



WOODHOUSE PARISH NEIGHBOURHOOD PLAN 2020-2036

REPRESENTATION UNDER REGULATION 16 OF THE NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012

Consultation response on behalf of Mr M Mattu

LAND ADJ. BRAND HILL HOUSE, BRAND HILL, WOODHOUSE EAVES

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Project Client:

MR M MATTU

Project Location:

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Appendix 1: Leicester & Leicestershire Authorities – Statement of Common Ground relating to Housing and Employment Needs (March 2021)

1. Introduction

- 1.1. Andrew Granger & Co. Ltd specialises in the promotion of strategic land for residential development and commercial uses. As a company, we are heavily involved in the promotion of Client's land through various Neighbourhood Plans, and we also have vast experience in contributing to the Local Plan preparation process throughout the country.
- 1.2. On behalf of Mr M Mattu ("the Landowner"), we are seeking to work with Charnwood Borough Council and Woodhouse Parish Council, in promoting the Land adjacent Brand Hill House, Brand Hill ("the Site") for formal identification within the Limits to Development for Woodhouse Eaves, to enable a small-scale residential development for 1no. self-build dwelling to be progressed.
- 1.3. This document provides a written submission to the Woodhouse Neighbourhood Plan: Pre-Examination (Regulation 16) Consultation and is framed in the context of the obligation for the Neighbourhood Plan to meet the "basic conditions" and other legal requirements as established by Paragraph 37 of the National Planning Policy Framework [NPPF] ("the Framework") (Adopted February 2019). The aforementioned basic conditions and legal requirements are set out in Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended), and require the Independent Examiner to consider the following:
 - Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Plan.
 - Having special regard to the desirability of preserving any listed building or its setting, or any features of special architectural or historic interest that it possesses, it is appropriate to make the Neighbourhood Plan.
 - Having regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the Neighbourhood Plan.
 - The making of the Neighbourhood Plan contributes to the achievement of sustainable development.
 - The making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
 - The making of the Neighbourhood Plan does not breach, and is otherwise compatible with EU obligations; and
 - Prescribed conditions are met in relation to the Neighbourhood Plan and prescribed matters have been complied with in connection with the proposal for the Neighbourhood Plan.

2. Planning Policy Context

2.1. The adopted development plan for Charnwood Borough currently comprises of the following:

- Charnwood Borough Local Plan: Core Strategy (Adopted November 2015); and
- Saved Policies of the Borough of Charnwood Local Plan 2004.

2.2. **Policy CS1: Development Strategy** of the adopted Local Plan: Core Strategy sets out the settlement hierarchy for the Borough, and the nature and scale of development that is considered to be acceptable at each level of the hierarchy; Woodhouse Eaves is identified as an “Other Settlement”. These 12 settlements are expected to cumulatively deliver a minimum of 500 new homes within the settlement boundaries during the plan period, and additional small-scale development opportunities within the defined Limits to Development are also to be supported. The Council’s Annual Monitoring Data, and confirmed by recent Appeal Decisions, has identified that the minimum housing requirement for the adopted plan period for the Other Settlements has now been achieved. Therefore, further development opportunities within these settlements, including Woodhouse Eaves, will be restricted to small-scale developments within the defined Limits to Development.

2.3. **Saved Policy ST/2: Limits to Development** of the Borough of Charnwood Local Plan 2004, establishes the Limits to Development for the settlements within the Borough. In the case of Woodhouse Eaves, the Site is located outside of the identified Limits to Development and is, therefore, considered to be within Open Countryside.

2.4. Furthermore, Charnwood Borough Council are currently in the process of preparing a new Local Plan, which will replace the current Local Plan: Core Strategy and the Saved Policies of the Borough of Charnwood Local Plan 2004. The Council published their Preferred Options (Regulation 18) Consultation document in 2019, and the Local Development Scheme [LDS] (April 2020) identifies that the next consultation stage (Regulation 19 – Pre-Submission Consultation) was scheduled to take place in October 2020. However, this consultation was delayed as a result of the impacts of the Covid-19 pandemic, and the uncertainty that existed at that time in relation to the standard method for calculating Local Housing Needs and the requirement for the Borough to accommodate unmet housing needs arising from other authorities within the Strategic Housing Market Area. At the time of writing, a revised Local Development Scheme is currently being progressed through the Council’s Committee process; this updated LDS indicates that the Regulation 19 (Pre-Submission) Consultation will now take place in July 2021.

2.5. **Draft Policy LP1: Development Strategy** of the Regulation 18 Consultation Local Plan identifies the proposed spatial development strategy for Charnwood; this strategy remains consistent with the existing settlement hierarchy. Woodhouse Eaves continues to be identified as an “Other Settlement”, which are expected to cumulatively provide 945 dwellings (5% of the housing requirement) during the plan period to 2036. This housing requirement is to be delivered through sites allocated within the emerging Local Plan, sites allocated in Neighbourhood Plans, and other additional small-scale opportunities within the

Limits to Development. In respect of the Client's Site, the revised Limits to Development for Woodhouse Eaves, proposed within the Regulation 18 Consultation Local Plan, continue to exclude the Site.

- 2.6. We have made Charnwood Borough Council ("the Council") aware of the Site's availability for development through a formal pre-application enquiry. The formal request was submitted to the Council on 8th December 2020 and a response is currently awaited.

