

## **Charnwood Local Plan Examination**

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### **MATTERS, ISSUES AND QUESTIONS (MIQs)**

**Important: These Matters, Issues and Questions should be read in conjunction with the Inspectors' Examination Guidance Note and the Draft Hearing Programme.**

References in brackets () are to the document references in the Examination Library, which can be found on the Examination website

<https://www.charnwood.gov.uk/pages/examination>

#### **Abbreviations**

**NPPF – National Planning Policy Framework**

#### **MATTER 1: DUTY TO COOPERATE AND OTHER LEGAL REQUIREMENTS**

**Issue 1 – Whether the Council has complied with the Duty to Cooperate in the preparation of the Plan**

- 1.1 What are the relevant cross boundary strategic matters that have arisen through the preparation of the Plan (defined as matters having a significant impact on at least two planning areas<sup>1</sup>)?
- 1.2 What outcomes have resulted from engagement and cooperation on the relevant strategic matters and how have these informed the Plan's policies, including in relation to:
  - a. Housing
  - b. Employment
  - c. Highways and Transport
  - d. Flood risk
  - e. Infrastructure including renewable energy
  - f. Green Infrastructure and the natural environment

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<sup>1</sup> S33A(4) of the Planning and Compulsory Purchase Act 2004

g. Site allocations with cross boundary impacts

- 1.3 Is the process of cooperation demonstrated with clear evidence, including Statements of Common Ground as expected by National Planning Policy Framework paragraph 27 and the Planning Practice Guidance? Do the Statements of Common Ground identify the relevant strategic matters, actions in relation to cross boundary issues, and the outcomes of actions taken?

Unmet need

Context – The consultation on the City of Leicester’s draft Local Plan in December 2020 indicated a potential unmet need of 7742 dwellings and 23 hectares of employment land from 2019 to 2036. The revisions to the standard method for assessing local housing need in December 2020 to incorporate the cities and urban centres uplift of 35% increased the unmet housing need between 2020 and 2036 by an additional 9712 dwellings. The apportionment of unmet need is a key element of the Duty to Cooperate across the eight Leicestershire authorities.

- 1.4 When will the Statement of Common Ground on Housing and Employment Need (SCG-1) be updated to apportion the unmet need for housing and employment from Leicester to 2036?
- 1.5 What liaison has taken place between the Leicester and Leicestershire authorities to address the unmet need for housing and employment since the announcement of the cities and urban centres uplift in December 2020? Where is this documented?
- 1.6 Paragraph 3.25 of SCG-1 states that the Leicester & Leicestershire authorities agree that there is a sufficient supply of employment land in the Charnwood Local Plan to accommodate the unmet need for 23 hectares of employment land to 2036. However, page 96 of the Statement of Consultation (SD/13) indicates that the Plan does not accommodate unmet need for employment. What is the correct position?
- 1.7 If the outcome of cooperation on the Statement of Common Ground is that none of the unmet housing need will be apportioned to Charnwood, would there be any implications for the Plan or for Policy DS2?
- 1.8 If the Statement of Common Ground concludes that more housing is needed in Charnwood to meet Leicester’s unmet need, does the development strategy set out in Policy DS1 represent a robust and appropriate approach for the distribution of further housing, employment and other development in the longer term?

- 1.9 Are there any other issues that could trigger the need for a Plan review apart from Leicester's unmet need?
- 1.10 Will Policy DS2 be effective in its submitted form and are any main modifications necessary to improve its clarity in relation to timescales and its effectiveness? Should the policy include a reference to strategic warehousing and distribution needs?
- 1.11 What is the role and status of the Strategic Growth Plan (EB/DS/6)? What consultation has been undertaken and is it subject to external scrutiny? How much weight does the Strategic Growth Plan have for plan making purposes?

### Cross Boundary Infrastructure

- 1.12 Have the Plan's transport impacts been considered on a cross boundary basis, including the role of active and sustainable travel modes? What is the role of the Strategic Transport Assessment which is currently underway? Is this separate from the assessment of the specific impacts of the Plan's proposed growth on the strategic and local highway network as outlined in EB/TR/11, 12 & 13?
- 1.13 Is the need for new burial space a strategic cross boundary matter, and if so how is it being dealt with?
- 1.14 Are there any relevant strategic matters that have not been considered on a cross-boundary basis? If so, why?
- 1.15 In overall terms, is there evidence to demonstrate that, during the preparation of the Plan, the Council has engaged constructively, actively and on an on-going basis with relevant authorities and prescribed bodies on relevant strategic matters? Has the Duty to Cooperate been met in a manner consistent with paragraphs 24 - 27 of the Framework?

### **Issue 2 - Whether the Plan has been informed by a Sustainability Appraisal**

- 1.16 Is it clear how the Sustainability Appraisal (SD/5 & 6) has informed the preparation of the Plan and its policies at each stage, and how mitigation measures have been dealt with?
- 1.17 Does the Sustainability Appraisal robustly test the Plan against reasonable alternatives for the scale and distribution of housing,

employment, retail and other types of development set out in Policy DS1?

- 1.18 What alternative spatial strategy options were considered, which were discounted and are the reasons for this clear? What was the purpose of the 'additional focussed assessment' in Appendix G of the Sustainability Appraisal and how has this informed the development strategy in Policy DS1?
- 1.19 Have any concerns been raised about the Sustainability Appraisal and, if so, what is the Council's response to those? Have the requirements of the Strategic Environmental Assessment Directive been met?

