FULL NAME	DUTY TO COOPERATE	LEGALLY COMPLIANT	SOUND	WHICH PART	WHICH PARAGRAPHS	WHICH POLICY	WHICH POLICY MAP	WHICH DIAGRAM	WHICH TABLE
Mr Philip D. Sheppard	Yes	Yes	Yes	Policy		DS5			

WHY PLAN NOT SOUND	MODIFICATIONS	HEARINGS	HEARING SESSIONS
Policy DS5 requires new developments to "respect and enhance the character of the area", having regard, inter alia, to landscape and materials. The Design Guidance in Appendix 4 advises developers to use "building materials on dwellings that assimilate to the colour palette and texture of the open countryside." The draft Plan makes several references to the need to integrate proposed housing developments into the landscape so as to protect views and visual amenity. This particularly applies to areas HA15-HA18 around Loughborough, as they can be seen from the Outwoods and other points in Charnwood Forest. The colour of brick used for housing is important with regard to the integration of a development into a landscape. To ensure this, bricks used in developments should be in the darker brown part of the colour spectrum rather than red. The Design Guidance should include this point, and the LPA should enforce it. This specification would avoid the 'sore thumb' appearance of developments such as on the northern outskirts of Anstey, which, with its bright red brick, intrudes into the otherwise lovely views from the high points of Bradgate Park.		No	

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Mr Philip D. Sheppard	Yes	Yes	Yes	Paragraph	Vision for Charnwood 2037, between paras 1.24 and 1.25.				
Mr Philip D. Sheppard	Yes	Yes	Yes	Paragraph	Vision for Charnwood 2037, between paras 1.24 and 1.25.				

WHY PLAN NOT SOUND	MODIFICATIONS	HEARINGS	HEARING SESSIONS
Please see attachment.		No	
Please see attachment.		No	

FULL NAME	DUTY TO COOPERATE	LEGALLY COMPLIANT	SOUND	WHICH PART	WHICH PARAGRAPHS	WHICH POLICY	WHICH POLICY MAP	WHICH DIAGRAM	WHICH TABLE
Mr Philip D. Sheppard	Yes	Yes	No	Paragraph, Policy	All paragraphs, as this is about an issue which the Plan fails to cover.	All policies, as this is about an issue which the Plan fails to cover.			
Mr Philip D. Sheppard	Yes	Yes	No	Paragraph, Policy	All paragraphs, as this is about an issue which the Plan fails to cover.	All policies, as this is about an issue which the Plan fails to cover.			

WHY PLAN NOT SOUND	MODIFICATIONS	HEARINGS	HEARING SESSIONS
Please see attachment. Please note: This attachment is an amended and extended version of my earlier submission on the same issue, reference 4AA73804. Please delete that previous attachment and use this one.	Please see attachment. Please note: This attachment is an amended and extended version of my earlier submission on the same issue, reference 4AA73804. Please delete that previous attachment and use this one.	No	
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Charnwood Local Plan 2021-37 (Pre-Submission Draft) – Comment on Soundness

Quality of Agricultural Land

The Plan fails the test of soundness on the grounds, set out in the NPPF paragraph 35, that, with respect to the quality of agricultural land, it is not "positively prepared" nor "justified".

The only mention of the importance of retaining quality agricultural land is in Policy CC4 – Sustainable Construction. This Policy is not about whether or not development is allowed at a location, but the quality of development which has been permitted. The Policy will support "new development that protects environmental resources including local air quality and our most versatile agricultural land."

This is the least one would expect of a permitted development. The Policy omits an important provision of the NPPF; paragraph 174(b) of the NPPF says that policies should recognise "the economic and other benefits of the <u>best</u> and most versatile agricultural land, …". Policy CC4 does not include the word "best" so it is unsound on this basis. In addition, it would seem difficult for a new built development to both go ahead and "protect our <u>best</u> and most versatile agricultural land"; the land is either used for agricultural production or not. The Policy is therefore not logical in this respect.

