



Charnwood Local Plan Examination in Public

William Davis Homes Ltd

Hearing Statement - Matter 2: Vision, Objectives, Sustainable
Development and the Development Strategy

Previous Rep Nos. 546 & 547

June 2022

1.0 Introduction

- 1.1 This Hearing Statement sets out submissions made by Planning and Design Group (UK) Ltd on behalf of William Davis Homes Ltd. It relates to Matter 2: Vision, Objectives, Sustainable Development and the Development Strategy.
- 1.2 This Statement is submitted in response to the 'Matter, Issues and Questions' (MIQs) identified by the Inspector in May 2022 that will guide the relevant Examination in Public. They should be read in conjunction with our previous representations, including extensive supporting evidence, made throughout the Charnwood Local Plan drafting and consultation process.
- 1.3 Not every question has been answered – only those which are relevant to William Davis Homes Ltd's case and previous representations.

2.0 Matter 2: Vision, Objectives, Sustainable Development, and the Development Strategy

Issue 1 - Are the Vision for Charnwood 2037 and the Plan's objectives soundly based and will they contribute to the achievement of sustainable development?

2.1 Do the Plan's vision and objectives cover the full range of opportunities, challenges and priorities that need to be addressed in the Borough over the Plan period? Is it clear how the policies will help to deliver the vision and objectives over the Plan period?

- 2.1 William Davis Homes Ltd support the Plan's vision and objectives. They contribute towards the delivery of sustainable development and seek to achieve the NPPF's requirements of housing delivery and economic growth balanced with environmental protection and enhancement.
- 2.2 The vision and objectives emerge from a clear and concise assessment of the Borough's challenges and priorities, in particular the need to address population growth; deliver associated infrastructure (particularly schools); and to protect the identity of settlements by directing development to areas of lower landscape sensitivity and where opportunities for visual containment and connective green infrastructure can be best delivered.
- 2.3 As set out at para 1.26 of the Plan, it is clear that the policies emerge from, and enable the physical manifestation of the objectives, being the delivery mechanism directly targeted at meeting the objectives towards the wider vision. In this way the policies ensure that the plan will be effective at meeting the objectives.

2.2 Will the Plan contribute to achieving sustainable development, including a sustainable pattern of development, as set out at NPPF paragraph 11a and if so, how?

- 2.4 Yes. The Plan provides for growth in sustainable areas (those with services and facilities including transport links which do not rely on the private motor vehicle). At the same time however, the Plan recognises that more limited growth is necessary in rural areas to support services and facilities.

- 2.5 The Sustainability Appraisal includes and applies a methodology that has been developed from an analysis of the key sustainability issues arising from an evaluation of the baseline evidence base.
- 2.6 The plan provides for a moderate level of growth and a distribution which is achievable and directs development to those locations with the identified capacity (or potential to build in capacity) to accommodate it. It is clear at paras 2.3 -2.6 that sustainable growth lies at the heart of the plan relating back to the 'three overarching objectives' set out at para 8 of the Framework.
- 2.7 As is acknowledged at para 7.24 of the Annual Monitoring Report (SD/17) that a strategy of urban expansion with large scale SUE's has proven to be difficult to bring forward in terms of multiple ownership, large scale infrastructure requirements, upfront financial burdens and issues with ensuring the developments are self-sustaining. Whilst Charnwood Borough Council have a strategy for addressing these issues, it remains necessary to increase the number of sustainably located sites allocated for development in the Local Plan to ensure an appropriate balance of urban expansion and a more dispersed growth strategy option is achieved.
- 2.8 William Davis Homes Ltd support the development strategy set out by Policy DS1 insofar as it increases the scope for sustainability located sites to come forward for development, to meet future growth needs across Charnwood Borough.
- 2.9 The effectiveness of approach is widely accepted and proven in the examination of Local Plans nationally; higher housing delivery is achieved by allowing development on more sites (number), in all settlements, and on sites of varying sizes. This approach is recognised to best comply with the critical objective of the National Planning Policy Framework to 'boost significantly the supply of housing' and is a much more efficient and sustainable way of delivering growth. This approach reduces additional major infrastructure burdens and provides for a wider range of housing.
- 2.10 The number of new homes to be delivered by the Spatial Strategy in the Local Plan (1,111 pa) is an increase on the objectively assessed need evidence used in the Core Strategy (820 pa). On this basis, a realistic rather than aspirational approach has been taken by not upwardly adjusting the Standard Method housing need figure.

