parish of Ashby-de-la-Zouch and sets out a number of key objectives and planning policies which will be used to help determine planning applications.</p> <p>Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth. In relation to the Ashby Neighbourhood Plan, Highways England’s principal interest is safeguarding the A42 which routes northeast – southwest through the Plan area.</p> <p>We understand that a Neighbourhood Plan is required to be in conformity with relevant national and Borough-wide planning policies. Accordingly, the Neighbourhood Plan for Ashby is required to be in conformity with the emerging North West Leicestershire Local Plan and this is acknowledged as a requirement within the document.</p> <p>We have had previous engagement with the Council in the progression of its Neighbourhood Plan, most recently in March 2017 when we responded to the Pre-Submission version of the Neighbourhood Plan. In this document, 2,050 dwellings were planned to come forward and we note that this figure remains the same in the current consultation document.</p> <p>In our previous response to this housing figure, we stated that this scale of development has the potential to impact upon the operation of the SRN, particularly at A42 J13. However, we acknowledge that Leicestershire County Council (LCC) and North West Leicestershire District Council (NWLDC) have been working with Highways England to implement an improvement scheme at the junction to support growth at Ashby-de-la-Zouch and Coalville.</p> <p>Given that the scale of growth remains unchanged from the previous consultation, our position remains the same and we will continue to work alongside the Councils in the delivery of a scheme at A42 J13.</p>

Respondent 12 : Natural England	
Part of document	Comments
All	<p>Thank you for consulting Natural England on the Ashby De La Zouch Neighbourhood Plan which has been submitted to North West Leicestershire District Council Borough Council for Examination.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England has already commented on a draft version of the Ashby De La Zouch Neighbourhood Plan in response to a consultation from Ashby De La Zouch Town Council.</p> <p>Natural England welcomes the broad principles of the plan and some of the specific policy proposals. We particularly welcome the section on the natural environment and the recognition of the importance of the River Mease SSSI/SAC which is protected under the Wildlife and Countryside Act 1981 (As Amended) and the Habitats Regulations.</p>
Strategic Environmental Assessment	<p>Strategic Environmental Assessment (SEA)</p> <p>Natural England welcomes the Strategic Environmental Assessment (SEA) report for the Ashby de la Zouch Neighbourhood Plan and considers that the methodology and baseline information used to inform the report appears to meet the requirements of the SEA Directive (2001/42/EC) and associated guidance. Since the Neighbourhood Plan area lies within the catchment of the River Mease Special Area of Conservation (SAC) and likely significant effects cannot be ruled out, we are pleased to note that this has been taken into account, as have the potential impacts on Lount Meadows Site of Special Scientific Interest (SSSI).</p>

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<p>Habitats Regulations Assessment Screening Report</p>	<p>Habitats Regulations Assessment (HRA) Screening Report</p> <p>Natural England welcomes the Habitats Regulations Assessment (HRA) for the Ashby de la Zouch Neighbourhood Plan and considers that the scope of the report, its methodology and conclusions meet the requirements of the Habitats Directive and associated guidance. The likely significant effects of the Neighbourhood Plan on the River Mease Special Area of Conservation (SAC) have been assessed in detail and potential impacts mitigated with additional environmental policies to protect the River Mease SAC from the impacts of development.</p>
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Respondent 13 : Derbyshire County Council	
Part of document	Comments
Local Member Comments	<p>Councillor Linda Chilton, the Local County Council Member for Melbourne made the following comments:</p> <p>“I know Ashby quite well as it abuts parts of my electoral Division (Smisby, Staunton Harold, Castle Donington in parts), so I am particularly concerned with anything that would have a knock on effect, especially if it was not beneficial”</p> <p>“I also note the map (page 11) shows Staunton Harold as a Cheshire Home. This has now been in private hands by John Blunt for a number of years and is, in part, a business centre.”</p>
Neighbourhood Plan Area & Strategic impact on Derbyshire	<p>It is noted from Section 1.3 that the Neighbourhood Plan area excludes the settlement of Blackfordby to the north-west, although it is not entirely clear why the settlement has been excluded from the Plan area, when it appears to have close functional relationships with the main settlement of Ashby-de-la-Zouch. The main reason put forward in Section 1.3 is that the settlement of Blackfordby is a distinct settlement in its own right with its own planning and development requirements. Blackfordby has been subject to a number of sizeable housing development proposals in recent years which have raised potential cross boundary strategic planning policy issues for the County Council. Further clarification of why Blackfordby has been excluded from the Plan area would be welcomed, particularly any details of whether the settlement is proposed to be incorporated in the preparation of a separate Neighbourhood Plan.</p> <p>Overall DCC’s Officers consider that the policies and proposals within the Neighbourhood Plan would have limited strategic impact implications on Derbyshire.</p>
Limits to Development	<p>DCC fully supports the approach in Policies S2 and S3, which seek to ensure that new development proposals will be focussed and viewed positively within the defined Limits to Development around Ashby, which are defined fairly tightly around the main urban area of the town; and that development proposals outside the Defined Limits to Development will be treated as open countryside where development will be strictly controlled. This approach should ensure that any new sizeable proposed housing and employment developments are focussed within the urban area of Ashby and are not located in the open countryside to the north and north-west of the main town, which could otherwise generate potential</p>

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	cross boundary environmental and / or infrastructure impact implications for Derbyshire and impact on the Areas of Local Separation (see below).
Areas of Local Separation	DCC supports the need to maintain separation between the northern part of Ashby de la Zouch and Smisby (Derbyshire). Retaining a physical separation would help preserve the character of these areas and settlements as well as maintaining the individual identities of those communities.
Sustainability	The plan also states that development should be energy efficient and incorporate small scale domestic renewables and seeks to control and reduce external lighting, again, approaches which are supported by the County Council. However, there is no reference to commercial scale renewables within the Plan area, either for or against, which should be considered in the Plan.
National Forest	DCC's Officers are represented on the National Forest Planning Technical Working Group together with Officers from North West Leicestershire District Council with the key aim to promote and enhance the National Forest area as a major recreational and tourist resource and destination. In this context, DCC fully supports the various references and policies in the Plan (Policies S4 and NE5), which emphasise the importance of the National Forest and the importance of Ashby as one of the main towns within the heart of the forest area and the need to ensure that any new development within the Plan area should enhance the quality and character of the National Forest and take into account the design principles of the National Forest Design Charter.
NE1 Local Green Spaces	Policy NE1: Local Green Spaces seeks to protect a number of sites 'Local Green Space' where new development is ruled out other than in very special (my italics) circumstances. Would the term 'exceptional' be more appropriate to this context?
Housing	The Neighbourhood Plan recognises the need to provide new housing to meet the identified needs of the Plan Area and to contribute to the District wide housing target, which is fully supported and compliant with the requirements of the National Planning Policy Framework (NPPF). However, this would seem to be met by largely by development of the Money Hill site, a significant site located on the periphery of the existing settlement. The Neighbourhood Plan makes no reference to the likely traffic impacts that could arise from the re development of the Money Hill site in particular,

	<p>potential impact traffic impacts upon Derbyshire’s roads. Further insight into what the impact could be together with proposals for their mitigation would be welcomed.</p> <p>The preparation of a Spatial Masterplan and Landscape Masterplan for the Money Hill site as set out in Policy H2 is particularly supported and should ensure that the proposed development of the site provides for a sustainable form of development, which would be unlikely to generate any adverse environmental and / or infrastructure impact implications for Derbyshire and would enhance and reinforce the character of the National Forest area.</p>
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Respondent 14 : The Coal Authority	
Part of document	Comments
Policy S4	<p>The Coal Authority is a non-departmental public body which works to protect the public and the environment in coal mining areas. Our statutory role in the planning system is to provide advice about new development in the coalfield areas and also protect coal resources from unnecessary sterilisation by encouraging their extraction, where practical, prior to the permanent surface development commencing.</p> <p>The Coal Authority has previously made comments on a draft NDP in March 2017.</p> <p>According to the Coal Authority Development High Risk Area Plans, there are recorded risks from past coal mining activity in the form of 6 mine entries, recorded shallow coal workings, unrecorded probable shallow coal workings, thick coal outcrops, past surface mining and 2 reported surface hazards. This mining legacy is generally concentrated in the north-east and south-west ends of the NDP area.</p> <p>The Coal Authority is therefore pleased that Policy S4: Design includes, as one of its principles, consideration of issues of land instability and where necessary incorporation of appropriate mitigation and/or treatment measures.</p>

Respondent 15 : Leicestershire County Council	
Part of document	Comments
Paragraph 4.5 b)	<p>Highways</p> <p>Specific Comments</p> <p>At part 4.5 b) Traffic Management, reference could be made to the National Planning Policy Framework (2012) which is the guiding planning policy document that sets out how new development, including the transport impacts of development, should be planned. This provides guidance on how proposals that will have a traffic impact should be assessed.</p>
Policy T1	<p>Policy T1 of the draft Plan contains information on development proposals: To be fully aligned with the objectives of the Highway Development Management Team, a clearer reference to the impact of developments on congestion could be added to this policy. The wording of the former POLICY T1: TRAFFIC MANAGEMENT in the earlier draft Plan provided references to both congestion and safety.</p> <p>The reference in the second paragraph of T1 to traffic management measures that improve vehicular and road pedestrian safety being encouraged appears to follow on from the first paragraph, which is regarding development proposals. However, the suggestion that Applicants should be asked to provide off-site mitigation over and above that which is necessary to make a development acceptable in planning terms should be avoided; this would not comply with the guidance in the NPPF.</p>
Policy DC1	<p>Highways</p> <p>General Comments</p> <p>The County Council recognises that residents may have concerns about traffic conditions in their local area, which they feel may be exacerbated by increased traffic due to population, economic and development growth.</p>

	<p>Like very many local authorities, the County Council’s budgets are under severe pressure. It must therefore prioritise where it focuses its reducing resources and increasingly limited funds. In practice, this means that the County Highway Authority (CHA), in general, prioritises its resources on measures that deliver the greatest benefit to Leicestershire’s residents, businesses and road users in terms of road safety, network management and maintenance. Given this, it is likely that highway measures associated with any new development would need to be fully funded from third party funding, such as via Section 278 or 106 (S106) developer contributions. I should emphasise that the CHA is generally no longer in a position to accept any financial risk relating to/make good any possible shortfall in developer funding.</p> <p>To be eligible for S106 contributions proposals must fulfil various legal criteria. Measures must also directly mitigate the impact of the development e.g. they should ensure that the development does not make the existing highway conditions any worse if considered to have a severe residual impact. They cannot unfortunately be sought to address existing problems.</p> <p>Where potential S106 measures would require future maintenance, which would be paid for from the County Council’s funds, the measures would also need to be assessed against the County Council’s other priorities and as such may not be maintained by the County Council or will require maintenance funding to be provide as a commuted sum.</p> <p>The current financial climate means that the CHA has extremely limited funding available to undertake minor highway improvements. Where there may be the prospect of third party funding to deliver a scheme, the County Council will still normally expect the scheme to comply with prevailing relevant national and local policies and guidance, both in terms of its justification and its design; the Council will also expect future maintenance costs to be covered by the third party funding. Where any measures are proposed that would affect speed limits, on-street parking restrictions or other Traffic Regulation Orders (be that to address existing problems or in connection with a development proposal), their implementation would be subject to available resources, the availability of full funding and the satisfactory completion of all necessary Statutory Procedures.</p>
Paragraph 4.5 g)	<p>With regard to public transport, securing S106 contributions for public transport services will normally focus on larger developments, where there is a more realistic prospect of services being commercially viable once the contributions have stopped i.e. they would be able to operate without being supported from public funding.</p>

