



Charnwood Local Plan Examination in Public

William Davis Homes Ltd

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

Previous Rep Nos. 546 & 547

June 2022

1.0 Introduction

- 1.1 This Hearing Statement sets out submissions made by Planning and Design Group (UK) Ltd on behalf of William Davis Homes Ltd. It relates to Matter 6: Urban Area Policies, Site Selection, Sustainable Urban Extensions and Housing Site Allocations.
- 1.2 This Statement is submitted in response to the 'Matter, Issues and Questions' (MIQs) identified by the Inspector in May 2022 that will guide the relevant Examination in Public. They should be read in conjunction with our previous representations, including extensive supporting evidence, made throughout the Charnwood Local Plan drafting and consultation process.
- 1.3 Not every question has been answered – only those which are relevant to William Davis' case and previous representations.

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

Issue 2 – The Site Selection Process

6.7 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?

- 2.1 Consistent with the SEA Directive, regulation, planning policy and guidance, reasonable alternatives have been considered, and have been subject to a consistent SA methodology to ensure equal treatment in order to identify, describe, evaluate the likely significant effects. In particular, the SA has considered a number of reasonable alternatives relating to site allocations to deliver the development requirements
- 2.2 Reasons for the rejection and selection of the preferred site options are provided at each stage of the SA process and reported in the SA Report.

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?

- 2.3 Para 5.4 of TP/2 is clear that '*The selection of sites to support the provision of a new school in Barrow Upon Soar required consideration of sites which do not currently have access to a bus service in close proximity of the site. There were several sites available in the village once this criterion was relaxed and the sites proposed are those which best reflect the urban form and minimise adverse impacts*'.
- 2.4 It is noted that the HA49 site lies within 650m of two existing bus services and that there are existing stops directly on Cotes Road.

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

- 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?

- 2.1 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 the site and the wider needs for infrastructure to be developed. We have commonly used 75% as a rough guide to site capacity which has generally proven to be a reliable estimate. Charnwood’s approach would probably equate to a similar percentage when taken together, but recognises the potentially greater infrastructure requirements of larger sites e.g. the need for roundabouts, school site provision, parkland provision. As such it is considered that Charnwood’s approach is not unreasonable.
- 2.2 30 dwellings per hectare is also considered to be a reasonable assumption, recognising that there are few highly urbanised part of the district and that many of the allocations will adjoin existing suburban density locations. 30dph allows for areas of both higher and lower density to be created, and enables a reasonable, deliverable estimate of housing supply to be considered against housing needs overall.
- 2.3 While advocating minimum densities in city and town centres, the Framework is more flexible for less populated locations, where the need to respond to context is as important as making the most efficient use of the land available.
- 2.4 William Davis Homes Ltd want to ensure that the most efficient use of land is made at site HA49 to the extent that they will seek to maximise the use of the developable area, subject to a responsive approach to context. The sustainable location of the site and their relative accessibility to local services and public transport links, ensure that there are good opportunities to deliver higher densities in the most suitable locations, while providing for a spread of densities in more transitional areas and where the interface with surrounding landscape and countryside, demands / justifies a less intense form of development. In this context is it is absolutely correct, that the housing policies within the plan do not seek to arbitrarily cap housing

numbers for each site, allowing flexibility, efficient use of land (both in the interest of sustainability and boosting housing supply) and the ability to respond to local constraints and opportunities effectively.

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

- 2.5 William Davis Homes Ltd and other landowners have provided CBC with estimates of deliverable housing numbers for the allocations at HA49 based on constraints information in order to give confidence to the plan that the estimates of numbers can be achieved or exceeded subject to infrastructure capacity. It is considered appropriate at this plan making stage that a moderate approach to assumptions about housing site capacity is taken, so that the plan is not overly optimistic about deliverable numbers and does not underestimate the land required to meet identified needs. It is our experience that more detailed constraints information will tend to reduce site capacity from developers' initial estimates.

Issue 4 – Housing Allocations

NB Our responses to this Issue relate directly to housing allocation HA49

Question 6.16

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

- 2.6 The 'Development Strategy and Site Selection Topic Paper' explains at page 38 that:

"There are several advantages, however, associated with directing this higher level growth to Service Centres:

- *Securing the provision of new primary schools at Anstey and Barrow-upon-Soar and expanded provision to serve Sileby as well as Cossington.*
- *Securing a more co-ordinated approach to landscaping and green infrastructure provision on larger sites.*
- *The track record of housing delivery in these locations."*

