



Charnwood Local Plan Examination

Hearing Statement on behalf of Jelson Homes

Matter 3: Climate Change and The Natural Built Environment

June 2022

Report Title: Charnwood Local Plan Examination – Hearing Statement – Matter 3

Prepared by: Tim Evans

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For and on behalf of Avison Young (UK) Limited

MATTER 3 – CLIMATE CHANGE AND THE NATURAL BUILT ENVIRONMENT

Issue 1 – Whether the policies relating to climate change and the natural and built environment, are positively prepared, justified, effective and consistent with national policy?

1. **Q. 4.1 – Will the policy be effective in maintaining Areas of Local Separation and the separate identity of settlements?**
 - 1.1 No, Jelson has fundamental concerns about the soundness of Policy EV3 and the evidence underpinning it. The areas of separation and green wedges across Leicestershire have a very, very long history and in most cases were designated decades ago through a process of simply washing over all undeveloped land between settlements. There has been no substantive, wholesale review since. This process of retention of an historic designation for its own sake appears to have been continued in this latest plan with the Councils starting point being to retain all of the historic areas of separation unless there is a site specific reason not to. This is not considered to be a sound approach. The correct approach should be to assume no pre-existing designation and start again with a blank canvas in order to determine precisely where it is demonstrably necessary to apply the designation to achieve the policy objective. This should in all cases be the minimum required to secure that objective. Blanketing the countryside in restrictive designations is not compliant with the NPPF and does not encourage sustainable patterns of development.
 - 1.2 Instead, the Council's approach has been to commission LUC to undertake, on its behalf, a Landscape Sensitivity Assessment of its SHLAA sites (March 2019) which had two main objectives (i) to provide the Council with clear and robust evidence to inform its Sustainability Appraisal process (SA) and the associated decision making process on potential site allocations; and (ii) provide broad guidelines for the development of potential site options which may have the potential impact on landscape. Crucially, this was a 'historic policy on' assessment that had reference to the provisions of Policy CS11 (landscape and countryside) of the Charnwood Core Strategy Local Plan 2011 to 2018. That policy seeks to ensure that new development maintain the separate identities of the Borough's towns and villages makes clear that the Council will seek to protect the predominately open and undeveloped character of Areas of Local Separation (ALS) between the built-up areas of settlements. So, the starting point for the assessment undertaken by LUC must have been to assume that all of the ALS was pre-determined to be important and to be retained wherever possible. This does not accord with the approach we think that the Council should have taken which is discussed at 1.1 above.
 - 1.3 The Council then commissioned LUC to prepare an addendum to the 2019 Landscape Sensitivity Assessment. This was published in February 2021. It too appears to have had regard to the provision of Policy CS11 of the Core Strategy (i.e. the 'historic policy on' imperative to protect the ALSs).
 - 1.4 The supporting text to Policy EV3 acknowledges that the ALSs are long standing local plan designations. It goes on to say that the Council has reviewed the evidence regarding how existing ALSs are working and whether there is a need for it to designate new ones. What it does not do is question the need to review the need for them either in principle or in terms of detailed boundaries. At 8.20 it highlights that in identifying its development strategy, the Council has carefully balanced the need for development against a range of sustainability indicators and the scope to mitigate adverse effects. It goes on to say that this process has resulted in the Council allocating sites for housing development in areas that were previously identified as ALS. Last it notes that these allocations will require careful planning through their design and layout to minimise the impact on the physical and perceptual separation between the built areas of settlements.