3. Site & Development Potential

- 3.1. The proposed development site comprises a single grassland paddock located adjacent to Brand Hill House, located on Brand Hill, to the south of the village centre of Woodhouse Eaves, a village within the Charnwood Borough of Leicestershire.
- 3.2. The Site, as shown outlined in red in Figure 1 below, covers an area of approximately 1.98 hectares (4.91 acres) and consists of a single grassland field, containing a derelict former stable building, and is currently vacant. The field slopes gently from west to east and benefits from clearly defined boundaries on all sides. The Site is marked by mature boundary vegetation on all sides, including a mature woodland to the north; whilst an existing wooden gated access is situated along the site's boundary with Brand Hill to the west.

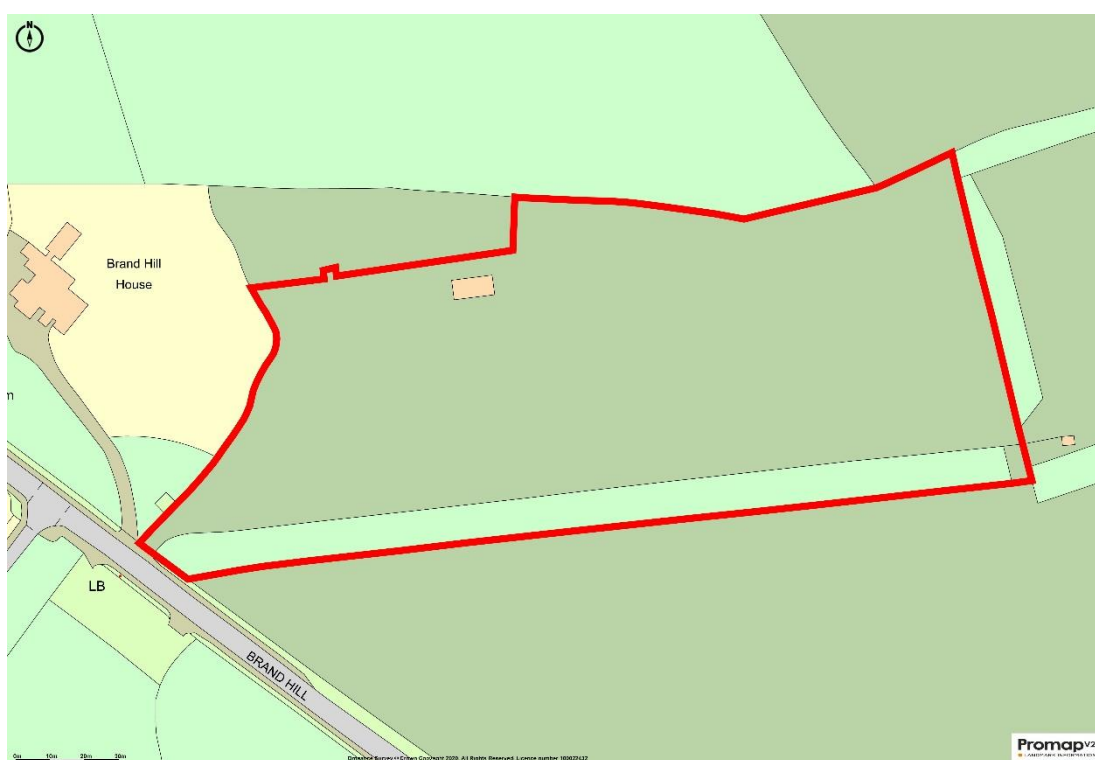


Figure 1: Site Location Plan

- 3.3. The Site lies to the south of the village centre of Woodhouse Eaves (circa 0.4 miles along Brand Hill connected via footways), which is a village that benefits from a number of local services and facilities including a Primary School, St. Paul's Church, Woodhouse Eaves Methodist Church, a Post Office, a Village Hall, a Cricket Club, a number of Public Houses (including The Old Bull's Head, The Curzon Arms and The Wheatsheaf Inn), and a number of local independent businesses.
- 3.4. Furthermore, the village is also well placed to access the additional services and facilities available in nearby higher order settlements such as: Leicester (approx. 9 miles), Loughborough (approx. 5.3 miles), Quorn (approx. 3.3 miles), Mountsorrel (approx. 3.9 miles) and Barrow upon Soar (approx. 4.6 miles).

- 3.5. Whilst the village is situated in a rural location, and therefore it is accepted that the majority of trips are likely to be made by the private vehicle, the Site does benefit from access to sustainable modes of transport. Bus stops are located on Brand Hill immediately adjacent to the existing gated access (which is proposed to be used to serve the development proposals), which is served by the 154 Bus Service operated by CentreBus. This service runs between Leicester and Loughborough, and is scheduled to call at the village hourly between 7am and 7pm on weekdays, and every two hours between 8am and 5pm on Saturdays. However, it is noted that a reduced timetable is currently in operation due to the ongoing Covid-19 pandemic.
- 3.6. In addition, the Site is located within the Woodhouse Eaves Conservation Area, first designated in July 1993. Similarly, the Site is also situated within close proximity to a number of Listed Buildings, including Charnwood House (Grade II), The Spinney (Grade II) and 80-88 Brand Hill (Grade II).
- 3.7. The Site is located within Flood Zone 1 of the Flood Map for Planning and is, therefore, assessed as having low risk of flooding (less than 1 in 1000 annual probability of river flooding). Similarly, it is acknowledged that the paddock does include areas identified as Medium Risk of Surface Water flooding, as demonstrated by Figure 2 below. However, it should be recognised that the identified areas are relatively isolated and, as such, could be reasonably excluded from the proposed development area. Consequently, the Site is not considered to present a significant, overall risk of flooding.

