

**NORTH WEST LEICESTERSHIRE LOCAL PLAN EXAMINATION  
POSITION STATEMENT OF NORTH WEST LEICESTERSHIRE DISTRICT  
COUNCIL**

**MATTER 5 – HOUSING LAND SUPPLY**



**Matter 5a. Are the housing sites with planning permission nominated in Policy H1 deliverable in terms of national policy and guidance and as indicated in the Housing Trajectory? [BP/04 as updated from October 2016, HO/05-06]**

1. The NPPF identifies that for sites to be deliverable they “*should be available now, offer a suitable location for development now and be achievable with a realistic prospect that housing will be delivered on site within five years and in particular that development of the site is viable*”. It goes on to note that “*Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans*”.
2. It should be appreciated that this relates to identifying a 5-years supply of sites. In the context of a Local Plan demonstrating delivery during the plan period (in this case 2011-2031) is of paramount importance.
3. The updated BP/O4 notes that of the 33 sites listed in Policy H1, two sites have been completed and 18 are in the process of being built. In addition, as noted in the Housing Site position statement (EX/18) on two sites (H1t and H1ac) site clearance work had commenced. Clearly these sites are deliverable.
4. Of the remaining 11 sites three are now the subject of reserved matters applications (H1i, H1n and H1ae). By virtue of the decision to approve the applications they are in a suitable location. These sites all have developers involved and the prospect is that some development will take place within 5 years.
5. The individual site assessments in the Housing Site position statement sets out the anticipated delivery on each site. This has had regard to progress to date and factors such as the track record of the specific developer. It is considered to be as robust an assessment as can be provided of what is a fast changing, fluid situation. These points are illustrated by the fact that site H1v (Ashby Road Kegworth) and H1x (Atherstone Road Measham) are at this time not considered to be deliverable due to the impact of the proposed re-routing of HS2 published on 15 November 2016. These are the only sites listed in H1 which are not considered to be deliverable.

**Matter 5b Are the housing sites with resolutions to approve nominated in Policy H2 deliverable in terms of national policy and guidance and as indicated in the Housing Trajectory?**

6. The updated BP/O4 notes that of the 6 sites listed in Policy H2 four sites (H2a, H2b, H2c and H2d) now have the benefit of planning permission.
7. The individual site assessments in the Housing Site position statement sets out the anticipated delivery on each site. This has had regard to progress to date and factors such as the track record of the specific developer.

8. The assessment notes that there are some concerns relating to H2a (Jackson Street Coalville). On the basis of information provided by the prospective developer this is only likely to impact upon timing of development rather than raise questions as to its deliverability in principle.
9. Similarly, site H2d (Slack & Parr Long Lane Kegworth) is unlikely to see development in the early years due to the need to provide new employment premises first, but again deliverability in principle is not considered to be an issue.
10. In respect of H2c (North and south of Grange Road Hugglescote) the Council has consistently recognised that this would not be built out in its entirety during the plan period and this is allowed for in assessing the overall need for new allocations.
11. The remaining site which has now got consent (H2b – Off Kane Close Coalville) is now the subject of a reserved matters application for a slightly increased number of dwellings.
12. Of the two remaining sites listed under Policy H2 (H2e and H2f) these permissions have yet to be issued as they were awaiting the publication and adoption of a new DCS2 in connection with the river Mease SAC. This was done in September 2016 and it is understood that they are now progressing towards completion of the S106 Agreements.
13. The proposed re-routing of HS2 around Measham on 15 November 2016 means that site H2e is no longer impacted by HS2 and so can be brought forward for development.
14. The council considers therefore on the basis of available evidence that those sites listed in Policy H2 are deliverable.

**Matter 5c Should the housing sites with resolutions to approve nominated in Policy H2 be formally allocated in the Plan?**

15. As noted above only two of the sites listed in Policy H2 have yet to progress to permission stage. The purpose of allocating a site for development (whatever the use) as part of plan making is to establish the principle of development. In the case of those sites listed in Policy H2 the principle of development has already been made through the development management process. It is considered, therefore, that it would not be appropriate to include these sites as formal allocations.

**Matter 5d Are the housing sites allocated by Policy H3a-c justified and deliverable in terms of national policy and guidance and as indicated in the Housing Trajectory?**