Policy S4	<p data-bbox="519 197 833 229">Flood Risk Management</p> <p data-bbox="519 264 2074 580">The County Council are fully aware of flooding that has occurred within Leicestershire and its impact on residential properties resulting in concerns relating to new developments. LCC in our role as the Lead Local Flood Authority (LLFA) undertake investigations into flooding, review consent applications to undertake works on ordinary watercourses and carry out enforcement where lack of maintenance or unconsented works has resulted in a flood risk. In April 2015 the LLFA also became a statutory consultee on major planning applications in relation to surface water drainage and have a duty to review planning applications to ensure that the onsite drainage systems are designed in accordance with current legislation and guidance. The LLFA also ensures that flood risk to the site is accounted for when designing a drainage solution.</p> <p data-bbox="519 619 831 651">The LLFA is not able to:</p> <ul data-bbox="519 689 2051 896" style="list-style-type: none"><li data-bbox="519 689 2051 759">• Prevent development where development sites are at low risk of flooding or can demonstrate appropriate flood risk mitigation.<li data-bbox="519 794 1442 826">• Use existing flood risk to adjacent land to prevent development.<li data-bbox="519 861 1267 893">• Require development to resolve existing flood risk. <p data-bbox="519 932 2074 1002">When considering flood risk within the development of a neighbourhood plan, the LLFA would recommend consideration of the following points:</p> <ul data-bbox="519 1040 2074 1248" style="list-style-type: none"><li data-bbox="519 1040 1899 1072">• Locating development outside of river (fluvial) flood risk (Flood Map for Planning (Rivers and Sea)).<li data-bbox="519 1107 2033 1139">• Locating development outside of surface water (pluvial) flood risk (Risk of Flooding from Surface Water map).<li data-bbox="519 1174 2074 1244">• Locating development outside of any groundwater flood risk by considering any local knowledge of groundwater flooding.
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	<ul style="list-style-type: none"> • How potential SuDS features may be incorporated into the development to enhance the local amenity, water quality and biodiversity of the site as well as manage surface water runoff. • Watercourses and land drainage should be protected within new developments to prevent an increase in flood risk. <p>All development will be required to restrict the discharge and retain surface water on site in line with current government policies. This should be undertaken through the use of Sustainable Drainage Systems (SuDS). Appropriate space allocation for SuDS features should be included within development sites when considering the housing density to ensure that the potential site will not limit the ability for good SuDS design to be carried out. Consideration should also be given to blue green corridors and how they could be used to improve the bio-diversity and amenity of new developments, including benefits to surrounding areas.</p> <p>Often ordinary watercourses and land drainage features (including streams, culverts and ditches) form part of development sites. The LLFA recommend that existing watercourses and land drainage (including watercourses that form the site boundary) are retained as open features along their original flow path, and are retained in public open space to ensure that access for maintenance can be achieved. This should also be considered when looking at housing densities within the plan to ensure that these features can be retained.</p> <p>LCC in our role as LLFA will object to anything contrary to LCC policies.</p> <p>For further information it is suggested reference is made to the National Planning Policy Framework (March 2012), Sustainable drainage systems: Written statement - HCWS161 (December 2014) and the Planning Practice Guidance webpage.</p>
Paragraph 4.10	<p>Developer Contributions</p> <p>If there is no specific policy on Section 106 developer contributions/planning obligations within the draft Neighbourhood Plan, it would be prudent to consider the inclusion of a developer contributions/planning obligations policy, along similar lines to those shown for example in the Draft North Kilworth NP and the draft Great Glen NP albeit adapted to the</p>

	<p>circumstances of your community. This would in general be consistent with the relevant District Council’s local plan or its policy on planning obligations in order to mitigate the impacts of new development and enable appropriate local infrastructure and service provision in accordance with the relevant legislation and regulations, where applicable.</p> <p>www.northkilworth.com/wp-content/uploads/2016/01/nk-draft-low-resolution-1.pdf</p> <p>www.greatglen.leicestershireparishcouncils.org/uploads/175670305aeaf4865082307_4.pdf</p>
<p>Paragraph 1.4</p>	<p>Mineral & Waste Planning</p> <p>The County Council is the Minerals and Waste Planning Authority; this means the council prepares the planning policy for minerals and waste development and also makes decisions on mineral and waste development.</p> <p>Although neighbourhood plans cannot include policies that cover minerals and waste development, it may be the case that your neighbourhood contains an existing or planned minerals or waste site. The County Council can provide information on these operations or any future development planned for your neighbourhood.</p> <p>You should also be aware of Mineral Consultation Areas, contained within the adopted Minerals Local Plan and Mineral and Waste Safeguarding proposed in the new Leicestershire Minerals and Waste Plan. These proposed safeguarding areas and existing Mineral Consultation Areas are there to ensure that non-waste and non- minerals development takes place in a way that does not negatively affect mineral resources or waste operations. The County Council can provide guidance on this if your neighbourhood plan is allocating development in these areas or if any proposed neighbourhood plan policies may impact on minerals and waste provision.</p>
<p>Policy CF3</p>	<p>Education</p> <p>Whereby housing allocations or preferred housing developments form part of a Neighbourhood Plan the Local Authority will look to the availability of school places within a two mile (primary) and three mile (secondary) distance from the development. If there are not sufficient places then a claim for Section 106 funding will be requested to provide those places.</p>

	<p>It is recognised that it may not always be possible or appropriate to extend a local school to meet the needs of a development, or the size of a development would yield a new school. However, in the changing educational landscape, the Council retains a statutory duty to ensure that sufficient places are available in good schools within its area, for every child of school age whose parents wish them to have one.</p>
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<p>Policy H4</p>	<p>Adult Social Care</p> <p>It is suggested that reference is made to recognising a significant growth in the older population and that development seeks to include bungalows etc of differing tenures to accommodate the increase. This would be in line with the draft Adult Social Care Accommodation Strategy for older people which promotes that people should plan ahead for their later life, including considering downsizing, but recognising that people’s choices are often limited by the lack of suitable local options.</p>
<p>Paragraph 4.7</p>	<p>Environment</p> <p>With regard to the environment and in line with the Governments advice, Leicestershire County Council (LCC) would like to see Neighbourhood Plans cover all aspects of the natural environment including climate change, the landscape, biodiversity, ecosystems, green infrastructure as well as soils, brownfield sites and agricultural land.</p> <p>General</p> <p>Little reference has made to climate change, energy efficiency etc. It is felt that the plan would benefit from far more emphasis on this.</p> <p>Climate Change</p> <p>The County Council through its Environment Strategy and Carbon Reduction Strategy is committed to reducing greenhouse gas emissions in Leicestershire and increasing Leicestershire’s resilience to the predicted changes in climate. Neighbourhood Plans should in as far as possible seek to contribute to and support a reduction in greenhouse gas emissions and increasing the county’s resilience to climate change.</p> <p>Landscape</p> <p>The County Council would like to see the inclusion of a local landscape assessment taking into account Natural England’s Landscape character areas; LCC’s Landscape and Woodland Strategy and the Local District/Borough Council landscape character assessments. We would recommend that Neighbourhood Plans should also consider the street scene and public</p>

realm within their communities, further advice can be found in the latest 'Streets for All East Midlands ' Advisory Document (2006) published by English Heritage.

Biodiversity

The Natural Environment and Communities Act 2006 places a duty on all public authorities in England and Wales to have regard, in the exercise of their duties, to the purpose of conserving biodiversity. The National Planning Policy Framework (NPPF) clearly outlines the importance of sustainable development alongside the core principle that planning should contribute to conserving and enhancing the natural environment and reducing pollution. Neighbourhood Plans should therefore seek to work in partnership with other agencies to develop and deliver a strategic approach to protecting and improving the natural environment based on local evidence and priorities. Each Neighbourhood Plan should consider the impact of potential development on enhancing biodiversity and habitat connectivity such as hedgerows and greenways.

The Leicestershire and Rutland Environmental Records Centre (LRERC) can provide a summary of wildlife information for your Neighbourhood Plan area. This will include a map showing nationally important sites (e.g. Sites of Special Scientific Interest); locally designated Wildlife Sites; locations of badger setts, great crested newt breeding ponds and bat roosts; and a list of records of protected and priority Biodiversity Action Plan species. These are all a material consideration in the planning process. If there has been a recent Habitat Survey of your plan area, this will also be included. LRERC is unable to carry out habitat surveys on request from a Parish Council, although it may be possible to add it into a future survey programme.

Green Infrastructure

Green infrastructure (GI) is a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities, (NPPF definition). As a network, GI includes parks, open spaces, playing fields, woodlands, street trees, cemeteries/churchyards allotments and private gardens as well as streams, rivers, canals and other water bodies and features such as green roofs and living walls.

The NPPF places the duty on local authorities to plan positively for a strategic network of GI which can deliver a range of planning policies including: building a strong, competitive economy; creating a sense of place and promote good design;

	<p>promoting healthier communities by providing greater opportunities for recreation and mental and physical health benefits; meeting the challenges of climate change and flood risk; increasing biodiversity and conserving and enhancing the natural environment. Looking at the existing provision of GI networks within a community can influence the plan for creating & enhancing new networks and this assessment can then be used to inform CIL (Community Infrastructure Levy) schedules, enabling communities to potentially benefit from this source of funding.</p> <p>Neighbourhood Plan groups have the opportunity to plan GI networks at a local scale to maximise benefits for their community and in doing so they should ensure that their Neighbourhood Plan is reflective of the relevant Local Authority Green Infrastructure strategy. Through the Neighbourhood Plan and discussions with the Local Authority Planning teams and potential Developers communities are well placed to influence the delivery of local scale GI networks.</p> <p>Soils</p> <p>Soils are an essential finite resource on which important ecosystem services such as food production, are dependent on. They therefore should be enhanced in value and protected from adverse effects of unacceptable levels of pollution. Within the governments "Safeguarding our Soils" strategy, DEFRA have produced a code of practice for the sustainable use of soils on construction sites which could be helpful to neighbourhood planning groups in preparing environmental policies.</p> <p>High quality agricultural soils should, where possible be protected from development and where a large area of agricultural land is identified for development then planning should consider using the poorer quality areas in preference to the higher quality areas. Neighbourhood planning groups should consider mapping agricultural land classification within their plan to enable informed decisions to be made in the future. Natural England can provide further information and Agricultural Land classification.</p>
Policy S5	<p>Brownfield, Soils and Agricultural Land</p> <p>The NPPF encourages the effective use of brownfield land for development, provided that it is not of high environmental/ecological value. Neighbourhood planning groups should check with DEFRA if their neighbourhood planning area includes brownfield sites. Where information is lacking as to the ecological value of these sites then the</p>

	<p>Neighbourhood Plan could include policies that ensure such survey work should be carried out to assess the ecological value of a brownfield site before development decisions are taken.</p>
Paragraph 4.8	<p>Communities</p> <p>Consideration of community facilities in the draft Plan would be welcomed. We would suggest where possible to include a review of community facilities, groups and allotments and their importance with your community. Consideration could also be given to policies that seek to protect and retain these existing facilities more generally, support the independent development of new facilities and relate to the protection of Assets of Community Value and provide support for any existing or future designations.</p> <p>The identification of potential community projects that could be progressed would be a positive initiative.</p>
Policies E1 & E2	<p>Economic Development</p> <p>We would recommend including economic development aspirations with your Plan, outlining what the community currently values and whether they are open to new development of small businesses etc.</p>
Policy S4	<p>Superfast Broadband</p> <p>High speed broadband is critical for businesses and for access to services, many of which are now online by default. Having a superfast broadband connection is no longer merely desirable, but is an essential requirement in ordinary daily life.</p> <p>All new developments (including community facilities) should have access to superfast broadband (of at least 30Mbps) Developers should take active steps to incorporate superfast broadband at the pre-planning phase and should engage with telecoms providers to ensure superfast broadband is available as soon as build on the development is complete. Developers are only responsible for putting in place broadband infrastructure for developments of 30+ properties. Consideration for developers to make provision in all new houses regardless of the size of development should be considered.</p>

