

# Appleby Environment

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Planning Department  
North West Leicestershire District Council  
Council Offices,  
Coalville,  
Leicestershire,  
LE67 3FJ.

Dear Sir / Madam

Appleby Environment ([www.applebyenvironment.co.uk](http://www.applebyenvironment.co.uk)) is a formally constituted community group which has been active in Appleby for over 20 years. We are writing to object to the following planning applications:

- 14/00082/OUTM: Erection of up to 60 houses land to the North of Top St
- 14/00251/OUTM: Erection of 12 dwellings at land off Top Street / Snarestone Lane

We have already written to you in January laying out our objections to housing development in Appleby on sites outside the existing development limits and again in March developing these arguments and making specific objections to application 14/00082/OUTM. **We still hold these views and would like the March letter to stand and ask you to refer back to it.**

Since then the planning meeting at the beginning April approved 68 houses for Appleby on green field sites outside the limits to development. At that meeting the officers' report argued that this level of growth when considered alongside other existing permissions and commitments was appropriate for Appleby on the grounds that it was in line with the required housing growth for the village as a whole. Councillor Pendleton is quoted in the Ashby Times as saying the applications approved are "in line with the desired level of growth for the district" (Ashby Times, April 11<sup>th</sup> 2014). Furthermore the Chairman of the Planning Committee told residents of Appleby who attended the meeting that these permissions would be the last for the village in this planning cycle.

We have argued repeatedly and extensively that the criteria of proportionate growth across the District is the wrong test for assessing sustainable development (as required by the NPPF). This is shown by the District's sustainability appraisal of the withdrawn Core Strategy which clearly argues that the level of development needs to be much lower in the rural villages. The Council is now going

through a new plan development process which will involve another sustainability appraisal (as discussed by the Local Plan working group recently).

The only changes in Appleby since the last sustainability appraisal was done have been in the direction of reducing the services available to residents of Appleby (reduced bus service, closure of GP surgery). As such there is no reason to believe the new assessment will reach a different conclusion. We therefore believe there are no grounds for granting either of these applications.

We summarise the arguments below:

### **Cumulative Impact – scale of housing development**

These applications are, in total, for an additional 72 houses.

The officers' report in April said that the existing permissions and the ones approved by that planning meeting would constitute a growth of 22% which would be 'appropriate' for the village. Another 72 houses would be an additional 16% which the report says would not be appropriate.

The District Council's previous assessment of villages such as Appleby has been that they were appropriate only for 'small scale housing development'. The earlier Sustainability Appraisal Main Report (Feb 2013) specifically looks at the strategic distribution of housing and alternatives in Section 8. Para 8.11 reads:

"In the small rural and sustainable villages there is limited access to services and jobs and the majority of trips would be by car. High levels of rural development risk creating rural isolation as the price of driving increases. **More development in these locations would reinforce an unsustainable pattern of development in the district.**"

This criteria of 'small scale development' has already been far exceeded, breaching sustainability criteria and risking the erosion of the character of Appleby.

### **Cumulative Impact – Environment assessment**

We noted in our earlier letters that the larger applications should be accompanied by statutory Environmental Statements in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and that the Council has determined that an EIA is not required for the individual applications. In our earlier letter we spelt out why we thought that such individual EIAs should have been required. The larger application exceeds 0.5 hectares and meets other screening criteria not least because of the cumulative effects of the various proposed developments (air quality, landscape and visual, land use, noise, traffic, water (including possible effects on flooding and the Mease European Designated Special Area of Conservation) and ecology (for example the cumulative effect on Great Crested Newt populations). Please refer back to our earlier letters for a more detailed argument in relation to these assessments.

Any consideration of new applications in Appleby needs to take account of the cumulative environmental impact of the permissions granted over the past 6 months.

## **Sustainable Development**

In our previous letter we documented in detail the reasons for assessing all these applications as failing the sustainable development criteria required by the National Planning Policy Framework.

The Council commissioned sustainability assessments of its emerging core strategy and considered its conclusions in a 'consideration of alternatives' document. In that document, under the heading 'Settlement Strategy and Hierarchy' the Council notes that the sustainability appraisal was already critical of the level of development proposed for villages. It notes that the sustainability appraisal "... considered that settlements without relatively good and secure existing or planned public transport access are not sustainable places for growth to occur. New development in these locations would give rise to increased car use, and importantly may risk social isolation for new residents". The sustainability appraisal therefore recommended that the Council should restrict development to locations where there was a 'good bus service'. The Council decided that this assessment had to be balanced against the need for some development for local people. **It argued that there should be 'limited development to meet local needs but that 'any development that is allowed is to meet a local need and not more general market provision'.**

The final Non technical Summary of the Sustainability Appraisal (March 2013 version) from an external consultant concludes:

"The Core Strategy allows some growth in the rural areas. Past completion rates for housing show that the rural area has always played an important role in housing growth in the District. However, development in villages has led to a pattern of development that is unsustainable. Many new homes are occupied by people who travel outside of the villages for work and also may meet many of their other needs outside these areas, not necessarily supporting rural services" (para 5.11).