- 2.11 The increased housing requirement overall and specifically the remaining requirement to deliver almost 9,000 new homes outside of the SUE's and existing permission within the Plan period, establishes the need to allocate all of the sites proposed in order to make the Plan sound. The Council are not in a position to remove sites at this stage of the Plan process.
- 2.12 The higher order urban areas such as Loughborough and Shepshed are clearly identified as sustainable growth locations given their function and range of higher order service provision. Among other settlements, Barrow Upon Soar is an acknowledged sustainable location for growth. The number of homes and pattern of development, with particular regard to Barrow, is supported by William Davis Homes Limited. It is clear that the Council has applied a sequential approach to assessing sites in line with the settlement hierarchy, directing growth to the most sustainable settlements as well as looking at sustainable lower tier settlements such as Barrow, which are capable of accommodating proportionate residential development in order to fully meet capacity needs. The allocation of increased numbers and spread of new housing, as proposed, will provide more market choice and speed up take-up and delivery. Importantly, Charnwood's approach has considered the need to achieve 'critical mass' that will bring with it infrastructure capacity building both to fill existing gaps in infrastructure (particularly schools) and to support growth.
- 2.13 Therefore, as well as improving deliverability through a greater number and choice of sites, the plan objectives and policies seek to address the issue of infrastructure capacity in areas where it has been unable to keep up with ad hoc growth. In this way, the plan will be effective in delivering infrastructure needs to settlements where growth has been moderate but infrastructure delivery has been static so that they are at risk of becoming less sustainable. By directing suitable levels of growth to mid-sized settlements like Barrow, it is possible to deliver much needed school infrastructure and to 'plug the gap' that would otherwise isolate settlements from their service needs.

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?

2.3 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?

- 2.14 The Settlement Hierarchy Assessment sets out a clear methodology taking into account population size, travel to work patterns and service provision. As is clear, Loughborough and Shepshed are the largest settlement in the Borough and contain a full range of higher order services and facilities in accessible and very well connected locations. They contain the principle public transport hubs and serves are key centres for employment and public administration. Beyond the main urban areas, Barrow is the forth most populated settlement. It identifies that Barrow has all the essential and desirable local service required to sustain growth. Overall is confirms that Barrow has 'good' access to employment, and higher order services and 'excellent' secondary school provision. Importantly, this gives the settlement a solid foundation from which to further build sustainability and to expand existing services and facilities as required.

2.4 How has the Settlement Hierarchy Assessment informed the development strategy in Policy DS1?

- 2.15 The Settlement Hierarchy Assessment helps the Council provide for development on a greater number of sites of varying size across a wider range of sustainable settlements. This approach has proven to be effective in the examination of Local Plans nationally and is considered to best support the critical objective of the NPPF to 'boost significantly the supply of housing'. It is also a much more efficient and sustainable way of delivering growth, reducing the burden of additional infrastructure and providing a wider choice of housing.
- 2.16 Paras 2.42 – 2.54 sets out clearly how the settlement hierarchy has informed the development strategy, with regard to infrastructure provision, settlement identity constraints and landscape issues, ultimately directed at achieving the plan objectives. A clear thread between policy and objectives is established.

2.5 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?

- 2.17 Yes. See response to 2.3 above. Appropriately, this is reflected in the Local Plan Settlement Hierarchy, and the sequential approach to the apportionment of new homes in Policy DS1.

2.6 How does the 'Leicester Urban Area' relate to the settlement hierarchy in Table 4?

- 2.18 The Leicester Urban Area absorbs those higher order parts of the district that effectively and directly function as a part of the urban area (correctly ignoring administrative boundaries) and this is clearly identified in the note under 'Urban Settlement' within Table 4. The hierarchy but also recognises the functional influence of the Leicester Urban Area with growth appropriately directed to settlements like Anstey which have a close functional relationship, but with a separate identity that can be maintained and reinforced as set out in the evidence.

2.10 Are the limits to development based on a robust and credible evidence base and are they appropriately drawn on the Policies Map?

- 2.19 It is not clear how the Limits to development relate to the site allocations, and whether the allocations sit within, or adjoining the defined limits. The Limits to Development assessment dates from 2018, before many of the allocations were identified. In particular to the west of Barrow the Limits to Development assessment refers to the limit running along the back garden boundaries of properties fronting Cotes Road and excluding the cemetery. The proposed allocation HA49 would appropriately deliver well contained development further to the west of this line and is based on solid evidence of landscape impact and containment. In the case of HA32, the limits to development and the site allocation would create an isolated and enveloped area of 'countryside' between the allocation and buttercup fields. It is not clear how this squares with the Limits to Development.

Issue 3 – The Development Strategy

2.11 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?

2.20 The 'Development Strategy and Site Selection Topic Paper' explains at page 38 that:

"There are several advantages, however, associated with directing this higher level growth to Service Centres:

- Securing the provision of new primary schools at Anstey and Barrow-upon Soar and expanded provision to serve Sileby as well as Cossington.*
- Securing a more co-ordinated approach to landscaping and green infrastructure provision on larger sites.*
- The track record of housing delivery in these locations."*

2.21 See also paras 2.12 and 2.13 above

2.12 Does Policy DS1 set out a clear approach to the distribution of future housing and employment development across the different settlements in the hierarchy?

2.22 Please see the response to question 2.4 above.

2.13 Should the figures in the table in Policy DS1 be expressed as minimum numbers?

2.23 Yes, it is common practice for Local Plans to make clear that housing targets should not be seen as 'ceilings' to development. This helps with the Government's objective (see Paragraph 60 in the NPPF) of significantly boosting the supply of homes by providing flexibility.

