

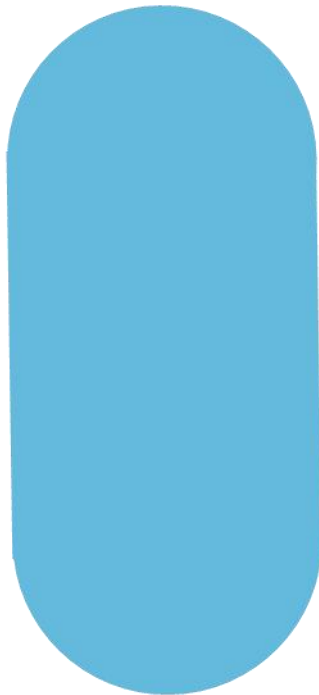
Charnwood Local Plan Examination

Matter 3 – Climate Change and the Natural and Built Environment

Hearing Statement

William Davis Limited

Representation IDs: PSLP/564





This Hearing Statement is submitted on behalf of William Davis Limited (WDL) and supports representations submitted to the Charnwood Local Plan (Draft Submission), July 2021.

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.

Policy CC2

3.2 Is there evidence to indicate the development will not increase flood risk to people and property at Shepshed?

- 1.1 WDL are the promoter of proposed site allocation HA32 Land off Tickow Lane (south) in Shepshed. The majority of the site is within Flood Zone 1, however it is recognised that there is land within Flood Zones 2 and 3 within close proximity of Black Brook which defines the western border of the site.
- 1.2 The Council's Level 1 Strategic Flood Risk Assessment (December 2018) summarises flood risk at Shepshed, including from the Black Brook for which the last recorded flood event was in 1977. The Level 2 Strategic Flood Risk Assessment (January 2021) discusses catchment-specific recommendations for storage and betterment opportunities, including at the Black Brook; the recommendation that opportunity should be taken to store additional water on development sites in the Black Brook catchment to alleviate flooding in the wider area is noted.
- 1.3 With regard to HA32, a significant amount of work has been undertaken to date, including the submission of a pre-application advice request in February 2021. To inform this and the wider promotion of the site, a Drainage Strategy has been produced and this was subject to consideration as part of the pre-application advice process. Leicestershire County Council as the Lead Local Flood Authority



did not object to the principle of development on HA32 in relation to flooding, instead detailed design guidance was provided. This has helped to guide site specific design considerations, which in turn informed a detailed Design Review which was undertaken by Design Midlands in November 2021. It is on that basis that detailed flood mitigation is being prepared as part for the forthcoming planning application for HA32.

- 1.4 Further, joint work between promoters of sites which fall alongside Black Brook, in consultation with the Council, are preparing a Black Brook Biodiversity Strategy. The intention of the document is to act as a framework for sensitive site allocation design and effective decision making. It will, amongst other things, outline principles for appropriate water flow management to assist in the delivery of biodiversity net gain and to reduce flood risk. The completion and realisation of this strategy will make a significant contribution to ensuring flood risk at Shepshed is not increased.
- 1.5 In summary therefore, in respect of HA32, through the implementation of an appropriate design and Drainage Strategy development will not increase flood risk to people and property at Shepshed.

Policy CC4

3.9 Will the policy be effective in adapting to and mitigating against climate change?

- 1.6 Whilst WDL are committed to the principles of sustainable development as defined by the National Planning Policy Framework and generally support the premise and intentions of Policy CC4, there needs to be some flexibility so sustainable development is not stifled by onerous requirements. One such burdensome requirement is bullet point nine of Policy CC4 which seeks to require layout, orientation and design of buildings to improve efficiency of heating, cooling and lighting and to maximise the potential for daylight and passive solar gain. This is unduly prescriptive and could result in sites failing to come forward or passing on costs to the end purchaser. Furthermore, there may be scenarios where the requirements for heating and solar gain are at odds with cooling.



1.7 In summary it is contended that, for the Local Plan to be considered effective and consequently be able to be found sound at Examination, the wording of the ninth bullet point of Policy CC4 should be revised to provide encouragement rather than enforce a policy requirement on layout, orientation and design of buildings.

3.10 Will the policy be effective in maximising the potential for development at the Sustainable Urban Extensions to achieve a reduction in carbon emissions and if so, how?

1.8 Yes. Subject to changes sought to Policy CC4 as set out in this Hearing Statement in response to questions 3.9 and 3.11, it is considered that the expectation that major development proposals should demonstrate how the need to reduce carbon emissions has influenced design, layout and energy sources employed, along with the encouragement in the bullet points of Policy CC4 including in relation to energy efficiency in construction and the use of renewable and low carbon energy sources, are sufficiently proportionate to be effective in maximising the potential for development at the Sustainable Urban Extensions to achieve a reduction in carbon emissions.

3.11 Is there evidence of a clear local need for the water efficiency standard set out in the criteria?

1.9 WDL note and support representations made by a number of other organisations, namely the Home Builders Federation (PSLP/556), Davidsons Developments, Redrow Homes and Helen Jean Cope Charity (PSLP/598) and St Philips (PSLP/618), in respect of the proposed water efficiency standard sought by Policy which is not sufficiently evidenced or tested in development viability.

1.10 As such it is contended that, for the Local Plan to be found sound at Examination, the sixth bullet point of Policy CC4 should be deleted.



Policy CC6

3.14 Is the policy necessary given the changes to Building Regulations scheduled to come into force on 1 June 2022?

1.11 While WDL support the principle of the provision of electric vehicle charging points in new development, concerns are raised in relation to lack of universal charging sockets, suitability of existing technologies for all dwellings, safety, and impacts on the local electricity network.

1.12 WDL note and support representations made by a number of other organisations, namely the Home Builders Federation (PSLP/556), Davidsons Developments, Redrow Homes and Helen Jean Cope Charity (PSLP/598) and St Philips (PSLP/618), in respect of Policy CC6 and the changes to Part S of Building Regulations relating to infrastructure for the charging of electric vehicles which are due to come into force in June 2022. The Written Ministerial Statement of 25th March 2015 delivered by then Secretary of State Eric Pickles is clear that local planning authorities should not set additional local technical standards which are dealt with by Building Regulations, with the exception of local standards of energy efficiency¹.

1.13 The purpose of this policy would be to shape and condition development, however any conditions would not meet the necessity test set out in Paragraph 56 of the National Planning Policy Framework. As such it is contended that, for the Local Plan to be found sound at Examination, Policy CC6 should be deleted as it is unnecessary given the forthcoming changes to Building Regulations. If Policy CC6 is to be retained, it should be amended to include the wording “where suitable” after “dedicated car parking space” in the second bullet point.

Word Count: 1,176

¹ [Written statements - Written questions, answers and statements - UK Parliament](#)