General	<p data-bbox="517 196 651 228">Equalities</p> <p data-bbox="517 264 2051 379">While we cannot comment in detail on plans, you may wish to ask stakeholders to bear the Council’s Equality Strategy 2016-2020 in mind when taking your Neighbourhood Plan forward through the relevant procedures, particularly for engagement and consultation work. A copy of the strategy can be view at:</p> <p data-bbox="517 387 1783 419">www.leicestershire.gov.uk/sites/default/files/field/pdf/2017/1/30/equality- strategy2016-2020.pdf</p> <p data-bbox="517 456 1238 488">Impact of Development on Civic Amenity Infrastructure</p> <p data-bbox="517 525 2040 759">Neighbourhood planning groups should remain mindful of the interaction between new development applications in a district area and the Leicestershire County Council. The County’s Waste Management team considers proposed developments on a case by case basis and when it is identified that a proposed development will have a detrimental effect on the local civic amenity infrastructure then appropriate projects to increase the capacity to off-set the impact have to be initiated. Contributions to fund these projects are requested in accordance with Leicestershire’s Planning Obligations Policy and the Community Infrastructure Legislation Regulations.</p>
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Respondent 16 : Timothy Abbott	
Part of document	Comments
Overall Neighbourhood Plan document.	<p>I support the final form and content of the Neighbourhood Plan Submission document. Changes to its policies and supporting justification have been made in response to public consultation and in acknowledgment of the SEA and the Publication version of the Local Plan. The Plan team have achieved a coherence to the overall document and ensured strength and clarity to its policies.</p> <p>The decision to present separate sections (4.6 - 4.9) on the Historic and Natural Environments, Education and Community Facilities has provided a better balance and perspective to these important subjects, to the benefit of the whole document. It has provided a clearer account of their significance to the Plan area and given a stronger, evidence-based foundation for the related policies.</p> <p>The amount of publicity about opportunities to participate and submit comments has meant an effective process of consultation. From my own experience, submissions have been fairly considered and, where appropriate, reflected in the text and plans.</p>
3.1 Vision and 3.2 Key Objectives	I support the wording of the Vision as being applicable to the overall Plan area, not just the town itself. The Key Objectives are appropriate for the Plan and reflect the main concerns of the public, as expressed through various forms of consultation.
4.1 d) Limits to Development and Policy S2 and Fig 4	I support the justification for and delineation of the 'limits to development' (Fig 4) and the consequent provisions for land outside these limits (Policy S3 and paragraph 4.1e)). Ashby has attracted substantial pressure for residential development during a period when there was an inadequate development plan framework in place. The community expects and deserves greater certainty about where further development will be acceptable and sustainable.
4.1 f) and Policy S4 Design	I support the strong statement on design. It combines elements of good practice with current and emerging policy and applies them to the particular characteristics of Ashby, a distinctive and essentially compact free-standing town set within the landscape of the National Forest.

Ashby de la Zouch Neighbourhood Plan – Summary of Responses Received at Submission stage

<p>4.2 d) and e) H4 Housing Mix (H4) and Affordable Housing (H5)</p>	<p>I support these policies as being essential to redress the balance in favour of more smaller house types and a greater number of affordable homes to meet identified need in the area. This is necessary after a sustained period of building larger houses in response to market demand.</p> <p>These two policies must be applied consistently. It is appropriate that the 'Requirement for Masterplan' (H2) states, in sub-section c), insists on a 'Demonstration of compliance with Policy H4 on Housing Mix and Policy H5 on Affordable Housing'. </p>
<p>4.4 a), b) and c) Ashby de la Zouch Town Centre (TC1 and TC2)</p>	<p>There is a lack of policy guidance on local or neighbourhood shops. This might need an suitable policy or qualifying statement to be included in the Plan.</p> <p>Not unreasonably, the policy focus is on the Town Centre where there is awareness of a tension about external competition. Early in the Plan, the Introduction (4.1a) states that "recent years have seen a growth in out-of-town retail outlets which pose a threat to the traditional shopping patterns of the town." These patterns have also included individual local shops or post offices, usually on or just off the radial roads, typically serving surrounding housing estates.</p> <p>At 4.4 a) mention is made of new shopping provision at Dents Road which, along with the petrol station and store, appears to function partly as a local centre serving the east of the town, as well as catering for shoppers from further afield. A new shop unit will lie between the new health centre (and pharmacy) and the existing Beeches public house and restaurant. It would be reasonable to expect a local centre to be a feature of the extensive Money Hill development, to reduce dependency on additional car journeys. However, this is not explicitly covered in the 'Requirement for Masterplan' (H2) or allowed for elsewhere in the Plan.</p>
<p>4.6 b) Nationally Recognised Buildings and other Assets of Interest. (Policy HE1)</p>	<p>While supporting of the section on the Historic Environment in general, I am concerned about how non-designated heritage assets are covered. DCLG guidance suggests that "where relevant, neighbourhood plans need to include enough information about local non-designated heritage assets including sites of archaeological interest to guide decisions".</p> <p>While appearing to apply to the whole NP area, Policy HE1 is primarily based on the 'local list' (in Appendix 1) that covers only buildings within the Ashby Conservation Area itself. These were identified in an earlier conservation area</p>

	<p>appraisal and attracted particular excitement when 're-discovered' as part of work on the NP. There is therefore an inconsistency, as buildings of equivalent interest exist outside the Conservation Area but have not been afforded a place on any list (and do not benefit from the additional level of consideration arising from being within a conservation area).</p> <p>The title of 4.6 b) should read "Nationally Recognised Buildings and other Heritage Assets of Local Significance". The provision in HE1 to 'maintain a list' would then relate to further work in reviewing the current local list and in adding to it any buildings deemed appropriate outside the Conservation Area(s). The section should also make a direct reference to the Historic Environment Record, for consistency, and cross-reference this to 4.6 d), the section on 'Archaeological sites.</p>
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Respondent 17 : The National Forest Company	
Part of document	Comments
Whole document	<p>The National Forest Company supports the aspiration of the Town Council to produce a Neighbourhood Plan as an integral part of a plan-led system.</p> <p>The proposed plan has been produced in consultation with the National Forest Company and has incorporated amendments at our suggestion.</p> <p>The submission version of the Plan incorporates many references to the National Forest which we welcome. Specifically policy S4 and the references to the Design Charter are supported along with the requirement for a masterplan to be required for the Money Hill development (policy H2).</p> <p>The National Forest Company also specifically supports policies TC5 (Tourism); T4 (Walking and Cycling); T5 (Leicester to Burton Line); NE2 (Open Space Provision in New Housing Development); NE4 (Nature Conservation) and NE5 (Trees and Hedgerows).</p>

Respondent 18 : Hallam Land Management	
Part of document	Comments
Policy S6 Areas of Local Separation	<p>Pegasus Group are instructed by Hallam Land Management to make representations to the Ashby de la Zouch Submission Version Neighbourhood Plan 2011-2031, which has been submitted to North West Leicestershire District Council for the purposes of consultation under Section 16 of the Neighbourhood Planning (General) Regulation 2012 (as amended).</p> <p>Hallam Land Management has interests in land at Lower Packington Road and Measham Road, Ashby de la Zouch – known locally as Packington Nook – and will seek to promote the site for residential led development through any future Local Plan review.</p> <p>The Ashby de la Zouch Neighbourhood Plan seeks to provide a vision for the future of Ashby de la Zouch and includes planning policies which are designed to help shape development across the Neighbourhood Plan Area, over the plan period 2011-2031.</p> <p>The Submission Version Neighbourhood Plan includes Policy S6, which seeks to designate areas of land between Ashby de la Zouch and the surrounding villages and hamlets, as Areas of Separation. The areas proposed to be subject to this policy designation are shown at Figure 5, and include three proposed Areas of Separation immediately adjacent to Ashby de la Zouch to the north, south and west. The southern Area of Separation covers Hallam Land Management’s land interests at Lower Packington Road and seeks to retain separation between Ashby de la Zouch and Packington.</p> <p>Guidance on the preparation and content of Neighbourhood Plans is contained in the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG). The NPPF sets out the requirements for the preparation of Neighbourhood Plans and the role they should play in meeting the development needs of the local area. Paragraph 16 of the NPPF makes clear that neighbourhoods should:</p> <p>“Develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development.</p>

	<p>Plan positively to support local development, shaping and directing development in the area that is outside the strategic elements of the Local Plan...”</p> <p>The NPPF at paragraph 184 further states that:</p> <p>“Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.</p> <p>The NPPG includes updated guidance on Neighbourhood Planning. Paragraph 044 Reference ID: 41-044-20160518 advises as follows;</p> <p>“The resulting draft neighbourhood plan must meet the basic conditions if it is to proceed. National planning policy states that it should support the strategic development needs set out in the Local Plan, plan positively to support local development and should not promote less development than set out in the Local Plan or undermine its strategic policies (see paragraph 16 and paragraph 184 of the National Planning Policy Framework). Nor should it be used to constrain the delivery of a strategic site allocated for development in the Local Plan....</p> <p>...Guidance on how local authorities should support sustainable rural communities states that blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.”</p> <p>Before a Neighbourhood Plan can proceed to referendum stage it has to be tested against the Neighbourhood Plan Basic Conditions as set out in paragraph 8 (2) of Schedule 4b of the Town and Country Planning Act 1990. The basic conditions are as follows:</p> <p>“(a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the [neighbourhood plan], ...</p>
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(d) the making of the [neighbourhood plan] contributes to the achievement of sustainable development,

(e) the making of the [neighbourhood plan] is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),

(f) the making of the [neighbourhood plan] does not breach, and is otherwise compatible with, EU obligations,”

It is clear from the NPPF and the NPPG that Neighbourhood Plans must conform with national policies and up-to-date strategic policy requirements set out in the Local Plan. Neighbourhood Plans must take a positive approach to facilitate new development, they should not be used as a constraint to prevent or obstruct growth going forward in the plans strategy.

The Main and Additional Modifications Version North West Leicestershire Local Plan (June 2017) confirms that the Local Plan contains the strategic policies that Neighbourhood Plans within the District will need to conform with, and at paragraph 13.5 states that:

“The policies in this Local Plan are the strategic policies that Neighbourhood Plans will be required to be in conformity with”.

The North West Leicestershire Local Plan is now at an advanced stage of preparation and can be given significant weight. The Local Plan establishes the overarching strategic policies for the District, including for the Ashby de la Zouch Neighbourhood Plan Area (as confirmed at paragraph 13.5, discussed above). The Local Plan was submitted to the Secretary of State for Examination on 4th October 2016 and a series of public hearing sessions took place in January 2017, and then resumed in March 2017 to discuss the new Housing and Employment Development Needs Assessment (HEDNA). In June 2017 consultation took place on the Inspector’s Proposed Main and Minor Modifications, and it is understood that the Inspectors Report is now expected imminently, with adoption of the Local Plan anticipated to take place in December 2017.

Local Plan Policy En5 designates land between Coalville and Whitwick, as identified on the Policies Map, as an Area of Separation, where only agricultural, forestry, nature conservation, leisure and sport and recreation uses will be allowed.

Commentary to Policy En5 confirms that the importance of ensuring individual settlements retain their own character and identity is already recognised by the Local Plan under Countryside policy (Policy S3). Policy commentary to Policy En5 considers that an Area of Separation is appropriate at Coalville/Whitwick as there are two large, open, undeveloped areas of land between the settlements that are within the Limits to Development, and not subject to Countryside policies, but which perform an important role in maintaining physical separation between the settlements. Countryside policy, as a strategic Local Plan policy, already deals with maintaining the individual identity of settlements, and therefore no further Areas of Separation are proposed by the Local Plan. There is no provision in the Local Plan that allows for further Areas of Separation to be designated through Neighbourhood Plans.

Background Paper 12 (BP12) (Policy En5: Areas of Separation) has been produced as part of the evidence base to support the Local Plan and provides more information in respect of Policy En5 and the Coalville/Whitwick Area of Separation. BP12 provided an update and is supplementary to the Green Wedge Study and Green Wedge Background Paper (published in 2008 and updated in 2012) which were prepared in connection with the then Core Strategy and also forms part of the Local Plan evidence base. BP12 sets out the unique circumstances and justification for the Coalville/Whitwick Area of Separation and explains how this has evolved from the original Green Wedge policy (which the District Council acknowledges is no longer justified).

The National Planning Policy Framework (the Framework) does not include a specific policy in relation to local landscape designations such as Areas of Separation, however one of the Core Planning Policies of the Framework sets out that planning should “take account of the different roles and character of different areas”, and paragraph 110 continues that “plans should allocate land [for development] with the least environmental or amenity value, where consistent with other policies of the Framework”. The Framework again confirms that local planning authorities should set out the strategic priorities for the area in the Local Plan, which should include strategic policies to deliver, amongst other things conservation and enhancement of the natural and historic environment, including landscape (paragraph 156), and continues that Local Plans should identify land where development would be inappropriate, for instance because of its environmental or historic significance (paragraph 157).

