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Your Ref: GL/LP/CBC/0/1
Our Ref: PINS/X2410/429/9
Date: 6 September 2000

Dear Mr Longley

INSPECTOR'S REPORT INTO OBJECTIONS TO THE CHARNWOOD BOROUGH LOCAL PLAN - REQUEST FOR CLARIFICATION

I refer to your letter of 31 July 2000 requesting clarification of certain points contained within the Inspector's report.

The matters have been raised with the Inspector, and his response is explained here in the order in which they were mentioned in your letter. In some cases, the points raised need to be included as part of an addendum report, whilst in other cases they merely require explanation.

In each case, inclusion in the addendum is indicated in brackets following the note of explanation. A copy of the addendum is attached. This should form part of the Local Plan report and be published accordingly.

CHAPTER 2: STRATEGY

Paragraph 2.100

The Inspector considers that the wording of the second sentence should be amended. In line 4 the word "exist" should be deleted and be replaced with the word "assist". (See Addendum)

Paragraph 2.160

In view of the information provided by the Council the Inspector agrees that paragraph 2.160 should be deleted. (See Addendum)

Paragraph 2.183

The Inspector confirms that recommendation (i) should also refer to PC20 concerning the limits to development at the rear of 32 Kings Lane, South Croxton. (See Addendum)

CHAPTER 4: POPULATION AND HOUSING

Paragraph 4.47

The Inspector confirms that the changes proposed to paragraph 4.30 under PC82 satisfactorily address his concerns as outlined at paragraph 4.47 of the report in relation to the wording of the RJ. No change is necessary either to the report or recommendations.

Paragraph 4.174

Delete 4th sentence in paragraph 4.174 and replace with the following: “Sub paragraph (x) allows for the provision of three classrooms at Outwoods Lodge to be directly related to the development and to reflect the agreement reached in relation to the “call-in” application”. (See Addendum)

Paragraph 4.176

The Inspector confirms that the changes to the RJ proposed under PC88 satisfactorily address his concerns about phasing. No change is necessary either to the report or recommendations.

Paragraph 4.200

In line 2 the words “3 miles” should be deleted and replaced with “5 kms”. (See Addendum)

Paragraph 4.436

The Inspector confirms that the wording of the recommendations in relation to sub clause (viii) (a) of paragraph 4.528 accurately reflects his conclusions at paragraph 4.436 regarding the need for continuous bus lanes. No change is necessary either to the report or recommendations.

Paragraph 4.439

Delete the word “Strategy” and replace with “Transport”. (See Addendum)

Paragraph 4.484

There is little that the Inspector considers can usefully be added to the comments which he has already made. He accepts that higher densities could be achieved on this site but it would be unwise to rely on the site achieving higher densities as it would be unlikely that these could be accommodated within the plan period. This is based on the evidence that was before him at the inquiry. No change is necessary either to the report or recommendations.

Paragraph 4.826

The Council recognized the dispersed nature of the proposal and the fact of a proposed local centre but it did not take issue with the claim that the Garendon site could be regarded as adjoining the Loughborough urban area. The Highway Authority was of a similar mind. The same considerations led to the acknowledgement at paragraph 4.816 of the report that changes made to the proposal had, by implication, brought the proposal more in line with strategic guidance. The question of whether the Garendon site could be regarded as wholly in conformity with locational strategic guidance was not considered in detail because it was not

regarded as a determining issue, more important issues were identified which led to the recommendation of no change. If the Council still considers the report to be lacking in some respect, a clarifying sentence could be added to paragraph 4.816 after the sentence, “The original concept of a freestanding new settlement has given way to a more integrated and phased extension to housing development on the western side of Loughborough having its own local centre”.

This additive sentence would be: “As a consequence, it would bring the proposal nearer but not wholly in conformity with strategic guidance as it relates to locational criteria. The dispersed nature of the proposal precludes an acceptance of its compliance thereto”.