### **Issue 3 – Whether the Plan has been prepared in compliance with other legal requirements**

- 1.20 Is the Habitats Regulations Assessment (SD/8) robust and have the requirements of the Conservation of Habitats and Species Regulations 2017 been met? Are any main modifications necessary for legal compliance with the Regulations?
- 1.21 Are any adjustments to the Plan period necessary for consistency with the NPPF's provision that strategic policies should look ahead for a minimum 15 year period from adoption?
- 1.22 Has the submitted Local Development Scheme (SD/16) been updated as set out in the Council's letter (Exam 2) and has the Plan been prepared in accordance with the scope, timescale and content set out in the revised document?
- 1.23 Has consultation on the Plan been carried out in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's adopted Statement of Community Involvement (SD/14)?
- 1.24 Does the Plan include policies designed to ensure that the development and use of land in the Borough contributes to the mitigation of, and adaption to, climate change in accordance with the legislation?<sup>2</sup>
- 1.25 In what ways has Plan preparation and the Plan's content had regard to the aims expressed in S149 of the Equality Act 2010 in relation to those who have a relevant protected characteristic?

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<sup>2</sup>Section 19(1A) of the Planning and Compulsory Purchase Act (2004) (as amended)

- 1.26 Has the preparation of the Plan complied with the Planning and Compulsory Purchase Act 2004 (as amended) Part 2 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) in all other respects, including in terms of:
- i. Having regard to the Planning Practice Guidance<sup>3</sup> that the preparation of the Plan should take into account policies and proposals in Neighbourhood Plans;
  - ii. Making clear which policies will be superseded if the Plan is adopted.
- 1.27 Do the strategic policies (page 3 of the Plan) provide an appropriate framework for the preparation of Neighbourhood Plans and what is the up-to-date position with Neighbourhood Plan preparation in the Borough?
- 1.28 Has Plan preparation had regard to the additional matters set out in Section 19 of the 2004 Act and in Regulation 10 of the 2012 Regulations?

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<sup>3</sup> PPG Reference ID 61-006-20190723

## **MATTER 2: VISION, OBJECTIVES, SUSTAINABLE DEVELOPMENT AND THE DEVELOPMENT STRATEGY**

### **Issue 1 - Are the Vision for Charnwood 2037 and the Plan's objectives soundly based and will they contribute to the achievement of sustainable development?**

- 2.1 Do the Plan's vision and objectives cover the full range of opportunities, challenges and priorities that need to be addressed in the Borough over the Plan period? Is it clear how the policies will help to deliver the vision and objectives over the Plan period?
- 2.2 Will the Plan contribute to achieving sustainable development, including a sustainable pattern of development, as set out at NPPF paragraph 11a and if so, how?

### **Issue 2 – Is the proposed settlement hierarchy positively prepared and justified by the evidence and are the proposed limits to development justified and soundly based?**

- 2.3 Is the Settlement Hierarchy Assessment (EB/DS/3) based on a robust methodology and relevant criteria in relation to the availability of and access to services and facilities?
- 2.4 How has the Settlement Hierarchy Assessment informed the development strategy in Policy DS1?
- 2.5 Are the settlements included within the settlement hierarchy categories of Urban Centre (Loughborough), Urban Settlement, Other Settlements and Small Villages or Hamlets in the Countryside justified? (Table 4 of the Plan). Does the settlement hierarchy appropriately reflect the role and function of these settlements?
- 2.6 How does the 'Leicester Urban Area' relate to the settlement hierarchy in Table 4?
- 2.7 The Plan also refers to 'Urban Areas', for example in paragraph 3.206. What areas are being referred to and is this clear?
- 2.8 Should the Sustainable Urban Extensions be identified as urban settlements in the hierarchy?
- 2.9 Why have small villages or hamlets been identified as a separate category in the settlement hierarchy if they are subject to the same policy approach as the countryside in Policy C1?

2.10 Are the limits to development based on a robust and credible evidence base and are they appropriately drawn on the Policies Map?

### **Issue 3 – The Development Strategy**

2.11 Is the distribution of development in Policy DS1 justified by the evidence and were all options for the level and distribution of growth tested through the Sustainability Appraisal? What is the justification for a greater proportion of new dwellings being delivered in the Service Centres compared with the 'hybrid' option tested?

2.12 Does Policy DS1 set out a clear approach to the distribution of future housing and employment development across the different settlements in the hierarchy?

2.13 Should the figures in the table in Policy DS1 be expressed as minimum numbers?

2.14 Will the distribution of housing development set out in the table within Policy DS1 achieve the overall stated aim of Policy DS1 for urban concentration and intensification, as well as minimising the need to travel, particularly by private car, and to prioritise sustainable modes of transport?

2.15 Is Policy DS1 justified in allowing for development adjacent to settlement limits in circumstances where a five year supply of deliverable housing land cannot be demonstrated? How would proposals be expected to accord with the pattern of development set out in the table in Policy DS1?

#### Policy SC1 - Service Centres

2.16 What is the justification for the level of growth being directed to Service Centres given the Sustainability Appraisal's finding (paragraph 5.1.2) that there is potential for negative effects above 1600 dwellings?

2.17 Are the site allocations in the Service Centres of Anstey, Barrow upon Soar and Sileby (served by Cossington primary school) as proposed in Policies DS1 and DS3 justified when there is a lack of capacity in their respective primary schools? How would this be addressed?

2.18 What is the relationship between the Service Centre category in the settlement hierarchy and the District Centre/Local Centre designation? Is there any potential for confusion about the role of the Service Centres?

2.19 How would a 'proven local need' for off street parking in the last bullet of Policy SC1 be identified and is this part of the policy justified?

#### Policy OS1 – Other Settlements

2.20 How would 'small scale' development in bullet two of the policy be defined and is the policy clear and effective in this regard?

2.21 Why are proposals for new services and facilities required to meet a 'proven local need' (bullet four)? What would be the harm in approving new services and facilities without a demonstration of proven local need?

2.22 Should the policy give more support to development outside the Development Limits on brownfield or underused land?

#### Policy C1 - Countryside

2.23 How would 'small scale new built development' in bullet two of the policy be defined and is the policy clear and effective in this regard?

