

Date: 06 November 2023
Our Ref: 19.3050

Planning Department
Charnwood Borough Council
Southfields
Loughborough
Leicestershire
LE11 2TT



Dear Sir / Madam,

Re: Charnwood Local Plan Examination – Response to Additional Documents, Land at Six Hills, Charnwood

Boyer have been instructed by Knightwood Developments Ltd (Representation Number: 569) to respond to the Charnwood Local Plan Examination in relation to the additional documents requested by the Inspector following the last round of Hearings which took place in February 2023.

Following these hearings, in a letter from the Inspector in May 2023, it was requested that the Council provide additional information and further work in relation to Transport Strategies and the Viability Assessment. Further consultation was deemed necessary surrounding:

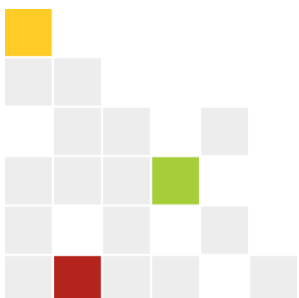
1. The Sustainability Appraisal;
2. The proposed approach to increasing housing land supply, including sites proposed for an increase in capacity; and
3. Updated completions/housing land supply monitoring data.

In September 2023, the Council provided a response to the Inspector and prepared the following documents for consultation:

1. The Sustainability Appraisal Addendum (Exam 57)
2. Charnwood Additional Housing Supply Update September 2023 (Exam 56A)
3. Updated Housing Trajectory (Exam 58B, 58C, 58D and 58E)
4. Draft Transport Strategy (Exam 75)
5. Updated Viability Work (Exam 76)

The purpose of this submission is to provide a brief response to the additional documents submitted to the examination and to comment on these in relation to the continual promotion of Knightwood Development's land interest at the site at Six Hills. In relation to the site and the representations made at previous stages only the relevant information will be assessed, this will focus on Exam 56A and Exams 58B – E.

Paragraph 35 of the NPPF provides the criteria by which emerging Local Plans are found to be 'sound' when subjected to examination; namely that the Local Plan must be positively prepared, justified, effective and consistent with national policy. Our response and past representations have been



grounded in directing the emerging Local Plan towards those options for housing and economic growth that will result in the emerging Local Plan being found sound.

In line with the updated evidence requested by the inspector and provided by the Council, this therefore needs to be found sound in accordance with the plan.

Additional Housing Land Supply (Exam 56A)

This document was requested by the Inspector in their letter to the Council to go through a period of consultation.

The deadline for respondents to submit Written Hearing Statement for the last round of hearings was the 16th January 2023. On the 20th January 2023 the Council submitted further documents to be considered as part of the examination process, this included Exam 56 and 58. Many felt the inclusion of these documents after the written submission deadline was procedurally unfair, as did not give interested parties the opportunity to comment or consider the findings presented. Therefore it is welcomed that the Council has now decided to undertake a further consultation in relation to these documents. The Council have since uploaded Exam 56A which provides an updated housing supply as of September 2023.

The apportionment from Leicester City equates to an additional 78 dwellings a year, Exam 56A outlines how current allocation densities/yields are being increased to cater for this additional need. This update had been informed using the April 2023 housing supply data. The use of this data has resulted in an overall increase in supply from April 2022 at 19,469 dwellings across the plan period to 19,717 across the plan period. This has also allowed for an increase in the buffer from 2.3% up to 3.6%. Although the increase in supply is welcomed increasing capacity / intensifying development on existing sites does not take into consideration the critical environmental and physical mitigation elements which may be required at each site or capacity in associated infrastructure.

The NPPF outlines specific requirements from local plans to ensure sustainable drainage systems are incorporated into development and opportunities should be pursued for securing measurable net gains for biodiversity. Therefore in line with this requirement further consideration of the ecological impact of site intensification is required and it cannot just be expected that identified sites can accommodate a greater number of units.

Based on allocated sites, windfall and previously identified supply, as set out in Exam 56A, this would add 1,417 homes to the overall supply which would increase the total supply to 21,134 and an annual target of 1,189. This therefore increased the buffer from 9.5% up to 11.1%. It is welcomed that the buffer has increased from 9.5% to 11.1% however there is still a heavy reliance on windfall sites as part of this delivery. As raised during our previous hearing statements a revised buffer needed to be considered in order for the local plan to be found effective and justified. In addition, we still believe this should be further increased to a minimum of 1,248 to account for the baseline requirement and Leicester City's identified unmet housing need.