Paragraph 4.852

Paragraph 4.852 should be read solely in the context of the preceding paragraph where the difficulties of providing a comprehensive transport system as an alternative to the private car are considered. The conclusion that this would take a significant period of time and that during that time travel habits would be established is surely not disputed. It is not unreasonable to infer that if these habits involved the use of a private car they would be difficult to break, notwithstanding the availability of public transport and a walking and cycling network.

Paragraph 4.582 acknowledges that the latter facilities would be regarded as sufficiently attractive to persuade some people to change, but it also reflects national actuarial evidence of an ageing population. For many elderly people, walking and cycling is not a practicable alternative, (nor is it for small children who must be accompanied). If provision of a comprehensive alternative network were to take 10 or even 5 years to develop, the percentage of the elderly population unable to take advantage of such facilities would increase proportionately. The opinion expressed in the report is that this section of the population, together with those unwilling to make the change would be in the majority. It is not intended as a reflection on the viability of the walking and cycling facilities the Council plans for what would then be a sizeable minority of its residents. No change is necessary either to the report or recommendations.

Paragraph 4.1037

The point made by the Council is that in this paragraph the Inspector has said that Rearsby is “not a sustainable location within the strategies promoted in the period of the Plan”. However, the Council has said that the Inspector found support for the proposed housing allocation at Rearsby under Policy H1(i), having regard to SIMDO criteria.

In paragraph 4.255, he has said that he agrees with the SIMDO assessment that this small scale site would have a limited impact on the settlement form and would not intrude into the wider landscape. His conclusions, therefore, were only in respect of Criteria 11 and 15 (1) of the SIMDO assessment. The Council’s own summary of the SIMDO survey supported this view but said also the site was in a marginal location in terms of transport choice and sustainability.

The Inspector has gone on in the report to express concern about the uncertainties surrounding the building of the Rearsby By-pass within the Plan period. Against the highway background he recommended to the Council that it should re-consider whether or not to retain the allocation in the Plan.

In paragraph 4.1035 he said that in the context of the housing land provision he had seen no justification for allocating either the totality of the omission sites or any specific site or part of it for residential purposes. His conclusions on sustainability in paragraph 4.1037 are intended to apply equally to the sites individually or in total. No change is necessary either to the report or recommendations.

Paragraph 4.1102

The Inspector accepts that it would be helpful to the Council if additional text is added to his recommendations to deal with the need to identify which part of the site would comprise the suggested housing allocation. The wording of the first part of Recommendation (ii) is already intended to allow the Council to come to a view on the need or otherwise for any structural landscaping that may be required under Policy RT/9. However, in the context of paragraph 4.1101, it would be appropriate to reflect any need for such landscaping in the Recommendation. (See Addendum)

Paragraph 4.1111

The Inspector confirms that his conclusions on H/64, particularly in relation to landscape impact, are not altered by the recommendation to the Council to allocate nearby land for housing under H/63. No change is necessary either to the report or recommendations.

Paragraph 4.1354

By way of clarification, the Inspector considers that the block planting and landscaping relates to the land above the 88m contour, within the fields lying immediately adjacent to Wysall Lane. In respect of the eastern area where there is no scope for a 20m buffer then the existing field boundary just needs to be reinforced. All of this is reasonably clear from Plan 1 attached to Antony Aspury's proof of evidence. [P5682/7398/1]. No change is necessary either to the report or recommendations.

CHAPTER 6: RURAL LAND AND ECONOMY

Paragraph 6.71

In reporting on housing omission site H/55, the Inspector has said in paragraph 4.1012 that the Green Wedge boundary provided by Farley Way is strong, logical and defensible. He has taken the view there that the A6 would not provide a logical edge to development.

In paragraph 4.1011 he has recognised the importance of the Loughborough/Quorn Green Wedge. He has concluded in that paragraph that the Green Wedge boundary should not be changed in respect of that housing proposal and that no change was required to Policy CT/3. While not stated specifically, the background to that conclusion was intended to apply also to the land to the north of the A6, the subject of the objection by Wm Davis Ltd under CT/3(vi).

