



National Highways

Charnwood Local Plan

Examination in Public

HEARING STATEMENT:

Matter 1 – Duty to Cooperate and Other Legal Requirements

BLANK PAGE

Introduction

National Highways, formerly Highways England, has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015, and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth.

The SRN is a critical national asset and as such National Highways works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. The SRN within and near to the area of Charnwood includes the M1 Motorways and the A46 Trunk Road.

This hearing statement has been prepared by National Highways in response to the Matters, Issues and Questions which have been identified by the Inspectors in relation to Matter 1 – Duty to Cooperate and Other Legal Requirements.

The questions identified focus on the issue ‘whether the Council has complied with relevant procedural and legal requirements’ and our responses are provided under the relevant questions to ourselves.

Response to Questions 1.1 – 1.28

Issue 1 – Whether the Council had complied with the Duty to Cooperate in the preparation of the Plan

- 1.1 *What are the relevant cross boundary strategic matters that have arisen through the preparation of the Plan (defined as matters having a significant impact on at least two planning areas¹)?*

National Highways consider that highways and transportation are relevant cross boundary strategic matters. Some consideration has been given, and we are satisfied with the information provided to date. Strategic transport assessment work is ongoing for cross boundary transport issues and we are working with all relevant Leicestershire authorities to agree the assumptions and outcomes of that work.

- 1.2 *What outcomes have resulted from engagement and cooperation on the relevant strategic matters and how have these informed the Plans policies, including in relation to:*

- a) *Housing,*
- b) *Employment,*
- c) *Highways and Transport,*
- d) *Flood Risk,*
- e) *Infrastructure including renewable energy,*
- f) *Green Infrastructure and the natural environment and*
- g) *Site allocations with cross boundary impacts?*

In response to 1.2c, National Highways have engaged with Charnwood and the Leicestershire authorities to discuss infrastructure policies and the transport modelling undertaken to date as well as addressing issues and comments raised at Regulation 18 and 19. Our engagement began in October 2020 until the present day where transport modelling and mitigation schemes have been presented, reviewed and discussed. It is understood the Plan and its policies have been refined from this discussion.

- 1.3 *Is the process of cooperation demonstrated with clear evidence, including Statements of Common Ground as expected by National Planning Policy Framework paragraph 27 and the Planning Practice Guidance?*

National Highways, as the Highway Authority for the Strategic Road Network (SRN) in England, has worked proactively with Charnwood Borough Council throughout the preparation of the Plan and its associated evidence base. Representations have been provided at every consultation stage as the Plan has developed and we have provided significant input through various iterations of the transport modelling work that has informed the Plan. A Transport Statement of Common Ground (SoCG) was signed on 22 November 2021 by Charnwood

Borough Council, Leicester City Council, Leicestershire County Council and National Highways. A supplemental Transport SoCG is also being prepared by the same parties in advance of the Examination in Public to update those matters which have progressed since November 2021.

- 1.8 *If the Statement of Common Ground concludes that more housing is needed in Charnwood to meet Leicester’s unmet need, does the development strategy set out in Policy DS1 represent a robust and appropriate approach for the distribution of further housing, employment and other development in the longer term?*

National Highways are of the view that if further housing is required in Charnwood the additional element would be subject to the necessary consultations and supported through appropriate evidence which will be robustly tested, reviewed and discussed in the usual way. No further comments can be made on this matter until further testing has been undertaken.

- 1.9 *Are there any other issues that could trigger the need for a Plan review apart from Leicester’s unmet need?*

National Highways are currently reviewing the Jacobs Charnwood Local Plan – Transport Evidence – Options Assessment Report (OAR), dated 18th May 2022 evidence base, which we understand will be submitted by Charnwood Borough Council. Mitigation proposals included within this evidence base could trigger a review of the plan, but this can only be confirmed upon completion of the review.

- 1.12 *Have the Plan’s transport impacts been considered on a cross boundary basis, including the role of active and sustainable travel modes? What is the role of the Strategic Transport Assessment which is currently underway? Is this separate from the assessment of the specific impacts of the Plan’s proposed growth on the strategic and local highway network as outlined in EB/TR/11, 12 & 13?*

The cross boundary impact has been adequately covered in the strategic transport modelling adopted by Charnwood for which we have agreed the overall approach.

It is National Highways understanding that the role of the active and sustainable travel modes will be local in nature only, and the information provided to date implies that they will have minimal impact on the operation of the Strategic Road Network.

It is National Highways understanding that the ongoing Strategic Transport Assessment work is separate to EB/TR/12,12&13. We understand that this work is to consider the transport impacts arising from Leicester’s unmet need, dependent on how that unmet need would be distributed.

1.15 In overall terms, is there evidence to demonstrate that, during the preparation of the Plan, the Council has engaged constructively, actively and on an on-going basis with relevant authorities and prescribed bodies on relevant strategic matters? Has the Duty to Cooperate been met in a manner consistent with paragraphs 24 - 27 of the Framework?

National Highways can confirm that Charnwood Borough Council have been engaged with us consistent with Paragraphs 24-27 of the Framework.