- 1.5 We have reviewed the evidence base that the Council has assembled to support the preparation of the new Local Plan and in particular the evidence underpinning Policy EV3. This comprises a Green Wedge, ALS and Urban Fringe Assessment prepared by Arup in March 2016 and an addendum to that report which was published in 2018. The addendum was prepared in response to representation the Council received to the consultation it undertook on the Local Plan discussion paper between April – June 2018. It was intended to assist the Council with its consideration as to whether it would be necessary to make new or amend existing designations. Arup’s analysis appears to be the latest assessment of ALSs in the Borough. It is however lacking in numerous respects. Importantly, Arup doesn’t appear to have asked or answered the critical question which is “do the ALSs need to be retained in its current form in order to maintain separation / identity?” Overall, we find the Arup assessment to be wholly uninformative.
- 1.6 Notwithstanding the above, in a situation where housing need has increased across the Borough and the Council has decided to allocate seven sites for housing development in the ALSs. However, the evidence and logic for allowing some and rejecting others is entirely unclear and in many cases, including Rearsby has led to some perverse and wholly contradictory outcomes within the same ALS. Allocation HA60 in East Goscote versus our Client’s site in Rearsby is a case in point.
- 1.7 Insofar as Jelson’s site at Rearsby is concerned, it lies within the East Goscote / Rearsby ALS. Arup describes this ALS as having a moderate value, given it:
- “Providing a relatively small but highly open gap between East Goscote and Rearsby. Any development within this area would result in a visual and perceptual reduction in the separation between the two settlements. A small area to the east of Melton Road is judged to play a lesser role in relation to preventing coalescence. It forms part of the consented residential scheme at the Rearsby Roses site and has an urban, built-up character, making in contribution to separation.”*
- 1.8 The Arup report defines ‘moderate’ as *“provides a gap between two or more settlements, restricting further development which, as a result of the area’s landscape scale/pattern, topography, intervisibility or development patterns, may lead to the merging of these settlements. There may, additionally, be particular development pressures which may compromise the gap.”*
- 1.9 With regard to the ALS boundary, Arup note that this is relatively strong consisting largely of durable linear features. It went on to identify the Rearsby Roses site as a zone of weakness (a site where planning permission has been granted for housing, on appeal in 2013) and indicated that the northern boundary of that site would represent a strong alternative boundary to the east of Melton Road.
- 1.10 Again, in undertake this specific assessment of the East Goscote / Rearsby ALS, Arup doesn’t appear to have asked itself the crucial question of whether the ALS needs to be retained in its current form in order to maintain separation / identity. If it had, it could have done nothing other than conclude that the answer is no. It also failed to assess the relative merits of different parts of the ALS (e.g. Jelson’s site as discrete from the fields to the immediate north of Broome Lane). Overall, we find the Arup assessment to be wholly uninformative and totally unconvincing as a piece of Local Plan or Neighbourhood Plan evidence.
- 1.11 It seems to us that no evaluation of this particular ALS has taken place to enable the Council to determine whether amendments could be made to it in order to help it deliver the strategic requirements of the plan, whilst also retaining appropriate levels of separation. In other words, whether Rearsby could meet a proportion of the housing requirement that is directed to the Other Settlements and whether this site would be an appropriate location for development.

- 1.12 Jelson's site at Melton Road is bound on three sides by development. It is a matter of fact that the site's development would not result in Rearsby and East Goscote coalescing. Indeed, there would continue to be a standing of 440m-680m between the southern edge of the site and the northern edge of East Goscote.
- 1.13 The reality is that the development of Jelson's site would, of course, have an effect on the totality of the ALS between Rearsby and East Goscote. However, it would not significantly reduce its extent and there would remain a substantial open gap between the settlements on completion (both actual and perceived). Accordingly, we are completely satisfied that development in this location would have no perceptible impact on the identities of the two settlements and would certainly not cause any 'blurring' in this respect. It would not therefore undermine the function of the ALS in any way.
- 1.14 By stark contrast the Council is proposing to allocate land off Melton Road in East Goscote for a housing development of up to 260 dwellings (HA60) which would result in a far more significant incursion into the ALS than would arise as consequence of allocating Jelson's land for development. It seems perverse therefore that the Council has resisted allocating Jelson's land at Melton Road on the grounds of it giving rise to impacts on the ALS / settlement identity.
- 1.15 To illustrate the above we have provided the Inspectors with two plans. The first shows the existing extent of the Rearsby / East Goscote ALS. The second shows the ALS with both developments having occurred. This demonstrates that much of the ALS to the west of Jelson's site does nothing but protect fields for their own sake. It also highlights that no proper analysis of what is necessary has been undertaken and the frivolity of seeking to protect the countryside to the south west of the village when the gap along the main road (from where separation is actually experienced by most people) has in any event been eroded to the length of the small gap indicated by the arrow.
- 1.16 For these reasons Policy EV3 is not in our view, appropriately prepared, justified by evidence and consistent with national policy.

