

North West Leicestershire District Council
Council Offices
Whitwick Road
Coalville
Leicestershire
LE67 3FJ
FAO Mr A Harvey



L a n d m a r k
P L A N N I N G

5th January 2009
Our Ref: 28124

Dear Mr Harvey,

**Residential development scheme, land at Lower Packington Road and
Packington Nook Lane, Ashby-de-la-Zouch
Reference: 08/1588/OUTM**

I am writing on behalf of the Packington Nook Residents Association to lodge an objection to this application. As you are aware, the Residents Association has around 100 members and my letter is submitted on their behalf in addition to the individual representation letters, which you will be receiving.

I have focused my grounds of objection to the application on the planning implications of the development and the sustainability/consideration of alternative sites issues. In relation to the various chapters of the Environmental Statement, I have set out my concerns or questions on behalf of the residents in the form of an Appendix to this letter. As these concerns or questions relate to technical issues on which you will need the views of statutory and non-statutory consultees, I will contact you again shortly for the emerging responses.

1. Planning policy

1.1 The site is greenfield and unallocated for development. It is located within the open countryside outside of Ashby-de-la-Zouch. As such, the proposed development is considered to be contrary to national guidance regarding development in the open countryside and the provisions of the Development Plan, namely the adopted North West Leicestershire Local Plan (saved policies) and the Regional Spatial Strategy (RSS8). The proposal is also considered to be contrary to the emerging Development Plan as expressed in the Further Consultation version of the Core Strategy, which is currently available for consultation until 13th February 2009.

1.2 The submitted assessment of the applicants questions whether there is an adequate supply of housing land in order to deliver the required mix of houses in the District, particularly affordable housing. In such situations where a 5-year supply of deliverable housing land does not exist, paragraph 71 of Planning Policy Statement 3 (PPS3) on Housing advises that it may be legitimate to consider granting planning permission on unallocated sites. This is subject to evaluation against the criteria set out in paragraph 69 of PPS3. I have assessed the application site against the 5 criteria contained in paragraph 69 as follows:

- *Achieving high quality housing* - it is considered that this objective could be met.
- *Providing a good mix of housing* - this could be met.
- *The suitability of the site for housing including its environmental sustainability* - the site is greenfield and it is located some distance from the main employment areas, services and facilities of Ashby. The site is not well served by bus services and it is considered that this would result in considerable reliance on the private car for trips to employment, shopping, schools and leisure facilities. In addition, the development of this site would be detrimental to the landscape character of the area as confirmed by the assessment of the site by the inspector at the Local Plan inquiry in 1999. It was concluded in paragraph 7.409 of the inspector's report that

"The area between the A42 and Ashby de la Zouch provides an important and attractive approach and setting to the town. That part closest to the built edge is intimate in character and contrasts to the openness beyond the A42, and contains a diverse hedgerow pattern. The result is attractive countryside right up to the built edge."

Paragraphs 7.410 and 7.411 are also relevant and these are reproduced in the appendix accompanying this letter.

- *The effective and efficient use of land* - paragraph 40 of PPS3 states that it is a key objective that local planning authorities should continue to make effective use of previously developed land (PDL). A local target, trajectory and strategy for the development of PDL should be devised by the local planning authority (paragraph 43). This guidance illustrates the strong presumption for the development of PDL or brownfield sites for housing over greenfield ones.

- *Ensuring the development is in line with planning for housing objectives including its spatial vision* - the development of this site would not be in line with the urban concentration approach set out as the spatial vision for the region in the RSS. The attached appeal decision from October 2008 illustrates the importance of compliance with these criteria. In the appeal decision in relation to a Persimmon Homes scheme at Countesthorpe in Blaby district (appeal reference APP/T2405/A/08/2069849), the inspector concluded that in accordance with the guidance set out in PPS3, residential development should be focused principally on the most sustainable locations in the District. In the case of Blaby, this is the Principal Urban Area (i.e. the edge of Leicester) whereas in North West Leicestershire, this is the sub-regional centre of Coalville. The inspector also concluded that whilst a 5-year supply of housing land could not conclusively be demonstrated, this did not justify the development of a greenfield site without an assessment of the sustainability attributes of the settlement or as an assessment of the affect of the development on the character and appearance of the countryside.