2.24 What is the justification for requiring new services and facilities to meet a 'proven local need' (bullet three)? What harms would arise if new services and facilities are approved without a demonstration of proven local need?

2.25 Overall, will the Plan's vision and objectives contribute to the achievement of sustainable development and is the development strategy justified by the evidence and positively prepared? Are any main modifications necessary for soundness?



## **MATTER 3 – CLIMATE CHANGE AND THE NATURAL AND BUILT ENVIRONMENT**

### **Issue 1 - Whether the policies relating to climate change and the natural and built environment, are positively prepared, justified, effective and consistent with national policy**

#### Policy CC1 – Flood Risk Management

- 3.1 How has national policy been taken into account in the formation of the policy and the allocation of sites including with regard to (i) the sequential Test and (ii) the drainage hierarchy?
- 3.2 Is there evidence to indicate that development will not increase flood risk to people and property at Shepshed?

#### Policy CC2 – Sustainable Drainage Systems (SuDS)

- 3.3 Is the policy consistent with the supporting text at paragraph 7.21 regarding the provision of clear evidence that SuDS would be inappropriate?
- 3.4 As Policy CC2 refers to major development, how will the policy ensure minor developments incorporate SuDS as referred to in Policy CC1?
- 3.5 Will policies CC1 and CC2 be effective in minimising surface water flood risk from developments of 9 dwellings or less?

#### Policy CC3 – Renewable and Low Carbon Energy Installations

- 3.6 How will the application of the policy ensure that there are no unacceptable cumulative effects from wind and solar energy development given the spread of suitable locations for each shown on Policies Map 2?
- 3.7 How has the Wind and Solar Energy Landscape Sensitivity Assessment (EB/CC/4) informed the identification of sites for wind turbines and solar energy installations on Policies Map 2?
- 3.8 How will the guidance set out in Table 8, page 170 of the Plan operate in conjunction with Policy CC3?

#### Policy CC4 – Sustainable Construction

- 3.9 Will the policy be effective in adapting to and mitigating against climate change?

- 3.10 Will the policy be effective in maximising the potential for development at the Sustainable Urban Extensions to achieve a reduction in carbon emissions and if so, how?
- 3.11 Is there evidence of a clear local need for the water efficiency standard set out in the criteria?

#### Policy CC5 – Sustainable Transport

- 3.12 Will the policy facilitate a reduction in the need to travel and support alternatives to the use of private motorised transport including walking, cycling and public transport?
- 3.13 How will 'excellent accessibility' to key facilities by walking, cycling and public transport referred to in the policy be defined?

#### Policy CC6 - Electric Vehicle Charging Points

- 3.14 Is the policy necessary given the changes to the Building Regulations scheduled to come into force on 1 June 2022?

#### Policy EV1 – Landscape

- 3.15 Is the policy sufficiently robust to protect and enhance the Borough's distinctive landscape character and if so, how will that be achieved?
- 3.16 Has the policy been informed by up-to-date evidence and if so, what?

#### Policy EV2 – Green Wedges

- 3.17 Is the policy sufficiently clear with regard to what constitutes small-scale development and how will it be applied to avoid unacceptable cumulative effects from such schemes?
- 3.18 Will the policy enable Green Wedges to fulfil their function in conjunction with the Housing Allocations?

#### Policy EV3 – Areas of Local Separation

- 3.19 Will the policy be effective in maintaining Areas of Local Separation and the separate identity of settlements?

Policy EV4 – Charnwood Forest and the National Forest; Policy EV6 – Conserving and Enhancing Biodiversity and Geodiversity; Policy EV7 – Tree Planting

3.20 Will these policies be effective in meeting the National Forest vision?

Policy EV5 – River Soar and Grand Union Canal Corridor

3.21 Is the policy sufficiently ambitious to protect and enhance these features?

Policy EV6 – Conserving and Enhancing Biodiversity and Geodiversity

3.22 Is the figure of 10% biodiversity net gain sufficiently justified?

3.23 Is the policy based on up-to-date evidence in relation to Local Wildlife Sites and Candidate Local Wildlife Sites?

3.24 Is the policy sufficiently robustly worded to ensure that there will be no worsening of water quality?

3.25 Is the approach to internationally, nationally and locally designated sites consistent with national policy?

Policy EV7 – Tree Planting

3.26 Is the policy sufficiently clear in what it sets out to achieve given that its title is 'Tree Planting' but that it also makes reference to tree retention?

3.27 Is tree retention sufficiently addressed by Policy EV6?

Policy EV8 – Heritage

3.28 Will the policy be effective in conserving and enhancing heritage assets? (Note the drafting error referring to Policy DS6)

Policy EV9 – Open Space, Sport and Recreation

3.29 Is the evidence base supporting the policy robust and up-to-date?

3.30 Does the policy clearly reflect national policy?

3.31 How would local green spaces be designated in the future?

Policy EV10 – Indoor Sports Facilities

3.32 Is the evidence base supporting the policy robust and up-to-date?

### Policy EV11 – Air Quality

- 3.33 Will the policy be effective and does the supporting text in paragraph 8.89 set out more stringent requirements than the policy? How will air quality be monitored over the Plan period?

### Policy EV12 – Burial Space

- 3.34 Will the policy be effective in securing a sympathetic form of development taking into account landscape character?

### Policy DS5 – Design

- 3.35 Will the policy secure inclusive and accessible design as required by the NPPF? Is it clear what scale and type of development will trigger the requirements for design codes and independent design review? Should the policy make reference to density requirements and health impact assessments?
- 3.36 Overall, does the Plan set out a positively prepared strategy to address the causes of and mitigate the impact of climate change and to conserve and enhance the natural and built environment? Are any main modifications necessary for soundness?

