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14th September 2018

James Knightley
Planning Department
NW Leicestershire District Council
Council Offices
Whitwick Rd
Coalville LE67 3FJ

Dear James Knightley

Re: 18/01443/FULM, Land at M42, Junction 11 Stretton-en-le-Field Leicestershire, Warehouse employment site

I am writing on behalf of Appleby Environment, a longstanding community group, to object to this application on the following planning grounds.

The application land is defined as ‘countryside’ (Land outside the limits to Development as defined by policy S3 in the recently adopted North West Leicestershire Local Plan). This land designation provides protection from development by specifying only a few types of development that will be considered as appropriate, subject to additional criteria being met.

The applicants make the spurious argument that the application site is not ‘green belt’ land. This is not a relevant observation since such a designation refers to land around urban centres. They also say it is of low ecological value. This is inaccurate since it is part of the River Mease catchment area and has a designated countryside characteristic. But, again, it is not a relevant argument since **countryside is to be protected as a category of land** under Policy S3 and such protection does not differentiate between particular types of countryside.

Local Plan Policy S3 on the Countryside has only recently been adopted and has been deemed compliant with national planning policy (NPPF). Thus, S3 is the relevant strategic planning policy and reference to any other designation is irrelevant. Policy S3 offers protection from development to all land designated as countryside unless a specific purpose can be shown which is one of those specified in S3 clauses a to s, and additional criteria are met.

The only possible use that this application comes under is S3(s) Employment Land in accordance with the provisions of policy EC2. Most of **Policy EC2 New Employment Sites relates to land allocated in Ashby** to address shortfall of employment land there which has been reallocated to housing and, as such, is not relevant to this application.

Policy EC2 2 says that consideration will be given to further sites, subject to a range of conditions, **if evidence indicates an immediate need or demand for additional employment land in North West Leicestershire** that cannot be met from land allocated in this plan.

In fact, there is **evidence to the contrary**. This is confirmed in a statement endorsed by all 9 Councils across Leicestershire, including NW Leicestershire DC (Position Statement on Housing and Employment Land Supply 2011 to 2031, published March 2018). This relates to the particular category of employment land described as 'large warehouses' or 'strategic warehouse/distribution' which is defined as buildings that have a floor space over 9 thousand square metres. Each of the 5 warehouse buildings covered by this application is way over this threshold. The statement says that: *'the available supply will mean that the minimum requirements for additional land will be met (and are likely to be exceeded)'*. In North West Leicestershire such provision has already been made through a Strategic Rail Freight Interchange (SRFI) near to East Midlands Airport / M1 Junction 24 (Local Plan para 5.5, Policy Ec1).

The issue is not need is some national sense as the applicants seem to imply but **need in North-West Leicestershire** and there is no evidence for this. Oversupplying such land is not a neutral act. It would mean that not only would countryside be destroyed unnecessarily but also that those sites which are created, or existing ones, may well not be utilised optimally which could result in derelict or degraded sites.

So, there is no case under the Local Plan to build such a development on a countryside site (Policy S3 with no exemption offered by Policy EC2). Even if there was felt to be any demand for such development in the area, the site would still have to satisfy a range of conditions to be granted planning permission. These are EC2 2(a, b & c).

EC2 2a says that the site needs to be accessible or made **accessible by a choice of means of transport, including sustainable transport modes**. The site is only accessible by private cars (a non-sustainable transport mode) and the 2,235 car parking spaces applied for in the application make it clear that the developers have no expectation of this changing. Public transport in this area is very limited at best and, as the developers acknowledge, employees are likely to come from a wide range of locations including small settlements, villages and towns. Furthermore, the application area is on the borders of 4 counties with different transport arrangements. There is no likelihood that public transport will be able to address travel from these various and diverse locations to this countryside site. Nor is there any alternative to HGVs (also an unsustainable mode of transport) for bringing materials to and from the site – unlike the strategic rail link provided by the site close to East Midlands airport. At the pre-application stage exhibitions, the application said that they anticipated 5,667 car and 1,116 HGV movements in a 12-hour period. **So, the application, if granted, would inevitably lead to more unsustainable travel and CO2 emissions against local and national policy.**