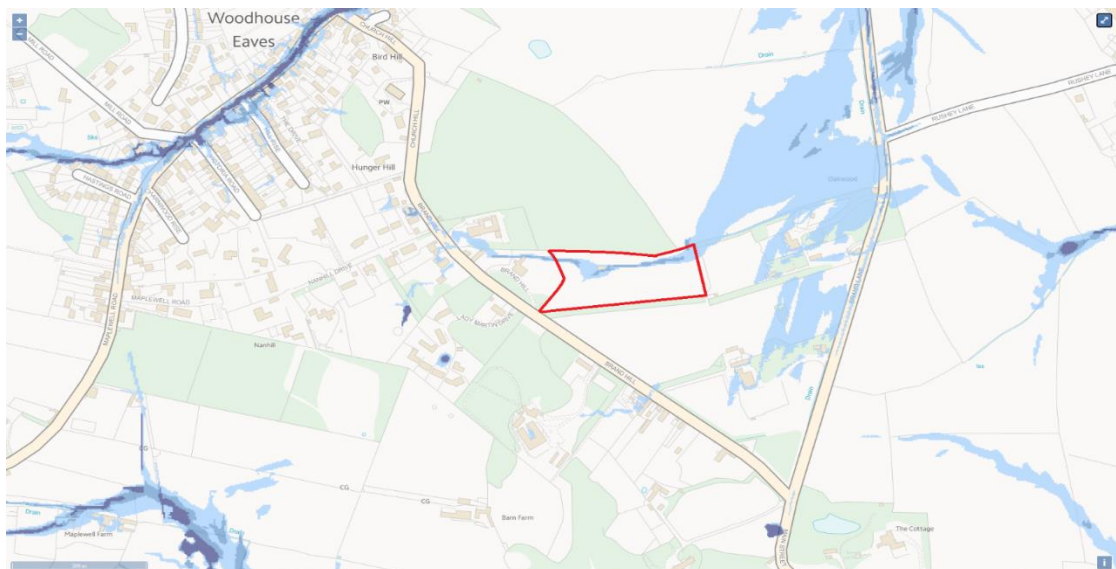


Figure 2: Surface Water Flood Risk (Site outlined in Red) – Source: <https://flood-warning-information.service.gov.uk/long-term-flood-risk/map>

- 3.8. The Landowner is seeking to develop a single, custom-built property on the land adjacent to Brand Hill House, Brand Hill, Woodhouse Eaves for occupation by their family to enable them to remain within the village.
- 3.9. A range of initial technical investigations have been undertaken to assess the potential opportunities and constraints to development presented by a number of key material

considerations. In particular, the potential heritage value relating to the Site's location within the Woodhouse Eaves Conservation Area and within close proximity to a number of Listed Buildings, and the potential Landscape & Visual impact as a result of the Site's edge of settlement location and allocation within the Charnwood Forest Regional Park.

- 3.10. An Initial Heritage Appraisal has been undertaken to consider the principle of development on the Site in the context of the aforementioned designated heritage assets. This Assessment concludes that, in principle, it should be possible to prepare a suitably sensitively designed scheme that would appropriately preserve the setting and the significance of the Woodhouse Eaves Conservation Area and the identified Listed Buildings. As such, it is concluded that development of the Site should be considered acceptable in principle in respect of heritage matters.
- 3.11. Furthermore, an Initial Landscape Appraisal has been completed by Lockhart Garratt to consider whether the Site could support development from a landscape and visual impact perspective. This appraisal concludes that development of the Site would be seen in the context of the existing large, standalone properties that are located along Brand Hill, including Brand Hill House, Dormer House and Charnwood House. Therefore, when analysed within this context, it is considered that development of the Site would be acceptable in principle with regards to landscape and visual matters.
- 3.12. Notwithstanding the above, the initial technical investigations have identified a number of design recommendations that would feed directly into the preparation of detailed plans for the proposed development, which would ensure that the proposals positively assimilate to, and enhance, the character and appearance of the local area.
- 3.13. Consequently, we contend that the Site represents an appropriate and deliverable development opportunity.

4. Comments on the Woodhouse Neighbourhood Plan: Pre-Examination Consultation Document

- 4.1. On behalf of our Landowner Client, Mr M Mattu, we wish to make the following observations on the Woodhouse Neighbourhood Plan: Pre-Examination (Regulation 16) Consultation document.