## **MATTER 4: ASSESSMENT OF HOUSING NEED, THE HOUSING REQUIREMENT AND MIX AND CHOICE OF HOUSING**

### **Issue 1 - Is the assessment of housing need and the housing requirement positively prepared, justified by the evidence and consistent with national policy?**

- 4.1 Is basing the assessment of housing need on the Local Housing Need figure in the standard method robust and is the housing requirement of 17,776 dwellings in Policy DS1 justified? What evidence supports this approach and should any upward adjustments be made for economic growth or to support the delivery of affordable housing?
- 4.2 Is the housing requirement of 60 dwellings for the Wymeswold Neighbourhood Plan justified and what evidence has that figure been based on?

#### Supply

- 4.3 Will the proposed supply of 19,461 dwellings set out in Policy DS1 against a requirement of 17,776 dwellings incorporate a sufficient 'buffer' to allow for non-delivery as well as providing choice and flexibility in the supply of housing land?

(Note paragraph 2.14 refers to a buffer of 1778 dwellings in Table 2. A main modification will be necessary to correct this.)

- 4.4 Would at least 10% of the housing requirement be accommodated on sites no larger than one hectare as set out in NPPF paragraph 69?

### **Issue 2 - Will the Plan provide for a choice and mix of housing to meet the needs of different groups in the community?**

#### Policy H1 - Housing Mix

- 4.5 Will the policy provide for a mix and choice of housing to meet the needs of different groups in the community and is it consistent with national policy in that regard?
- 4.6 Is the scope of the policy appropriate and is greater clarity needed in paragraph 4.5 in relation to the size of affordable properties that are most needed?
- 4.7 Is the policy sufficiently flexible to take account of changing conditions to the private rented sector over time?

## Policy H2 – Housing for Older People and People with Disabilities

- 4.8 Are the requirements in Policy H2 for M4(2) and M4(3) standard homes justified having regard to the factors listed in the Planning Practice Guidance<sup>4</sup> and the evidence in the Housing Needs Assessment (EB/HSG/1)? Is it clear what is meant by an ‘appropriate proportion’ in relation to the requirement for M4(3) homes? Has the impact on development viability been assessed and what was the outcome?

## Policy H3 – Internal Space Standards

- 4.9 Is there an identified need to apply the nationally described space standard taking account of the evidence about the size and type of dwellings being built in the area? Where is that evidence and has the impact on development viability been assessed?

## Policy H4 - Affordable Housing

- 4.10 Is the supporting text to the policy and the policy itself sufficiently clear for Plan users in relation to the calculations for the provision of affordable housing?
- 4.11 Does the viability evidence support the percentages of affordable housing sought on greenfield and brownfield sites and the threshold of 10 or more dwellings at which they will be required?
- 4.12 Is there any evidence to indicate that the First Homes model is the appropriate mechanism to meet affordable housing needs in the Borough? How will First Homes be delivered as part of the mix of affordable housing?
- 4.13 How will the First Homes model assist in meeting the need for shared ownership dwellings?

## Policy H6 - Self-Build and Custom Housebuilding

- 4.14 Are the policy thresholds justified by the viability evidence and is it clear how many plots would be sought on sites of 10 to 250 dwellings? What evidence is available to demonstrate the level of interest in self and custom build dwellings?

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<sup>4</sup> Paragraph: 007 Reference ID: 56-007-20150327

### Policy H7 - Houses in Multiple Occupation

- 4.15 Are the policy thresholds justified and what evidence are the 10% 'concentration' figure and 100 metre radius based on?
- 4.16 Is there evidence to indicate that the policy is based on a robust methodology? How would 'over concentration' be assessed having regard to local geographical factors?

### Policy H8 - Campus and Purpose-Built Student Accommodation

- 4.17 Is there evidence to indicate that the policy will meet the accommodation needs of the student population over the lifetime of the Plan?

### Policy H9 - Gypsies, Travellers and Travelling Showpeople

- 4.18 What is the identified need for accommodation for Gypsies, Travellers and Travelling Showpeople? Is the Gypsy and Traveller Accommodation Assessment (EB/HSG/4) up to date and consistent with national policy in identifying these accommodation needs?
- 4.19 Does the policy set out appropriate and clear criteria for the assessment of planning applications and is the requirement to demonstrate an identified need consistent with national policy?
- 4.20 Is there evidence to indicate that the need for this type of accommodation will be delivered through the development of Sustainable Urban Extensions?
- 4.21 Overall, does the Plan set out a positively prepared, justified and effective strategy for the provision of housing? Will it be effective in addressing the housing needs of particular groups? Are any main modifications necessary for soundness?

## **MATTER 5: EMPLOYMENT DEVELOPMENT AND TOWN CENTRES**

### **Issue 1 - Whether the assessment of the need for employment and the employment floorspace requirement are soundly based**

Context – On 1 September 2020, the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (UCO 2020) came into force. The Regulations created Class E – Commercial, Business and Service Uses. Use Classes B2 (general industrial) and B8 (storage and distribution) remain unchanged.