2.14 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?

- 2.24 Yes. The distribution strategy is based on the settlement hierarchy which helps steer development towards the most sustainable settlements. See responses at 2.12 -2.14 above

2.15 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?

- 2.25 This follows national policy in the NPPF on five year supply and 'The presumption in favour of sustainable development' (Paragraph 11). The policy makes it clear that when a five year supply is not in place, proposals would be refused 'where any adverse impacts of doing so would significantly and demonstrably outweigh the benefits'. The policy simply reflects the requirements of national policy.
- 2.26 Proposals would need to be assessed on the basis of planning judgement as to their scale and location and whether they are proportionate to the relevant settlement taking account of its place in the hierarchy and access to sustainable services. However, it is considered that the percentages set out in the table relating to 'pattern of development' are very specific and could unduly constrain appropriate and sustainable development if strictly applied. For example, an addition of fewer than 100 dwellings to all Service centres would raise the percentage to 15% resulting in a potential conflict with policy. A more flexible and responsive approach would be for the policy to read '~~accord with the pattern of development set out in table above~~ **spatial strategy**' we would respectfully request this as a minor modification to the plan.

Policy SC1 - Service Centres

2.16 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?

- 2.27 Please see answer to question 2.12 and 2.13 above. The SA look at the impacts of growth alone, without taking into account the potential for higher levels of growth to deliver infrastructure benefits. The SA shows that development above 1,600 and

up to 2,100 has limited impacts (soils), which are clearly outweighed by the benefits. The table demonstrates that the critical point for impacts is 3,100 dwellings so the inclusion of the wider HA49 site is acceptable in this regard.

- 2.28 The Sustainability Appraisal does not identify any negative effects associated with the levels of growth proposed at Barrow, that cannot be adequately mitigated.
- 2.29 6 Sites were assessed at Barrow. Only one was considered to fall under Scenario A and the remaining sites were all considered to fall under Scenario C. The Scenario A site and all but one of the Scenario C sites were allocated to meet the 700 homes sought.
- 2.30 Appendix H of the SA Report notes for site PSH462 that there is a potential loss of important and TPO trees, while the emerging masterplan provides for the retention of the majority of trees within the site.
- 2.31 PSH462 received a negative adverse impact for Climate Change Mitigation because a suitable area for wind generation overlaps with the site. Policy Map 2 shows that the site is suitable for solar energy but it is not identified as being suitable for wind energy generation. Furthermore, we note that the Wind and Solar PV Energy Landscape Sensitivity Assessment (March 2019) does not identify the site as having any technical potential for wind energy development. Significant areas of Charnwood, particularly to the east of the Borough at The Wolds, have larger areas with technical potential for wind energy generation. As a consequence, we consider that a neutral impact should have been recorded within the Sustainability Appraisal assessment.
- 2.32 Appendix H also notes a negative impact on the Mineral Safeguarding Area. However, site is located adjacent to the existing built form of Barrow where mineral extraction is not likely to be possible or viable and this has not been considered within the Sustainability Appraisal assessment. More appropriately, a neutral impact should have been recorded within the assessment.
- 2.33 Notwithstanding the above, we agree with the overall conclusions of the SA in respect of the allocation of PSH462 as HA49 under Policy DS3.

2.17 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?

- 2.34 Please see response at paras 2.12 and 2.13. The site allocations at Barrow are entirely justified because they will deliver the 'critical mass' necessary to plug the existing gap in infrastructure caused by incremental and unsupported growth. The development strategy and growth directed to Barrow is true strategic planning, that delivers a set of policies and allocation directly geared towards achieving the objectives of the plan and delivering the vision over the plan period.
- 2.35 To direct growth away from sustainable and popular settlements because of a lack of existing school capacity would be to 1) ignore why there is a lack of capacity in the first place i.e. population growth; popularity; affordability; convenience and functional relationship of the settlement; and 2) consign those settlements to diminishing sustainability. It would be the antithesis of good planning and a misguided logic that would ultimately fail to achieve sustainable development.
- 2.36 In the same way that a long queue to see a film indicates it is a good film, a lack of school capacity indicates a good place to live. It is better to build a bigger cinema than make everyone see a bad film just because there is no queue!
- 2.37 The proposals for growth at Barrow ensure that, within the constraints capacity of the settlement, and ensuring the settlement identity is maintained through the protection of existing natural capital and the provision of Green Infrastructure, a critical mass can be delivered to ensure the delivery of a new 1 form entry primary school, necessary to build in capacity currently lacking and fully accommodate the needs of the wider development.

2.25 Overall, will the Plan's vision and objectives contribute to the achievement of sustainable development and is the development strategy justified by the evidence and positively prepared? Are any main modifications necessary for soundness?

- 2.38 Yes. William Davis Homes Ltd believe that Plan's vision and objectives contribute to the achievement of sustainable development and that the development strategy is justified by the evidence and positively prepared.

2.39 Please note our suggested modification at para 2.26.

Planning and Design Group

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