

**LOCAL PLAN  
REPRESENTATION**

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**HEARING STATEMENT  
MATTER 4**

Land East of Thurcaston

May 2022

**Carter Jonas**



Date: May 2022

Client: Mr C Green

Job Number: J0048347

Contacts: Laura McCombe

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## 1.0 INTRODUCTION

- 1.1 This Hearing Statement has been prepared by Carter Jonas LLP on behalf of Mr C Green in respect of the Matters, Issues and Questions produced by the Inspector in relation to the Charnwood Local Plan 2021-37 Examination.
- 1.2 The separate Hearing Statements provide a response to the following matters;
- Matter 1: Duty to cooperate and other legal requirements
  - Matter 4: Assessment of housing need, the housing requirement and mix and choice of housing
  - Matter 6: Urban area policies, site selection, sustainable urban extensions and housing site allocations
  - Matter 9 – Viability and Monitoring
- 1.3 Carter Jonas will be representing their client at the Hearing Sessions held in respect of matters 1 and 4, on Tuesday 28<sup>th</sup> June 2022 and Tuesday 12 July 2022 respectively.
- 1.4 This Statement follows the submission of representations in respect of the Charnwood Local Plan Pre-Submission Draft (July 2021) (Regulation 19) in August 2021 (reference: 615). The representation primarily focused on the housing requirement and the unmet need arising from Leicester City, which at that time was not apportioned across the neighbouring authorities. However, since the submission of the Charnwood Local Plan 2021-37 to examination, a further Statement of Common Ground (April 2022) has been published by the Leicester and Leicestershire authorities which identifies the scale of the unmet need and apportions it across the seven authorities.
- 1.5 This representation has been prepared in the context of the following planning policies.
- 1.6 Paragraph 8 of the National Planning Policy Framework (2021), hereinafter referred to as the NPPF, sets out three sustainability objectives which are as follows;
- 'a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy'*
- 1.7 In accordance with paragraph 35 of the NPPF (2021), Local Plans must be assessed as to whether they accord with legal and procedural requirements and meet the test of soundness as set out below;
- a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need*

*from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*

*b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*

*c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*

*d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.*

- 1.8 Paragraph 24 of the NPPF (2021) states that local planning authorities are under a duty to cooperate with each other and with other prescribed bodies on strategic matter that cross administrative boundaries which includes addressing unmet housing need. Furthermore, paragraph 27 details the requirement to demonstrate effective and on-going joint working through the preparation of Statements of Common Ground.

## 2.0 MATTER 4

2.1 The proceeding section provides a response to the following questions;

4.1 Is basing the assessment of housing need on the Local Housing Need figure in the standard method robust and is the housing requirement of 17,776 dwellings in Policy DS1 justified? What evidence supports this approach and should any upward adjustments be made for economic growth or to support the delivery of affordable housing?

4.3 Will the proposed supply of 19,461 dwellings set out in Policy DS1 against a requirement of 17,776 dwellings incorporate a sufficient 'buffer' to allow for non-delivery as well as providing choice and flexibility in the supply of housing land?

### Housing need

2.2 The housing requirement of 17,776 dwellings as set out in Policy DS1 is not justified as it is not an appropriate strategy which is based on proportionate evidence and as such cannot be considered sound.

2.3 The calculation has derived from the standard method which is suitable for calculating the starting point for housing need. As detailed in paragraph 10 of Planning Practice Guidance relating to housing and economic needs assessment, *'the standard method for assessing local housing need provides a minimum starting point in determining the number of homes needed in an area. It does not attempt to predict the impact that future government policies, changing economic circumstances or other factors might have on demographic behaviour.'*

2.4 One instance set out in planning practice guidance where the minimum housing need figure calculated by the standard method should be increased is when *'an authority agreeing to take on unmet need from neighbouring authorities, as set out in a statement of common ground'*. Charnwood are in agreement with the Statement of Common Ground (April 2021) that they will deliver the 1,248 dwellings over the period of 2020-36 to address the 18,700 unmet need arising from Leicester City. Given that Charnwood have agreed to this level of apportionment, irrespective of Hinckley and Bosworth position on the matter, it is essential the housing requirement of 17,776 is increased to accommodate the unmet need. This ensures the Plan meets all the test of 'soundness' including being positively prepared, justified, effective and consistent with national policies as detailed in paragraph 35 of the NPPF (2021).