The Local Plan is clearly accompanied by an extensive evidence base that has been subject to public consultation and scrutiny at Independent Examination. The use of Areas of Separation has been comprehensively considered at the Local

Plan level through the public consultation process and examination hearing sessions. North West Leicestershire District Council therefore had the opportunity to identify additional Areas of Separation through the Local Plan process, however this specific designation was not considered appropriate elsewhere in the District.

The southern Area of Separation proposed by the Neighbourhood Plan is bounded by the proposed New Limits to Development for Ashby de la Zouch to the north and the A42 to the east, and includes a large part of the land controlled by Hallam Land Management at Packington Nook.

National policy makes clear that Areas of Separation are a strategic policy that should be defined through the Local Plan process. The Local Plan proposes the designation of one Area of Separation between Coalville and Whitwick and does not provide a policy context for such further designations to be made through Neighbourhood Plans.

Furthermore, it should be noted that the proposed Area of Separation extends further south of and beyond the Ashby de la Zouch Neighbourhood Plan Area (designated on 17th December 2013), and into the boundaries of Packington Parish Council (who are not currently preparing a Neighbourhood Plan). It is inappropriate to include land outside the Neighbourhood Plan Area as part of a proposed designation, and this further demonstrates that this represents a piecemeal approach to strategic policy making, that should be left to the Local Plan process.

In addition, the designation of the proposed Areas of Separation is not supported by the appropriate level of robust evidence or analysis of the landscape context to justify the extent of the areas proposed for designation.

To summarise, Neighbourhood Plan Policy S6 is seeking to implement a strategic policy that is considered to be beyond the remit of the Neighbourhood Plan. The policy seeks to restrict development at three areas of land adjoining the Ashby Limits to Development, and the inclusion of such a policy in the Neighbourhood Plan would restrict the ability of North West Leicestershire District Council to plan strategically for future housing growth requirements.

The Ashby de la Zouch Neighbourhood Plan does not have regard to national planning policy and guidance. It does not support the strategic needs of the Local Plan and errs in seeking to include new strategic policy designations, without a robust evidence base or justification, that are not included within the Local Plan.

Ashby de la Zouch Neighbourhood Plan – Summary of Responses Received at Submission stage

	<p>The Ashby de la Zouch Neighbourhood Plan is not in general conformity with the strategic policies of the development plan documents for the area, and therefore Basic Conditions 8(2) (a) and (e) are not met. There is no provision made in the Local Plan that allows for further Areas of Separation to be designated, and there is no robust and proportionate evidence or justification provided to support the designation of Areas of Local Separation around Ashby de la Zouch. Policy S6 Areas of Local Separation should therefore be deleted from the Neighbourhood Plan.</p>
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Respondent 19 : Miller Homes	
Part of document	Comments
Policy S2: Limits to Development	<p>Pegasus Group are instructed by Miller Homes to make representations to the Ashby de la Zouch Submission Version Neighbourhood Plan 2011-2031, which has been submitted to North West Leicestershire District Council for the purposes of consultation under Section 16 of the Neighbourhood Planning (General) Regulation 2012 (as amended).</p> <p>Miller Homes has land interests at Ivanhoe Equestrian Centre, Ashby de la Zouch, which forms part of the allocation north of Ashby de la Zouch (Neighbourhood Plan Policy S2 and Local Plan Policy H3a).</p> <p>The Neighbourhood Plan at Policy S2 seeks to designate Limits to Development (as identified at Figure 4) for Ashby de la Zouch. Policy S2 sets out that within the proposed Limits to Development, development proposals will be viewed positively where it is in accordance with the other policies of the Neighbourhood Plan and relevant District and national planning policies, and subject to accessibility, design and amenity considerations.</p> <p>Figure 4 supports Policy S2 and reflects the new housing proposed by the North West Leicestershire Local Plan to the north of Ashby de la Zouch (Policy H3a). Policy commentary to Policy S2 sets out that the Neighbourhood Plan supports the Limits to Development provided in the publication version of the Local Plan. This approach is supported.</p> <p>The North West Leicestershire Local Plan is at an advanced stage of preparation and can be given significant weight. The Local Plan establishes the overarching strategic policies for the District, including for the Ashby de la Zouch Neighbourhood Plan Area. The Local Plan was submitted to the Secretary of State for Examination on 4th October 2016 and a series of public hearing sessions took place in January 2017, and then resumed in March 2017 to discuss the new Housing and Employment Development Needs Assessment (HEDNA). In June 2017 consultation took place on the Inspector’s Proposed Main and Minor Modifications, and it is understood that the Inspectors Report is now expected imminently, with adoption of the Local Plan anticipated to take place in December 2017. Land north of Ashby de la Zouch is a Local Plan allocation for about 2,050 dwellings in total (Policy H3a).</p>

Paragraph 16 of the National Planning Policy Framework (the Framework) is clear that a Neighbourhood Plan should support the strategic development needs set out in the Local Plan and plan positively to support local development. This includes policies for housing development:

“Neighbourhoods should...

- Develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;
- Plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and
- Identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed.”

Paragraph 184 of the Framework is explicit that Neighbourhood Plans and Local Plans should be in conformity:

“Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.”

Before a Neighbourhood Plan can proceed to referendum stage it has to be tested against the Neighbourhood Plan Basic Conditions as set out in paragraph 8 (2) of Schedule 4b of the Town and Country Planning Act 1990. The basic conditions are as follows:

“(a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the [neighbourhood plan], ...

(d) the making of the [neighbourhood plan] contributes to the achievement of sustainable development,

	<p>(e) the making of the [neighbourhood plan] is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),</p> <p>(f) the making of the [neighbourhood plan] does not breach, and is otherwise compatible with, EU obligations,”</p> <p>It is clear from the Basic Conditions, NPPF and NPPG that Neighbourhood Plans must conform with national policies and up-to-date strategic policy requirements set out in the Local Plan.</p> <p>The Neighbourhood Plan is in accordance with the strategic policies of the Main and Additional Modifications Version North West Leicestershire Local Plan June 2017, with regards to Policy H3a – land north of Ashby de la Zouch. This conformity is a requirement of Paragraph 184 of the Framework which confirms that Neighbourhood Plans should reflect the policies of Local Plans and should plan positively to support them. Policy S2 Limits to Development and Figure 4 is therefore supported and considered to comply with the Basic Conditions.</p> <p>It would be helpful for Figure 4 to also include the new housing allocations proposed by Local Plan Policy H3a and Inset Map 3 of the Local Plan, as context for the Neighbourhood Plan Limits to Development.</p>
<p>Policy H1: Sustainable Housing Growth</p>	<p>Policy H1 of the Neighbourhood Plan recognises the need to provide new housing to meet the identified needs of the Neighbourhood Plan Area and contribute to the District wide housing target. The North West Leicestershire Main and Additional Modifications Local Plan (June 2017) seeks to provide a minimum of 9,620 dwellings (481 dwellings per annum) over the plan period to 2031 (Policy S1). Local Plan Policy H3a seeks to allocate 2,050 dwellings in total north of Ashby de la Zouch. As discussed above the Local Plan is at an advanced stage of preparation and can therefore be given significant weight.</p> <p>Policy H1 of the Neighbourhood Plan provides a target of 1,222 new homes north of Ashby de la Zouch, taking account of homes already constructed and existing commitments (828 dwellings). This approach is considered to accord with the Local Plan allocation under Policy S1 (as the total constructed/committed and target totals 2,050). It would however be helpful to include the overall target of 2,050 dwellings within the wording of Policy H1 to ensure that conformity with Local Plan Policy H3a is clear.</p>

Ashby de la Zouch Neighbourhood Plan – Summary of Responses Received at Submission stage

	<p>Figure 6 of the Neighbourhood Plan illustrates the proposed allocation north of Money Hill. There are some discrepancies in relation to the Ivanhoe Equestrian Centre land, and therefore Inset Map 3 of the Local Plan, which shows the extent of land the subject of Policy H3a, should be relied on within the Neighbourhood Plan.</p>
<p>Policy H2: Requirement for Masterplan</p>	<p>Policy H2 sets out that the allocation of Policy H1 will be supported if the requirements listed at Local Plan Policy H3 and Neighbourhood Plan Policy S4, and in conjunction with the Town Council, a Spatial Masterplan, Landscape Masterplan and Design Code is agreed.</p> <p>Miller Homes is working with the Money Hill Consortium and Arla who control the wider land interest also the subject of Local Plan Policy H3a, to formulate and deliver a comprehensively planned urban extension. Following a series of workshops, a Development Framework for Potters Hill has now been produced, and this includes land at Ivanhoe Equestrian Centre.</p> <p>Miller Homes will continue to work collaboratively with other interested parties to develop a Spatial Masterplan, Landscape Masterplan and Design Code, and bring forward the Ivanhoe Equestrian Centre site as part of the wider north of Ashby de la Zouch allocation.</p>

Respondent 20 : Bob Botham	
Part of document	Comments
Section 2, page 11, third paragraph	<p>“The town has experienced significant growth in recent years with planning permission for 2508 dwellings being granted since 2003 in the Neighbourhood Plan area. The attractiveness and location of the town means developers can achieve higher prices for properties in Ashby than in neighbouring towns. Average property prices within the Ashby LE65 postcode area are £255,659* compared with £183,279* in the Coalville LE67 postcode area, £224,328* in the Castle Donington postcode area and £152,131* in the Swadlincote DE11 postcode area.</p> <p>(*Figures are taken from Zoopla website for prices paid in 12 months up to 20th January 2017)”</p> <p>This paragraph is misleading and also irrelevant. The statement is made that the town has experienced significant growth in recent years outlining the number of dwellings permitted since 2003.</p> <p>Firstly there is no explanation as to why figures since 2003 have been used, and in any event these figures are skewed, as in the past there have been significant issues in relation to phosphate levels in the River Mease. Phosphorous associated with development is primarily derived from household detergents and human waste. Wastewater from new development within the foul water catchment of the River Mease is ultimately discharged into the river following treatment at the local sewage treatment works. Given the high levels of phosphorus this has, and continues to, restrict development from coming forward in the catchment area.</p> <p>Monitoring data shows that there have been improvements in phosphate concentrations within the River Mease as a result of improvements to sewage treatment work discharges implemented by Severn Trent Water. A Developer Contribution Scheme funds measures to mitigate the negative effects of development on the basis of a rolling allocation whereby sequential development ‘windows’ are identified. This has enabled development to come forward in recent years and skews the overall period in which development where there was, in effect, a ‘blanket ban’ on development.</p> <p>Property prices are also outlined which are not a planning consideration and hold no relevance in the NP.</p> <p>Given the statement is misleading and irrelevant it should be removed from the NP.</p>

Ashby de la Zouch Neighbourhood Plan – Summary of Responses Received at Submission stage

Policy S1	Supported.
Policy S2	Supported.
Policy S6	<p>This policy seeks to restrict development in three areas around the periphery of Ashby. There are five supporting lines of text to the policy, two of which state that:</p> <p>The Area of Separation represents that area which is necessary to be maintained as open land so as not to reduce the existing degree of separation between the settlements in question.</p> <p>Any development in any of these areas could destroy the rural character and the geographic autonomy of the villages and hamlets in question and risk them being merged with neighbouring settlements. This is supported by the Publication version of the Local Plan which also seeks to maintain the separate identities of settlements.</p> <p>The NW Leicestershire Local Plan Submission Version includes Policy En5: 'Areas of Separation' and designates two areas of separation between Coalville and Whitwick where only agricultural, forestry, nature conservation, leisure and sport and recreation uses will be allowed. Any other proposed uses will need to demonstrate why they cannot be accommodated elsewhere within the District. The Policy was supported by Background Paper 12 prepared to provide more information in support of the policy. The Background Paper supplements two previous Green Wedge Background Papers published alongside iterations of the then Core Strategy. The first Green Wedge Background Paper was published in 2008 and the second in 2012. Prior to this the sites were identified in earlier Local Plan iteration's, in which preparation had begun in 1989, with the sites finally being adopted as 'Green Wedge' in the Local Plan in 2002.</p> <p>The history to the Coalville/Whitwick Area of Separation designation has therefore been carefully considered and assessed over a number of decades, including numerous rounds of public consultation and Examination before its adoption.</p> <p>In contrast the NP the 'Areas of Local Separation' policy was not considered or included within the Pre-Submission Consultation Draft of the NP in October 2015, rather it was added to the Pre-Submission Consultation Part 2 Draft in January 2017. Whilst the District Council have a similar policy they have only included two sites in the Coalville/Whitwick</p>

area and have not considered there to be any need for such a policy in the Ashby area. As such there have been no assessments undertaken as to the appropriateness of the proposed designations by either the District Council or the Town Council. No Background Papers support the proposed designations.