Housing Needs

- 4.2. Paragraph 29 of the National Planning Policy Framework [NPPF] (“the Framework”) (Adopted February 2019) states that Neighbourhood Plans should not promote less development than that set out within the strategic policies for the area. However, as of 9th November 2020, Charnwood Borough Council can only demonstrate a 4.1 year housing land supply and, therefore, the strategic policies are out-of-date. Notwithstanding the above, as previously identified, Woodhouse Eaves is identified as an “Other Settlement” within the Charnwood Local Plan: Core Strategy (Adopted November 2015) which, at this level, sets a hierarchical housing requirement rather than a settlement-specific requirement. Consequently, in line with Paragraph 66 of the Framework, the Neighbourhood Plan sets an identified housing requirement of 20 dwellings, as a result of engagement between the Neighbourhood Plan Group and Planning Officers at Charnwood Borough Council.
- 4.3. However, we are concerned that the identified housing target does not appropriately consider the latest evidence in relation to the strategic-level Local Housing Need and, as a result, the emerging Neighbourhood Plan is at risk of being considered out-of-date shortly after being made.
- 4.4. In accordance with Paragraph 60 of the Framework, we fully support the use of the standard method for determining the minimum number of new homes that should be planned for within the strategic planning policies. However, it is noted that this part of the Framework also recognises that *“In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for”*.
- 4.5. In the context of the above obligations, we sympathise entirely with the challenge that the Borough Council currently faces in establishing an appropriate strategic-level housing requirement, in view of the high degree of uncertainty that presently exists regarding the extent of unmet housing need arising from Leicester City Council and the proportionate redistribution of these unmet needs across the other authorities of the Housing Market Area [HMA]. Similarly, we also fully appreciate the knock-on implications that uncertainty at a strategic-level has for Neighbourhood Plan Groups in identifying an appropriate housing requirement, particularly when, as in the case of the Woodhouse Neighbourhood Plan, the Plan is being progressed in advance of clarity being established by the emerging Local Plan.
- 4.6. We accept that Neighbourhood Plans are assessed against the strategic policies of the adopted development plan, rather than the policies of an emerging Local Plan and, therefore,

the Woodhouse Neighbourhood Plan falls to be assessed against its general conformity with the Local Plan: Core Strategy and Saved Policies of the Borough of Charnwood Local Plan 2004. However, the Planning Practice Guidance [PPG] clearly states that the reasoning and evidence informing an emerging Local Plan may be considered relevant (Ref: Section 41 Paragraph 009).

- 4.7. In respect of housing needs specifically, the PPG identifies that communities preparing a Neighbourhood Plan should take account of the latest and up-to-date evidence of housing need (Ref: Section 41 Paragraph 040). Furthermore, the PPG recognises that the question of whether or not a proposed Neighbourhood Plan has taken account of the latest housing needs evidence is considered to be relevant in the assessment of whether the Plan's housing land supply contributes to the achievement of sustainable development and, therefore, accords with the basic conditions.
- 4.8. In light of the above, the current, up-to-date position on the strategic housing needs of the Borough can be summarised as follows:
 - 4.8.1. The adopted Charnwood Local Plan: Core Strategy identifies a housing requirement of 820 dwellings per annum and makes sufficient residential development allocations to achieve an average delivery of 902 dwellings per annum.
 - 4.8.2. However, the Core Strategy was adopted in November 2015 and, therefore, in accordance with Paragraph 73 of the Framework, the housing requirement for the Borough is presently the local housing need calculated using the standard method. This results in an identified local housing need for 1,105 dwellings per annum.
 - 4.8.3. The Council are currently in the process of preparing a new Local Plan. The Regulation 18 (Preferred Options) consultation document sets out a spatial development strategy and identifies proposed allocations that are anticipated to deliver an average of 1,160 dwellings per annum. This would be sufficient to meet the current, identified minimum local housing need for the Borough.
 - 4.8.4. The housing requirement set out within the Woodhouse Neighbourhood Plan (Regulation 16) Consultation document is based upon the spatial development strategy and housing requirement set out within the merging Local Plan (Regulation 18) consultation document. As such, in this respect, it is accepted that the emerging Neighbourhood Plan is in accordance with the basic conditions in respect of its identified housing requirement.
- 4.9. However, it is considered inevitable that there will be a significant uplift in the Borough's strategic housing requirements, in the near future, as a result of the need to accommodate a proportion of the unmet housing needs arising from Leicester City Council.
- 4.10. The Draft Leicester Local Plan (Regulation 18) Consultation document, published in September 2020, formally declared an unmet need of 7,742 dwellings. However, in December 2020, Government published a new standard method for calculating local housing needs. This method introduced a 35% Cities and Urban Centres uplift to the housing needs

for the authorities of the top 20 most populated urban area, which includes Leicester City. As a result, the local housing need for Leicester City has increased by a further 607 dwellings per annum (approximately 9,712 homes across the plan period 2020-2036). In light of the existing identified shortage in the supply of housing land in Leicester City, it is anticipated that the majority of the identified recent uplift in the City's local housing need will predominately increase the extent of unmet housing needs, which will be subsequently redistributed across the remaining authorities in the Housing Market Area.

4.11. Consequently, in line with Paragraph 11 (Footnote 5) and Paragraph 27 of the Framework, the Strategic Housing Market Area authorities are now in the process of preparing a Statement of Common Ground [SoCG] setting out how the unmet need will be redistributed across the HMA authorities. The most recent SoCG produced by the authorities (March 2021) (**Appendix 1**), identifies that the increased level of unmet housing need arising from Leicester City Council goes beyond the degree of flexibility that had been account for in the previous assessment work and, therefore, revised evidence will now be required. As such, it is expected that the Statement of Common Ground which formally apportion the unmet need to the HMA authorities, including Charnwood Borough Council, will be published in Autumn 2021.

4.12. In view of the timescales for the preparation of the SoCG, the authorities have agreed that the emerging Charnwood Local Plan can continue to be published for consultation, and submitted for Examination, in advance of the SoCG being completed. However, this is subject to the Plan including an appropriate early review policy, which would be triggered by the formal apportionment of the unmet housing needs. Therefore, it is considered inevitable that the strategic housing requirement for the Borough will be increased in the short-term, and that this will have significant implications in respect of the housing requirements for Woodhouse Neighbourhood Plan.