A windfall site is not formally included or allocated in the development plan but subsequently comes forward for development. Therefore, housing delivery is relying on an unknown/unexpected supply which is not plan led. The additional documents uploaded by the Council (Exam 56A) suggests windfall sites can contribute an additional 693 homes across the plan period (an average of 63 homes a year

found via windfall sites) to help deliver the higher housing requirement, this has been decreased from 756 in order to take account of the year which has passed since the original work was undertaken and therefore to avoid double counting.

Data from Charnwood's Annual Monitoring Reports demonstrate that the windfall rate has slowed within 7 of the last 11 years, therefore supporting an overall lower housing land supply generated from windfall provision. During the last round of hearing session, It was requested that trends surrounding the Council's windfall supply could be submitted to the examination in order to established whether this strategy was in fact deliverable. This information does not appear to have been provided and therefore the soundness and reliance of this level of windfall provision is questioned.

Overall, the unreliable windfall data could add further upward pressure to the need to identify further housing allocations to meet the requirement. This goes directly against the aims of the NPPF which state "where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply" (Para 71). Therefore impacting the overall requirement to "significantly boost" housing land supply. By including a reduced allowance for windfall provision over the plan period, this further demonstrates the need for additional sites to be identified to ensure that the housing requirement is met over the plan period. By including a windfall provision which is too high, the Local Plan is at risk of not delivering the number of dwellings it requires.

During these hearing sessions the Inspector also queried the impact the higher housing requirement would have on the site selection process. The Council stated that in intensifying the capacity of proposed allocations, it was not necessary to revisit the site selection process.

The site selection process initially sifted potential sites for allocation. Each site was given a ranking of A, B or C against a number of specified criteria, A being the most favourable and C being the least favourable. If a site scored C against one of the site selection criteria it would score a C overall. Once appropriate allocation was sought within Group A, further Category B sites were then put forward until finally Group C sites were considered.

During the hearing sessions it was discussed how this criteria was perhaps illogical and unsustainable as some Group B sites overall scored worse than a Category C site which just scored lower on one criteria aspect. An example of this would be in relation to the Cotes settlement (north east of Loughborough proposed to provide 525 homes) stating it could deliver the same amount of housing as 58 lesser sustainable sites but as one aspect was labelled as a Category C the whole site was discounted.

The Inspector further questioned the chance of perverse outcomes generated from the site selection process and that clarity was needed surrounding Group C site criteria and if this was in relation to accessibility or environmental constraints.

No further comment in relation to the site selection process has been made by the Council as part of the additional documents submitted to consultation.

The NPPF seeks to "identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability.", therefore by not considering the 'suitability' of a site based of one set criteria questions the overall site selection process.

Based on the above assessment in relation to the additional documents provided and previous hearing sessions, it is welcomed that the Council has made some progress to increase the plan buffer however the over reliance on site intensification, windfall sites and discounted sites through the site selection process raises areas of concern. By increasing the housing target and identifying additional sites to meet needs (such as Six Hills) would provide further confidence and ensure the plan does not immediately become out of date which is contrary to the Government advice and is counter intuitive.

Housing Trajectory (Exam 58B – E)

This document was requested by the Inspector in their letter to the Council to go through a period of consultation. Similar to the above, Exam 58 was updated and submitted during the last round of hearing sessions once again this did not allow for any further comment.

Based on this request the Council submitted a number of documents under this which set out the housing trajectory across the plan period, this includes an explanatory notes and information surrounding an update to the 5 YHLS (Exam 58B through to E).

Exam 58A was updated during the hearing discussion in order to move those sites without Reserved Matter applications back within the plan period as it was felt this was overly ambitious, this included a delay to the Broadnook (Birstall) SUE development. Exam 58C explains the further updates following this which are presented in Exam 58B, this includes:

- Exam 58B has been updated in accordance with the April 2023 housing supply data;
- The housing requirement has been amended from 1,111 to 1,189; and
- The trajectory for each housing allocation with planning permission and phased SUE has been clearly marked (Green = Planning Permission Granted, Orange = Part Planning / Phased SUE and Blank = No Planning Permission).

Although the Council have taken on the feedback to delay the Broadnook north of Birstall SUE by a year given no Reserved Matters application is currently submitted, it is likely this could further be delayed due to the ongoing Council resourcing struggles and significantly impact on the housing trajectory due to the scale of the site as one of the largest allocations.

