



PLAN-IT X
TOWN AND COUNTRY PLANNING SERVICES

Charnwood Local Plan 2021-37 Examination:

Matter 6 - Urban Area
Policies, Site Selection,
Sustainable Urban
Extensions and Housing Site
Allocations

Written Statement on behalf
of Barrow upon Soar Parish
Council

PLANIT-X TOWN AND COUNTRY
PLANNING SERVICES LTD



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Introduction

1. This Statement has been prepared on behalf of Barrow upon Soar Parish Council (BuSPC) in response to the Inspectors' Matters, Issues and Questions for the examination hearings for the Charnwood Local Plan 2021-2037.
2. BuSPC has previously made representations to the Regulation 19 Local Plan consultation in relation to the scale of development proposed for Barrow upon Soar and the lack of mitigating infrastructure improvements.
3. This Statement concerns Inspectors' Matter 6 - Urban Area Policies, Site Selection, Sustainable Urban Extensions and Housing Site Allocations.

Issue 4 – Housing allocations

- 6.16a. Is the proposed scale of housing development justified, having regard to any constraints and the provision of necessary infrastructure?
- 6.16b. Is the allocation consistent with the development strategy in Policy DS1 and where relevant, does it take account of a made Neighbourhood Plan?
- 6.16c. What is the likely impact of the proposed development on the following factors:
- settlement separation and identity and landscape character;
 - biodiversity, green infrastructure including public rights of way and agricultural land quality;
 - heritage assets;
 - the strategic and local highway network and other infrastructure including health facilities, education and open space;
 - air and water quality, noise pollution, land stability and flood risk.
- 6.16d. Are the development requirements clear and deliverable and are any further safeguards or mitigation measures necessary to achieve an acceptable form of development? Are any main modifications necessary for soundness?
- 6.16e. Has any planning permission been granted for residential development and if so, what are the details?

HA45 Land to south of Melton Road, Barrow upon Soar

Is there evidence to indicate that the site can the site be developed without increasing the flood risk to people or property as required by the NPPF?

1. At its meeting of 22 December 2022, Charnwood Borough Council's Plans Committee resolved to grant planning permission, subject to the completion a S106 Agreement and conditions, to: P/21/0760/2 Gladman Developments Ltd Outline planning application for up to 130 new dwellings, with all matters reserved except access- Land south of Melton Road, Barrow Upon Soar (CLP site HA45).
2. Approval of this proposed allocation has prejudiced BuSPC's objections to the Charnwood Local Plan 2021-2037 based on its concerns about the scale of development proposed for Barrow upon Soar and the lack of mitigating infrastructure improvements. Approval has also prejudiced the outcome of the Local Plan Examination.

3. The S106 Agreement is to include contributions to primary (a proportion of the cost of new school plus potential contributions to temporary arrangements), secondary, post-16 and special schools, early years childcare, Barrow upon Soar library, waste, Barrow Health Centre, 30% affordable housing, outdoor sports, bus stops and travel packs.
4. There are no developer contributions or on-site provision for a community centre (Neighbourhood Plan Policy BuS12), indoor sports (CLP Table 11), village car parking (CLP CS1), or improvements in sustainable transport (CLP Appendix 3 - Infrastructure Schedule).
5. Despite the conclusions of the [Sileby & Barrow upon Soar Transport Study](#) (SBSTS) and Neighbourhood Plan Policy BuS13, prior to the approval of P/21/0760/2 a 'comprehensive transportation and flooding study, which identifies 'strategic level' mitigation measures' was not undertaken nor were all key junctions assessed e.g. the crossing at Bridge Street.
6. The National Planning Policy Framework sets out strict tests to protect people and property from flooding which all local planning authorities are expected to follow. Sources of flooding include overwhelmed sewers and drainage systems (PPG Paragraph: 001 Reference ID: 7-001-20220825). Severn Trent's Flood Risk Register identifies 14 properties in Barrow upon Soar which have had observed and verified reports of internal and external sewer flooding due to hydraulic overloading or where flow exceeds the capacity of the system.
7. Neither the developer or Severn Trent fully understand the impact of P/21/0760/2 on the sewer network (see Appendix 1), so CBC does not know whether the development will exacerbate the existing situation for residents, increase flood risk elsewhere or reduce flood risk overall.
8. BuSPC would like to take the opportunity to point out that the approval of P/21/0760/2 leaves Seagrave Nurseries an isolated area of countryside between the Jelson's Poppyfields estate and HA45/HA47 making the release of this 3.5ha site for further housing development in Barrow upon Soar almost inevitable.