4.13. Consequently, and in view of the additional comments made elsewhere within this Statement, we are concerned that the proposed Neighbourhood Plan fails to identify sufficient allocations to provide an appropriate level of flexibility to accommodate the expected increase in the strategic housing needs in the short-term. Therefore, there is a high risk of the Plan being considered out-of-date in the short term. As such, we would recommend that further allocations are identified in the emerging Neighbourhood Plan or that the Plan mirrors the emerging Local Plan by including an appropriate early review policy, which would be triggered in the event that there is an increase in the strategic-level housing requirements.

Woodhouse Neighbourhood Plan Housing Land Supply

4.14. In respect of the housing land supply identified within the Woodhouse Neighbourhood Plan (Regulation 16) Consultation document, we have a number of concerns relating to whether the Plan identifies sufficient development sites to provide flexibility to accommodate rapid change, whether the identified allocations would meet the specific housing needs of the plan area, and the deliverability of the proposed allocations. The relevant policies of the housing land supply of considered in further detail below.

Policy H2: Reserve Sites

- 4.15. In view of the expected increase in the strategic-level housing requirement for the Borough in the short-term, and the consequential increase in the housing requirements to be delivered in Woodhouse Eaves, we consider that the Reserve Site allocations, identified in Policy H2 of the emerging Neighbourhood Plan, are likely to be required to come forward early in the plan period in order to ensure that the Plan appropriately contributes to meeting the housing requirements for the area.
- 4.16. The early requirement for these Reserve Sites to come forward to assist in meeting any increase in the strategic-housing needs for the area would result in the Neighbourhood Plan having limited further capacity/flexibility to accommodate any subsequent increases in the housing requirement for the area and/or to overcome any issues with the delivery of the identified allocations. In failing to provide sufficient flexibility to adapt to rapid change, the Plan would not be in accordance with Paragraph 11(a) of the Framework. Therefore, it is our view that additional Reserve Housing Sites should be identified in order to provide the Neighbourhood Plan with the appropriate level of flexibility.
- 4.17. Furthermore, Paragraph 16 of the Framework states that plans should *“be prepared positively, in a way that is aspirational but deliverable”*. It is our view that the proposed Reserve Site Allocations at Bird Hill Road and Herrick Road are not considered to be deliverable, in accordance with the definition set out within the Framework, and, as such, the Plan is contrary to the provisions of Paragraph 16 of the NPPF and would fail to meet the basic conditions in this regard.
- 4.18. Annex 2 of the Framework identifies that in order for a site to be considered deliverable it must be *“available now, offer a suitable location for housing now, and be achievable with a realistic prospect that housing will be delivered on the Site within five years”*.
- 4.19. In this respect, the Sustainable Site Assessment Summary Document (November 2020) [Appendix 3 of the emerging Neighbourhood Plan] states that *“following negotiations with the relevant owners, it is noted that CBC, the owners of the two garage sites, are intending to undertake a strategic asset management review, and do not wish to commit to residential development until the outcome of the review is agreed”*. Consequently, it is considered that the availability of the Reserve Sites cannot be confirmed and, as result, the Site’s cannot be defined as deliverable as per the Framework.
- 4.20. Notwithstanding the above concerns about the availability of the sites, we also have concerns about the deliverability of the policy requirements, set out in Policy H2 for these allocations. Specifically, the proposed requirement for the Reserve Sites to provide a proportion of affordable housing.
- 4.21. Paragraph 63 of the Framework allows rural areas to set a lower threshold of 5 units or fewer for the provision of affordable housing on residential development sites and, as such, the policy is consistent with the provisions of the Framework. However, in view of the significant economic implications of the Covid-19 pandemic, we are considered as to whether this policy

requirement can be considered achievable. It is our view that the Government’s proposals contained within the “Changes to the Current Planning System” consultation document (August 2020) in relation to raising the small sites threshold for the provision of affordable housing, provides a clear indication of the concerns that exist about the capability of small sites to viably deliver affordable housing during, and in the period of economic downturn and recovery following, the pandemic.

4.22. Therefore, we contend that further up-to-date and site-specific evidence is required to confirm the availability of the proposed Reserve Site allocations and their ability to viably deliver the identified affordable housing obligations. In the absence of this evidence, the draft Neighbourhood Plan cannot be considered deliverable and would fail to provide sufficient flexibility to adapt to rapid changes in the identified housing requirements for the area, as required by the provisions of the Framework.

Policy H4: Windfall Development

4.23. Paragraph 70 of the Framework states that *“where an allowance is to be made for windfall sites as part of an anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends”* [Emphasis added].

4.24. The Woodhouse Neighbourhood Plan identifies that the minimum housing requirement for the Plan Area – 20 dwellings – will be met through the allocation of land at Selby Garage for 16 dwellings, and through a reasonable and realistic allowance for windfall development. However, it is our view that there is currently insufficient evidence about the historic level of windfall delivery and the potential future housing land supply that can be expected from this source. It is appreciated that Paragraph 58 of the draft Neighbourhood Plan states that *“around 100 additional dwellings have been developed across the Neighbourhood Plan area over the past 10 years and it is likely to continue at a similar rate”*. However, the source of the above figure is unclear, and it would appear to be contrary to the scale of historic development identified in the Housing Needs Report (February 2019) [Appendix 2 of the draft Neighbourhood Plan], which states that 34 new build residential sales were recorded between 1995 and 2018. Therefore, in order to ensure that the Plan makes an informed allowance for windfall development, we believe it would be beneficial for the Plan and/or the supporting evidence base to include details of any planning permissions which have contributed to the identified historic rate of delivery. In addition, further information about the potential future supply, identified through reference to appropriate sites included within the Council’s SHLAA may also be appropriate.