In addition to his comments at paragraph 4.1012, it could be noted that the A6 does not form a landscape feature of such significance that prevents the flow of the landscape across it and which embraces the blocks of woodland to the north of that road. Hence, the Inspector is satisfied that the area north of the A6 in question is properly included in the Green Wedge definition. (See Addendum)

CHAPTER 7: TRANSPORT AND TRAFFIC MANAGEMENT

Paragraph 7.32

Given the advanced stage that the design of the EWE has reached and the administrative procedures already completed, it would have been inappropriate to reopen matters which have already been fully considered by the appropriate authorities. Nevertheless, it might be helpful if the report were to reflect the fact. The Council should therefore modify the first sentence of paragraph 7.36 as follows:

“7.36 The design of the EWE and the administrative procedures for its construction have now reached an advanced stage in the course of which alternative alignments were considered and the environmental effects assessed. It is not intended to revisit those matters in the course of the report. Needless to say, the requirement to provide the infrastructure ...etc”. (See Addendum)

Paragraph 7.77

The conclusions at paragraph 7.78 of the report were drawn with the recommendations at paragraph 7.31 in mind although it now clear that these might have been better expressed. As to the objections to Policy TR/3iii, that of the GO-EM is one the objector repeated for every policy involving a non-programmed scheme. The report sets out at paragraphs 7.25, et seq., the reasons why these objections did not always warrant a modification to the Plan although it would have been helpful to have made that cross-reference more specific.

J Brinklow and the CPRE’s objections question the need for improvement and the environmental effect of widening Epinal Way. Paragraphs 7.39 and 7.41 of the report touch on those points but some elaboration and a specific cross-reference would have been more helpful. Loughborough University’s “objection” is a qualified expression of support. It is concerned only with implementation and urges an early completion. Its similar “objection” is dealt with at paragraph 7.43. In the light of this the Council should modify paragraph 7.78 as follows:

“7.78 I find nothing new in these objections to justify changing his views already expressed earlier in the report. Paragraphs 7.25 et seq. explain why the GO-EM objection does not warrant a modification to the Plan. Paragraphs 7.39 - 7.41 acknowledge the environmental consequences of the extension of Epinal Way and by implication, its improvement. However, they also endorse the Council’s and Highway Authority’s approach to providing for the needs of the future, which require both the widening and extension of Epinal Way.”

And modify the recommendation at paragraph 7.31, thus

“Planning permission will not be granted for development which would prejudice the construction of new roads or the improvement of the existing highway infrastructure within the reservations shown on the Proposals Map and listed below:

New Roads

- (i) A6004 Epinal Way Extension to the A6 south of Loughborough;

- (ii) A6 Loughborough Inner Relief Road between Bridge Street and Barron Street;
and
- (iii) A607 Rearsby Bypass

Improvements

(See recommendations for Policy TR/3i, TR/3ii, TR3/iii and TR/3iv below and list accordingly)” (See Addendum)

Paragraph 7.173

Deletion of the last sentence of Policy TR/23 would be consistent with the recommendations which should be modified appropriately, as follows:

“7.173 I recommend that the Plan be modified in accordance with PC 187 except that the sentence, viz. “Where such access is good a lower level of new parking will be justified”, be deleted from the RJ. And that the sentence, “Less parking capacity will be acceptable where the Borough Council is satisfied a centre has good access by non-car modes”, be deleted from Policy TR/23.” (See Addendum)

Paragraph 7.202

As the Council is aware, Policy TR/33 relates to the criteria for service stations. Messrs Bowler’s objection was not related to this policy and was either misdirected or misallocated in the first place. In any event, the recommendation that Policy TR/32 be adopted, modified only by PC192 was after a lengthy consideration of the allocated site and its particular merits which took account of countryside policies and the need for compliance with these in allocating a suitable site for a service area. This analysis would have implied that a site on land adjacent to One Ash at Quorn was therefore unsuitable, a point the Council makes in its evidence CP/165/1. If the Council still considers the report to be lacking in some respect the second sentence of paragraph 7.189 could be modified as follows:

“But that would not be the case here, unlike a suggested alternative site on land in open countryside adjacent to One Ash at Quorn which also happens to lie at the heart of the defined Loughborough/Quorn green wedge, another good reason to judge it an unsuitable location”.
(See Addendum)

I trust this letter, along with the attached addendum, will adequately explain the matters you have raised, but please contact us again should you need further clarification.