Contact details

Enquiries

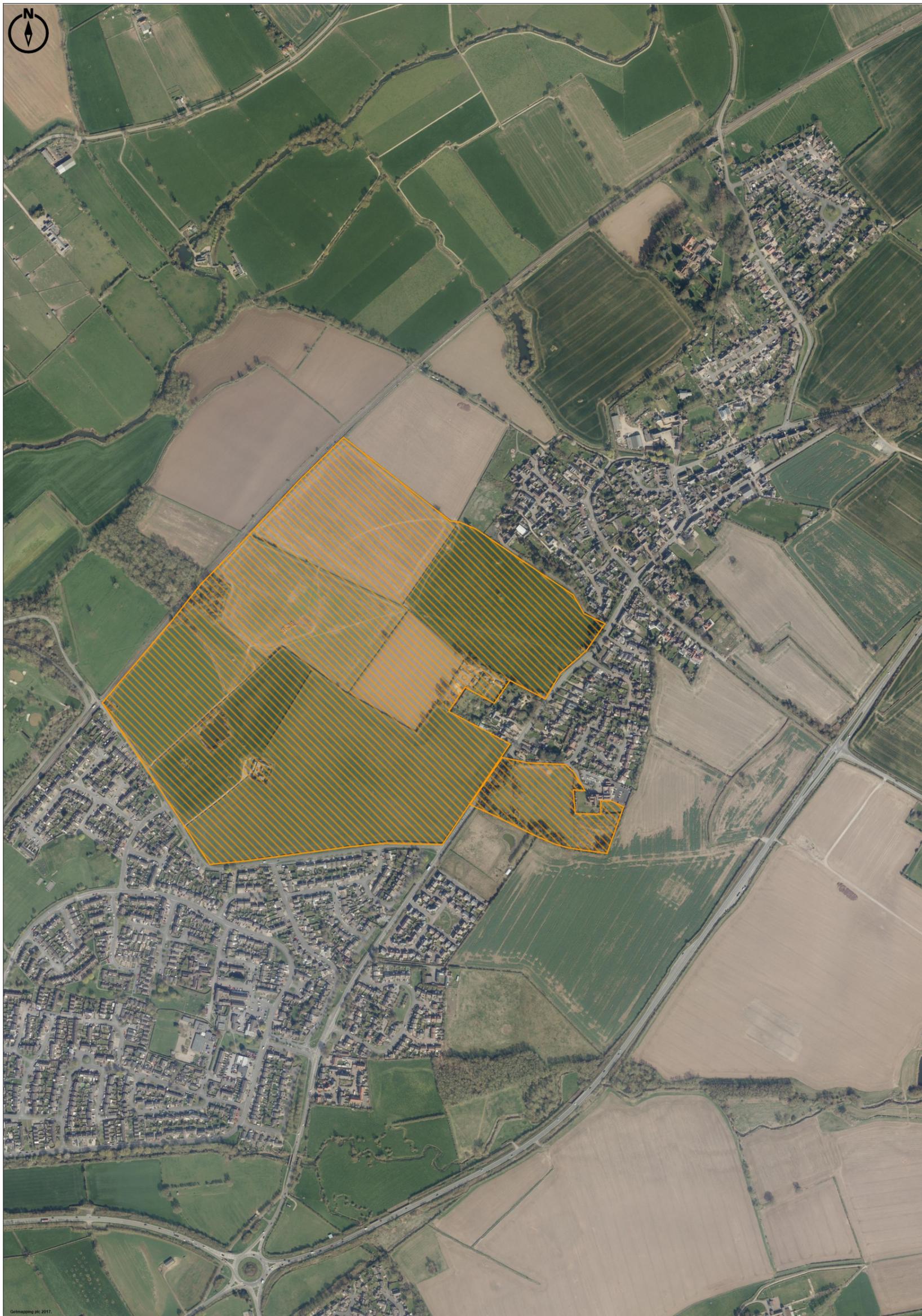
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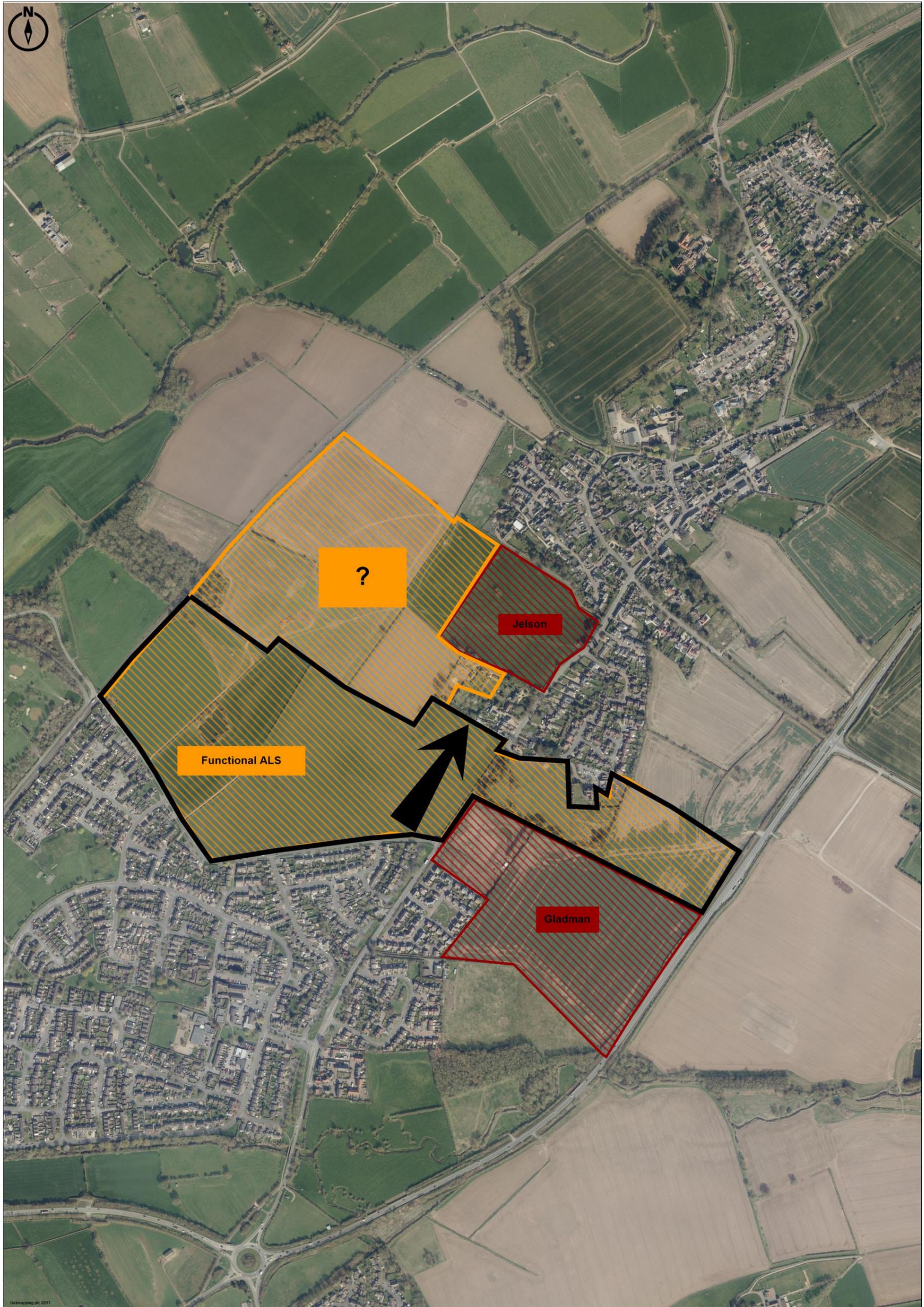
Avison Young

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Getmapping plc 2017.



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