

ASHBY DE LA ZOUCH NEIGHBOURHOOD PLAN

PRE-SUBMISSION CONSULTATION (PART 1) 2ND MAY TO 14TH JUNE 2016

There were 21 respondents to the Pre-Submission Consultation:

- 8 Statutory Consultees – Environment Agency, Natural England, Coal Authority, Highways England, North West Leicestershire District Council, Leicestershire County Council, Leicestershire Local Access Forum and the National Forest Company.
- 4 developers/ landowners.
- 5 local groups e.g. Civic Society, Allotments Association, local campaign groups.
- 4 individual Town Councillors and residents.

Comments from respondents

Many comments were supportive of changes made to the draft Neighbourhood Plan following the previous round of consultation. There were some minor changes to the drafting and structure.

Section 3: What the plan is trying to achieve

There was wide support for the Vision and following suggestions from respondents reference was the addition of a reference to attracting businesses. The objectives were supported and minor drafting amendments were made to them following feedback received. One respondent sought to broaden the objectives, but this suggestion was rejected as the objectives reflected the results of the consultations and Focus Groups, some of the areas suggested were either dealt with already within the main policies or didn't fall in to the remit of a Neighbourhood Plan e.g. health and social care.

Section 4.1: Towards a Sustainable Ashby de la Zouch

The Environment Agency welcomed the expansion of the Sustainable Development Policy to address additional environmental requirements. Some minor drafting amendments had been suggested and these were made.

Concern was expressed by a developer at the perceived restriction of physical growth within the settlement limits. This concern was dismissed as there is adequate provision within the settlement limit to meet the required housing need, as set out in the emerging Local Plan. Other respondents were supportive of the Limits to Development and their alignment with those set out in the emerging Local Plan.

The National Forest Company suggested some amendments to the description of the forest in the Plan and these were made. The Environment Agency welcomed the

expansion of policy S4 on Design, to provide greater detail on sustainable design and biodiversity.

The Coal Authority asked for reference to be made to land instability and this has been added.

There were some questions raised about the prioritisation of brownfield sites, however other respondents to previous consultations has strongly supported this stance.

The implementation of an area of separation around the town is questioned by a developer, however previous consultation requested the introduction of this policy, so it will be retained. In response to other comments a map has been added to give clarity on the areas defined.

Section 4.2: Housing

The District Council welcomed the significant amendments made to the housing numbers to reflect numbers in the emerging Local Plan. However there were some questions about the actual housing numbers used. Since the consultation clarification has been obtained from the District Council on the exact housing allocation for the Money Hill area and the Plan has been amended accordingly.

One developer questioned the failure to assess other potential sites and the lack of reserve sites. The Money Hill development more than meets the housing needs set out in the Local Plan, which already builds in headroom for additional housing growth. The allocation of additional sites for Ashby de la Zouch in the plan period is affected by the restrictions imposed by high phosphorous levels in the River Mease catchment area. These restrictions have already limited the number of dwellings which can be built in the plan period, with some of the Money Hill site development being completed after 2031. With Money Hill covering three separate developments and historic level of growth from windfall sites it was not felt necessary to allocate additional windfall sites. The Strategic Environmental Assessment will also be used to evaluate other potential sites.

Highways England commented on the level of housing growth and the impact on the A42 Junction 13, with plans already in place for an improvement scheme.

The requirement of a Masterplan for the Money Hill Site is welcomed by residents, with suggestions for what this could include. The Money Hill Consortium also welcomed the proposal for a masterplan.

Leicestershire County Council asked for the addition of reference to superfast broadband being incorporated in to new developments and this shall be done.

Suggestions were made to the wording of policy H3 on Windfall Sites, including defining small infill sites as up to 5 dwellings, these have been implemented.

The requirement for 40% of affordable housing provision to be 1 bed units was questioned. Since the consultation more up to date figures on affordable housing requirements have been produced by North West Leicestershire District Council and the policy has been amended to reflect these figures.

There was some questioning of the introduction of local connection requirement for affordable housing and self-build. However weighing up other consultation responses and the work done by the Housing Focus Group the Neighbourhood Plan Steering Group believe the local connection requirement should remain. They also noted that this is a policy which has successfully been implemented in other Neighbourhood Plans.

Section 4.3: Employment and Economic Growth

The District Council requested the addition of the former Lounge Disposal Point in Figure 3: Limits to Development. This change has not been made because this would mean the Limits to Development are not in line with those in the Publication Local Plan. They also highlighted the wording in Policy E3: Small and Start Up Businesses would support proposals whether within the Limits to Development or not. The text has been amended to make it clear that it is only developments within the Limits to Development that are supported.

Section 4.4: Ashby de la Zouch Town Centre

Throughout the consultation rounds there have been concerns about the retail mix within the town centre. It is acknowledged in planning terms it is difficult to influence this. Policies TC1 and TC2 attempt to influence development where planning permission is required for a change of use. Following feedback during the consultation the text has been altered to make it clearer that the restrictions can only apply when planning permission is required.

The Environment Agency raised concerns about residential uses in the town centre where there is a high risk of flooding. The text has been amended to support residential use of upper floors in town centre premises outside flood zones 3 or 3a.

Following comments made the tourism section has been amended to include reference to 'tourism and leisure' and to encourage such developments across the whole Neighbourhood Plan area rather than just in the town centre. With the proviso that leisure and tourism developments outside the limits to development must be in accordance with relevant District and national planning policies.

Section 4.5: Transport

The Leicestershire Local Access forum commented that the Plan was excellent in respect of open spaces, footpaths and cycle ways, with only minor amendments being suggested and implemented.

