

# Charnwood Local Plan Examination

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

Barkby Road, Queniborough and Cossington Road,  
Sileby

Prepared by Fisher German LLP on behalf of David Wilson  
Homes East Midlands

**Project Title**

Land at Barkby Road, Queniborough and Cossington Road, Sileby

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# 1. Introduction

1.1 This Hearing Statement has been prepared on behalf of David Wilson Homes East Midlands in respect of their land interests at Barkby Road, Queniborough and Cossington Road, Sileby as illustrated on Figure 1 and 2 below. These sites are omission sites in the emerging Charnwood Local Plan. Both sites are considered suitable for allocation in the scenario further housing sites are required to enable the Local Plan to be found sound (as we consider to be the case within representations and statements).



Figure 1: Barkby Road, Queniborough, Site Location Plan



Figure 2: Cossington Road, Sileby, Site Location Plan

- 1.2 The Barkby Road site is located to the southern edge of Queniborough. The adopted Core Strategy identifies Queniborough as one of Charnwood's 12 'Other Settlements' which are acknowledged to be sustainable settlements, located approximately 9km to the northeast of the centre of Leicester, just south of the A607. The existing facilities and services in Queniborough, and nearby Syston, are within walking distance of the application site. The site, at the time of writing, is subject to a live outline planning application for up to 150 dwellings (reference P/20/2380/2). It is anticipated that a positive resolution can be achieved in the short term.
- 1.3 The Cossington Road site is located to the south of Sileby. The emerging Local Plan identifies Sileby as one of Charnwood's six 'Service Centres' which are acknowledged to be some of Charnwood's most sustainable settlements, located approximately 9km to the north of the centre of Leicester, east of the A60. The existing services of Sileby and Cossington are in walking distance of the site, including Sileby train station. The site was subject of a planning application for up to 170 dwellings (reference P/21/0491/2), refused in September 2021 and has since been subject to a planning appeal, including a 7-day public inquiry (reference APP/X2410/W/21/3287864). At the time of writing, the outcome of the public inquiry is awaited.
- 1.4 David Wilson Homes are a respected national housebuilder who deliver high quality new residential development and who have a strong track record of delivery in the local area. The Company is proud to have been awarded the Home Builders Federation (HBF) 5 Star Home Builder status for thirteen consecutive years. This accolade demonstrates the quality of both our client's product and service; awarded only to housebuilders who receive a higher than 90% recommendation by their customers.

## 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 food shop to only qualify if it is open 7 days a week. Convenience shopping can be a journey made multiple times a week, so the availability of this service is important. 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 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.

*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 David Wilson Homes 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 Sileby we confirm that it sensibly qualifies as a Service Centre, a tier the Council conclude can and should deliver a significant level of growth within both the adopted and emerging strategies. Sileby contains primary schools (with another in nearby Cossington which is being expanded to cater for growth in Sileby), access to employment, food shops, post office, doctors surgeries, regular public transport (including a train station) and a good range of leisure, recreation and community facilities. Such provision makes Sileby one of the more sustainable settlements outside of the defined urban areas. Queniborough meanwhile contains the requisite facilities to comfortably qualify as an Other Settlement, benefiting from a food shop, post office, public houses a community hall, primary school and good levels of public transport providing access to employment and higher order facilities. The delivery of new homes in Queniborough ensures the ongoing vitality and viability of the local services including the Primary School. The delivery of new homes in Queniborough and Sileby 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 which are particularly required.

**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 Service Centres and Other Settlements has not fully been realised through the spatial distribution, particularly in the context of the more sustainable settlements, which 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 Villages (Barkby, Burton on the Wolds, Cossington, East Goscote, Hathern, Newtown Linford,	934 dwellings	5%	66 dwellings	0.4%

Queniborough, Rearsby, Seagrave, Swithland, Thrussington, Thurcaston, Woodhouse Eaves and Wymeswold)				
Small Villages and Hamlets	18 dwellings	0%	1.4 dwellings	0%

2.9 In this context we consider that Service Centres and Other Settlements can absorb additional growth to help meet either an increase in the housing requirement or/and an increase through growth being redirected from existing urban areas due to concerns on deliverability for example. These settlements can absorb additional growth, without conflicting with the overarching spatial aim of urban concentration, particularly given the high level of reliance on urban centres as part of the proposed strategy. Commensurate additional growth in such settlements would increase the choice and competition of sites which would assist delivery, by serving the widest possible market for both housebuilders and buyers, assisting market absorption and ensuring land values remain competitive.

*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?*

2.10 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?*

- 2.11 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.
- 2.12 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 are discussed below in turn.

*Accord with the pattern of development set out in table above*

- 2.13 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*

- 2.14 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:*

- 2.15 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 that 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*

- 2.16 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.
- 2.17 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.

*Q2.16: What is the justification for the level of growth being directed to Service Centres given the Sustainability Appraisal's finding (paragraph 5.1.2) that there is potential for negative effects above 1600 dwellings?*

- 2.18 Whilst the SA is a key document in the preparation of a Local Plan, it is to be weighed against knowledge of local circumstances and any spatial option needs to consider matters such as deliverability, availability of land and so on. Our view is clear that any strategy which does not

provide for sufficient dwellings in Service Centres is likely to be unsound, as it will not be effective as it is likely non-deliverable. The adopted spatial option already has a high reliance on large SUEs and delivery in a few larger urban settlements, which increases the chances of critical plan failure due to non-delivery of just one SUE for example. It is noted that the failures relating to the current Core Strategy entirely relate to an over reliance on the SUEs. In this context, it is entirely justified to direct additional growth to the Service Centres, even if there are at least perceived by the SA to be some negative impacts adopted in directing more than 1,600 dwellings to the spatial tier.

2.19 It is noted that many of the Service Centres deliver a similar provision of services as Shepshed, which forms the Shepshed Urban Area, which is to deliver in excess of 2,300 units, broadly, only slightly below that being directed to all Service Centres. In this context, it is not clear why there would be such adverse impacts if more than 1,600 dwellings are to be delivered in the Service Centres.

2.20 It is further noted that given issues such as ongoing delivery of the SUEs and unmet needs, Service Centres can and likely should play a greater role in the delivery of housing needs. Service Centres have delivered successfully in recent years, and with such a strong track record of delivery and demand for housing, form a logical location for further growth. Some slight conflict with the SA is itself not fatal to the soundness of the Plan and should not be used as justification for failure to direct further growth to the Service Centre tier if increased housing needs are identified or it is established the existing strategy is undeliverable due to an over reliance on the SUEs.

*Q2.17: Are the site allocations in the Service Centres of Anstey, Barrow upon Soar and Sileby (served by Cossington primary school) as proposed in Policies DS1 and DS3 justified when there is a lack of capacity in their respective primary schools? How would this be addressed?*

2.21 In relation to Sileby specifically, there is a scheme and land secured through an emerging Section 106 Agreement to expand Cossington Primary School, which is only a few minutes' walk from Sileby. Whilst further work may be needed to ensure sufficient capacity exists locally for new students, it is not considered that this issue will be insurmountable. Further extensions or delivery of new schools can be secured through planning obligations, something which is not uncommon. The existing site-specific policies already require payments to be made to ensure there is sufficient primary school capacity locally. This device is supported and can be reasonably applied to any additional housing sites allocated in Sileby or any other settlement.