

Charnwood Local Plan Examination

Supplementary Hearing Statement on behalf of Jelson Homes

Matter 1: Duty to Co-Operate and Other Legal Requirements (Updates and Answers to Supplementary Questions)

January 2023

Report Title: Charnwood Local Plan Examination – Supplementary Hearing Statement – Matter 1 (Updates and SQs)

Prepared by: Craig Alsbury

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For and on behalf of Avison Young (UK) Limited

1. Introduction

1.1 Jelson will rely on its original Matter 1 Hearing Statement for Question 1.8. For Questions 1.9 and 1.10 we provides brief updates below. This Statement also contains a response to Supplementary Question 1.

2. Q1.9: Are there any other issues that could trigger the need for a Plan review apart from Leicester's unmet need?

2.1 There are two matters that could trigger a need or a Plan review apart from Leicester's unmet need (albeit one of these may ultimately link back to issues flowing from Leicester's unmet need).

2.2 First, the failure of certain housing sites to deliver new homes in both the timeframes and at the rates predicted by the Council has the ability to impact so materially on its housing delivery that this could be reason for a review of the Plan to be triggered, unless of course, additional flexibility is introduced into the development strategy and this is capable of addressing such circumstances. We explained in our original Matter 7 Statement that we had a number of significant concerns about the Council's housing land supply and its trajectory. In our Supplementary Matter 7 Statement, we note that the updated trajectory and supply calculations that were provided by the Council last summer are now themselves out of date and unreliable. As a consequence, they require updating. Until we see this updated information, we cannot provide the Inspectors with a view on where, in the trajectory, the main risks lie, but will do so when the evidence is made available.

2.3 Secondly, the distribution of Leicester's unmet need as proposed by Icenl and agreed by the Leicestershire Authorities has not yet been tested at the local level. It is possible that, as work on other Local Plans progresses, other Local Authorities conclude that they cannot accommodate the new homes that are required to be delivered when their locally assessed need is combined with their agreed share of Leicester's unmet need. If that happens, the Statement of Common Ground will need to be revisited and changes to that may have implications for Charnwood. Policy DS2 should therefore provide for a review to be undertaken / completed in the event that the Statement of Common Ground is amended and such amendments are agreed result in a material change to Charnwood's housing requirement.

3. Q1.10: Will Policy DS2 be effective in its submitted form and are any main modifications necessary to improve its clarity in relation to timescales and its effectiveness? Should the policy include a reference to strategic warehousing and distribution needs?

3.1 No. In the light of the Inspectors' initial findings (Exam 55), Policy DS2 has been superseded and, if it is to be retained, for example to address itself to the issue highlighted in our answer to Q1.9 above, or issues relating to the need for strategic warehousing, it will need to be the subject of Main Modifications. However, until we see updated and accurate evidence on housing land supply, we cannot say precisely how the wording of Policy DS2 needs to be amended. We will however do so when this updated evidence is made available.

4. SQ1: Are any adjustments to the Plan period (2021 – 2037) necessary to accord with NPPF paragraph 22 which states that strategic policies should look ahead for a minimum 15 year period from adoption, having regard to the delays in the Examination process?

- 4.1 Yes. As the Inspectors rightly note, the NPPF is clear that strategic policies should look ahead over a minimum period of 15 years from the point at which the Plan is adopted (NPPF paragraph 22). The Plan, as submitted, covers the period 2021 – 2037. Assuming that the Plan is adopted at some point in the monitoring year 2023 / 2024 (i.e. after 1 April 2023 and before 31 March 2024) it would 'look ahead' over a period of just 13 years. This would render it inconsistent with the NPPF and it would fail one of the four tests of soundness. To make the Plan sound, it must at the very least cover the period to 2039 (i.e. 15 full years post adoption, assuming adoption this coming year). We deal with the consequences of this for housing need, the housing requirement and land supply in other Hearing Statements.

Contact details

Enquiries

Craig Alsbury
0121 609 8445
craig.alsbury@avisonyoung.com

Visit us online

[avisonyoung.com](https://www.avisonyoung.com)

Avison Young

3 Brindleyplace, Birmingham B1 2JB

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