In specific relation to the Area of Local Separation proposed to the west of Ashby town centre, much of this area and immediately beyond is already National Forest woodland planting. These already act as a partial barrier between the settlements, and the additional woodland planting will seek to consolidate this further.

In addition, new solar park development has taken place beyond the National Forest planting, further acting as a buffer between settlements.

These areas clearly are not areas that can be maintained as open land, and should not be included in any such designation.

The areas of National Forest/Woodland planting and solar park areas are defined below to illustrate the composition of the western side of Ashby. It is considered that the woodland and solar park schemes act as sufficient buffer/separation to the west of Ashby.

This version of the NP actually maps the National Forest planting / plantation woodlands on Figure 10, page 74 – extract shown below. This clearly identifies the landscape buffer to the immediate west of the built form of Ashby (when new development is properly mapped including Holywell Spring farm and land to the south of Burton Road.

The policy states that:

“Development proposals in the identified gaps between villages should be located and designed to maintain, and wherever possible, enhance the separation of the villages’.”

PPG Paragraph: 041 Reference ID: 41-041-20140306 states:

“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be

	<p>concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.”</p> <p>The wording of this policy is obstructively unclear, particularly in relation to the ‘identified gaps between villages’ as the gaps between some of those settlements are hundreds and hundreds of metres. If the NP is referring to the Area of Local Separation proposed the policy should make clearer reference to this.</p> <p>Despite this it is considered that the proposed policy and associated designations are not supported by appropriate evidence as required. As discussed above, a natural area of separation is already apparent to the west of Ashby whereby land adjacent to the Limits to Development comprises National Forest/Woodland Planting and solar parks. The Area of Local Separation identified should not be maintained as open land, as it is not currently open land. There is no definition to open land provided, in any event. The allocation would do nothing to stop any such development to ‘destroy the rural character of the village and hamlets’. The land identified is mostly in National Forest planting and as such a buffer along the western side of Ashby is in place. The policy/allocation is irrelevant, has no evidence base in support of the defined site and as such, should be deleted from the NP.</p> <p>As drafted the policy lacks clarity, cannot be applied with confidence and should be deleted. It is contrary to Basic Conditions (a), (d) and (e). It should be deleted prior to any further lawful consultation under Regulation 14.</p>
<p>Section 4.2 b) page 30</p>	<p>The first paragraph refers to the “increasing amount of development which has occurred over recent years that has reduced the level of open space” The NP does not substantiate this claim, which is questioned by the representor as we are unaware of any development of material scale that has reduced open space in the area. As such this reference should be deleted.</p> <p>The second sentence in the paragraph then sets out some assumptions as to what proportion of residential development should be delivered between the six settlements; Coalville 30%, Ashby and Castle Donington 20% each, and 10% each for Ibstock, Kegworth and Measham which is stated to leave Ashby with a residual housing target of 320.</p> <p>The proportions set out are just figures drawn from nowhere and are not supported by any appropriate evidence.</p>

	<p>PPG Paragraph: 041 Reference ID: 41-041-20140306 states:</p> <p>“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.”</p> <p>The Local Plan itself does not apportion the housing requirement to these settlements and as such the NP cannot do the same. These figures are of no relevance and are not referred to again in the NP and it is therefore considered that they be deleted from the NP.</p>
<p>Policy H1</p>	<p>Windfall site provision is supported.</p> <p>The policy refers to a housing target of 1,222 dwelling – which is entirely made up of the Money Hill site. Clearly a development of this scale has challenges in delivering the necessary infrastructure requirements prior to dwellings even being built. Development still has not started, despite NWLDC’s housing trajectory setting out that 20 units will be delivered in 2016/17 and 50 in 207/18. Clearly none of those will be delivered, with delays already taking place. This is inevitable on sites of this scale. Delays like this can result in the LPA being unable to demonstrate a five-year housing land supply, and the presumption in favour of development being engaged.</p>
<p>Section 4.2 c) &Policy H3</p>	<p>The first paragraph in this section describes windfall sites as “small infill or redevelopment sites that come forward unexpectedly....and can range from small sites suitable for only a single dwelling to areas with a capacity for several houses (up to 5).” This definition is considered to be factually incorrect and misleading as windfall sites are not limited in size. The NPPF definition reads as follows, “Windfall sites: Sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available.” Given the Government definition of windfall sites does not limit any quantum of development this reference should be removed from the NP supporting text and from Policy H3.</p>

	<p>Similarly, there is no reason why windfall sites need to be within the defined Limits to Development. Policy S3 provides the context for development proposals outside of Limits to Development and further reference to this within Policy H3 is unnecessary repetition and should be removed from the policy wording.</p> <p>The policy should therefore read:</p> <p>Development proposals for windfall sites which have not been specifically identified as available in the Local Plan process will be supported where they are in accordance with relevant policies in the plan, especially S4 and relevant national and District wide policies, and:</p> <ul style="list-style-type: none"> • Help to meet the identified housing mix for the Plan area.....”
<p>Section 4.2 d) and Policy H4</p>	<p>The Plan sets out that as at 2011 Ashby had a greater proportion of 4 bed houses (23.6%) than the District (18.3%). This is not a huge disparity. The Town Council failed to highlight that Ashby also has a greater proportion of 1 bed homes (6.2%) than the District (5.5%). With small variances in the 2 bed and 3 bed house sizes.</p> <p>These figures will fluctuate and are close to the overall District figures. They do not demonstrate that there is a need for smaller housing types. 76.4% of dwellings are already shown to be smaller than 4 bed roomed properties.</p> <p>The Plan highlights an ageing population in Ashby, which is true across the country. The need to cater for the ageing population is acknowledged and supported, however the variance to the overall District is again marginal.</p> <p>Policy H4 sets out that in order to meet the future needs of the residents of the Plan area, new housing development proposals should meet a number of criteria.</p> <p>Criterion (a) is supported.</p> <p>Criterion (b) is not supported. This is too proscriptive. It may not be appropriate for a development to provide this mix of housing sizes. i.e. it could be a high-density apartment scheme in the centre of Ashby which would not be appropriate for 60% to be 2 or 3 bedroom development. As set out above, the data provide in the Np does not demonstrate that there</p>

	<p>is a shortage of 2 and 3 bedroomed properties in Ashby. There is marginally less than the overall NWLDC area, but that does not mean it is a shortfall.</p> <p>As such it is considered that this should be omitted from the proscriptive policy and used in the supporting text as guidance only.</p> <p>The principle behind criterion (c) is supported but it in specific is stating bungalows be provided. It may not be appropriate in the proposed location, or the particular scheme to make provision for bungalows (i.e. it could be a high-density apartment scheme in the centre of Ashby which would not be appropriate for bungalow development. As such it is considered that this should be omitted from the proscriptive policy and used in the supporting text as guidance only.</p>
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<p>Section 4.2 e) and Policy H5</p>	<p>Policy H5 sets out that 30% of homes should be affordable on sites of 11 or more dwellings, and that only in exceptional circumstances will commuted sums be acceptable.</p> <p>The 30% level of provision is in line with the NWLDC Local Plan and is therefore supported, however the 11 dwelling threshold is lower than that contained in the Local Plan, which for Ashby de la Zouch is set at 15 or more dwellings. It is considered that the NP policy should be brought in line with the Submission Version of the Local Plan and amended to 15 or more dwellings.</p> <p>The policy should state that on-site provision is a preference, akin to the Local Plan, rather than stating it must be provided. The policy should therefore be reworded so instead of stating “only in highly exceptional circumstance will commuted sums be acceptable....” It should read:</p> <p>The Council’s preference is for on-site affordable housing provision which should:</p> <ul style="list-style-type: none"> • include a mix of types and tenure that reflects the type and nature of any need at the time that the application is determined and • be integrated within the design and layout of a development such that they externally indistinguishable from market housing on the same site. <p>However, in exceptional circumstances, for example because of site specific constraints or demonstrable viability issues, then we may accept a sum of money (usually referred to as a commuted sum) instead and use this money to make provision for affordable housing on another site(s).</p>
<p>Policy T6</p>	<p>The policy is generally supported in that adequate car parking provision is made as part of development proposals, however the statement - Wherever possible the maximum level of car parking provision should be provided - is not supported.</p> <p>Policy S4 covers car parking, stating that: Adequate off-road parking should be provided to ensure highway safety and to enhance the street scene in line with Leicestershire County Council standards. As such the policy is not required as it is merely repeated.</p>

Respondent 21 : Richborough Estates	
Part of document	Comments
Section 2, page 11, third paragraph	<p>“The town has experienced significant growth in recent years with planning permission for 2508 dwellings being granted since 2003 in the Neighbourhood Plan area. The attractiveness and location of the town means developers can achieve higher prices for properties in Ashby than in neighbouring towns. Average property prices within the Ashby LE65 postcode area are £255,659* compared with £183,279* in the Coalville LE67 postcode area, £224,328* in the Castle Donington postcode area and £152,131* in the Swadlincote DE11 postcode area.</p> <p>(*Figures are taken from Zoopla website for prices paid in 12 months up to 20th January 2017)”</p> <p>This paragraph is misleading and also irrelevant. The statement is made that the town has experienced significant growth in recent years outlining the number of dwellings permitted since 2003.</p> <p>Firstly there is no explanation as to why figures since 2003 have been used, and in any event these figures are skewed, as in the past there have been significant issues in relation to phosphate levels in the River Mease. Phosphorous associated with development is primarily derived from household detergents and human waste. Wastewater from new development within the foul water catchment of the River Mease is ultimately discharged into the river following treatment at the local sewage treatment works. Given the high levels of phosphorus this has, and continues to, restrict development from coming forward in the catchment area.</p> <p>Monitoring data shows that there have been improvements in phosphate concentrations within the River Mease as a result of improvements to sewage treatment work discharges implemented by Severn Trent Water. A Developer Contribution Scheme funds measures to mitigate the negative effects of development on the basis of a rolling allocation whereby sequential development ‘windows’ are identified. This has enabled development to come forward in recent years and skews the overall period in which development where there was, in effect, a ‘blanket ban’ on development.</p> <p>Property prices are also outlined which are not a planning consideration and hold no relevance in the NP.</p> <p>Given the statement is misleading and irrelevant it should be removed from the NP.</p>

Ashby de la Zouch Neighbourhood Plan – Summary of Responses Received at Submission stage

Policy S1	Supported.
Policy S2	Supported.
Policy S6	<p>This policy seeks to restrict development in three areas around the periphery of Ashby. There are five supporting lines of text to the policy, two of which state that:</p> <p>The Area of Separation represents that area which is necessary to be maintained as open land so as not to reduce the existing degree of separation between the settlements in question.</p> <p>Any development in any of these areas could destroy the rural character and the geographic autonomy of the villages and hamlets in question and risk them being merged with neighbouring settlements. This is supported by the Publication version of the Local Plan which also seeks to maintain the separate identities of settlements.</p> <p>The NW Leicestershire Local Plan Submission Version includes Policy En5: 'Areas of Separation' and designates two areas of separation between Coalville and Whitwick where only agricultural forestry, nature conservation, leisure and sport and recreation uses will be allowed. Any other proposed uses will need to demonstrate why they cannot be accommodated elsewhere within the District. The Policy was supported by Background Paper 12 prepared to provide more information in support of the policy. The Background Paper supplements two previous Green Wedge Background Papers published alongside iterations of the then Core Strategy. The first Green Wedge Background Paper was published in 2008 and the second in 2012. Prior to this the sites were identified in earlier Local Plan iteration's, in which preparation had begun in 1989, with the sites finally being adopted as 'Green Wedge' in the Local Plan in 2002.</p> <p>The history to the Coalville/Whitwick Area of Separation designation has therefore been carefully considered and assessed over a number of decades, including numerous rounds of public consultation and Examination before its adoption.</p> <p>In contrast the NP the 'Areas of Local Separation' policy was not considered or included within the Pre-Submission Consultation Draft of the NP in October 2015, rather it was added to the Pre-Submission Consultation Part 2 Draft in January 2017. Whilst the District Council have a similar policy they have only included two sites in the Coalville/Whitwick</p>

area and have not considered there to be any need for such a policy in the Ashby area. As such there have been no assessments undertaken as to the appropriateness of the proposed designations by either the District Council or the Town Council. No Background Papers support the proposed designations.