- 5.1 The Housing and Economic Development Needs Assessment (EB-EMP1) sets out a 'planned growth scenario' of 18,500 jobs for the Borough (2011 – 2036). How has the Employment Land Review (EB-EMP2) taken into account local factors in arriving at the need for employment land in the following sectors, and is the approach justified:
  - a. Offices (formerly Class B1(a), now covered by Class E(c))
  - b. Industrial (Class B2 and B8)
- 5.2 Is an extra 10 hectares on top of the identified need for employment land justified to support an improvement in vacancy rates to allow for churn and market choice, and how was that figure arrived at?
- 5.3 How has the need for employment been translated into a requirement for floorspace and land? Are the assumptions in relation to the following factors clear and are they realistic and justified by the evidence:
  - a. Site coverage/plot ratio – 0.35 for office uses, 0.42 for B2 uses, 0.4 for B8 uses
  - b. Loss of employment land to other uses
  - c. A 5 year margin for choice – 8.6 hectares 2011 - 2036
  - d. Assumptions for job densities in the following sectors:  
Former B1a and B1b (offices, research & development, light industry)  
B2 (general industry)  
B8 (storage and distribution)
- 5.4 Should the Loughborough Science and Enterprise Park accommodate more general office and industrial uses as suggested by the Employment Land Review (EB/EMP/2) paragraph 7.16?
- 5.5 Is the allocation of 154.8 hectares of employment land in Policy DS4 justified compared with the assessed need of 44.5 hectares set out in the Employment Land Review? If so, why, and what is the amount of oversupply? Is the Plan making any contribution to strategic need?



- 5.6 Does the Plan identify a 10 hectare site for larger units (over 9,0000 sqm), as recommended in the Employment Land Review? If so, where is it and how will it meet the requirements of that sector?

## **Issue 2 - Employment Allocations and Other Employment Policies**

- 5.7 Do the allocations in Policy DS4 accord with the evidence and findings in the Employment Land Review in terms of the assessments in Appendix A of that document? Is the employment allocation at Dishley Grange justified by the evidence?
- 5.8 Are the employment allocations in Policy DS4 based on a robust site selection methodology, positively prepared and will they be deliverable in accordance with the trajectory in Appendix 2? Why is the Loughborough Science and Enterprise Park not included in the trajectory? Are the employment and housing land trajectories in Appendix 2 aligned?
- 5.9 Will Policy LUC3 be effective in bringing the Loughborough Science and Enterprise Park forward for business development? Are the development requirements comprehensive, including the effect on landscape character, open space and biodiversity?
- 5.10 Should Policy DS4 specify any site requirements for the employment allocations?

### Policy E2 – Protecting Existing Employment Sites

- 5.11 How have 'good quality' employment sites referred to in Policy E2 and shown on the Policies Map been identified? Is it clear what is meant by 'good quality' in both the policy and its supporting text?
- 5.12 Will the marketing requirements for 'good quality' and sites not falling within that definition be effective in safeguarding employment uses and minimising losses of employment floorspace? Does the supporting text in paragraph 5.27 set out more stringent marketing requirements than Policy E2?

### Policy E3 – Rural Economic Development

- 5.13 Is Policy E3 consistent with the NPPF's approach to the rural economy, in particular that sites for local business and community needs may have to be found adjacent to or beyond existing settlements? Do any other sectors need to be identified in the policy?

### **Issue 3 – Warehousing and Logistics Floorspace**

Context - The Warehousing and Logistics in Leicester and Leicestershire Study (EB/EMP/3) identifies a shortfall for large warehousing<sup>5</sup> of 718,875 square metres for rail served sites and 334,986 square metres for non-rail sites in the period to 2041. Two of the six broad Areas of Opportunity which the study identifies extend into Charnwood Borough:

1. Area 2 – between Syston and Ratcliffe-on-Soar, broadly following the A6, M1 and Midland Main Line transport corridors, and incorporating Loughborough (Road & Rail)
2. Area 4 – to the north west of Leicester, broadly following the M1 and A511 transport corridors, incorporating Coalville and Shepshed (road only)

- 5.14 How will the Areas of Opportunity identified in the Study be taken forward? Does this represent an unmet need across the Leicester and Leicestershire authorities or is it a cross boundary issue to apportion the distribution of logistics space?
- 5.15 Should the Plan be more explicit about addressing the need for logistics and warehousing floorspace to 2041 identified in the Study? Is there a need for a specific reference to logistics and warehousing within Policy E1 (Meeting Employment Needs) or within other policies as well, for example Policy DS1?
- 5.16 Overall, does the Plan allocate a sufficient amount, mix and choice of employment sites to meet future needs and has the Plan's economic strategy been positively prepared? Are the Plan's economic and housing strategies aligned?

### **Issue 4 – Whether the Plan will contribute to the vitality and viability of town centres**

- 5.17 Are the boundaries of Loughborough Town Centre, the District Centres and the Local Centres on the Policies Map justified by the evidence in the Retail Study (EB/TC S&F/1)? Is the boundary of the Loughborough Primary Shopping Area justified?
- 5.18 What evidence justifies the thresholds for impact assessments in Policy T1? Does the 500 square metre threshold apply to Loughborough Town Centre or throughout the Borough and is this part of the policy clear?

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<sup>5</sup> Defined as larger than 9000 square metres

- 5.19 What evidence justifies the approach to hot food takeaways in Policy T1? How would 'clusters' of hot food takeaway uses be defined and how would the concentration and proximity of existing businesses be measured?
- 5.20 Overall, does the Plan set out a positively prepared, justified and effective strategy for the economy and for the vitality and viability of the Town, District and Local centres? Are any main modifications necessary for soundness?

## **MATTER 6: URBAN AREA POLICIES, SITE SELECTION, SUSTAINABLE URBAN EXTENSIONS AND HOUSING SITE ALLOCATIONS**

### **Issue 1 – Whether the Urban Area Policies are justified and will be effective in meeting development needs**

#### Policy LUA1 – Leicester Urban Area

- 6.1 How does the Leicester Urban Area relate to the settlement hierarchy, is the policy justified and will it be effective in informing proposals for new development?
- 6.2 Should the policy refer to any additional infrastructure requirements, including transport, and to the partnership working required to deliver that to ensure that it is positively prepared?

#### Policy LUC1 – Loughborough Urban Centre

- 6.3 Is the policy justified and will the development requirements within it, including those relating to the town centre, be clear to Plan users?
- 6.4 How will the policy and the Plan as a whole contribute to the delivery of the Town Centre Masterplan?
- 6.5 Should the policy include reference to any additional infrastructure requirements and delivery mechanisms?

