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CHARTERED TOWN PLANNERS
& URBAN DESIGNERS

Proof of Evidence (Planning)

of Carl Stott BA (Hons) MA TP (UC) MRTPI

Summary

Appeal against the refusal of Outline Planning Permission for a residential development with associated infrastructure for up to 30no. dwellings, including detail of associated point of access. All other matters (landscaping, scale, layout and appearance) reserved.

Land off Leconfield Road, Nanpantan, Loughborough.

On Behalf of Bowbridge Homes (Nanpantan) Ltd.

PINS ref: APP/X2410/W/22/3304644 LPA ref: P/20/2199/2A

Client:

Bowbridge Homes (Nanpantan) Ltd.

Project:

Land off Leconfield Road, Nanpantan

Report Title:

Proof of Evidence (Planning) - Summary

nineteen47 Reference:

n1875P

Date:

28th February 2023

PROOF OF EVIDENCE (PLANNING) - SUMMARY

1. This Proof of Evidence (Planning) Summary has been prepared on behalf of Bowbridge Homes (Nanpantan) Ltd. in relation to its appeal against the decision of Charnwood Borough Council to refuse its application for outline planning permission referenced P/20/2199/2 for the following description of development on 2nd March 2022:

Outline application for residential development with associated infrastructure for up to 30 dwellings, including detail of associated point of access. All other matters (landscaping, scale, layout and appearance) reserved.

2. This document provides a summary of the main Proof of Evidence (Planning) and addresses the planning considerations relevant to the Appeal and should also be read in conjunction with the separately bound Proofs of Evidence of Mrs Sara Boland (Landscape) and Mr Oliver Ramm (Biodiversity).
3. I am Carl Stott, Director of nineteen47 Ltd, a planning and urban design consultancy, which employs an experienced team of planners and urban designers and works nationally from offices in the East Midlands, Sheffield and York. I hold a BA (Hons) Degree and a Master's Degree in Town Planning (Urban Conservation) from the University of Newcastle-upon-Tyne.
4. I have been a Chartered Town Planner (MRTPI) since 2003 and an Associate EIA Practitioner (IEMA) since 2016. I have 23 years of professional planning experience, with the first 9 of these spent in development management roles in the public sector at various local planning authorities and with the latter 14 spent in the private sector in planning consultancy. I act for a variety of clients on a wide range of residential and commercial schemes across the UK on behalf of national, regional and local housebuilders, businesses and private landowners.
5. I am familiar with the Appeal Site and the Appeal Proposals, having acted as the Appellant's planning agent throughout the Application process. I can confirm that the evidence which I have provided within this PoE (Planning) is true and is given in accordance with the guidelines of my professional institutions.
6. The Appeal Proposals seek to deliver new residential development on a site on land off Leconfield Road, Nanpantan, Loughborough.
7. The Appeal is supported by a comprehensive suite of plans, including a Parameter Plan (n1249_10B) and an Illustrative Layout Plan (n1249_007F), which, along with other associated supporting plans and technical assessments, demonstrate how the Appeal Site can accommodate up to 30 dwellings.

8. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan in this instance comprises the Charnwood Local Plan 2011-2028 Core Strategy (adopted November 2015) and the Saved Policies of the Charnwood Borough Local Plan 1999 – 2006 (adopted January 2004).
9. The National Planning Policy Framework (July 2021) is a material consideration in the determination of the Appeal. Both the Core Strategy and the Saved Policies of the Local Plan are more than five years old and have not been updated as required by Paragraph 33 of the National Planning Policy Framework.
10. The Appeal Proposals are in accordance with Core Strategy Policy CS1, which seeks to encourage new residential development within Loughborough and with the housing requirement within that policy representing minimum amounts rather than a ceiling. Loughborough is acknowledged in the Development Plan as the largest settlement in the Borough, with good access to jobs, services and facilities and public transport and, as such it represents a sustainable location for new residential development to provide for additional growth.
11. The Appeal Proposals are in accordance with Saved Local Plan Policy ST/2, which seeks to restrict development beyond the existing settlement limits. The Appeal Site is located wholly within the settlement limits of Loughborough as defined in the associated Proposals Map. The Council does not allege conflict with Policies CS1 or ST/2 and accepts that the Proposed Development is acceptable in principle.
12. The Appeal Proposals are in accordance with Core Strategy Policy CS3, which seeks the delivery of 30% of the total number of dwellings proposed as affordable homes, and with details of housetypes, tenures and sizes to be determined in a subsequent application for reserved matters consent.
13. The Appeal Proposals are in accordance with the first criterion of Core Strategy Policy CS11 as they will have only a limited impact on landscape character, which will not be significant. The other criteria of this policy are not relevant to the Site and/or the Appeal Proposals from a landscape perspective.
14. The Appeal Proposals are in accordance with Core Strategy Policy CS13 as they help to protect biodiversity and will not result in the loss of ecological features of significance. The Appeal Proposals will include a significant landscape buffer to the adjacent Ancient Woodland and will also help to deliver a scheme of on and off-site habitat creation to deliver significant biodiversity net gains.
15. The Appeal Proposals are in accordance with Core Strategy Policy CS25, which promotes a presumption in favour of sustainable development in that the Scheme accords with the development plan and furthermore, given the most important policies of the development plan are out of date, the tilted balance incorporated in Policy CS25 is engaged and the adverse effects of the

development do not significantly and demonstrably outweigh the benefits: in fact, the converse is true.

16. The Appeal Proposals are therefore in accordance with the relevant policies of the Development Plan and the Appeal should be allowed.
17. The Appeal Proposals are also in accordance with Policies DS1, LUC1, H4, EV1 and EV6 of the Draft Local Plan, albeit that it attracts limited weight at present.
18. Furthermore, the Council can only demonstrate a 3.04-year housing land supply as of 1st April 2022 and the evidence base of the Development Plan is also out-of-date. The tilted balance of Paragraph 11(d) of the National Planning Policy Framework is therefore engaged, meaning that the Appeal should be allowed unless any harms arising from the Appeal Proposals significantly and demonstrably outweigh the resulting benefits when assessed against the policies in the National Planning Policy Framework taken as a whole.
19. Recent appeal decisions within Charnwood Borough demonstrate that new residential developments have been allowed in areas of countryside as a result of the Council's shortfall in its 5-year housing land supply position, including those at Sileby (Inspectorate ref: APP/X2410/W/21/3287864), Woodhouse Eaves (Inspectorate ref: APP/X2410/W/21/3271340) and Burton-on-the-Wolds (Inspectorate ref: APP/X2410/W/20/3264488) and with that at Sileby allowing 170 new dwellings in an Area of Local Separation. Comparisons with the Woodhouse Eaves decision in particular is relevant, with the distinction being that, unlike that site, the Appeal Site at Leconfield Road, Nanpantan is within settlement limits as defined by the Development Plan, is more confined within existing residential development, has better access to services and facilities and is less visible in views of the wider landscape. In contrast, the Appeal Proposals for Leconfield Road, Nanpantan provide an opportunity for the delivery of new housing, affordable housing and public open space on a site which includes no statutory designations and which is located wholly within the settlement limits of Loughborough without incursion into the countryside.
20. Also weighing in favour of the Appeal Proposals are a range of social, economic and environmental benefits, which are considered to constitute significant benefits and which are not outweighed (let alone significantly and demonstrably outweighed) by the limited landscape harm.
21. In conclusion, I consider the limited landscape harm arising from the Appeal Proposals does not significantly and demonstrably outweigh the benefits – rather, the benefits significantly outweigh the limited landscape harm – and the Appeal should therefore be allowed and planning permission granted in accordance with the relevant policies of the Development Plan and the policies of the National Planning Policy Framework taken as a whole.

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