In specific relation to the Area of Local Separation proposed to the west of Ashby town centre, much of this area and immediately beyond is already National Forest woodland planting. These already act as a partial barrier between the settlements, and the additional woodland planting will seek to consolidate this further.

In addition, new solar park development has taken place beyond the National Forest planting, further acting as a buffer between settlements.

These areas clearly are not areas that can be maintained as open land, and should not be included in any such designation.

The areas of National Forest/Woodland planting and solar park areas are defined below to illustrate the composition of the western side of Ashby. It is considered that the woodland and solar park schemes act as sufficient buffer/separation to the west of Ashby.

This version of the NP actually maps the National Forest planting / plantation woodlands on Figure 10, page 74 – extract shown below. This clearly identifies the landscape buffer to the immediate west of the built form of Ashby (when new development is properly mapped including Holywell Spring farm and land to the south of Burton Road.

The policy states that:

“Development proposals in the identified gaps between villages should be located and designed to maintain, and wherever possible, enhance the separation of the villages’.”

PPG Paragraph: 041 Reference ID: 41-041-20140306 states:

“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be

concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.”

The wording of this policy is obstructively unclear, particularly in relation to the ‘identified gaps between villages’ as the gaps between some of those settlements are hundreds and hundreds of metres. If the NP is referring to the Area of Local Separation proposed the policy should make clearer reference to this.

Despite this it is considered that the proposed policy and associated designations are not supported by appropriate evidence as required. As discussed above, a natural area of separation is already apparent to the west of Ashby whereby land adjacent to the Limits to Development comprises National Forest/Woodland Planting and solar parks. The Area of Local Separation identified should not be maintained as open land, as it is not currently open land. There is no definition to open land provided, in any event. The allocation would do nothing to stop any such development to ‘destroy the rural character of the village and hamlets’. The land identified is mostly in National Forest planting and as such a buffer along the western side of Ashby is in place. The policy/allocation is irrelevant, has no evidence base in support of the defined site and as such, should be deleted from the NP.

As drafted the policy lacks clarity, cannot be applied with confidence and should be deleted. It is contrary to Basic Conditions (a), (d) and (e). It should be deleted prior to any further lawful consultation under Regulation 14.

These representations are supported by a Landscape & Visual Technical Note prepared by Tyler Grange LLP (Landscape Planning Consultants) and should be read in associated with these representations.

The Technical Note considers that having reviewed the wording, preamble and objectives of the draft Areas of Local Separation policy (Policy S6) as set out within the consultation version of the draft Ashby-de-Zouch Neighbourhood Plan, it is clear that the identification of the separation areas has not been defined by any robust evidence base.

Tyler Grange has undertaken a field survey to consider the need for a separation policy in landscape and visual terms to retain separation between the settlements of Ashby-de-la-Zouch and the surrounding villages, and can find no landscape or visual based justification for the need to designate the area drafted. The western edge of Ashby-de-la-Zouch is already set to expand westwards in conjunction with the consented residential scheme for which Tyler Grange provided

	<p>Landscape & Visual Impact Assessment support (Planning Ref: 14/00578/OUTM). The ultimate physical and visual containment to Ashby is already provided by the presence of the National Forest woodland plantation and the solar farms to the west of this. These physical features heavily restrict inter-visibility between Ashby and Norris Hill and Blackfordby in particular, thereby safeguarding the separation of the settlements and ensuring that the urban expansion of Ashby does not degrade the character of the landscape beyond this area.</p> <p>The Local Plan has not identified the area of open countryside surrounding Ashby-de-la-Zouch as fundamental enough to preventing separation as to warrant its inclusion within the Areas of Separation policy as has been deemed necessary at Coalville. As such, it is unclear as to why the need has arisen to define specific Areas of Local Separation around Ashby-de-la-Zouch at a Neighbourhood Planning level when this hasn't been deemed justified at a Local Plan level.</p> <p>As set out within the Technical Note, the western edge of Ashby-de-la-Zouch is well contained by the presence of the National Forest plantation woodland, and the solar farm beyond, as well as the topographical arrangement of the land between the settlements of Ashby and Blackfordby which restricts any physical or visual coalescence, providing a robust defensible limit to development at Ashby merging with Blackfordby. As such it is considered that the policy is not based on sound evidence and should be removed from the Neighbourhood Plan.</p>
<p>Section 4.2 b) page 30</p>	<p>The first paragraph refers to the "increasing amount of development which has occurred over recent years that has reduced the level of open space" The NP does not substantiate this claim, which is questioned by the representor as we are unaware of any development of material scale that has reduced open space in the area. As such this reference should be deleted.</p>
<p>Section 4.2 b) page 30</p>	<p>The third paragraph refers to six settlements identified in the Local Plan as suitable locations for "high level growth". The wording of this supporting text is not well phrased, especially for the Local Service Centre's of Ibstock, Kegworth and Measham which the Local Plan outlines are settlements that can accommodate a "reasonable amount of new development". This text should be rephrased or deleted.</p>

	<p>The second sentence in the paragraph then sets out some assumptions as to what proportion of residential development should be delivered between the six settlements; Coalville 30%, Ashby and Castle Donington 20% each, and 10% each for Ibstock, Kegworth and Measham which is stated to leave Ashby with a residual housing target of 320.</p> <p>The proportions set out are just figures drawn from nowhere and are not supported by any appropriate evidence.</p> <p>PPG Paragraph: 041 Reference ID: 41-041-20140306 states:</p> <p>“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.”</p> <p>The Local Plan itself does not apportion the housing requirement to these settlements and as such the NP cannot do the same. These figures are of no relevance and are not referred to again in the NP and it is therefore considered that they be deleted from the NP.</p>
<p>Policy H1</p>	<p>Windfall site provision is supported.</p> <p>The policy refers to a housing target of 1,222 dwelling – which is entirely made up of the Money Hill site. Clearly a development of this scale has challenges in delivering the necessary infrastructure requirements prior to dwellings even being built. Development still has not started, despite NWLDC’s housing trajectory setting out that 20 units will be delivered in 2016/17 and 50 in 207/18. Clearly none of those will be delivered, with delays already taking place. This is inevitable on sites of this scale. Delays like this can result in the LPA being unable to demonstrate a five-year housing land supply, and the presumption in favour of development being engaged.</p>
<p>Section 4.2 c) &Policy H3</p>	<p>The first paragraph in this section describes windfall sites as “small infill or redevelopment sites that come forward unexpectedly....and can range from small sites suitable for only a single dwelling to areas with a capacity for several houses (up to 5).” This definition is considered to be factually incorrect and misleading as windfall sites are not limited in size. The NPPF definition reads as follows, “Windfall sites: Sites which have not been specifically identified as available in</p>

	<p>the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available.” Given the Government definition of windfall sites does not limit any quantum of development this reference should be removed from the NP supporting text and from Policy H3.</p> <p>Similarly, there is no reason why windfall sites need to be within the defined Limits to Development. Policy S3 provides the context for development proposals outside of Limits to Development and further reference to this within Policy H3 is unnecessary repetition and should be removed from the policy wording.</p> <p>The policy should therefore read:</p> <p>Development proposals for windfall sites which have not been specifically identified as available in the Local Plan process will be supported where they are in accordance with relevant policies in the plan, especially S4 and relevant national and District wide policies, and:</p> <ul style="list-style-type: none">• Help to meet the identified housing mix for the Plan area.....”
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<p>Section 4.2 d) and Policy H4</p>	<p>The Plan sets out that as at 2011 Ashby had a greater proportion of 4 bed houses (23.6%) than the District (18.3%). This is not a huge disparity. The Town Council failed to highlight that Ashby also has a greater proportion of 1 bed homes (6.2%) than the District (5.5%). With small variances in the 2 bed and 3 bed house sizes.</p> <p>These figures will fluctuate and are close to the overall District figures. They do not demonstrate that there is a need for smaller housing types. 76.4% of dwellings are already shown to be smaller than 4 bed roomed properties.</p> <p>The Plan highlights an ageing population in Ashby, which is true across the country. The need to cater for the ageing population is acknowledged and supported, however the variance to the overall District is again marginal.</p> <p>Policy H4 sets out that in order to meet the future needs of the residents of the Plan area, new housing development proposals should meet a number of criteria.</p> <p>Criterion (a) is supported.</p> <p>Criterion (b) is not supported. This is too proscriptive. It may not be appropriate for a development to provide this mix of housing sizes. i.e. it could be a high-density apartment scheme in the centre of Ashby which would not be appropriate for 60% to be 2 or 3 bedroom development. As set out above, the data provide in the Np does not demonstrate that there is a shortage of 2 and 3 bed roomed properties in Ashby. There is marginally less than the overall NWLDC area, but that does not mean it is a shortfall.</p> <p>As such it is considered that this should be omitted from the proscriptive policy and used in the supporting text as guidance only.</p> <p>The principle behind criterion (c) is supported but it in specific is stating bungalows be provided. It may not be appropriate in the proposed location, or the particular scheme to make provision for bungalows (i.e. it could be a high-density apartment scheme in the centre of Ashby which would not be appropriate for bungalow development. As such it is considered that this should be omitted from the proscriptive policy and used in the supporting text as guidance only.</p>
<p>Section 4.2 e) and Policy H5</p>	<p>Policy H5 sets out that 30% of homes should be affordable on sites of 11 or more dwellings, and that only in exceptional circumstances will commuted sums be acceptable.</p>

	<p>The 30% level of provision is in line with the NWLDC Local Plan and is therefore supported, however the 11 dwelling threshold is lower than that contained in the Local Plan, which for Ashby de la Zouch is set at 15 or more dwellings. It is considered that the NP policy should be brought in line with the Submission Version of the Local Plan and amended to 15 or more dwellings.</p> <p>The policy should state that on-site provision is a preference, akin to the Local Plan, rather than stating it must be provided. The policy should therefore be reworded so instead of stating “only in highly exceptional circumstance will commuted sums be acceptable....” It should read:</p> <p>The Council’s preference is for on-site affordable housing provision which should:</p> <ul style="list-style-type: none"> • include a mix of types and tenure that reflects the type and nature of any need at the time that the application is determined and • be integrated within the design and layout of a development such that they externally indistinguishable from market housing on the same site. <p>However, in exceptional circumstances, for example because of site specific constraints or demonstrable viability issues, then we may accept a sum of money (usually referred to as a commuted sum) instead and use this money to make provision for affordable housing on another site(s).</p>
Policy T6	<p>The policy is generally supported in that adequate car parking provision is made as part of development proposals, however the statement - Wherever possible the maximum level of car parking provision should be provided - is not supported.</p> <p>Policy S4 covers car parking, stating that: Adequate off-road parking should be provided to ensure highway safety and to enhance the street scene in line with Leicestershire County Council standards. As such the policy is not required as it is merely repeated.</p>

Respondent 22 : Gladman Developments Limited	
Part of document	Comments
Policy S1	<p>Ashby de la Zouch Neighbourhood Plan</p> <p>This section highlights the key issues that Gladman would like to raise with regards to the content of the ADLZNP as currently proposed. It is considered that some policies do not reflect the requirements of national policy and guidance, Gladman have therefore recommended a series of modifications that would ensure the basic conditions can be met. Gladman submitted representations to the Regulation 14 consultation and whilst welcoming some of the changes that have since been made to the Plan, we suggest that there are still further changes necessary before the basic conditions can be met.</p> <p>Policy S1: Presumption In Favour Of Sustainable Development</p> <p>Gladman support the inclusion of Policy S1, however we suggest that the wording is modified to ensure that it will support the implementation of the objectives of the Framework. This would ensure an approach that takes a positive stance towards sustainable development within the Plan in the manner required to meet basic condition (a), taking the policy a stage further than simply reflecting the Framework. Gladman submit the following suggested wording below:</p> <p>‘When considering development proposals, the Plan will take a positive approach towards sustainable development.’</p>
Policy S2	<p>Policy S2: Limits to Development and S3: Development proposals outside the limits to development</p> <p>Policy S2 applies an updated settlement boundary to the built up area of Ashby de la Zouch, as proposed in the publication version of the Local Plan. Gladman opposes the use of settlement boundaries if they would preclude otherwise sustainable development from coming forward. The Framework is clear that development that is sustainable should go ahead without delay. The use of development limits to arbitrarily restrict suitable development from coming forward on the edge of settlements does not accord with the positive approach to growth required by the Framework and is contrary to basic condition (a). Gladman suggest that the approach being taken here is overly restrictive in treating all</p>