Yours sincerely

Bernice Lyons
Development Plans Division

CHARNWOOD BOROUGH LOCAL PLAN: ADDENDUM/CORRIGENDUM

The following Addendum/Corrigendum relates to changes to be made to the Inspectors' Report of a Public Inquiry into Objections to the Deposit Draft of the Charnwood Borough Local Plan and has been produced in response to a request for the clarification of certain matters made on behalf of Charnwood Borough Council by letter dated 31 July 2000.

Paragraph 2.100

Delete the word "exist" and replace with the word "assist".

Paragraph 2.160

Delete paragraph 2.160

Paragraph 2.183

Add PC20 in recommendation (i).

Paragraph 4.174

Delete 4th sentence and replace with the following:

"Sub paragraph (x) allows for the provision of three classrooms at Outwoods Lodge to be directly related to the development and to reflect the agreement reached in relation to the "call in" application".

Paragraph 4.200

In line 2 delete the words "3 miles" and replace with "5kms".

Paragraph 4.439

Delete the word "Strategy" and replace with "Transport".

Paragraph 4.816

Add the following sentence in line 9 after the words "local centre":

"As a consequence, it would bring the proposal nearer but not wholly in conformity with strategic guidance as it relates to locational criteria. The dispersed nature of the proposal precludes an unqualified acceptance of its compliance thereto."

Paragraph 4.1012

After the second sentence of paragraph 4.1012, the following text be inserted: -

“Additionally, the A6 does not form a landscape feature of such significance that prevents the flow of the landscape across it and which embraces the blocks of woodland to the north of that road.”

Paragraph 4.1102.

The recommendation be amended as follows: -

“(iii) the limits to development Policy ST/2 as shown on the Proposals Map be modified accordingly, together with the identification of that part of the site which would comprise the housing allocation and any requirements for structural landscaping under Policy RT/9.”

Paragraph 7.31

Paragraph 7.31 should be modified as follows:

“Planning permission will not be granted for development which would prejudice the construction of new roads or the improvement of the existing highway infrastructure within the reservations shown on the Proposals Map and listed below:

New Roads

- (iv) A6004 Epinal Way Extension to the A6 south of Loughborough
- (v) A6 Loughborough Inner Relief Road between Bridge Street and Barron Street
- (vi) A607 Rearsby Bypass

Improvements

(See recommendations for Policy TR/3i, TR/3ii, TR3/iii and TR/3iv below and list accordingly)”

Paragraph 7.36

The first sentence of paragraph 7.36 should be modified as follows:

“The design of the EWE and the administrative procedures for its construction have now reached an advanced stage in the course of which alternative alignments were considered and the environmental effects assessed. It is not intended to revisit those matters in the course of the report. Needless to say, the requirement to provide the infrastructure...”

Paragraph 7.78

Paragraph 7.78 should be modified as follows:

“I find nothing new in these objections to justify changing my views already expressed earlier in the report. Paragraphs 7.25 et seq. explain why the GO-EM objection does

not warrant a modification to the Plan. Paragraphs 7.39 - 7.41 acknowledge the environmental consequences of the extension of Epinal Way and by implication, its improvement. However, they also endorse the Council's and Highway Authority's approach to providing for the needs of the future, which require both the widening and extension of Epinal Way".

Paragraph 7.173

Paragraph 7.173 should be modified as follows:

"I recommend that the Plan be modified in accordance with PC 187 except that the sentence, viz. "Where such access is good a lower level of new parking will be justified", be deleted from the RJ. And that the sentence, "Less parking capacity will be acceptable where the Borough Council is satisfied a centre has good access by non-car modes", be deleted from Policy TR/23".

Paragraph 7.189

Paragraph 7.189 should be modified as follows:

"But that would not be the case here, unlike a suggested alternative site on land in open countryside adjacent to One Ash at Quorn which also happens to lie at the heart of the defined Loughborough/Quorn green wedge, another good reason to judge it an unsuitable location".