

Charnwood Local Plan Examination

Matter 2: VISION, OBJECTIVES, SUSTAINABLE DEVELOPMENT AND THE DEVELOPMENT STRATEGY

Land off Gaddesby Lane, Rearsby

Prepared by Fisher German LLP on behalf of Clarendon Land

Project Title

Land at Gaddesby Lane, Rearsby

Agent

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1. Introduction

- 1.1 This Hearing Statement has been prepared on behalf of Clarendon Land in respect of their land interests at Gaddesby Lane, Rearsby, as illustrated on Figure 1 below. The site is a draft allocation in the emerging Local Plan, for 47 dwellings under Policy HA66.



Figure 1: Site Location Plan

- 1.2 The site is located close to the village centre, in close proximity to the village’s services and facilities, including bus stops, public houses, village hall and school
- 1.3 An outline planning application for the development of up to 65 dwellings (including affordable housing), with all matters reserved other than access, together with associated landscaping and other infrastructure is currently being prepared and is anticipated to be submitted imminently. The proposal is supported by a suite of detailed technical evidence setting out that the proposal can be delivered without undue impacts.
- 1.4 The Neighbourhood Plan for Rearsby was made on the 9th December 2021, following a successful referendum on the 28th October 2021 in which 277 (94%) people voted in favour and 18 (8%) voted against. Whilst the Neighbourhood Plan does not specifically allocate the land at Gaddesby Lane, it has acknowledged that the site is a proposed allocation in the emerging Local Plan and will make a significant contribution to meeting Rearsby’s housing needs, negating the need for any specific allocations within the Neighbourhood Plan itself. When discussing future housing needs the Neighbourhood Plan states at paragraph 4.23 that *“the housing allocation for 47 dwellings in the*

draft Local Plan alongside windfall development will ensure that sufficient land to meet residential need is available in the right locations”.

2. Matter 2: VISION, OBJECTIVES, SUSTAINABLE DEVELOPMENT AND THE DEVELOPMENT STRATEGY

Issue 2: Is the proposed settlement hierarchy positively prepared and justified by the evidence and are the proposed limits to development justified and soundly based?

Q2.3: Is the Settlement Hierarchy Assessment (EB/DS/3) based on a robust methodology and relevant criteria in relation to the availability of and access to services and facilities?

- 2.1 The methodology utilised by Charnwood is set out clearly within the Charnwood Settlement Hierarchy Assessment (October 2020 Update). This sets out the population, services and facilities required in a given settlement to qualify within each spatial tier. The level of provision which would qualify as a service or facility in terms of the settlement audit is set out at Figure 9. The approach taken to the audit is considered sensible and proportionate.
- 2.2 Figure 11 sets out the criteria needed to be met to qualify for designation within each of the 5 spatial tiers of the proposed settlement hierarchy. The increase in service provision, moving up the spatial hierarchy is considered to be sensible and commensurate. For example, to qualify as an Other Settlement two essential services are required.
- 2.3 With regards to the definitions of the various services and facilities, these again are generally supported. For example, there is a requirement for a primary school to be located in the settlement. We consider that the approach adopted for items on Figure 9 is generally appropriate and whilst alternatives definitions could be utilised, this would not render the approach adopted unsound.
- 2.4 It is considered that the approach adopted in EB/DS/3 is based on an appropriately robust and locally set methodology and has resulted in a settlement hierarchy which is sensible in respect of the availability and access to services and facilities. Notwithstanding this, whilst the spatial strategy is considered to be based on a robust approach, it does not however does not mean that the distribution of development is inherently correct.

Q2.4: How has the Settlement Hierarchy Assessment informed the development strategy in Policy DS1?

- 2.5 The Settlement Hierarchy Assessment appears to have informed the development strategy broadly, with the settlements in the higher tiers of the spatial hierarchy generally delivering a commensurately higher level of development. Whilst this is broadly the case, we have some concerns as set out in response to Question 2.11, relating to the quantum of delivery directed towards Shepshed which is not reflective of its commensurate sustainability.

Q2.5: Are the settlements included within the settlement hierarchy categories of Urban Centre (Loughborough), Urban Settlement, Other Settlements and Small Villages or Hamlets in the Countryside justified? (Table 4 of the Plan). Does the settlement hierarchy appropriately reflect the role and function of these settlements?