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	land outside the development limits as open countryside. We suggest wording is added to this policy that states that demonstrably sustainable development proposals adjacent to the limits to the development would also be supported. This would help ensure the longevity of the plan for the reasons outlined below in response to Policy H1.
Policy S5	Policy S5: Support given to Brownfield sites Gladman support the changes made to this policy.
Policy S6	<p>Policy S6: Area of local separation</p> <p>Gladman are concerned that Policy S6 is overly restrictive and therefore not in accordance with the Framework. It is considered that the introduction of these areas of separation in a manner that is more restrictive than how the emerging Local Plan proposes to deal with development between two settlements has the potential to unduly restrict otherwise sustainable development from coming forward. Gladman suggest that Policy S5 is deleted and that this matter is dealt with through the Local Plan at the strategic level. Further, as drawn in Figure 5, it appears one of the proposed areas extends beyond the Parish Boundary and therefore proposes the introduction of a designation to land that is outside of the remit of this Neighbourhood Plan. This issue will need to be addressed should the policy remain within the Neighbourhood Plan.</p>
Policy H1	<p>Policy H1: Sustainable housing growth</p> <p>Whilst welcoming some of the changes that have been made to Policy H1 since the Regulation 14 consultation, Gladman remain concerned by the current drafting. Policy H1 now proposes to carry forward development levels as set out in the emerging North West Leicestershire Local Plan, however Gladman query whether this suitably addresses the implications should the large strategic allocation to the north of Ashby not deliver to the ambitious timescales envisaged by North West Leicestershire District Council through its housing trajectory.</p> <p>Gladman suggest the need for wording to be added to Policy H1 to provide a suitable contingency should this strategic allocation fail to deliver in the manner envisaged by the District Council during the Local Plan Examination. In the event of slippage from the baseline trajectory, the ADLZNP would need to be able to respond flexibly. Gladman submit the following wording for the Council’s consideration:</p>

	<p>'Should the allocation of land to the north of Ashby fail to deliver housing within the timescales envisaged by North West District Council at the Local Plan Examination in Public, other development proposals will be considered against the presumption of sustainable development as set out in Policy S1 and national policy.'</p>
<p>Policy HE1</p>	<p>Policy HE1: Non designated heritage buildings and structures of local interest</p> <p>As drafted, Policy HE1 does not conform to the Framework in regards to the consideration of non-designated heritage assets through the decision making process. Paragraph 135 of the Framework states: The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Gladman suggest that the policy will need to be modified to reflect that a balanced judgement will be applied when weighing up the effects of a proposed development. Whilst weight can certainly be attached to the impact of a proposed development on a non-designated heritage asset, it is inconsistent with the Framework to state that development that has an impact upon such assets would be resisted except in exceptional circumstances.</p>
<p>General</p>	<p>RE: Submission Ashby de la Zouch Neighbourhood Plan</p> <p>This letter provides Gladman Developments Limited's (Gladman's) representations in response to the submission version of the Ashby de la Zouch Neighbourhood Plan (ADLZNP), which has been published under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. The associated consultation period runs for six weeks from 30th August 2017 until 11th October 2017. Gladman requests to be kept informed on the progress of the emerging neighbourhood plan following the close of this consultation. This letter seeks to highlight some issues with the Ashby de la Zouch Neighbourhood Plan as currently presented and its relationship with national and local planning policy.</p> <p>Legal Requirements</p>

Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions that are set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The basic conditions that the ADLZNP must meet are as follows:

- (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.
- (d) The making of the order contributes to the achievement of sustainable development.
- (e) The making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
- (f) The making of the order does not breach, and is otherwise compatible with, EU obligations.

National Planning Policy Framework and Planning Practice Guidance

The National Planning Policy Framework (the Framework) sets out the Government's planning policies for England and how these are expected to be applied. In doing so it sets out the requirements for the preparation of neighbourhood plans to be in conformity with the strategic priorities for the wider area and the role in which they play in delivering sustainable development to meet development needs.

At the heart of the Framework is 'a presumption in favour of sustainable development', which should be seen as a golden thread through both plan-making and decision-taking. For plan-making this means that plan makers should positively seek opportunities to meet the development needs of their area and that local plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change. This requirement is also applicable to neighbourhood plans.

The recent Planning Practice Guidance (PPG) updates make clear that neighbourhood plans should conform to national policy requirements and take account of the latest and most up-to-date evidence of housing needs in order to assist the relevant local planning authority in delivering sustainable development, which is a neighbourhood plan basic condition.

The application of the presumption in favour of sustainable development will have implications for how communities engage with neighbourhood planning. Paragraph 16 of the Framework makes clear that qualifying bodies preparing neighbourhood plans should develop plans that support strategic development needs set out in Local Plans, including policies for housing development and plan positively to support local development.

Paragraph 17 further makes clear that neighbourhood plans should set out a clear and positive vision for the future of the area and policies contained in those plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Neighbourhood plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to the wider opportunities for growth.

Paragraph 184 of the Framework makes clear that local planning authorities will need to clearly set out their strategic policies to ensure that an up-to-date Local Plan is in place as quickly as possible. The Neighbourhood Plan should ensure that it is aligned with the strategic needs and priorities of the wider area and plan positively to support the delivery of sustainable growth opportunities.

Planning Practice Guidance

It is clear from the requirements of the Framework that neighbourhood plans should be prepared in conformity with the strategic requirements for the wider area as confirmed in an adopted development plan. The requirements of the Framework have now been supplemented by the publication of Planning Practice Guidance (PPG).

On 11th February 2016, the Secretary of State (SoS) published a series of amendments to the neighbourhood planning chapter of the PPG. In summary, these changes updated a number of component parts of the evidence base that are required to support an emerging neighbourhood plan.

On 19th May 2016, the Secretary of State published a further set of alterations to the neighbourhood planning PPG. These updates provided further clarity on what measures a qualifying body should take to review the contents of a neighbourhood plan in circumstances where the evidence base for its policies have become less robust. As such, it is considered that where a qualifying body intends to undertake a review of its neighbourhood plan, it should include a

	<p>policy that sets out this intention, together with a detailed explanation that clearly outlines the intended scope of the review and the qualifying body's anticipated timescales for its preparation.</p> <p>Further, the PPG makes clear that neighbourhood plans should not contain policies restricting housing development in settlements or preventing other settlements from being expanded. It is with this in mind that Gladman raises reservations regarding the ADLZNP's ability to meet basic condition (a) and this will be discussed in greater detail through the remainder of this response.</p> <p>Relationship to the Local Plan</p> <p>The current Development Plan that the policies of the ADLZNP would be tested for conformity against are the saved policies of the North West Leicestershire Local Plan 1991 to 2006. Although the adopted Local Plan is now time-expired, a number of these policies were saved under a direction from the Secretary of State in 2007.</p> <p>The District Council has been progressing the new North West Leicestershire Local Plan 2011-2031 and this is currently subject to Examination in Public, with a consultation on a number of proposed Main Modifications to the Plan having been held between June and July of this year. The ADLZNP should therefore align itself sufficiently with the emerging Local Plan so as to minimise any conflicts with the emerging Local Plan, but also incorporate flexibility should there be any further changes to the proposed Local Plan before it is adopted.</p> <p>Within the emerging Local Plan, Ashby de la Zouch is designated as a Key Service Centre, where a significant amount of development will take place through a strategic allocation to the north of Ashby. Since the Regulation 14 consultation, the scale of this allocation has been increased from 1750 homes to 2050, however until the necessary infrastructure improvements are completed, the number of completions on the site will be restricted to 600 dwellings.</p> <p>Conclusions</p> <p>Gladman recognises the role of neighbourhood plans as a tool for local people to shape the development of their local community. In preparing such plans, it is clear from national guidance that they must be consistent with national planning policy and the strategic requirements of the wider local authority area. Through this consultation response,</p>
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	<p>Gladman have sought to clarify the relationship between the ADLZNP, as currently proposed, with the requirements of national planning policy and the wider strategic policies for the area.</p> <p>Gladman have highlighted a number of concerns that indicate that the Ashby de la Zouch Neighbourhood Plan, in its current form, does not comply with basic condition (a). At present, the Plan is not in conformity with national policy and guidance and Gladman have therefore suggested a series of modifications which would enable it to meet the basic conditions. Gladman formally request to participate at the hearing session(s) should the Examiner decide it necessary to discuss these issues in a public forum.</p>
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Respondent 23 : Willesley Environment Protection Association (WEPA)	
Part of document	Comments
Section 1.5	<p>WEPA was formed in March 2015. It has approximately 100 members. WEPA’s aims are to protect and advance the character and appearance of the attractive local countryside landscape in the Willesley area, forming part of the Plan area, in particular by:</p> <ul style="list-style-type: none"> • opposing unsustainable, intrusive development that is outside the established urban area of Ashby de-la-Zouch; • supporting the protection and enhancement of the natural and historic environment and its recreational and amenity value, tranquillity and biodiversity; • supporting the health, social and cultural well-being of the local and wider community; • establishing formal, safe, convenient and pleasant public access into the adjacent National Forest open access areas. <p>Members of WEPA participated in the Neighbourhood Planning process in some of the five Theme Groups who looked in detail at the issues and prepared emerging objectives and policies alongside officers from the District and County Councils. WEPA has commented on the previous draft versions of the Neighbourhood Plan.</p>
Section 3.1	<p>“Our vision is to build on that uniqueness and create a town that meets the needs of local people in terms of their enjoyment, health and wellbeing whilst making the most of its special qualities to attract businesses, visitors and shoppers from further afield” is supported by WEPA.</p>
Section 3.2	<p>These key objectives are supported. In particular the key objectives of:</p> <ul style="list-style-type: none"> • Protecting and enhancing the town’s heritage • Designating settlement development limits

	<ul style="list-style-type: none"> • Enhancing the provision of and protection for parks and green spaces • Enhancement of environmental aspects including measures to prevent flooding • Conserving and enhancing the natural environment • Supporting enhanced community facilities in line with growing population • Improving traffic management and road infrastructure • Promoting walking and cycling • encouraging tourism • Supporting enhanced community facilities in line with growing population
Section 4.1 b)	This section is fully supported.
Section 4.1 c)	<p>WEPA shares the Neighbourhood Plan’s concerns and reservations with regard to the scale of development envisaged for Ashby de la Zouch as set out in the Publication version of the Local Plan. Also that too much development will damage the countryside.</p> <p>WEPA has commented on the North West Leicestershire Local Plan Main Modifications (MM) Consultation resulting from the HEDNA which was published after the Publication Version Local Plan Enquiry Hearing. The following comments have been submitted:</p> <p>MM25 Policy H3 Policy H3 Housing provision: new allocations</p> <p>We support the amended criteria H3a iii), v) and viii) as a means of integrating large scale new development within Ashby and acknowledge the case for securing a coordinated provision of infrastructure for both housing and employment</p>

