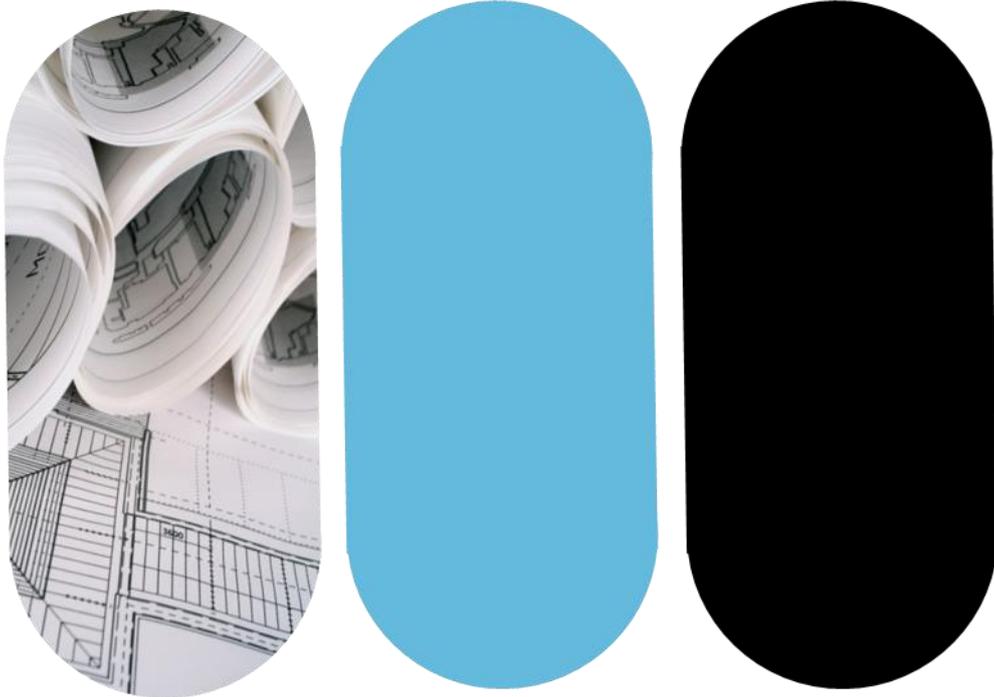


**WRITTEN STATEMENT IN RESPECT OF THE
CHARNWOOD LOCAL PLAN 2021-37
EXAMINATION**

MATTER 8- INFRASTRUCTURE AND TRANSPORT

On Behalf of Richborough Estates, Shaun William Taylor and Patrick Adam Taylor



1. INTRODUCTION

- 1.1 This Written Statement is made on behalf of our client, Richborough Estates, Shaun William Taylor and Patrick Adam Taylor in response to the Inspectors' Matters, Issues and Questions for the examination hearings for the Charnwood Local Plan 2037.
- 1.2 Richborough Estates have an interest in the land to the west of the B591/ Ingleberry Road and north of Iveshead Lane, Shepshed. The land is specifically covered under Policy DS3, site reference HA40.
- 1.3 Richborough Estates have previously made representations to the Regulation 19 Local Plan consultation (Marrons Planning Representation dated August 2021).

2. MATTER 8- INFRASTRUCTURE AND TRANSPORT

Issue 1 – The infrastructure delivery plan

- 2.1 The Charnwood Local Plan 2021-2037 Pre-Submission Draft (the Local Plan) presents a development strategy that underwent significant refinements during 2019 and 2020 between the Charnwood Draft Local Plan (Regulation 18) and the submitted plan. The local plan explains (paragraph 2.35) that *“significant engagement was undertaken with the Local Education Authority and Clinical Commissioning Groups to understand the capacity of schools and medical centres and the options available for the expansion in provision.”*
- 2.2 The Development Strategy and Site Selection Topic Paper (TP/2) goes on to explain (Paragraph 3.11) that *“During the course of the consultation on the draft plan the Local Education Authority made representations setting concerns with education provision could be satisfactorily provided given the capacity of schools to expand at a number of locations, and this led to a reconsideration of how growth could be aligned to support coordinated provision primary school education”.*
- 2.3 The Charnwood Infrastructure Delivery Plan (SD/10) confirms (table at

paragraph 4.12) that site HA32 will provide a 3 FE Primary School on 3ha of land to provide for 562 pupils. The IDP also confirms that the development should provide a site for the school with construction costs to be shared amongst sites that it would serve as necessary, this includes site HA40.

2.4 Whilst the DS3 allocated housing site policies cross reference education provision to be made on certain housing allocations we note that Policy INF1 does not reference the requirement for sites to contribute to strategic infrastructure requirements identified by the IDP and other policies, including allocations for development, set out elsewhere in the Local Plan.

2.5 Policy INF1 would benefit from the modification to ensure it effectively secures new and improved capacity to existing infrastructure to support proposed development. A suggested modification would amend the opening of INF1 as follows:

We will work with infrastructure providers, developers and partner organisations to ensure the delivery of new and improved infrastructure necessary to support our development strategy and maintain sustainable and healthy communities. We will support development that:

- **is supported by robust evidence of the infrastructure needed to mitigate impacts and support sustainable development;**
- **contributes to the reasonable costs of on site, and where appropriate off site, infrastructure needed to mitigate the impacts of the development through the use of Section 106 Legal Agreements, or in the case of highways, Section 278 Legal Agreements; and**
- **contributes to the reasonable costs of any infrastructure required to mitigate the impacts of the development strategy including where referenced in policies of this plan and identified by the Infrastructure Delivery Plan, including through pooling of developer**

contributions where the impacts can only be addressed in a comprehensive way.

Issue 2 – Transport

- 2.6 Policy INF2: Local and Strategic Road Network sets out a coordinated and strategy led approach to transport in the Borough. However, the local highways authority employs the Leicestershire Highway Design Guide (LHDG) as the primary policy document to influence the delivery of development and provide for their position on the determination of planning applications. We do not consider the LHDG to be policy.
- 2.7 The LHDG was prepared in and around the millennium, with consultation between 1999 and 2003 and therefore pre-dating both the NPPF and the first edition of Manual for Streets. On this basis, the LHDG is quite clearly materially out of date and does not conform to paragraph 111 of the Framework which states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*
- 2.8 We understand that the local highways authority has not appetite to update the LHDG and may not wish to accept the primacy of the development plan. Minor modification to the supporting text for Policy INF2 to provide clarity that the policies within the adopted Local Plan take primacy over those contained within the Leicestershire Highway Design Guide would provide clarity to all stakeholders.