16. As outlined in response to Matter 2b the preparation of the Local Plan has involved the consideration of reasonable alternatives in terms of the overall development strategy for the plan. The allocation of sites has likewise considered reasonable alternatives having regard to the framework provided by the Settlement Hierarchy (Policy S2). The consideration of these reasonable alternatives is set out in sections 7, 8 and 9 of the Sustainability Appraisal (LP/05).
17. Sites H3a (Land north of Ashby de la Zouch (Money Hill) and H3b (Waterworks Road Coalville) are located in two of the three most sustainable settlements having regard to the Settlement Hierarchy (Castle Donington being the third). It is, therefore, appropriate, to make provision for the residual development in these settlements.
18. Having considered the reasonable alternative sites in both Coalville and Ashby de la Zouch against the Sustainability Appraisal (SA) framework it is considered that both H3a and H3b are justified. As is recognised in the SA assessment none of the potential sites assessed score perfectly so it is inevitable that a balance has to be struck.
19. This is illustrated in Ashby de la Zouch where, with the exception of site A7 (Packington Nook), none of the potential sites could be expected to deliver, individually or collectively, the amount of development required to ensure that the overall needs will be met. The Packington Nook site performs marginally worse against the SA Framework than the Money Hill site. There is also a history of previous applications not being supported at appeal, including a dismissal by the then Secretary of State in 2010.
20. In respect of Coalville, all of the 4 sites assessed perform similarly against the SA Framework. Paragraphs 9.4.2 and 9.4.3 of the SA report set out the reasons for choosing sites H3b.
21. It is therefore, the case, that sites H3a and H3b have been assessed against reasonable alternatives and that they are fully justified.
22. In terms of H3c this is a reserve site which was identified in the event that the site West of High Street Measham (H2e) could not be developed because of the impact of HS2. It was decided that any reserve site should, ideally, be located in Measham so as to ensure a consistent development strategy. As set out in section 6 of Background Paper 4 (BP/04) the various sites identified in Measham as part of the 2014 SHLAA were assessed and it was concluded that land at Ashby Road/Leicester Road represented the most appropriate reserve site. It is important to note that this comparison was done as a planning assessment, not using the SA Framework. Following the publication of the Local Plan and comments received thereafter, the SA Report has been updated and each of the reasonable alternatives in Measham have been

assessed against the SA Framework. As with Ashby some of the other sites assessed performed better than the Ashby Road/Leicesters Road site, but individually and collectively they would not have resulted in sufficient housing land being provided. It is considered that H3c is fully justified.

23. In respect of deliverability, it is considered that H3a, H3b and H3c are consistent with the definition of deliverability set out in the NPPF, although as noted H3c will no longer be required in view of the publication of a new route for HS2 around Measham. Indeed, the new route (which goes to the east rather than west of Measham) clips H3c and so it is unlikely that it could all be delivered in any event.

**Matter 5e Does the Housing Trajectory demonstrate realistically that the housing development for which the Plan provides will come forward within the Plan period?**

24. For the reasons outlined above the Council is of the view that the Housing Trajectory sets out a realistic assessment of the likely delivery of known housing sites across the district throughout the plan period.

**Matter 5f Is it robustly demonstrated that the Plan can deliver a Five Year Housing Land Supply (5YHLS) throughout the Plan period, calculated in accordance with national policy and guidance, taking account of past delivery performance and applying the appropriate five or twenty per cent supply buffer. [BP/04]**

25. A rolling 5-year assessment has been produced (EX/22) which demonstrates that a 5-year supply of housing land exists and will be maintained throughout the plan period, whether using a 5% or a 20% buffer,

**Matter 5g Does the Plan make appropriate provision for Gypsy and Traveller sites? [BP/05, HO/07]**

26. The Council's approach to meeting the accommodation needs of Gypsies and Travellers and Travelling Showpeople is set out at Local Plan Policy H7. This sets out the minimum accommodation need that is required to be met (based on the Leicestershire, Leicester and Rutland Gypsy and Traveller Needs Assessment Refresh (2013) (HO/07)), criteria for the identification of sites and seeks to safeguard existing sites. It also identifies the intention to prepare a Gypsy and Traveller Site Allocations DPD as a means of identifying a range of sites to meet the identified need.
27. As a first step in the preparation of a Gypsy and Traveller Site Allocations DPD, in February 2016 the Council invited comments on a consultation paper (Evidence Document HO/02).
28. This 'call for sites' exercise failed to identify any new sites. As a consequence, the Council has assessed over 500 sites from a variety of sources against national policies and designations to identify those that had a reasonable potential for development. These potential sites have been the subject of

consultation with the Highway Authority, Environment Agency and others. The Leicester and Leicestershire Multi-Agency Traveller Unit (MATU) and the National Federation of Gypsy Liaison Groups have also been involved in assessing the suitability of sites. In addition, landowners have been contacted to determine whether there is a willingness to make sites available.

29. The revised definition of “traveller” set out in the Department for Communities and Local Government’s 2015 planning policy document for travellers could change the assessment of the numbers of pitches and plots required. Therefore, an update to the pitch and plot targets has been commissioned jointly by the HMA authorities (excluding Hinckley & Bosworth).
30. This update had been planned for completion in September 2016 but is now likely to be published during or soon after the examination hearing sessions. This delay has had an impact on the preparation programme for the DPD included in the 2016 Local Development Scheme (LP/15) which will need to be revised accordingly. Once the update has been completed, it is the Council’s intention to publish the DPD which will identify the proposed specific deliverable sites and, potentially, broad locations for growth, to meet identified needs.