HA46 – Land off Melton Road, Barrow upon Soar

Is there evidence to indicate that the site can be developed without unacceptable harm to wildlife?

Is there evidence to indicate that the site can be developed without increasing the flood risk to people or property as required by the NPPF?

1. At its meeting of 22 December 2022, Charnwood Borough Council's Plans Committee resolved to grant planning permission, subject to the completion a S106 Agreement and conditions, to: P/21/0759/2 Gladman Developments Ltd Outline planning application for up to 135 new dwellings, with all matters reserved except access- Land off Melton Road, Barrow Upon Soar (CLP site HA46).
2. The approved development exceeds the indicative capacity of 120 dwellings identified by CLP Policy DS3.
3. Paragraphs 1-7 above relating to HA45 similarly apply to site HA46.

HA47 – Land adjoining 84 Melton Road, Barrow upon Soar

Are the site boundaries correct?

Is there evidence to indicate that the site can be developed without increasing the flood risk to people or property as required by the NPPF?

1. The landowner/developer of site HA47 is not signed up to either the Statement of Common Ground relating to the proposed housing allocations in Barrow upon Soar (Exam51) or Primary School Delivery Strategy.
2. CBC does not fully understand the impact of HA47 on the sewer network, so it does not know whether the development will exacerbate the existing situation for residents, increase flood risk elsewhere or reduce flood risk overall.
3. BuSPC would like to take the opportunity to point out that the approval of P/21/0760/2 leaves Seagrave Nurseries an isolated area of countryside between the Jelson's Poppyfields estate and HA45/HA47 making the release of this 3.5ha site for further housing development in Barrow upon Soar almost inevitable.

HA48 – Land off Willow Road, Barrow upon Soar

Are the site boundaries appropriate?

1. Site HA48 is the subject of undetermined outline planning application (P/22/1254/2) (with all matters reserved, except for access) for a residential development of up to 220 dwellings, demolition of an existing farmstead and erection of a replacement farmstead, and a 1 Form Entry Primary School (plus an area to be reserved for its potential future expansion), provision of access via a new roundabout from Cotes Road, associated landscaping, open space, infrastructure and enabling earthworks.
2. Since the submission of the Local Plan, it has been agreed by the promoters of development sites HA45, HA46, HA48 and HA49, the County Council and the Borough Council, that the primary school will be located on site HA48 (land off Willow Road). Therefore, there is a set of proposed Main Modifications to the submitted Local Plan (Exam4 Main6.s to Main6.y).

3. The proposed masterplan associated with P/22/1254/2 shows a much larger site than the CLP Policies Map. The site has been extended further north into the countryside to accommodate the development site's access, the proposed site of the new primary school and possible expansion, residential development and a relocated farm. Consequently, there has been no reduction in the residential capacity of site H48.
4. A further Landscape Sensitivity Assessment for HA48 has been undertaken by CBC (Exam35). Exam35 identifies that the site overall has a moderate impact, although the northern and eastern edges of the site are more sensitive to high-density development.
5. BuSPC is concerned that the revised location of the primary school is on the very edge of the settlement and is therefore less accessible to residents increasing dependency on the use of the private car. The opportunity for further school expansion and better highway access arrangement is welcomed.
6. The Planning Statement accompanying P/22/1254/2 identifies the following anticipated developer contributions:
 - Affordable housing provision of 30%;
 - The provision and maintenance of on-site open space;
 - On-site provision of a serviced site for the new primary school plus an appropriate contribution to its capital costs;
 - An appropriate financial contribution to health provision as required and evidenced;
 - An appropriate financial contribution towards the proposed highway improvement at the Nottingham Road / Loughborough Road / Barrow Road junction;
 - An appropriate financial contribution (alongside developers of other sites in Barrow upon Soar) towards pedestrian and cycle improvement along Cotes Road and at the Cotes Road / Willow Road roundabout;
 - An appropriate financial contribution towards the provision of 2no. new bus stops (north and southbound) on Cotes Road;
 - An appropriate financial contribution towards travel plan mitigation measures, such bus passes.
7. There are no developer contributions planned or on-site provision for a community centre (Neighbourhood Plan Policy BuS12), indoor sports (CLP Table 11), village car parking (CLP CS1), or significant improvements in sustainable transport (CLP Appendix 3 - Infrastructure Schedule).
8. With respect to minimising the need to travel, particularly by private car, and prioritising sustainable modes of transport, appeal Ref: APP/X2410/W/15/3004925 is relevant. This appeal concerns the development of up to 70 dwellings (Ref P/14/0685/2) at land off Cotes Road, Barrow upon Soar. The appeal was dismissed on 6 November 2015. The appeal site forms part of CLP allocation HA49.

