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23 NOV 2010

Mr Philip Metcalfe
Development Control
Hinckley and Bosworth DC
Council Offices
Argents Mead
Hinckley
LE10 1BZ

DEVELOPMENT SERVICES
23 NOV 2010
RECEIVED

22 November 2010

Your ref: 10/00640/OUT
Our ref: MJD/OMNIV/BAGWORTH

Dear Mr Philip Metcalfe,

**RE: 10/00640/OUT- Mixed Use Development comprising up to 68 dwellings and employment (Outline- Access only) at Dunlop Limited, Station Road, Bagworth.**

We write on behalf of our client, Omnivale Limited to set out our observations in relation to the above proposal.

We are aware that the application site has been the subject of two previous applications, one of which went to Appeal, and all earlier attempts to secure planning permission at this site have been unsuccessful and were ultimately refused on the loss of employment land. Whilst the site lies within the settlement boundary of Bagworth where a presumption in favour of development exists, the site is designated under Local Plan Policy EMP1 as a category B employment site.

We are aware from reading the Planning Committee Report that in addition to the loss of employment land, the five year housing supply, amongst other matters, was examined as part of the appraisal of the application proposal.

We are further aware that the recommendation of the Deputy Chief Executive (Community Direction) is that this current application should also be refused and that Members deferred the application at the last Planning Committee meeting until the next meeting which is to be held on 30 November 2010.

We write to register that we wholeheartedly concur with the recommendation of the Deputy Chief Executive (Community Direction) that the application should be refused for the reasons set out in the Committee Report.

Although the Annual Monitoring Report shows a 303 dwelling shortfall in supply within the Borough and that the Core Strategy sets out a requirement for 60 dwellings within Bagworth, no consideration appears however to have been made to alternative sites within the settlement boundary which could meet the requirement set out in the Core Strategy for 60 dwellings within Bagworth.

We therefore consider this to be a further material consideration that should be taken into consideration in the determination of this application.

As set out in our correspondence to Mrs K Horton and also in representations submitted as part of the SHLAA and LDF process we have been promoting our clients site at Jackson Road, Bagworth for residential development (See attached site location plan).

**It should be noted that it is our clients intention to submit an outline planning application for residential development on land at Jackson Road imminently.**

Our clients site lies to the north of Jackson Road and the former Bagworth Colliery and is located within the settlement boundary of Bagworth. Substantial peripheral National Forest landscaping has been planted as part of earlier phases of residential development and provides an attractive and definitive outer boundary between potential built development on this site and countryside. The land adjoins earlier phases of residential development, has utility connections in the adjacent roadways and is very well suited for a further phase of residential development. This site is approximately 1.2 Hectares and of sufficient size to accommodate between 35-40 dwellings in total at a density reflecting surrounding development.

As part of the SHLAA (Your SHLAA As ref 811) the site has been assessed as **Deliverable and Developable.**

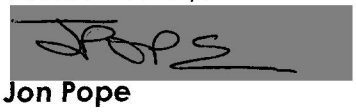
It should be noted however that the application site (10/00640/OUT) and land to the rear of the application site was also assessed as part of the SHLAA (Your SHLAA As Ref 009) and was ultimately determined to be **Non-developable** with the following justification comment:

> 'The site has been deemed unsuitable and unavailable because the majority of the site is classified as 100% of employment uses to be retained with the Employment Land and Premises Study.'

In the circumstances we therefore write and request that these important material considerations are matters taken into consideration by Members of the Planning Committee before any decision on this current application is made which could involve going against a carefully balanced Officer recommendation.