4.25. Without the provision of the necessary evidence to quantify the reasonable level of future housing provision from windfall development, it cannot be considered to comprise a deliverable part of the Neighbourhood Plan’s housing land supply. Therefore, in conjunction with the aforementioned concerns about the deliverability of the proposed Reserve Site allocations, on the basis of the current evidence, the Plan fails to provide an appropriate level

of flexibility to adapt to rapid change in order to ensure that it can meet its identified housing requirements.

- 4.26. As such, we consider that it would be beneficial for the draft Neighbourhood Plan to identify a number of additional/alternative Reserve Housing Sites to come forward in the event that there is a material increase in the housing requirement for the Plan Area, or in the event that the identified proposed allocations fail to come forward as desired. In this respect, further clarification is required on the historic rate of windfall development within the Plan Area and evidence to quantify the reasonable level of future housing deliver from this source. In the absence of this information and/or additional allocations, there is insufficient flexibility within the proposed Plan's housing land supply and a significant risk that the Plan would fail to deliver its identified housing requirements.
- 4.27. In the context of the above, it is our view that the Client's Site could be considered a reasonable, deliverable windfall site, subject to inclusion within the proposed Limits to Development.

Policy H5: Affordable Housing Provision

- 4.28. As previously stated, we fully appreciate the challenge that the Neighbourhood Plan Group have faced in preparing, and submitting for examination, the Woodhouse Neighbourhood Plan in advance of the emerging Charnwood Local Plan; this is no more evident than in the case of affordable housing provision.
- 4.29. Policy H5: Affordable Housing Provision of the draft Neighbourhood Plan sets a requirement for sites of ten or more dwellings *"to mirror the requirements in the Charnwood Local Plan and provide at least 30% affordable housing"*.
- 4.30. However, as previously referenced, it is noted that Neighbourhood Plans are not tested against the policies of emerging Local Plans, as they do not form part of the statutory development plan for the area (Ref: PPG Section 41 Paragraph 009). However, they should have regard to the up-to-date evidence of housing needs. In this regard, it is noted that the emerging Charnwood Local Plan Affordable Housing Viability Assessment (January 2019), produced by HDH Planning, concludes that 30% affordable housing is the reasonable level of provision that can be viably delivered across the Borough.
- 4.31. However, the adopted Local Plan: Core Strategy sets a requirement for qualifying sites in Woodhouse Eaves to deliver 40% affordable housing. As such, on the basis of the current proposed wording of Policy H5, the draft Neighbourhood Plan could potentially be viewed as ambiguous in respect of the appropriate level of affordable housing, prior to the adoption of the emerging Charnwood Local Plan i.e. it references the requirements of the Charnwood Local Plan (which currently advocates 40% affordable housing), whilst also referencing a requirement for 30% affordable housing. IN this regard, the Independent Examiner will be required to balance the issue of the Neighbourhood Plan's conformity with the adopted strategic policies and the Plan's attainment of sustainable development, in the consideration of whether the Plan meets the basic conditions.

- 4.32. In relation to the above, given that draft Policy H5 directly references “*development proposals for new housing where there is a net gain of ten or more dwellings*” as being required to provide the appropriate level of affordable housing, it may also be necessary for the policy to reference residential developments where there is a net gain of 1,000 sq. metres or more, in order to ensure that the Policy is unambiguous in requiring affordable housing to be delivered on all major residential development sites, as per the provisions of the adopted development plan.
- 4.33. Notwithstanding the above, it is our view that the emerging Neighbourhood Plan fails to identify sufficient residential development sites to meet the identified needs for affordable housing within the Parish. The Affordable Housing Assessment (March 2020) identifies a need for 7 affordable rented, 5 shared ownership and 10 open market homes. The proposed Site Allocations contained within the Neighbourhood Plan (Regulation 16) Consultation document would deliver a cumulative 8 affordable units and, therefore, fails to meet the identified affordable housing need for the area; notwithstanding the previously expressed concerns about the viability of delivering affordable housing on the proposed Reserve Sites.
- 4.34. Furthermore, we also have concerns as to whether the identified tenure split for affordable housing identified within Policy H5 of the Neighbourhood Plan is appropriate, in view of the requirements of the Framework, the development plan and the up-to-date evidence.
- 4.35. The emerging Neighbourhood Plan sets out a requirement for sites to provide 1/3 affordable rent, 1/3 shared ownership and 1/3 low cost starter homes. However, Paragraph 64 of the Framework establishes a requirement to provide 10% affordable home ownership products as part of the affordable housing mix on sites. Whilst it is appreciated that the Neighbourhood Plan seeks to deliver additional Starter Homes above the identified national policy obligations in order to retain young people within the Parish, it is our view that the current evidence base does not support this increased provision.
- 4.36. In this respect, the Affordable Housing Assessment does not identify any explicit need for starter homes within the Parish; as referenced above the evidence indicates a need for affordable rented and shared ownership. Similarly, the emerging Local Plan evidence identifies that the greatest need within the Borough is for affordable rented housing; 77% of the need is for social or affordable rent with the remaining 23% being for intermediate affordable housing.
- 4.37. As such, on the basis of the current evidence and proposals, the Woodhouse Neighbourhood Plan (Regulation 16) Consultation document fails to provide sufficient affordable housing and also fails to provide an appropriate tenure mix of affordable housing to meet the identified needs for the Parish.