#### Policy SUA1 – Shepshed Urban Area

- 6.6 Is the policy justified and positively prepared and will it be effective in relation to:
  - a. Infrastructure, including drainage, health facilities, settlement and landscape character and improving connectivity within the town centre and between Shepshed other destinations
  - b. The need for regeneration
  - c. Settlement and landscape character

### **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?

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

### **Issue 3 – Sustainable Urban Extensions**

- 6.11 The Annual Monitoring Report (SD/17) at para 7.24 says that the deficit in housing completions against the requirement in the adopted Core Strategy is as a result of delays in the delivery of the Sustainable Urban Extension sites. How will the Plan address this? What interventions are necessary and have these been secured?
- 6.12 Will the allocation of sites in Service Centres and Other Settlements have any implications for the timely delivery of the Sustainable Urban Extensions?

#### LUA2 – North East of Leicester (Thorpebury)

- 6.13 Is Policy LUA2 justified and effective, including in relation to:
- a. The requirement for three primary schools to be provided
  - b. The provision of four pitches for Gypsy and Traveller accommodation and four plots for Travelling Showpeople
  - c. The boundary of the site and the overall scale and mix of the uses shown on the key diagram and Policies Map
  - d. Key infrastructure items, including drainage and transport.
  - e. The timescale and the rate of delivery in the housing trajectory

#### Policy LUA3 – North of Birstall (Broadnook)

- 6.14 Is Policy LUA3 justified and soundly based, including in relation to:
- a. The boundary of the site and the overall scale and mix of the uses shown on the key diagram and the Policies Map
  - b. Key infrastructure items, including drainage and transport improvements and accessibility to Thurcaston
  - c. The timescale and the rate of delivery in the housing trajectory

#### Policy LUC2 – West of Loughborough

- 6.15 Is Policy LUC2 justified and soundly based, including in relation to:
- a. The boundary of the site and the overall scale and mix of the uses shown on the key diagram and the Policies Map
  - b. Key infrastructure items, including drainage and transport improvements
  - c. The timescale and rate of delivery in the housing trajectory

#### **Issue 4 - Housing allocations**

Note - the following question applies to each of the proposed housing site allocations listed in the table below. The Council is requested to respond to all of the questions put and in doing so, should also address the site specific questions in the table below. Representors should respond to those questions relevant to the representations they made at the Regulation 19 consultation stage.

#### Question 6.16

- a. Is the proposed scale of housing development justified, having regard to any constraints and the provision of necessary infrastructure?
- b. Is the allocation consistent with the development strategy in Policy DS1 and where relevant, does it take account of a made Neighbourhood Plan?
- c. What is the likely impact of the proposed development on the following factors:
  - settlement separation and identity and landscape character;
  - biodiversity, green infrastructure including public rights of way and agricultural land quality;
  - heritage assets;
  - the strategic and local highway network and other infrastructure including health facilities, education and open space;
  - air and water quality, noise pollution, land stability and flood risk.

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

<b>Leicester Urban Area</b>
<u>General Questions</u>
Which sites are expected to contribute to the costs of new primary schools on Sites HA1 and HA12? Will this be expected to cover land and build costs and should this be made clear in the site requirements? What mechanism will be used to share the cost of a new primary school amongst the developers of other sites?
<u>HA1 – Land South East of Syston, Syston</u>
Is the key diagram justified and effective? Is the reference to the need for an Exception Test justified? Should enhanced upstream storage benefitting Barkby Brook be a site requirement?
<u>HA2 – Barkby Road, Syston</u>
<u>HA3 – Land north of Barkby Road Syston</u>
Is the reference to two points of access in paragraph 2.68 justified?
HA4 – Queniborough Lodge Syston
HA5 – Land at Melton Road Syston
HA6 – Brook Street Syston
<u>HA7 – Land off Barkby Thorpe Lane Thurmaston</u>
Is the key diagram justified and effective? Are the requirements for tree planting and visual separation justified and if so, why? Is the requirement for a masterplan justified and deliverable?

HA8 – Woodgate Nurseries, Barkby Lane Thurmaston

HA12 – Land at Gynsill Lane and Anstey Lane

Is the requirement for a new primary school within the site allocation justified?  
Is the requirement for a cross boundary approach to masterplanning justified and will it be deliverable?  
Is the site boundary appropriate and justified?

HA13 – Park View Nursery Site off Gynsill Lane

HA14 – Land off Cliffe Road/Henson Close

Can a safe and suitable access be provided for this site and if so, where from?  
Is the requirement to restrict development to the south east corner of the site justified and if so, why?

**Loughborough Urban Centre**

General Questions

Which sites are expected to contribute to the costs of a new primary school on Site HA15? Will this be expected to cover land and build costs and should this be made clear in the site requirements? What mechanism will be used to share the cost of a new primary school amongst the developers of other sites?  
Overall, what effect would the proposed development of sites HA15, 16 and 17 have on landscape character and settlement identity? Are any further mitigation measures necessary?

HA15 – Land south of Loughborough

Would the proposed development lead to the loss of separation between Loughborough and Quorn and how would settlement identity be maintained?  
What effect would the proposed development have on Woodthorpe?  
Is the requirement for a masterplan justified?

HA16 – Laburnum Way

Is there evidence to indicate that the site can be developed without increasing the flood risk to people or property as required by the NPPF?



HA17 – Moat Farm, Land south west of Loughborough

HA18- Land to r/o Snells Nook Lane

Is the requirement for access to the Loughborough Science and Enterprise Park to be safeguarded as part of any layout, justified?

Is the diagram in paragraph 2.89 justified and does it accurately reflect the site requirements?

Are any additional requirements necessary in relation to flood risk?