This moves us on to what the draft Plan has to say about protecting the best and most versatile agricultural land. The draft Plan does not contain any policies for protecting higher quality agricultural land. The NPPF says:

> "170. Planning policies and decisions should contribute to and enhance the natural and local environment by:
>
> a) protecting and enhancing … soils (in a manner commensurate with their statutory status or identified quality in the development plan);
>
> b) recognising the … wider benefits from natural capital and ecosystem services – including the **economic and other benefits** of the best and most versatile agricultural land … ;"
>
> (my emphasis)

By not addressing the issue, the draft Plan is not "protecting and enhancing … soils". Quality is not identified in the Plan. The "other benefits" referred to in (b) clearly include food security and the Borough's contribution to it. Given that as a nation we import over 40% of our food, we need to retain all the higher quality agricultural land we have. The draft Plan does not do this. The NPPF specifically defines "the best and most versatile agricultural land" as Grades 1, 2 and 3a" (Annex 2, p. 65).

In this connection, there is no mention of the loss of Grade 2 agricultural land for housing area HA15, or Grade 3 land for housing areas HA16-HA18. The profile of the Borough on pages 8-12 also fails to mention agriculture. This is despite the issue being covered in the Sustainability Appraisal (section 7.6), which noted that, in total across the Borough, 153.8 ha of Agricultural Grade 2 land and 305.9h a Agricultural Grade 3 land would be lost under

the Plan. It goes on to say that "a loss of at least 450 ha of best and most versatile agricultural land is certainly a significant negative effect in terms of a permanent loss of resources (which could become more important in the future should there be an increased need for self-sufficiency)".

The Government has and is developing policies on food security which the draft Plan should take into account and reflect. These include:

- Chapter 19 of the Agriculture Act 2020 requires the Secretary of State to report on the UK's food security before Parliament rises in December this year. (Reports must then be at least every 3 years.)
- The National Food Strategy Report found that the best land for converting from agriculture to nature services, such as forests, seminatural habitats and wetland/peatland, is in the north and west of England. The East Midlands generally has higher quality farmland which is needed for food production.

I propose two possible solutions to this:

- **Add a new policy specifically to prevent development on Grade 1, 2 and 3a agricultural land unless there are exceptional reasons,** and let the Inspector decide on the importance of food security.
- **Add a new policy to require developers to support equivalence or net gain in food production capacity in the Borough**. This would be in line with NPPF paragraph 32 (my emphases):

  > "32. Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (**including opportunities for net gains**). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, **suitable mitigation measures should be proposed** (or, where this is not possible, **compensatory measures should be considered**)."

  Net gain measures could include supporting farmers or entrepreneurs to bring former or dormant agricultural or horticultural land elsewhere in the Borough back into production, or productivity innovation such as vertical, rooftop and underground horticulture, farms and commercial glasshouses in urban areas.

One or both of the above policies would constitute 'positive preparation' of the Plan with respect to quality of agricultural land and food security and would justify (i.e. support) the soundness of the Plan with respect to this issue.

Phil Sheppard, August 2021

Charnwood Local Plan 2021-37 (Pre-Submission Draft) – Comment on Vision for Charnwood 2037

I think there should be a bit more ambition about green spaces around Loughborough. The opening up of Garendon Park will create a new country park to the west of the town (although I fear that the extent of access will be limited), to add to Charnwood Forest in the west. We also need a proper country park to the east. Retaining the Loughborough Big Meadow SSSI, I think the vision should include a water-based country park to the south of Big Meadow, west of Cotes, and then between the River and the canal on either side of the main railway line. This would obviously take two or three decades to fully achieve, but this is after all a vision statement, so the scale and time schedule is appropriate. It could still include appropriate agriculture. A big and attractive country park to the east would support the Vision's overall aim of making Charnwood "one of the most desirable places to live, work and visit in the East Midlands" in 2037.

The water basis of such a country park is important because it would strengthen the local capacity to manage water and prevent flooding of the urban area as rainfall events become more intense due to global warming.