- 2.6 Clarendon Land agree that the settlement hierarchy has sensibly designated all settlements within Charnwood reflecting the role and function of the settlements. Clearly whilst there may be some settlements which are on the periphery of any given tier, and thus have those seeking to change the criteria or definition to raise or lower the settlement within the hierarchy in accordance with their arguments. This would be the case for any methodology utilised and does not render the approach unsound.
- 2.7 In respect of Rearsby we confirm that it sensibly qualifies as an Other Settlement, a tier the Council conclude can and should deliver a commensurate level of growth. Rearsby contains a primary school to serve the day to day needs of the village, public houses, a village hall and is well served by local bus services. The delivery of new homes in Rearsby ensures the ongoing vitality and viability of the local services including the Primary which, to maintain its numbers attracts pupils from nearby East Goscote. Figures for the School years 2017/18 to 2022/23 showed pupil numbers falling and a rise in spare school places. The delivery of new homes in Rearsby also assists the Council in meeting both the overarching local needs of the Borough and ensuring the continued sensible growth of settlements to ensure the continued supply of housing, including affordable homes.

Issue 3: – The Development Strategy

Q2.11: Is the distribution of development in Policy DS1 justified by the evidence and were all options for the level and distribution of growth tested through the Sustainability Appraisal? What is the justification for a greater proportion of new dwellings being delivered in the Service Centres compared with the 'hybrid' option tested?

- 2.8 The spatial distribution of dwellings is broadly supported, and generally follows a coherent logic. We are however concerned that the latent potential of delivery to Other Settlements has not fully been realised through the spatial distribution, particularly in the context of some settlements, for example Shepshed, seeming to take a disproportionate quantum of housing. To highlight the disparities in the approach adopted, the below table shows the average level of growth in each settlement/SUE within a given spatial tier.

Tier/Settlement	Number of Homes	Pattern of Development	Quantum of Dwellings per Settlement within Tier	Pattern of Development per Settlement within Tier
Leicester Urban Area (Birstall, Syston and Thurmaston)	7,358 dwellings	38%	2,452 dwellings	12.5%
Loughborough Urban Area	6,073 dwellings	31%	6,073 dwellings	31%
Shepshed Urban Area	2,331 dwellings	12%	2,331 dwellings	12%
Service Centres (Anstey, Barrow upon Soar, Mountsorrel, Quorn, Rothley and Sileby)	2,747 dwellings	14%	458 dwellings	2.3%
Other Settlements (Barkby, Burton on the Wolds, Cosstington, East Goscote, Hathern, Newtown Linford, Queniborough, Rearsby, Seagrave, Swithland, Thruddington, Thurcaston, Woodhouse Eaves and Wymeswold)	934 dwellings	5%	66 dwellings	0.4%
Small Villages and Hamlets	18 dwellings	0%	1.4 dwellings	0%

2.9 Shepshed does serve as a more sustainable and larger centre than the Service Centres and Other Settlements for example, and thus we do not challenge its spatial role, but it is not sufficiently more sustainable to justify the distribution of almost five times the average to each service centre and a similar overall quantum as the entire spatial Service Centre tier. Meanwhile it will see the delivery of 35 times the average requirement directed towards the Other Settlements. The population of Shepshed is 13,505, whereas the population of the six Service Centres is 37,616 in total, over 2.5

times that of Shepshed. A similar picture is clear when regard is had for jobs. Shepshed equates to c.8% of the jobs, whereas the Service Centres provide 13% of jobs in the Borough. In terms of the Settlement Hierarchy Assessment undertaken by the Council, the Service Centres of Anstey, Quorn and Sileby are deemed to be as sustainable as Shepshed (11 points), with Barrow upon Soar, Mountsorrel and Rothley narrowly behind (10 points). Queniborough scores 9 points, narrowly behind these, but despite this is only directed 155 dwellings, only 6.5% of that directed to Shepshed. Having regard for these key factors, we consider the distribution of growth is disproportionate, even having regard for wider strategic and spatial aims. We consider the level of housing should be reduced in Shepshed to better reflect the sustainability and spatial role of the settlement, and growth distributed down the spatial hierarchy to better reflect the available evidence, ensure the vitality of Service Centres and Other Settlements. This will assist in delivery by ensuring a greater mix of housing sites providing a wider choice to the market.

- 2.10 It is not clear whether Shepshed can sustain that level of growth during the Plan period, particularly in terms of market absorption. As such, it is considered some of this growth should be distributed commensurately down the spatial hierarchy to both the Service Centres and Other Settlements. Similarly, if there is considered to be an overoptimistic approach in respect of the delivery on the SUEs, as was the case in the Core Strategy, there remains capacity in lower tier settlements to satisfy redistribution of development.