9. In relation to 'accessibility' the appeal inspector concluded:

'Employment and facilities in and around Barrow-upon-Soar are not sufficient to sustain the local population. Consequently, most residents of the appeal site, like the rest of the village, would travel elsewhere for work, as well as for comparison shopping and they would also be likely to visit larger supermarkets elsewhere for many of their convenience purchases.

A development of up to 70 new homes would generate significant movement and the hourly bus service that would link the appeal site with Loughborough and Thurmaston would be unlikely to cater for much of this because of its infrequency. The distance to the bus stops in the village centre and the railway station, together with their frequency, equally makes it unlikely that they would make a major contribution to the travel patterns of the residents of the appeal site.

I have already discussed the accessibility of the site to village facilities and again have found the appeal site to be not well located in this respect. As a result, movement to and from the appeal site is likely to be dominated by the use of the private car.

Paragraph 34 of the Framework says that decisions should ensure that developments that generate significant movement are located where the need to travel can be minimised and the use of sustainable transport modes can be maximised. The appeal proposal does not meet this requirement. Whilst at paragraph 29 the Framework recognises that opportunities to maximise sustainable transport in rural areas will be different to those in urban areas, at paragraphs 93 and 110 it encourages radical reductions in greenhouse gas emissions. A development as dependent upon the use of the private car, as the appeal development is likely to be, would be unlikely to contribute positively to this.'

10. Much the same conclusion can be reached with site HA48. The proposed pedestrian and cycle improvements are very modest while the location of the new primary school makes very little difference to the overall conclusion that HA48 will not support a reduction in car dependency. Indeed, since the appeal decision, bus services to Barrow upon Soar are much reduced:
- Kinchbus 2 Loughborough - Quorn - Barrow upon Soar - Sileby service no longer includes Leicester and is now every 90mins with no evening or weekend service;
 - Centrebus 27 Loughborough - Barrow upon Soar - Walton-on-the-Wolds - Seagrave - Sileby does not include Leicester and is now every 75mins with no evening or weekend service.

11. Despite the conclusions of the Sileby & Barrow upon Soar Transport Study (SBSTS) and Neighbourhood Plan Policy BuS13, a 'comprehensive transportation and flooding study, which identifies 'strategic level' mitigation measures' has not been undertaken nor have all key junctions been assessed e.g. the crossing at Bridge Street.

HA49- Land off Cotes Road, Barrow upon Soar

Is there evidence to indicate that the site can be developed without unacceptable harm to wildlife?

Is there evidence to indicate that the site can be developed without unacceptable harm to heritage assets?

What effect would the provision of a new school have on the surrounding area and on education provision for the community?