HA19 – Park Grange Farm, Newstead Way

HA20 – Land off Beacon Road

Can a safe and suitable access be provided for this site and if so, where from?

HA22 – Devonshire Square

Is there evidence to indicate that the site can be developed without increasing the flood risk to people or property as required by the NPPF?

HA23 – Market Street

Is there evidence to indicate that the site can be developed without increasing the flood risk to people or property as required by the NPPF?

HA24 – Southfields Council Offices

HA26 – Former Limehurst Depot

HA27 – Former Main Post Office, Sparrow Hill

HA28 – Land off Derby Square

HA29 – Southfields Road Car Park

**Shepshed Urban Area**

General Questions

Which sites are expected to contribute to the costs of a new primary school on Site HA32? Will this be expected to cover land and build costs and should this be made clear in the site requirements? What mechanism will be used to share the cost of a new primary school amongst the developers of other sites?

Is there an identified shortfall in sports facilities in the town and if so, will developer contributions be sought towards improved and new facilities?

HA30 – Land off Fairway Road

Is the site allocated for housing and employment development and is this clear on the Policies Map?

What is the HS8 notation on the Policies Map?

Is there evidence to indicate that the site can be developed without increasing the flood risk to people or property as required by the NPPF?

HA31 – Land North of Ashby Road

Are any improvements to the A512 junction necessary?

HA32 – Land off Tickow Lane (south)

HA33 – Land at Oakley Road

Is the site boundary accurate and is the site capacity of 133 dwellings accurate and justified?

HA34 – Land off Tickow Lane (north)

HA35 – Land North of Hallamford Road and West of Shepshed

Is the site boundary accurate?

Should the site requirements include additional landscaping?

HA36 – 20 Moscow Lane

HA37 – Land rear of 54 Iveshead Road

HA39 – Land fronting Ashby Road and Ingleberry Road

HA40 – Land to the west of the B591/Ingleberry Road and north of Iveshead Lane

HA41 – Land south of Ashby Road Central

Is there evidence to indicate that the site can the site be developed without increasing the flood risk to people or property as required by the NPPF?

HA42 – 32 Charnwood Road

Is the allocation of the site for residential use appropriate and justified?

**Service Centres**

HA43 – Land West of Anstey

Are the site boundaries correct?

Is the site appropriate for development having regard to existing constraints?

HA44 – Fairhaven Farm, Anstey

Are the site boundaries correct?

Is there evidence to indicate that the site can be developed without increasing the flood risk to people or property as required by the NPPF?

HA45 – Land to south of Melton Road, Barrow upon Soar

Is there evidence to indicate that the site can the site be developed without increasing the flood risk to people or property as required by the NPPF?

HA46 – Land off Melton Road, Barrow upon Soar

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

Is there evidence to indicate that the site can be developed without increasing the flood risk to people or property as required by the NPPF?

HA47 – Land adjoining 84 Melton Road, Barrow upon Soar

Are the site boundaries correct?

Is there evidence to indicate that the site can be developed without increasing the flood risk to people or property as required by the NPPF?

HA48 – Land off Willow Road, Barrow upon Soar

Are the site boundaries appropriate?

HA49- Land off Cotes Road, Barrow upon Soar

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

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

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

HA50 – East of Loughborough Road, Quorn

Is there evidence to indicate that the site can be developed without increasing the flood risk to people or property as required by the NPPF?

HA51 – Land south of Rothley

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

HA52 – 971 Loughborough Road, Rothley

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

HA53 – Land off Barnards Drive, Sileby

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

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

HA54 – Land off Homefield Road, Sileby

Is there evidence to indicate that the affordable housing requirement of 100% is justified?

HA55 – Rear of The Maltings, High Street, Sileby

Is there evidence to indicate that the site can be developed without increasing the flood risk to people or property as required by the NPPF?

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

HA56 – Land off Kendal Road (South of Butler Way and Gray Lane), Sileby

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

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

HA57 – 36 Charles Street, Sileby

Is there evidence to indicate that the site can be developed within highways constraints?

What will be the effect of developing the site on the provision of employment land?

HA58 – 9 King Street, Sileby

Is there evidence to indicate that the site can be developed within highways constraints?

What will be the effect of developing the site on the provision of employment land?

**Other Settlements**

HA59 – Land to rear of Derry’s Garden Centre, Cossington

Are the site boundaries correct?

Is there evidence to indicate that the site can be developed without increasing the flood risk to people or property as required by the NPPF?

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

Is there sufficient infrastructure to support the development?

HA60 – Land off Melton Road, East Goscote

Is there evidence to indicate that the site can be developed within contamination constraints?

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

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

HA63 – Land off Zouch Road, Hathern

Is there evidence to indicate that the site can be developed to provide sufficient linkages to the existing settlement?

HA64 – Land at Threeways Farm, Queniborough

Will the development successfully maintain the separation between Queniborough and East Goscote?

HA65 – Land off Melton Road, Queniborough

Will the development successfully maintain the separation between Queniborough and East Goscote?

HA66 – Land off Gaddesby Lane, Rearsby

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

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

HA67 – 44 Hoby Road, Thrussington

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

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

Is there sufficient justification for the proposed number of dwellings?

HA68 – Land off Old Gate Road, Thrussington

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

Is there sufficient justification for the proposed number of dwellings?

## **MATTER 7: HOUSING LAND SUPPLY**

### **Issue 1 – Whether the Plan will provide for a sufficient housing land supply to deliver the planned housing growth over the Plan period and whether a deliverable five year supply of housing will be available on adoption**

Note – the Council’s responses to these questions should include an updated housing trajectory, updated completions information for 2021/22, site proformas and the Statements of Common Ground with site promoters (referred to in EXAM2).