Q2.14: Will the distribution of housing development set out in the table within Policy DS1 achieve the overall stated aim of Policy DS1 for urban concentration and intensification, as well as minimising the need to travel, particularly by private car, and to prioritise sustainable modes of transport?

- 2.11 The proposed distribution of development would clearly qualify as delivering a pattern of urban concentration, with a significant portion of development, equating to c.81% of the overall quantum of development directed to the 'urban areas'. Urban concentration aims could however be achieved with a lower percentage of homes being delivered in the urban areas; as low as 65-70%. If therefore, there are any delivery issues found with proposed allocations in the urban area, additional growth can be directed towards the Service Centres and Other Settlements without an undue impact on the overall strategy and its associated aims.

Q2.15: Is Policy DS1 justified in allowing for development adjacent to settlement limits in circumstances where a five-year supply of deliverable housing land cannot be demonstrated? How would proposals be expected to accord with the pattern of development set out in the table in Policy DS1?

- 2.12 The proposed approach for how planning applications should be decided in a situation where the Authority cannot demonstrate a five-year housing land supply, detailed within Policy DS1, is not sound. It is also noted that the policy only refers to the application of Paragraph 11 of the

Framework through the lack of a five-year housing land supply; there is no reference to a failure to satisfy the Housing Delivery Test. Presumably, if the tilted balance was to be engaged by a failure to satisfy the Housing Delivery Test for example, then the criteria set out within Policy DS1 would not be applicable.

- 2.13 In respect of the criteria themselves, David Wilson Homes object to their inclusion and do not consider them to be either justified or effective, for the reasons set out below. In any scenario where Paragraph 11 of the Framework is engaged, then the policies most important to the supply of housing would be out of date. In such a scenario, Policy DS1, in trying to provide restrictions of the supply of housing, may therefore be considered out of date and limited weight applied to it. The criterion of the Policy is discussed below in turn.

Accord with the pattern of development set out in table above

- 2.14 The first criterion of Policy DS1 is inappropriate, particularly given the level of development already directed towards the urban areas through the Council's proposed strategy. One of the issues with the Plan's inherent reliance on the urban areas may be the insufficient choice and competition in the market that will be delivered through not directing commensurate growth to lower tier settlements. By definition, paragraph 11 requires development to be sustainable, so an approach to focus more development in the lower tier sustainable settlements would not result in inappropriate development. Instead, it would enable growth in lower tier settlements which could help remedy issues and improve housing delivery, particularly through providing wider choice and competition in the market.

Adjoin the Limits to Development

- 2.15 Whilst we would concur that this would normally be the case for applications approved in a Paragraph 11 situation, there may be scenarios where appropriate land can come forward which doesn't adjoin the Limits to Development, as currently illustrated on the policies maps. For example, land adjacent to approved development which lies outside of the Limits to Development. In any event, in a tilted balance situation the Limits to Development would be out of date, therefore a policy criterion which relies on them in a situation where they are known to be out of date is not logical. A more nuanced approach would need to be adopted, considering each application on a case-by-case basis on its individual merits and context.

Do not prejudice the delivery of infrastructure set out at Appendix 3:

- 2.16 To prejudice the delivery of defined infrastructure may be a negative impact which could significantly and demonstrably outweigh the benefits of a proposal however, that is a test must be undertaken independently. Policy DS1 predetermines that such a conflict should be fatal to a proposal, independently of any evidence or justification which could be provided at the time, pointing to changes in circumstance or need for example. The policy proposes an alternative

approach than that set out by the Framework and as such is not sound, as is not consistent with national policy.

Accord with other development plan policies

- 2.17 Again, this requirement, as a pre-requisite for an approval in a lack of a five-year housing land supply scenario, is inappropriate as other development plan policies may be out of date.
- 2.18 It is considered that there is merit in the Plan being transparent about the impacts of a failure to satisfy a housing land supply, for clarity to decision makers, members of the public and third parties however, the approach to be taken needs to reflect National Planning Policy within the Framework. The approach proposed through Policy DS1 is not sound in that it attempts to undermine the corrective measures imposed through Paragraph 11. For these reasons and for those set out above, this criterion of DS1 is not justified, effective or consistent with national policy and should be deleted with broader justification and information added to the reasoned justification if considered useful. If Policy DS1 is to remain in any form, then clarity must be added as to the other scenarios which could introduce the presumption in favour, such as the failure to satisfy the Housing Delivery Test.