Policy H3: Limits to Development

- 4.38. In respect of draft Policy H3: Limits to Development, we strongly object to the exclusion of our Client’s existing property (Brand Hill House) and Land adj. Brand Hill House from the draft Limits to Development.

- 4.39. The draft Limits to Development identified in Figure 4 of the Woodhouse Neighbourhood Plan, which supports draft Policy H3, are based upon the proposed Limits to Development established within the emerging Charnwood Local Plan (Regulation 18) Consultation document. The Limits to Development in the emerging Local Plan are underpinned by the Settlement Limits Assessment (March 2018), which identifies two principles on which the proposed Limits to Development are to be based. Firstly, *“the boundary will tightly define the settlement by enclosing the established, cohesive built form. Where possible, it will follow defensible boundaries – distinct features such as walls, watercourses, roads and hedgerows which have a degree of permanence”*. Secondly, it recognises that *“settlement boundaries do not need to be continuous, in some instances the nature and form of the settlement may make it appropriate to define two or more separate elements”*.
- 4.40. In considering the appropriate Limits to Development for Woodhouse Eaves, the Assessment states that *“Brand Hill House is physically detached from neighbouring properties and, as such, was considered to be outlying and is not included within the settlement limits”*.
- 4.41. We fundamentally disagree with this assessment of the Client’s existing property and the Site. The property appears as a consistent part of the built form for the village when viewed from the street-scene; this is confirmed by the Initial Landscape Appraisal undertaken by Lockhart Garratt that was commissioned by the Client. It is considered that there is no clear evidence of a change in character between Charnwood House (which is included within the proposed settlement boundary) and Brand Hill House, when moving south along Brand Hill. Similarly, Brand Hill House is also viewed in the context of the properties on Lady Martin Drive, which is situated further south along Brand Hill than the aforementioned property. Consequently, there is no valid justification for excluding the Client’s existing property (Brand Hill House) from the proposed Limits to Development.
- 4.42. Furthermore, on the basis that the Limits to Development should also follow defensible boundaries, it is our view that the mature tree belt which defines the southern boundary of the Site (Land adj. Brand Hill House) would be an appropriately defensible boundary on which to base the southern edge of the Limits to Development. This boundary would also more accurately reflect the change in landscape character between the built form and the open countryside within this part of the village.

Policy H6: Design Standards

- 4.43. Paragraph 124 of the Framework identifies that *“the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this”*. In light of the above, we fully support the overarching principles and objectives of draft Policy H6: Design Standards of the emerging Woodhouse Neighbourhood Plan.
- 4.44. However, we would suggest that Clause (e) of this policy is overly restrictive by setting out the specific measures that would be required in order for a proposal to demonstrate that it

appropriately enhances its biodiversity value. It is our view that there are a number of alternative opportunities to enhance biodiversity that are not referenced within the policy and, therefore, at present would not be supported despite potentially providing a more appropriate solution. For example, the Charnwood Local Plan (Regulation 18) Consultation document recognises that biodiversity net gain can be achieved through the following methods:

- Wildflower meadows, urban woodland & community woodland
- Sustainable drainage systems which may benefit wildlife
- Removing barriers to wildlife movement and restoring connections; and
- Planting suitable trees and shrubs in landscaping.

4.45. Similarly, the current wording of criteria (e) has the potential to be in conflict with criteria (f) of the policy, insofar as it sets out an obligation for development proposals to include hedges whereas criteria (f) recognises that stone/brick walls may also be an appropriate form of enclosure in addition to native hedging.

4.46. Consequently, in order to ensure the policy criteria is not overly-restrictive and makes suitable provision for all appropriate opportunities to achieve biodiversity net gain, we would recommend amending criteria (e) to the following:

“Development should be enhanced by fostering biodiversity and relate well to the topography of the area, with existing trees and hedges preserved wherever possible. Proposals which provide appropriate measures for achieving a measurable net gain in biodiversity will be particularly supported”.

4.47. In addition, in accordance with Paragraph 148 of the Framework, which identifies the planning system’s role in supporting the transition to a low carbon future, we fully support the obligations of criteria (h) of draft Policy H6, which requires *“all new development proposals to be built to the Future Homes Standard, unless it can be demonstrated that this would not be viable”*. However, to ensure that the Neighbourhood Plan is robust and is flexible to accommodate any future changes in the minimum technical standards, we believe that it would be appropriate for criteria (f) to be amended to reference *“the Future Homes Standard, or any subsequent amendments”*.

Policy ENV8: Protection of Important Views

4.48. Paragraph 31 of the Framework states that all planning policies *“should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned”*. Likewise, the PPG is clear that Neighbourhood Plans should be underpinned by proportionate and robust evidence that explains the intention and rationale of the policies in the draft Plan (Ref: Section 41 Paragraph 040).