1. Site HA49 is in multiple ownerships with different promoters- William Davis, Rosconn, St Philips and Swithland Homes. Some parts of the site have been the subject of pre-application community consultation:
 - Rosconn- <https://www.cotesroad-barrow.co.uk/> (130dw)
 - St Philips- <https://www.cotesroadconsultation.co.uk/> (60dw)
2. With proposals coming forward for 190 dwellings on just part of the proposed HA49 allocation, the indicative 220 dwelling capacity is likely to be significantly exceeded with the William Davis/Swithland Homes elements.
3. Since the submission of the Local Plan, it has been agreed by the promoters of development sites HA45, HA46, HA48 and HA49, the County Council and the Borough Council, that the primary school will be located on site HA48 (land off Willow Road). Therefore, there is a set of proposed Main Modifications to the submitted Local Plan (Exam4 Main6.s to Main6.y) and there is a current pending outline application on the HA48 site for 220 dwellings and a primary school (reference P/22/1254/2).
4. As site HA49 is to no longer provide the site for the proposed new primary school, some 1.1ha is released for other purposes. BuSPC believes that the site should provide for a new multi-purpose community centre with a funding and delivery mechanism similar to the primary school Delivery Strategy, recognising that some funding may be available from elsewhere.
5. With respect to minimising the need to travel, particularly by private car, and prioritising sustainable modes of transport, appeal Ref: APP/X2410/W/15/3004925 is relevant. This appeal concerns the development of up to 70 dwellings (Ref P/14/0685/2) at land off Cotes Road, Barrow upon Soar. The appeal was dismissed on 6 November 2015. The appeal site forms part of CLP allocation HA49 and is the same as the St Philips element of the site. The appeal decision is appended (Appendix 2) and the sustainability conclusion is set out below:

The Framework is clear, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. Nevertheless, it is rare for any development to have no adverse impacts and on balance many often fail one or more of the roles because the individual disbenefits outweigh the benefits. For the Framework's sustainability test to have meaning then, all of the competing considerations have to be assessed together and an overall balanced conclusion reached.

I have found that the proposal would make a positive contribution to the economic aspects of sustainable development through its contribution to economic development and regeneration. I have also found that it would contribute positively to housing supply and would benefit some of the other aspects of social sustainability. These together weigh in favour of the proposal.

However, the need to investigate and resolve the surcharging of the foul drainage system in the area creates uncertainty and could delay implementation. This reduces the weight that I should give to the early achievement of the economic and social benefits. Additionally, the site's development would not create a walkable neighbourhood and overall I can only give minimal weight to the social aspect of sustainability.

The proposal would undoubtedly have a negative impact on the environment and if the proposal were to be implemented in accordance with the Design and Access Statement and its Parameters Masterplan, this would be significant. It is therefore my judgement that the environmental harm would significantly and demonstrably outweigh the economic and social benefits so that the appeal proposal would not deliver sustainable development within the meaning of paragraphs 18-219 of the Framework. Consequently the provisions of Para 14 do not apply.

6. Much the same conclusion can be reached with the remainder of site HA49. It should be noted that the appeal decision pre-dates the Sibley & Barrow upon Soar Transport Study (SBSTS) and Neighbourhood Plan Policy BuS13 which expects a 'comprehensive transportation and flooding study, which identifies 'strategic level' mitigation measures' to be undertaken together with an assessment of key junctions. Since the appeal decision, bus services to Barrow upon Soar are much reduced as set out above.

Appendix 1

From: Planning.APEast [mailto:Planning.APEast@severntrent.co.uk]
Sent: 16 August 2021 10:11
To: development.control@charnwood.gov.uk
Subject: P/21/0760/2 - Land South of Melton Road Barrow Upon Soar Leicestershire CRM:0038097

For the attention of Shaun Robson

Our Ref: P-210701-30940

Good Morning,

Re: Application No. P/21/0760/2
Site Address : Land South of Melton Road Barrow Upon Soar Leicestershire

With reference to the above planning application the Company's observations regarding sewerage are as follows.

Foul is proposed to connect into the public sewer, which will be subject to a formal section 106 sewer connection approval. A sewer modelling study may be required to determine the impact this development will have on the existing system and if flows can be accommodated. Severn Trent may need to undertake a more comprehensive study of the catchment to determine if capital improvements are required. If Severn Trent needs to undertake capital improvements, a reasonable amount of time will need to be determined to allow these works to be completed before any additional flows are connected.

Surface water is proposed to connect into a watercourse, which we have no comment. Please note that it is advised to discuss surface water proposals with the Lead Local Flood Authority for their requirements or recommendations regarding acceptable disposal methods or flow rates.

For the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Company under Section 106 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either our website (www.stwater.co.uk) or by contacting our Developer Services Team (Tel: 0800 707 6600).

Suggested Informative

Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under, The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

Should you require any further information please contact us on email below.

Kind regards,

Asset Protection Team East

Appendix 2