Further criticism was also raised during the last round of hearing sessions in relation to the Garendon Park Loughborough SUE, contesting that the build out rate of 250 homes a year was unsubstantiated. Comparing this to the local example of the Lubbethorpe Blaby SUE the build out rates of this development were around 160 per year, with the highest delivery being 197 dwellings. The scale of delivery at Garendon Park is therefore viewed as unsustainable and that the levels of growth are unprecedented for the area. If the Council do not match these build out rates this could cause a significant slip in the housing trajectory. This therefore deviated from the requirements of the NPPF which attain that “all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites.”.

Exam 58D outlines an update to the 5 Year Housing Land Supply (YHLS) following the amended housing requirement from 1,111 to 1,189 dwellings per annum. This highlights that between April 2021 and March 2023 the achieved completion rate was 1,453 against a requirement of 2,378 dwellings, therefore there is a deficit of 925 dwellings.

The Sedgefield Method and Liverpool Method for calculating 5 YHLS are then applied in relation to the Charnwood Borough Council as of April 2023. The main difference between the two methods in the application of the 925 dwelling deficit. The difference has been outlined in Table 1 below.

5 YHLS Method	Number of years supply calculated	Annual Housing target	Application of housing deficit
Sedgefield Method	5.16	1,443	The deficit of 925 dwellings are split across the first 5 years of the plan period. Resulting in a lower supply. (This is the preferred method)
Liverpool Method	5.89	1,262	The 925 dwelling deficit is spread across the whole of the plan period (from 2023 – 2037). Resulting in a slightly higher supply.

Table 1: Table outlining findings of different 5 YHLS Calculation Methods in relation to Charnwood Borough Council Housing Supply

Comparing this to Exam 58E, which provides an update to Charnwood Borough Council's 5 YHLS from 2023 – 2028, this shows over the next 5 years across all the large and small sites a housing supply of 4,963 dwellings. This only equates to an average annual supply of 993 dwellings which is a lower provision than both of the suggested models and lower than the annual housing requirement of 1,189. Although Exam 58B highlights that the 5 YHLS target can be met with consideration for the above assessment in relation to windfall and the delivery of large scale SUE's this figure could easily slip.

We are concerned that the sites identified in the Local Plan and then reflected in the Housing Trajectory do not provide a sufficient supply of sites to meet the needs of Charnwood along with a proportion of the unmet needs generated by Leicester and Leicestershire. There is an over reliance on the larger strategic sites, and as expressed above delays are already being exhibited in relation to the SUE's, therefore highlighting that a sufficient supply may not be catered for.

By increasing the number of identified sites in the Local Plan, the Council (local communities and infrastructure providers) can be confident that the plan is fit for purpose, justified and effective in its approach to housing delivery. Without a greater number of sites, which provides greater flexibility for all involved through a wider range of developments, the overall housing supply for the plan period will not be achieved.

The Proposal – Land at Six Hills

Knightwood Developments Ltd and Boyer are committed to bringing the above site forward as part of future housing supply within the Charnwood Borough. The site at Six Hills is available for development and has no irresolvable physical/environmental constraints to deal with it is viewed as being an attractive market for development.

Six Hills provides a long term opportunity for Charnwood and the Leicestershire authorities to focus on a new settlement which is not dependent on extensions to existing urban areas or market towns which appear in the existing settlement hierarchy. As outlined above, there is a high risk that the current housing trajectory and site intensification on existing allocations could hinder housing supply and therefore the Council may need to identify additional sites in order to deliver the housing requirement and maintain housing delivery over the plan period.

The site at Six Hills would help to meet the longer-term need for strategic sites and display much needed future growth within the borough as has the ability to deliver 500 homes in the next 11 – 15 years, with a full dwelling capacity of 3450 across the lifespan of the site (part delivery in a future plan period, post 2037).

To date Boyer have provided a number of representations and representation at examination on behalf of Knightwood Developments Ltd in order to show the suitability and future prospects of the site.

Conclusion

Overall, we welcome the further consultation of the additional documents as part of the Local Plan Examination.

Upon further review of Exam 56A and 58B – E it is evident the further consideration of the supply of the additional proposed housing is required in relation to site intensification and windfall allowance. It is viewed that further sites should come forward to support development in order to avoid an early review of the plan.

We consider the site at Six Hills could provide a suitable addition to the future supply of the local plan as is available and delivery in line with the required criteria.

Yours sincerely,

Olivia Price
Planner