- 4.49. In the context of the above, we consider that draft Policy ENV8: Protection of Important Views is not supported by the necessary evidence base to justify the proposed designations. Paragraph 114 of emerging Neighbourhood Plan states that the allocation of the identified views has been supported by the environmental inventory. However, the Plan notes that this document was not prepared with the principal aim of supporting this policy.
- 4.50. In this regard, the Environmental Inventory [Appendix 6 of the draft Neighbourhood Plan] Scoring Matrix identifies that the allocated views were assessed as part of the scoring for “Beauty” undertaken for each of the individual sites included within the Inventory. However, the scoring matrix provides no details as to how these views were assessed, whether the assessment was undertaken by an appropriately qualified landscape consultant, or what qualified a site as being considered to be beautiful?
- 4.51. Furthermore, the Important Views Document [Appendix 9 of the draft Neighbourhood Plan] simply maps and documents the various views that have been designated in the emerging Neighbourhood Plan. This document provides no assessment of why these views are valued, or any form of independent, objective analysis about the quality of these views. As such, we consider that no formal assessment has been undertaken to appropriately analyse the views and provide clear justification for why the designations are considered to be worthy of specific protection. This absence of information is considered to be particularly acute given the restrictive nature of the policy.
- 4.52. In respect of the above, the Charnwood Forest Regional Park Landscape Character Assessment, produced by FPCR in 2019, identifies that key views of Woodhouse Eaves are possible from the east of the village, and that the key views within the settlement follow the main roads. This provides some indication that the views designated within the draft Neighbourhood Plan do hold some specific value. However, it does not provide the designation-specific, proportionate evidence to justify the individual vantage points which are proposed for protection within the draft policy.
- 4.53. Therefore, in order to meet the requirements of Paragraph 31 of the Framework, and the PPF, we believe that formal assessment, in the form of an appropriate Landscape and Visual Appraisal, needs to be undertaken in order to fully justify the proposed designations identified within draft Policy ENV8 of the Neighbourhood Plan.

5. Conclusions

- 5.1. On behalf of our Landowner Client, Mr M Mattu, we are seeking to work with Charnwood Borough Council and Woodhouse Parish Council in promoting the Land adjacent to Brand Hill House, Brand Hill, Woodhouse Eaves for formal allocation within the proposed Limits to Development for the village, to enable a small-scale residential development for 1no. self-build dwelling to be progressed.
- 5.2. We fully support the use of the standard method for determining the minimum number of homes that should be accommodated within the strategic policies. However, in light of the formal declaration of unmet housing needs arising from Leicester City Council, and the inevitable redistribution of these housing needs amongst the other Housing Market Area authorities, including Charnwood Borough Council, we are concerned that the proposed Neighbourhood Plan fails to provide an appropriate level of flexibility to accommodate the anticipated increase in the strategic housing needs in the short term. Therefore, there is a high risk of the plan being considered out-of-date in the short term. As such, we would recommend that further allocations are identified in the emerging Neighbourhood Plan, or the Plan mirrors the emerging Local Plan by seeking to include an early review policy, which would be triggered in the event that there is a material increase in the strategic-level housing requirement.
- 5.3. Furthermore, and in the context of the above, we also have significant concerns about the housing land supply identified within the emerging Neighbourhood Plan, and its ability to provide the appropriate level of flexibility to adapt to changes in the housing requirements for the Plan Area. In particular, on the basis of the current evidence, the proposed Reserve Site allocations cannot be considered available and, therefore, are not deliverable. Similarly, we also have concerns as to whether the requirement for these sites to provide affordable housing, as identified in draft Policy H2, can be viably delivered in the context of the economic
- 5.4. In addition, there is current insufficient evidence to quantify the reasonable level of future housing provision from windfall development to be considered to comprise a deliverable part of the Neighbourhood Plan's housing land supply. As such, further evidence is required to clarify the historic rate of windfall development and, similarly, the realistic level of reasonable future provision of housing from windfall development with reference to the Council's SHLAA.
- 5.5. Moreover, we contend that the emerging Neighbourhood Plan fails to identify sufficient sites to deliver the identified needs for affordable housing, and also fails to provide an appropriate affordable housing tenure mix with reference to the specific housing needs for the Parish identified in the evidence base.
- 5.6. In respect of the proposed Limits to Development, we believe that there is no valid justification for excluding the Client's existing property from the proposed settlement boundary. The property appears as a consistent part of the built form for the village when viewed from the street-scene and there is no evidence of a change in character between the adjacent properties, that are included in the proposed Limits, and the Client's property, which

is excluded. This analysis is supported by an Initial Landscape Appraisal completed by Lockhart Garratt, on behalf of our Landowner Client.

- 5.7. Furthermore, given that the Limits to Development should follow defensible boundaries, where possible, it is our view that the mature tree belt which defines the southern boundary of the proposed Site would be an appropriately defensible boundary on which to base the Limits to Development for the village, and would more accurately reflect the change in landscape character between the built form and the open countryside.
- 5.8. Finally, we consider that draft Policy ENV8: Protection of Important Views is not supported by the necessary, robust evidence base that is required to justify the special protection that is to be afforded to the designated views, as expected by the provisions of Paragraph 31 of the Framework. Consequently, it is our view that further assessment, in the form of an appropriate Landscape and Visual Appraisal should be undertaken in order to support the proposed policy.
- 5.9. Andrew Granger & Co would like to remain involved throughout the preparation of the Woodhouse Neighbourhood Plan and, therefore, request to be informed of any future consultation opportunities and when the Examiner's Report is formally published.