

Charnwood Local Plan Examination in Public

GC No. 37 Limited (Godwin Group)

Hearing Statement - Matter 6: Housing Site Allocations

June 2022

Quality Control

Project No.	19.011			
Client	GC No. 37 Limited (Godwin Group)			
Title	Charnwood EiP Hearing Statement: Matter 6 Housing Site Allocations			
Location	Land South of Ashby Road, Shepshed			
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Issue	Date	Prepared By	Reviewed By	Authorised By
2.	30 th May 2022	JW	SC	SC

1.0 Introduction

- 1.1 This Hearing Statement sets out submissions made by Planning and Design Group (UK) Ltd on behalf of GC No. 37 Limited (Godwin Group).
- 1.2 They are submitted in response to the 'Matter, Issues and Questions' (MIQs) for the Charnwood Borough Council Local Plan 2021-37 Examination in Public (identified by the Inspector in May 2022) and relate to Matter 6: Housing Site Allocations.
- 1.3 They should be read in conjunction with our previous representations, including extensive supporting evidence, made throughout the Charnwood Local Plan drafting and consultation process.
- 1.4 GC No. 37 Limited has an interest in 'Land south of Ashby Road Central, Shepshed' which is proposed for allocation in the Plan under policy HA41. GC No. 37 Limited has also submitted an outline planning application for up to 50 dwellings on the site (ref: P/21/2045/2).
- 1.5 Not every question has been answered – only those which are relevant to GC No. 37 Limited's case and previous representations.

2.0 Matter 6: Housing Site Allocations

Issue 1 - Whether the Urban Area Policies are justified and will be effective in meeting development needs

Policy SUA1 – Shepshed Urban Area

Q6.6 Is the policy justified and positively prepared and will it be effective in relation to:

- a. Infrastructure, including drainage, health facilities, settlement and landscape character and improving connectivity within the town centre and between Shepshed other destinations*
- b. The need for regeneration*
- c. Settlement and landscape character*

2.1 The Council's Development Strategy and Site Selection Topic Paper (July 2021 and updated December 2021) sets out clearly a 'Site Selection Method Overview'. The site selection was carried out through the Sustainability Appraisal. Paragraph 4.2 of the Topic Paper explains:

"As part of the Sustainability Appraisal an assessment was undertaken for each available site in the Strategic Housing and Economic Land Availability Assessment (SHELAA) using 14 social, economic and environmental objectives (the SA Framework). The starting point for the work was a list of 260 available sites. Since the start of the Sustainability Appraisal work 13 of those sites have received planning permission. A total of 247 sites were, therefore, assessed and an individual pro forma prepared for each, setting out the background to the assessment conclusions. The conclusions of the assessment are that development of the site would result in one of the following effects for the specific objective:

- Significant positive*
- Minor positive*
- Neutral*
- Minor negative*
- Significant negative."*

2.2 Using the results, sites were split (based on the worst performing indicator) into 'Site Selection Scenarios'. These were:

- Scenario A: sites which avoid significant adverse impacts
- Scenario B: sites where it is considered possible to mitigate impacts
- Scenario C: sites where it is considered possible to mitigate impacts if a lower accessibility threshold is used accepting that some negative effect on accessibility is unavoidable.
- Discounted: sites where significant adverse impacts cannot be mitigated.

2.3 Paragraph 4.6 of the Topic Paper then explains:

"The site selection method was applied tier by tier through the settlement hierarchy starting with most sustainable urban areas. For each settlement tier, the site selection was informed by the framework provided by the hybrid overall distribution strategy and further sustainability appraisal work to establish the capacity for new development within each settlement tier. Scenario A sites were considered and where appropriate allocated before moving on to scenario B and so on."