- 1.3 The applicants rightly analyse the scheme against the policies of the Regional Spatial Strategy (RSS8) including Policies 1, 3 and 12. RSS8 is well advanced in its preparation with the adopted version being due in January 2009. In relation to sustainable urban extensions (SUEs), it is considered that in order to retain the urban concentration focus of Policy 1 of the RSS and to encourage the regeneration of Coalville as a Sub-Regional Centre, SUEs should only be permitted in Coalville. The large-scale expansion of Ashby would undermine the thrust of the RSS, hinder the development of Coalville (in accordance with the Council's stated objectives) and be detrimental to the character of Ashby as a rural market town.
- 1.4 Policy 3 seeks to concentrate development in urban areas but the applicants acknowledge that Ashby is not a Principal Urban Area or alternative location (such a Sub-Regional Centre) listed in this policy. In addition, in relation to Policy 12, as North West Leicestershire is located within the Three Cities sub-Area, the PUA should be prioritised for development.
- 1.5 Developments should be in scale with the size of existing settlements. The size of the development proposal is clearly out of scale with Ashby given that its existing population is approximately 10,000. This view is supported by the response

of Leicestershire County Council to the Core Strategy Further Consultation. In response to question 8, it is stated that

The favoured option for Ashby de la Zouch should be for a smaller amount of housing development. The town has a constrained road system, and is a dormitory settlement for the West Midlands. There is also concern that excessive development could affect the Gilwiskaw Brook / River Mease Special Area of Conservation, and exacerbate flooding downstream at Packington. An Appropriate Assessment should therefore be undertaken for any proposals at Ashby or Packington.

In relation to the emerging hierarchy of settlements within the district, as Ashby is considered to be of equal status to the other Rural Towns (Castle Donington, Ibstock, Kegworth and Measham), the granting of planning permission on this greenfield site may prejudice the development of more sustainable sites within these settlements. This is particularly the case with Castle Donington where major employment growth is also proposed.

2. Sustainability/alternative sites within Ashby

- 2.1 The three sites referred to in paragraph 4.5 of the ES could be viable alternatives for significant housing development in Ashby. This letter deals with them only briefly and a more in-depth analysis by the Council is clearly underway as part of the Core Strategy consultation. The Leicester Road site, for example, is recognised as an allocated site and has a detailed planning application running. Even if the highway issues referred to result in a reduction in numbers, the site will still make a significant and appropriate contribution in terms of housing numbers commensurate with the size of Ashby and its position within the settlement hierarchy of the district.
- 2.2 In relation to Money Hill, there is no basis for saying that this is not viable at 1100 dwellings (although the scale of a proposal of such a size would be questioned). Furthermore, whilst the importance of alleviating flooding is recognised, it is questioned whether the Money Hill site or its surroundings has the same serious flooding issue as Packington. Access from the ring road is considered achievable and is considered to be more satisfactory than access from rural roads and through the town centre. In contrast to the application site, this site is well located in relation to the town centre and essential services including schools and healthcare.
- 2.3 Development of the Holywell Spinney Farm site with approximately 500 dwellings would be more in scale with the town. National Forest provision could be made off site and

contributions towards more centrally located facilities could be secured by planning agreement.

3. Conclusion

This objection demonstrates that the proposal is contrary to National Planning Policy Guidance and adopted and emerging Development plan policy. It also shows that even within Ashby itself there are alternative sites for development that may well be significantly more sustainable if substantial greenfield housing development is needed in the town. It would therefore be totally inappropriate to grant approval for this proposal.

If you have any queries, do not hesitate to call me on 0116 285 6110 or contact me by email at pw@landmarkplanning.co.uk.

Yours sincerely,

**Peter Wilkinson
Managing Director**