- 2.7 Barrow is an acknowledged sustainable location for growth. The number of homes and pattern of development, with particular regard to Barrow, is supported by William Davis Homes Limited. It is clear that the Council has applied a sequential approach to assessing sites in line with the settlement hierarchy, directing growth to the most sustainable settlements such as Anstey as well as looking at sustainable lower tier settlements, which are capable of accommodating proportionate residential development in order to fully meet capacity needs. The allocation of increased numbers and spread of new housing, as proposed, will provide more market choice and speed up take-up and delivery. Importantly, Charnwood's approach has considered the need to achieve 'critical mass' that will bring with it infrastructure capacity building both to fill existing gaps in infrastructure (particularly schools) and to support growth.
- 2.8 The identification of the allocation has taken into account wildlife and landscape constraints and has understood existing transport network capacity sufficient to understand the implications for the network
- 2.9 6 Sites were assessed at Barrow. Only one was considered to fall under Scenario A and the remaining sites were all considered to fall under Scenario C. The Scenario A site and all but one of the Scenario C sites were allocated to meet the 700 homes sought.
- 2.10 Appendix H of the SA Report notes for site PSH462 that there is a potential loss of important and TPO trees, while the emerging masterplan provides for the retention of the majority of trees within the site.
- 2.11 PSH462 received a negative adverse impact for Climate Change Mitigation because a suitable area for wind generation overlaps with the site. Policy Map 2 shows that the site is suitable for solar energy but it is not identified as being suitable for wind energy generation. Furthermore, we note that the Wind and Solar PV Energy Landscape Sensitivity Assessment (March 2019) does not identify the site as having any technical potential for wind energy development. Significant areas of Charnwood, particularly to the east of the Borough at The Wolds, have larger areas with technical potential for wind energy generation. As a consequence, we consider that a neutral impact should have been recorded within the Sustainability Appraisal assessment.

- 2.12 Appendix H also notes a negative impact on the Mineral Safeguarding Area. However, site is located adjacent to the existing built for of Barrow where mineral extraction is not likely to be possible or viable and this has not been considered within the Sustainability Appraisal assessment. More appropriately, a neutral impact should have been recorded within the assessment.
- 2.13 Notwithstanding the above, we agree with the overall conclusions of the SA in respect of the allocation of PSH462 as HA49 under Policy DS3.

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 Paras 2.64 of the plan sets out clearly how the allocations have been directly informed by the development strategy and a clear thread back from the allocations to Policy DS1 and the overall plan objectives is established.
- 2.15 Para 5.4 of TP/2 is clear that '*The selection of sites to support the provision of a new school in Barrow Upon Soar required consideration of sites which do not currently have access to a bus service in close proximity of the site. There were several sites available in the village once this criterion was relaxed and the sites proposed are those which best reflect the urban form and minimise adverse impacts*'.
- 2.16 The Barrow Upon Soar Neighbourhood Plan 2017 covers the period 2017 to 2028. The Neighbourhood Plan has not been reviewed since adoption and does not contain any housing allocations. The allocation of HA49 accords with the relevant constraint policies of the Neighbourhood Plan and complies with the policies aimed at supporting and enhancing local services and facilities.. The provision of an additional primary school is supported by Policy BuS10 of the Neighbourhood Plan. While policy BuS16 seeks to restrict new housing development to areas within the defined limits to development, the policy will shortly be time expired, is not entirely consistent with the Framework and does not take account of the Local Plan, plan period and additional housing needs beyond 2028.

c. What is the likely impact of the proposed development on the following factors:

- *settlement separation and identity and landscape character;*

- 2.17 The HA49 site is well contained to the west of the existing settlement edge and does not extend to the north beyond the built form surrounding the Willow Road / Cotes Road roundabout which is a suburban feature signalling the northern entry point to the settlement. The allocation does not diminish open land further to the north and would not result in encroachment or merging of settlements. There are no relevant areas of separation to be considered in this location. To the west the railway line defines a strong physical edge to the site ensuring containment, while the adjoining LWS demands a soft and responsive edge to the western extent of development ensuring that views from the canal will be seen within the context of the existing backdrop of development. Key trees and landscape features are to be retained to ensure assimilation into the wider landscape.
- *biodiversity, green infrastructure including public rights of way and agricultural land quality;*
- 2.18 The HA49 site has been assessed by ecologists, Landscape Science Consultancy. The Ecological Appraisal concludes that the developable areas of the site are not subject to any form of statutory or non-statutory designation. A Local Wildlife Site (Railway Fields LWS) is located on the south western edge of the site. Within the site, there are trees are of high ecological value at the Local Scale, which create a good-quality Green Infrastructure asset to be retained. Other trees within garden areas are of moderate ecological value at the Local Level as established specimens which contribute additional habitat resources to the adjacent Green Infrastructure asset.
- 2.19 The neutral grassland meadow is of low to moderate ecological value at the Local Scale due to supporting a tall sward structure but a low diversity of grasses and herbs. The ornamental and amenity habitats within the gardens of the bungalow and period property are of low ecological value at the Local Scale.
- 2.20 There is low potential for GCN on the site. Some badger activity has been recorded. An existing bungalow and sheds have been found to support bat roosts. The boundary habitats of the Survey Site including woodlands, trees and dense continuous scrub provide good-quality breeding, foraging and commuting habitats for badgers, bats and wild birds.
- 2.21 A concept master plan for the site has been produced, which, wherever possible, seeks to retain and enhance boundary scrub belts, woodlands and trees as a Green Infrastructure asset. Impacts are to be minimised so they are as low of practically

possible to ensure the ecological functionality of the Green Infrastructure asset is not significantly affected. Primarily this will include a significant swathe of habitat to the western edge of the site from development in order to protect and provide a buffer to the LWS.