The opportunity provided to develop enhanced footpaths and cycleways and a 'green lungs' by the Money Hill and other developments needs emphasising. The text has been reviewed to see how these opportunities from new development to enhance footpaths and cycle ways can be highlighted. This was also raised under Education, Leisure and Wellbeing and the text will be strengthened to encourage people to be active in the new open spaces created at Money Hill.

Section 4.6: Education, Leisure and Wellbeing

There was general feedback about the need to increase the importance of the Historic Environment in this section. It was agreed that a new theme would be added on the Historic Environment, with the structure of the chapter being revised. Increasing the description of heritage assets in the town and the need to protect listed buildings that are considered to be at risk.

The whole chapter will be revisited and restructured.

During the consultation concern has been expressed on the future of the Royal Hotel and about the loss of heritage assets in the past. These issues are beyond the scope of the Neighbourhood Plan so could not be dealt with.

Within the section on the Conservation Area amendments since the previous consultation to include a definition of a Conservation Area and requesting a review of the Conservation Area has been welcomed. Since the consultation it has been discovered that part of another Conservation Area at Heath End falls within the Neighbourhood Plan Area. The section has been amended to reflect this.

The identification of Local Green Spaces is welcomed. There were some suggestions that the land between Ashby and Packington and towards Willesley should be designated as Local Green Space. As both of these spaces are open tracts of countryside they do not meet the criteria of a Local Green Space. However the introduction of an Area of Separation between Ashby and Packington and other local villages tries to offer some protection to these areas of open countryside. There were also comments on missing Local Green Space assessments, these have now been completed.

In Policy ELWB1: Open Spaces it was noted that the current wording could prevent proposals of a pavilion or changing facilities. The wording has therefore been amended to include the word 'significant' when referring to the potential impact on the open space. A similar concern was raised that as worded policies ELWB 11 and 12 could restrict the development of new community facilities outside the limits of development. This wording has been revisited.

As already highlighted under 4.5 Transport the text will be strengthened as suggested by a number of consultees to seek opportunities at Money Hill to develop green corridors, footpath linkages and to encourage active and health exercise.

The inclusion of a separate section on Open Spaces was welcomed, but there was a request that this is enhanced with a map and seeking to maintain public access to these areas. But also to restrict certain types of development e.g. solar farms. The text in the section on Open Spaces will be reviewed to see if it can be strengthened.

It was highlighted that the text needs to make it clearer that the Open Spaces (ELWB1) are separate from the Local Green Spaces (ELWB2).

The expectations regarding National Forest planting will be looked at to see if they can be made clearer. There is a request that all open spaces on new developments are managed by the Town Council. This cannot be put in as a requirement as responsibility for open spaces is negotiated separately for each development. There are situations where financially it would be too risky for the Town Council to take on the management of an open space, there are also some developers who prefer to make their own arrangements for the long term management of open spaces. It is therefore felt this should be dealt with as part of Section 106 agreements and not within the Neighbourhood Plan.

The District Council asked for the text in Policy ELWB4: Allotments to be reviewed as it is seen as ambiguous. Further information has been received from the Allotments Association on their requirements and this will be incorporated in to the policy. The policy will also be moved out of this section and in to Developer Contributions.

Natural England and the Environment Agency are supportive of the policies on Biodiversity and the recognition of the importance of the River Mease as a Special Area of Conservation.

Other respondents, including the National Forest Company made suggestions about how the text on Biodiversity can be strengthened. The text will be reviewed in the light of these comments and so any suggestions coming from the Strategic Environmental Assessment can be included.

The National Forest Company has made suggestions regarding the strengthening of the text in Policy ELWB6: Trees and Hedges. The text will be reviewed in the light of these comments.

The Civic Society suggested the addition of park trees on to the TPO list, but as TPO's are not covered in the Neighbourhood Plan it was not felt appropriate to add this requirement.

The necessity of having policies on the Listed Buildings and the Conservation Area was questioned. However these are to be retained as in previous consultations and in this consultation highlighting the importance of the town's heritage was seen as very important.

The District Council does not support the development of a schedule of non-nationally designated assets in the town (Policy ELWB9). However this will be retained as consultation has emphasised the importance of Ashby's historic buildings, including those that are not listed buildings, to the local community. Other Neighbourhood Plans have successfully included such lists. They also raised concerns about the extent to which a building being registered as a Community Asset can be a material consideration when considering planning applications. The wording for this policy ELWB13 will be reviewed.

There are different views about the need for a new Arts/Community centre in the town, therefore the wording will be retained at 'viewed sympathetically'. As outside the Neighbourhood Plan process further work is required on identifying a business case for such a centre.

Concerns were raised about the need to expand Ashby School due to overcrowding, however the County Council has indicated that there is capacity at the school.

Section 4.7: Developer Contributions

There was feedback that this section is confusing as currently constructed. There has been a considerable redrafting and restructuring of this section to hopefully give greater clarity on expectations on what developers need to deliver. Reference to the Community Infrastructure Levy and to ensuring the viability of schemes will be added.

General comments

The Coal Authority has requested a policy framework for unstable land and this has been incorporated in the draft plan.

One developer questioned the meeting of the Basic Conditions for a Neighbourhood Plan. The Town Council have assessed the Neighbourhood Plan and when submitted for examination it will meet all the basic conditions. As part of the process ensuring these conditions are met a Strategic Environmental Assessment and a Habitats Regulation Assessment have been commissioned. These pieces of work will be used to update the draft Neighbourhood Plan as required prior to submission.

The Town Council is in close contact with North West Leicestershire District Council in ensuring the Neighbourhood Plan retains conformity with the Local Plan.