#### Supply over the Plan Period

- 7.1 What assumptions have been made to inform the trajectory for the delivery of housing sites in terms of:
- a. Lead in times for planning permission being approved
  - b. Outline and reserved matters applications
  - c. Site preparation and ground works
  - d. Average build out rates and numbers of sales outlets
- 7.2 Will the Plan identify a sufficient supply of specific, deliverable sites for years 1 – 5 of the Plan period and specific, developable sites or broad locations for growth for years 6 – 10 and where possible for years 11 – 15? What is the estimated total supply of deliverable and developable new housing from the following sources:
- a. Sites with detailed planning permission for 10 or more dwellings
  - b. Sites with outline or detailed planning permission for 9 or less dwellings
  - c. Windfall allowance
  - d. Sites with outline planning permission for 10 or more dwellings
  - e. Site allocations
  - f. Sites on the brownfield register

(In responding to this question, the Council should provide updated figures from the most recent monitoring information)

- 7.3 What evidence is there to support the estimated supply from the above sources and is it robust?



- 7.4 How does the proposed annual requirement of 1111 dwellings in Policy DS1 compare with recent housing delivery?

Five Year Housing Land Supply

- 7.5 What is the relevant five year period on adoption and what is the requirement?

(The Council's response to this question should include a worked table of the five year requirement and the deliverable five year supply position against the requirement).

- 7.6 Does past delivery and/or the Housing Delivery Test results have any implications for the appropriate buffer to be added to the five year land supply?
- 7.7 Is there clear evidence to support the delivery of sites in the relevant five year period on adoption?
- 7.8 Based on a requirement of 1111 dwellings per year, would the Plan help to ensure a five year supply of deliverable sites on adoption and over the Plan period?

## **MATTER 8: INFRASTRUCTURE AND TRANSPORT**

### **Issue 1 – The Infrastructure Delivery Plan**

- 8.1 Does the Infrastructure Delivery Plan (SD/10) contain the full range of infrastructure to support the development proposed in the Plan? How will it be reviewed and kept up to date?
- 8.2 Does the Infrastructure Delivery Schedule (Appendix 3 of the Plan) enable a coordinated and strategy led approach to the delivery of new and improved infrastructure to support planned growth? Can the priorities, costs and funding sources for the different types of infrastructure be easily identified from the Schedule?
- 8.3 Will Policy INF1 be effective in securing new and improvements in capacity to existing infrastructure to support proposed development and are any main modifications necessary for precision and effectiveness including in relation to:
  - a. Including a cross reference in Policy INF1 to the Infrastructure Delivery Schedule in Appendix 3 of the Plan
  - b. Library and waste provision
  - c. The use of s106 legal agreements to fund highway improvements
  - d. Joint working to address cross boundary infrastructure needs and capacity.

### **Issue 2 – Transport**

Context - The Transport Topic Paper (TP/5) indicates that further work is required to build on the existing transport evidence and provide a more detailed understanding of the Plan's impact on the highway network. Further details of work underway are provided in the Council's letter (EXAM 1A).

- 8.4 What is the role of sustainable transport modes in supporting planned growth and has the effect of modal shift supported by Policy CC5 been taken into account in the transport modelling and studies (EB/TR/11, 12 & 13)? If so, how?
- 8.5 Does Policy INF2 (Local and Strategic Road Network) set out a co-ordinated and strategy led approach to all types of transport in the Borough?
- 8.6 What is the likely effect of the proposed scale and distribution of development on the strategic and local highway network and key junctions? Have the necessary improvements and/or mitigation measures

to the strategic and local highway network been identified in the Plan and the Infrastructure Delivery Plan, including costs and timing/phasing where necessary?

- 8.7 Does the transport modelling undertaken so far (EB/TR/11, 12 & 13) enable specific impacts on the highway network to be identified, for mitigation measures to be developed in response to that modelling and then required as part of the Infrastructure Delivery Plan and site allocation policies? Is any further work required to establish this?
- 8.8 Policy T3 (Car Parking Standards) refers to published guidance in other documents which do not form part of the submitted Plan and are not before the Examination for consideration. How should this matter be addressed to ensure that the policy is justified and will be effective?

### **Issue 3 – Community Facilities**

- 8.9 Does Policy T2 provide a robust and appropriate approach to the protection of community facilities and is the 12 month marketing period justified in all cases? How would proposals for new community facilities be assessed and should that be clearer within the Plan?
- 8.10 Overall, does the plan make appropriate provision for new and improved infrastructure including transport and are any main modifications necessary for soundness?

## **MATTER 9 - VIABILITY AND MONITORING**

- 9.1 Do the site typologies tested in the Viability Study (EB/I&D/1) reflect the type of housing sites expected to be delivered, in terms of their location, land type, density, size and tenure mix?
- 9.2 What is the purpose of the Viability Report Addendum (EB/I&D/2) and what evidence has been used to inform the cost of 'off site' transport schemes?
- 9.3 Have there been any changes in circumstances which could affect the assumptions made in relation to land values, sales values, build costs, developer profit and other inputs to the viability appraisals, for example recent inflationary pressures?
- 9.4 The Viability Study recommends further engagement with the promoters of key sites to ensure that these will be viable and deliverable. Has this been undertaken and how would any risks to the delivery of such sites be managed?
- 9.5 Paragraph 7.6 of the Viability Study indicates that town centre regeneration opportunities in Loughborough are not viable. How would this affect the delivery of the Loughborough Town Centre Action Plan and how would the risks be managed?
- 9.6 Will the monitoring indicators and targets in Appendix 1 of the Plan provide a robust basis for assessing the Plan's delivery?
- 9.7 Does the Plan have sufficient flexibility to respond to changing circumstances and which policies/measures will ensure that?
- 9.8 Overall, is the Plan viable and deliverable and are the mechanisms for monitoring and review robust and appropriate, including Policy DS2?