2.4 The 'Sustainability Appraisal Framework' (the 14 social, economic and environmental objectives referred to above – see Paragraph 2.1 above) can be found at Appendix A of the Topic Paper. The Framework considered:

- Landscape Sensitivity
- Biodiversity and Nature Conservation
- Flood Risk
- Land and Soils
- Climate Change (Access to Public Transport)
- Climate Change Mitigation
- Historic Environment
- Lifestyles: Access to Open Space
- Access to Healthcare
- Loss of Employment Land
- Accessibility Access to Primary School
- Access to Secondary School
- Access to Convenience

- Access to Leisure Facilities

2.5 The above analysis was carried out for sites at Shepshed. To be clear, GC No. 37 Limited believe that the provision of new housing (Policy DS3) and employment (Policy DS4) development will in itself help with the regeneration of the area. The above shows that a full set of sustainability criteria has been considered (including landscape, drainage, health facilities, and connectivity) in allocating sites for development in the Plan. As such, GC No. 37 Limited consider that Policy SUA1 is justified and has been positively prepared.

Issue 2 – The Site Selection Process

Q6.7 Is the site selection process for the proposed housing allocations soundly based, including the testing of reasonable alternatives? How have the findings of the Sustainability Appraisal informed the site selection process? Are the reasons for selecting allocated sites and rejecting others clear and justified and where are they documented?

2.6 Questions 6.6 and 6.7 are closely linked. The site selection process needs to be considered (and in turn the Sustainability Appraisal) to ensure the site allocation policies are effective as well as justified and positively prepared.

2.7 The details of the Sustainability Appraisal process above (in answering question 6.6) show how reasonable alternatives were considered (all available SHELAA sites) and how the findings informed the site selection process. As explained above, GC No. 37 Limited believe that the site selection process is clear and justified (as documented in the Council's Development Strategy and Site Selection Topic Paper - July 2021 and updated December 2021).

6.8 Is the site selection methodology based on an appropriate set of criteria? Have the criteria changed during the course of the selection process and if so, why?

2.8 GC No. 37 Limited consider that the site selection methodology is based on an appropriate set of criteria (landscape, drainage, availability of services and facilities, connectivity, historic environment and biodiversity etc...).

Q6.9 Are the following assumptions for site capacity set out in the Strategic Housing and Employment Land Availability Assessment (EB/DS/1) appropriate and justified:

a. Gross to net developable areas for residential development:

Up to 0.4 hectares 100%, 0.4 – 2 hectares 82.5%, 2 – 35 hectares 62.5%, over 35 hectares 50%

b. Density of 30 dwellings per hectare – was this applied to the net developable area?

2.9 We consider that the gross to net developable area used provide a relatively conservative but appropriate ‘rule of thumb’ to guide site capacity. Clearly, individual site capacity will be directly informed by the specific constraints of a site and the wider needs for infrastructure to be developed.

2.10 Using this approach and applying an assumption of 30 dwellings per hectare, however, equates to the same site capacity anticipated by GC No.37 Limited for Site HA41. It is not therefore considered to be unreasonable. Rather, it provides a deliverable estimate of housing supply to be considered against housing needs.

Q6.10 What approach has been taken to site capacity where specific site constraints or developer intentions are known?

2.11 GC No.37 Limited, in their application for outline planning permission for residential development on Site HA41, has provided the Council with evidence of deliverable housing numbers, which mirror the allocation. The evidence includes a suite of detailed site assessments, surveys and constraints information in order to give confidence to the Plan.

Issue 4 - Housing Allocations

NB: Our responses to this Issue relate directly to housing allocation HA41.

Q6.16

a. Is the proposed scale of housing development justified, having regard to any constraints and the provision of necessary infrastructure?

2.12 It is evident that through the SHELAA and Sustainability Appraisal assessments the Council has been able to robustly evaluate sites (including infrastructure issues) before proposing to allocate a site for development.

2.13 For Site HA41: GC No.37 Limited has demonstrated throughout this Local Plan process that it is capable of making an important contribution to meeting housing needs within Charnwood Borough and is sustainably located adjoining the existing urban settlement of Shepshed, within walking distance of public transport and local amenities, with no insurmountable physical or other constraints to development.

b. Is the allocation consistent with the development strategy in Policy DS1 and where relevant, does it take account of a made Neighbourhood Plan?

