

# Charnwood Local Plan Examination Consultation Representations.

**Land at Markfield Lane, Field Head.**

**On behalf of Davidsons Development Limited.**

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## Document Management.

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# 1. Introduction

- 1.1. These representations have been submitted by Pegasus Group on behalf of Davidsons Developments Limited in response to further documents submitted for consultation by Charnwood Borough Council.
- 1.2. These representations are made in relation to our clients' interest in Land at Markfield Lane, Field Head.
- 1.3. Our clients have engaged fully in the preparation of the plan, making submissions on the Call for Sites and Regulation 18 and Regulation 19 consultations as well as being represented at the hearing sessions in February 2023. We have also submitted an outline planning application, demonstrating a comprehensive development solution.
- 1.4. The following sections set out our comments on relevant sections and policies in the plan.

## 2. Charnwood Local Plan Sustainability Appraisal Addendum, December 2022

- 2.1. The Council commissioned a SA Report Addendum to explore further options for development arising from the need to deliver a further 78 homes per year arising from Leicester's unmet need as well as further retail options.
- 2.2. The Council established the following 3 options to meeting Charnwood's contribution towards Leicester's unmet housing needs:
- Option 1 – Site intensification
  - Option 2 – Additional sites
  - Option 3 – Cotes standalone settlement
- 2.3. The appraisal identifies option 1 as the most preferable as minor negative effects were found across all 14 sustainability appraisal objectives compared to the other options where stronger negative effects were found.
- 2.4. Whilst this approach may be appropriate in certain circumstances where detailed masterplanning as part of planning applications has identified additional capacity, we would question whether increasing the capacity on allocations would represent the most appropriate approach for all the identified sites if it has not been demonstrated that the site is able to adequately mitigate development. The approach to increasing numbers on existing allocations to meet the unmet need from Leicester is therefore considered problematic. This approach will also impact on services and infrastructure, without sites providing any new benefits, in terms of open space provision, ecological and landscape improvements.
- 2.5. It is considered that greater certainty would be achieved through the allocation of new sites. This option only marginally performed worse in terms of landscape impact which in some instances could be mitigated. With specific reference to land at Markfield Lane Field Head, this is a live planning application which demonstrates a well-planned sustainable development which would deliver housing to support the number of homes required arising from Leicester's unmet need.

### **3. Charnwood Additional Housing Supply Update September 2023**

- 3.1. The Charnwood Additional Housing Supply Technical Note sets out the proposed approach to increasing the housing land supply following the implications of Leicester's unmet needs for housing and employment land which confirmed that 78 homes per year and 23ha of employment would be Charnwood's apportionment of Leicester's unmet needs.
- 3.2. The Council proposes to meet this additional need by focusing on maximising the number of homes on the existing allocations rather than identifying new sites. The justification for this is that the existing allocations have been identified through a systematic site selection process as the most suitable sites of sustainable development.
- 3.3. Whilst this is fully supported, there is a concern that this alone will not provide another housing or enough flexibility in the Plan for it to be deliverable.
- 3.4. Davidsons have submitted an outline planning application on land at Markfield Lane Field Head (site reference PSH41) that represents a suitable, sustainable, and available opportunity to provide additional housing to meet the identified unmet needs and provide an appropriate degree of flexibility in the plan. The documents supporting the application demonstrate that there are no overriding constraints to the development of the site. This site provides a logical additional site to the site allocations and would provide further housing supply which would support the delivery of the Local Plan.
- 3.5. The site is well related to the existing settlement of Markfield (within Hinckley and Bosworth) including good quality public transport connections to Leicester and suitable and safe access can be achieved from Markfield Lane.
- 3.6. We have stated in our previous representations that the site assessment of PSH41 is incorrect (Comment ID PSLP/619). Please refer to the previous responses which outline how this site is a sustainable development solution.

## **4. Updated Housing Trajectory (completions information and update note) and Update to Five Year Supply on Adoption and Site List**

- 4.1. The updated documents provide the 5-year housing land supply position on adoption of the Local Plan, taking account of the site intensification work undertaken by the Council to accommodate its apportionment of Leicester's unmet need for housing. The housing requirement has been amended from 1,111 dwellings per annum to 1,189 dwellings per annum to take account of the City's unmet need (78 dwellings per annum). The housing supply trajectory has been updated to look at the period 2023 – 2028, updating completions information and the effects of the site intensification work undertaken.
- 4.2. The 5-year period on adoption of the Local Plan is 2023 – 2028, and on 1st April 2023 the document confirms that there is a 5.16-year supply (224 dwellings surplus over requirement). The detailed trajectory confirms a 5.74-year supply at 2024/25- and 6-year supply at 2025/26.
- 4.3. The marginal five-year supply figure of 5.16 years does not provide the needed confidence that the Local Plan will deliver homes quickly following the adoption of the Local Plan. This suggests that a further increase in supply is needed, either through further site allocations (such as land at Field Head) as well as some intensification (where sustainable) in existing allocations.
- 4.4. The housing trajectory includes a 63 dwellings per year windfall allowance from 2026/27. This projection is based on historic completions in a scenario where there is no five-year housing land supply and in a Borough without an up-to-date Local Plan. It is considered that projecting this figure forward is overly optimistic considering that it is very unlikely that this windfall figure will be maintained in a scenario where the Council will have a 5-year housing land supply and an up-to-date local plan which will not provide any justification for the level of development on windfall sites.