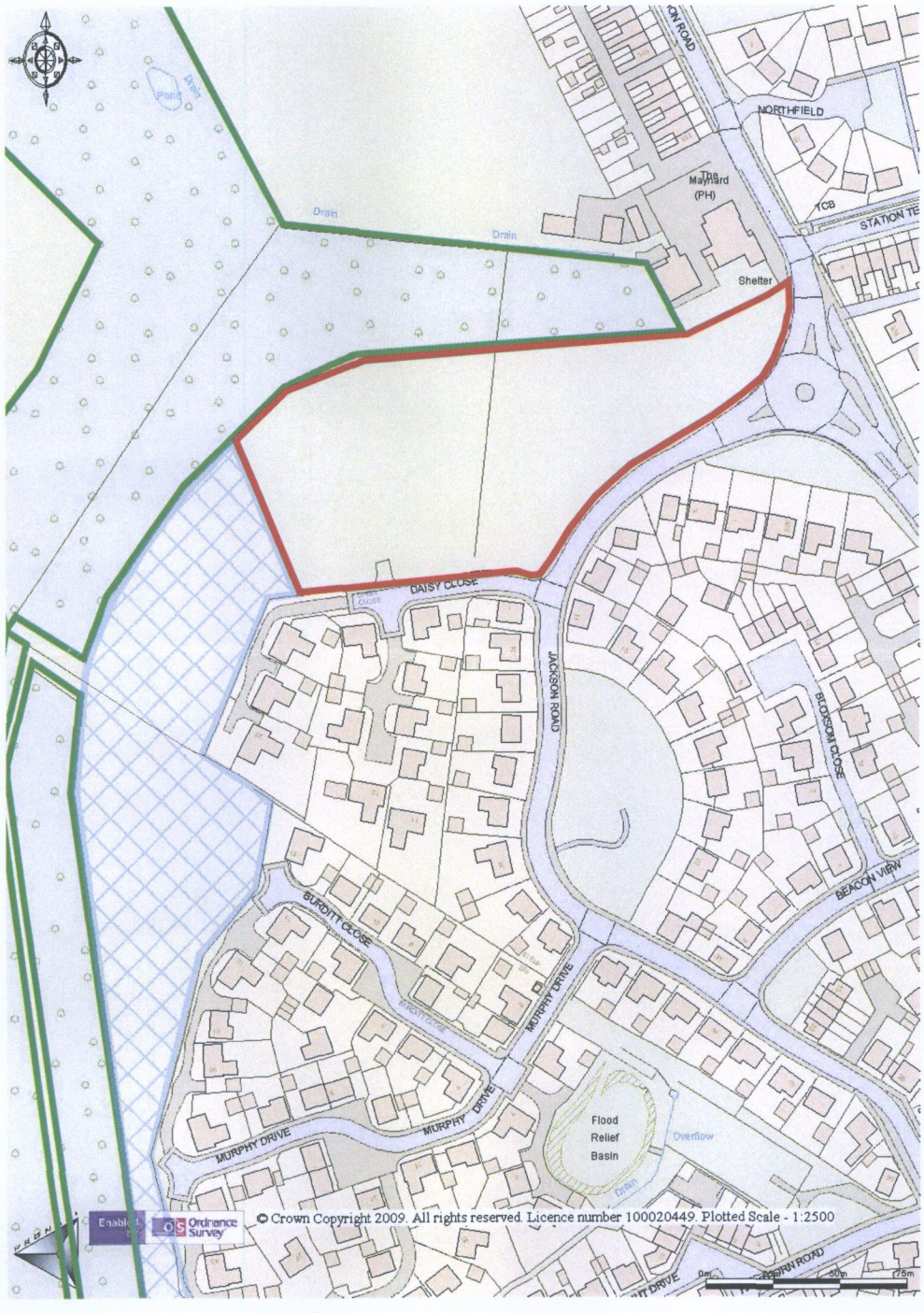
In view of the timing of this letter can you please ensure that the planning Committee are made aware of the comments as set out above .

Yours sincerely,



**Jon Pope**
Planner
Cc Adrian Sail (Omnivale)

Land to north of Jackson Road, Bagworth




**KEY**

- Site Boundary
- National Forest Planting
- Biodiversity Improvement Area