**Matter 5h Can the environmental effects of the housing sites allocated by Policy H3a-c be acceptably mitigated when compared with reasonable alternatives: [LP/04-05]**

- i. North of Ashby de la Zouch – Money Hill**
- ii. Waterworks Road, Coalville**
- iii. Ashby Road/Leicester road, Measham**

31. The Sustainability Appraisal Report (June 2016) (LP/05) considers this question in some detail. It concluded that, given all of the circumstances including extant planning permissions, the settlement hierarchy that is set out in the Local Plan is optimal for the District. Further, the report concludes that the distribution of housing across the hierarchy is also optimal.

- i) North of Ashby de la Zouch – Money Hill

32. The SA concluded that the visual impact of a similar scale of development at the site known as Packington Nook scored ‘red’ and as such would be significantly negative, and the Inspector who dismissed an appeal relating to the Packington Nook site in 2014 was particularly concerned that its development would have been physically and functionally separate to the town itself, and Money Hill does not suffer from this major drawback.

33. The Sustainability Appraisal sets out that Money Hill has moderate/high potential to achieve suitable mitigation. The key environmental impact of the development would be the River Mease SAC.

34. Other alternative options are unlikely to meet the total housing number that is needed, so it is considered that the choice is between Money Hill and Packington Nook. Given that Packington Nook has been dismissed at appeal

as recently as October 2014, we already benefit from Inspectors' expert assessments of the sustainability merits of the site. The addition of the Sustainability Appraisal of June 2016 adds to the weight of this body of evidence.

ii) Waterworks Road, Coalville

35. The Council owns land at Waterworks Road, which it is anticipated would deliver approximately 95 dwellings. This can be done without any impact on the existing sports pitches, and since the Council owns the land it has additional control over the form of the development.
36. The choice for Coalville is between the South East Coalville extension together with the Waterworks Road site, and sites within the Whitwick Area of Separation (previously the Green Wedge). Development of sites within the Area of Separation cannot satisfactorily be mitigated, because the function of maintaining separation and identity would be undermined.
37. C46 – Broomleys Farm would result in the loss of a candidate local wildlife site, moderate loss of Grade 3 agricultural land (14.22 Ha), and is within 12 metres of an air quality management area.
38. C57 – South of Loughborough Road is not sustainably located for access to some services. Its development would threaten a candidate local wildlife site, and have potentially significant impacts on grassland such that tree planting would be opposed by ecologists. This would hamper the deliverability of a landscape-led development. This last point is important because the Council takes the view that standard house types can work well within well thought out developments which are landscape led. Tree planting is an important element of this, as it can be used to signify the roads hierarchy, for instance.
39. The preferred site has only limited impact on a potential local wildlife site, which runs on a thin linear strip away from the site, meaning that mitigation may only be needed at the northern end of the site. Given that the Council owns the land, it is within its control to ensure that the potential local wildlife site is protected.

iii) Ashby Road / Leicester Road, Measham

40. The preferred site, which is both sites M11 and M12 in the Sustainability Appraisal, comprises Land off Leicester Road and Land off Ashby Road, Measham. Each were separate SHLAA sites, and have been appraised accordingly.
41. M11 Land off Leicester Road, has no designated or candidate local wildlife sites, and has moderate potential for landscape mitigation as a result of its development. 7.52 hectares would be Grade 3 agricultural land, which is not considered to be of such magnitude as to preclude development.

42. M12 Land off Ashby Road (not to be confused with M5), like M11, does not have any wildlife designations or candidate local designations, and benefits from moderate / high mitigation potential to landscape impacts. It has no Grade 1-3 agricultural land within it.
43. Sites M2 – M7 are either too small to accommodate the number of homes required (M2 Chapel Street, M5 Land at Ashby Road, M7 Oaktree House). Site M4 includes a potential local wildlife site and habitat loss. M6 Land adjacent to Atherstone Road is adjacent to candidate and potential local wildlife sites, surveys have identified multiple protected species present, and it has moderate potential for landscape impact to be mitigated by its development. Importantly, 34.78 hectares of the site is Grade 3 agricultural land.
44. It is reasonable to conclude that alternatives to the preferred site(s) are either too small, or their environmental impacts are too great to be considered for development ahead of sites M11 and M12.

**Matter 5i Is the inclusion of additional land and increase in the allocated housing capacity of Site H3a, Money Hill, from 1,750 to 2,050 by MM2 now proposed by the Council (1,500 in the Plan period) justified on available evidence?**

45. This site was physically expanded as a result of responses to the consultation draft in September 2015. The physical extent of the expanded site has already been subject to Sustainability Appraisal. The issue of the higher number of houses that is now expected to be accommodated by the larger development site has been assessed both by the emerging Neighbourhood Plan and the emergence of the Submitted Local Plan. The impact of an additional 300 houses on the infrastructure is not anticipated to be severe, not least given that works which will unlock the wider Money Hill development and other sites along the A511 corridor are due to start on site at A42 Junction 13 early in the new year. The relatively modest physical expansion of the site does not have such an impact as to render the development as a whole to be undesirable.