
Charnwood Local Plan Examination: Consultation in relation to updated Sustainability Appraisal, Housing Trajectory, Transport and Viability evidence (Examination Documents 56a, 57, 58b, 58c, 58d, 58e, 75 and 76)

Define Planning and Design on behalf of Bloor Homes Ltd – Laburnum Way, Loughborough (PSLP Representations Ref. PSLP/572)

EXAM 57 – Sustainability Appraisal Addendum:

Bloor Homes Limited (BHL) consider that the Sustainability Appraisal (SA) Addendum, coupled with the Submission SA, provide clear evidence that the proposed spatial strategy and site allocations have been identified based on a robust and evidence-based methodology that has considered all reasonable alternatives as required by National Planning Policy Framework (NPPF) paragraph 35b. In that regard, the spatial strategy being pursued within the Charnwood Local Plan (CLP) is sound in NPPF terms.

EXAM 56a, 58b, 58c, 58d, 58e – Housing Land Supply Documentation:

BHL also welcome the publication of updated evidence documents in relation to housing land supply, and are comfortable that Charnwood Borough Council (CBC) can demonstrate a sufficient supply of housing both to meet the overall housing requirement in the plan period and maintain a five year supply of housing in the early plan period. BHL consider the CLP to be sound in that regard.

EXAM 75 and 76 – Draft Transport Strategy and Consolidated Viability Addendum Report:

BHL welcome the publication of the Draft Transport Strategy (DTS) and Consolidated Viability Addendum Report (CVAR), and recognise the challenges that CBC and Leicestershire County Council (LCC) face in ensuring that the appropriate infrastructure is delivered to facilitate the growth that is proposed in the CLP, particularly in relation to major growth areas.

BHL also recognise that the final Transport Strategies will inevitably be refined to reflect the exact detail of the measures, negotiation in relation to the mechanism for their delivery, and the overall cost / level of developer contributions. However, it is critical given CBC's current housing land supply shortfall that residential development comes forward as envisaged, and that requires the timely grant of planning permission and delivery of supporting infrastructure. In that regard, BHL note that a pragmatic approach is required to facilitate development, and remain committed to working collaboratively with CBC and LCC to support the delivery of the required supporting infrastructure.

LCC have developed an Interim Transport Contributions Strategy (ITCS), and it is understood that this will shortly be subject to a period of public consultation. The intention of the ITCS, as reported to LCC's 24th October 2023 Cabinet, is to ensure that LCC will *"be protected, on a policy basis, during the period of CBC having no adopted Local Plan"* by ensuring that LCC does not lose developer contributions whilst final Transport Strategies are being prepared.

The ITCS and Cabinet reports refer to an estimated cost of c. £183 million for the delivery of the proposed highways and transport interventions, which reflects the figure that is set out in EXAM 75 and 76. Whilst it is recognised that the initial cost estimates have been undertaken based on the best evidence that was available to LCC at that point in time, the costs will need to be clearly evidenced for the subsequent contribution requests to be justified.

The mechanism for receipt of developer contributions towards the transport works is not currently clear, and will need to be clarified in the CLP and supporting Transport Strategies. The Submission CLP sets out in Policy INF1 that CBC 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 through pooling of developer contributions where the impacts can only be addressed in a comprehensive way.

On that basis, bullet points 2 and 3 would suggest that CBC / LCC will seek financial contributions towards infrastructure provision through both Section 106 (S106), as reflected in the Infrastructure Schedule that was appended to the Submission CLP (Appendix 3). CBC / LCC may wish to consider whether the new Infrastructure Levy (as introduced by the Levelling Up and Regeneration Act) may offer an opportunity to efficiently deliver infrastructure in the long-term.

However, in the meantime both parties will be aware that, if the proposed works are to be funded through the S106 mechanism, any contribution requests must meet the tests set out in Regulation 122 of the CIL Regulations 2010. They will, therefore, need to be (a) necessary to make the specific development acceptable in planning terms, (b) directly related to the development, and (c) fairly and reasonably related in scale and kind to the development. The contributions will also need to be deliverable, in that they should not render delivery of residential sites unviable. Indeed, LCC have recognised this in referring to the difficulties in funding and delivering the Melton Mowbray Distributor Road North.

It is understood that LCC is proposing modifications to CLP Policies INF1 and INF2 to take account of the above matters, and BHL would expect to be consulted on any main modifications ahead of the CLP's adoption. Moreover, as the developer of two key allocation sites in the Borough (Site HA16 and HA48), BHL are committed to working with CBC and LCC to advance the delivery strategy for the proposed infrastructure in a pragmatic and efficient manner; to allow residential development to come forward as required to address CBC's housing land supply position.