2.14 GC No. 37 Limited believe that Shepshed housing allocation HA41 is consistent with the sustainability criteria identified in draft Policy DS1. Furthermore, consistency with national and local planning policy formed part of the site assessments (constraints etc...).

c. 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.*

2.15 The impact of development on the above criteria has been considered through the Local Plan evidence base and no 'showstopper' issues were identified for this site rather, the site scored highly across most criteria supporting its allocation for housing.

2.16 Relevant technical reports and surveys have been prepared for this site in connection with the extant planning application for residential development on site (as referenced above). For almost all factors, the development will have no adverse impact. Where adverse impact arises in terms of biodiversity, it can be suitably compensated for in accordance with the NPPF.

d. 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?

2.17 Infrastructure providers have been consulted throughout the Local Plan process so there should be no unknowns in terms of requirements and costs otherwise affecting deliverability of the site. Notwithstanding this, whilst the importance of financial contributions from new development is fully appreciated, GC No. 37 Limited consider, particularly in the current economic climate where inflation is escalating and the cost of materials is increasing all the time, it is essential Policy SUA1 acknowledge that any such contributions are subject to development viability, cross referencing to Policy INF1 for clarity.

2.18 GC No. 37 Limited can confirm that no further safeguards or mitigation measures are necessary to achieve an acceptable form of development on its site 'Land south of Ashby Road Central, Shepshed (HA41).

2.19 In terms of any necessary main modifications, Policy SUA1 should be amended as follows:

'...Subject to viability, secures financial contributions to improve the public realm, landscaping, community facilities, public art and heritage of the town and particularly for the Bull Ring, Gall Croft, Field Street and Market Place; and...'

e. Has any planning permission been granted for residential development and if so, what are the details?"

2.20 An outline planning application including details of access for up to 50 dwellings remains under consideration by Charnwood Borough Council. The application reference is P/21/2045/2. Agreement on planning obligations and strategy for biodiversity net-gain are outstanding at the time of writing however, it is anticipated that the application can be recommended for approval by the Planning Committee at their June meeting.

Shephed Urban Area – General Questions

“Which sites are expected to contribute to the costs of a new primary school on Site HA32? Will this be expected to cover land and build costs and should this be made clear in the site requirements? What mechanism will be used to share the cost of a new primary school amongst the developers of other sites?”

- 2.21 Site HA41 is not required to contribute to the costs of a new primary school on Site HA32.

Is there an identified shortfall in sports facilities in the town and if so, will developer contributions be sought towards improved and new facilities?

- 2.22 Any developer contributions sought toward improved and new sports facilities must be CIL compliant and any contributions payable will be subject to viability.

HA41 – Land South of Ashby Road Central

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?

- 2.23 A full Flood Risk Assessment ('FRA') has been prepared for the site. The FRA explains that the proposed development lies within an area categorised as Flood Zone 1; that is, an area with a low probability of flooding. Planning Policy Guidance considers 'More Vulnerable Uses' (of which residential is one) within Flood Zone 1 as being appropriate.
- 2.24 An area of low to high-risk flooding from surface water is identified on site on the north-western site periphery, coinciding with a low point within the existing site topography. Two further small 'strands' of low-risk surface water flooding potentially represent overland flow follow existing topography from south to north on site. Another small, isolated area of low risk is depicted at the southern site boundary. Predominantly however the site is categorised as being at very low risk from surface water flooding.
- 2.25 Flood attenuation can be accommodated on site in the form of a detention basin at the lowest part of the site (north-west). All surface water drainage emanating

from the development of the site can and will be routed through the detention basin. A flow control device can and will ensure discharge to the existing surface water sewer at required rates. Exceedance flows should they occur at the site would be routed to the 'freeboard' element of the detention basin and to existing surface water features located immediately adjacent to the northern site boundary.

- 2.26 The FRA concludes that the site can be developed without increasing flood risk to people or property.
- 2.27 In commenting on the extant outline planning application, the Lead Local Flood Authority (LLFA) made no objection, subject to the imposition of conditions relating to surface water control if the application was approved.
- 2.28 GC No. 37 Limited has accordingly demonstrated that the site can be delivered as allocated, without increasing the flood risk to people or property on site or elsewhere, as required by the NPPF.

Planning and Design Group

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