EC2 2b says that the proposed development needs to have an acceptable impact on the capacity of the strategic road network including any junctions. Given the current congestion

at J11, and the increase in road traffic predicted by this application, the idea that the junction will function effectively with a few extra traffic lights, as suggested by the application, is not credible. This is not simply a junction for the M42 / A42 but also for two other strategic routes: the A444 between Burton and Nuneaton, and the main road from Tamworth (B5493) to Ashby (Tamworth Rd). Additional considerations relating to the capacity of this junction include large new housing developments on the B5493 at the edge of Tamworth. From here access to the main road network via J11 is likely to be an attractive alternative to travelling across Tamworth to J10. J11 is also scheduled to become a major construction site for HS2 for several years under plans published earlier this year. **J11 is already seriously congested at peak times and is scheduled for additional traffic and disruption from sources separate to this application. The large increase in car and HGV traffic associated with this application will cause an unacceptable negative impact on J11.**

EC2 2c says that the development should not be detrimental to the amenities of any nearby residential properties or to the wider environment. Villages local to the application site have very few amenities – most lacking even a basic shop, post office, health services, leisure facilities or employment. To access these amenities, without public transport, residents need good access to the road network. **As noted above the application site is likely to impact on J11 in a way which will compromise this mobility, required to access amenities, particularly to Tamworth (site for major shopping and nearest rail station) and Burton (nearest hospital) as well as to Birmingham and Nottingham where many people work.**

The arguments above explain why this application does not fit the conditions identified in the NW Leicestershire Local Plan for new employment sites under Local Plan Policy EC2.

In addition, **Policy S3** says that even where a potentially acceptable type of development in the countryside is identified, **additional criteria must be met**. These are Policy S3 clauses i to vi.

Policy S3i says that a development would only be supported if the appearance and character of the landscape ... including features such as ... settlement patterns ... and local distinctiveness is safeguarded and enhanced. To determine what these characteristics are, the policy refers to local and national landscape statements. The local landscape is called the *Mease / Sence Lowlands* as defined by Natural England as National Character Area 72. This part in NW Leicestershire is distinct from the Coalfield landscape where the larger settlements in the district are located. The Mease / Sence Lowlands landscape is said to retain '**a largely remote, rural and tranquil character**'. Its key features are said to be: a gently rolling, distinctly open and predominately arable lowland landscape; strongly rural and sparsely populated - the settlement pattern is dominated by villages with low densities of dispersed settlement; most of the land is in agricultural use - early industrial development largely by-passed the area.

It is clear that this local, distinctive landscape **cannot be 'safeguarded' let alone 'enhanced', as the policy requires**, by allowing a massive industrial development as proposed by this application. Negative impacts on the landscape character from this development would include loss of quality (predominantly grade 2) arable farmland; creation of a huge area of

built development completely out of scale with the existing small and dispersed settlements and the open character of the countryside; the scale of buildings applied for (both in height and length) bear no relationship to any existing built development in the local rural landscape; the type of buildings envisaged are of a style that one would expect to see in an urban rather than rural environment with dispersed, small settlements.

All these features are detrimental to the appearance and character of the landscape. The development would be visible from all the neighbouring settlements - Appleby Magna, Chilcote, No Mans Heath, Netherseal & Stretton en le Field as well as from the surrounding boundaries of Hill Top Farm. The landscaping proposed, while reducing some of the direct visual impact, is also out of character with the open landscape character. The design and landscaping proposals only offer palliative responses to the negative and destructive impact on the local landscape. The re-engineering of the farmland to create extensive screens in the form of mounds and fenced boundaries would overshadow the traditional hedgerow boundaries and be completely inappropriate to the landscape character. **So, both the development itself and its landscaping would degrade rather than safeguard or enhance the professionally defined landscape character of the application site.**

Policy S3ii says that to be supported a development in the countryside must 'not undermine, individually or cumulatively ... the physical and perceived separation and open undeveloped character between nearby settlements ... through development on isolated sites on land divorced from settlement boundaries'.

It is undeniable that the application is for a massive development on an 'isolated site ... divorced from settlement boundaries' and will undermine the open undeveloped character of the current site. The scale of the application is out of all proportion to the neighbouring settlements meaning that it **will undermine the physical and perceived separation of the surrounding small settlements and villages** of Appleby Magna, Chilcote, No Mans Heath, Stretton en le Field and Netherseal.

Countryside policy is there to protect both the character of the landscape and the separation of existing settlements. **If this application is permitted the District will undermine its own policy and leave itself vulnerable to development applications on any area of countryside since this application does not satisfy any of the policy provisions of Policy S3.** Such sites are attractive to developers and there have already been speculative land sales on farmland around Appleby and previous applications on land between Appleby and Measham. If this application was approved, it would lead to further applications in this area resulting in cumulative damage. **This application must be rejected to prevent the destruction of countryside, and the erosion of the character and separation of neighbouring settlements and villages as promised by the recently adopted local plan.**

Yours sincerely



Sonia Liff, Chair Appleby Environment