*As such it is clear that the District Council's own sustainability criteria and assessments show that housing development in the rural villages at all but the smallest scale threatens nationally required sustainability targets. These have already been exceeded.*

We provided a detailed account in our previous letters of the ways in which these developments failed to meet the criteria for sustainable development as set out in the National Planning Policy Framework. This analysis still stands and is summarised below. Please refer back to our earlier letter for the detail.

### **Sustainable Development issue 1 – increased car journeys in conflict with national low carbon strategy and NPPF**

The NPPF spells out the 3 dimensions of sustainable development at para 7 and under environmental role says that the planning system needs to support the need to 'mitigate and adapt to climate change including moving to a low carbon economy'. Under NPPF para 17 (core planning principles) it says there is a need to 'actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable'.

It is clear that Appleby does not meet these criteria. We have already provided you with extensive evidence to support this assessment. As with previous applications the applicants' transport plans show no understanding of these issues.

### **Sustainable Development issue 2 - contributing to protecting and enhancing our natural, built and historic environment as required by national policy in the NPPF**

There is a further dimension to environmental sustainability included in the National Planning Policy Framework. This is that sustainable development should contribute "to protecting and enhancing our natural, built and historic environment" (para 7).

Again we refer you to our previous letter about the impact on the current settlement pattern of the village and the impact on listed buildings.

**Sustainable Development issue 3 - accessible local services that reflect the community's needs and support its health, social and cultural well-being as required by the National Policy in the NPPF (para 7)**

Again previous letters provide extensive evidence that Appleby does not meet this criteria.

**Sustainable Development issue 4 - supply of housing required to meet the needs of present and future generations as required by NPPF (para 7)**

Again we have detailed the evidence that this criteria has not been met in our previous letters. This argument is further reinforced by the large numbers of houses which have recently been granted permission.

**Sustainable Development - Conclusions**

- *The Sustainability Appraisal conducted as part of the NWLDC core strategy development clearly argues that any more than very limited development in villages for the period up to 2031 already threatens its sustainability objectives.*
- *Appleby has already had permissions for **82 houses** since this assessment was done (March 2012) and there are a further 15 years to go. It has also had a recent rural exception site.*

**Other Material Considerations.** In addition to establishing whether a development would be sustainable the NPPF requires authorities to take into account other material considerations.

**The following material considerations are relevant to all applications**

- There is considerable local concern about flooding and sewage capacity which has not been addressed.
- As detailed above social facilities in the village exist but are not extensive. This includes the village school which is housed in a historic building. Its governing body is committed to staying at its current size to retain its current excellent local provision and because of constraints on their existing accommodation.
- Furthermore all these applications involve the destruction of hedgerows and open areas which would have an adverse impact on nature conservation.
- VDS guidelines relating to the preservation of village lanes, hedgerows, open areas, the settlement pattern and avoiding solid blocks of development at the edges of the village are broken by these applications.
- All these sites are outside the limits to development.

**Material considerations relating to individual applications:**

- **14/00082/OUTM:** Erection of up to 60 houses land to the North of Top St

The numbers of houses proposed are completely inappropriate in terms of scale of development. The lack of information on layout and design make it unacceptable for serious assessment of whether it meets local plan and village design statement principles. However it is obvious that it must constitute a solid block of new development outside the village limits which is incompatible

with VDS guidelines. It encroaches on the setting of a Grade 1 listed building (the Sir John Moore Foundation) and will exacerbate traffic problems and risks around the school at dropping off and collecting times.

In terms of assessing the heritage damage that would be done by this development we refer you to the 6 page letter of detailed objections from English Heritage.

- **14/00251/OUTM: Erection of 12 dwellings at land off Top Street / Snarestone Lane**

This site is surrounded by heritage assets and as such is a completely inappropriate site for this type of development. The front part of the site is actually part of the Conservation Area. The Conservation Area is also opposite and to one side of the site. There are significant listed buildings nearby including the neighbouring Hill House, the Black Horse public house almost opposite and other buildings very close on Top Street. Behind the site is Jubilee Farm which is cited in the Village Design Statement as a classic example of a Leicestershire farm house. The buildings currently on the proposed development site were themselves originally farm buildings and as such their setting in the existing undeveloped plot is part of the heritage asset that would be destroyed by the proposed intensive development.

Development at this site would also be extremely dangerous in highway terms. Proposed access to the site is very close to both the junction of Top Street & Snarestone Lane (one boundary of the site) and on the other side the junction of Top Street, Mawby's Lane and Black Horse Hill. This junction is a blind bend between Mawby's Lane and Top Street, has no effective pavement, and is sufficiently sharp and narrow that cars meet head on and lorries regularly get stuck trying to negotiate it and have to reverse back.

### **Conclusions**

*On the basis of all of these arguments we would contest that these applications individually and cumulatively fail the test of sustainable development and have additional significant material planning considerations which also support their refusal.*

Yours sincerely



Dr Sonia Liff  
Chair, Appleby Environment