2.5 Furthermore, this figure does not include any economic uplift which will facilitate growth and support the local authority and its community's economic recovery as a result of Covid-19. The economic benefits of delivering housing and its contribution to building a strong and competitive economy in line with paragraph 8 of the NPPF (2021) is well established. As detailed in the Economic Footprint of UK Housing Building in England and Wales (July 2018) undertaken by the Home Builders Federation and Lichfields, £39bn is generated as economic output as a result of house building each year. Therefore, to secure economic sustainability, Charnwood must incorporate an economic uplift in their housing requirement.

2.6 As omitted by Charnwood at paragraph 4.21 of the Charnwood Local Plan Pre-Submission Draft (2021), house prices in the area have increased significantly and exceeded the regional and national average increase whilst average household income has not risen by the same amount resulting in the

average house prices over 7 times above average earnings. This is a significant barrier for homeownership which is having a negative impact on economic and social sustainability. Whilst Policy H4 seeks to bring forward 30% affordable on greenfield sites and 10% on brownfield, it would be a positive and proactive approach to increase the housing need figure to enable additional affordable houses to come forward.

- 2.7 Thus, in order for the Plan to meet the test of 'soundness', the housing need figure must be increased to incorporate Charnwood's agreed apportionment of Leicester's unmet need along with an uplift to support economic growth and the delivery of affordable housing.

### **Flexibility in the supply of housing land**

- 2.8 Carter Jonas's Regulation 19 Representation stated that the flexibility contained at paragraph 2.14 and Policy DS1 are not consistent with each other. The policy only appears to propose a buffer of 1,685 dwellings (9.4%) in comparison to the 1,778 (10%) referenced at paragraph 2.14. It is our understanding, that as detailed in the Matters Issues and Questions issued by the Inspector, this will be addressed as a main modification which is agreed. It is not clear how this will be dealt with but it is recommended that as a minimum to comply with the Council's evidence base, an additional 93 dwellings are required to be allocated.
- 2.9 At Regulation 19 stage, we contended that the 10% buffer needed increasing to address Leicester's unmet need. However, now the apportioned has been published in the Statement of Common Ground (April 2022), we contend that the housing need figure should be increased to reflect the change in evidence base to ensure the delivery of an additional 1,248 dwellings over the period 2020-36. This is essential to ensure the plan continues to comply with the duty to cooperate and meets the test of 'soundness' as set out above.
- 2.10 However, notwithstanding the inaccuracy which will be resolved as a main modification, we consider that neither the 9.4% or 10% buffer would be sufficient in allowing for non-delivery, choice and flexibility. In accordance with paragraph 2.14 of the Plan, the 10% has been incorporated to '*recognise that unforeseen changes can affect the delivery of sites and our plan includes sufficient flexibility to allow for such circumstances and enable delivery of housing to meet our needs over the plan period.*' Thus, in response to the Inspector's question, the Council has only accounted for non-delivery. The flexibility allowance will need increasing as a main modification to provide choice and flexibility in the supply of housing land and is required in order to make the Plan sound.

### 3.0 CONCLUSION

- 3.1 In conclusion, we agree with the overall approach set out in the Charnwood Local Plan 2021-37. However, it is strongly contended that now the Statement of Common Ground (April 2021) has been published which apportions the unmet need arising from Leicester City, Charnwood should allocate additional residential sites prior to adoption. It is recommended that the most appropriate planning strategy would be to extend the Leicester Urban Area to include settlements such as Thurgate to ensure the unmet need is met in located within close proximity and connectivity to the neighbouring authority Leicester City. This is to ensure Charnwood continue to adhere to the Duty to Cooperate and meets the test of 'soundness'.
- 3.2 Furthermore, should the Plan proceed without allocating the additional residential development, Policy DS2 needs amending to ensure it is robust and positively prepared. Reference to 'all partners' should be removed to enable the Review to be undertaken prior to agreement by Hinckley and Bosworth Borough Council which will have significant implications on all three sustainability objectives.
- 3.3 The Plan before the Inspector is not 'sound' and the following amendments must be made for it to be considered 'sound';
- Allocate an additional 78 dwellings per annum to meet Charnwood's agreed apportionment of Leicester's unmet need as set out in the Statement of Common Ground (April 2022). It is recommended this is achieved by extending the Leicester Urban Area to include settlements such as Thurgate.
  - Increase the flexibility above 10% for the housing need to allow for choice and flexibility in the supply of housing land.