	<p>land, most notably via the access off the A511. However, the increase in the number of dwellings allocated for Ashby de la Zouch from 1,750 to 2,050 is not supported.</p> <p>The Main Modifications reduces the number of dwellings required in the District by 780. Despite this reduction it is still proposed to allocate an additional 300 dwellings in Ashby de la Zouch. The Willesley Environment Protection Association (WEPA) does not support this additional allocation as it is not required to meet the HEDNA. While understanding that Money Hill may well eventually be developed fully, it seems inappropriate to show it all as allocated for housing up to 2031. One would normally expect a Plan to allocate only what could reasonably be expected to be delivered within the period that it covers.</p> <p>WEPA supports the Ashby Town Council’s opinion that owing to constraints created by the River Mease and the scale of the planned development of the 2050 dwellings allocated at Money Hill, 675 will not be built until after 2031. Therefore these additional 300 dwellings are not required and will not affect development during the plan period so should not be included. Any increase above this level will be exploited by developers to build more dwellings in Ashby where greater sales and profit levels can be achieved compared to other parts of the District.</p>
Section 4.1 d)	WEPA supports the Limits to Development provided in the publication version of the Local Plan.
Section 4.1 e)	<p>WEPA has commented on the North West Leicestershire Local Plan Main Modifications (MM) Consultation resulting from the HEDNA which was published after the Publication Version Local Plan Enquiry Hearing. The following comments have been submitted:</p> <p>MM12: Within the uses listed as being permitted within the countryside the Willesley Environment Protection Association does not support the addition of (s) ‘Employment land in accordance with the provisions of Policy Ec2’.</p> <p>The criteria stated in EC2 on accessibility, good access to strategic highway network and not detrimental to the amenities of nearby residential properties or the wider environment are inadequate. Areas of open countryside surrounding Ashby would be vulnerable to development as Employment land, for example alongside key strategic routes like the A42 and A511 Ashby By Pass. For example, the land between the A42 and Measham Road, adjacent to junction 12 of the A42, Willesley Park interchange. This length of Measham Road and the adjacent woodland and residential properties set in</p>

large landscaped plots, constitutes the most attractive and environmentally rich main approach road to the town. Should such development be allowed to proceed, there would then be pressure at a later date to allow development of the remainder of open land for further industrial and or housing development northwards, right through to Packington Nook Lane or even Lower Packington Road, The character and appearance of the countryside on this south-west side of Ashby, constituting this land, known as 'Packington Nook', and the adjacent Willesley land to the west of Measham Road, is of high quality in the local context and within the District overall. Developers would exploit this addition (s) 'Employment land in accordance with the provisions of Policy Ec2' to the full.

This amendment does not offer adequate protection for any of the countryside surrounding the town. The town is already having very significant areas of countryside allocated for housing and employment. The potential for additional allocations outside the limits to development is unacceptable.

It is considered that if MM12 were to be accepted and incorporated into the Local Plan then the Neighbourhood Plan should seek to protect those areas of the open countryside within the Plan Area of the highest value in terms of its natural and historic environment and its recreational and amenity value, tranquillity and biodiversity.

This could be done by identifying such areas as 'Local Green Space', or some other category to provide additional protection. See later comments in relation to Section 4.7. Natural Environment b) Local Green Spaces. This would help to support national and local planning policy that development in the open countryside (and outside of the Limits to Development) will be carefully controlled to protect the open countryside for its own sake as an attractive, accessible and non-renewable natural resource.

The Publication Version Local Plan includes Policy S3: Countryside. (2) states:

In areas designated as Countryside on the Policies Map, development for the following uses will be supported:

(o) Renewable energy;

WEPA considers that this use, in particular for energy generation by areas of solar panels and any supporting back-up infrastructure and power generation by diesel or gas fired generators, should not be permitted in those areas of the open

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	<p>countryside within the Plan Area of the highest value in terms of its natural and historic environment and its recreational and amenity value, tranquillity and biodiversity. This irrespective of whether or not such areas be included as Local Green Space within the Neighbourhood Plan.</p>
Section 4.2	<p>WEPA supports Policy H1 in terms of the housing provision met by development on the land north of Ashby de la Zouch at Money Hill and windfall sites that come forward as the Neighbourhood Plan progresses.</p>

<p>Section 4.5 Transport e)</p>	<p>WEPA supports encouraging people to walk or use a bicycle for short journeys and leisure purposes not only in terms of reducing congestion on roads, but also cutting carbon emissions and creating healthier communities. Improved links to the Forestry Commission’s Hicks Lodge Cycling and Walking Centre and Trails from various parts of the town and surrounding villages would be of considerable benefit to the local and wider population and the further development of the draft Ashby de la Zouch cycling strategy is supported. However, the provision of such links should not be at the expense of associated inappropriate development in valuable open countryside.</p>
<p>Section 4.6</p>	<p>It is considered that there are other heritage assets within the Plan Area that have not been referred to in the Neighbourhood Plan. In particular the Burton and Ashby Light Railway (tramway), the Ticknall Tramway, and the Ashby Canal Tramway to Willesley Basin, and Willesley Hall and Park should also be mentioned and covered by Policies HE1, HE2 and HE3.</p>
<p>Section 4.7</p>	<p>The Plan recognises that: As well as formal public green space such as parks, recreation grounds, allotments and children’s playgrounds, there are other important less formal open spaces such as woodlands, allotments, and grassed areas, as well as areas of attractive accessible countryside. And that: These areas make a significant contribution to the distinctive and attractive character of the Plan area and provide opportunities for informal and formal recreation. They and the wildlife they support are highly valued by the local community. Also, that: the total amount of formal open space in the Parish was below recognised national and district standards.</p> <p>The Publication Version of the Local Plan fails to identify Local Green Spaces, leaving this to be covered by Neighbourhood Plans. It is therefore important that the Ashby Neighbourhood Plan identifies other important less formal open spaces such as woodlands, allotments, and grassed areas, as well as areas of attractive accessible countryside. All of the Local Green Spaces listed in Policy NE1 and shown on Figure 8 lie within the Limits to Development. It is considered that additional areas outside the Limits to Development should be included as Local Green Space because of their recreational, and amenity value for the enjoyment and well-being of the local and wider community. It is considered that there are such additional areas that would satisfy the Local Green Space designation. Namely:</p> <ul style="list-style-type: none"> ● where the green space is in reasonably close proximity to the community it serves;

	<ul style="list-style-type: none"> • where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and • where the green area concerned is local in character and is not an extensive tract of land. <p>Such areas should include for example, the Willesley Park Golf Course, the Hicks Lodge National Forest open access areas and trails for walking and cycling, the Willesley Scout Camp, Willesley Lake, and site of the former Willesley Hall. Collectively, these areas make a significant contribution to the special and attractive character of the Plan Area and deserve protection for the benefit both of the residents and visitors to the Plan area as well as its wildlife. This statement applies equally to other areas of attractive accessible local countryside, in those areas of the open countryside within the Plan Area of the highest value in terms of its natural and historic environment and its recreational and amenity value, tranquillity and biodiversity. Such areas lying at the very heart of the National Forest. This irrespective of whether or not such areas be included as Local Green Space, or some other designation, within the Neighbourhood Plan.</p>
Section 4.7 c)	WEPA fully supports Policy NE4: Nature Conservation.
Section 4.7 d)	WEPA fully supports Policy NE5: Trees and Hedgerows.
Section 4.10 Developer Contributions b) Infrsatructure Requirements	<p>WEPA supports the priority infrastructure requirements identified and in particular:</p> <ul style="list-style-type: none"> • Improvements to footpaths and cycle-ways, including linked footpaths, footways and cycleways and a 'green lung' (H2); • Water quality improvements to avoid adverse impacts on the River Mease Special Area of Conservation (H2); • Open Space contributions including additional tree planting (H2); • Enhanced leisure facilities (TC5);

Respondent 24 : Thomas Taylor Planning Ltd	
Part of document	Comments
Policy S2	Limits to Development: The Limits to Development set out in the submission Neighbourhood Plan do not properly represent "on-the ground features" taking into account the pattern of development to the north east of the town around the A511/A42 and the B587 (Nottingham Road) junction. In particular, the McDonalds/Premier Inn development together with housing and the Ashby Aquatics retail/employment site on Nottingham Road represent a collection of existing buildings and previously developed land more closely associated with the town than the surrounding countryside. The Limits to Development boundary should be amended to include these areas of development as shown on PLAN 1 attached.
Policy S4	Design: The first paragraph of the policy should refer to proposals both within and visible from the Conservation Area to emphasise the special qualities and historical context provided by the town and the fact that there is an acknowledged need to review the Conservation Area boundary. Reference should also be made to the need for all proposals to satisfy the statutory obligations set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 with regard to both. The second and fourth paragraphs should be amalgamated and simplified but should retain an acknowledgement that good-quality, contemporary and innovative design is also to be supported in both heritage and non-heritage contexts. The eighth paragraph should acknowledge that it is not always possible or desirable to retain existing trees and that where appropriate, development will be approved where suitable replacements trees are provided in instances where it is not possible or desirable to retain existing trees.
Policy S5	Brownfield Sites: Policy S5 should be reworded to support the conversion and reuse of buildings and previously developed land both within and outside identified Limits to Development. The qualification that this only applies to sites which have limited environmental, amenity or ecological value should be deleted as other policies within the development plan and at a national level already provide appropriate control over those matters.
Policy S6	Areas of Local Separation: Policy S6 should be reworded to state that any development within these areas which will harm the visual and physical separation provided by these areas will be resisted. It should also be amended to state that

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	<p>there will be a general presumption against the construction of new buildings within these areas although uses which do not reduce the sense of visual and physical separation will be considered on their merits having regard to the aims of the policy.</p>
Policy H1 & H3	<p>Windfall and Infill Sites: An explicit distinction should be made between the definitions of windfall and infill sites in Policies H1 & H3 if they are intended to refer to different scales/types of development. The supporting text to Policy H3 suggests that "infill" sites are likely to be small sites (up to 5 dwellings) which might occupy undeveloped land within the Limits to Development whereas "windfall" sites might include larger sites - but where they involve previously developed land. Policy H3 should acknowledge that some windfall sites (including existing derelict/redundant buildings) might be located outside Limits to Development and would be subject to Policy S5 and national policies regarding the reuse of existing buildings in the countryside). Alternatively, a single, consistent definition should be used for both infill and windfall sites and confirmation that the terms are meant to be used interchangeably.</p>
Policy H5	<p>Affordable Housing: Policy H5 needs to be amended to confirm that developers will be expected to enter into a Planning Obligation under S106 of the Town and Country Planning Act (1990) (As Amended) to secure the provision of affordable housing in perpetuity.</p>
Policy H6	<p>Self-Build: Whilst encouragement for self-build is welcome, Policy H6 appears to give unqualified support for such proposals. Policy H6 should be revised to confirm that such proposals need to satisfy all other relevant development plan policies having regards to other material planning considerations.</p>
Policy E1 & E2	<p>Employment Land & Buildings & Small and Start Up Businesses: Policy E1 & E2 should be combined and amended to specifically support expansion of existing firms onto adjacent land where that would comply with other policies in the Plan. In exceptional circumstances this could include development on land which is outside Limits to Development where this would not result in an unacceptable impact on the countryside. This would be consistent with Policy S3 in the North West Leicestershire Local Plan (submission version) paragraph 2(i) supports the expansion of all types of business and enterprises in rural areas.</p>

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Policy HE2 & HE3	Heritage Assets and Ashby de la Zouch Conservation Area: Whilst the sentiment behind Policy HE2 is welcome, the wording needs to be amended to ensure it is consistent with the statutory obligations imposed by the Planning (Listed Buildings and Conservation Areas) Act, 1990 so far as those heritage assets are concerned. As presently worded, neither Policy HE2 nor HE3 are consistent with the development plan or the NPPF. Policy HE2 appears to support all proposals which contribute to the longevity, conservation and appreciation of heritage assets which do not reflect the "tests" in the PLB&CAA 1990. Policy HE3 also requires amendments for similar reasons although we support the desire to preserve and enhance views into and out of the Conservation Areas and to undertake an immediate review of the Ashby de la Zouch Conservation Area.
Policy NE1	Local Green Spaces: We strongly support the protection afforded to Local Green Spaces and support the intention to resist development in these areas. We note that a similar approach has been taken to that used in green belt policy although we suggest that the first part of the Policy is reworded to simple state that new development will be resisted in these areas other than for the very limited range of exceptions set out at the end of the Policy. The paragraph explaining "very special circumstances" should be deleted.

Respondent 25 : Historic England	
Part of document	Comments
General	Thank you for your email of 30 August 2017 consulting Historic England on the reg 16 consultation on the above. Further to our letter of 6 July 2016 we have no further comments.