## 5. The Draft Transport Strategy

- 5.1. The Transport Strategies to Enable Growth in the Borough of Charnwood document has been prepared by Leicestershire County Council (LCC) and has been submitted as part of the Examination evidence base. LCC have undertaken a series of reports assessing the cumulative transport impact of the proposed growth within Charnwood, and conclude that three strategies are required, focused on the three distinctive geographies in the Soar Valley Area, Loughborough/Shepshed Area and the North of Leicester Area.
- 5.2. The draft strategy set out a comprehensive package of highway, cycling, walking, and wheeling infrastructure and passenger transport improvements. The strategy also confirms that these improvements would cost approximately £183 million to deliver with funding sought from public (government) and private (developer) funding.
- 5.3. The NPPF sets out policy tests to ensure that planning obligations are only sought where they are necessary to make development acceptable, directly related to the development and fairly and reasonably related in scale and kind to the development. The transport strategy demonstrates that there is currently no mechanism to support the cost of the proposed allocations in the local plan. As development is only required to mitigate its own impact, it is important that until a correctly evidence document is adopted, infrastructure requirements for planning applications are considered based on their direct and cumulative impact on the highway network, in line with the requirement of the NPPF.
- 5.4. It is important to note that developers will have already signed up promotion/option agreements with landowners that cover considerable time periods, which is key to demonstrating the deliverability of allocations, however these agreements will have been based on achieving minimum land values that will not have considered these additional proposed per dwelling infrastructure costs. This may result in planning applications on allocated sites not being able to deliver policy compliant affordable housing given the per dwelling financial contribution proposed to cover highways, education, and other offsite infrastructure costs.
- 5.5. Charnwood Borough Council is not proposing that the Local Plan will include a policy to set a requirement for a per dwelling contribution towards highways infrastructure. To implement the per dwelling Section 106 costs, this will need to be converted into policy through a future SPD, and subject to the necessary public consultation process, taking account of the Viability Report. This could be implemented through an update to Leicestershire County Council's Planning Obligations Policy (July 2019) document, and we would request to be involved in the production of this document.
- 5.6. Davidsons are keen to work with the County Council to ensure that the transport strategy is developed further, at an appropriate stage of the plan making process and that an appropriate mechanism for its adoption is put in place via a supplementary planning document.



## 6. The Charnwood Local Plan Consolidated Addendum Viability Report

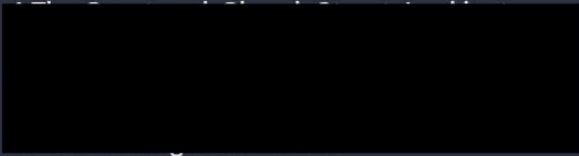
- 6.1. The viability addendum report provides a financial Viability Assessment in respect of Charnwood Local Plan. It has been updated several times to reflect changes in offsite transport costs and other significant changes in national policy and development costs.
- 6.2. The report confirms that S106 contributions are right to the margins of viability based upon the appraisal assumptions but that it is not recommended setting S106 obligations up to the margins of viability because of the risk of other unexpected onsite cost that have not yet been considered.
- 6.3. The report recommends that further work is required to manage school and highways infrastructure requirements and that detailed infrastructure will need to be further considered as part of each planning application. The report demonstrates that there is a funding gap between the amounts which are required to deliver the plan and the amount that can be sought from developers through S106 contributions alone.
- 6.4. The report confirms that developers cannot pay for the full infrastructure costs through developer contributions, and that additional public sector funding is necessary. Table 9.1 sets out the maximum total S106 obligations per dwelling across the three Housing Market Areas (Leicester Fringe, Loughborough/Shepshed and Wider Charnwood), for both greenfield and brownfield sites.
- 6.5. The report also calculates that, based on the number of new houses proposed across the Local Plan, the total amount of S106 funding delivered from residential development would be £200,885,700. This is only marginally higher than the overall highways package of £183,000.00. There is clearly a funding gap between the amounts which are required to deliver the plan and the amounts that can be sought from developers through S106 contributions.
- 6.6. A report to Leicestershire County Council's (LCC) Cabinet meeting on 24th October 2023 sets out the £140m current estimate for education requirements and the £183m current estimate for highways and transport requirements, totaling £323m. The LCC Cabinet report sets out that of the £200m maximum developer funding from the Aspinall Verdi report; this is based on all allocated housing sites contributing the maximum level of S106 funding, noting that it does not discount those sites that have already secured planning permission (which it notes is approximately 1,500 dwellings to date, out of approximately 9,300 dwellings). The report notes that it is not recommended to set contributions right up to the margins of viability and confirms that £200m is the maximum for all contributions, not just highways and/or education contributions. The LCC report confirms that LCC will continue to support the Charnwood Local Plan.
- 6.7. All the above demonstrates there is a funding gap for the delivery of essential infrastructure to support the delivery of the Local Plan. Not only should a mechanism be put in place to implement the S106 costs through a future SPD which would need to be subject to extensive consultation and viability testing, further development should be allocated to meet the funding gap and counteract the potential loss of affordable housing.



- 6.8. It is important to note that some of the Local Plan allocations already have planning permission and therefore will not be contributing to the Local Plan infrastructure costs required. The remaining Local Plan allocations should not be expected to fund the additional gap in infrastructure funding.
- 6.9. Davidsons look forward to collaborating with the Council to ensure that developer contributions sought are viable and deliverable.

Town & Country Planning Act 1990 (as amended)  
Planning and Compulsory Purchase Act 2004

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