- 2.22 The plan exploits opportunities to provide a multi-functional green infrastructure network that is highly accessible and promotes healthy lifestyles while ensuring biodiversity net gain through the protection, retention and enhancement existing trees and hedgerows wherever possible, along with the creation of a range of new habitats of value to wildlife.

- 2.23 The Agricultural Land Classification is good to moderate
 - *heritage assets;*

- 2.24 There are no designated heritage assets within the allocation and the proposed development will have no direct impact upon any designated heritage asset.

- 2.25 The allocation is not in close proximity to the Conservation Area, but there are a small number of Listed and Locally Listed Building nearby. Despite their proximity to the site, their relative separation and lack of direct intervisibility ensures that there is unlikely to be any impact on the identified significance of the assets. This view is support by Appendix H of SD/6.
 - *the strategic and local highway network and other infrastructure including health facilities, education and open space;*

- 2.26 The location and scale of the allocation at HA49 is specifically identified to have attributes of sustainability that will considerably reduce reliance on the private car and will facilitate a realistic choice of alternative modes of transport. Accessibility to existing services, and the potential to enhance and create an extensive network of connected cycleways and footpaths through the Green Infrastructure strategy are key features, alongside the potential to access and enhance existing public transport infrastructure routes. The allocation provides the realistic choice, location and connectivity necessary to deliver the conditions for continued modal shift.

- 2.27 The Local Plan is supported by a plan wide transport assessment which identifies the growth locations; potential problems on the networks arising from modelled

outputs; and, suggest packages of improvement measure along with broad costs in order to effect suitable mitigation. The EB/TR-11 report notes that, taking into account the plan as a whole, '*Barrow-upon-Soar has a small increase in through traffic across all time periods. This is likely to be due to the increase in east-west traffic routeing across the east of Charnwood to/from Loughborough, as mentioned in §7.8.2, and due to the priority changes at the roundabout of High Street, South Street, and Bridge Street; however, this has not caused any marked increase in delay within the village. There are negligible increases in delay to the west of Barrow due to a slight increase in flow at the traffic signals on the Soar bridge.*'

- 2.28 The transport modelling undertaken provides a solid basis from which to understand the strategic impacts of growth, taking into account a worst case scenario. It goes on to identify a number of specific junctions where increased flows may result in localised delays and identifies within EB-TR-8 a detailed series of potential interventions and improvements. Notably, those interventions identified for Barrow are relatively modest and relate primarily to improved cycle and walking provision.
- 2.29 We understand that the LEA's preferred approach is for the school to be located on site HA48. William Davis Homes Ltd raise no objection to this proposed modification.
- 2.30 The provision of the school will be funded by those sites that will generate pupil numbers using the school.
- 2.31 In respect of healthcare, the plan is clear at para 9.9 that '*Planning decisions will be informed by continued joint working and evidence of need including the Estates Strategy prepared collectively by Leicester, Leicestershire and Rutland CCGs.*'
 - *air and water quality, noise pollution, land stability and flood risk.*
- 2.32 The site does not lie within an area classified to be at risk of flooding. Due to potential flood risk from surface water, flood risk management measures will be required. The potential exists for surface water to be discharged at reduced rates via the provision of attenuation. Therefore, the development will bring about improvements to the surface water regime in the area, and hence will not increase flooding adjacent to or downstream of the site for the lifetime of the development

2.33 Work is being undertaken in respect of drainage to ensure that any surface water flows do not detrimentally affect the Local Wildlife Sites

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?

2.34 For the most part the development requirements are clear and deliverable. However, the policy requirement to agree a comprehensive development masterplan, does not sit well with para 21 of the Framework which states that '*Strategic policies should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other non-strategic policies.*' The requirement for a comprehensive development masterplan goes too far in the level of detail required. Provided that the key elements of infrastructure required across the allocation are shown to be delivered in a coordinated way, there is no requirement for a detailed masterplan in advance of the grant of outline permission and goes well beyond the informational requirements of an outline application. We would request the following modification to the wording of HA49:

*'a **masterplan framework plan** to be agreed which **includes** **indicates** delivery and phasing arrangements for the whole allocation, in order to achieve comprehensive development; and....'*

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

2.35 The landowners of allocation HA49 have been in regular and direct dialogue to collaborate on the delivery of the site and applications are anticipated in a short timeframe.

Service Centres

HA49- Land off Cotes Road, Barrow upon Soar

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

2.36 Please refer to response at §2.18 – §2.22 and §2.33 above

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

2.37 Please refer to response at §2.24 – §2.25

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

2.38 We understand that the LEA's preferred approach is for the school to be located on site HA48. William Davis Homes Ltd raise no objection to this proposed modification.

2.39 The provision of a new school would serve to plug the existing gap in capacity created by ad hoc housing growth and would provide sufficient ongoing capacity to deal with need generated by the new growth identified in the plan. It would enable the provision of a modern and unconstrained educational facility to the wider benefit of the community and would obviate the need to transport pupils out of catchment. This will reduce pressure on schools outside of the catchment and reduce road commuting.

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